#2013-19
970 Pyott Road – Use Variation and Variation
Project Review for Planning and Zoning Commission

Meeting Date: April 24, 2013

Requests: 1. Use Variation from Article 2 Land Uses to allow an automobile dealer in the M Manufacturing zoning district.
2. Variation from Article 4-200 C 3 Off-Street Parking and Loading and City Code Section 570 Parking Lot, Driveway and Sidewalk Construction to allow a crushed asphalt/gravel parking and storage area for vehicles.

Location: 970 Pyott Road

Acreage: 5.75 acres

Existing Zoning: M Manufacturing

Surrounding Properties:

North:	M Manufacturing
South:	M-1 Lake in the Hills
East:	M Manufacturing
West:	R-2 Single Family Residential

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- Previous Approvals: Crystal Auto Body was approved in 1997 for auto repair and outdoor storage.
- Existing Use: An "L" shaped building and paved parking area.

Development Analysis:

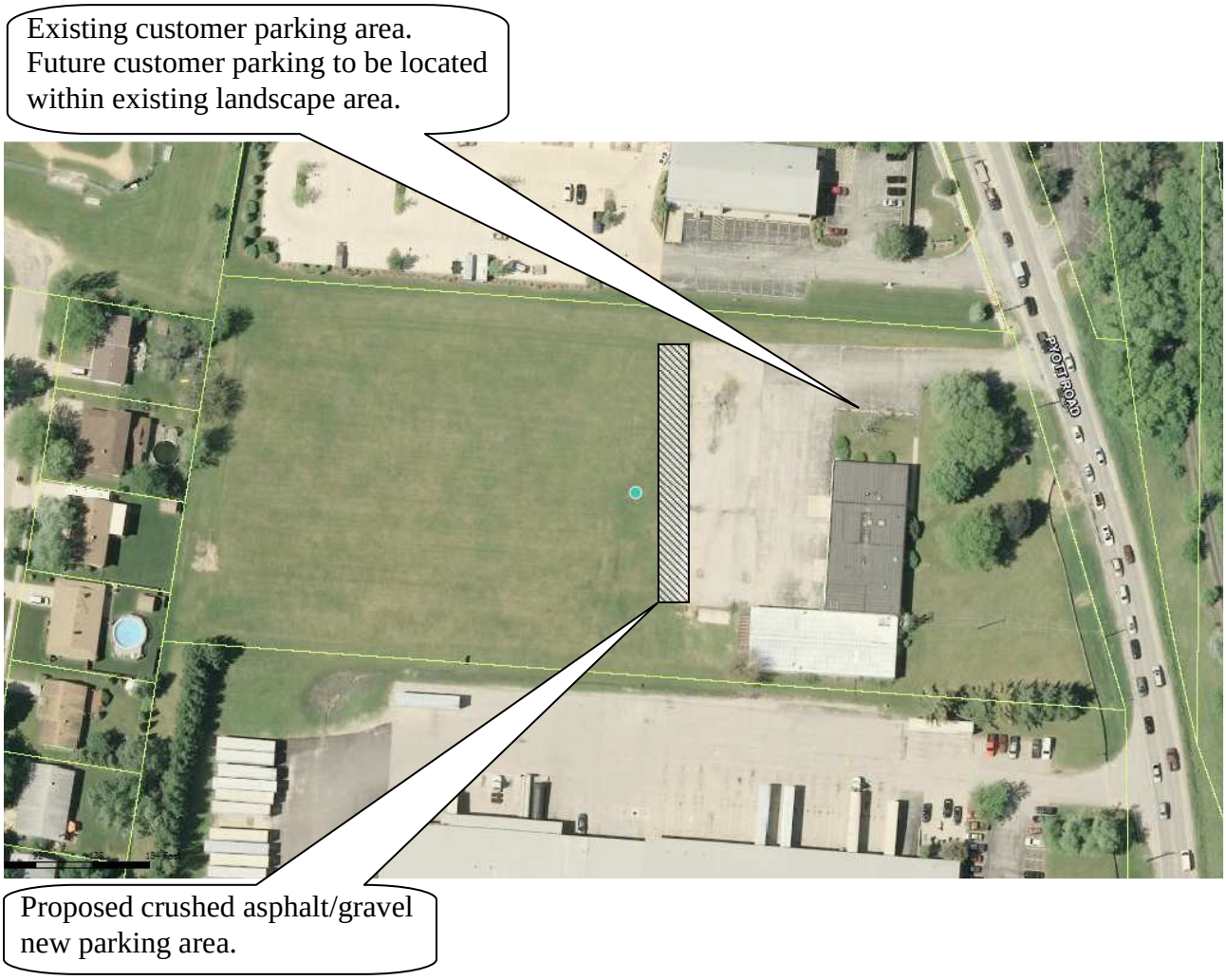
General

- Request: Use Variation to allow a use not permitted in the zoning district. Strictly retail uses, such as an automobile dealership are not permitted in the manufacturing zoning district. This use will have related vehicle detailing, car wash and minor automobile repair.
- Land Use: The land use map shows the area as Manufacturing. This land use designation can be considered appropriate for the automobile dealership since it will primarily be outside storage of vehicles and include minor automobile repair, both of which are permitted in the M Manufacturing district.

- Zoning: The site is zoned M Manufacturing. The use of an automobile dealership is not a permitted use, but the ancillary uses of outside storage and minor automobile repair are permitted in that zoning district. The petitioner is requesting the Use Variation for the automobile sales.

Site Layout

- The site has 1 full access point off Pyott Road.
- Customer parking is provided up front, adjacent to the main drive aisle.
- The outside vehicle storage/sales lot is behind the building.



Parking

- There appears to be 7 existing parking spaces on site.
- Parking for auto dealers is required at 1/5,000 SF of outdoor display area + 2 per service bay + 1 per employee. This site is estimated to provide 7 parking spaces.
- Modifications to the customer parking area shall meet all of the parking lot requirements, including curb, landscape, striping, etc.

Comprehensive Land Use Plan 2020 Vision Summary Review:

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

Land Use - Industry

Goal: Support manufacturing uses within the community which contribute to the regional and local economy and Crystal Lake's live, work play philosophy.

This can be accomplished with the following supporting action:

Supporting Action: Encourage the redevelopment of "brownfield" sites, underused or abandoned manufacturing properties in the City, and reuse already existing structures or draw upon existing infrastructure.

Findings of fact:

Use Variation

As identified in the Land Use Table, "Automobile Dealers" are a Limited use in the B-2 and B-4 zoning districts. They are not permitted in the M zoning district. This site is at the southern end of the City's limits and is a vacant car repair and detailing shop. The petitioner is requesting the Use Variation for the automobile dealership. The site can be reviewed on the strict interpretation of the zoning district, the adjacent surrounding uses, and/or the ancillary uses, which include outside storage and minor automobile repair.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 4-200 C 3 Off-Street Parking and Loading and City Code Section 570 Parking Lot, Driveway and Sidewalk Construction to allow a crushed asphalt/gravel parking and storage area for vehicles. The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

a. 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.

☐ *Meets* ☐ *Does not meet*

b. Also, that the variation, if granted, will not alter the essential character of the locality.

☐ *Meets* ☐ *Does not meet*

For the purposes of supplementing the above standards, 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:

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

☐ *Meets* ☐ *Does not meet*

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

☐ *Meets* ☐ *Does not meet*

c. 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

☐ *Meets* ☐ *Does not meet*

d. 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.

☐ *Meets* ☐ *Does not meet*

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 to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Signature Auto Group, Inc., received 04/08/13)
   B. Plat of Survey (RLS Land Surveyors, dated 05/27/05, received 04/08/13)
   C. Site Plan (Signature Auto, received 04/08/13)

2. Ordinance No. 4016, for the former Crystal Auto Body, is no longer valid and replaced with this ordinance.

3. The property is located within a well-head protection area. Any vehicles stored outdoors that are awaiting repair or leaking fluids must utilize fluid capture mats.

4. The site shall maintain the minimum required foundation base landscape of 5 feet around the building where landscape materials exist now. The customer parking addition adjacent to the building should not remove all of the landscape area.

5. Customer parking areas shall have end landscape islands and a landscape island every 10 spaces.

6. A berm and landscape area, similar to that on JA Frate's property, shall be completed by September of 2014.

7. No vehicles shall be parked on any grass areas.

8. The crushed asphalt/gravel area shall be improved with a surface acceptable to the City Engineer within 2 years. All required compaction rates, engineering, landscape and permit requirements in effect at the time shall be met.

9. All wall and free-standing signage shall meet the UDO requirements.

10. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.

City of Crystal Lake
Development Application

Office Use Only
File #: 2013 19

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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
- ___ Special Use Permit
- ✓ Variation
- ___ Other

Petitioner Information

Name: Signature Auto group inc
Address: 1095 Pingree Rd
Unit 112 Crystal lake IL 60014
Phone: 847-208-3900
Fax: 866-628-1939
E-mail: Brentm Pennington@gmail.com

Owner Information (if different)

Name: Eugene Feely
Address: 970 Pyott Rd
Crystal lake IL 60014
3311 16th St.
Zion IL 60099
Phone: 847-878-7638
Fax: Realestate agent: Ken Fishleigh.
E-mail: Kfishleigh@remax.net

Property Information

Project Description: Used Auto dealership
- Add additional Black top for parking 5,000 square feet
- Add crushed asphalt

Project Address/Location: 970 Pyott Rd Crystal lake IL 60014

PIN Number(s): 19-08-479-021

Development Team Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: Brent Pennington

Signatures

Brent Pinnington

_____ 4-5-13

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.

Eugene R. Feely sr Eugene R Feely sr 4-8-2013

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.

RE/MAX of BARRINGTON

306 W Northwest Hgwy
Barrington, Il 60010

Ken Fishleigh

(847) 381-9800 Office
(847) 878-7638 Cell
(847) 381-8960

4/5/13

City of Crystal Lake
ChrJames Richter

Re:970 Pyott

Eugene Feely(owner & Lessor) is of the agreement with Brent Pennington(Lessee) for the usage of said property to be for the purpose of car sales and detailing along with changes consisting of repairing current parking lot and adding additional asphalt to the North and East side of property as drawn on the quote.

Sincerely Eugene Feely

Ken Fishleigh
Remax of Barrington Commercial Division

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF Brent Pennington representing Signature Auto Group

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 upon the application by Brent Pennington representing Signature Auto Group on behalf of Eugene Feely the property owner, relating to the following described real estate commonly known as 970 Pyott Road, Crystal Lake, Illinois 60014, PINs. 19-08-479-021.

This application is filed for the purposes of seeking a Use Variation from Article 2, Land Uses Table 2-300 of the Unified Development Ordinance to allow an automobile dealer with related outside sales, service and storage or display in the M zoning district and Article 4-200 C 3 Off-Street Parking and Loading and Section 570 Parking Lot, Driveway and Sidewalk Construction of the City Code to allow for a gravel parking and storage area, as well as any other variations as necessary to approve the project as presented. The application and plans can be found at the City of Crystal Lake Community 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 April 24, 2013 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

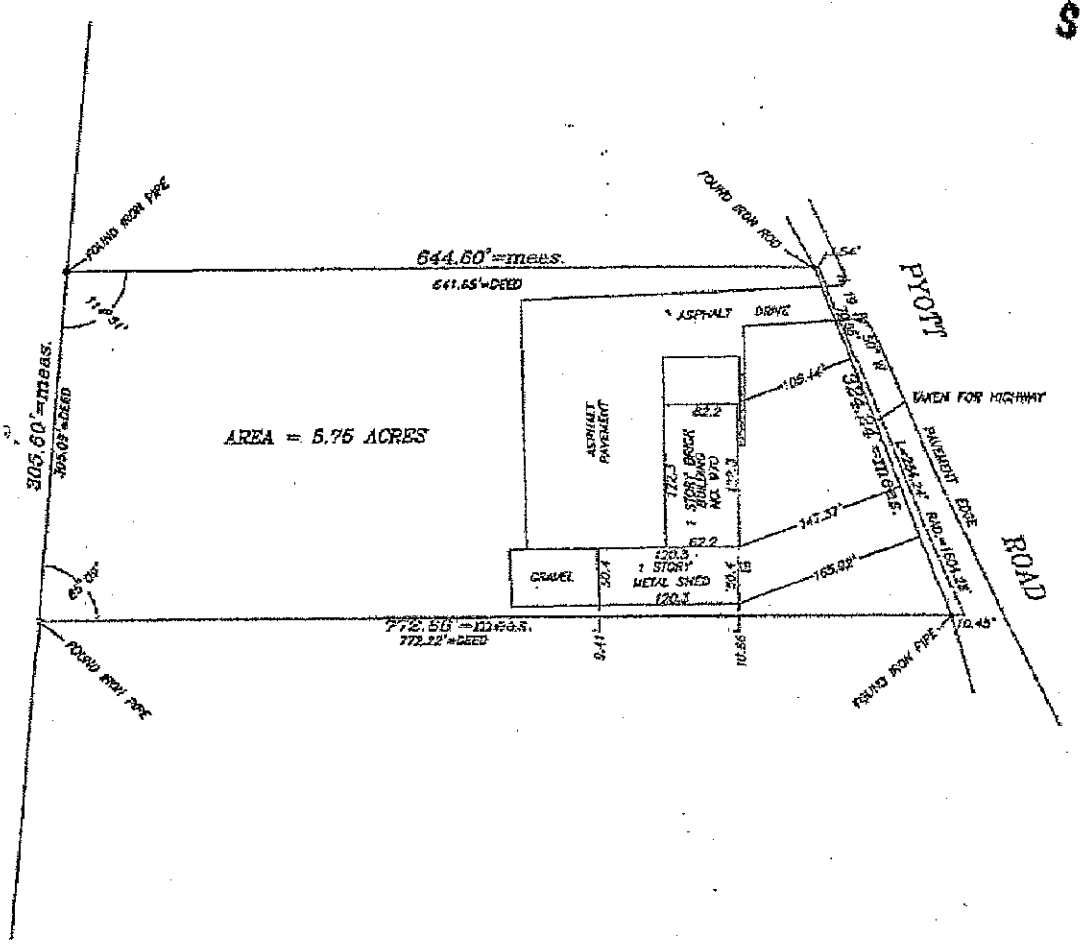
(Published in the Northwest Herald April 9, 2013 #A628)

Plat of Survey



2013 19

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BY:



NOTE:
FOR BUILDING LINES AND EASEMENTS, REFER TO ABSTRACT OF TITLE FOR POSSIBLE ADDITIONAL EASEMENTS, COVENANTS, RESTRICTIONS OR OTHER ENCUMBRANCE UPON SUBJECT PROPERTY. REFER TO VILLAGE, CITY OR COUNTY CODES FOR FRONT, SIDE AND/OR REAR BUILDING SETBACK RESTRICTIONS.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

RONALD LEIPNITZ
2015
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS
MARENGO, IL
Exp 11-30-06

Scale 1" = 100'
Iron rods set
Iron pipes found
Distances are given in feet & decimals

DIMENSIONS OR ANGLES ARE NOT TO BE ASSUMED FROM SCALING.

DATE: MAY 27, 2005

STATE OF ILLINOIS, } SS
COUNTY OF McHENRY }

This is to certify that we have surveyed the above described property according to the Official Records, and the above plat correctly represents said survey.

ILL. PROF. SURVEYOR NO. 2015

CERTIFY TO: JAMES F. BISHOP & ASSOC. - EUGENE AND ANGELA FEELY

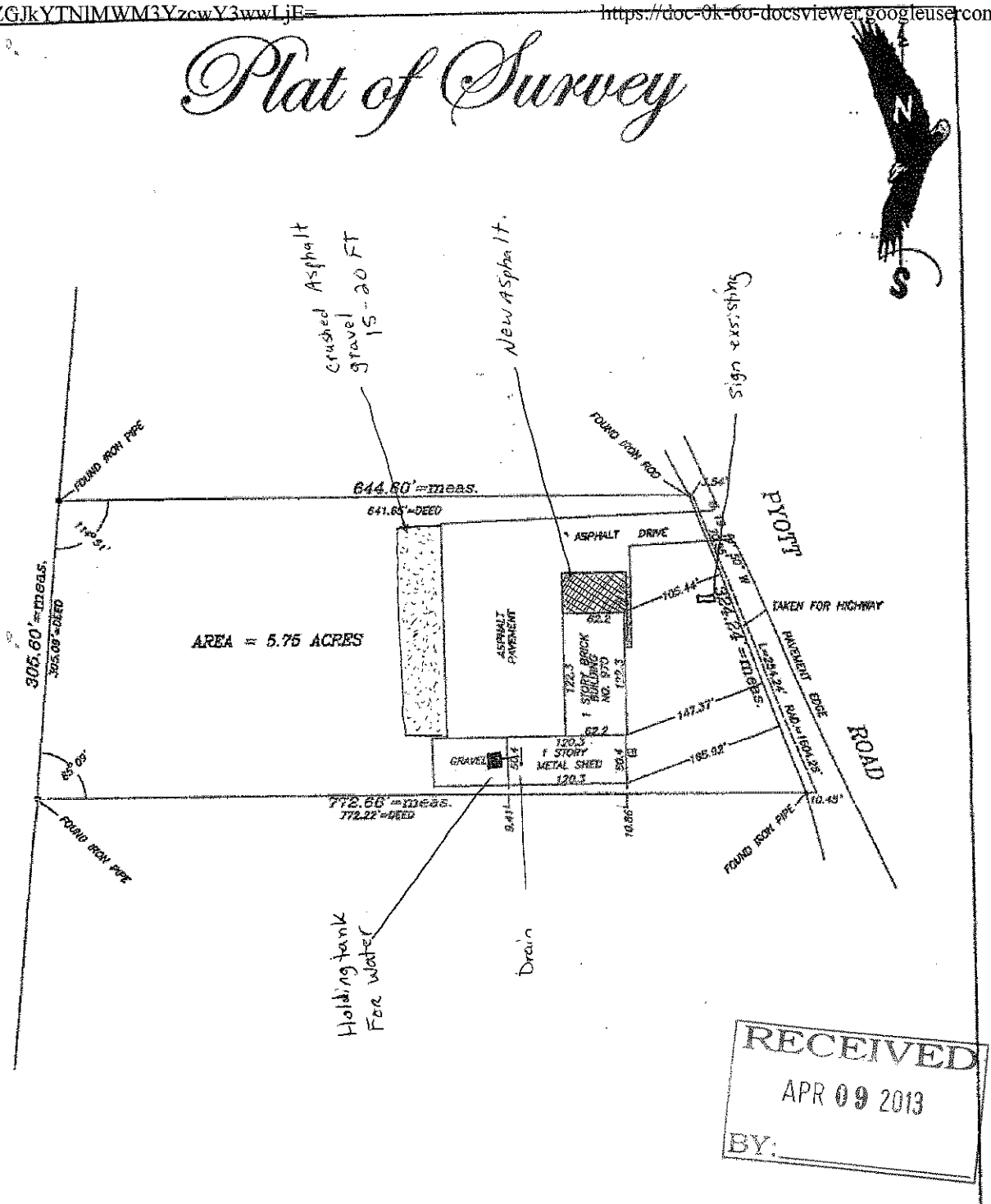
ORDER NO. 050521

PAGE 2 OF 2

RLS LAND SURVEYORS
405 MENGE ROAD
MARENGO, IL. 60152
(815) 943-5400

Compare you description and site markings with this plat and AT ONCE report any discrepancies which you may find.

Plat of Survey



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BY:

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PAGE 2 OF 2

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