REVISED

#2013-41
Lumber Liquidators Final PUD Amendment
Project Review for Planning and Zoning Commission

Meeting Date:	November 12, 2013
Request:	Final PUD Amendment to allow a second free-standing sign at 20 feet in height and 350 square feet in area as a pole sign.
Location:	4500 Northwest Highway
Acreage:	Approximately 3.6 acres
Zoning:	M PUD Manufacturing
Surrounding Properties:	North: McHenry County (Industrial uses) South: B-2 PUD General Commercial (Twin Ponds Marketplace) East: B-2 PUD (Car Care Center inline retail) West: McHenry County (U-HAUL)
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- Previous Approvals:
  - In February of 2000, the site was annexed and occupied by TruLine Mold manufacturing.
  - In January of 2013, a Use Variation was granted to Lumber Liquidators to allow a retail use within the M Manufacturing zoning district.
- Existing Use: Currently, Lumber Liquidators occupies the front portion of the building.

Development Analysis:

- Previous Request: The petitioner had asked for a 40-foot high 250-square-foot pole sign. The Planning and Zoning Commission recommended they have an angle to the sign and reduce the height and size.
- Request: To allow a second free-standing sign on the property at 20 feet high and 350 square feet. The shape of the sign is a "V" allowing it to be more visible from Route 31 and Route 14. Since the angle is greater than 45 degrees each side is counted separately. The previous sign face was 250 square feet, but only counted as 1 face.
- Land Use: The land use map shows the area as Commerce. This land use designation is appropriate for a flooring retail use.
- Zoning: The site is zoned M Manufacturing. The petitioner previously received a Use Variation to allow the retail use.

Site Layout

- Although the property has a Northwest Highway address, it is set back and accessed from a frontage road.
- The site is currently a multi-tenant building. Lumber Liquidators hopes to take the entire building someday in the future.
- There is an existing free-standing sign for the tenants. See site picture below.



Planned Unit Development Variation
The purpose of Planned Unit Developments is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Planned Unit Developments are, in the form of relief from compliance with conventional zoning ordinance site and design therefore, intended to allow substantial flexibility in planning and designing a proposal. This flexibility is often requirements.

Ideally, this flexibility results in a development that is better planned, contains more amenities, and is ultimately more desirable than one that would have been produced through compliance with typical zoning ordinance and subdivision controls.

Therefore more lenient site requirements may be granted where the Planned Unit Development contains features not normally required of traditional developments. If the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation request be lessened or denied.

Lumber Liquidators is requesting a variation from Article 4-1000 Commercial Signs to allow a second free-standing sign which exceeds the height and size allowances and is a pole style sign.

Sign Variation

- The petitioner is requesting a second free-standing sign to add visibility to the site.
- The existing sign is a multi-tenant sign 10' 8" in height and 56 square feet in area per side.
- The property is setback from the roadway and has limited driveway access. There are two ways to access the property either through the Car Care Center before you reach this building or a right-in/right-out slightly after the building right before the Route 31 turn lane. This right-in/right-out is also the shared access for U-HAUL.
- The petitioner has prepared a site visibility study to determine the appropriate height and size of the sign. The proposed sign is high enough to be seen by people traveling down Route 14 and on Route 31 and give them sufficient time to access the site.
- The sign is designed as a pole sign since a monument style sign would not work at this height and sign scale. A monument style base would act like a solid wall creating a huge monolith.
- The City has issued several other sign variations, the following tables explain those variations.

Sign Variations which have been approved for individual tenants:

Petitioner	Sign Height	Sign Size	Qty
Brilliance Honda	18' high	74 SF	1
Cassidy Tire	16' high	50 SF	1
Holiday Inn	29' 10" reduced to 13' 3: high sign	251.5 SF reduced to 49 SF	1
Home State Bank	14' high	60 SF	1
Marathon	12' high	50 SF	1
Pauly Toyota	19' 3" high	46 SF copy area 140 total SF	1
Shell Gas	18' high	60 SF	1

Sign Variations approved for shopping centers:

Petitioner	Sign Heights	Sign Sizes	Qty
Country Corners	22' / 6' / 12'	120 SF / 32 SF / 90 SF	3
The Crystal Lake Plaza	18' / 22' 2" / 18'	160 SF / 164 SF / 160 SF	3
Twin Ponds Marketplace	28' high	156 SF	2

Findings of Fact:

Final Planned Unit Development Amendment

The petitioner is requesting approval of an amendment to a Final Planned Unit Development to allow the construction of a second free-standing sign at 20 feet in height and 350 square feet in area (175 square feet each sign face) also without the required monument style base width. A Planned Unit Development is a Special Use and Special Uses require separate review because of their potential to impact surrounding properties and the orderly development of the City.

Section 2-400 B General Standards for all special uses in the Unified Ordinance establishes standards for all special uses in Crystal Lake. Briefly, the criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.
   ☐ *Meets* ☐ *Does not meet*

2. The use will not be detrimental to area property values.
   ☐ *Meets* ☐ *Does not meet*

3. The use will comply with the zoning districts regulations.
   ☐ *Meets* ☐ *Does not meet*

4. The use will not negatively impact traffic circulation.
   ☐ *Meets* ☐ *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.
   ☐ *Meets* ☐ *Does not meet*

6. The use will not negatively impact the environment or be unsightly.
   ☐ *Meets* ☐ *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.
   ☐ *Meets* ☐ *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.
   ☐ *Meets* ☐ *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.
   ☐ *Meets* ☐ *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.
    ☐ *Meets* ☐ *Does not meet*

In addition PUDs must also meet the standards in Section 4-500 C. Development Standards and 4-500 D. 1 Additional standards for Planned Unit Developments Residential PUDs.

1. Implements the vision and land use policies of the Comprehensive Plan.
   ☐ *Meets* ☐ *Does not meet*

2. Shall not result in substantial adverse effect on adjacent property, natural resources, infrastructure, public sites or other matter of public health, safety and welfare.
   ☐ *Meets* ☐ *Does not meet*

3. PUD's must provide transitional uses to blend with adjacent development.
   ☐ *Meets* ☐ *Does not meet*

4. PUD phases must be logically sequenced.
   ☐ *Meets* ☐ *Does not meet*

5. The density and intensity of a PUD shall be in accordance with the Comprehensive Plan.
   ☐ *Meets* ☐ *Does not meet*

6. All dimensional standards shall be listed within the PUD plan if they do not meet the Ordinance minimum standards.
   ☐ *Meets* ☐ *Does not meet*

7. The responsible parties for all on-site and other required public improvements shall be established and a utility plan indicating all proposed easements shall be provided.
   ☐ *Meets* ☐ *Does not meet*

8. Any private infrastructure shall comply with the city standards.
   ☐ *Meets* ☐ *Does not meet*

9. The PUD plan shall establish the responsibility of the applicant/developer.
   ☐ *Meets* ☐ *Does not meet*

10. A bond or letter of credit shall be posted to cover required fees or public improvements.
    ☐ *Meets* ☐ *Does not meet*

Comprehensive Land Use Plan 2020 Vision Summary Review:

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

Land Use – Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the city as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan and Economic Development Strategic Plan.

This can be accomplished with the following supporting actions:

Supporting Action: Promote, retain and attract businesses that provide a diverse tax base.

Economic Development – Attract and Retain Businesses

Goal: Establish marketing efforts to attract and retain businesses throughout the City.

This can be accomplished with the following supporting actions:

Supporting Action: Continue to solicit the retail businesses which are most likely to succeed in various retail nodes in Crystal Lake.

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, the following conditions are recommended:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Doug Merritt, received 08/05/13).
   B. Sign Visibility Study (Imageworks, dated 9/30/13, received 10/23/13)

2. Ordinance 6892, approving the Use Variation, and all conditions shall remain in effect except condition #4 which is modified by this request.

3. The sign shall be removed after 10 years from the date of approval. The petitioner may seek an extension of this approval through the City Council.

4. The petitioner shall comply with all of the requirements of the Engineering and Building and Planning and Economic Development Departments.

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: LUMBER LIQUIDATORS FINAL PUD AMENDMENT

Action Requested

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

Petitioner Information

Name: DOUG MERRITT (PROFESSIONAL PERMITS)
Address: 115 S. MAIN ST., SUITE 203
MISHAWAKA, IN 46544
Phone: 574-257-2954
Fax: _____
E-mail: dm@professionalpermits.com

Owner Information (if different)

Name: LUMBER LIQUIDATORS CORPORATION
Address: 3000 JOHN DEERE ROAD
TAOND, VA 23168
Phone: 757-259-4280
Fax: _____
E-mail: _____

Property Information

Project Description: FINAL PUD AMENDMENT TO INSTALL A SECOND FREE-STANDING SIGN ON THE PROPERTY. SECOND SIGN WILL BE 40' HIGH AND 250 SQUARE FEET.

Project Address/Location: 4500 NORTHWEST HIGHWAY

PIN Number(s): 19-03-451-002 ; 19-10-200-001

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

SEE ATTACHMENTS

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.

SEE ATTACHMENTS

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.

PUBLIC NOTICE

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

IN THE MATTER OF
THE PETITION OF
Professional Permits,
on behalf of Lumber
Liquidators Corporation

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 Professional Permits, representing Lumber Liquidators Corporation, for a Final Planned Unit Development Amendment, relating to the property at 4500 Northwest Highway in Crystal Lake, Illinois 60014. PINs: 19-03-451-002, 19-10-200-001.

This application is filed for the purpose of seeking a Final Planned Unit Development Amendment and Variations, to allow a new second free-standing sign 40 feet high and 250 square feet in area for the Lumber Liquidators as well as any other variations necessary to approve the plans as presented, pursuant to Article 4-500 Planned Unit Development Standards B. General Standards and C. Development Standards, Article 4-1000 F Commercial Signs and Article 9-200 E. of the Unified Development Ordinance. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday September 4, 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 August 20, 2013. #A1683)

CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, SEPTEMBER 4, 2013
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Batastini, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden were present. Mr. Esposito was absent and Mrs. Lembke has resigned her appointment.

Latika Bhide and Elizabeth Maxwell, both Planners, and Rick Paulson, Building Commissioner, were present from Staff.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

2013-41 LUMBER LIQUIDATORS – 4500 Northwest Hwy. – PUBLIC HEARING
PUD Amendment – for a second freestanding sign that is 40 feet tall and 250 square feet in area.

Mr. Hayden stated that the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Doug Merritt with Professional Permits was present to represent the petition. Mr. Merritt said Lumber Liquidators sought out Crystal Lake whose demographics satisfies their need. He said the staff report captures the history of the property. It was overgrown when they took over. Mr. Merritt has spoken with the manager of the location who said customers are having a problem finding them even with using GPS. This property is unique and set back from the road. They have put time and money to bring the property into compliance. Mr. Merritt said he wants to work on a solution with the PZC that is agreeable to both parties. He said several off-premises signs would help, but that won't happen. They want to be good neighbors but they need to be able to get people to their location. They want to be a viable business.

Mr. Hayden said the PZC is not here to negotiate. The petitioners can discuss alternatives with staff and Council. We make our decisions based on what is presented to us and what staff has reviewed. Mr. Hayden stated that the request is for a sign 40 feet tall and 250 square feet. Mr. Merritt said they are requesting the greatest amount of relief.

There was no one in the public who wished to comment on this petition. The public portion was closed

at this time.

Mr. Batastini said they are pleased that this business is located in Crystal Lake. When he originally saw the plans that that size sign he thought "no way" since that would be larger than most shopping centers. If this were to be approved, other businesses in the area would want the same thing. He can't support the size of the sign. Mr. Batastini said even car dealerships don't have that size sign. He added that he has lived in Crystal Lake most of his life and has difficulty getting into U-Haul. Mr. Batastini said that they knew what they were getting into when they went into that location. Portillos is a hard place to get into, but it is always packed no matter what time of day.

Mr. Skluzacek agreed and can't support the size of the sign proposed. Mr. Merritt said they will eventually take over the entire building. Mr. Skluzacek said he still can't support this request. Once they are established, people won't have a problem finding them.

Mr. Greenman thanked the petitioner for the sign study. He reviewed the Findings of Fact and there are only 3 of the 10 that support this request. They bought the site knowing the location.

Mr. Gavle asked if they had considered a sign that is double faced but each side angled so one side can be seen from Route 31 and the other seen from Route 14. He added that the height and size is too large. Mr. Merritt thanked Mr. Gavle and said they would look into that type of sign. Mr. Gavle added that people aren't looking 40 feet into the air for a sign. It needs to be lower.

Mr. Hayden asked what was approved for Marriott. Mr. Batastini recalled that they were not approved for anything like this. Mr. Goss said they were given a highway sign on the property.

Mr. Batastini said he travels a lot on business and most hotels are on frontage roads and are sometimes a challenge to find.

Mr. Jouron said that the sign examples that were given were of signs that are either currently in the County or were built in the County and annexed into the City.

Mr. Goss added that the Car Care sign has been reduced to 15 feet. He asked if the petitioner had been involved with the location since the beginning. Mr. Merritt said yes. Mr. Goss said this discussion should have been part of the original approval. He recalls telling the petitioner at that time that they needed to comply with the sign ordinance.

Mr. Goss said in the late 1990s the City's sign ordinance changed and businesses were given a certain amount of time to bring their signs into compliance. This sign is extremely large and Routes 31 and 14 are not I-80.

Mr. Batastini moved to continue 2013-41 Lumber Liquidators to the October 2, 2013 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Hayden said it is best for the petitioner to continue and present other options instead of receiving a negative vote. He said if the City Council denied the request, there is a certain time frame that they would have to wait to make that request again. Ms. Maxwell said yes.



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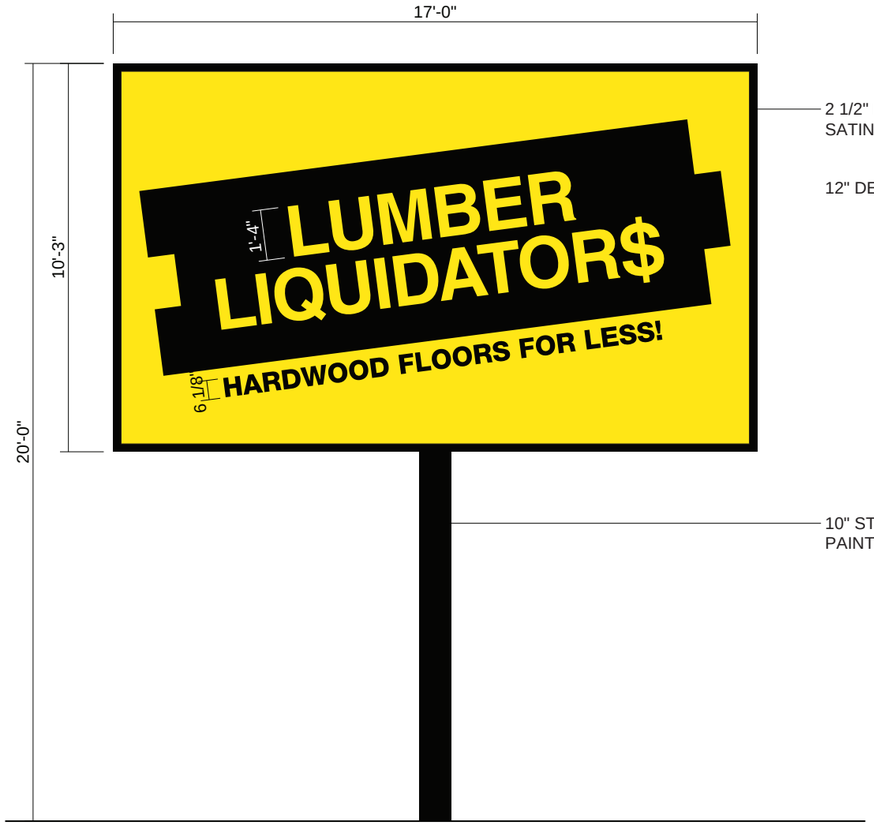
SIGNATURE & DATE

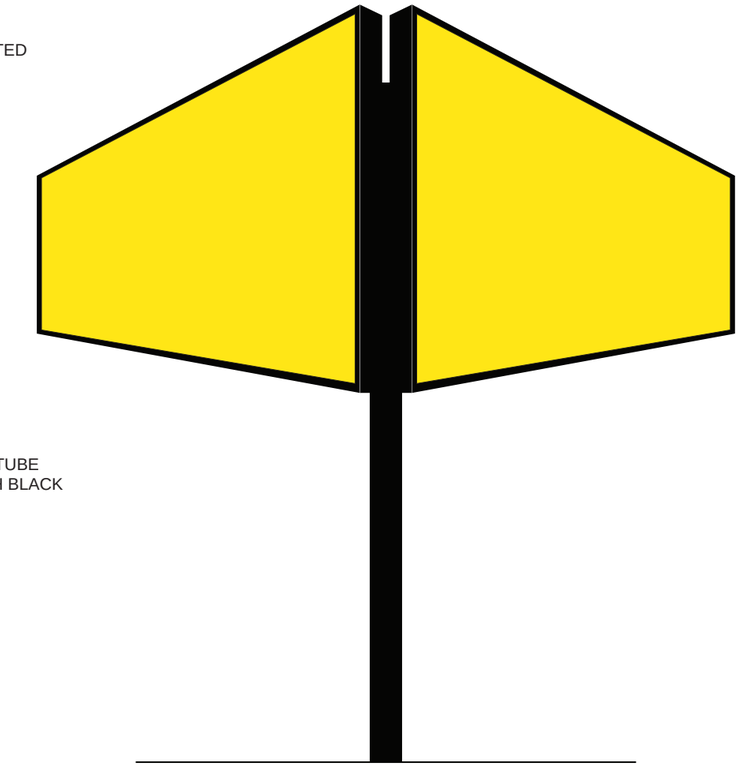
THE CUSTOM ARTWORK DEPICTED HEREIN IS FOR REPRESENTATIONAL PURPOSES ONLY AND MAY NOT EXACTLY MATCH THE COLORS OF THE MATERIALS PROPOSED FOR USAGE.

ELECTRIC SIGNS PRODUCED AT IMAGE WORKS CONFORM TO UL 48 STANDARDS AND DISPLAY THE UNDERWRITERS LABORATORIES LABEL.

ALL ONSITE PRIMARY ELECTRICAL CONNECTIONS BY OTHERS.

DATE	REVISION DESCRIPTION	DESIGNER





INTERNALLY ILLUMINATED ANGLED S/F PYLON SIGN - OPTION 2

175 SQ. FT.

SIGN CABINET PAINTED BLACK, SATIN FINISH
INTERNALLY ILLUMINATED WITH FLUORESCENT LAMPS, 120V
FLEX FACE WITH VINYL GRAPHICS
10" BLACK STEEL UPRIGHT TUBE PAINTED BLACK, SATIN FINISH

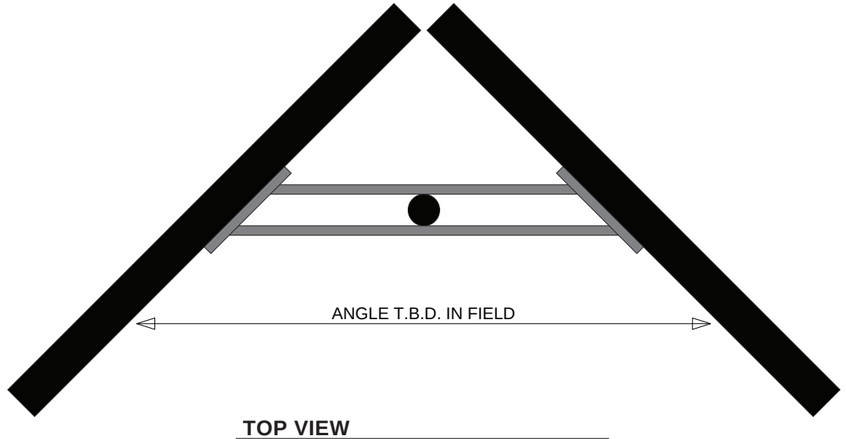
(1) REQUIRED

COLOR KEY

VINYL
- 3M 3630-15 YELLOW
- 3M 3630-22 BLACK

PAINT
- SATIN FINISH BLACK

END VIEW



TOP VIEW

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SIGNATURE & DATE

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ALL ONSITE PRIMARY ELECTRICAL CONNECTIONS BY OTHERS.

DATE	REVISION DESCRIPTION	DESIGNER

IMAGEWORKS
11046 LEADBETTER ROAD ASHLAND, VA 23005
PHONE: 804.798.5533 FAX: 804.798.5582

LUMBER LIQUIDATORS — CLIENT
CRYSTAL LAKE, IL — LOCATION
JONATHAN DABNEY — SALES REPRESENTATIVE
DM — DESIGNER
9.30.13 — DATE PREPARED
1/4" = 1'-0" — SCALE
LUMBERLIQ-1295CRY-03a — PROJECT ID
P OPT2 — DRAWING IDENTIFICATION / QUOTE NUMBER

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2 120'



HEIGHT AT 20'

4 240'



HEIGHT AT 20'

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LUMBER LIQUIDATORS
CLIENT

CRYSTAL LAKE, IL
LOCATION

JONATHAN DABNEY
SALES REPRESENTATIVE

DM
DESIGNER

9.30.13
DATE PREPARED

N.T.S.
SCALE

LUMBERLIQ-1295CRY-03a
PROJECT ID

P OPT2 MORPH
DRAWING IDENTIFICATION

QUOTE NUMBER