#2012-116
7624 US Route 14 (Spence Management)
Project Review for Planning and Zoning Commission

Meeting Date:	February 6, 2013
Zoning Request	Rezoning, upon annexation, from B-1 (McHenry County) to W PUD (City of Crystal Lake).
Location:	7624 US Route 14
Acreage:	approximately 9.4 acres
Existing Zoning:	B-1 (McHenry County)
Requested Zoning:	W PUD Watershed
Surrounding Properties:	North: M-L Manufacturing Limited South: R-1 Single Family Residential East: B-2 General Commercial West: B-2 PUD General Commercial
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- Existing Use: The property is currently vacant.
- History: Per the pre-annexation agreement, this property was required to annex as it became contiguous to the City limits.

Development Analysis:

General

- Request: To zone the property W PUD, and allow the uses permitted in B-2, except; car wash, outdoor sales lot, parking lot/commercial garage or oil service station. This is similar to other watershed properties that have annexed over the past few years.
- Land Use: The land use map shows the property as Commerce. No Comprehensive Land Use Plan Map Amendment is necessary.
- Zoning: The property is currently zoned B-1 in McHenry County. The property is within the Crystal Lake Watershed, so W PUD is the appropriate zoning district.

2030 Comprehensive Land Use Plan Summary Review:

The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future commercial and business uses. The following goal is applicable to this request:

Land Use

Goal: Balance the various land uses within the city to create more compact, mixed-use livable neighborhoods while providing a variety of housing, jobs, transportation options and business services.

This can be accomplished with the following supporting action:

Supporting Action: Create an appropriate mix of land uses throughout the City.

Findings of Fact:

REZONING

- The property is currently zoned B-1 in McHenry County. Property annexed into the City of Crystal Lake comes in as E, Estate zoning.
- The property will be rezoned to W PUD Watershed.

Criteria for Rezoning

(a) The existing uses and zoning of nearby property.

☐ *Meets* ☐ *Does not meet*

(b) The extent to which property values are diminished by a particular zoning classification or restriction.

☐ *Meets* ☐ *Does not meet*

(c) The extent to which the destruction of property value of a petitioner property owner promotes the health, safety, morals or general welfare of the public.

☐ *Meets* ☐ *Does not meet*

(d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.

☐ *Meets* ☐ *Does not meet*

(e) The suitability of the subject property for its zoned purposes.

☐ *Meets* ☐ *Does not meet*

(f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.

☐ *Meets* ☐ *Does not meet*

(g) The Comprehensive Plan designation and the current applicability of that designation.

☐ *Meets* ☐ *Does not meet*

(h) The evidence or lack of evidence, of community need for the use proposed.

☐ *Meets* ☐ *Does not meet*

Recommended Actions:

A motion to recommend approval of the petitioner's request to rezone the subject property from "B-1" McHenry County to "W PUD" Watershed, allowing the uses permitted in B-2, except car wash, outdoor sales lot, parking lot/commercial garage or oil service station.


W
W
W
W
W
RIDGEFIELD ROAD
ANDREA LANE
HICKORY DRIVE
RIDGE AVENUE
PIQ.
US ROUTE 14
ILLINOIS ROUTE 176
R-2
R-2
R-2 PUD
ORCHARD ROW

1/6 2012

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: _____

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Action Requested

X Annexation
__ Comprehensive Plan Amendment
__ Conceptual PUD Review
__ Final PUD
__ Final PUD Amendment
__ Final Plat of Subdivision
__ Preliminary PUD
__ Preliminary Plat of Subdivision
X Rezoning *
__ Special Use Permit
__ Variation
__ Other

Petitioner Information

Name: Spence Group Service, Inc.
c/o Chris Spence
Address: 361 Forest Avenue, Suite 205
Laguna Beach, CA 92651
Phone: 949-494-9500
Fax: _____
E-mail: chris@spencecapital.com

Owner Information (if different)

Name: Spence Management Services, Inc.
(predecessor corporation of Petitioner)
Address: same
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: Annexation and zoning of approximately 9.42 acres consistent with the Preannexation Agreement.

Project Address/Location: 7624 U.S. Route 14, Crystal Lake, IL 60014 immediately across Route 14 and north of the Flowerwood site

PIN Number(s): 14-31-180-007

Development Team

Please include address, phone, fax and e-mail

Developer: Petitioner

Architect: None

Attorney: Thomas C. Zanck; Zanck, Coen, Wright & Saladin, P.C., 40 Brink Street, Crystal Lake, IL 60014 815-459-8800 / 815-459-8429 fax

Engineer: H.R. Green, 420 N. Front Street, McHenry, IL 60050 815-385-1778

Landscape Architect: None

Planner: None

Surveyor:

Other:

Signatures

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.

Christopher E. Spence Cathy E Spence 1/8/13

OWNER: Print and Sign name President, Spence Group Services. 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.

* Petitioner is seeking the following zoning:

W-Watershed District allowing those uses set forth in the B-2-Highway Service District except for a car wash, outdoor sales lot, parking lot/ commercial garage, and auto service station pursuant to the requirements of Sections 1-700J and 1-700F of the Crystal Lake Unified Development Ordinance.

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BY:

STATE OF ILLINOIS)
) SS
COUNTY OF McHENRY)

1/6 2012

IN THE MATTER OF THE APPLICATION OF)
SPENCE GROUP SERVICE, INC., f/k/a)
SPENCE MANAGEMENT SERVICES, INC.)

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS

The undersigned Petitioner hereby respectfully petitions to annex to the City of Crystal Lake, McHenry County, Illinois, the territory described in Exhibit "A" which is attached hereto and made a part hereof, and states as follows:

1. That the undersigned are all of the owners of record of the territory herein described in Exhibit "A".

2. The territory herein described in Exhibit "A" is contiguous to the City of Crystal Lake; is located in McHenry County, Illinois; and is not within the corporate limits of any other municipality.

3. That the undersigned represents one hundred percent (100%) of all of the owners of record of this property.

4. That there are no electors who reside on the territory.

WHEREFORE, the Petitioners respectfully request the Corporate Authorities to annex the territory in accordance with this Petition and on the condition that the City of Crystal Lake and the Petitioner are able to enter into an Annexation Agreement mutually acceptable to them in accordance with the law in such cases made and provided.

DATED this 8th day of January, 2013.

SPENCE GROUP SERVICE, INC.

By: _____
Christopher Spence

STATE OF CALIFORNIA)
) SS
COUNTY OF Orange)

I, Christopher Spence, being sworn on oath, depose and say that I have the authority to sign this attestation, that I am familiar with the matters therein and that the matters stated therein are true in substance and in fact.

Christopher Spence

Subscribed and sworn to before me
this 8th day of January, 2013.

Notary Public

DELBAND MOMENI
COMM. #1915613
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My Commission Expires 12/07/2014

Thomas C. Zanck
ZANCK, COEN, WRIGHT & SALADIN, P.C.
Attorneys for Petitioner
40 Brink Street
Crystal Lake, Illinois 60014
Phone: 815-459-8800

EXHIBIT "A"

Part of the Northwest Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the North and South Quarter Section line, 18 chains and 36 links south of the Northeast corner of Lot 1 of the Northwest Quarter of said Section 31 and running thence South 87 degrees West, 1,035 feet to a point in range with the center line of the highway known as the Crystal Lake and Woodstock Road; thence South 21 degrees 24 minutes East along the center of said highway, 530.5 feet; thence South 32 degrees 56 minutes East along the center of said highway, 244 feet; thence South 38 degrees and 21 minutes East along the center of said highway, 845 feet, more or less, to the East and West Quarter Section line; thence East along said East and West Quarter Section line to the center of said Section 31; thence North along the North and South Quarter Section Line to the place of beginning excepting therefrom that part thereof described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence South 2,150.2 feet along the East line of said Northwest Quarter for a place of beginning; thence South 56 degrees 42 minutes West, 409.7 feet to a point in the center line of a public highway (U.S. Route No. 14); thence South 37 degrees 42 minutes East along said center line, 303.2 feet to the East and West Quarter Section line; thence East along said Quarter Section line to the center of said Section 31; thence North 2 degrees and 26 minutes East, 461.7 feet along the East line of said Northwest Quarter to the place of beginning; also excepting therefrom that part dedicated for right of way by instrument recorded in Book 8 of Miscellaneous Records, Page 125; also excepting therefrom that part of the Northwest Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the North and South Quarter Section line that is 1,211.76 feet South of the North Quarter corner thereof; thence South on a continuation of the last described line, a distance of 367.78 feet to a point; thence West on a line forming an angle of 84 degrees 22 minutes to the right, with a prolongation of the last described line, a distance of 876.78 feet to an intersection with the center line of a public highway running in a Northwesterly and Southeasterly direction; thence Northwesterly along said center line, being on a line forming an angle of 71 degrees 36 minutes to the right, with a prolongation of the last described line, a distance of 385.48 feet to a point; thence Easterly on a line forming an angle of 108 degrees 24 minutes to the right with a prolongation of the last described line a distance of 1,035 feet to the place of beginning; also excepting therefrom any portion of the land taken for road purposes in Case No. 82ED3, in McHenry County, Illinois.

PINS: 14-31-180-001 and 14-31-180-007

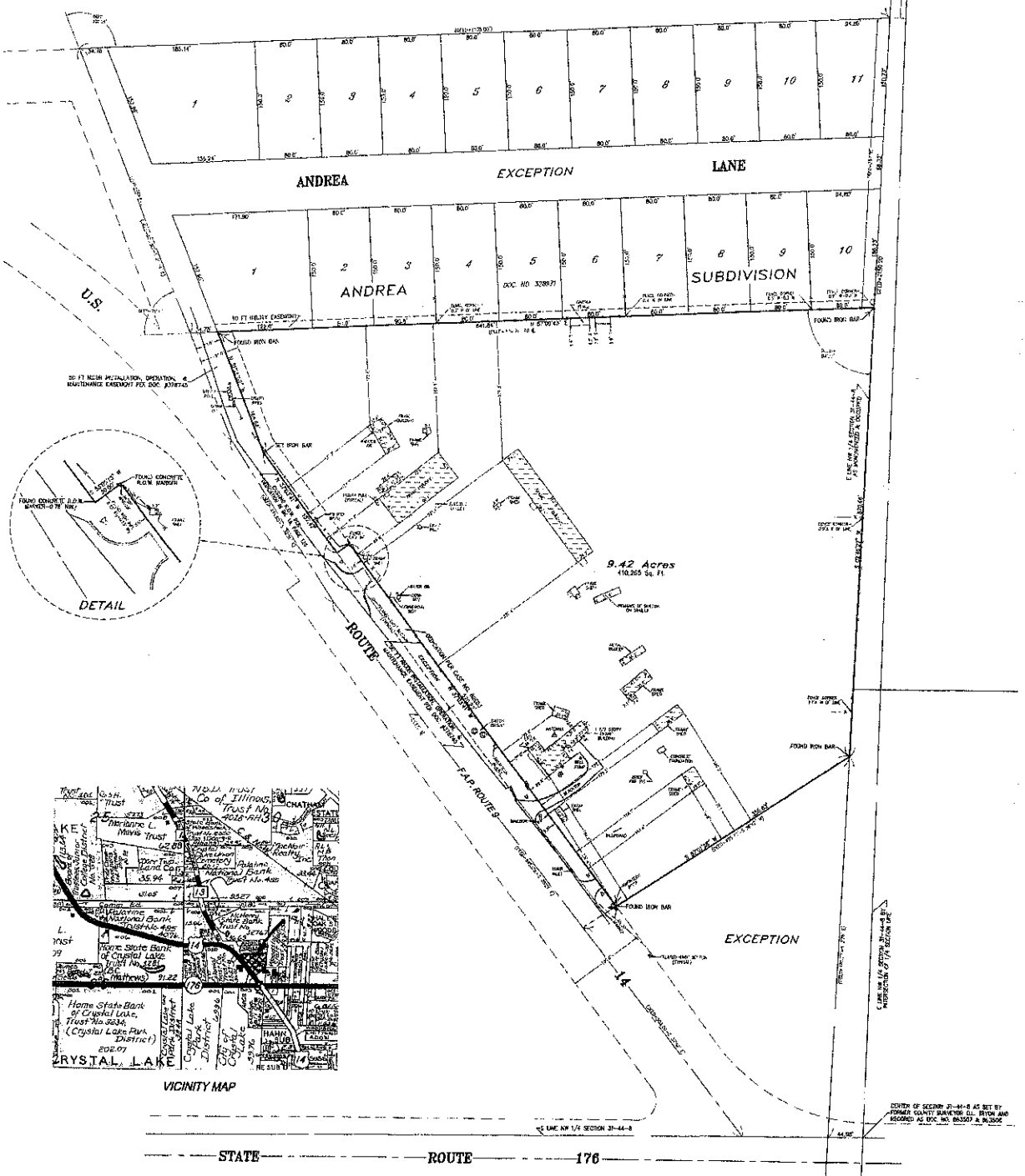
VANDERSTAPPEN SURVEYING, INC.
217 W. Judd Street
Woodstock, Illinois 60098
(815) 337-8316

ALTA/ACSM LAND TITLE SURVEY

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BY:

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Part of the Northwest Quarter of Section 31, Township 44 North, Range 8, East of the Third Principal Meridian, described as follows: Beginning at a point on the north and south quarter section line, 18 chains and 36 links South of the Northwest corner of Lot 1 of the Northwest Quarter of said Section 31 and running thence South 87 degrees West, 1036 feet to a point in Range with the centerline of the Highway known as the Crystal Lake and Woodstock Road; thence South 21 degrees 24 minutes East along the center of said Highway, 530.5 feet; thence South 32 degrees 56 minutes East along the center of said Highway, 244 feet; thence South 36 degrees 21 minutes East along the center of said Highway, 845 feet, more or less, to the east and west quarter section line; thence East along said east and west quarter section line to the center of said Section 31; thence North along the north and south quarter section line to the place of beginning, excepting therefrom that part thereof described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence South 2150.2 feet along the east line of said Northwest Quarter for a place of beginning, thence South 56 degrees 42 minutes West, 409.7 feet to a point in the centerline of a Public Highway (U. S. Route 14); thence South 37 degrees 42 minutes East along said centerline, 303.2 feet to the east and west quarter section line; thence East along said quarter section line to the center of said Section 31; thence North 2 degrees 26 minutes East, 461.7 feet along the east line of said Northwest Quarter to the place of beginning; also excepting therefrom that part dedicated for right-of-way by instrument recorded in Book 8 of Miscellaneous Records, page 125; also excepting therefrom that part of the Northwest Quarter of Section 31, Township 44 North, Range 8, East of the Third Principal Meridian, described as follows: Beginning at a point on the north and south quarter section line that is 1211.78 feet South of the North Quarter corner thereof; thence South on a continuation of the last described line, a distance of 367.78 feet to a point; thence west on a line forming an angle of 84 degrees 22 minutes to the right, with a prolongation of the last described line, a distance of 876.78 feet to an intersection with the centerline of a Public Highway running in a Northwesterly and Southwesterly direction; thence Northwesterly along said centerline, being on a line forming an angle of 71 degrees 38 minutes, to the right, with a prolongation of the last described line, a distance of 382.48 feet to a point; thence Easterly on a line forming an angle of 108 degrees 24 minutes, to the right, with a prolongation of the last described line, a distance of 1035 feet, to the place of beginning; also excepting therefrom any portion of the land taken for road purposes in Case No. 02CH25, in McHenry County, Illinois.



VICINITY MAP

STATE OF ILLINOIS)
) S.S.
COUNTY OF McHENRY)

Certified to: 1) Spence Management Services, Inc., an Illinois Corporation
2) Chicago Title Insurance Company

This is to certify that this 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 and ACSM in 1992, and includes items 1, 2, 3, 4, 7, 8, & 10 of Table A thereof, and pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certificate) of a Rural Survey. I also certify that I have examined the Flood Insurance Rate Map, Panel No. 170732 0250 C, dated JAN 3, 1986, and Flood Insurance Rate Map, Panel No. 170732 0225 B, dated SEPT 16, 1981, and have determined that the subject property lies within Zone "C", area of minimal flooding.

Dated this 22nd day of MARCH, A.D., 1990.

VANDERSTAPPEN SURVEYING, INC.

William J. Vanderstappen, 035-002788 (seal)

CLIENT: THOMAS C. ZAHOR
DRAWN BY: ST CHK'D BY: WJV
SCALE: 1"=60' SEC. 31 T. 44 N. R. 8 E.
P.I.N.: 14-31-100-001,007
ZBS NO.: 90C118 L.D. AL BR. PC.
ALL DISTANCES SHOWN BY MEAS AND RECORDAL PLANTS THEREOF CORRECTED TO 60° F.

GRAPHIC SCALE
0 30 60 120 180
(IN FEET)
1 inch = 60 ft.