



#2010-74
Exclusively Napa, LLC.
Project Review for Planning and Zoning Commission

Meeting Date: January 5, 2011

Request: 1) Special Use Permit for a Drinking Place to allow a wine bar
2) Variation from the required 8 parking spaces to allow 0 spaces.

Location: 35 N. Williams Street

Acreage: ≈ 1,618 sq. ft. tenant space

Zoning: “B-4” Downtown Business

Surrounding Properties: North: “B-4” (37 N. Williams: Yours & Meyn Simply Designed)
South: “B-4” (33 N. Williams: CLIX)
East: “B-4” (Brink Street Market)
West: “B-4” (Parking)

Staff Contact: Latika Bhide 815.356.3615

Background:

The petitioner is requesting a Special Use Permit for a drinking place to allow a wine bar at 35 N. Williams Street (previously Today’s Uniforms). The wine bar will include retail sales of wine, wine tasting and a limited mixed drink selection with a limited menu of finger foods. Along with the special use, the petitioner is also requesting a variation from the required parking.

Land Use Analysis:

The subject property is zoned “B-4” Downtown Business. Within the “B-4” district, Beer, Wine, and Liquor Stores (for off-premise consumption of liquor) are permitted by right upon the approval of the appropriate liquor license. A drinking place is permitted with the approval of a Special Use Permit. The petitioner has already received approval for the appropriate liquor license.

The floor plan indicates a limited amount of seating (35 seats) interspersed with wine racks to display wine for sale. The UDO requires the greater of 1 parking space per 3 seats of the design capacity or 1 parking space per 150 square feet of the gross floor area for drinking places. In the downtown district, a reduction in the required number of spaces to 70% of the required spaces is permitted by the Ordinance. Hence the parking requirement for this site is 8 spaces. The petitioner is requesting a variation from the required number of spaces to allow 0 spaces on-site.

Because the property is located in the downtown district, there are several alternate parking options available, despite the lack of parking on-site. Free 2-hour on-street parking is available on Williams Street, Woodstock Street, and Brink Street. Free 4-hour parking is available at the Grant Street lot and south of the Metra Depot. Free Z-Lot parking from 5pm-2am on weekdays and all-day on weekends is available in the lot located immediately to the east of the property and the lot to the north. Free parking is also available at the nearby commuter lot parking at the Metra Depot and on the east side of Main Street from 5pm-2am on weekdays and weekends. It should be noted that the peak hours for drinking establishments do not typically coincide with the peak hour of traffic on the adjacent streets, the peak usage of the nearby Metra lots, or many of the other downtown businesses.



Variations from the required parking have typically been granted to downtown businesses. In the past few years several establishments in the downtown district including the Williams Street Public House (83 N. Williams) and Finn McCool (72 N. Williams) were granted parking variations.

Findings of fact:
Special Use Permit

The petitioner is requesting approval of a Special Use Permit to allow a drinking place. Due to

their unique nature, Special Uses require separate review because of their potential to impact surrounding properties and the orderly development of the City.

Section 2-400 of the Unified Development Ordinance establishes the general standard for all Special Uses in Crystal Lake. The criteria are as follows:

- 1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.

Meets *Does not meet*

- 2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.

Meets *Does not meet*

- 3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.

Meets *Does not meet*

- 4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

Meets *Does not meet*

- 5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.

Meets *Does not meet*

- 6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.

Meets *Does not meet*

- 7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.

Meets *Does not meet*

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.

Meets *Does not meet*

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

Meets *Does not meet*

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

Meets *Does not meet*

Additionally, Section 2-400 C of the UDO, establishes specific criteria for consideration before the issuance of a Special Use Permit for a drinking place. These use specific criteria are:

a. Screening: Any bars, taverns, nightclubs and lounges located adjacent to a residential property shall provide an 6 foot tall solid screen consisting of a solid wooden fence along the perimeters of the property, in accordance with the provisions of Article 4-700, Fences, Walls and Screening.
Not applicable.

b. Entrance: 1 clearly-marked, main entrance for all patrons to enter and exit from, exclusive of fire exits or other required points of ingress and egress must be provided.
A main entrance is provided off Williams Street.

c. Live music: If live music is to be played, in-wall sound-barriers or other means to prevent sound from traveling beyond the property lines of the subject property must be provided. Any amplified sound as measured at the closest property line of the closest adjoining property, must not exceed 55 decibels where adjoining residential property and 65 decibels where adjoining non-residential property.
No live music or entertainment is proposed at this time.

UNIFIED DEVELOPMENT ORDINANCE VARIATION

Required number of parking spaces

The petitioner is requesting a variation from the required 8 parking spaces to allow 0 spaces. As indicated previously, various alternative parking options are available in the downtown area.

The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the Unified Development Ordinance requirements as they relate to the property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing. Before recommending any Variation, the Planning and Zoning Commission and

City Council shall first determine and record its findings that the evidence justifies the conclusions that:

1. 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.

True False

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

True False

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:

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

True False

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

True False

3. 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

True False

4. 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.

True False

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 Special Use Permit and variation is made, the following are recommended as conditions of approval:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (received 12/20/10)
 - B. Floor Plan (RBG Associates, dated 12/15/10, received 12/20/10)
2. The Special Use Permit is limited to Exclusively Napa, LLC. If the facility is expanded in size or intensity at any time, the petitioner shall be required to obtain a Special Use Permit Amendment.

3. All full-time employees shall obtain Z-lot passes, as available, for their parking needs.
4. A variation from the required number of parking spaces of 8 to allow 0 spaces is hereby granted.
5. The petitioner shall comply with all of the requirements of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.

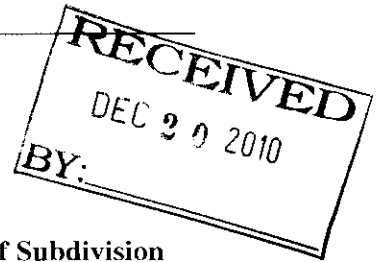
Action:

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City of Crystal Lake Development Application

Office Use Only 7 4 2010
File # _____

Project Title: EXCLUSIBUY NAPA, LLC



Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input checked="" type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information

Name: DENNIS KEULAK
Address: 360 STATION DR. STE 230
CRYSTAL LAKE
Phone: 815-477-7350
Fax: 815-477-7351
E-mail: DENNISKEULAK@GMAIL.COM

Owner Information (if different)

Name: ANN NEVILL
Address: 33 N. WILLIAMS ST.
CRYSTAL LAKE
Phone: 815-455-1092
Fax: N/A
E-mail: _____

Property Information

Project Description: INTERIOR ALTERATIONS TO CREATE A WINE BAR
PROVIDING RETAIL SALES OF WINE, PLUS WINE TASTING, A LIMITED
MIXED DRINK SELECTION AND A LIMITED MENU OF FINGER FOODS/APPETIZERS.

Project Address/Location: 35 N. WILLIAMS STREET, CRYSTAL LAKE

PIN Number(s): 14-32-483-017-0060

Development Team

Please include address, phone, fax and e-mail

Developer: N/A

ROBERT B. GANDOSKY 847-490-0635 (C) 708-977-0161

Architect: R.B.G. & ASSOC, INC. 2155 STONINGTON AVE STE 202 HOFFMAN ESTATES

Attorney: N/A

Engineer: N/A

Landscape Architect: N/A

Planner: N/A

Surveyor: N/A

Other: N/A

Signatures

Robert B. Gandosky ARCHITECT FOR PETITIONER 12/13/10
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.
ANN P. NEVILLS Ann P. Nevills 12/14/10
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 Exclusively Napa, LLC, 35 N Williams St, Crystal Lake, IL 60014

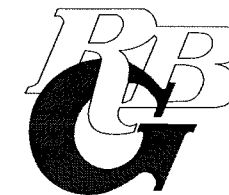
LEGAL NOTICE

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 of the City of Crystal Lake upon the application of Exclusively Napa, LLC relating to the following described real estate commonly known as 35 N Williams Street, Crystal Lake, IL 60014, PIN: 14-32-483-017.

This application is filed for the purposes of seeking a Special Use Permit for a Drinking Place to allow a wine bar, pursuant to the requirements of Article 2, Land Use: Table 2-300 Permitted Uses Table and Section 2-400, B. General Standards for all special uses and C. Review Criteria for specific uses of the Unified Development Ordinance; a variation from Article 4-200 from the minimum 12 required parking spaces to allow no parking spaces; as well as any other variations that may be necessary to allow the project as presented. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on January 5, 2011, 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
December 20, 2010)



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Builders
Planners

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Internet: www.rbg-architects.com

Professional Design Firm 184-000855

Project

EXCLUSIVELY NAPA,
LLC WINE BAR
35 N. Williams Str.
Crystal Lake, Illinois

RBG Project # 10-0408

- 1 Village Review 12/18/10
- 2
- 3
- 4
- 5
- 6

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DRAWN BY: MMD
CHECKED BY: RBG

Sheet Title

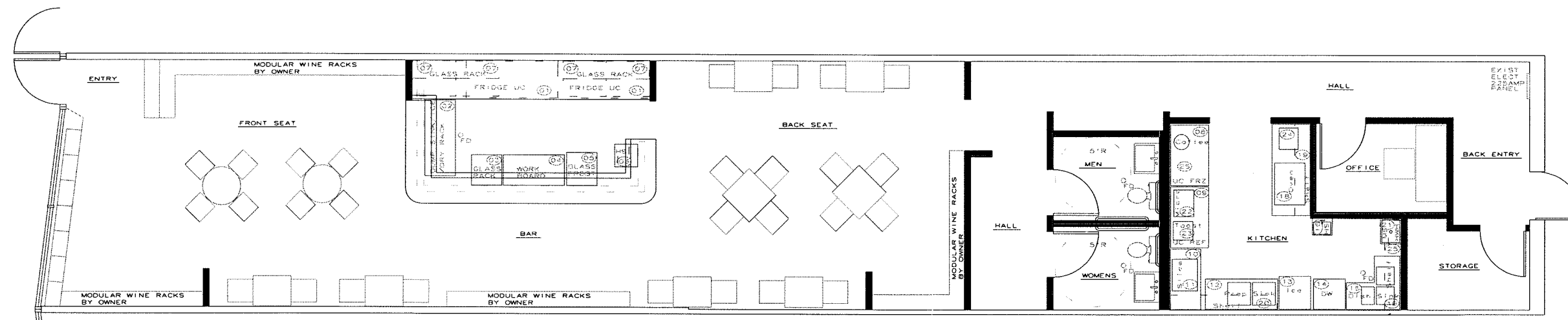
FLOOR PLAN

P-1

Certification

I HEREBY CERTIFY THAT THESE DOCUMENTS HAVE BEEN PREPARED AND DRAWN UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF CONFORM WITH ALL BUILDING & LIFE SAFETY CODE REQUIREMENTS FOR THE VILLAGE OF Crystal Lake, Illinois

ROBERT B. GAMFSKY Licensed Architect #1-12853
License Expires 11/30/2012



FLOOR PLAN
NO SCALE



7 4 2010

RECEIVED
DEC 20 2010
BY: