PLANNING AND ZONING COMMISSION
MEETING NOTICE

DATE: Wednesday, May 15, 2019
TIME: 7:30 p.m.
PLACE: McHenry Municipal Center
(Council Chambers)
333 South Green Street, McHenry, IL 60050

AGENDA

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Public Input – (five minutes total on non-agenda items only)

5. Consideration of Approval of Meeting Minutes: April 17, 2019 Regular Meeting

6. Z-947 Public Hearing – Conditional Use Permit to allow an indoor amusement establishment to operate a raffle which would benefit the McHenry County Youth Sports Association (MCYSA) in McHenry Market Place

   Applicant: Wolf’s Comprehensive Services, 1 Gillingham Court, Algonquin, IL 60102;
The owner of the subject property is Heidner Properties, Inc. 4310 4400 McHenry Plaza
   LLC, 5277 Trillium Blvd., Hoffman Estates, IL 60192

   Requested Action: Conditional Use Permit to allow an indoor amusement establishment to operate a raffle which would benefit the McHenry County Youth Sports Association (MCYSA).

   Location of Subject Property: The Subject property is located west of Oak Drive and north of Elm Street in the shopping center commonly known as McHenry Market Place and the unit within the center is 4314(A) W Elm Street.

The City of McHenry is dedicated to providing the citizens, businesses and visitors of McHenry with the highest quality of programs and services in a customer-oriented, efficient and fiscally responsible manner.
7. **Z-948 Public Hearing** – Variances from the City of McHenry Zoning Ordinance Table 20 to allow an accessory structure greater than 1,000 square feet in floor area; Variance from the required minimum rear yard building setback for an accessory structure; Variance from the required minimum setback from existing principal and other accessory structures and any other variances required to allow the applicant to construct a garage addition at 1207 N. Park Street

**Applicant:** Gary E. Tonyan, 1207 N Park Street, McHenry, IL 60050

**Requested Action:** Variances from the City of McHenry Zoning Ordinance Table 20 to allow an accessory structure greater than 1,000 square feet in floor area; Variance from the required minimum rear yard building setback for an accessory structure; Variance from the required minimum setback from existing principal and other accessory structures and any other variances required to allow the applicant to construct a garage addition in conformance with the public hearing application.

**Location of Subject Property:** The subject property is located at 1207 N Park Street and is located at the northwest corner of Park Street and Venice Avenue.

8. **Z-949 - Preliminary and Final Plat of Subdivision 1st Amendment to Heidner Properties Subdivision**

**Applicant:** Thornton LLC, 2600 James Thornton Way, Louisville, KY 40223

**Requested Action:** Preliminary and Final Plat of Subdivision 1st Amendment to Heidner Properties Subdivision.

**Location of Subject Property:** The subject property is located at the northwest corner of Chapel Hill Road and Illinois Route 120.

9. **Staff Report: Next Meeting Date:** June 19, 2019 at 7:30 p.m.

10. **Adjourn**
City of McHenry
Planning and Zoning Commission Minutes
April 17, 2019

Chairman Strach called the April 17, 2019 regularly scheduled meeting of the City of McHenry Planning and Zoning Commission to order at 7:31 p.m. In attendance were the following: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh. Absent: Thacker. Also in attendance were: Director of Economic Development Martin, City Attorney Cahill, and Economic Development Coordinator Wolf.

Chairman Strach opened the public portion of the meeting at 7:31 p.m. There was nobody in attendance who wished to address the Commission with public comment. Chairman Strach closed the public comment portion of the meeting at 7:32 p.m.

Commissioner Strach recognized Commissioner Miller for her service to the Commission noting her recent election as Alderwoman to Ward 7.

Approval of Minutes
Motion by Miller seconded by Walsh to approve the March 20, 2019 Regular Meeting minutes of the Planning and Zoning Commission Meeting as presented:

Voting Aye: Doherty, Gurda, Strach, Walsh, and Miller.
Voting Nay: None.
Not Voting: None.
Abstaining: Sobotta.
Absent: Thacker.

Motion carried 5-0.

Public Hearing: DN N DIRTY LLC
File No. Z-945
4564 Bull Valley Road
Conditional use permit to allow outside storage of vehicles in conjunction with a towing operation

Chairman Strach called the Public Hearing to order at 7:33 p.m. regarding File No. Z-945 an application for a conditional use permit to allow outside storage of vehicles in conjunction with a towing operation for the property located at 4564 Bull Valley Road.

Chairman Strach stated Notice of the Public Hearing was published in the Northwest Herald on March 26, 2019. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance were Krzysztof Lenart, 1524 River Terrace Dr. Johnsburg IL 60051 and Brandon Lenart, of the same address, who were sworn in by Chairman Strach. Krzysztof Lenart stated they
are seeking to establish a tow yard in McHenry at 4564 Bull Valley Road with outside storage. They currently tow for McHenry County Sheriff’s Department and would like to establish a relationship for towing with the McHenry Police Department. They need to get approval for storing vehicles outside in conjunction with a small towing office that will be operated out of one of the buildings at 4564 Bull Valley Road. Mr. Lenart further stated they will not operate as a junk yard or repair shop but will strictly be doing towing.

Director of Economic Development stated in 2017 the owner of the subject property received a conditional use permit for the outside storage of recreational vehicles and boats in conjunction with a contractor’s office. The current applicant is requesting a conditional use permit to allow outside storage of vehicles in conjunction with a towing operation at 4564 Bull Valley Road.

A conditional use permit is required for outside storage associated with any permitted or conditional use allowed in the I-1 Industrial zoning district. In this case, the applicant is proposing an office and outdoor storage of vehicles, other than just recreational vehicles and boats. The proposed location of the outdoor storage is far from view of Bull Valley Road and is unlikely to detract from the surrounding area. All of the surrounding properties are zoned industrial with the exception of Northwestern-Centegra Hospital south of Bull Valley Road.

Director Martin stated Staff is aware there are long-range plans for this general area included in the comprehensive plan, which go beyond the scope of this proposal. With the hospital being across the road and vacant land to the north, west, and east, there are many development and redevelopment alternatives possible in the future. The time limitation placed on the previous conditional use permit was in anticipation of redevelopment of this property along with the surrounding properties, potentially, for commercial and/or residential uses. This has not come to fruition as of yet.

Staff is not proposing a time limitation associated with the approval of the applicant’s request. Economic conditions remain uncertain and staff believes a time constraint would be unfair and the property may remain vacant indefinitely. Staff believes the proposed use will provide benefits to the City including an additional viable business locating in the City of McHenry; Cleaning and removal of trash and debris on subject property, as well as ongoing maintenance; and potential increase in assessed valuation, along with surrounding properties, which may at some point encourage developers to assess development/redevelopment options.

Unless a new business locates on the subject property, staff believes the area will remain stagnant and an eyesore. The applicant owns a significant piece of property and in the future this could play a key role in redevelopment of this area. Due to the isolated location of the site the greater portion of the property is not visible to the public.

Future roadway improvements are planned along Bull Valley Road west of Illinois Route 31 at some point in the future, including consolidation of access points and roadway widening, which will alter the dynamics of the area. At that time, it may be more plausible for new development/redevelopment to occur. Staff does not believe that this area will necessarily remain industrial in nature but at the same time does not want to prevent a viable business from locating there.
Director of Economic Development Martin stated Staff recommends approval of a conditional use permit to allow the outdoor storage of vehicles on the subject property, in conjunction with a towing operation subject to the conditions presented and Staff believes that the criteria in table 31 of the zoning ordinance have been met.

Chairman Strach invited questions and/or comments from the Commission.

Commissioner Gurda recused himself from the hearing.

Commissioner Walsh asked what type of security will be in place for the tow yard. Mr. Lenart stated there are gates and chain link fence as well as cameras.

Mr. Brian Blanchard, 6008 Tomlinson Dr., McHenry, IL was sworn in by Chairman Strach. Mr. Blanchard stated he is the property owner and he confirmed there are already cameras on the property. In response to a question posed by the commission, Mr. Blanchard stated there is gas in the boats at times but the majority of the time they are stored they are winterized and have no gas in them. In the summer there will be some RV’s and other recreational vehicles stored that may have gas in them but they are kept clean and monitored for leakage.

Commissioner Miller inquired what type of vehicles will be stored. Mr. Lenart responded it is mostly crash cars and cars to be impounded. In response to Commissioner Miller’s concern about the vehicles leaking on the property, Mr. Lenart added they use oil dry and fabrics to absorb all leaking liquids.

Commissioner Sobotta asked what the typical length of time is for vehicle storage. Mr. Brandon Lenart stated it depends upon the vehicle but should never be longer than 3-4 months. Mr. Krzysztof Lenart stated it is typically no longer than 30 days.

Chairman Strach opened the floor to questions and comments from the audience. There was nobody in attendance who wished to address the Commission regarding this matter.

Chairman Strach closed the public comment portion of the hearing 7:42 pm.

Motion by Doherty seconded by Miller to recommend to the City Council with regard to File No. Z-945 an application for a conditional use permit to allow outside storage of vehicles in conjunction with a towing operation for the property located at 4564 Bull Valley Road, subject to the following conditions, as presented:

1. The property shall be cleared of all debris, including any inoperable vehicles, trailers, etc. and anything unrelated to the request being considered;
2. The property keeps a neat and orderly appearance;
3. Boats and recreational vehicles must be stored in one area of property—not all over the property.
4. Vehicles must be stored in the area indicated on the site plan;
5. Applicant work with City Staff in locating signage for business off of Bull Valley Road, not impeding access or site lines to other businesses, customers or vehicles traversing the roadway;
6. Provide minimal security lighting/cameras on-site.

And Staff finds that the criteria in table 31 of the zoning ordinance have been met.

Voting Aye: Doherty, Miller, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Thacker.

Motion carried 5-0

Chairman Strach closed the Public Hearing regarding File No. Z-945 at 7:45 pm.

Public Hearing: Ryan McTague, MCHS District #156
File No. Z-946
4724 W Crystal Lake Road
Conditional Use Permit for an Assembly Use: Variance to the Maximum Building Height permitted; Variance to eliminate parking lot landscape islands; and
Variance to allow an additional accessory structure (salt dome)

Chairman Strach called the Public Hearing to order at 7:45 p.m. regarding File No. Z-946 an application for a conditional use permit to allow outside storage of vehicles in conjunction with a towing operation for the property located at 4564 Bull Valley Road.

Chairman Strach stated Notice of the Public Hearing was published in the Northwest Herald on March 31, 2019. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance were: Tom Rychlik, Engineer, Gewalt Hamilton Associates, 625 Forest Edge Dr. Vernon Hills, IL 60061; Don Dixon, Engineer, Gewalt Hamilton Associates, 625 Forest Edge Dr. Vernon Hills, IL 60061 and Todd Woolever, Architect, Wold Architects, 110 N. Brockway Suite 220, Palatine, Illinois 60067, who were sworn in by Chairman Strach.

Mr. Rychlik stated they are representing McHenry High School District #156 in their request to revise their conditional use and due to the passing of a recent referendum, obtain permission for variances in order to begin construction on improved parking and grounds facilities and an addition to the building at West Campus. Renderings were displayed and the public was invited to view them. They explained their detailed drawings and the need for more parking due to the increase in the student and teacher population at this building after the construction is complete. They will move some of the tennis courts in order to add additional parking areas while allowing the tennis
courts to help act as a partial buffer to the homes to the south from the parking traffic. They also intend to make improvements to the detention system on the property.

Director of Economic Development stated the applicant is proposing to construct a 64,000 square-foot addition to the existing West Campus High School. The West Campus School will become a sophomore thru senior campus and the East Campus High School will become a freshmen campus. Additionally, the parking lot will be expanded on the south side of the school and at buildout the total number of spaces will be 874 spaces, an increase of 224 spaces to accommodate students and teachers from East Campus. Director Martin stated the applicant is seeking the following:

- Conditional Use Permit for an Assembly Use
- Variance to the Maximum Building Height permitted
- Variance to eliminate parking lot landscape islands
- Variance to allow an additional accessory structure (salt dome)

In regard to the Conditional Use Permit for an Assembly Use, the property is currently zoned residential and is surrounded on three sides primarily by residential land uses. To the east is a mixture of residential and commercial land uses. Staff believes the use is appropriate for this location. The proposed development includes an addition on the north side of the school including a Science, Technology and Manufacturing Center. The proposed addition will eventually serve 2,000 students from East and West Campuses. The freshmen students will be attending East Campus. The parking will be expanded to accommodate 874 vehicles, include renovations to the tennis courts and eliminate the need for trailers as classrooms.

A traffic analysis was completed. Similar to the traffic study review completed by HR Green, staff believes there should be alternative parking lot access points and circulation patterns considered for the site to efficiently move car and bus traffic to and from the site and to prevent queuing onto adjacent roadways. Director Martin stated this would be done as part of a collaborative effort between McHenry District 156 and the City, particularly the police department. Director Martin further stated while a traffic signal is not warranted at this time one should potentially be planned for the long term-2030 for the safe movement of vehicles in the future as traffic volumes increase.

Director Martin stated the applicant is seeking a variance to exceed the maximum height limitation, from 35 feet to 45 feet. Staff is not concerned with this variance. The proposed addition is approximately 125 feet from Crystal Lake Road and over 350 feet from the closest residence to the northwest.

The applicant is also seeking a variance to eliminate the parking lot landscape islands. To the north of the building landscape islands are proposed on the ends of the parking rows, on the south no parking lot islands are proposed. However the applicant is proposing a center landscape strip between the existing parking lot and the expansion with a sidewalk from the tennis courts to the building. Again, staff does not have a problem with this variance request, as the applicant is limited
in space and trying to maximize parking. Additionally, there is effort being made to do some improvements within the parking areas.

In addition, the applicant is seeking a variance to construct a salt storage shed to the west of the existing maintenance building. The building is approximately 1,750 square feet and will allow the school district to store a sufficient volume of salt onsite for use throughout the winter. All residential zoning districts are restricted to a maximum of two accessory buildings, and several currently exist on the subject property; therefore a variance is required to address this as well.

Staff supports this variance. This is a very unique situation and property. The property was acquired many decades ago and has existed and been used for sporting events for numerous years. A complex of this size requires many types and sizes of accessory buildings and structures in order to optimize the functionality of the site, in terms of accommodating multiple events throughout the year.

None of the circumstances creating the need for the requested variances were caused by or a direct result of any action taken by the applicant and denial of the requested variances would certainly create an undue hardship/burden on the property owner and essentially render the property useless as a public sporting complex/venue. Finally, the variances are consistent with the comprehensive plan.

Director of Economic Development Martin stated Staff recommends approval of a Conditional Use Permit to allow an Assembly Use and all Variances with all conditions as presented.

Chairman Strach invited questions and/or comments from the Commission.

Commissioner Doherty asked for clarification on the location of the tennis courts and new parking area. Mr. Rychlik explained the rebuilding of the courts and stated the new parking lot will be located at the same grade as the existing parking lot, as an extension of it.

Commissioner Miller asked for clarification that the sports practice fields will remain as is. Mr. Rychlik stated there will be no further improvements on the sports fields but they will add a walking path and trees.

Commissioner Walsh stated a concern with the lighting of the new tennis courts to the south closer to the residences. Mr. Rychlik stated only 4 or 5 of the tennis courts to the south will be lit and they are using led lights and will only be the courts located furthest away from the homes. Commissioner Walsh asked stated he would like to see time limits imposed on the hours the courts are lit. The applicants agreed to lighting time limits being imposed.

Commissioner Walsh and Commissioner Gurdı both stated concerns with the increase in traffic on Crystal Lake Road due to the increase in student population going up by 224. Commissioner Walsh was particularly concerned about the exit and entrances during peak hours. Both Commissioners Walsh and Gurdı opined a traffic light will be needed eventually. Commissioner Strach stated there is a condition on the request which requires further discussion on the traffic concerns due to the increased student population. Mr. Rychlik stated the traffic study reflects a
traffic light is not warranted at this time but there are several suggestions they are looking into to ease the traffic flow such as modifying signal times on traffic signals located to the north and the south of the campus.

Commissioner Walsh asked for clarification on what is being disturbed on the rear side of the building. Mr. Rychlik stated the bus lane will still be used and the exit road will be renovated but will remain usable only for bus traffic. He stated there will be no other improvements in the far rear of the property past the addition.

Chairman Strach opened the floor to questions and comments from the audience and invited audience to view the elevations and drawings being displayed.

Gail Riddle, 4819 Oakwood Dr. inquired when the construction will start and hours and how many days of the week construction will be allowed, stating a concern in regard to noise and construction dirt. Mr. Rychlik stated they hope to start this June but it is hard to determine and end date. He expects the fields and parking additions to the south will be done during the summer followed by excavation for the addition. He stated construction should be 5 days a week unless there are problems and the north parking lot will be renovated last.

Alderman Andy Glab, 5001 Oakwood Dr. stated concerns with ingress and egress. He opined the school needs a traffic light and uses the time and takes a police officer away for at least 2 hours a day. He further stated there need to be more restrictions on student parking on area streets and that the chillers are very loud on the building which will continue to be a noise problem if not addressed. Mr. Rychlik stated the chillers are being replaced. Mr. Glab stated concerns with drainage on the property dating back 18 years clarifying he is not in favor of the expansion but acknowledges a referendum passed so he wants to be sure all drainage issues are fully addressed. Mr. Rychlik provided clarification stating the sewer will be enlarged as needed based on capacity, the detention basin will be expanded to care for the increased capacity, and the replacement basin will continue to be a natural planting basin. They are cleaning and fixing the old basin and putting in a new basin that will address all the drainage issues. Detailed clarification and explanation on the overflow and drainage was given by Mr. Dixon and Mr. Rychlik both giving assurance the drainage system design will be done in a way that will not lead to excessive overflow. Mr. Glab further stated his concern with the tennis court noise and lighting and agreed with the Commissioners on limiting the time of lighting usage. Mr. Rychlik stated there will be a buffer also for the residences.

Chairman Strach closed the public comment portion of the hearing at 8:23 p.m.

Commissioner Sobotta stated he wished to make a comment as a resident that he really suggests a traffic light be added, stating he has seen major concerns as a resident who has a student attending the school. He further stated his concerns stated as a commissioner were addressed.

Commissioner Miller stated her major concern is traffic on Crystal Lake Road and she opined a traffic light if not necessary now but will be needed in the future and that the impact will be greater than is presently thought. Commissioner Doherty agreed.
Commissioner Strach stated he has the same traffic concerns but believes there will be reduced drop-offs because freshmen will no longer be at this campus. He opined the police department, city staff, and school district staff will be able to address the traffic issues and offer alternatives for ingress and egress. Commissioner Sobotta stated there will be more students driving and they’re less experienced drivers than parents dropping off students and that should be taken into consideration.

Commissioners Strach and Miller inquired if a study was done on the number of accidents in the general location of the high school. Ms. Lynn Meads, Senior Transportation Engineer with GeWalt Hamilton Associates was sworn in and stated the traffic study was thorough and includes information including that a traffic signal is not warranted until the school reaches capacity explaining the growth of the student population is stagnant and almost declining. She further stated they are considering other options to help with the flow such as separating the lot users and looking for ways to separate parent drop-offs which will reduce congestion. Crystal Lake Road has congestion due to traffic signal lengths on existing traffic signals along the road and making traffic signal modifications will help. In regard to crashes at the school, page 12 of the traffic study states that within a 5 year period the south access had 1, the center access had 4, and the staff access had 11.

Commissioner Gurda asked if traffic on Green Street will increase due to more student drop-offs being made at East Campus. Commissioner Strach stated the student population will decrease and student parking will only be for staff which basically eliminates students parking at East Campus. Commissioner Gurda opined this is a concern that should also be studied and be addressed and discussed at Council level.

Commissioner Sobotta asked that the city be proactive and address the traffic concerns aggressively because it has been made clear that it is a concern by all in attendance at this hearing.

Motion by Miller seconded by Sobotta to recommend to the City Council with regard to File No. Z-946 an application for a Conditional Use Permit to allow an Assembly Use with the following conditions, as presented:

- The project is developed in accordance with the Site Plan prepared by GeWalt Hamilton Associates dated 3/21/19 and consisting of one page, Landscape Rendering prepared by GeWalt Hamilton Associates dated 3/21/19 and consisting of one page, Traffic Impact and Parking Study prepared by GeWalt Hamilton Associates dated 3/22/19.

- Alternative points of access and circulation patterns should be discussed between the school district and the City, particularly the police department, to ensure the safe and efficient movement of traffic to and from the site especially during peak hours.

- The current parent drop-off/pick-up lane should be reevaluated to ensure adequate stacking is provided.
• Modified signal timings on area signals should be considered to reduce congestion and increase progression along Crystal Lake Road.

• A pedestrian connection from the sidewalk along the west side of Crystal Lake Road in to the high school is required.

• Vehicular and bus access onto West Oakwood Drive should be considered, northbound only for vehicles to access the traffic light at Royal Drive.

• The administrative parking lot on the north side of the school should be separated more from the adjacent driveway so as not to confuse drivers exiting the school.

And Staff finds the requirements set forth in Table 31 have been met.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Thacker.

Motion carried 6-0

Motion by Miller seconded by Sobotta to recommend to the City Council with regard to File No. Z-946 an application for:

A Variance from the Maximum Building Height, from 35’ to 45’ with the following condition, as presented:

The project is developed in accordance with the Site Plan prepared by Gewalt Hamilton Associates dated 3/21/19 and consisting of one page.

And Staff finds the requirements set forth in Table 32 have been met; and

Approval of a Variance from the Landscaping and Screening Ordinance to eliminate parking lot islands with the following condition, as presented:

The project is developed in accordance with the Site Plan prepared by Gewalt Hamilton Associates dated 3/21/19 and consisting of one page and Landscape Rendering prepared by Gewalt Hamilton Associates dated 3/21/19 and consisting of one page;

And Staff finds the requirements set forth in Table 32 have been met; and

Approval of a Variance from the Accessory Uses, Yards & Fences to allow an additional accessory structure (salt dome) with the following condition, as presented:
The project is developed in accordance with the Site Plan prepared by Gewalt Hamilton Associates dated 3/21/19 and consisting of one page;

And Staff finds the requirements set forth in Table 32 have been met.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Thacker.

Motion carried 6-0

Chairman Strach closed the Public Hearing regarding File No. Z-946 at 8:40 p.m.

Staff Report
Director Martin thanked Commissioner Miller for her service on the Commission. He also stated that the May 15, 2019 regularly scheduled meeting would be held at 7:30 p.m. in the Council Chambers. Director Martin added that a new zoning map and rough draft of historical neighborhoods from the comprehensive plan were distributed to be discussed at a future meeting. Commissioner Miller would like to see a very large map displayed in the council chambers in the future. She suggested the north wall in City Council Chambers would be a perfect location.

Adjournment
Motion by Miller seconded by Sobotta to adjourn the meeting at 8:45 p.m.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Thacker.

Motion carried 6-0. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Shawn Strach, Chairman
City of McHenry
Planning & Zoning Commission
Applicant
Wolf’s Comprehensive Services
1 Gillingham Ct.
Algonquin, IL 60102

Requested Action
Conditional use permit to allow an indoor amusement establishment to operate a raffle which would benefit the McHenry County Youth Sports Association (MCYSA)

Site Information
Location and Size of Property
The subject property is located in Unit 4314A W Elm in the McHenry Market Place Shopping Center, which is a 10-acre property

Comprehensive Plan Designation:
Commercial

Existing Zoning and Land Use
The subject property is zoned C-3 Highway Commercial and contains an approximately 4,000 square-foot vacant unit (4314A).

Adjacent Zoning and Land Use
North: I-1 Industrial, Brake Parts
South: C-5 Highway Commercial, Commercial and RS-3 Medium-High Density Single-Family Residential, Whispering Oaks Park
East: C-3, Boone Creek Plaza (Jewel)
West: C-5, Commercial and RS-2 Medium Density Residential, Single-Family Residences

Background and Description of Request
The applicant is proposing to lease a space in the McHenry Market Place Shopping Center (Angelo’s) to operate a raffle. The purpose of the raffle is to raise money for the McHenry Youth Sports Association (MCYSA). A Conditional Use Permit is required for an indoor amusement in order to conduct a raffle of this kind.

Staff Analysis
The unit which is proposed to be utilized has no direct frontage, other than an entrance door, to the parking lot like the other units therefore it is more difficult to lease. The unit has been vacant for ten years. Staff believes the proposed use will be a destination, similar to the VFW, and draw people to the center. Some may visit other stores some may not. The application states there will be approximately 75 players per session. While the shopping center is
technically underparked due to its age staff does not anticipate a parking problem. This center has plenty of parking available throughout the day.

The original portion of the current McHenry Market Place Shopping Center was constructed 40-50 years ago and the city’s current zoning ordinance was adopted by the City Council in 1986; therefore, the parking regulations have changed and evolved over the life of the center. An example is the requirement for restaurants. Since 1986 the restaurant parking requirement was amended from classifying all restaurants under one parking requirement category to three different standards depending on the type of restaurant. Since this shopping center was originally constructed and until the new zoning requirements were established in 1986 the zoning ordinance almost inevitably changed over the 20-25 year span which passed since original construction.

As the shopping center sits today, a total of 610 parking spaces would be required by ordinance but 453 parking spaces actually exist. With Chase Bank approximately 32 additional parking spaces were lost bringing the total for the center to 421. Additionally, the restaurants require more parking as well.

However, to further address the parking shortfall in the past the owner of the property agreed to close the easternmost access of the property onto Elm Street. More parking spaces were also realized upon this design alteration. Staff is not concerned about the loss of parking and believes a number of factors over many years have contributed to the development of this shopping center which also affected parking requirements.

Nonetheless the shopping center owner needs to remain cognizant about temporary land uses, such as Christmas tree lots and others, particularly in the winter, which take up parking spaces.

**Staff Recommendation Prior to Public Hearing**

Approval of a Conditional Use Permit to allow an indoor amusement, raffle, at 4314A W Elm.

Staff finds the requirements of Table 31, Conditional Use Permits, of the zoning ordinance have been met.

**Attachments**

- Location Map
- Application Packet
PUBLIC HEARING APPLICATION

Planning and Zoning Commission
City of McHenry

333 South Green Street * McHenry, IL 60050 * Tel: (815) 363-2170 * Fax: (815) 363-2173

1. Name of Applicant: Wolff's Comprehensive Services
   Address: 1 Gillingham Ct
   City: Algonquin, State IL, Zip: 60102
   Tel: 847-921-5828
   Fax: 

2. Name of Property Owner (If other than Applicant): Heidner Properties Inc
   Address: 5277 Trillium Blvd
   City: Hoffman Estates, State IL, Zip: 60192

3. Name of Engineer (If represented)
   Address
   City: State Zip:

4. Name of Attorney (If represented)
   Address
   Tel:
   Fax:

5. Common Address or Location of Property

6. Requested Action(s) (check all that apply)
   ___ Zoning Map Amendment (Rezoning) ___ Zoning Variance – Minor *
   ___ Conditional Use Permit ___ Zoning Text Amendment
   ___ Zoning Variance ___ Use Variance
   ___ Other

*Definition of Minor Variance: A variance granted to the fee owner, contract purchaser or option holder of a single-family detached or attached dwelling, or single-family detached or attached building lot for that dwelling or lot.
7. Current Use of Property  *Vacant*

8. Current Zoning Classification of Property, Including Variances or Conditional Uses

   (-)

9. Current Zoning Classification and Land Use of Adjoining Properties

   North:  (-)
   South:  (-)
   East:  (-)
   West:  (-)

10. Required Attachments (check all items submitted)

   Please refer to the Public Hearing Requirements Checklist to determine the required attachments.

   - [ ] 1. Application Fee (amount) $__________
   - [ ] 2. Narrative Description of Request
   - [x] 3. FORM A – Public Hearing Application
   - [x] 4. FORM B – Zoning Map Amendment (Rezoning) Application
   - [x] 5. FORM C – Conditional Use Application
   - [ ] 6. FORM D – Zoning Variance Application
   - [ ] 7. FORM E – Use Variance Application
   - [ ] 8. Proof of Ownership and/or Written Consent from Property Owner in the Form of an Affidavit
   - [ ] 9. Plat of Survey with Legal Description
   - [ ] 10. List of Owners of all Adjoining Properties
   - [ ] 11. Public Hearing Notice
   - [ ] 12. Sign (Provided by the City, to be posted by the Applicant)
   - [ ] 13. Site Plan
   - [ ] 14. Landscape Plan
   - [ ] 15. Architectural Rendering of Building Elevations
   - [ ] 16. Performance Standards Certification
   - [ ] 17. Traffic Analysis
   - [ ] 18. School Impact Analysis
11. Disclosure of Interest

The party signing the application shall be considered the Applicant. The Applicant must be the owner or trustee of record, trust beneficiary, lessee, contract purchaser, or option holder of the subject property or his or her agent or nominee.

**Applicant is Not Owner**

If the Applicant is not the owner of record of the subject property, the application shall disclose the legal capacity of the Applicant and the full name, address, and telephone number of the owner(s). In addition, an affidavit of the owners(s) shall be filed with the application stating that the Applicant has the authority from the owners(s) to make the application.

**Applicant or Owner is Corporation or Partnership**

If the Applicant, owner, contract purchaser, option holder, or any beneficiary of a land trust is a corporation or partnership, the application shall disclose the name and address of the corporation's officers, directors, and registered agents, or the partnership's general partners and those shareholders or limited partners owning in excess of five percent of the outstanding stock or interest in the corporation or interest shared by the limited partners.

**Applicant or Owner is a Land Trust**

If the Applicant or owner is a land trust or other trust or trustee thereof, the full name, address, telephone number, and extent of interest of each beneficiary shall be disclosed in the application.

12. Certification

I hereby certify that I am aware of all code requirements of the City of McHenry that relate to this property and that the proposed use or development described in this application shall comply with all such codes.

I hereby request that a public hearing to consider this application be held before the Planning and Zoning Commission, and thereafter that a recommendation be forwarded to the City Council for the adoption of an ordinance(s) granting the requested action(s), including any modifications to this application or conditions of approval recommended by the Zoning Board of Appeals or City Council.

**Signature of Applicant(s)**
Print Name and Designation of Applicant(s)

\[Signature\]

\[Signature\]
CONDITIONAL USE PERMIT

Planning and Zoning Commission  
City of McHenry

333 South Green Street o McHenry, IL 60050 o Tel: (815) 363-2170 o Fax: (815) 363-2173

Table 31 of the City of McHenry Zoning Ordinance provides that in recommending approval or conditional approval of a Conditional Use Permit, the Planning and Zoning Commission shall transmit to the City Council written findings that all of the conditions listed below apply to the requested action.

Please respond to each of these conditions as it relates to your request.

1. Traffic
Any adverse impact of types or volumes of traffic flow not otherwise typical in the zoning district has been minimized.

The tenant anticipates little to no deviation from normal traffic volume, particularly at any peak traffic times. In fact, the tenant expects that the total attendance will normally be around 75 people, who generally car pool.

2. Environmental Nuisance
Any adverse effects of noise, glare, odor, dust, waste disposal, blockage of light or air, or other adverse environmental effects of a type or degree not characteristic of permitted uses in the zoning district have been appropriately controlled.

None of these are applicable, in as much as all activities take place indoors, within a contained area, and the nature of the events are not conducive to excessive and/or disrespectful noise levels.

3. Neighborhood Character
The proposed use will fit harmoniously with the existing natural or man-made character of its surroundings and with permitted uses in the zoning district. The use will not have undue deleterious effect on the environmental quality, property values, or neighborhood character existing in the area or normally associated with permitted uses in the district.

The tenant not only feels that the activity will be in harmony with all of the surrounding businesses, but in fact, intends to advertise within the space, all of those businesses, as well as any Village sponsored activities.
Wolf’s Comprehensive Services, Inc. (WCS), is seeking the necessary permits and permissions for the privilege of leasing the space located at 4314A West Elm Street in McHenry, so that we may operate a Raffle which would benefit the McHenry County Youth Sports Association (MCYSA). The MCYSA was granted a Raffle License from the Village of McHenry (Raffle License Number 19-R-016) on March 5, 2019. The space, which has sat unused for approximately ten years, would be painted and rehabbed, and would accommodate the Raffle players in the area. WCS expects about 75 players per session, and promises it will be a good neighbor to all McHenry businesses, as well as a needed benefactor for the MCYSA.

With this operation, the MCYSA will earn tens of thousands of dollars which will be used to benefit thousands of youth in the area, and internationally.

In addition, WCS promises to use its new platform to help area businesses and the Village, advertise at the Raffle Hall, free of charge. Further, WCS expects to be a sponsor for other McHenry groups, and other events in which the Village of McHenry takes part.

In conclusion, permitting WCS to operate at the Elm Street location will not only directly aid the MCYSA, but will also prove to be a business that the Village of McHenry will be able to depend upon for many years. We humbly ask that you allow us to operate our business as soon as possible.

Thank you.
[PLANNING AND ZONING COMMISSION STAFF REPORT Z-948-MINOR
VARIANCES FROM TABLE 20 TO ALLOW AN ACCESSORY STRUCTURE
GREATER THAN 1,000 SQUARE FEET IN FLOOR AREA; VARIANCE FROM THE
REQUIRED MINIMUM REAR YARD BUILDING SETBACK FOR AN ACCESSORY
STRUCTURE; AND A VARIANCE FROM THE REQUIRED MINIMUM SETBACK
FROM EXISTING PRINCIPAL AND ACCESSORY STRUCTURES AT 1207 N PARK
STREET

May 15, 2019

Applicant
Gary E. Tonyan
1207 N Park Street
McHenry, IL 60050

Requested Action
Variance from Table 20 to allow an accessory structure greater than 1,000 square feet in floor area;
Variance from the required minimum rear yard building setback for an accessory structure; and a
Variance from the required minimum setback from existing principal and accessory structures

Site Information
Location and Size of Property
The subject property is located at 1207 N Park Street, consists of .20 acres, and is situated at the
northwest corner of Park Street and Venice Avenue.

Existing Zoning and Land Use
The subject property is zoned RS-4, High Density Single-Family Residential, developed with a one-story
single-family residence and a 728 square foot-detached garage.

Comprehensive Plan Designation
Low-Density Residential

Core Downtown Sub-Area Plan Designation
Redevelop as one lot in Integrated Design District Zoning, close and vacate Park Street

Adjacent Zoning and Land Use
North:   RS-4 High-Density Single-Family Residential, Single, Residence
South:   RS-4, Residence
East:    RS-4-Residence
West:    RS-4, Old City Water Garage

Description of Request
The applicant is seeking three variances to expand an existing detached garage to 1,150 square feet in
order to park a work truck inside the garage. The variances include: a garage exceeding 1,000 square
feet, a rear yard building setback variance and a variance between the principal structure and the
accessory structure.
Staff Analysis
As previously stated the garage cannot exceed 1,000 square-feet and the applicant is proposing an addition which would bring the total square footage to 1,150 square feet. The applicant needs the additional square footage for his work truck. The addition will be flush with the existing garage and not have any adverse impact on the neighborhood. The addition must be consistent in style in color as the home due to its size. Further the truck will no longer be parked outdoors. Staff supports the additional square footage.

The applicant also needs two additional variances, a rear yard setback variance and a variance from the distance from the existing home. Both of these variances are required regardless of what the applicant does and are not of any result of any action taken by the applicant. The rear setback variance is nonconforming currently at 3.5 feet and is required to be 12.5 feet and the setback from the home is nonconforming currently at 18 feet and is required to be 20 feet. By proposing an addition the applicant must address these nonconformities as well. Staff has no problem with these variances. The applicant is not making these nonconformities any more nonconforming.

Staff Recommendation Prior to Public Hearing

Approval of a Variance from Table 20 to allow an accessory structure greater than 1,000 square feet (1,150 square feet) in floor area; a Variance from the required minimum rear yard building setback for an accessory structure from 12.5 feet to 3.5 feet; and a Variance from the required minimum setback from existing principal and accessory structures, from 20 feet to 18 feet.

Staff finds all requirements in Table 32 of the zoning ordinance have been met.

Attachments

- Location Maps
- Application Packet
PLANNING AND ZONING COMMISSION STAFF REPORT Z-948-MINOR VARIANCES FROM TABLE 20 TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN 1,000 SQUARE FEET IN FLOOR AREA; VARIANCE FROM THE REQUIRED MINIMUM REAR YARD BUILDING SETBACK FOR AN ACCESSORY STRUCTURE; AND A VARIANCE FROM THE REQUIRED MINIMUM SETBACK FROM EXISTING PRINCIPAL AND ACCESSORY STRUCTURES AT 1207 N PARK STREET

Location Map: 1207 N Park Street
4/23/2019
Mr. Doug Martin
Planning and Zoning Commission
City of McHenry

RE: Zoning Narrative
Gary E. Tonyan Residence
1207 N. Park Street

Gary E. Tonyan would like to add onto his existing residential, detached garage to allow for his company work truck to fit inside the Garage. The existing garage and 7’ high garage door are currently too low. The truck is just under 8’ high. A 12’ addition to the south with an 8’ high overhead door would allow his truck to be kept inside. The East and West wall lines will remain on the same plane as the existing walls, which currently do not meet the Zoning Ordinance.

Gary is seeking Three Minor Zoning Variances as Follows to allow for the addition to his existing Garage.

1. We request a total Square Foot with Addition for the Garage to be a total of 1,150 Sq. Ft. The existing is 728 Sq. Ft and the addition would add 368 sq. ft.

2. The Rear Yard distance from the lot line to the existing garage is 3.5’. The addition will be kept on the same line as the existing, thus requesting a variance for the rear yard setback.

3. The distance between the existing House / Residence and the existing garage will be kept the same at approximately 18’ with the same East wall line running to the South.

All materials and colors used will match the existing Residence and Garage. We have attached a sketch of the south elevation which is facing Venice Ave, and a survey with Proposed Addition.

We look forwards to meeting with you and Planning and Zoning to discuss the matter in further detail.

Respectfully Submitted

Donald C. Tonyan, President
Wm. Tonyan & Sons Inc.
PUBLIC HEARING APPLICATION

Planning and Zoning Commission
City of McHenry

333 South Green Street o McHenry, IL 60050 o Tel: (815) 363-2170 o Fax: (815) 363-2173

1. Name of Applicant Gary E. Toneyan

Address 1207 N. Park St. Tel 1-815-482-0759

City: McHenry State IL. Zip 60050

Fax

2. Name of Property Owner

(If other than Applicant)

Address

City State Zip

Fax

3. Name of Engineer NA

(If represented)

Address

City State Zip

Fax

4. Name of Attorney NA

(If represented)

Address

Fax

5. Common Address or Location of Property 1207 N. Park Street

6. Requested Action(s) (check all that apply)

   ___ Zoning Map Amendment (Rezoning)       XX Zoning Variance – Minor *
   ___ Conditional Use Permit
   ___ Zoning Variance
   ___ Other

   ___ Zoning Text Amendment
   ___ Use Variance

FORM A Page 1 of 4
*Definition of Minor Variance: A variance granted to the fee owner, contract purchaser or option holder of a single-family detached or attached dwelling, or single-family detached or attached building lot for that dwelling or lot.
7. Current Use of Property  **Personal Residence**

8. Current Zoning Classification of Property, Including Variances or Conditional Uses
   RS-4

9. Current Zoning Classification and Land Use of Adjoining Properties
   North:  RS-4
   South:  RS-4
   East:  RS-4
   West:  RS-4

10. Required Attachments (check all items submitted)
    Please refer to the Public Hearing Requirements Checklist to determine the required attachments.

    1. Application Fee (amount) $425.00
    2. Narrative Description of Request
    3. FORM A – Public Hearing Application
    4. FORM B – Zoning Map Amendment (Rezoning) Application
    5. FORM C – Conditional Use Application
    6. FORM D – Zoning Variance Application
    7. FORM E – Use Variance Application
    8. Proof of Ownership and/or Written Consent from Property Owner in the Form of an Affidavit
    9. Plat of Survey with Legal Description
   10. List of Owners of all Adjoining Properties
    11. Public Hearing Notice
    12. Sign (Provided by the City, to be posted by the Applicant)
    13. Site Plan
    14. Landscape Plan
    15. Architectural Rendering of Building Elevations
    16. Performance Standards Certification
    17. Traffic Analysis
    18. School Impact Analysis
11. Disclosure of Interest

The party signing the application shall be considered the Applicant. The Applicant must be the owner or trustee of record, trust beneficiary, lessee, contract purchaser, or option holder of the subject property or his or her agent or nominee.

Applicant is Not Owner:
If the Applicant is not the owner of record of the subject property, the application shall disclose the legal capacity of the Applicant and the full name, address, and telephone number of the owner(s). In addition, an affidavit of the owners(s) shall be filed with the application stating that the Applicant has the authority from the owners(s) to make the application.

Applicant or Owner is Corporation or Partnership
If the Applicant, owner, contract purchaser, option holder, or any beneficiary of a land trust is a corporation or partnership, the application shall disclose the name and address of the corporation’s officers, directors, and registered agents, or the partnership’s general partners and those shareholders or limited partners owning in excess of five percent of the outstanding stock or interest in the corporation or interest shared by the limited partners.

Applicant or Owner is a land Trust
If the Applicant or owner is a land trust or other trust or trustee thereof, the full name, address, telephone number, and extent of interest of each beneficiary shall be disclosed in the application.

12. Certification

I hereby certify that I am aware of all code requirements of the City of McHenry that relate to this property and that the proposed use or development described in this application shall comply with all such codes.

I hereby request that a public hearing to consider this application be held before the Planning and Zoning Commission, and thereafter that a recommendation be forwarded to the City Council for the adoption of an ordinance(s) granting the requested action(s), including any modifications to this application or conditions of approval recommended by the Zoning Board of Appeals or City Council.

Signature of Applicant(s)
Print Name and Designation of Applicant(s)

______________________________

Gary E. Tonyan, Home owner / Resident

FORM A  Page 4 of 4
ZONING VARIANCE

Planning and Zoning Commission
City of McHenry

333 South Green Street  o  McHenry, IL 60050  o  Tel: (815) 363-2170  o  Fax: (815) 363-2173

Table 32 of the City of McHenry Zoning Ordinance provides that in recommending approval or conditional approval of a variance, the Planning and Zoning Commission shall transmit to the City Council written findings that all of the conditions listed below apply to the requested action.

Please respond to each of these conditions as it relates to your request.

1. Special Circumstances Not Found Elsewhere
   Special circumstances exist that are particular to the property for which the variance is sought and that do not apply generally to other properties in the same zoning district; and these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide a general regulation to cover them.

   Corner lot with existing garage located close to rear lot line and single family residence.

Existing Garage 782 Sq. Ft. Addition 368 Sq. Ft. new total Garage = 1,150 Sq. Ft.

2. Circumstances Relate to Property Only
   Since a variance will affect the character of its surroundings long after a property changes hands, the special circumstances referenced herein relate only to the physical character of the land or building(s) for which a variance is sought, such as dimensions, topography, or soil conditions; and they do not concern any business or activity the present or prospective owner or tenant carries on or seeks to carry on therein, or to the personal, business or financial circumstances of such owner or tenant or any other party with interest in the property.

   The Height of the Existing garage is 8' with a 7' high overhead door, which is too low for work truck.

   Rear yard distance is 3.5' Addition would be on same line.

   Distance between the House and Existing is 18' +-, with addition on the same line.
3. Not Resulting from Applicant Action
The special circumstances that are the basis for a variance have not resulted from any act of the applicant or of any other party with interest in the property.

The addition will be on the same line as the existing.

The existing Garage is too low for the Company work truck to fit. The addition will allow for an eight foot high door

4. Unnecessary Hardship
The strict application of the provisions of the Zoning Ordinance would result in unnecessary and undue hardship upon the applicant, as distinguished from a mere inconvenience.

The zoning ordinance prevents an addition to the garage because of the size, distance from rear yard and distance to residence.

5. Preserves Rights Conferred by District
A variance is necessary for the applicant to preserve and enjoy a substantial property right possessed by other properties in the same zoning district, and does not confer a special privilege ordinarily denied to other properties in the district.

The size of the garage and distances from rear yard and residence are similar to other properties in the zoning district.

6. Necessary for Use of Property
The granting of a variance is necessary not because it will increase the applicant’s economic return, although it may have this effect, but because without a variance the applicant will be deprived of any reasonable use or enjoyment of the property.

Raise the height of the garage and overhead door to allow for truck access for overnight parking. Work truck is currently parked outside nights and weekends.
7. Not Alter Local Character
The granting of a variance will not alter the essential character of the locality nor substantially impair
environmental quality, property values, or public safety or welfare in the vicinity.

All construction will be of like materials and colors matching the existing house and existing garage.

8. Consistent with Zoning Ordinance and Comprehensive Plan
The granting of the variance will be in harmony with the general purpose and intent of the Zoning Ordinance
and Comprehensive Plan of the City, as viewed in light of any changes conditions since their adoption.

The addition will be consistent with the Zoning Ordinance and Comprehensive Plan.

9. Minimum Variance Required
The variance requested is the minimum required to provide the applicant with reasonable use and enjoyment
of the property.

The requested is the minimum to allow the truck to fit and the remaining front elevation look uniform
Applicant
Thornton LLC, a Delaware Limited Liability Company
2600 James Thornton Way
Louisville, KY 40223

Requested Action
Approval of the Preliminary and Final Plat of Subdivision 1st Amendment to Heidner Properties Subdivision

Site Information
Location and Size of Property
Northwest corner of Chapel Hill Road and Illinois Route 120, consisting of 7.7 acres

Comprehensive Plan Designation
Commercial

Existing Zoning and Land Use
C-5 Highway Commercial District, Agriculture

Adjacent Zoning and Land Use
North: R1 Residential Unincorporated McHenry County, Residences
South: A1 Agriculture Unincorporated McHenry County, Agriculture and C-5 Highway Commercial, Riverside Chocolate Factory
West: C-5 Highway Commercial, Retail
East: B3V Business Unincorporated McHenry County, Fueling Station

Background
The applicant subdivided the property approximately three years ago into two lots and is currently seeking to resubdivide the property into three lots.

The preliminary and final plats are being combined due to the relative simplicity of the request. In accordance with the Subdivision Control and Development Ordinance “The subdivider may submit a final plat simultaneously with the submission of a preliminary plat if the proposed subdivision meets all of the following requirements:

A. The proposed subdivision contains three or fewer lots; and
B. The proposed subdivision does not require or create any new public rights-of-way or easements for access; and
C. The proposed subdivision requires no extensions of public utilities and no new public facilities; and
D. The proposed subdivision does not include any territory that is located in a Special Flood
Hazard Area, or contain any proposed lots that may be unbuildable because of the nature of the soils located thereon.

The proposed plat must be considered by the Planning and Zoning Commission at a public meeting and the Planning and Zoning Commission recommendation is forwarded to the City Council. Staff has reviewed the plat and it's in substantial conformance with the requirements set forth in the subdivision control and development ordinance.

**Analysis**
Attached is the Final Plat of Subdivision for the subject property. The applicant is simply moving lot lines. Lot 2 remains the same and Lot 1 is being subdivided into two lots. Staff has reviewed the plat and believes the final plat is in substantial conformance with all city ordinances relating to a final plat of subdivision and would recommend the Planning and Zoning Commission approve of the final plat.

**Staff Recommendation Prior to Meeting**
Staff recommends approval of the Final Plat of Subdivision 1st Amendment to Heidner Properties Subdivision with the following conditions:

1. Compliance with all revisions and comments pertaining to site engineering by Staff and City engineer.
2. Plat must be recorded within six months of City Council approval by ordinance and;
3. A stormwater permit, along with a stormwater pollution prevention plan, shall be submitted and approved by the city engineer and staff prior to construction or any site work being completed.

**Attachments**
- Location Map
- Approved Final Plat of Subdivision
- Application Packet
PLAT/DEVELOPMENT APPLICATION

City of McHenry

333 South Green Street • McHenry, IL 60050 • Tel: (815) 363-2170 • Fax: (815) 363-2173

1. Name of Applicant: Thornton LLC, a Delaware Limited Liability Company
   Tel: 502-425-8022
   Address: 2600 James Thornton Way, Louisville, Kentucky, 40223
   Fax: __________________________

2. Name of Property Owner: RR McHenry LLC
   Tel: 630-894-0099
   Address: 5277 Trillium Boulevard, Hoffman Estates, IL 60192
   Fax: __________________________

3. Name of Engineer: Manhard Consulting, Ltd.
   Tel: 630-925-1216
   Address: 700 Springer Drive, Lombard, IL 60148
   Fax: __________________________

4. Name of Attorney: N/A
   Tel: __________________________
   Address: _______________________
   Fax: __________________________

5. Common Address or Location of Property:
   Northwest corner of Chapel Hill Road and Illinois Route 120

6. Requested Action:
   ✓ Preliminary Plat
   ✓ Final Plat
   ___ Development

Provide a brief description of the Requested Action. For example, indicate the number of lots and the type of subdivision (single-family, townhome, commercial, industrial, etc.) or include a description of the development project:

Three (3) lot resubdivision at the Northwest corner of Chapel Hill Road and Illinois Route 120

for previously approved commercial development.
7. Current Use of Property: Vacant

8. Current Zoning Classification of Property, Including Variances or Conditional Uses
   C-5

9. Current Zoning Classification and Land Use of Adjoining Properties
   North: Unincorporated McHenry County - Residential
   South: C-5/ Unincorporated McHenry County - Vacant
   East: Unincorporated McHenry County - Gas Station, Farm, Residential, Chocolate Factory
   West: C-5 - Retail

10. Required Attachments - Please refer to the attached checklist.

11. Disclosure of Interest

   The party signing the application shall be considered the Applicant. The Applicant must be the owner
   or trustee of record, trust beneficiary, lessee, contract purchaser, or option holder of the subject
   property or his or her agent or nominee.

   **Applicant is Not Owner**
   If the Applicant is not the owner of record of the subject property, the application shall disclose the
   legal capacity of the Applicant and the full name, address, and telephone number of the owner(s). In
   addition, an affidavit of the owners(s) shall be filed with the application stating that the Applicant has
   the authority from the owners(s) to make the application.

   **Applicant or Owner is Corporation or Partnership**
   If the Applicant, owner, contract purchaser, option holder, or any beneficiary of a land trust is a
   corporation or partnership, the application shall disclose the name and address of the corporation’s
   officers, directors, and registered agents, or the partnership’s general partners and those shareholders
   or limited partners owning in excess of five percent of the outstanding stock or interest in the
   corporation or interest shared by the limited partners.

   **Applicant or Owner is a Land Trust**
   If the Applicant or owner is a land trust or other trust or trustee thereof, the full name, address,
   telephone number, and extent of interest of each beneficiary shall be disclosed in the application.
12. Certification

I hereby certify that I am aware of all code requirements of the City of McHenry that relate to this property and that the proposed use or development described in this application shall comply with all such codes.

I hereby request that the City process this application in accordance with the codes and ordinances of the City.

Signature of Applicant(s)  
Print Name and Designation of Applicant(s)

Drew Zazofsky - Senior Manager  
of Development - Thorntons LLC
FINAL PLAT OF SUBDIVISION
1ST AMENDMENT TO HEIDNER PROPERTIES SUBDIVISION

BEING A DESCRIPTION OF LOTS 1 AND 2 IN HEIDNER PROPERTIES SUBDIVISION, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND THE SOUTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 45 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ZONED C-5, CITY OF MCHENRY, MCHENRY TOWNSHIP

SURVEYED AREA
AREA: 1.7191 ACRES

LEGEND
1. SURVEYED PROPERTY
2. DRAINAGE EASEMENT
3. STATE HIGHWAY EASEMENT
4. COUNTY HIGHWAY EASEMENT
5. STORM SEWER EASEMENT
6. PUBLIC WATER MAIN EASEMENT
7. COUNTY ROAD EASEMENT
8. OTHER PUBLIC EASEMENTS

COURT-SURVEYED ROADS, TRACTS, PROPERTIES
COURT NO. 53-6-18-C-1-1
ROAD NO. 3-3-1-1
DATE OF RECORDED EASEMENT: 6/30/99
DATE OF RECORDED PLAT: 4/13/99

NOTE: THE INFORMATION ON THIS DOCUMENT IS INTENDED FOR REFERENCE USE ONLY AND IS NOT A SUBSTITUTE FOR THE OFFICIAL RECORDS. FOR LEGAL PURPOSES, PLEASE REFER TO THE OFFICIAL RECORDS.