# #2010-52
# KnowPlace Pets - 825 Munshaw Lane
# Project Review for Planning and Zoning Commission

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|---|---|
| **Meeting Dates:** | September 1, 2010 |
| **Requests:** | Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Pet Care Services as a Permitted Use in the "M" Manufacturing zoning district. |
| **Location:** | 825 Munshaw Lane |
| **Acreage:** | Approximately 4,343 square foot tenant suite |
| **Existing Zoning:** | "M" Manufacturing |
| **Surrounding Properties:** | North: "M" Manufacturing (Lakeview Business Center Detention)<br>South: "M" Manufacturing<br>East: "M" Manufacturing<br>West: "M" Manufacturing |
| **Staff Contact**: | Latika Bhide (815.356.3615) |

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**Background:**
The property in question is an approximately 4,343-square-foot tenant suite at 825 Munshaw Lane, which is Lot 5 of Lakeview Business Center, Phase II. The Final Plat of Subdivision for Lakeview Business Center, Phase II was approved by the City Council in November 2000. Approximately half of the existing building is currently occupied by the Dolphin Swim Club. It is the petitioner's intent to establish a pet care facility in one of the two remaining tenant suites at this location. The petitioner plans to open and operate a dog daycare facility that would also provide training, grooming and boarding services. The petitioner has indicated that the daycare is designed for a maximum of 40 dogs and the boarding is designed for 20 dogs. The petitioner is proposing to enclose 4 parking spaces in the rear of the building to provide an outdoor area for the dogs to use. The site is zoned Manufacturing and does not allow Pet Care Services, therefore, the petitioner is requesting a Use Variation.

**Land Use Analysis:**
SITE LAYOUT
The site has a single access point off Munshaw Lane. The parking is located all around the building. Per the APA Parking Standards in the UDO, the required parking is 1 space per 400

gross square feet. The petitioner would be required to provide 11 parking spaces. There are currently 121 spaces on site. When Dolphin Swim Club received their SUP for commercial recreation, it was estimated that the use would require 54 parking spaces. Therefore, even if the petitioner were to enclose (and therefore remove) 4 parking spaces to provide an exterior enclosed fenced area to the building; it appears that there will be no negative impact on-site. This is the only proposed modification to the site.

ZONING

Pet care service is a Limited Use in certain zoning districts, but is not a use allowed in the Manufacturing zoning district. Below is an excerpt from the Land Use Table in the Unified Development Ordinance. Pet Care Service is under Service Uses and is a Limited Use in the F, E, O, B-2, B-4, and M-L zoning districts.

| Service Uses | | | | | | |
|---|---|---|---|---|---|---|
| Categories and Sub-categories | | Permitted | Limited | Special | Use Criteria | NAICS |
| Personal and Laundry Services | Massage (Therapeutic) parlors | O, B-2, B-4 | - | - | - | - |
| | Tattoo parlors | - | - | B-2 | - | - |
| | Tailor & Dressmaking shop (including alterations & repair) | B-1, B-2, B-4 | - | - | - | - |
| | Other Personal Care Services | B-2, B-4 | - | - | - | 812199 |
| | Funeral Homes | B-2, B-4 | - | - | - | 812210 |
| | Crematories | - | B-2, B-4 | - | 2-400C-15 | - |
| | Dry-cleaning and Laundry Services (not including Industrial Launderers) | O, B-1, B-2, B-4 | - | - | - | 8123 |
| | Industrial Launderers | B-2, M-L | - | - | - | 812332 |
| | Pet Care (except Veterinary) Services | - | F, E, O, B-2, B-4, M-L | - | 2-400C-16 | 812910 |

Since the use is typically considered a Limited Use, the UDO has a list of criteria that shall be met. The criteria are:

a) Leashing and control: All animals arriving at and leaving the property are to be leashed and under control at all times.

b) Boarding: All boarding shall be conducted inside of the principal building.

c) Outside run fencing: Outside run areas are to be fenced with at least a 6-foot tall solid wooden fence. Animals may be released to the outside run areas only between 6:00 a.m. and 9:00 p.m.

d) Animal waste: Animal waste on the exterior of the property must be removed on a daily basis and disposed of in a sealed container to prevent odors from affecting adjacent tenants or property owners.

e) Sound: Where located in multi-tenant buildings, the suite may be required to be sound proofed to a level deemed appropriate by the Building Commissioner depending on the

size of the kennel and adjacent uses.

f) Adjacent to residential properties: Where located immediately adjacent to residential properties, a Special Use Permit approval is required.

The petitioner can meet all of the above criteria.

**Findings of Fact:**
USE VARIATION

The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the Zoning Ordinance requirements. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

No specific standards are spelled out in the Unified Development Ordinance for granting use variations. However, it is recommended that the Planning and Zoning Commission and City Council first determine and record its findings that the evidence justifies the conclusions that:

The property cannot be used for purposes permitted in the zoning district without the requested variance;

☐ Meets ☐ Does not meet

The proposed use would not alter the essential character of the area in which the property is located;

☐ Meets ☐ Does not meet

The proposed use will not reasonably diminish the value of adjacent property;

☐ Meets ☐ Does not meet

The proposed use will not unreasonably increase the congestion in the public streets or otherwise endanger public safety; and

☐ Meets ☐ Does not meet

The proposed use is in harmony with the general purpose and intents of the Unified Development Ordinance.

☐ Meets ☐ Does not meet

As illustrated indicated, this use is not permitted in the "M" Manufacturing zoning district. The Manufacturing zoning is intended for general industrial uses that provide jobs and services. The petitioner is requesting to use the property for the Pet Care Service use. This use will provide jobs and a service to the community.

**Comprehensive Plan Designation**
The Comprehensive Plan designates this area as Industry. Industry represents existing manufacturing areas and indicates areas for future industrial uses. Within the

Commerce/Office/Industry land use designation, this petition is supported by the following Goal, Objective and Policies.

Goal: Facilitate a dynamic and sustainable base of commercial, office and industrial uses that provide jobs, goods and services to people in the city and throughout the surrounding regions, as well as a solid tax base to the City.

Objective #2: Encourage business development that maximizes links to related businesses, infrastructure and customers.

- Encourage the reuse and redevelopment of existing buildings and facilities instead of growth into undeveloped land.

Objective #3: Promote, retain and attract businesses that provide a diverse base of employment opportunities.

- Continue to promote a diverse economy of commercial, office and industrial uses that relies upon a diverse level of employee skills and experience.

**Recommended Conditions:**

A motion to approve the petitioner's request is recommended with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Michelle Hutchinson, received 8/17/10)
   B. Plat of Survey (VSEI, received 8/17/10)
   C. Floor Plan (Michelle Hutchinson, received 8/17/10)
2. The Use Variation is granted to allow KnowPlace Pet Services, as described in the application information. The use shall not be significantly increased, i.e., the addition of kennels or conversion to a retail operation without amending this special use.
3. This petition must meet the Limited Use criteria for Pet Care Services.
4. The proposed fence must not extend into the parking lot drive aisle.
5. Storm water runoff from the "Outside Exercise Area" which may contain pet wastes, could enter the site storm system which is tributary to the subdivisions detention pond. Proper housekeeping and pet waste management will be needed to prevent storm water runoff water quality concerns. Work with staff to address waste management.
6. Signage is limited to 54 square feet of wall signage per the conditions of the variation previously granted.
7. The petitioner shall address any comments and requirements from 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 # 5 2 2010

**Project Title:** _____

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**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
- X Variation
- ___ Other

**Petitioner Information**

**Name:** KnowPlace Pet Services Michelle Hutchinson

**Address:** 6093 Auburn Court Crystal Lake, IL 60014

**Phone:** 847-516-6400

**Fax:** _____

**E-mail:** michelle@knowplacepets.com

**Owner Information (if different)**

**Name:** Tyler Brewer

**Address:** 6501 Rock Valley Parkway, Loves Park IL 61111

**Phone:** (815) 558-7946

**Fax:** (815) 282-3454

**E-mail:** Tyler@dolphinsw.mdvo.com

**Property Information**

**Project Description:** Pet services facility for Dog Daycare, boarding, grooming and Training. The brunt of the facility will focus on daycare (up to 40 dogs) and boarding (up to 20 dogs)

**Project Address/Location:** 825 Munshaw Lane, 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**

Michelle Hutchinson 8/13/10

**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.**

Tyler Thomas - UC 8/3 7/27/10

**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.

STATE OF ILLINOIS )
) ss.
COUNTY OF WINNEBAGO )

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MEMBER'S CERTIFICATION

I, Tyler B. Brewer, sole Member/Manager of DSC Crystal Lake, LLC, an Illinois limited liability company, do hereby certify that attached hereto is an exact copy of the Operating Agreement of the company, effective June 29, 2009.

I further certify that the Operating Agreement is in full force and effect, and has not been amended or repealed as of this date.

Dated: July 31, 2009

Tyler B. Brewer

Subscribed and sworn to before me this
31 day of July, 2009.

Notary Public

5 2 2010

| Form **LLC-5.5** | **Illinois Limited Liability Company Act Articles of Organization** | FILE # 03137384 |
|---|---|---|
| **Secretary of State Jesse White**<br>Department of Business Services<br>Limited Liability Division<br>www.cyberdriveillinois.com | Filing Fee: $500<br>Expedited Fee: $100<br>Approved By: HAB | **FILED**<br>**JUN 29 2009**<br>**Jesse White**<br>**Secretary of State** |

1. Limited Liability Company Name: DSC CRYSTAL LAKE, LLC

2. Address of Principal Place of Business where records of the company will be kept:
   6501 ROCK VALLEY PARKWAY

   LOVES PARK, IL 61111

3. Articles of Organization effective on the filing date.

4. Registered Agent's Name and Registered Office Address:

   CRAIG P. THOMAS
   2902 MCFARLAND RD STE 400
   ROCKFORD, IL 61107-6801 WINNEBAGO

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5. Purpose for which the Limited Liability Company is organized:
   "The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. The Limited Liability Company has management vested in the member(s).

   BREWER, TYLER B.
   6501 ROCK VALLEY PARKWAY, LOVES PARK, IL 61111

8. **Name and Address of Organizer**
   I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

   Dated: JUNE 29, 2009

   CRAIG P. THOMAS
   2902 MCFARLAND ROAD, SUITE 400
   ROCKFORD, IL 61107

File Number 0313738-4

AUG 13 2010

5 2 2010

# STATE OF ILLINOIS

## OFFICE OF THE SECRETARY OF STATE

## *To all to whom these Presents Shall Come, Greeting:*

*I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that*

DSC CRYSTAL LAKE, LLC, HAVING ORGANIZED IN THE STATE OF ILLINOIS ON JUNE 29, 2009, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.

*In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this* 14TH *day of* JULY *A.D.* 2009 .

SEAL OF THE STATE OF ILLINOIS AUG. 26TH 1818

Authentication # 0919500392

Authenticate at: http://www.cyberdriveillinois.com

Jesse White

SECRETARY OF STATE

10-52

# PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF MICHELLE HUTCHINSON ON BEHALF OF KNOWPLACE PET SERVICES

**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 Michelle Hutchinson on behalf of KnowPlace Pet Services relating to the following described real estate commonly known as 825 Munshaw Lane, Crystal Lake, Illinois 60014 PIN: 19-15-127-001 (the "Subject Property").

This application is filed for the purposes of seeking a use variation from Article 2, Land Uses of the Unified Development Ordinance to allow Pet Care Services within the "M" Manufacturing zoning district to allow a pet services facility for dog daycare, boarding, grooming, and training at the above-mentioned location; 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, September 1, 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 August 17, 2010)

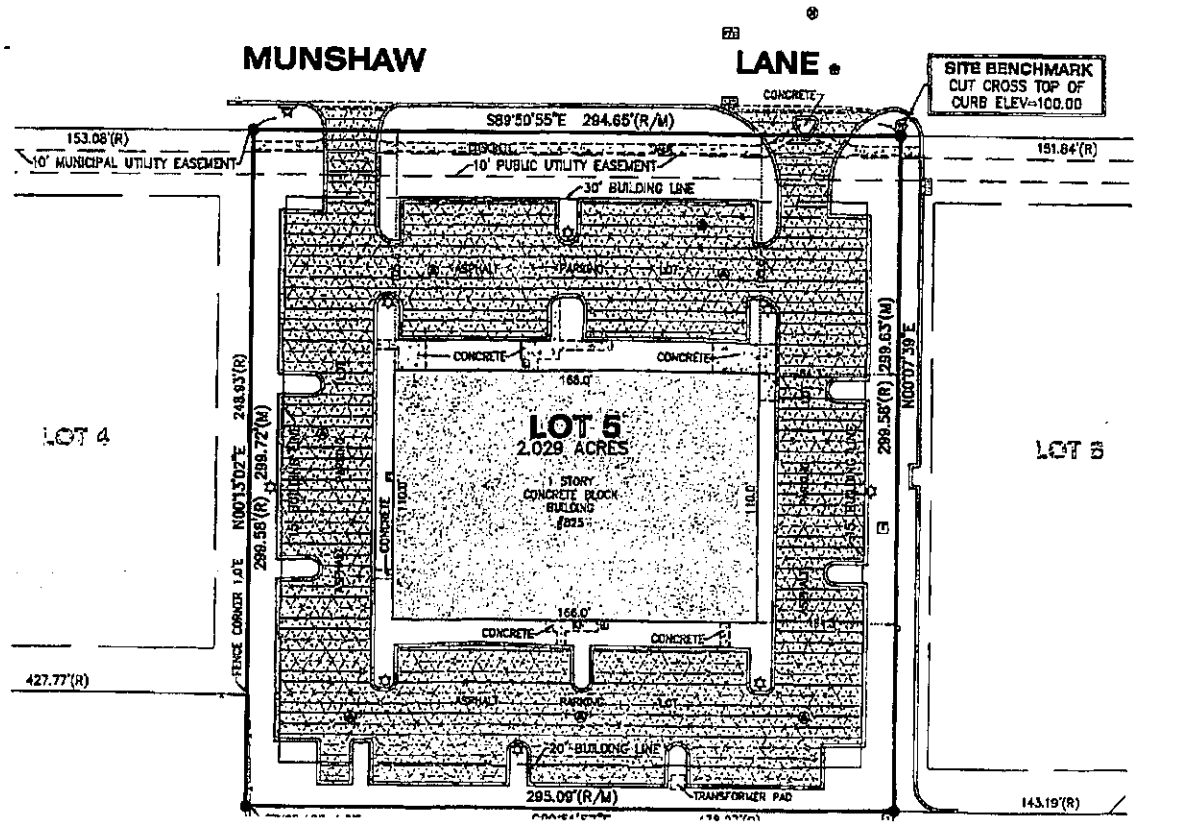
Vanderstappen Surveying & Engineering, Incorporated
1316 North Madison Street, Woodstock, Illinois
(815) 337-8310 www.vsdesinc.com

# PLAT OF SURVEY

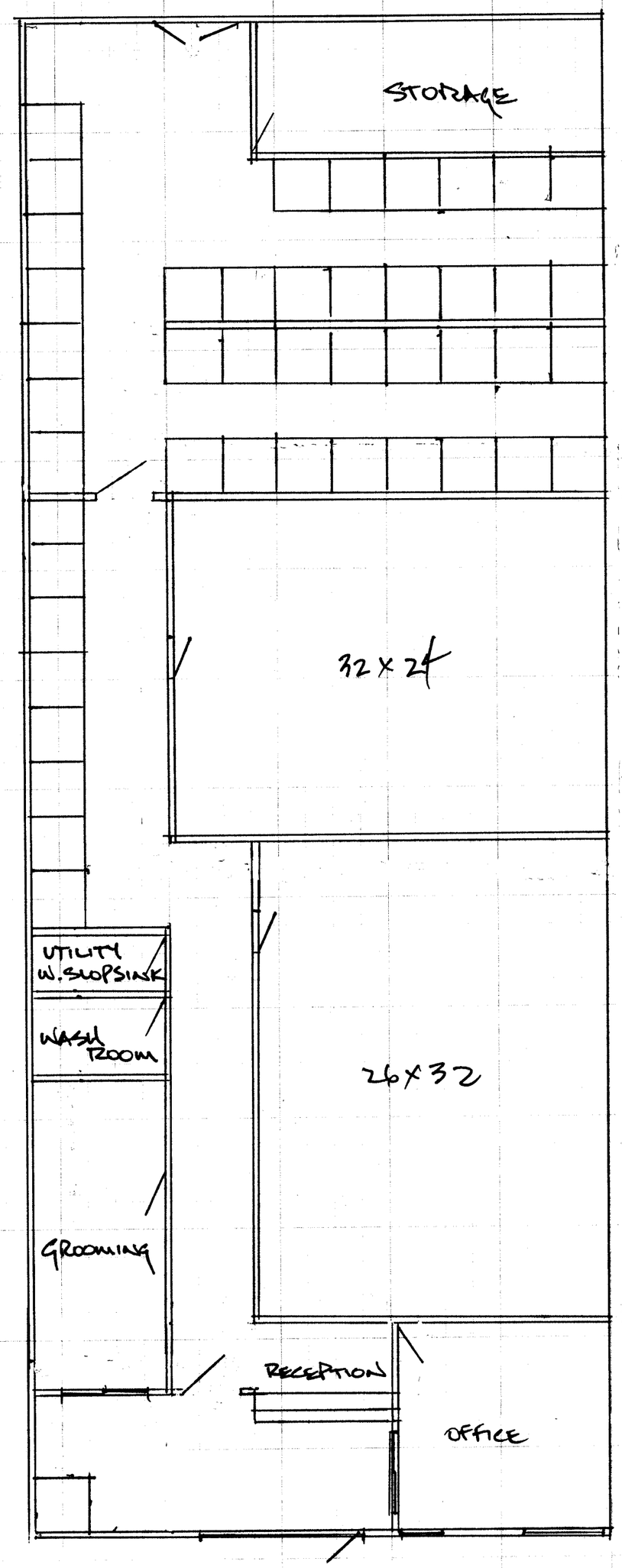
Lot 5 in Lakeview Business Center Phase II being a subdivision of part of the North Half of the Northwest Quarter of Section 15, Township 43 North, range 8 East of the Third Principal Meridian, according to the plat thereof, recorded January 4, 2001 as Document 2001R0000862, and Certificate of Correction recorded as Document 2001R00025076, in McHenry County, Illinois.

5 2 2010

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SEE DETAIL OUTSIDE EXERCISE AREA



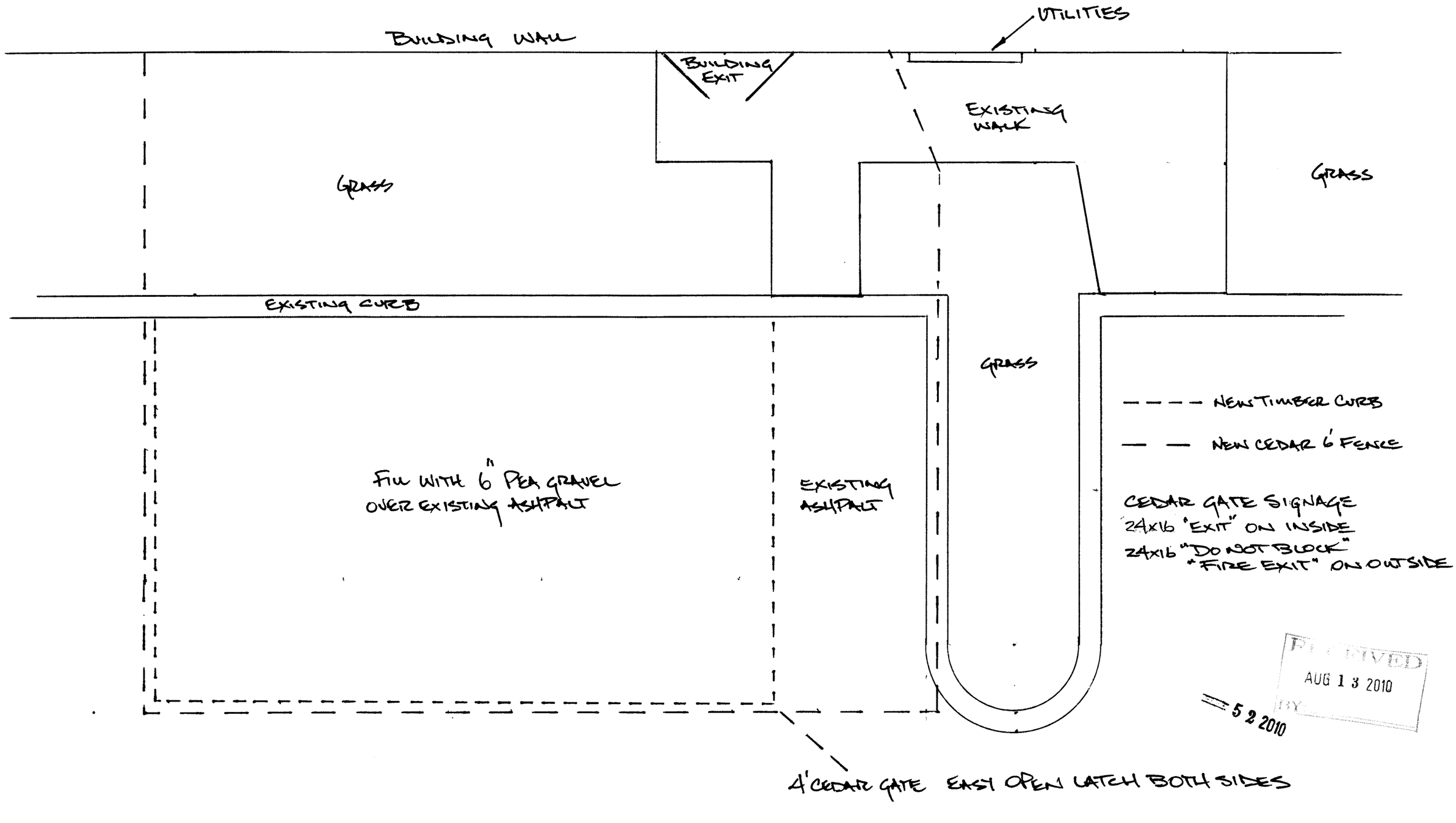

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1/8" - 1'

KNOWN PLACE PET SERVICES
PROPOSED BUILD OUT
825 MUNSHAW LANE
CRYSTAL LAKE, ILL.

KNOW PLACE PET SERVICES — OUTSIDE EXERCISE AREA  1/4" = 1'




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BY

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