#2010-29
545 and 565 Dakota Street
Project Review for Planning and Zoning Commission

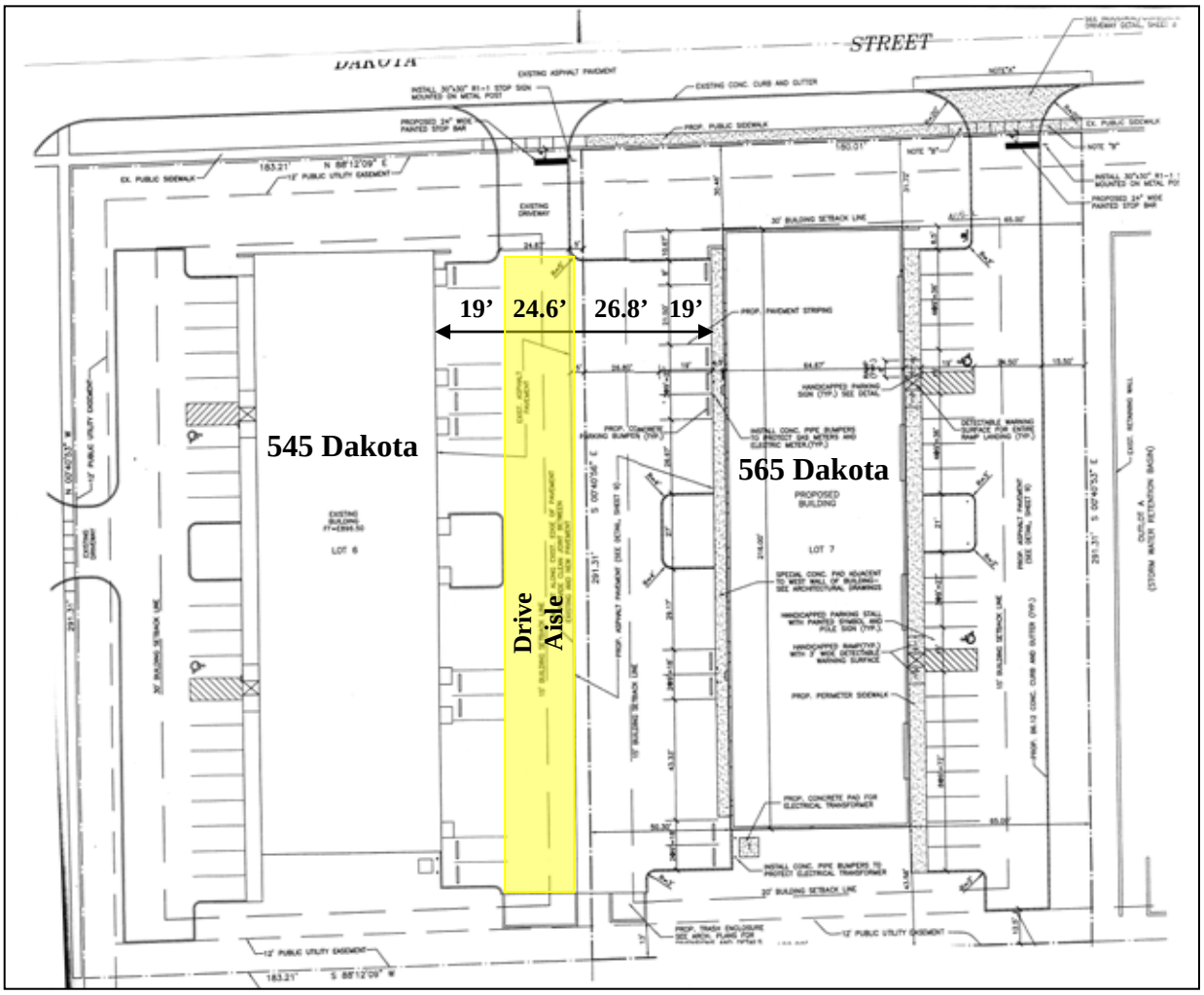
Meeting Dates:	June 16, 2010
Requests:	1) Special Use Permit for outside storage of vehicles and trailers 2) Variation from the requirement to store vehicles in a state of disrepair within a fenced area.
Location:	545 and 565 Dakota Street
Acreage:	Site: 2.43 acres (both lots)
Existing Zoning:	"M" Manufacturing
Surrounding Properties:	North: "M" Manufacturing South: "B-2 PUD" General Commercial PUD East: "M' Manufacturing West: "M" Manufacturing
Staff Contact:	Latika Bhide (815.356.3615)

Background:
The properties at 545 and 565 Dakota Street are zoned "M" Manufacturing and improved with a multi-unit building on each property. Carss (Auto Repair and Maintenance) and Sunset Tree Service are requesting a Special Use Permit for outside storage of vehicles and trailers. Carss occupies Suites E, F and G at 545 Dakota Street and Sunset Tree Service is located in Suites B and H at 565 Dakota Street. The other tenants at 545 Dakota include World of Monogramming, Crystal Lake Millwork and In Sync Systems. Apart from Sunset Tree Service, the other tenants at 565 Dakota Street include Haider Inc. and International Auto Brokers (now vacant).

The Building Division has been working with both these businesses regarding obtaining a Special Use Permit for outside storage. Outside sales, service, display or storage is a Limited Use in the "M" district. 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). In addition, vehicle repair and maintenance uses are exempt from the screening requirement for outdoor storage only for vehicles that are awaiting pick-up no longer than 7 calendar days after repairs are completed. For service uses, the guidelines require that all repairs be conducted inside an enclosed structure. Any outdoor storage of repair materials must

meet outdoor storage requirements. Vehicles that are in a state of disrepair are required to be stored in a fenced area, meeting the requirements of Article 4-700, Fences, Walls and Screening. If automobile, recreational vehicle and boat washing areas are provided these areas are required to be covered and have drains connected to the sanitary sewer system per the approval of the Public Works Department.

A driveway off Knaack Boulevard provides access to the front side of 545 Dakota Street and a driveway off Dakota Street provides access to the front side of 565 Dakota Street. The rear side of both buildings can be accessed off another driveway along Dakota Street.



The following storage is being requested: Carss is requesting a SUP to allow vehicles (trucks) no larger than 17 feet to be stored in the rear parking lot (between the two buildings). The petitioner has indicated that the trucks will be stored for 1-2 days and there will be an average of 6 vehicles parked overnight. Sunset Tree Service services include storm damage, tree pruning, tree removal and replacement, urban forestry management, climbing, bucket truck, cabling and bracing, as well as undergrowth and invasive mowing. There is a variety of large trucks (plates K and L) as well as a trailer currently stored in the parking lot.


545 Dakota - Front side


545 Dakota - Rear Side


565 Dakota - Rear Side


565 Dakota - Rear Side



565 Dakota - Rear Side


565 Dakota - Rear Side

It should be noted also that on further research, staff found that the U-Haul website (http://www.uhaul.com) lists CARSS, at this location, as one of the locations where trucks, trailers, and towing equipment can be rented (This information was not indicated on the application). Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing is a Limited Use in the "M" district. It appears that the petitioner should be able to meet the limited use criteria; however an application must be completed and submitted to the City.

The petitioner (CARSS) is also requesting a variation from the requirement to store vehicles in a state of disrepair within a fenced area.

Land Use Analysis:

Outside sales, service, display or storage is a Limited Use in the M Manufacturing district. Where the requirements of the Limited Use cannot be met, a Special Use Permit is necessary. CARSS does not meet the requirement to store vehicles awaiting repair within a fenced area. Sunset Tree Service has more than 2 vehicles stored at this location with the vehicles larger than the striped parking areas.

Site Plan

545 Dakota Street is a double frontage lot (Dakota Street to the north and Knaack Boulevard to the west) and has two driveways, one off Dakota Street along the front of the building and a shared driveway with 565 Dakota Street off Dakota Street. There is an additional driveway off Dakota Street along the front of 565 Dakota Street. There are a total of 58 parking spaces (21 spaces along the front of each building) for both buildings. The overhead doors are located on the rear of the buildings, accessed from the common drive.

Parking

At the time of approval, properties in the "M" district were required to provide 2.5 spaces per 1,000 SF of useable area. From conversation with tenants in the building, it appears that there is no assigned parking for either building. Based on the tenant mix (and the vacancies in 565 Dakota), there do not appear to be parking problems at this time. However, it should be noted that the Sunset Tree Service equipment is too long for a standard 19-foot parking stall, and was noted to be stored either blocking drive aisles or across multiple parking spots on more than one occasion.

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. The petitioner must submit written verification that the condominium association has approved the proposed parking plan. 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 outdoor service and storage areas are located along the rear of the property and not along any residential areas.

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.
   The Guidelines for Outdoor Display and Sales, Storage, and Service states that vehicles that are in a state of disrepair are required to be stored in a fenced area. The petitioner is

requesting a variation from this requirement. It appears that there is no assigned location for the vehicles. It is recommended that the Special Use be conditioned to allow storage to occur only in a specific location in the rear parking area.

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.

UNIFIED DEVELOPMENT ORDINANCE VARIATION

The petitioner is requesting a variation from the requirement that vehicles in a state of disrepair be stored in a fenced area. The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the Unified Development Ordinance requirements as they relate to the property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing. Before recommending any Variation, the Planning and Zoning Commission and City Council shall first determine and record its findings that the evidence justifies the conclusions that:

1. 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.
☐ True ☐ False

2. Also, that the variation, if granted, will not alter the essential character of the locality.
☐ True ☐ False

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:

1. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;
☐ True ☐ False

2. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;
☐ True ☐ False

3. 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
☐ True ☐ False

4. 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.
☐ True ☐ False

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the Variation be denied.

Recommended Conditions:

If a motion 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 4-19-10)
   B. Site Plan, Dakota Industrial Condos II (Northwestern Engineering Consultants, P.C., dated 9/29/03, received 4-19-10)
   C. Plat of Survey, 545 Dakota Condominium (Vanderstappen Surveying, dated 3/5/03, received 4-19-10)
   D. Plat of Survey, 565 Dakota Condominium (Vanderstappen Surveying, dated 11/2/04, received 4-19-10)
2. Outside Storage
   A) Since this site is in the Crystal Lake wellhead protection area, no collision (wrecked) vehicles or vehicles that are or potentially could leak fluids shall be stored outside.
   B) Outside storage of vehicles shall be limited to repaired vehicles and shall be limited to the designated parking spots in the rear of the building.
   C) The petitioner shall work with Engineering and Public Works staff to provide satisfactory protective measures to prevent ground water contamination due to leaks.
3. A detailed plan indicating exactly where and how many vehicles (including stacking plan) will be parked must be provided for approval. A written verification that the condominium association has approved the plan is also necessary.
4. All repairs must be conducted inside an enclosed structure.
5. Information regarding the size and number of vehicles (for Sunset Tree Service) proposed to stored on-site must be provided. A diagram depicting actual vehicles parking in the proposed spaces and addressing vehicle turning movements must be submitted.
6. Provide a 20-foot access for emergency vehicles to gain access to the building, fire department connection, and any fire hydrants.
7. No vehicles or trailers can block any egress doors.
8. No vehicles or trailers can block any accessible spaces.
9. If upon inspection by the City, it is noticed that any of the conditions of approval are not adhered to, the SUP shall be revoked immediately.
10. 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 - - 29

RECEIVED
APR 19 2010
BY:

Project Title: _____

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

*Sunset Tree
Name: High Compression INC. DBA C.A.R.S.S

Address: 545 Dakota St.
Crystal Lake, IL 60012

Phone: 815 356-0084 (8006)

Fax: 815-356-8215

E-mail: Service@C.A.R.S.S.Biz

Owner Information (if different)

Andy Ludolph
Name: Ronald Benn

Address: 1043 Ridge View Dr.
Inverness, IL 60010

Phone: 847-366-9346

Fax: 815-479-1153

E-mail: _____

Property Information

Project Description: C.A.R.S.S. Automotive and Sunset Tree Service are applying for permit to park vehicles overnite (storage) behind our Buildings, As out lined on Plat maps, And Also behind 300 Millennium Dr in parking lot. Total time for vehicles Avg 3-4 days.

Project Address/Location: 545 Dakota, 565 Dakota, 300 Millennium Dr. All in Crystal Lake, All 60012 zip

~~Acre~~

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Andy Ludovissie 3-25-2010

Chris Brownlow 3-25-2010

PETITIONER: Print and Sign name (*if different from owner*) **Date**

As owner of the property in question, I hereby anthorize the seeking of the above requested action.

Ron Benn 3.26.2010

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.

Andy Ludovissie 3-25-10

10-29

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF High Compression Inc, DBA CARSS and Sunset Tree Service

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 of the City of Crystal Lake upon the application of High Compression Inc, DBA CARSS and Sunset Tree Service relating to the following described real estate commonly known as 545 and 565 Dakota Street, Crystal Lake, Illinois 60012 and the Millenium parking lot located on the east side of Knaack Blvd, north of Dakota Street PIN: 14-33-279-008 to -013 (except -011); 14-33-281-002 to -011 (except -004 and -009) and 14-33-276-020.

This application is filed for the purposes of seeking a Special Use Permit pursuant to Articles 2 and 9 of the Unified Development Ordinance to allow outside sales, service, storage or display for both businesses at these locations; 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 on the request will be held at 7:30 p.m. on Wednesday, June 2, 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 May 18, 2010)

From: Chris jorge [mailto:chris@haidar-inc.com]
Sent: Friday, June 04, 2010 12:54 PM
To: Latika Bhide
Cc: Rick Paulson
Subject: FW: Outside Storage @ Dakota

Dear Latika, (City of Crystal Lake),

Before you take your final decision on the Special Use Permit at 565 Dakota St, I would like to have opportunity to meet you and further explain the situation and why we highly oppose to this permit.

Charles River has received a number of complaints over the years, from us as well from many others regarding outside storage and oversize equipment blocking doors and passages. It is being an ongoing battle that has made my wife concerned to go the office when I'm not in town.

For instance, in our business we are required to move equipment weighting three or more tons in/out of our warehouse. When there is a equipment parked outside blocking our door, it makes very difficult for us to maneuver this big size boxes in/out of the warehouse.

I totally understand that City is not responsible to enforce parking at private locations, but by other I urge the City not bring another variable to an already chaotic situation.

We would like to have opportunity to meet you, further explain the situation, so you could better balance and weight your decision.

Let me know if you would be available for a meeting Monday or Tuesday next week, either at your office or at the Dakota's office.

Cordially,
Chris Jorge
Haidar, Inc.
Tel: (815) 788-1337
info@haidar-inc.com

From: Rick Paulson [mailto:rpaulson@crystallake.org]
Sent: Thursday, June 03, 2010 7:11 AM
To: Chris jorge
Cc: Latika Bhide; Victor Ramirez
Subject: RE: Outside Storage

Chris,

I have forwarded your concerns to Latika, the Planner assigned to the Special Use request. I again encourage you to attend the meeting and voice your concerns. I will be in attendance at the meeting and will able to answer any questions that the commissioners may have.

Thanks,

Rick

From: Chris jorge [mailto:chris@haidar-inc.com]
Sent: Wednesday, June 02, 2010 8:13 PM
To: Rick Paulson
Cc: Victor Ramirez; Laurrie Fitzgerald
Subject: RE: Outside Storage

Hello Rick and the City of Crystal Lake.

Regarding the Special USE Permit from DBA CARSS and Sunset Tree Services for storage and sales and services at 545 and 565 Dakota Street, we would like to express and register our concerns and object to this Special Permit due the fact that:

- It is being very difficult for us to use our building's back door to move material in/out due to the fact that oversize equipment is always parked backing up blocking our building's door.
- Construction equipment, trucks and more are stored in front (cars parking lot) and on the back. Making it very difficult to maneuvers in/out of the parking spaces.
- During snow storm, the outside overnight storage make impossible for the snow plow to maintain the area clean.

These two companies have been doing this for a number of years without permit and regardless the letters and complains sent to Charles River, the situation remains the same.

We would like to have the city considering these items before approving any Special USE Permit on the premises that would the situation even more chaotic.

Cordially,
Chris Jorge
Haidar, Inc.
Tel: (815) 788-1337
info@haidar-inc.com


U-HAUL
U-HAUL
U-HAUL
U-HAUL
GMC
comcast


756
SUNSET
TREE SERVICE




NATIONAL

