#2010-18
American Mattress - 7109 Pingree Road
Project Review for Planning and Zoning Commission

Meeting Dates: April 7, 2010

Requests: Special Use Permit for outside storage of delivery trucks.

Location: 7109 Pingree Road

Acreage: Site: 2.92 acres

Existing Zoning: "M" Manufacturing (building); "B-2" General Commercial (parking lot)

Surrounding Properties:
North: "B-2 PUD" General Commercial PUD
South: "M" Manufacturing (Three Oaks Recreation Area)
East: "B-2 PUD" General Commercial PUD and "B-2" General Commercial
West: "B-2" General Commercial

Staff Contact: Latika Bhide (815.356.3615)

Background:
The property at 7109 Pingree Road (Lots 2 and 3 of Factory Plaza), located at the southwest intersection of Northwest Highway and Pingree Road is zoned "M" Manufacturing (Lot 3 - building) and "B-2" General Commercial (Lot 2 - parking). The property is improved with a multi-unit building. Apart from American Mattress, the other tenants at this location include Fireside Fireplaces (now vacant) and Ferguson Enterprises, Inc. The petitioner, American Mattress, is requesting a Special Use Permit to allow 2 trucks to be parked overnight in the parking lot along Northwest Highway in front of the building.

Land Use Analysis:
Outside sales, display or storage is a Limited Use in both the M and B-2 districts. The Unified Development Ordinance (UDO) defines outside storage as "The keeping, in an unroofed area, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours, except areas solely designated for garbage and trash for a specific use". The Guidelines for Outdoor Display and Sales, Storage, and Service that were adopted as part of the UDO exempts up to 2 vehicles that are used in the normal day-to-day operation of the business as being treated as storage, as long as they are not visible from the right-of-way (except local streets and alleys). This SUP is necessary because these trucks, though used in the normal operation of the business are visible from the Northwest Highway (which is classified as a Major Arterial).

Findings of fact:

Special Use Permit

The petitioner is requesting approval of a Special Use Permit to allow outside storage. Due to their unique nature, Special Uses require 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 the general 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*

Additionally, Section 2-400 C of the UDO, establishes specific criteria for consideration before the issuance of a Special Use Permit for outside display, sales, and storage.

a. General: An on-site circulation pedestrian and vehicle plan, illustrating the location of the sales, service, storage or display area shall be provided.
   The petitioners are not proposing any modifications to the existing site layout. Vehicle storage must occur within the existing striped parking spaces.

b. 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.
   The petitioners are requesting the Special Use Permit as there is no room to store vehicles at the back of the property.

c. 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 Article 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.
   Not applicable

d. 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.
   It is the responsibility of the petitioner to provide written documentation, where applicable.

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, the following conditions are suggested:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, received 3-5-10

B. Plat of Survey, Conway received 3-5-10

2. The outdoor storage is limited to American Mattress for a maximum of 2 delivery vehicles. No wrecked, inoperable or other vehicles that are not used for delivery in the day-to-day operation of the business are permitted to be stored overnight.
3. The delivery trucks must be parked in a designated parking stall and not along a drive aisle so as to avoid impeding cross-access.
4. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

City of Crystal Lake
Development Application

Office Use Only
File # 2010-18

Project Title: _____

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BY

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
- X Special Use Permit
- ___ Variation
- ___ Other

Petitioner Information

Name: DAVID MITCHELL
Address: American Mattress
7109 Pingree Rd. Cry Lk 60014
Phone: 815/477-3990
Fax: 815/477-3992
E-mail: DMITCH648@comcast.net

Owner Information (if different)

Name: Bob Switzer
Address: D & R Developers
2525 Knob Hill Rd McHenry IL 60050
Phone: 815/385-2830
Fax: _____
E-mail: _____

Property Information

Project Description: would like a special permit to park delivery Trucks out front where they are more secure and also have access to electricity to plug diesel trucks into. Trucks are loaded in pm for next morning so security is very important. We have had some vandilism in the past.

Project Address/Location: 7109 pingree Rd crystal Lake IL

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

David Mitchell _____ 3/4/10

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.

David Mitchell _____ 3/4/10

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.

2/22/10

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BY:

To: City of Crystal Lake
Planning Dept etc

2010--18

To whom is in charge,

Please be advised Robert & Daved, Carol & Helene Switzer
co-owners of Property known as Factory Plaza
an all partnerships are aware that
American Bed Inc DBA American Mattress
is submitting the application for a Variance
re: Parking location of their delivery truck.

Also an application to have their old awning
re-surfaced. (a separate app).

Respectfully submitted
for your consideration

Robert Switzer
Managing partner
D & R Developers
7109 - Pingree Rd

My Mailing address is:

SWITZER PROPERTIES
BY D & R DEVELOPERS
2525 KNOB HILL RD.
McHENRY, IL 60050

10-18

PUBLIC NOTICE

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

IN THE MATTER OF THE PETITION OF AMERICAN MATTRESS

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 of the City of Crystal Lake upon the application by David Mitchell on behalf of American Mattress, for a Special Use Permit relating to the following described real estate commonly known as 7109 Pingree Road, Crystal Lake, Illinois 60014, PIN: 19-09-226-003, 19-09-226-004.

This application is filed for the purposes of seeking a Special Use Permit, to allow outdoor storage of delivery trucks, pursuant to Article 2, Land Use; Table 2-300 Permitted Uses Table and Section 2-400 C Review Criteria for specific uses of the Unified Development Ordinance; as well as any other variations that may be necessary to allow the plans as presented. Plans for this project can be viewed at the City of Crystal Lake Planning and Economic 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 April 7, 2010, 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 March 23, 2010)

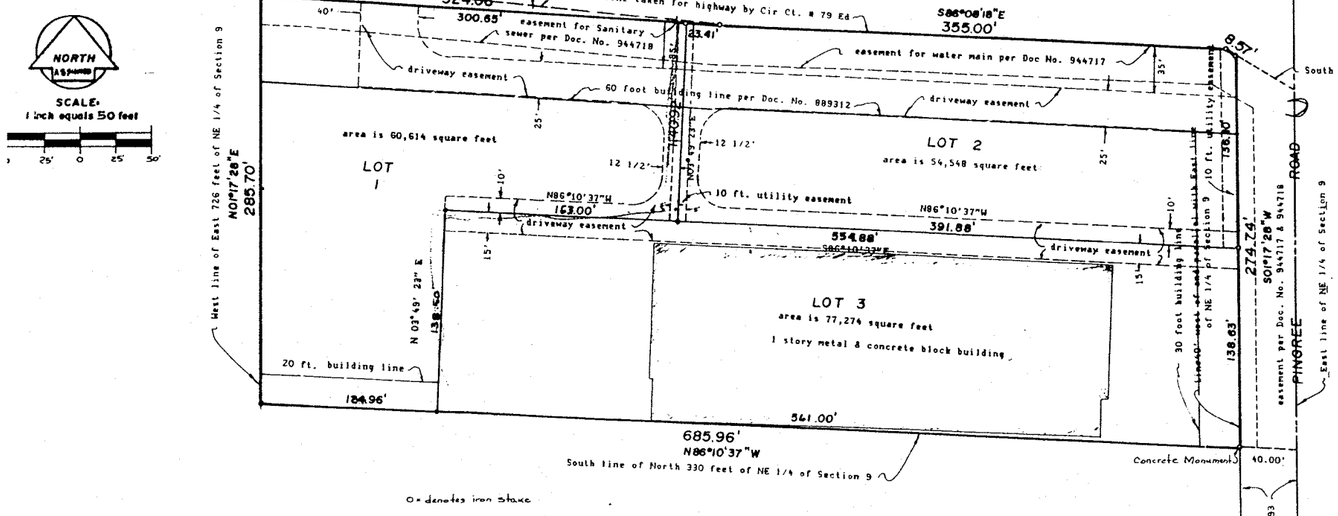
FINAL PLAT OF

FACTORY PLAZA

SUBDIVISION

A SUBDIVISION OF THE NORTH 330 FEET OF THE EAST 726 FEET OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.

Located in the City of Crystal Lake, Illinois.



UTILITY EASEMENT PROVISION

AN EASEMENT IS HEREBY RESERVED AND GRANTED TO THE NORTHERN ILLINOIS GAS COMPANY AND IT'S SUCCESSORS AND ASSIGNS, IN ALL STREETS, ALLEYS AND OTHER PUBLIC WAYS AND PLACES SHOWN ON THIS PLAT, IF ANY, SAID EASEMENT TO BE FOR THE INSTALLATION, MAINTENANCE, RELOCATION AND REMOVAL OF GAS FACILITIES.

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE ILLINOIS BELL TELEPHONE COMPANY AND COMMONWEALTH EDISON COMPANY, CATV COMPANIES AND OTHER UTILITY COMPANIES PROVIDING ELECTRIC OR COMMUNICATION SERVICES, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREA AS SHOWN BY DOTTED LINES ON THE PLAT AND MARKED "EASEMENT", IF ANY, TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN CONDUITS, CABLES, POLES AND WIRES, OVERHEAD AND UNDERGROUND, WITH ALL NECESSARY BRACES, GUYS, ANCHORS, AND OTHER EQUIPMENT, FOR THE PURPOSE OF SERVING THE SUBDIVISION AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICES; ALSO IS HEREBY GRANTED THE RIGHT TO USE THE STREETS FOR SAID PURPOSES, THE RIGHT TO OVERHANG ALL LOTS WITH AERIAL SERVICE WIRES TO SERVE ADJACENT LOTS, THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN WITHIN SAID EASEMENT AREA SAID CONDUITS, CABLES, POLES, WIRES, BRACES, GUYS, ANCHORS, AND OTHER EQUIPMENT; AND FINALLY THE RIGHT IS HEREBY GRANTED TO CUT DOWN AND REMOVE OR TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY OF THE SAID PUBLIC UTILITY EQUIPMENT. NO PERMANENT BUILDINGS OR TREE SHALL BE PLACE ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR THE RIGHTS GRANTED HEREIN.

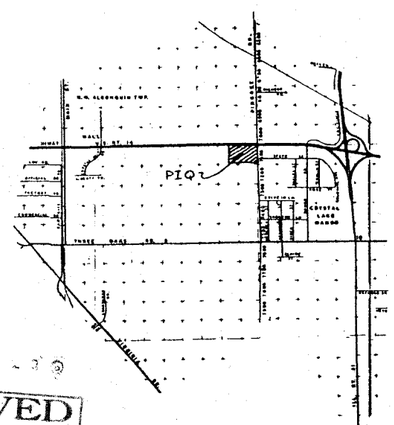
SURVEYOR CERTIFICATE

State of Illinois)
) ss
County of McHenry)

I, Robert J. Conway, do hereby certify that under my direction, I have caused the above described property to be surveyed, and that the plat hereon drawn is a correct representation of said survey. I further certify that the above described property falls entirely within Zone C area of minimal flooding, according to the flood insurance rate map of ~~(unincorporated Areas)~~, McHenry County, Illinois, Panel 335 of 375, Community Panel Number 170732 0335 B. Effective Date: September 30, 1981
All distances are given in feet and decimal parts thereof.

Dated at McHenry, this _____ day of _____, 19 _____.

_____
Illinois Land Surveyor



LOCATION MAP

Designer: Robert J. Conway
Owner: David & Roberi Switzer
McHenry, Illinois
Developer: D&R Development
McHenry, Illinois

dedicated for road per Doc. No. 937293

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MAR 05 2010
BY:

RECORDER CERTIFICATE

State of Illinois)
) ss
County of McHenry)

This instrument filed for record in the Recorder's Office of McHenry County, Illinois, on this _____ day of _____, 19_____, A.D., at _____ o'clock ___m and recorded as Document No. _____.

PLANNING CERTIFICATE

State of Illinois)
) ss
County of McHenry)

Approved this _____ day of _____, 19 _____, by the City of Crystal Lake Planning and Zoning Committee.

_____
Chairman

OWNER CERTIFICATE

State of Illinois)
) ss
County of McHenry)

This is to certify that the undersigned are the legal owners of the land described on the plat hereon drawn and shown hereon as subdivided, and that they have caused said land to be surveyed, subdivided, staked and platted as shown hereon for the purpose of having this plat recorded as provided by law.

In witness whereof we have hereunto set our hands and Seals this _____ day of _____, 19 _____.

_____

_____

NOTARY CERTIFICATE

State of Illinois)
) ss
County of McHenry)

I, _____, a Notary Public in and for said county and state aforesaid, do hereby certify that _____ personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners appeared before me this day in person and acknowledge that they signed and delivered the annexed plat at their own free and voluntary act for the uses and purposed therein set forth.

Given under my hand and Notarial Seal this _____ day of _____ 19 _____, at _____, Illinois.

_____
Notary Public

See Doc No. _____ for covenants regarding driveway easements. Driveway easements are to allow road access between all lots and entrances.

There shall be sufficient parking for the existing net square

COUNTY CLERK CERTIFICATE

State of Illinois)
) ss
County of McHenry)

I, _____, County Clerk in McHenry County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax against any of the land included in the annexed plat.

I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my hand and seal of the County of McHenry at Woodstock, Illinois, this _____ day of _____, 19 _____.

_____
County Clerk

CITY COUNCIL CERTIFICATE

State of Illinois)
) ss
County of McHenry)

Approved by the City of Crystal Lake, Illinois, at a meeting held this _____ day of _____, 19 _____.

_____
Mayor

_____
Clerk

Certificate As To Special Assessments

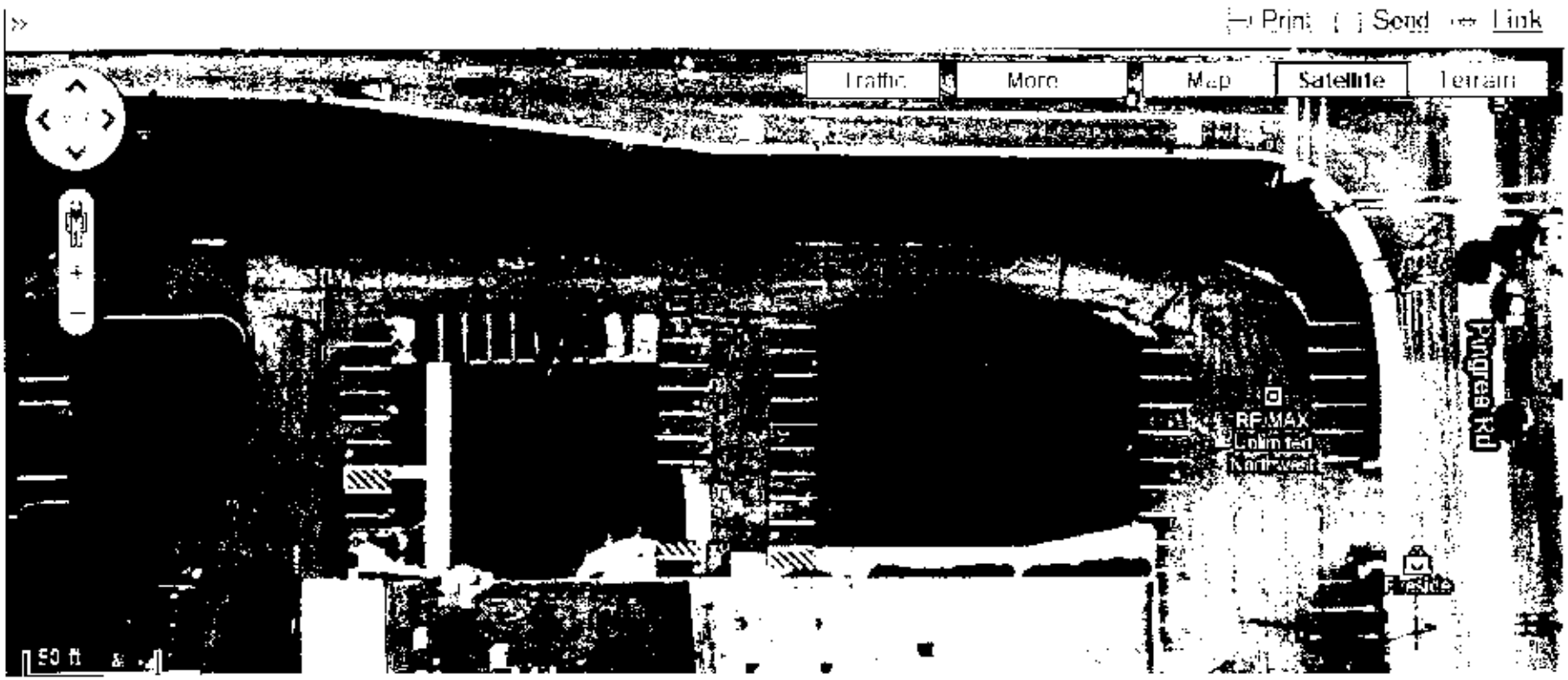
State of Illinois)
) ss
County of McHenry)

I, _____, City Treasurer of the City of Crystal Lake, Illinois, do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have been apportioned against any of the land included in the annexed plat.

Dated at Crystal Lake, McHenry County, Illinois, this _____ day of _____, 19__.

_____
City Treasurer

Drawing Date: November 29, 198
Revised: January 16, 1989


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Send
Link
Traffic
More
Map
Satellite
Terrain
Progress Rd
RE/MAX
50 ft