#2010-53
Dolphin Swim Club - 825 Munshaw Lane
Project Review for Planning and Zoning Commission

Meeting Dates:	September 15, 2010
Requests:	Variation from the requirement to screen rooftop units from view.
Location:	825 Munshaw Lane
Acreage:	Approximately 8,800 square foot tenant suite
Existing Zoning:	"M" Manufacturing
Surrounding Properties:	North: "M" Manufacturing (Lakeview Business Center Detention) South: "M" Manufacturing East: "M" Manufacturing West: "M" Manufacturing
Staff Contact:	Michelle Rentzsch (815-356-3615)

Background:
The property in question is an 8,800-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. In 2006, Dolphin Swim Club received a Special Use Permit for Commercial Recreation to allow an indoor swimming pool for youth swimming instruction. Dolphin Swim Club occupies approximately half of the building. A temporary occupancy was granted in 2009, with a requirement that any pending items, which included rooftop screening, be completed by May 2010.

Land Use Analysis:
The petitioner is requesting a variation from the requirement that all rooftop appurtenances be screened from view to allow no screening.







Per the requirements of the UDO, rooftop appurtenances (such as cooling towers, elevator or mechanical equipment, vents, intakes or stacks or other rooftop structures) for non-residential uses must be screened from view by employing the following methods:

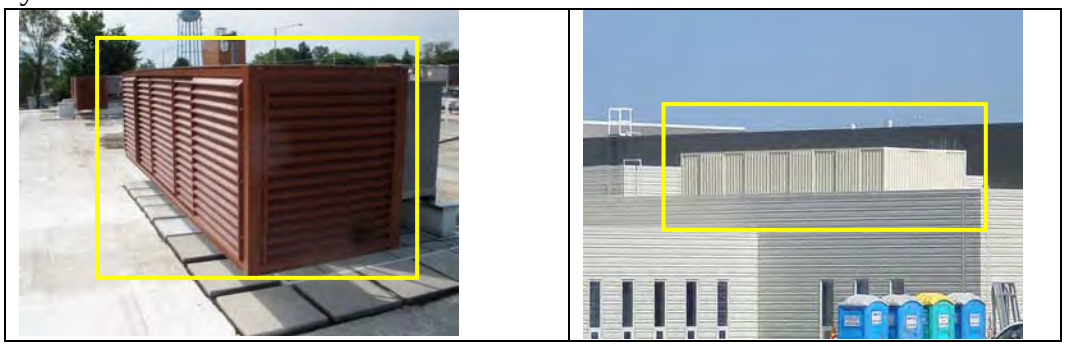
(i) The rooftop appurtenances shall be located in the center of the building (or tenant space) or as far from the street side façade as possible; and/or

(ii) The rooftop appurtenances shall be painted and maintained in the same color as the roof or top portion of the building; and/or

(iii) If more than 50% of the rooftop appurtenances are still visible after providing both (i) and (ii) above, then the rooftop appurtenances shall be screened by a parapet wall, solid metal sight screening or similar systems designed for use as screening of these types of devices.

Based on the location and size of the rooftop appurtenances at this location, they are required to be screened by a parapet wall, solid metal sight screening or a similar system. The petitioner has indicated that it is cost prohibitive for them to provide the necessary screening and are therefore requesting a variation from this requirement.

Included below are some examples of the various types of screening utilized at other locations in the City.



Screening requirements are fairly typical and are generally complied with. It should be noted that the property immediately to the north is the detention area for this subdivision and will remain open space, thereby rendering this building visible from Rakow Road.

Findings of Fact:

UNIFIED DEVELOPMENT ORDINANCE VARIATION

The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the UDO 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 approve the petitioner's request, the following are recommended as conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Sarillo, received 8/20/10)
   B. Plat of Survey (Baseline, dated 7/18/09, received 8/20/10)

2. A variation is hereby granted to allow Dolphin Swim Club to not fully screen the existing rooftop appurtenances from view. Work with staff to provide screening only along Rakow Road view.

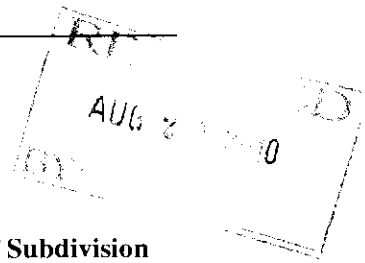
3. Any additional rooftop appurtenances that are added, either by this tenant or other future tenants at this location, will be required to be screened per the provisions of the UDO.

4. 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 3 2010

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
- ___ Special Use Permit
- X Variation
- ___ Other

Petitioner Information

Name: Tony Sarillo, Sarillo Dev.
Address: 1095 Pingree Rd Suite 201
Crystal Lake, IL 60014
Phone: 847-854-0800
Fax: 847-854-0850
E-mail: asarillo@sarillo.com

Owner Information (if different)

Name: Tyler Brewer, DSC LLC
Address: 6501 Rock Valley Parkway
Loves Park, IL 61111
Phone: (815) 558-7946
Fax: (815) 282-3454
E-mail: tyler@dolphinswimclub.com

Property Information

Project Description: Owner requests variance of requirement to provide roof screens on rooftop mechanical units.

Project Address/Location: 825 Munshaw

PIN Number(s): 19-15-127-001

Development Team

Please include address, phone, fax and e-mail

Developer: N/A

Architect: Sarillo Development LLC

Attorney: N/A

Engineer: N/A

Landscape Architect: N/A

Planner: N/A

Surveyor: N/A

Other: N/A

Signatures

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.

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.

PROPERTY INFORMATION

PARCEL NUMBER	19-15-127-001
PROPERTY ADDRESS	825 MUNSHAW LN
PROPERTY TYPE	COMMERCIAL

ASSESSMENT INFORMATION

ASSESSED LAND VALUE	167,996	ESTIMATED FAIR MARKET VALUE	
ASSESSED IMPROVEMENT VALUE	104,508	ASSESSMENT RATIO	33.33
TOTAL ASSESSED VALUE	272,504		

COMMERCIAL BUILDINGS

BUILDING 1: TYPE	STORAGE-WHSE	YEAR BUILT	2008
NUMBER OF STORIES	1	GROUND FLOOR SQ. FT.	18260

LAND INFORMATION

LAND SQUARE FEET		TOTAL ACRES	2.03
EFFECTIVE FRONTAGE	295	EFFECTIVE DEPTH	300

OWNER INFORMATION

OWNER NAME	DSC CRYSTAL LAKE, LLC
OWNER MAILING ADDRESS	

SALE INFORMATION

SALE TYPE	LAND AND BUILDINGS		
QUALIFIED SALE	NO-GOV OR FIN INST	SALE CLASS	FIRST TIME
SALE PRICE	$1649120	SALE DATE	07/01/2009
SALE INSTRUMENT	SPECIAL WARRANTY	INSTRUMENT NUMBER	2009R00382
GRANTEE		GRANTOR	
SALE NOTES			

DETACHED STRUCTURE INFORMATION

STRUCTURE 1

TYPE	POOL-CONCRTE	EFF. YEAR BUILT	2008
QTY/SIZE	2	QTY/SIZE UNITS	COUNT

5 3 2010

AUG 2 0 2010

10-53

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF TONY SARILLO ON BEHALF OF SARILLO DEVELOPMENT, LLC.

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 Tony Sarillo on behalf of Sarillo Development, LLC, 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 variation from Article 3-300 C 1 e, Rooftop Appurtenances, of the Unified Development Ordinance from the requirement that all non-residential uses are required to screen rooftop appurtenances from view, to allow the Dolphin Swim Club to not require screening; 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 15, 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.

Tam Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald August 31, 2010)

ALTA/ACSM

LAND TITLE SURVEY OF PROPERTY DESCRIBED AS FOLLOWS

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 NO. 2001R0000861 AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT NO. 2001R0000862, AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT NO. 2001R0002507R, IN MCHENRY COUNTY, ILLINOIS.

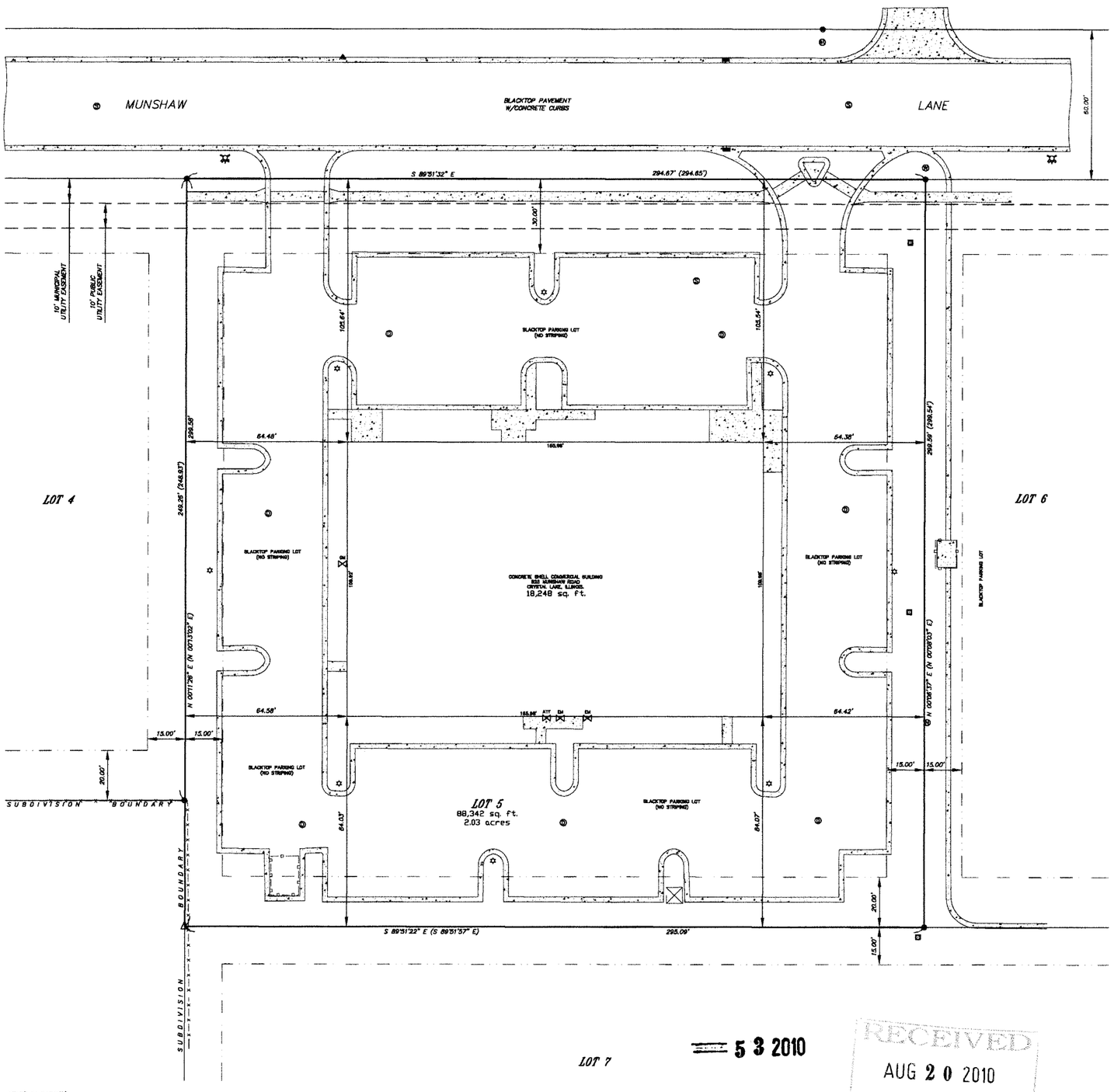
GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

DOCUMENTS RECEIVED

DATE	DESCRIPTION	FROM
7/17/09	TITLE POLICY	CHICAGO TITLE
7/20/09	DOC. NO. 2001R0000867	CHICAGO TITLE
7/20/09	DOC. NO. 2001R082480	CHICAGO TITLE

LEGEND
- FOUND IRON PIPE
- FOUND IRON ROD
- PK NAIL
- INACCESSIBLE CORNER
- FIRE HYDRANT W/VALVE
- PARKING LOT LIGHT POLE
- STREET LIGHT POLE
- DRAINAGE MANHOLE
- WATER MANHOLE
- STORM MANHOLE
- SANITARY MANHOLE
- CURB INLET
- MICOR STAKE
- AMERITECH PEDESTAL
- GAS METER
- ATT BOX
- ELECTRIC METER
- COM ED PEDESTAL
- SURVEYED LINES
- EASEMENT LINES
- BUILDING SETBACK LINES
- CONCRETE
- WOOD FENCES
- CHAIN LINK FENCES
- WIRE FENCES 8' TALL
- 0.00' MEASURED DISTANCE/BEARING
- (0.00') PLATTED DISTANCE/BEARING



RECEIVED
AUG 20 2010
BY:

5 3 2010

STATE OF ILLINOIS)
)SS
COUNTY OF McHENRY)

To DSC LLC, Union National Bank and Chicago Title company, This is to certify that this map or plat and the survey on which it is based were made in accordance with " Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items: 1,3,4,7a,8,9,10 and 11a of Table A thereof.

Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that

* The Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.
* The survey measurements were made in accordance with the " Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."
* Proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the " Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Date: _____ (signed)_____
Registration No. 35-3324 Exp. 11/30/2010

FLOOD HAZARD REPORT

The above described property falls entirely within zone X, areas of 0.2% annual change flood; areas of 1% annual change flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. According to Flood Insurance Rate Map in McHenry County, Illinois. Panel 335 of 365, Map Number 17111C0335J, map effective date November 16,2006.

JOB #	091240				
DRAWN BY:	CHECKED BY:	FIELD WORK:	SCALE:	SHEET:	PREPARED FOR:
S.L.R.	S.L.R.	7/18/09	1"=20'	1/1	Tyler Brewer

BASELINE PROFESSIONAL SERVICES CORP. 703 RIDGEVIEW DRIVE McHENRY, ILLINOIS, 60050 815 385-2217 P.O. BOX 8225 GALENA, ILLINOIS, 61036 815 777-2114

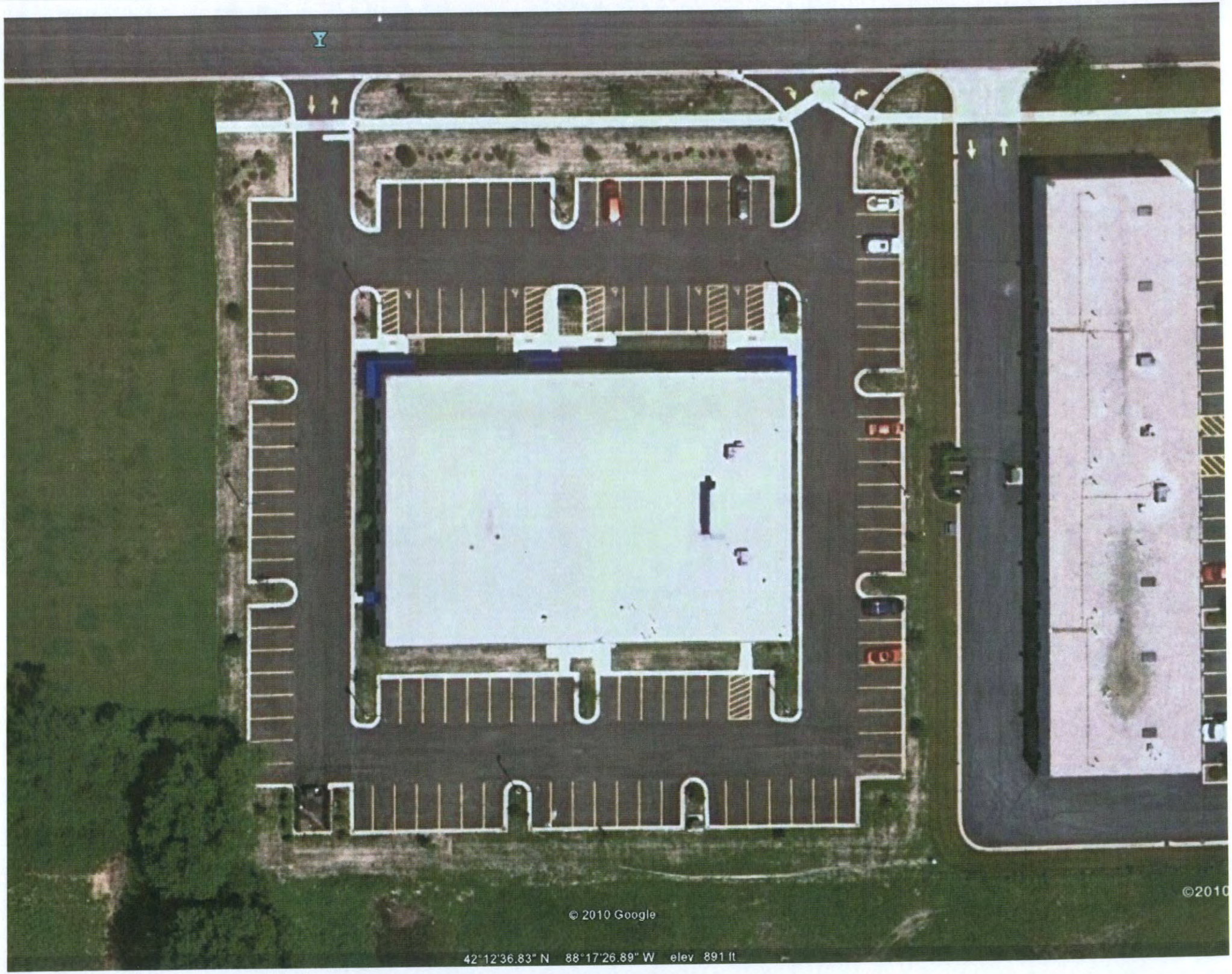
RAISED CORPORATE SEAL DENOTES CERTIFIED COPY

PROFESSIONAL DESIGN FIRM NO. 184-004015

NOTE: PROPERTY IS OVERGROWN WITH WEEDS AT TIME OF FIELD WORK.

NOTE: COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.
NO DISTANCE SHOULD BE ASSUMED BY SCALING.
NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS SHOWN AND NOTED.
NO REPRESENTATION AS TO OWNERSHIP, USE, OR POSSESSION SHOULD BE HEREON IMPLIED.
REFER TO ABSTRACT, TITLE OR LOCAL ORDINANCES FOR ANY ADDITIONAL RESTRICTIONS, EASEMENTS OR BUILDING LINES.
THERE MAY EXIST DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.




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© 2010 Google
42°12'36.83" N 88°17'26.89" W elev 891 ft