Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: May 7, 2024

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Pathway Court Multi-Family

Requests:

1. Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential
2. Rezoning from R-2 Single Family Residential to R-3B PUD Multi-Family Residential
3. Preliminary and Final Planned Unit Development and Variations for a 312-unit apartment complex

Petitioner: Jordan Michalkiewicz, petitioner
295, 345, and 395 Pathway Court

PZC Recommendation: The Planning and Zoning Commission made a motion to approve the petitioner's request that failed 2-4. The PZC have not sent an approval motion forward.

City Council Discretion:

A. To deny the petitioner's requests as presented at the Planning and Zoning Commission (PZC) meeting.
B. To approve the petitioner's requests as presented at the PZC meeting.

Staff Contact: Elizabeth Maxwell, City Planner

Background:

- The properties are vacant and were originally part of the Immanuel Lutheran Subdivision. The lots are zoned R-2 Single Family Residential.
- In 2019, Immanuel Lutheran Church requested a Final Plat amendment to alter the condition of approval that required financial participation regarding the railroad track removal and Congress Parkway intersection improvement. The amended condition is listed below, which requires a development agreement for the four lots, which would outline their participation in the cost of the future improvements. That development agreement was approved September 3, 2020.

2. ~~The owner(s), their heirs and assigns, of the four lots within the Immanuel Lutheran Church Subdivision, shall not object to a Special Service Area (SSA) being created on the properties and their participation in any future SSA to connect Teckler Boulevard with Congress Parkway (and all associated costs), if this connection is approved via a future development approval. A covenant running with the land shall be recorded on all four lots with this plat condition.~~ **The four (4) lots within the subdivision will be subject to a development agreement that will be recorded on the four lots to fund public improvements. The second access point, currently Congress Parkway, may change in the future due to the Union Pacific Railroad participation or not.**

- The future cost of improvements would be for the intersection of Congress and Teckler across Main Street.
- The developer is requesting a Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential, Rezoning from R-2 Single Family Residential to R-3B PUD Multi-Family Residential, and Preliminary and Final Planned Unit Development and Variations for a 312-unit apartment complex.

PZC Highlights:

- The public and the PZC members raised several concerns about the project. The concerns were traffic, density, and changing the Comprehensive Plan and Rezoning for the use itself.
- **Traffic**
  - The petitioner used the City's Traffic Consultant Gewalt Hamilton to perform a traffic study.
  - Peak Traffic. The chart below shows the peak traffic based on day and time. The highest number of vehicles per peak hour would be coming home in the evening during weekdays. This would equate to 1.6 cars per minute.

Table 2: Trip Generation Calculations

Land Use	Units	ITE Code	Weekday Peak Hours						Saturday		
			Morning			Evening			Midday		
			In	Out	Sum	In	Out	Sum	In	Out	Sum
Apartment Complex - Low Rise Housing											
Immanuel Lutheran Apartments	312 Units	220	29	91	120	98	57	155	64	64	128
Total New Trips:			29	91	120	98	57	155	64	64	128

Source: ITE Trip Generation Manual, 11th Edition

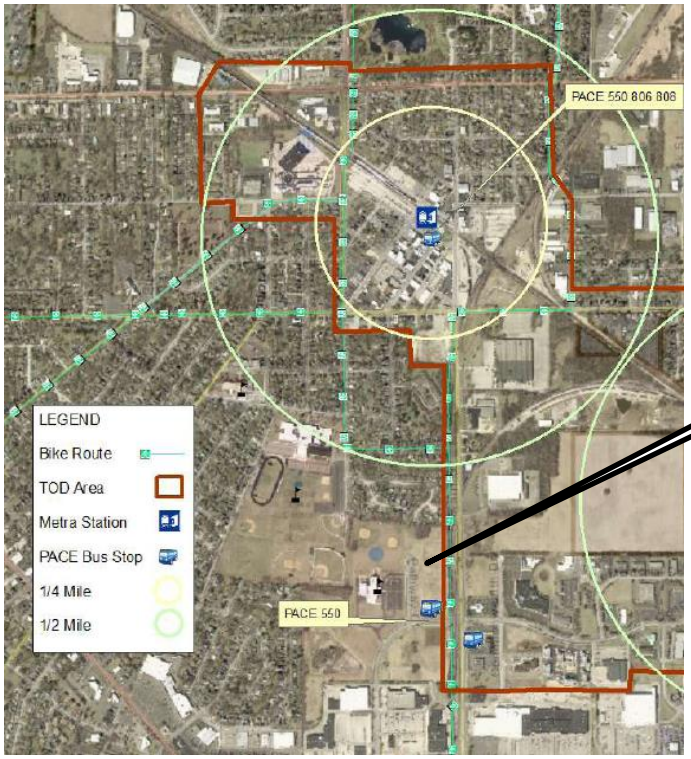
  - The capacity analysis results indicate that the increase from project site-generated traffic does not include significant delay additions to the surrounding intersections. No offsite improvements are required. The traffic study recommends that
    - Install stop signs along the two proposed site entrances onto Teckler Boulevard and Pathway Court for traffic exiting the site.
    - Maintain the existing all-way stop at Teckler Boulevard and Pathway Court traffic pattern through the new site access configuration.

- Density
  - The petitioner is requesting 13.1 dwelling units per acre.
  - The City has recently approved several other multi-family projects that range in higher densities, Enclave is 21 du/ac, Springs is 15.4 du/ac, and Congress Apartments is 14 du/ac. See the full table below:

Enclave (2023)	21 du/acre	Colony Square (1975)	14.8 du/acre
Springs (2021)	15.4 du/acre	Congress Apts (2024)	14 du/acre
DKI senior (2017)	8 du/acre	Uteg Apts (1960)	22.54 du/acre
Darlington Apts (1986)	17.13	Skyridge (1985)	10.7 du/acre
Gable Point (2012)	20 du/acre	Pedcor (2012)	10 du/acre

  - If the project was reduced to 9 units per acre based on the proposed R-3B zoning it would allow 220 units.
- Multi-Family zoning
  - The property is just outside our ½ mile Transit Oriented Development focus area. These properties are still very close to both train stations and along the PACE bus route. See the map below.
  - This project can still support many of the objectives in the Plan.
    - Provide a greater range of housing options for people at all life stages and background within proximity to the Crystal Lake and Pingree Road Metra Stations.
    - Promote visually attractive facades.

Transit Oriented Development Map



The PZC recommended **approval (2-4), which did not pass** of the petitioner's request for the Comprehensive Land Use Plan Amendment, Rezoning, and Preliminary and Final Planned Unit Development.

City Council Discretion:

To deny the petitioner's requests as presented at the Planning and Zoning Commission (PZC) meeting. a Resolution for Denial is in the packet.

To approve the petitioner's requests as presented at the PZC meeting, an Ordinance for Approval is in the packet.

Should the Council make a motion to approve the request, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (3LP Acquisitions LLC, received 2/8/24)
   B. Landscape Plan (The Sigma Group, dated 3/1/24, received 3/5/24)
   C. Engineering Plans (The Sigma Group, dated 3/1/24, received 3/5/24)
   D. Architecture (AG Architecture, dated 1/29/2, received 3/5/24)
   E. Traffic Impact Study (Gewalt Hamilton, dated 3/1/24, received 3/21/24)
   F. Preliminary Wetland Determination (A3E, dated 3/5/24, received 3/5/24

2. Landscape
   A. Provide a tree removal survey. Tree replacement shall meet the required replacement inches.
   B. The Teckler Boulevard right-of-way shall remain paved asphalt. The plans shall be updated with the permit submittal that the right-of-way is not altered.

3. The petitioner shall address all of the review comments and requirements of the City Departments of Public Works, Fire Rescue, Engineering, and Community Development, the City's Stormwater Consultant, and the Traffic Consultant Final Report.

4. These lots are subject to Ordinance 7598 and the subsequent Development Agreement for future roadway costs.

Appendix:

- Appendix A Objection Letters
- Appendix B Support Letter
- Appendix C Traffic Impact Study
- Appendix D Developer Market Study

Votes Required to Pass: A simple majority (4 votes).

Acknowledgement Form

Regarding the Comprehensive Land Use Plan Amendment, Rezoning, and Preliminary/Final PUD for the Pathway Court multi-family development, please check one of the choices and sign below.

☒ I hereby acknowledge that I have read, understand, and agree to the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable).

☐ I hereby acknowledge that I have read, understand, and agree to most of the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable) but have concerns with the following items:

_____

_____

Petitioner's Name: _____ Date: 4/5/2024
Signature

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (3LP Acquisitions LLC, received 2/8/24)
   B. Landscape Plan (The Sigma Group, dated 3/1/24, received 3/5/24)
   C. Engineering Plans (The Sigma Group, dated 3/1/24, received 3/5/24)
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   B. The Teckler Boulevard right-of-way shall remain paved asphalt. The plans shall be updated with the permit submittal that the right-of-way is not altered.

3. The petitioner shall address all of the review comments and requirements of the City Departments of Public Works, Fire Rescue, Engineering, and Community Development, the City's Stormwater Consultant, and the Traffic Consultant Final Report.

PIQ MAP
295, 345 and 395 Pathway Court



Developer Prepared Response to Findings of Fact

#2024-15 Pathway Court Apartments 295, 345, and 395 Pathway Court – Preliminary/Final PUD, Comprehensive Land Use Plan Map Amendment, and Rezoning for an Apartment Development

Find of Fact: Section 2-400 B General Standards Criteria

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare. Meets Does not meet

The development will provide residents and potential new residents of Crystal Lake with housing options that are perfectly situated next to retail, shopping, grocery, restaurants, close proximity to two METRA stations, multiple bus stops, employment, and the downtown. In addition, Immanuel Lutheran will have a vested interested in the success of the project via part ownership in the completed project. This will allow Immanuel Lutheran to expand services and offerings to the community.

The location of the development provides a natural buffer for the single-family residential to the north from the retail to the south. With Pathway Court remaining a dead end, traffic will remain as-is for the single-family, with no traffic coming from the development.

2. The use will not be detrimental to area property values.

As a high-quality, class A, market-rate multi-family complex, the development will have a positive impact to property values. The property value of the site itself will likely increase from $0 to $12,150,000 in assessed value upon stabilization.

3. The use will comply with the zoning districts regulations. Meets Does not meet

The development will comply with the R-3B zoning district regulations except for density and length of building. Both of these variances are further described within the application. The density and length of building allow this project to be feasible considering the quality of design, exterior finishes, interior finishes, amenities, and green space.

4. The use will not negatively impact traffic circulation. Meets Does not meet

Gewalt Hamilton Associates, Inc. (GHA) was engaged by the City of Crystal Lake. This independent third-party engineer studied four intersections that this development will impact. The report indicated negligible impact and had two recommendations seen below.

- Propose stop signs along the two proposed site entrances onto Teckler Boulevard and Pathway Court for traffic exiting the site.
- Maintain the existing all way stop at Teckler Boulevard and Pathway Court traffic pattern through the new site access configuration.

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems. Meets Does not meet

The development will utilize public utilities, but will not have a negative impact.

6. The use will not negatively impact the environment or be unsightly. Meets Does not meet

The design of the development was thoughtfully curated with the assistance of the City of Crystal Lake staff. It incorporates high end exterior finishes of multiple colored and textured cement board and stone. These high-end finishes are carried into the interior with private balconies, stainless steel appliance, upgraded cabinetry, luxury plank flooring, upgraded countertops, and in unit washer and dryers. The development will include a club house with swimming pool, fitness center, and community room. Outside amenities include ample green space, connectivity to the Prairie Trail, and dog run.

A wetland delineation is in progress. The preliminary findings are that a wetland is located on the furthest north point of the site. The development has adjusted the walking path to meet set back requirements. Although most of the stormwater will be routed to the detention pond on the west side of Teckler Blvd., the development also includes two large compensatory ponds. This will ensure no negative impact comes from the development

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards. Meets Does not meet

The Landscape Design for the development exceeds the minimum requirement per zoning. The entire development has carefully considered the single-family residential to the north. In addition to keeping the majority of tree line on the north end of the site, the development will also add a number of plantings along the north side of the site. These plantings will include evergreens to provide additional separation and year-round greenery from the single-family neighborhood. The remainder of the site will incorporate more than 275 new trees, planting beds around all buildings, and a significant amount of green space creating a tranquil surrounding for residents.

As mentioned above, there is a small wetland area on the north side of the site. The development will not disturb this area and no impervious improvements will be developed within the setback.

8. The use will meet requirements of all regulating governmental agencies. Meets Does not meet

Yes, the development will meet all regulating governmental agencies.

9. The use will conform to any conditions approved as part of the issued Special Use Permit. Meets Does not meet

Yes, the development will conform to all required conditions.

10. The use will conform to the regulations established for specific special uses, where applicable. Meets Does not meet

Yes, the development will confirm to all regulations established for specific special uses.

Find of Fact: Section 4-500 C Development Standards and 4-500 D Criteria

1. Implements the vision and land use policies of the Comprehensive Plan.

Meets Does not meet

The development requires the rezone of the property from R-2 Single Family Residential to R-3B PUD Multi-Family Residential. Although the underlying zoning will require a change, the development meets main goals of the comprehensive plan, including "Encourage a diversity of high-quality housing in appropriate locations throughout the City that supports a variety of lifestyles and invigorates community character." and "Provide an appropriate mix of multi-family housing to add density to appropriate areas and allow for mixed-use development."

The proposed density, 13.0 du/acre, falls below more recent approvals. The Courtyard at Congress Station, 14.0 du/acre, Springs at Three Oaks, 15.4 du/acre, and Enclave Crystal Lake, 21.0 du/acre, are all significantly denser the proposed development.

The development creates a community and townhome feel. The residential buildings are two-story and all direct entry. The exterior design has multiple undulations, private patios, multiple colored and textured cement board, stone, walking paths, green space, and landscaping.

2. Shall not result in substantial adverse effect on adjacent property, natural resources, infrastructure, public sites or other matter of public health, safety and welfare.

Meets Does not meet

The development will be a class A, market-rate multi-family community with townhome feel. The single-family residential neighborhood to the north was carefully considered when planning the site. Public utilities will not be negatively impacted. The site will utilize the water retention basin on the west side of Teckler Blvd. for drainage. In addition, two large compensatory drainage areas are located on the north and south to ensure no negative impact to neighboring properties.

3. PUDs must provide transitional uses to blend with adjacent development.

Meets Does not meet

Pathway Court purposefully does not connect with Sunset Terrace or Hill Drive to eliminate the possibility of traffic. Almost all of the trees on the north property line will be kept and more will be planted, including evergreens to provide privacy even during winter months. The development of multi-family is a natural buffer/transition from retail (south), institutional (west), commercial (east) to the neighborhood north.

4. PUD phases must be logically sequenced.

Meets Does not meet

The development will not be considered a phased development. The construction itself may appear phased with footings and foundations on a set of buildings starting and moving onto a next set, while vertical construction starts on the first and so on and so for until the entire site is developed. It is NOT

the intention of the developer to construct one portion of the development, halt for an extended period, and begin again.

5. The density and intensity of a PUD shall be in accordance with the Comprehensive Plan.

Meets Does not meet

The development requires the rezone of the property from R-2 Single Family Residential to R-3B PUD Multi-Family Residential. Although the underlying zoning will require a change, the development meets main goals of the comprehensive plan, including "Encourage a diversity of high-quality housing in appropriate locations throughout the City that supports a variety of lifestyles and invigorates community character." and "Provide an appropriate mix of multi-family housing to add density to appropriate areas and allow for mixed-use development."

The proposed density, 13.0 du/acre, falls below more recent approvals. The Courtyard at Congress Station, 14.0 du/acre, Springs at Three Oaks, 15.4 du/acre, and Enclave Crystal Lake, 21.0 du/acre, are all significantly denser the proposed development.

6. All dimensional standards shall be listed within the PUD plan if they do not meet the Ordinance minimum standards.

Meets Does not meet

All dimensional standards are listed within the PUD plan.

7. The responsible parties for all on-site and other required public improvements shall be established and a utility plan indicating all proposed easements shall be provided.

Meets Does not meet

Yes, all on-site and other required public improvements will be established and a utility plan indicating all proposed easements will be provided.

8. Any private infrastructure shall comply with the city standards.

Meets Does not meet

All utilities on-site will be public as designed in conjunction with Staff.

9. The PUD plan shall establish the responsibility of the applicant/developer.

Meets Does not meet

Yes, the PUD plan will establish the responsibilities of the applicant/developer.

10. A bond or letter of credit shall be posted to cover required fees or public improvements.

Meets Does not meet

No off-site public improvements shall be required for the development and all required fees shall be paid by developer in advance of building permits.

Developer Prepared Response to Phasing and Marketing Timeline

It is very typical for larger multi-family projects to take 6-16 months to fully stabilize depending on the number of units and their delivery timing. If a 250-unit 5-story building was delivered all at once, it may take up to 16 -months to lease up to stabilized. If it is a 250-unit multi-building, multiple delivery times, similar to ours, it may only take 6-months from the time of delivery of the last building.

The Enclave was delivered in November 2023, which is a poor time to deliver a multi-family project. It is the winter when no one wants to move and additionally most rentals run 12-month leases with expirations at the end of summer or Sept. The prime leasing time period is late spring to end of summer. The Enclave is 50% leased with only 1 month of prime leasing. I would expect this to pick up over the next 1-2 months.

The Pathway Court Apartment project's **construction schedule** is approximately 24-months in total. 312-units **will not** be delivered all at once at the end of the 24-months. The construction will be phased in the sense of delivers, but construction will not stop and start. As of right now, the plan is to start on the south parcel and then work north after this area is completed.

- Month 1 Site Work
- Month 10 Delivery of Club House and first building (20-units)
- Month 11 Delivery of building 2
- Month 12 Delivery of building 3
- Month 13 Delivery of building 4
- Month 14 Delivery of building 5
- Month 15 Delivery of building 6
- Month 16 Delivery of building 7
- Month 17 Delivery of building 8
- Month 18 Delivery of building 9
- Month 19 Delivery of building 10
- Month 20 Delivery of building 11
- Month 21 Delivery of building 12
- Month 22 Delivery of building 13
- Month 23 Delivery of building 14
- Month 24 Delivery of building 15 (Completion)

Leasing for this project will take place starting with the first building deliver, expected to be Month 10. Leasing activity will continue as building come online (1 per month). We do not expect to be fully stabilized (~95% occupancy) until Month 30, which is 6-months after delivery of the last building and 20 months from the first building. **These lease up schedule is consistent with the market study completed by Tracy Cross.** If the project is able to break ground this fall, we would not expect to be fully stabilized until Spring 2027.

Regarding lease up and other projects, our market study shows strong demand for the Crystal Lake Market Area. **The study expected a need for 335 units annually over the next 5-years (1,675-units total)** to just meet a balanced market. As indicated in my email for the CCB meeting last week, rental household units for Crystal Lake proper is well below the area average, which is consistent with lower

supply. If more product was available, the percentage of rental household would increase because of the demand in the market.

Regarding condos, there is very limited ability for it in financing and capital market. There is even more limitation on general contractors willing to build it.

Please do not hesitate to reach out with questions.

Thank you,

Jordan Michalkiewicz | VP of Development & Acquisition
jmichalkiewicz@threeleafdevelopment.com
OFFICE: **414-775-0TLP(0857)** CELL: **920-573-6214**

504 W. Juneau Avenue
Milwaukee, WI 53203

Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A COMPREHENSIVE LAND USE PLAN AMENDMENT TO HIGH DENSITY RESIDENTIAL, REZONING TO R-3B MULTI-FAMILY RESIDENTIAL AND A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT FOR A 312 UNIT MULTI-FAMILY PROJECT AT 295, 345, AND 395 PATHWAY COURT

WHEREAS, pursuant to the terms of a Petition (File #PLN-2024-15) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential, Rezoning from R-2 Single Family to R-3B Multi-Family, and a Preliminary and Final Planned Unit Development with Variations for a 312-unit multi-family apartment development for Pathway Court Multi-Family at 295, 345, and 395 Pathway Court (the "Subject Property"); and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on March 15, 2024 in the Northwest Herald, held a public hearing at 7:00 p.m., on April 3, 2024, at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Comprehensive Land Use Plan Amendment, Rezoning and Preliminary and Final Planned Unit Development, and

WHEREAS, on April 3, 2024, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Comprehensive Land Use Plan Amendment, Rezoning and Preliminary and Final Planned Unit Development move forward with a 2-4 vote, as documented in the minutes, and

WHEREAS, notwithstanding the recommendation of the Planning and Zoning Commission, the City Council has determined that the granting of the Comprehensive Land Use Plan Amendment, Rezoning and Preliminary and Final Planned Unit Development to authorize the proposed Pathway Court development of the Subject Property in accordance with the terms of this Ordinance is in the best interests of the City of Crystal Lake that the property legally described herein below be classified and zoned as indicated; and

WHEREAS, the City Council has authority under its home rule powers and the laws and statutes of the State of Illinois to approve this Ordinance in accordance with the terms and conditions of this Ordinance; and

Ord. No.
File No.

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Comprehensive Land Use Plan Amendment, Rezoning and Preliminary and Final Planned Unit Development be issued as presented by the petitioner, subject to and in accordance with the terms and conditions set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential, Rezoning from R-2 Single Family to R-3B Multi-Family, and a Preliminary and Final Planned Unit Development with Variations for a 312-unit multi-family apartment development for Pathway Court Multi-Family on the Subject Property [being 295, 345, and 395 Pathway Court (19-05-281-001, 19-05-427-001, 19-05-428-001), Crystal Lake, Illinois] is hereby approved, , subject to the terms and conditions set forth in Section II of this Ordinance.

Section II: The Comprehensive Land Use Plan Amendment, Rezoning and Preliminary and Final Planned Unit Development granted pursuant to Sections I of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall be deemed a violation of the UDO. Further, any violation of the terms of the following conditions or any other provision of this Ordinance shall authorize the City Council, without further public notice or hearing, to terminate the approvals granted in this Ordinance by adopting an ordinance terminating such approvals:

1. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Subject Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

2. Compliance with Laws. Except as otherwise expressly provided in this Ordinance, the UDO and City Code and all other applicable ordinances and regulations of the City shall continue to apply to the Proposed Use and the Subject Property. The development and use of the Subject Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

3. Approval of Plans and Related Materials in Application. The plans set forth in the Application, to-wit:

   A. Application (3LP Acquisitions LLC, received 2/8/24)
   B. Landscape Plan (The Sigma Group, dated 3/1/24, received 3/5/24)

C. Engineering Plans (The Sigma Group, dated 3/1/24, received 3/5/24)
D. Architecture (AG Architecture, dated 1/29/2, received 3/5/24)
E. Traffic Impact Study (Gewalt Hamilton, dated 3/1/24, received 3/21/24)
F. Preliminary Wetland Determination (A3E, dated 3/5/24, received 3/5/24

are hereby approved subject to such modifications as may be necessary to comply with the additional terms and conditions of this Section as determined by the City Manager or the Manager's designee.

4. Landscape
   A. Provide a tree removal survey. Tree replacement shall meet the required replacement inches.
   B. The Teckler Boulevard right-of-way shall remain paved asphalt. The plans shall be updated with the permit submittal that the right-of-way is not altered.

5. The petitioner shall address all of the review comments and requirements of the City Departments of Public Works, Fire Rescue, Engineering, and Community Development, the City's Stormwater Consultant, and the Traffic Consultant Final Report.

Section III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Comprehensive Land Use Plan Amendment, Rezoning and Preliminary and Final Planned Unit Development in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

DATED at Crystal Lake, Illinois, this 16th day of April, 2024.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

Ord. No.
File No.

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: April 16, 2024
Approved: April 16, 2024
4856-7703-3915, v. 2

CITY OF CRYSTAL LAKE

A RESOLUTION DENYING APPLICATION PLN-2024-15 FOR COMPREHENSIVE LAND USE PLAN AMENDMENT TO HIGH DENSITY RESIDENTIAL, REZONING TO R-3B MULTI-FAMILY RESIDENTIAL AND A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT FOR A 312 UNIT MULTI-FAMILY PROJECT AT 295, 345, AND 395 PATHWAY COURT (19-05-281-001, 19-05-427-001, 19-05-428-001)

WHEREAS, the City of Crystal Lake ("***City***") received an application ("***Application***") from 3LP Acquisitions LLC ("***Applicant***") for: (i) Comprehensive Land Use Map Amendment to High Density Residential, (2) Rezoning to R-3B Multi-Family Residential, (3) a Preliminary and Final Planned Unit Development 312-unit Proposed Multi-Family development (*"**Zoning Request**"*), relating to the property commonly known as 295, 345, and 395 Pathway Court (19-05-281-001, 19-05-427-001, 19-05-428-001) ("***Property***"); and

WHERAS, the Application would permit the development of the Property with 15 multi-family buildings with 312 units, along with additional amenities such as a clubhouse and dog park (the "***Proposed Multi-Family Development***"); and

WHEREAS, in accordance with the City of Crystal Lake Unified Development Ordinance Code (the "***UDO***") and pursuant to proper notice, the City's Planning and Zoning Commission (the "***PZC***") conducted a public hearing commencing and concluding on April 3, 2024 regarding the Application for the Zoning Request; and

WHEREAS, at the conclusion of the public hearing, the PZC voted 2-4 that the Application for the Zoning Request be approved, resulting in the Application failing to receive a favorable recommendation from the PZC; and

WHEREAS, the City Council of the City (the "***City Council***") has reviewed the Application for the Proposed Multi-Family Development on the Property, the testimony and written comments submitted during the public hearing, the recommendation of the PZC, and the presentation, testimony, and such other comments received by the City Council; and

WHEREAS, based on all the information and evidence received (the "***Record***"), the City Council has determined that the Application to authorize the Proposed Multi-Family Development on the Property is not in conformity with the standards and criteria set forth in the UDO and City Code and should be denied; and

WHEREAS, the City Council desires to formally set forth its determination and adopt certain findings of fact in support thereof, as set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, COUNTY OF MCHENRY, STATE OF ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated into and made a part of this Resolution as if fully set forth herein.

SECTION TWO: Findings of Fact. In light of the information and evidence presented in the Record, the City Council hereby finds that the Application does not satisfy the applicable criteria, including without limitation the following:

1. The existing uses and zoning of nearby properties do not support the rezoning.

2. The Record does not demonstrate any community need for the Proposed Multi-Family Development use.

3. The Record does not demonstrate that the Proposed Multi-Family Development is necessary or desirable on the Property.

4. The Record did not demonstrate that the Proposed Multi-Family Development use would not be detrimental to area property values so as to support the Zoning Request.

SECTION THREE: Denial of Application. Based upon the findings in Section Two, the City hereby denies the Application for the Zoning Request relating to the Proposed Multi-Family Development on the Property.

SECTION FOUR: Effective Date. That this Resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

DATED at Crystal Lake, Illinois, this 16th day of April, 2024.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: April 16, 2024
Approved: April 16, 2024
4877-9699-3723, v. 2

#2024-15 Pathway Court Apartments
295, 345, and 395 Pathway Court – Preliminary/Final PUD, Comprehensive Land Use Plan Map Amendment, and Rezoning for an Apartment Development
Project Review for Planning and Zoning Commission

Meeting Date: April 3, 2024

Requests:
1) Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential
2) Rezoning from R-2 Single Family Residential to R-3B PUD Multi-Family Residential
3) Preliminary and Final Planned Unit Development and Variations for a 312 unit apartment complex

Location: 295, 345 and 395 Pathway Court

Acreage: Approximately 24 acres

Existing Zoning: R-2 Single Family Residential

Proposed Zoning: R-3B PUD Multi-Family Residential

Surrounding Properties:

North:	R-2 Single Family Residential
South:	B-2 PUD General Commercial
East:	(across Main Street) B-2 PUD General Commercial
West:	R-2 Single Family Residential (Immanuel Lutheran Church and school)

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Background:

- The properties are vacant and were originally part of the Immanuel Lutheran Subdivision. The lots are zoned R-2 Single Family Residential.
- The petitioner presented this idea at a conceptual hearing in December. There was mixed discussion on the product type and density.
- The petitioner is proposing 15 apartment buildings for a total of 312 units.
- The project also features a clubhouse with fitness center and pool amenities for the residents, a dog run area, open space, sidewalks and paths throughout and connecting to the Prairie Trail and 40 garage spaces.

Development Analysis:

General

- Requests:
  - Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential.
  - Rezoning: The site would be rezoned from R-2 Single-Family Residential to R-3B PUD Multi-Family Residential.
  - A Preliminary and Final Planned Unit Development with Variations to construct 15 apartment buildings.
- Zoning: The site would be rezoned to R-3B PUD Multi-Family. This allows up to nine units per acre. A variation to allow up to 13.1 dwelling units per acre is requested. This is the appropriate zoning for apartments.
- Land Use: The land use map would be changed to High Density Residential. This land use designation would be appropriate for this use.

- Site Plan:
  - The site is three separate parcels. Two of the parcels are contiguous and one is south of the Teckler Boulevard right of way.
  - There are 15 two-story buildings. There are four 23-unit buildings and 11 20-unit buildings. Each building has a mix of one, two, and three bedroom units. There would be a total of 177 one-bedroom units, 105 two-bedroom units, and 30 three-bedroom units.
  - The buildings are laid out to enclose the majority of the parking areas in the three or four building groupings to better hide the parking.
  - Main access into the development is off Pathway Court. A second means of access comes from the south stub road adjacent to the shopping center and Main Street.

- Landscape Plan:
  - The main portion of the lots are tree free, but some tree removal will take place. The petitioner will be removing trees. The total inches removed is 59.6 inches. This would require 24 replacement trees.
  - Each building will have landscape planted around the foundation for the homeowners.
  - Screening between the units and amenities, the roadways, and other uses will be critical. A condition has been added to enhance the landscape plan.
  - Landscape buffers are required between different uses. The developer is leaving the existing treeline and maintaining a 50-foot plus buffer from this development to the single-family residential property to the north.
- Elevations:
  - The apartment buildings are all two-story and feature a combination of peaked roofs, columns, window types and materials.

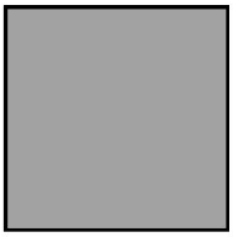
- The color palette is dark greys and wood colors with the lighter stone accent walls and columns.



F1 - LAP SIDING SMOOTH - COLOR A



FP1 - VERTICAL PANEL WITH BATTENS 16" O.C. - SMOOTH- COLOR B



FP2 - PANEL-PANEL SMOOTH



FP3 - PANEL-PANEL SMOOTH



W - WOODTONE RUSTIC SERIES LAP SIDING - SUMMER WHEAT



S - MANUFACTURED STONE WINTER POINT WEATHER LEDGE

- The elevations **meet** the design standards with the exception of building length.

- Engineering Plans:
  - Detention is provided offsite as part of the original subdivision. Additional green space and stormwater improvements are provided on this property.
  - The preliminary wetland delineation show no wetland on the property. Further review during the growing season is necessary. The possible wetland would not change or alter the petitioner's site plan.
  - The engineering meets all our requirements.

- Traffic Impact Analysis:
  - The analysis found that the increase from project site-generated traffic does not include significant delay additions to the surrounding intersections.
  - The traffic analysis has two recommendations:
    - Install stop signs along the two proposed site entrances onto Teckler Boulevard and Pathway Court for traffic exiting the site.
    - Maintain the existing all-way stop at Teckler Boulevard and Pathway Court traffic pattern through the new site access configuration.

Findings of Fact:

Preliminary and Final Planned Unit Development/Special Use Permit

The petitioner is requesting approval of a Preliminary and Final Planned Unit Development to allow the construction of 312 apartment units. A Planned Unit Development is a Special Use and Special Uses require separate review because of their potential to impact surrounding properties and the orderly development of the City.

Section 2-400 B General Standards for all special uses in the Unified Ordinance establishes standards for all special uses in Crystal Lake. Briefly, the criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.
   ☐ *Meets* ☒ *Does not meet*

2. The use will not be detrimental to area property values.
   ☒ *Meets* ☐ *Does not meet*

3. The use will comply with the zoning districts regulations.
   ☒ *Meets* ☐ *Does not meet*

4. The use will not negatively impact traffic circulation.
   ☒ *Meets* ☐ *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.
   ☒ *Meets* ☐ *Does not meet*

6. The use will not negatively impact the environment or be unsightly.
   ☒ *Meets* ☐ *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.
   ☒ *Meets* ☐ *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.
   ☒ *Meets* ☐ *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.
   ☒ *Meets* ☐ *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.
    ☒ *Meets* ☐ *Does not meet*

In addition PUDs must also meet the standards in Section 4-500 C. Development Standards and 4-500 D. 1 Additional standards for Planned Unit Developments Residential PUDs.

1. Implements the vision and land use policies of the Comprehensive Plan.
   ☐ Meets ☒ Does not meet

2. Shall not result in substantial adverse effect on adjacent property, natural resources, infrastructure, public sites or other matter of public health, safety and welfare.
   ☒ Meets ☐ Does not meet

3. PUDs must provide transitional uses to blend with adjacent development.
   ☒ Meets ☐ Does not meet

4. PUD phases must be logically sequenced.
   ☒ Meets ☐ Does not meet

5. The density and intensity of a PUD shall be in accordance with the Comprehensive Plan.
   ☐ Meets ☒ Does not meet

6. All dimensional standards shall be listed within the PUD plan if they do not meet the Ordinance minimum standards.
   ☒ Meets ☐ Does not meet

7. The responsible parties for all on-site and other required public improvements shall be established and a utility plan indicating all proposed easements shall be provided.
   ☒ Meets ☐ Does not meet

8. Any private infrastructure shall comply with the city standards.
   ☒ Meets ☐ Does not meet

9. The PUD plan shall establish the responsibility of the applicant/developer.
   ☒ Meets ☐ Does not meet

10. A bond or letter of credit shall be posted to cover required fees or public improvements.
    ☒ Meets ☐ Does not meet

PLANNED UNIT DEVELOPMENT VARIATION

The purpose of Planned Unit Developments is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Planned Unit Developments are, therefore, intended to allow substantial flexibility in planning and designing a proposal. The proposed amendment enhances the character of the center and allows for a new and unique design for these tenants.

This flexibility is often in the form of relief from compliance with conventional zoning ordinance site and design requirements which may otherwise require individual requests and applications for zoning variations.

Ideally, this flexibility results in a development that is better planned, contains more amenities, and is ultimately more desirable than one that would have been produced through compliance with typical zoning ordinance and subdivision controls.

Therefore more lenient site requirements may be granted where the Planned Unit Development contains features not normally required of traditional developments. Although a formal variation request is not required to be made in conjunction with a Planned Unit Development, Staff identifies those aspects of the Planned Unit Development which effectively result in variations from UDO requirements. If the evidence is not found to justify these variations from the UDO that fact shall be reported to the City Council with a recommendation that the variations from the UDO which are proposed as part of the Planned Development be lessened or denied.

VARIATIONS
The petitioner is requesting two variations as part of the Planned Unit Development:

- Article 3-200 Maximum Net Density. The maximum density for the R-3B zoning district is nine units per acre. This is a typical zoning density of townhome developments, which was the development type encouraged at the time of writing the UDO. Over the past several years apartment developments have come in which exceed the nine units per acre. The petitioner is requesting 13.1 dwelling units per acre.

- Article 4-900 2b.(ii) IV. The maximum length of a multi-family building shall be 200 feet. The petitioner is requesting 210'-10" feet for the 20-unit building and 238'-4" for the 23-unit building.

Comprehensive Land Use Plan 2030 Vision Summary Review:
The Comprehensive Plan designates the subject property as Urban Residential. The Comprehensive Land Use Plan would be changed to High Density Residential, which allows for existing and future higher density townhomes and apartment residential buildings. The following goals are applicable to this request:

Land Use – Residential

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the City that supports a variety of lifestyles and invigorates community character.

Supporting Actions – Encourage a diversity of housing types throughout the City, which satisfy wide-range needs for all persons regardless of age, race, religion, national origin, physical ability and economic level for existing and future City residents.

Success Indicators – Approval of multi-family residential developments.

Supporting Actions – Provide for a reasonable rate of residential growth especially infill growth and mixed-use development which take advantage of City services.

Success Indicators – Number of building permits issued for new construction on infill lots.
Housing – Multi-Family Housing

Goal: Provide an appropriate mix of multi-family housing to add density to appropriate areas and allow for mixed-use development.

Success Indicators – Promote the construction of a variety of multi-family housing products.

Success Indicators – Number of new multi-family housing permits broken into categories for apartments, townhomes, and condominiums.

Supporting Actions – Promote well designed unique multi-family communities.

Success Indicators – Number of new multi-family subdivisions with open space or connected to services or each other.

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 (3LP Acquisitions LLC, received 2/8/24)
   B. Landscape Plan (The Sigma Group, dated 3/1/24, received 3/5/24)
   C. Engineering Plans (The Sigma Group, dated 3/1/24, received 3/5/24)
   D. Architecture (AG Architecture, dated 1/29/2, received 3/5/24)
   E. Traffic Impact Study (Gewalt Hamilton, dated 3/1/24, received 3/21/24)
   F. Preliminary Wetland Determination (A3E, dated 3/5/24, received 3/5/24

2. Landscape
   A. Provide a tree removal survey. Tree replacement shall meet the required replacement inches.
   B. The Teckler Boulevard right-of-way shall remain paved asphalt. The plans shall be updated with the permit submittal that the right-of-way is not altered.

3. The petitioner shall address all of the review comments and requirements of the City Departments of Public Works, Fire Rescue, Engineering, and Community Development, the City's Stormwater Consultant, and the Traffic Consultant Final Report.