



#2019-112
1776 Restaurant – Special Use Permit Amendment
Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	August 21, 2019
<u>Request:</u>	Special Use Permit Amendment to allow for a sign that is eight feet in height and a variation from Article 4-1000 to allow the sign to have a one-foot setback.
<u>Location:</u>	295 Washington Street
<u>Existing Zoning:</u>	R-3B – Multi-Family Residential
<u>Surrounding Properties:</u>	North: R-3B – Multi-Family Residential South: R-3B – Multi-Family Residential East: B-2 – General Commercial West: R-2 – Single-Family Residential
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3798)

Background:

- The subject property received Special Use Permit approval for a private parking lot in November 2018.
- The Special Use Permit approval included the sign plan illustrating the sign at a ten-foot setback and a condition of approval that the freestanding sign be no greater than 5 feet in height.

Development Analysis:

General

- **Request:** The petitioner is requesting a Special Use Permit Amendment and variation to allow the sign to be eight feet in height and at a one foot setback.
- **Land Use:** The Comprehensive Land Use map shows the area as Urban Residential, which is an appropriate land use designation for the zoning classification.
- **Zoning:** The site is zoned R-3B – Multi-Family Residential. Private parking lots are permitted as special uses in this zoning district.

SIGNAGE

- The proposed freestanding sign is 12.3 square feet and eight feet in height. The Special Use Permit restricted the sign height to 5 feet.

- The sign received a variation with the Special Use Permit approval for the base of the sign.
- The freestanding sign matches the existing wall signs at the restaurant in size and design.
- Similar to this request, Andy’s Restaurant received approval for an off-site parking lot with a 7-foot freestanding sign.

	Approved Sign	Proposed Sign	Requested Amendment/Variation
Height	5 ft	8ft	2-foot addition (complies with UDO requirement for commercial freestanding sign)
Area	20 sq. ft.	12.3 sq. ft.	Meets SUP approval
Base	Pole base	Pole base	Meets SUP approval
Setback	10 feet	One foot	Nine foot variation

Findings of Fact:

SPECIAL USE PERMIT AMENDMENT

The petitioner has requested a Special Use Permit Amendment to allow for an eight-foot freestanding sign at the subject property. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 B of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. 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*

ZONING ORDINANCE VARIATIONS

The petitioner is requesting a variation from Article 4-1000 to allow a one foot setback for a freestanding sign.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property.

To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

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

- a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.
 Meets *Does not meet*
- b. Also, that the variation, if granted, will not alter the essential character of the locality.
 Meets *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

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

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

- c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or
 Meets *Does not meet*

- d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.
 Meets *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Recommended Conditions:

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (McClain Trevino, dated 06/30/19, received 07/03/19)
 - B. Sign Plan (Hughes Signs, received 07/03/2019)

2. The sign may be located as close as one foot from the property line.

3. The sign may be up to eight feet in height.

4. All conditions of approval from Ordinance 7514 (File #2018-143) are still valid unless amended by this approval.

PLN-2019-00112 1776 Restaurant - Special Use Permit Amendment



RECEIVED
JUL 03 2010

City of Crystal Lake Development Application

Office Use Only
File # 041-2019-00112

Project Title: _____

Action Requested

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

Petitioner Information

Name: 397 W. Virginia LLC
 Address: 397 W. Virginia
Crystal Lake IL 60014
 Phone: 815 356 1776
 Fax: N/A
 E-mail: Rhienna @ 1776
Restaurant

Owner Information (if different)

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

Property Information

Project Description: Sign AT 8'0" overall, 1' Setback
from property line

Project Address/Location: 295 WASHINGTON St.

PIN Number(s): _____

- The addition/enlargement to a nonconforming structure which does not increase the nonconformity into the setback, as established by the farthest point of the existing structure.
- The variation is the result of right-of-way taking.
- The minimum parking space requirements of Section 4-200 cannot be met and if one of the following is met:

The parking requirements of a specific use or development necessitate fewer parking spaces than required by this Ordinance. In support of such request, the applicant must present a trip generation and parking demand study or such other information deemed to be reliable by the Zoning Administrator which demonstrates the reduced parking demand for the development.

For existing buildings in the Downtown District and Virginia Street Corridor, when a change of use to a more intensive use makes compliance with the required number of parking spaces impossible because of specific site constraints, the applicant may request to reduce the required number of off-street parking spaces.

Project Address/Location: 295 WASHINGTON ST, FDC
307 W. VIRGINIA STREET, LLC.

PIN Number(s): # * #
SPECIAL USE PERMITTED

Development Team

Please include address, phone, fax and e-mail

Developer: JOHN CURTIS -

Architect: HANCOCK ENGINEERING

Attorney: RUAN FARMER

Other: PERMISSION PARKING (DAMN OF LOT)

Signatures

[Signature] 6/30/19
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.

[Signature] 6/30/19
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
APPLICATION OF
397 N. Virginia LLC**

LEGAL NOTICE
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) 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 the 397 N. Virginia LLC seeking a Special Use Permit Amendment at 295 Washington Street, Crystal Lake, Illinois. PIN: 19-06-430-001 & 19-06-430-002

This application is filed for the purpose of seeking a Special Use Permit Amendment pursuant to Article 4-1000 Signs and Article 9 Administration, as well as any other variations as necessary to allow for the freestanding sign to be located closer than 10 feet from the property line and to be eight feet in height. 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 August 7, 2019, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

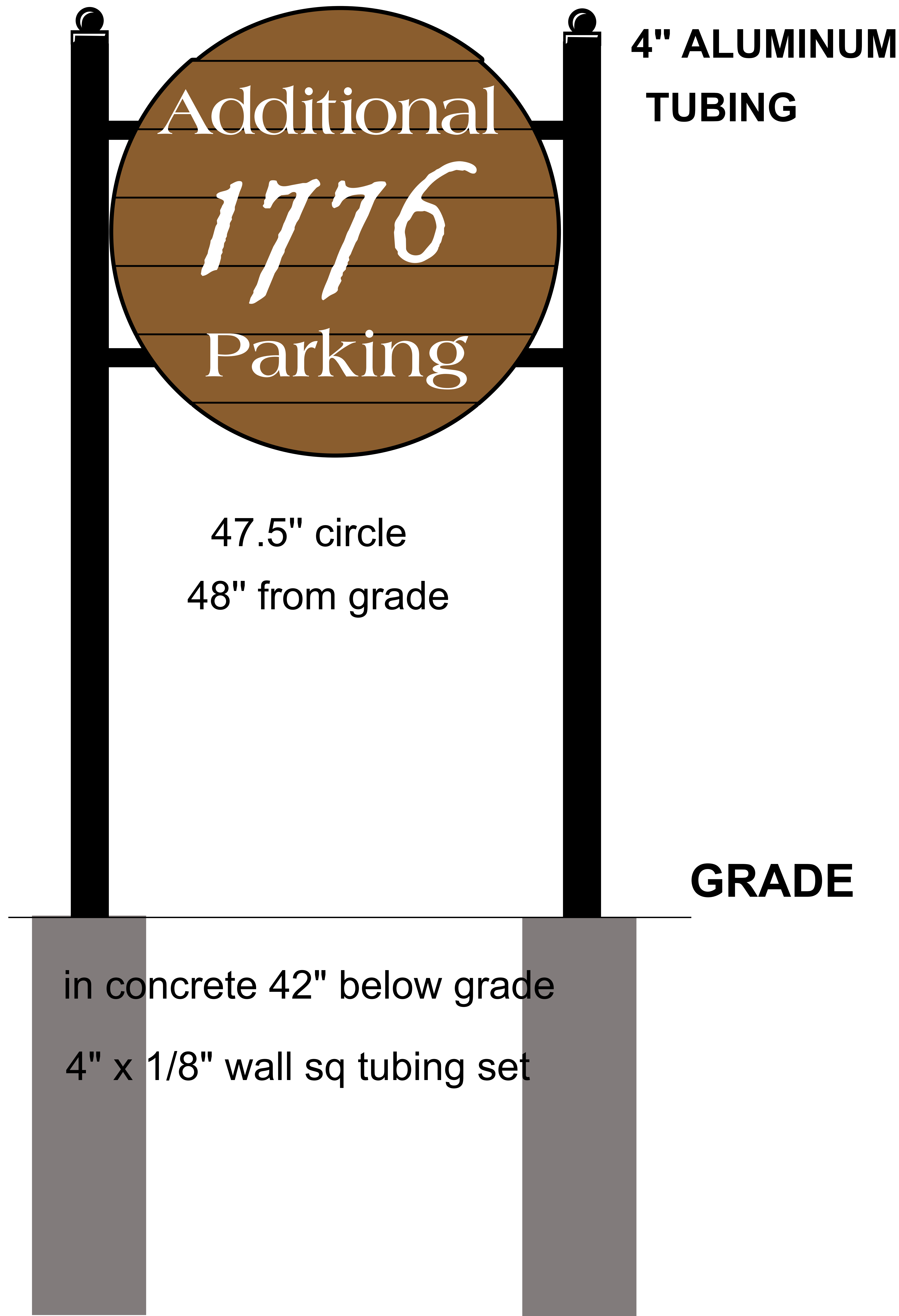
Tom Hayden, Chairperson
Planning and Zoning
Commission
City of Crystal Lake
(Published in the Northwest
Herald July 25, 2019)
1685809

DOUBLE-SIDED SIGN, 2 ALUMINUM PANELS BACK TO BACK
ON 2" ALUMINUM TUBING

1776 1/4" ALUMINUM CUT OUT LETTERS STOOD
OFF WITH ALUMINUM STUDS

EXTERNAL LIGHTING BY OTHERS

8'-0" overall height



**4" ALUMINUM
TUBING**

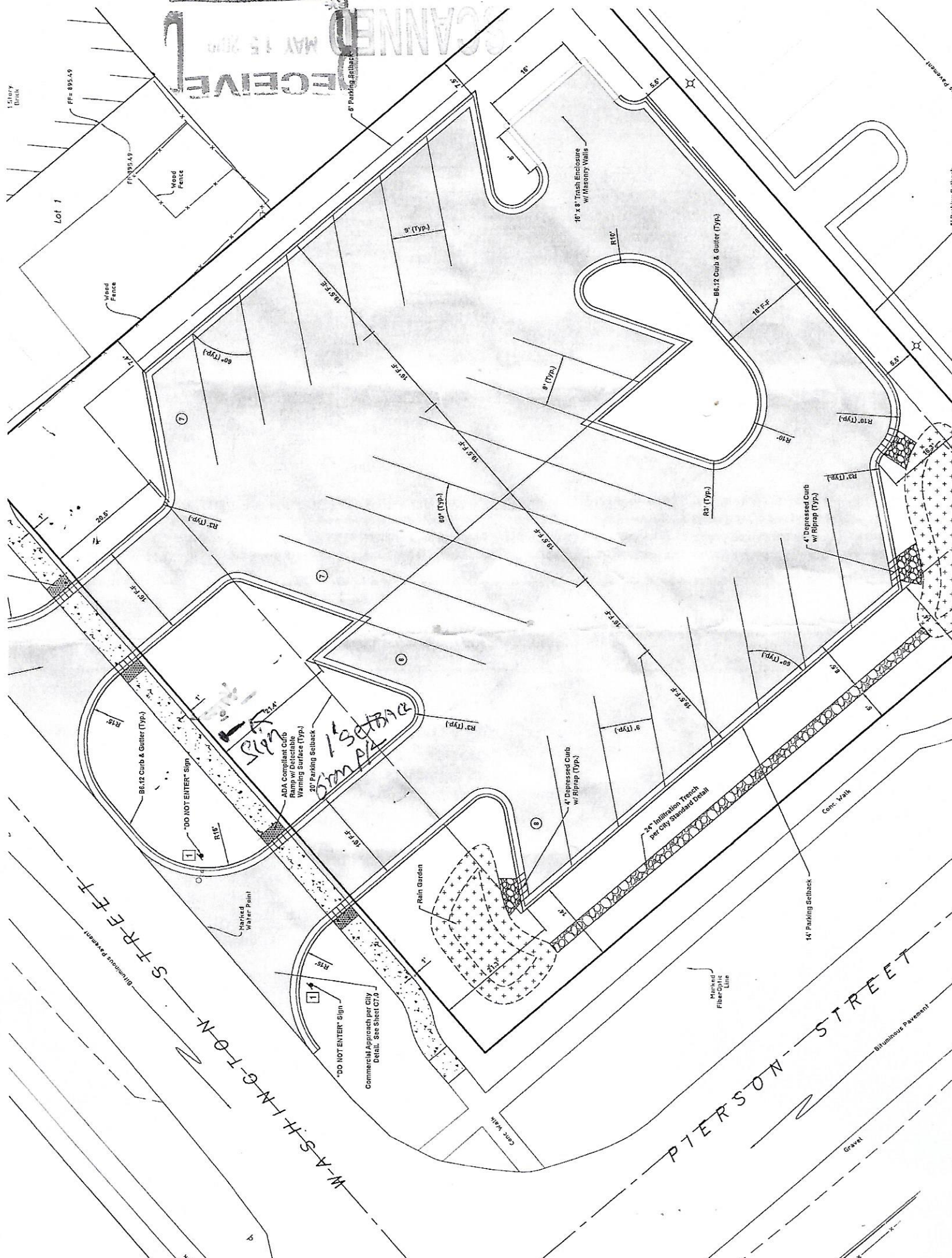
Additional
1776
Parking

47.5" circle
48" from grade

GRADE

in concrete 42" below grade
4" x 1/8" wall sq tubing set

RECEIVED
MAY 15 2010
SCANNED



1 Sheet
Circle

FF= 895.49

Wood Fence

6' Parking Setback

16' x 8' Trash Enclosure
w/ Masonry Walls

88-12 Curb & Gutter (Typ.)

4" Depressed Curb
w/ Riprap (Typ.)

SIGN
SEWER
SUMP PIA

ADA Compliant Curb
Ramp w/ beveled top
Warning Surface (Typ.)

Commercial Approach per City
Detail. See Sheet C7.0.

Rein Garden

24" Infiltration Trench
per City Standard Detail

Reinforced
Fiber-optic
Line

14' Parking Setback

Conc. Walk

Gravel

WASHINGTON STREET

PIERSON STREET

Blumhouse Pavement