



**#2011-57**

**Iron Hand, LLC**

**Project Review for Planning and Zoning Commission**

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**Meeting Date:** November 2, 2011

**Zoning Requests:** Special Use Permit to allow a drinking place.

**Location:** 5831 Northwest Highway.

**Acreage:** Site: 2.08 acres

**Existing Zoning:** “B-2” General Commercial

**Surrounding Properties:** North: “B-2 PUD” General Commercial PUD  
South: “B-2 PUD” General Commercial PUD  
East: “B-2” General Commercial  
West: “B-2” General Commercial

**Staff Contact:** Latika Bhide 815.356.3615

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**Background:**

- The property in question is the former Great Escape store, approximately 30,000-square-foot in area, located on Northwest Highway, east of Main Street.
- The property is zoned “B-2” General Commercial.
- In 2010, a SUP was granted to allow a lounge (Buzz Lounge) with dancing on Friday and Saturday nights within a tenant suite at this location. Buzz Lounge has since closed.
- Iron Hand, LLC will be occupying the tenant space previously occupied by Buzz Lounge. However, a specific condition in the SUP approval requires a new SUP upon change in ownership
- The use is classified as a ‘Drinking Place’ per the Unified Development Ordinance and is a Special Use in the “B-2” district.

**Land Use Analysis:**

- The property is located at 5831 Northwest Highway. However, access to the site is from Rosenthal Drive and Heritage Drive.
- At this time, the other tenant in this building is Halloween Express. They have occupied an approximately 22,000-square-foot tenant space from around September to November for the past several years.
- The petitioner is requesting a Special Use for a Drinking Place with a dance floor at this location. The lounge will be approximately 6,000-square-foot in area including toilets, office

and storage space. The petitioner has also indicated that gaming equipment such as a pool table, golden tee, electronic darts, etc. will also be introduced to this space. These are permitted in the “B-2” district.

- The petitioner will also be adding a kitchen on-site.

**Parking:**

- There are 83 parking spaces at this location. In 1995, the City Council granted a variation to allow a reduced parking setback and a reduction in the required number of parking spaces at this location.
- In addition, a condition of the approval stated that “all general retail uses, not including those listed in Table 3 “Design Capacity Requirements” in the Zoning Ordinance shall be permitted regardless of the actual usage area”. Since variations run with the land indefinitely, this allows all uses permitted in the “B-2” district that are not specifically listed in “Table 3” of the (erstwhile) Zoning Ordinance to locate without any parking variations. “Table 3” is appended to this report for the Commission’s reference.
- Per the parking requirements in Article 4-200 of the UDO, Drinking Places are required to provide 1 parking space per 3 seats of design capacity or 1 parking space per 150 square feet of the gross floor area, whichever is greater. Based on the floor plan, it appears that there are approximately 125 seats provided. This generates a parking requirement of 42 spaces. A gross floor area of 6000-square-feet (not including the unutilized space in the rear) generates a parking requirement of 40 spaces.
- At this time, there are no other potential co-tenants that will occupy the remaining tenant spaces, once vacated by Halloween Express. If future tenants are retail uses not specifically listed in Table 3, no parking variations will be necessary. If future co-tenants are uses specified in Table 3, parking requirements will be computed based on the floor area of each use. If the parking requirement cannot be met, variations will be necessary. However, it should be noted that peak hours for retail and personal service uses are different from the peak hours for a lounge/bar use which are typically later hours.

**Comprehensive Land Use Plan 2020 Vision Summary Review:**

The Comprehensive Plan designates the subject property Commerce, which is defined as: “representing existing commercial areas and indicates areas for future commercial uses.”

Within the Commerce/Office/Industrial Land Use section of the Comprehensive Plan, the following applicable goals and objectives are observed by allowing this Special Use Permit:

**Objective #1: Promote Crystal Lake as a center of business activity and economic growth both locally and regionally.**

Maintain a diversity of commercial, office and industrial uses throughout the City to create a more sustainable local economy that has the ability to meet the different personal and business needs of the people in the City.

**Objective #2: Encourage business development that maximizes links to related businesses, infrastructure, and customers.**

Encourage business development along major roads, railroads and the bicycle route network to encourage the movement of goods and people as smoothly and as timely as possible.

**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 Drinking Places.

- a. Screening: Any bars, taverns, nightclubs and lounges located adjacent to a residential property shall provide a 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. The property is surrounded on all sides by commercially zoned property.*

- 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.

*One entrance is being proposed on the north side of the building. Entry into the bar/dance area is through a reception room.*

- 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.

*If live music is to be provided, the petitioner shall provide proof at building permit that all sound-proofing requirements are being met.*

**Recommended Conditions:**

If a motion to recommend approval of the Special Use Permit is made, the following are

recommended as conditions of approval:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, received 10-17-11
  - B. ALTA/ACSM Land Title Survey, Mionske, dated 9-5-2003, received 10-17-11
  - C. Floor Plan, JAKL, dated 3-8-10, received 10-17-11
- 2) This Special Use Permit is granted specifically to this applicant based on the floor plans submitted. An increase in the intensity of the use beyond what is indicated in the application is not permitted. A change in ownership will not require a new Special Use Permit as long as the intensity of the use is not altered.
- 3) All proposed signage shall meet the requirements of the Unified Development Ordinance for Commercial Signs (Article 4-1000 F)
- 4) The petitioner shall address all comments of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

**City of Crystal Lake  
Development Application**

Office Use Only  
File # 57 2011

Project Title: \_\_\_\_\_

RECEIVED  
OCT 17 2011  
BY: \_\_\_\_\_

**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 type="checkbox"/> Variation                       |
| <input type="checkbox"/> Final Plat of Subdivision    | <input type="checkbox"/> Other                           |

**Petitioner Information**

Name: IRON HAND, LLC  
Address: 3711 N. Kildare #1  
Chicago, Illinois 60641  
Phone: 773-481-1091  
Fax: \_\_\_\_\_  
E-mail: jimkat13@aatt.net

**Owner Information (if different)**

Name: Cross Country Partners  
Address: 3123 W. Shamrock Ln  
McHenry IL 60050  
Phone: 847-438-9543  
Fax: \_\_\_\_\_  
E-mail: dkernes@evgm.com

**Property Information**

Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Address/Location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PIN Number(s): 19-09-101-010

**Development Team**

Please include address, phone, fax and e-mail

Developer: \_\_\_\_\_

Architect: \_\_\_\_\_

Attorney: David G. Phoenix <sup>#161</sup> 3 W. Crystal Lake Ave Crystal Lake IL 60014  
815-459-7900 FAX: 815-459-7905

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

Surveyor: \_\_\_\_\_

Other: \_\_\_\_\_

**Signatures**

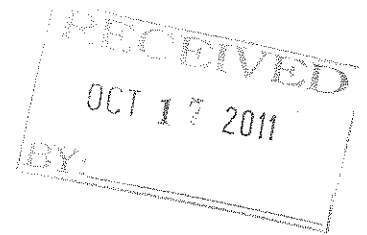
Authorized Agent for IRON HILLS, LLC:  
James Weber [Signature] 9-23-11  
PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.  
CROSS COUNTRY PARTNERS  
Member / Dan Keenan [Signature] 9-22-11  
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.

**To: Mr. James Richter II**

Assistant Director of Planning and Economic Development  
City of Crystal Lake  
Crystal Lake Illinois 60014



**From: IRON HAND, LLC dba as Vivs**

3711 N.Kildare # 1  
Chicago Illinois 60641

OCT 5 7 2011

Mr. Richter,

It is IRON HAND, LLC dba Vivs' intention and desire to conduct business at 5831 Northwest Highway (formerly Buzz Lounge).

It is our belief that with minor implementations we can create an inviting, friendly, and safe atmosphere for our customers. Offering our patrons more than drinking and dancing will provide an array of reasons for customers to venture out for an afternoon or evening of fun, locally and regionally.

1. To help promote a safer drinking place, we feel food is a necessary implementation.
2. A/V equipment: Generally, people like to be entertained and informed. A/V equipment is one of our leading components. Keeping our patrons informed and entertained while away from home.
3. Introduction of gaming equipment: pool table, golden tee, electronic darts, electronic touch game screens. A variety of entertaining equipment to stimulate a fun atmosphere and to promote team/league sports for local and regional competition.
4. Introduction of (20) draft beer lines; micro brew and imports.
5. Compartmentalization of utilized space: It is our intention to not only create a different look and feel to this location, but one of functionality. Seating areas for dining and socializing, conducting a lunch or dinner meeting or even corporate outings, fund-raisers and benefits. A business that can serve the community.

Not only is it our goal to succeed as a small business, but to also be part of the greater Crystal Lake community and help with the success of our future economic growth within the city and state. I'm happy to answer any questions that you may have. I can be reached at this number, 1-773-481-1091.

Sincerely,

James Weber



**PUBLIC NOTICE**

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

**IN THE MATTER OF THE APPLICA-  
TION OF IRON HAND, LLC**

**LEGAL NOTICE**

Notice is hereby given in compli-  
ance 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 applica-  
tion of Iron Hand, LLC relating to  
the property located at 5831 North-  
west Highway, Crystal Lake, IL  
60014, and having permanent In-  
dex number 19-09-101-010.

This application is filed for the  
purpose of requesting a Special Use  
Permit for a Drinking Place, pur-  
suant to the requirements of Articles  
2 and 9 of the Crystal Lake Unified  
Development Ordinance and for  
any other variations that may be  
necessary to allow the plans as  
presented. Plans for this project can  
be viewed at the City of Crystal  
Lake Planning and Economic De-  
velopment Department at City Hall.

A public hearing before the Plan-  
ning and Zoning Commission re-  
garding this request will be held at  
7:30 p.m. on November 2, 2011,  
at the City of Crystal Lake City Hall,  
100 West Woodstock Street, at  
which time and place any person  
desiring to be heard may be  
present.

Thomas Hayden, Chair  
Planning and Zoning Commission  
City of Crystal Lake  
(Published in the Northwest Herald  
October 18, 2011)





D. Certain uses regardless of the zoning district, except for B-4 Downtown Business District, require specific design capacities in order to ensure adequate parking. Examples of uses and their parking requirements are listed in Table 3, Design Capacity Requirements. Uses requiring specific design capacities not included in the Table 3 are subject to review and approval of the Zoning Administrator.

**Table 3  
Design Capacity Requirements**

<b>Use</b>	<b>Spaces Required</b>	<b>Design Capacity</b>
Assembly facility	1	per 4 seats
Bar/lounge/tavern	1	per 3 seats
Bed-and-breakfast	1+	per guest room +
	2	per owner
Beauty/barber shop	8	per 1,000 square feet of usable area
Commercial recreation		
Billiard parlor	2	per 1 table
Health club	1+	per 100 square feet +
	1	per 2 employees
Racquetball court	4	per court
Swimming pool	1	per 4 persons
Other recreation uses	1	per 4 seats or persons
Day care	1	per employee +
	1+	per 6 children
Furniture store	2	per 1,000 square feet
Hotel/motel	1+	per room +
	1	per 2 employees on maximum shift
Institutional uses		
Hospital	1+	per bed +
	1	per 2 employees on maximum shift
High school	1+	per 4 students +
	1	per employee
Nursing home	1+	per 4 beds +
	1	per 2 employees on maximum shift
Post office	4+	per customer station +
	1+	per 2 employees +
	1+	per vehicle

**Table 3  
Design Capacity Requirements**

<b>Use</b>	<b>Spaces Required</b>	<b>Design Capacity</b>
Medical office	8	per 1,000 square feet of usable area
Overnight accommodations	1	per person
Private club	1	per 3 seats
Golf course	4	per hole
Restaurant	1+	per 3 seats +
	1+	per 2 employees +
Carryout	1	per 15 square feet of customer service area
Self-service storage facility	1+	per 20 stalls +
	5	per 1,000 square feet of usable area

**§ 650-42. Traffic studies. [Amended 8-19-2003 by Ord. No. 5693]**

The City requires that developers pay the City for the expense of conducting traffic studies, through one of the City’s approved traffic consultants. Any special use permits, including preliminary PUDs and all new commercial (including office and retail), industrial and residential projects which are expected to generate more than 100 vehicle trips per peak hour, in accordance with standards established by the Institute of Transportation Engineers (ITE) shall be required to submit a traffic study. In addition:

- A. Any proposed subdivision or resubdivision may require a traffic analysis if, due to the creation of the new lot(s), public road access safety issues are introduced.
- B. Projects that are expected to generate less than 100 vehicle trips per peak hour may also be subject to a traffic analysis if the project presents site-specific safety issues, as determined by the City Council and City staff, including but not limited to the following:
  - (1) Off site conditions that may require a study by a City consultant:
    - (a) If the proposed access to an existing arterial or collector road (limited access roads) poses a safety concern due to daily traffic (ADT) or peak hour traffic loads.
    - (b) If for safety and/or efficiency, there needs to be an investigation of shared access or cross-access potential.
    - (c) If the location of existing driveways or intersections creates safety issues in terms of visibility and separation from the proposed access point(s).