#2013-60
8611 Huntley Road (Lapetina)
Project Review for Planning and Zoning Commission

Meeting Date:	May 7, 2014
Zoning Requests:	1) Comprehensive Land Use Plan Amendment from Estate Residential to Commerce. 2) Rezoning upon annexation to the "B-2" Highway Service. 3) Special Use Permits for: A) Rental buildings for Cold Storage; B) Outside Storage of campers, boats and trailers in designated fenced-in areas; C) Residential rental of one single-family house; D) Sale of landscape products, limited to boulders, stone, sand, dirt and sod.
Location:	8611 Huntley Road
Acreage:	~3.60 acres
Existing Zoning:	"A-1" Agriculture, County
Surrounding Properties:	North: "A-1" Agriculture, *County, Residential Use* South: "A-1" Agriculture, *County, Residential Use* East: "R-1" Single-Family Residential (Willow's Edge Park) West: "A-1" Agriculture, *County, Residential Use*
Staff Contact:	Latika Bhide 815.356.3615

Background:

- Location: The property in question, 8611 Huntley Road, is located at the northwest corner of Huntley and Ackman Roads.
- Zoning: The property is currently zoned "A-1" Agriculture, under the County's Zoning Ordinance. The property is improved with a single-family residence, outbuildings for cold storage, an outside area for storage of campers, boats, trailers and a two monopole cell phone towers.
- Request: The petitioner is requesting rezoning upon annexation to the "B-2" Highway Service Business district and special use permits to continue the use of the property for the

existing uses. The portion of the property (~0.9 acres) that contains the two cell towers is excepted out of this annexation request.

- History: The petitioner previously sought annexation into the City in 2005, but the request was denied by the City Council. At the time, some of the key concerns identified were the requested "B-2 Highway Service" zone without a specific plan for the property; concerns expressed by the PZC and Council about the storage (indoor and outdoor) on the property; and concerns by the petitioner with the requirement to pave the property within 5 years. On September 3, 2013, the City Council reviewed a request from the petitioner regarding a potential annexation of the property. The City Council asked many questions of the petitioner and of staff regarding the affects of annexation on the City. While there was no formal vote regarding the matter, there was a general consensus from the City Council that this request could move forward with the annexation request.

Land Use Analysis:

- The property is zoned "A1" Agriculture in the County. Per the County's Zoning Ordinance, several different uses such as single family dwellings, kennels, stables, grain elevators and asphalt/concrete facilities are permitted by right and as conditional uses within the A-1 district. The County's 2030 Comprehensive Plan delineates this property as Residential. Per the Boundary Line Agreement between the Village of Lakewood and the City of Crystal Lake, this property would be annexed into Crystal Lake.
- The properties immediately surrounding the parcel in question are used for residential purposes. The properties to the north, west and south are zoned "A-1" Agriculture, in McHenry County. Willow's Edge Park is to the east of the property and Four Colonies, Unit 17 is located further east and is zoned "R-1" Single Family Residential in the City.
- Since 2005, there has been a change in the use landscape along Ackman Road. The commercial development (Lou Malnati's Pizzeria, strip retail and Chesterbrook Academy) at Redtail Drive and Ackman Road has since been built and the Village of Lakewood is actively marketing the property at the northwest corner of Redtail Drive and Ackman Road for a gasoline service station. The future land use plan for the Village of Lake in the Hills also designates the properties on the south side of Ackman Road across from this property and west to Lakewood Road as Commercial.
- Upon annexation, the property will be subject to the property maintenance regulations of the City. Furthermore, any future commercial development will be consistent with the City's vision for this corner and annexing the property into the City will ensure that property is developed to City standards.
- Upon review of this request, legal counsel's recommendation is to rezone this property to the "B-2 PUD" district and allow the existing uses to continue. To the extent that such uses are not in compliance with the City's UDO, they shall be considered legal non-conforming uses. While the existing uses can continue in the current manner, any development of the property will have to occur in accordance with a Planned Unit Development which is approved the City.

Findings of Fact:

COMPREHENSIVE LAND USE PLAN AMENDMENT
The Comprehensive Plan designates the subject property as Estate Residential, which is defined as: "low density single-family housing containing lots of one-third acre or more". The solicited rezoning would require an amendment to the Comprehensive Land Use Plan from Estate Residential to Commerce. Commerce is defined as "existing retail and service commercial areas, indicating areas for future commercial uses."

REZONING
The requested "B-2" General Commercial district would allow several principal permitted uses including, but not limited to:

1) Automobile Dealers and related uses
2) Vehicle Repair and maintenance uses
3) Retail Uses
4) Service Uses, including beauty salons, spas, diet and weight reducing centers, veterinarian clinic, interior design, funeral home, etc.
5) Education Services
6) Financial Institutions
7) Food Services
8) Offices and
9) Commercial Recreation Uses.

Comprehensive Land Use Plan Amendment

The petitioner's request before the Planning and Zoning Commission and the City Council would amend the Comprehensive Land Use Plan from Estate Residential to Commerce for the 3.6 acres, commonly known as 8611 Huntley Road.

Rezoning upon Annexation

The petitioner's request before the Planning and Zoning Commission and the City Council would grant "B-2 PUD" General Commercial PUD zoning designation for the 3.60 acres, commonly known as 8611 Huntley Road.

Recommended Conditions:
If the Planning and Zoning Commission recommends a comprehensive land use plan amendment and annexation of the property with an initial zoning classification of "B-2 PUD" located at 8611 Huntley Road, 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 (received 12/9/13).
    B. PIQ (received 12/9/13).
    C. Draft annexation agreement Petition for Initial Zoning (received 12/9/13).

D. Plat of Survey (exhibit) (received 12/9/13).

2) The petitioner shall provide a detailed site plan depicting and describing the various land uses and their extent on the site, so as to establish the current uses on the site prior to executing the annexation agreement.
3) The petitioner shall meet all the conditions of the Community Development, Public Works, Fire Rescue and Police Departments.

Action:

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City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: Lapetina Annexation

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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**
- X **Special Use Permit**
- ___ **Variation**
- ___ **Other**

Petitioner Information

Name: Joseph J. Lapetina and Elaine M. Lapetina
Address: PO Box 81
Palatine, IL 60078
Phone: 847-321-0085
Fax: _____
E-mail: jlap002@yahoo.com

Owner Information (if different)

Name: _____
Address: _____
_____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: Lapetina Annexation

Project Address/Location: 8611 Huntley Road, Crystal Lake, Illinois 60014

PIN Number(s): 18-13-100-039

Development Team

Please include address, phone, fax and e-mail

Developer: Petitioner

Architect:

Attorney: Thomas C. Zanck, 40 Brink Street, Crystal Lake, Illinois 60014 (815) 459-8800 (815) 459-8429 fax
tzanck@zcwlaw.com

Engineer:

Landscape Architect:

Planner:

Surveyor: Luco Construction Co., 54 Lou Street, Crystal Lake, Illinois 60014 (815) 526-3974 (815) 526-3984 fax

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.

Elaine M Laystrom 11/20/2019

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

IN THE MATTER OF THE APPLICATION OF Joseph J. Lapetina and Elaine M. Lapetina, 8611 Huntley Road, Crystal Lake, Illinois 60014

LEGAL NOTICE

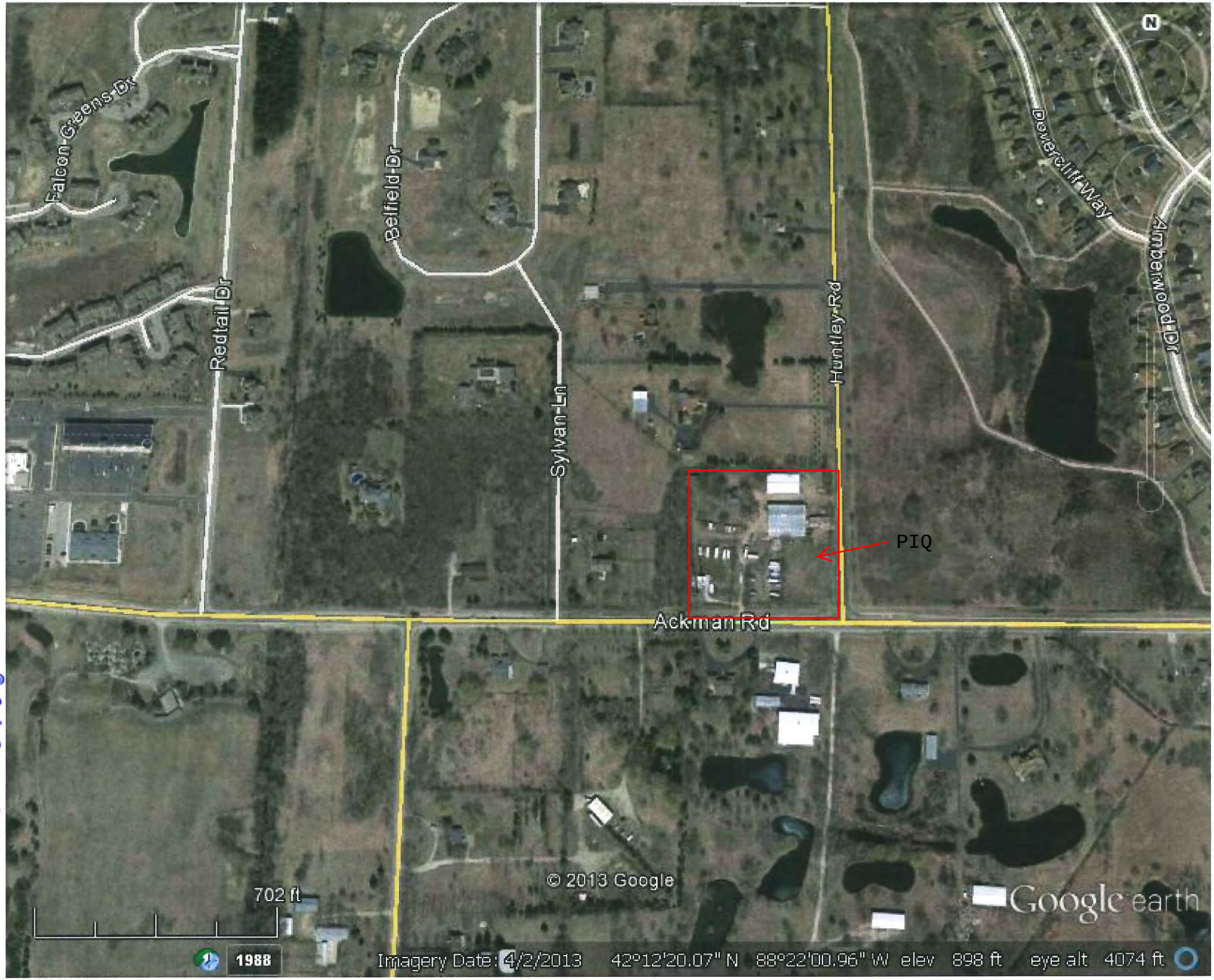
Notice is hereby given in compliance with the Zoning Ordinance of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of Joseph J. Lapetina and Elaine M. Lapetina relating to the property located at 8611 Huntley Road, Crystal Lake, Illinois 60014. PIN: 18-13-100-039

This application is filed for the purpose of seeking rezoning upon annexation to the B-2 Business District with a Special Use to continue to allow the rental of buildings for cold storage; outside storage of campers, boats and trailers in fence in areas; the rental of one residential house; and to allow the sale of landscape products limited to boulders, stone, sand, dirt and sod, pursuant to Article 2 and Article 9 of the Crystal Lake Unified Development Ordinance.

A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on May 7, 2014, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Thomas Hayden, Chair
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald April 22, 2014. #A3155)

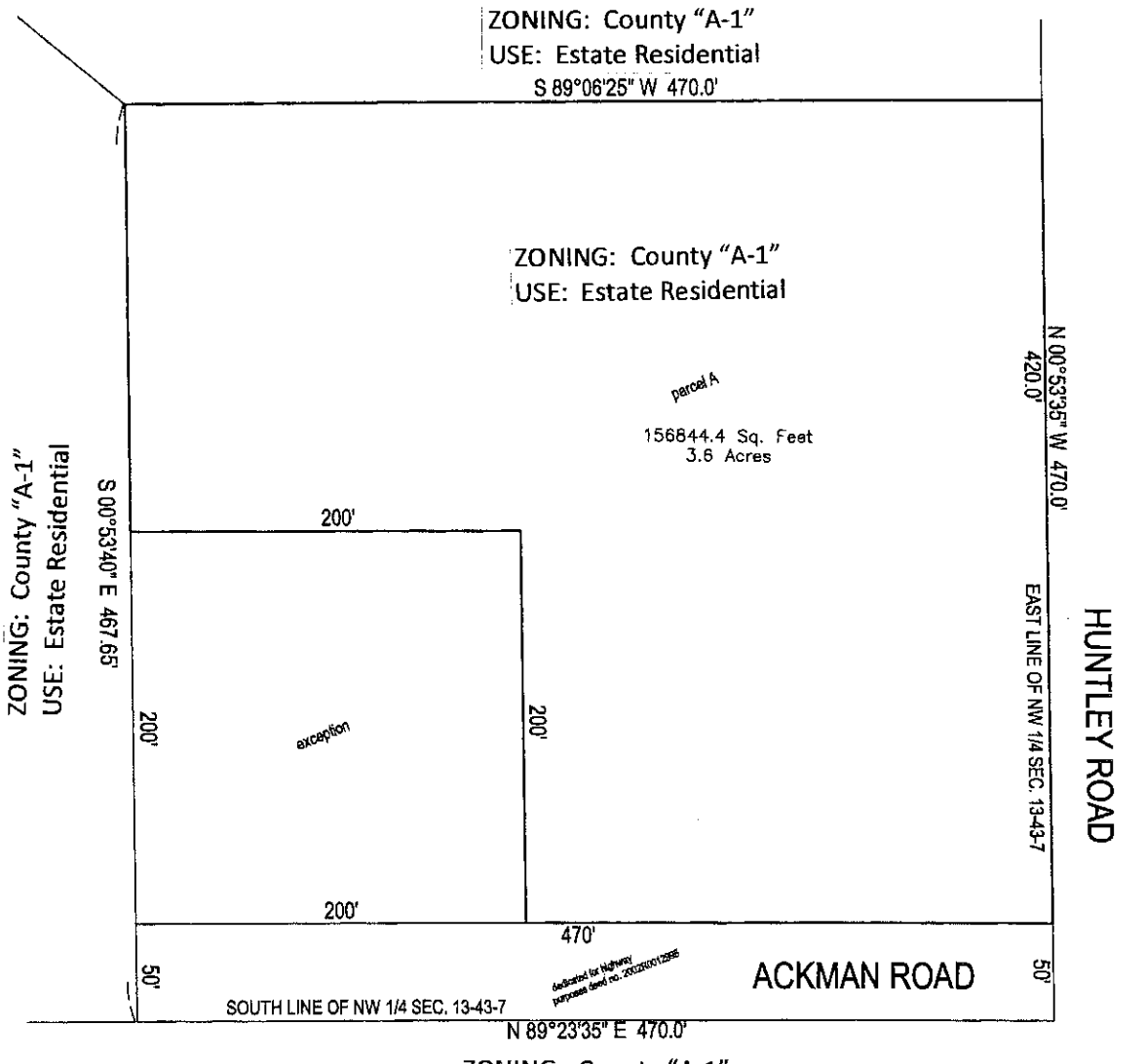

Falcon Greens Dr
Redtail Dr
Belfield Dr
Sylvan Ln
Huntley Rd
Deverell Way
Amberwood Dr
N
PIQ
Ackman Rd
© 2013 Google
Google earth
702 ft
1988
Imagery Date: 4/2/2013 42°12'20.07" N 88°22'00.96" W elev 898 ft eye alt 4074 ft

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Exhibit

LEGAL DESCRIPTION:

PARCEL A: BEGINNING AT THE INTERSECTION OF THE CENTER LINES OF ACKMAN ROAD AND HUNTLEY ROAD; THENCE NORTH 0 DEGREES 53 MINUTES 35 SECONDS WEST, ALONG THE CENTER LINE OF SAID HUNTLEY ROAD, 470.0 FEET; THENCE SOUTH 89 DEGREES 06 MINUTES 25 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, 470 FEET; THENCE SOUTH 0 DEGREES 53 MINUTES 40 SECONDS EAST, 467.65 FEET TO THE CENTER LINE OF SAID ACKMAN ROAD; THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS EAST, ALONG SAID CENTER LINE, 470.0 FEET TO THE POINT OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS. (EXCEPTING THE SOUTH 50 FEET THEREOF, DEDICATED FOR HIGHWAY PURPOSES) AND (ALSO EXCEPTING THEREFROM THE SOUTH 200 FEET OF THE WEST 200 FEET, AS MEASURED ALONG THE SOUTH AND WEST LINES THEREOF OF THE ABOVE DESCRIBED PROPERTY).



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11/18/13 - change per customer request

N

LUCO CONSTRUCTION CO.			
PROFESSIONAL DESIGN FIRM NO. 184.004829			
CLIENT NAME: Lapetina			54 Lou Street Crystal Lake, IL 60014 815.526.3974 815.526.3984 fax
CLIENT REFERENCE: N/A			
FIELD WORK COMPLETED: n/a	SURVEY COMPLETED: 10/22/13	DRAWN BY: JAC	PROJECT NO. 13-32451