



#2014-26 Mayfair Carpet & Furniture Project Review for Planning and Zoning Commission

Meeting Dates: July 2, 2014

Requests:

- 1) Special Use Permit to allow an electronic message center in the “B-2” General Commercial district;
- 2) Variations from the Special Use Criteria for electronic message center signs, including:
 - a) The maximum sign area of 50 square feet, to allow a total area of 71.6 square feet;
 - b) The maximum sign height of 8 feet, to allow a 16-foot tall freestanding sign;
 - c) The requirement that electronic message center signs must be located on Routes 14 or 31, to allow an EMC sign on a property located on Main Street.
- 3) Variation from Article 4-1000 Signs, to allow the sign base to be less than 80% of the sign width;
- 4) Variation from Article 4-1000 Signs, from minimum 10-foot sign setback, to allow a 1.5-foot setback from the front the property line.

Location: 661 S. Main Street

Acreage: 2.1 acres

Existing Zoning: “B-2” General Commercial

Surrounding Properties:

North:	“B-2” General Commercial (Turtle Wax Car Wash)
South:	“M” Manufacturing (Curran)
East:	“M” Manufacturing (HS District 155)
West:	“M” Manufacturing (HS District 47)

Staff Contact: James Richter II (815-356-3737)

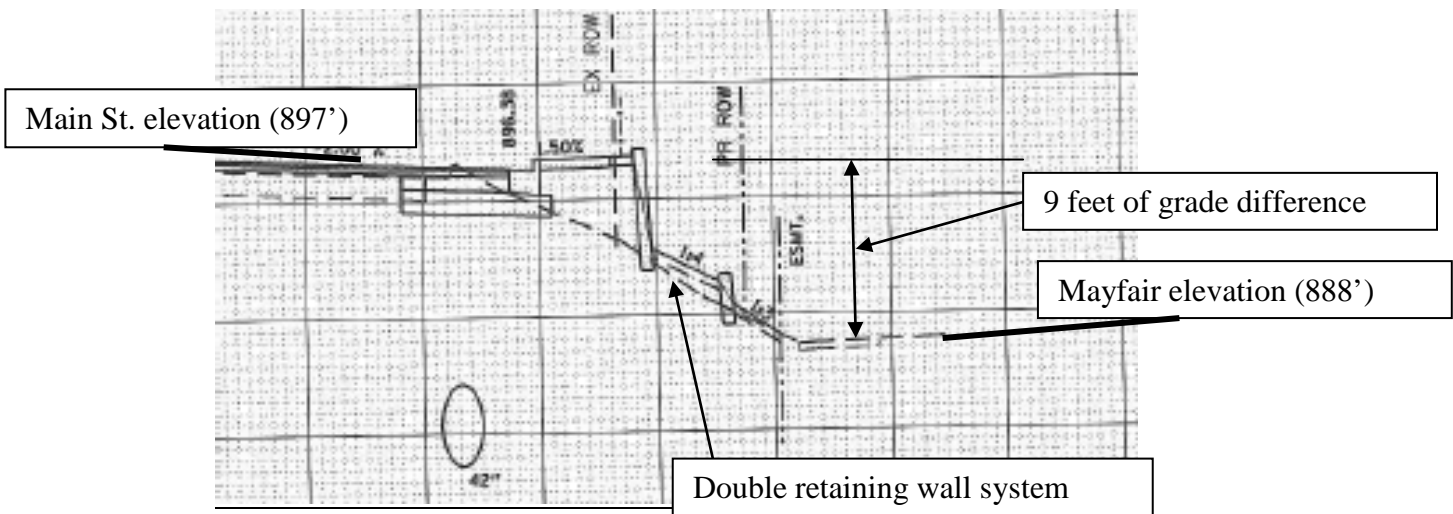
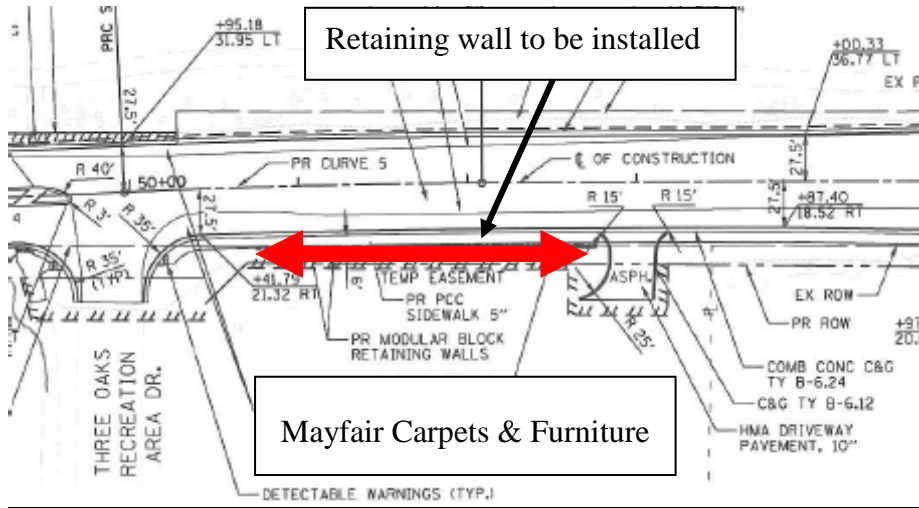
Background:

- In 1997, the property was rezoned to the “B-2” zoning district, and sign ordinance variations were granted to allow the current freestanding sign. The petitioner was granted a 1-foot height variation to allow a 9.14 feet tall sign, as well as a base that measures 32% of the width of the sign, in lieu of the required 80% minimum width.
- McHenry County recently acquired property from the petitioner, which includes the area currently occupied by the existing freestanding sign. Due to the new right-of-way grades and the limited amount of real estate to place the sign, the petitioner is seeking variations to allow a higher sign closer to the right-of-way than is allowed by Ordinance.

- The applicant is requesting a Special Use Permit and variations to allow an Electronic Message Center sign.

Land Use Analysis:

- Details: The petitioner is before the City as a result of the South Main Street roadway widening project that displaces their freestanding sign. Due to grade difference in this area, the petitioner is seeking setback and height variations to allow the sign to be seen by people using South Main Street.



The UDO permits one freestanding sign that is 50 square feet in area and 8 feet tall for this property. The proposed freestanding sign would be 16 feet tall and approximately 71.6 square feet in area, per face. (The existing sign on-site measures 47 square feet per side). The new sign would be located no less than 1.5 feet from the property line. The petitioner lost about 12 feet of his property through the roadway acquisition process.

The sign does not meet some of the criteria for electronic message center signs, which are detailed later in the report.

Findings of Fact:**SPECIAL USE PERMIT AMENDMENT**

The petitioner is requesting a Special Use Permit to allow an EMC sign at this location. 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*

More specifically electronic message center signs must comply with the following standards:

- a. Number Permitted: One EMC Sign may be incorporated into any freestanding business sign on a property, provided that such freestanding sign would otherwise be permitted within the underlying Zoning District and subject to the following restrictions:

- (i) Minimum Width: The zoning lot upon which an EMC may be permitted must have a minimum of 200 contiguous lineal feet of frontage that must be located on Route 14 or Route 31.

Does not meet this requirement. The property is not located on Routes 14 or 31.

- (ii) Minimum Area: The zoning lot upon which an EMC may be permitted must have a minimum of 2 acres of total lot area.

Meets this requirement

- (iii) Maximum Gross Surface Area: The maximum gross surface area of the EMC portion of any sign shall not exceed 32 square feet or 40% of the sign's total area; whichever is smaller. The EMC portion must occupy the bottom half of the sign. The maximum gross area of any sign within which an EMC sign is incorporated shall comply with the requirements for maximum gross surface area based on the underlying Zoning District and shall include the surface area of the EMC. The sign must be outside of the required setback and located on the middle third of the property.

Meets this requirement.

- (iv) Maximum Height: The EMC sign, including any sign in which the EMC is incorporated, shall comply with the maximum height permitted for any sign based on the underlying Zoning District to which the property is located.

Does not meet this requirement. The sign is proposed to be 16 feet tall.

- (v) Pre-existing nonconforming signs: An EMC sign cannot be incorporated into a pre-existing non-conforming sign.

Not applicable

- (vi) Minimum Design Standards: The EMC sign shall meet all the following design conditions:

- A. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;

Required as a condition of approval

- B. All EMCs located on properties adjacent to residential uses must be extinguished from 11:00 p.m. until 7:00 a.m. This restriction shall apply regardless of the location of the EMC on the property;
Not applicable
- C. The message area of an EMC can be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs;
Meets this requirement
- D. The EMC unit must have the “flash” feature disabled and messages shall have a 5-minute “hold” time except for time and temperature messaging which may have a shorter duration, but no less than 1 minute or separate the sign into two areas – one for the message and the other for the time and temperature;
Required as a condition of approval
- E. The messages displayed on the EMC may only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages;
Required as a condition of approval
- F. Except as otherwise provided herein, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may not be displayed and this function of the EMC must be disabled;
Required as a condition of approval
- G. The EMC unit must be equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies, but such override authority for public emergencies shall not exceed 48 total hours within any two week period. The owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority; and
Required as a condition of approval
- H. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
Required as a condition of approval
- (vii) A free-standing sign may have not more than 2 sign faces. Freestanding signs with more than one sign face must be designed to have the sign faces attached back to back to the support structure. No V-shape freestanding EMC signs shall be permitted.
Meets this requirement
- (viii) The EMC unit shall otherwise comply with all other provisions of Article 4-1000 of the Crystal Lake Unified Development Ordinance (“Signs”), including, but not limited to, the prohibition of Off-Premise Signs.
The sign base is proposed to be less than 80% of the sign width. Other variations are required as mentioned in this report.

UNIFIED DEVELOPMENT ORDINANCE VARIATION

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

Supporting Action: Continue to solicit the retail businesses which are most likely to succeed in various retail nodes in Crystal Lake.

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, the following conditions are suggested:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, Mayfair Carpet & Furniture, received 5/19/14
 - B. Site/ Sign Plans, Hughes Signs, received 5/19/14 and 5/22/14
2. A Special Use Permit to allow an electronic message center sign at this location is hereby granted.
3. Variations
 - A. A variation from the maximum sign area requirement of 50 square feet to allow a total area of 71.6 square feet is hereby granted.
 - B. A variation from the maximum sign height requirement of 8 feet to allow a 16-foot tall freestanding sign is hereby granted.
 - C. A variation from the requirement that electronic message center signs must be located on Routes 14 or 31 to allow an EMC sign on a property located on Main Street is hereby granted.
 - D. A variation from Article 4-1000 Signs to allow the base of the sign to be less than 80% of the sign width, is hereby granted.
 - E. A variation from Article 4-1000 Signs, for minimum 10-foot sign setback to allow a 1.5-foot setback from the front the property line, is hereby granted.
4. Landscaping meeting the provisions of the Ordinance shall be provided at the base of the freestanding sign.
5. Electronic Message Center Sign
 - A. The sign structure must use materials or architectural elements from the principal structure on site.
 - B. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;
 - C. The EMC unit must have the "flash" feature disabled and messages shall have a 5-minute "hold" time.
 - D. The messages displayed on the EMC can transition from one message to another only by fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages

- E. All messages displayed on the EMC must be static and cannot reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may is not permitted and this function of the EMC must be disabled.
 - F. The EMC unit must be equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies.
 - G. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction
6. The petitioner shall address all of the review comments and requirements of the Community Development Departments.

2014 26

City of Crystal Lake Development Application

Office Use Only
File # _____

Project Title: MAYFAIR CARPET

RECEIVED
MAY 19 2014
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 checked="" type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information

Name: Redmond P Murphy
 Address: 661 S. MAIN
CH - 14C
 Phone: 815 455 4070
 Fax: 815 455 4771
 E-mail: _____

Owner Information (if different)

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

Property Information

Project Description: NEW FREESTANDING SIGN WITH EMC CENTER

Project Address/Location: 661 S. MAIN STREET

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____


Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

 _____ 5/19/2014
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.

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 R. MURPHY

ON BEHALF OF MAYFAIR CARPET
& FURNITURE

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 R. Murphy on behalf of Mayfair Carpet and Furniture relating to the following described real estate commonly known as 661 S. Main Street, Crystal Lake, Illinois 60014 PIN: 19-09-104-018.

This application is filed for the purposes of seeking a Special Use Permit in accordance with the provisions of Article 2, Land Use and Article 9, Administration of the UDO to allow an electronic message center sign in the "B-2" General Commercial district at the above-mentioned location; variations from the Special Use Criteria for electronic message center signs including sign location, the allowable EMC area; variations from Article 4-1000 Signs, to allow the sign to be greater in area than the allowable 50 square feet to allow 71.6 square feet and taller than the allowable 8 feet to be 16 feet in height and located closer than 10 feet to the property line to allow 1.5 feet; as well as 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 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 Wednesday, June 18, 2014, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

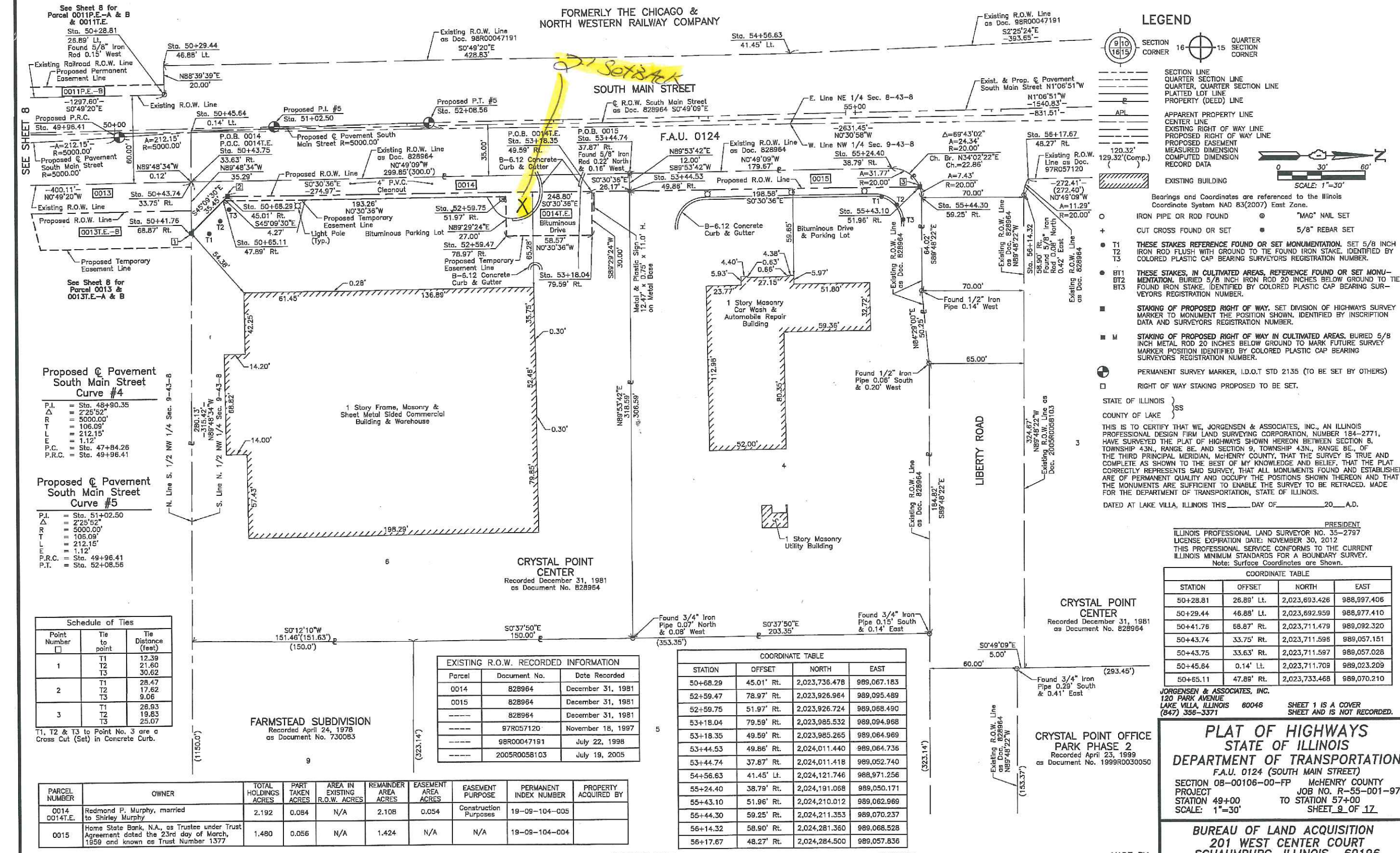
Tom Hayden, Chairperson

Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
June 3, 2014 #3492)

PART OF THE NE 1/4 OF SEC. 8 AND PART OF THE NW 1/4 OF SEC. 9, TWP. 43 N., R. 8 E. OF THE 3RD. P.M., IN McHENRY COUNTY, ILLINOIS.

FORMERLY THE CHICAGO & NORTH WESTERN RAILWAY COMPANY



LEGEND

SECTION CORNER 16 QUARTER SECTION CORNER 15

SECTION LINE
QUARTER SECTION LINE
QUARTER, QUARTER SECTION LINE
PLATTED LOT LINE
PROPERTY (DEED) LINE

APL

APPARENT PROPERTY LINE
CENTER LINE
EXISTING RIGHT OF WAY LINE
PROPOSED RIGHT OF WAY LINE
PROPOSED EASEMENT
MEASURED DIMENSION
COMPUTED DIMENSION
RECORD DATA

EXISTING BUILDING

Bearings and Coordinates are referenced to the Illinois Coordinate System NAD 83(2011) East Zone.

○ IRON PIPE OR ROD FOUND ⊕ "MAG" NAIL SET
+ CUT CROSS FOUND OR SET ⊕ 5/8" REBAR SET

● T1 THESE STAKES REFERENCE FOUND OR SET MONUMENTATION, SET 5/8 INCH IRON ROD FLUSH WITH GROUND TO THE FOUND IRON STAKE, IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.
● T2
● T3

● BT1 THESE STAKES, IN CULTIVATED AREAS, REFERENCE FOUND OR SET MONUMENTATION, BURIED 5/8 INCH IRON ROD 20 INCHES BELOW GROUND TO THE FOUND IRON STAKE, IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.
● BT2
● BT3

■ STAKING OF PROPOSED RIGHT OF WAY, SET DIVISION OF HIGHWAYS SURVEY MARKER TO MONUMENT THE POSITION SHOWN, IDENTIFIED BY INSCRIPTION DATA AND SURVEYORS REGISTRATION NUMBER.

■ M STAKING OF PROPOSED RIGHT OF WAY IN CULTIVATED AREAS, BURIED 5/8 INCH METAL ROD 20 INCHES BELOW GROUND TO MARK FUTURE SURVEY MARKER POSITION IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.

⊕ PERMANENT SURVEY MARKER, I.D.O.T STD 2135 (TO BE SET BY OTHERS)

□ RIGHT OF WAY STAKING PROPOSED TO BE SET.

STATE OF ILLINOIS }
COUNTY OF LAKE }SS

THIS IS TO CERTIFY THAT WE, JORGENSEN & ASSOCIATES, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYING CORPORATION, NUMBER 184-2771, HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON BETWEEN SECTION 8, TOWNSHIP 43N., RANGE 8E. AND SECTION 9, TOWNSHIP 43N., RANGE 8E., OF THE THIRD PRINCIPAL MERIDIAN, McHENRY COUNTY, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. MADE FOR THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS.

DATED AT LAKE VILLA, ILLINOIS THIS _____ DAY OF _____ 20__ A.D.

Proposed C Pavement South Main Street Curve #4

P.I. = Sta. 48+90.35
Δ = 2'25"52"
R = 5000.00'
T = 106.09'
L = 212.15'
E = 1.12'
P.C. = Sta. 47+84.26
P.R.C. = Sta. 49+96.41

Proposed C Pavement South Main Street Curve #5

P.I. = Sta. 51+02.50
Δ = 2'25"52"
R = 5000.00'
T = 106.09'
L = 212.15'
E = 1.12'
P.C. = Sta. 49+96.41
P.T. = Sta. 52+08.56

Schedule of Ties

Point Number	Tie to point	Tie Distance (feet)
1	T1	12.39
	T2	21.60
	T3	30.62
2	T1	28.47
	T2	17.62
	T3	9.06
3	T1	26.93
	T2	19.83
	T3	25.07

T1, T2 & T3 to Point No. 3 are a Cross Cut (Set) in Concrete Curb.

PARCEL NUMBER	OWNER	TOTAL HOLDINGS ACRES	PART TAKEN ACRES	AREA IN EXISTING R.O.W. ACRES	REMAINDER AREA ACRES	EASEMENT AREA ACRES	EASEMENT PURPOSE	PERMANENT INDEX NUMBER	PROPERTY ACQUIRED BY
0014	Redmond P. Murphy, married to Shirley Murphy	2.192	0.084	N/A	2.108	0.054	Construction Purposes	19-09-104-005	
0015	Home State Bank, N.A., as Trustee under Trust Agreement dated the 23rd day of March, 1959 and known as Trust Number 1377	1.480	0.056	N/A	1.424	N/A	N/A	19-09-104-004	

EXISTING R.O.W. RECORDED INFORMATION

Parcel	Document No.	Date Recorded
0014	828964	December 31, 1981
0015	828964	December 31, 1981
-----	828964	December 31, 1981
-----	97R057120	November 18, 1997
-----	98R00047191	July 22, 1998
-----	2005R0058103	July 19, 2005

COORDINATE TABLE

STATION	OFFSET	NORTH	EAST
50+68.29	45.01' Rt.	2,023,738.478	989,067.183
52+59.47	78.97' Rt.	2,023,926.964	989,095.489
52+59.75	51.97' Rt.	2,023,926.724	989,068.490
53+18.04	79.59' Rt.	2,023,985.532	989,094.968
53+18.35	49.59' Rt.	2,023,985.265	989,064.969
53+44.53	49.86' Rt.	2,024,011.440	989,064.736
53+44.74	37.87' Rt.	2,024,011.418	989,052.740
54+56.63	41.45' Lt.	2,024,121.746	988,971.256
55+24.40	38.79' Rt.	2,024,191.068	989,050.171
55+43.10	51.96' Rt.	2,024,210.012	989,062.969
55+44.30	59.25' Rt.	2,024,211.353	989,070.237
56+14.32	58.90' Rt.	2,024,281.360	989,068.528
56+17.67	48.27' Rt.	2,024,284.500	989,057.836

PRESIDENT
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2797
LICENSE EXPIRATION DATE: NOVEMBER 30, 2012
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
Note: Surface Coordinates are Shown.

COORDINATE TABLE

STATION	OFFSET	NORTH	EAST
50+28.81	26.89' Lt.	2,023,693.426	988,997.406
50+29.44	46.88' Lt.	2,023,692.959	988,977.410
50+41.76	68.87' Rt.	2,023,711.479	989,092.320
50+43.74	33.75' Rt.	2,023,711.598	989,057.151
50+43.75	33.63' Rt.	2,023,711.597	989,057.028
50+45.64	0.14' Lt.	2,023,711.709	989,023.209
50+65.11	47.89' Rt.	2,023,733.468	989,070.210

JORGENSEN & ASSOCIATES, INC.
120 PARK AVENUE
LAKE VILLA, ILLINOIS 60046
(847) 356-3371

PLAT OF HIGHWAYS
STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION
F.A.U. 0124 (SOUTH MAIN STREET)
SECTION 08-00106-00-FP McHENRY COUNTY
PROJECT JOB NO. R-55-001-97
STATION 49+00 TO STATION 57+00
SCALE: 1"=30' SHEET 9 OF 17

BUREAU OF LAND ACQUISITION
201 WEST CENTER COURT
SCHAUMBURG, ILLINOIS 60196

ROUTE F.A.U. 0124 (SOUTH MAIN STREET) SECTION 08-00106-00-FP COUNTY McHENRY JOB NO. R-55-001-97 REVISION DATE REVISION RECORDING: RECORDED ON AS DOCUMENT NO.

FILE NAME	USER NAME	DESIGNED	REVISION	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	SCALE: NONE	SHEET NO. 8 OF 16 SHEETS	STA. TO STA.	F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
G:\CH11\0113\Road\Sheets\Plat of Highway B.dgn	jelorinoz	-	-					0124	08-00106-00-FP	McHENRY	232	107
PLOT SCALE = 100.0002 ft / in.		CHECKED	REVISION									CONTRACT NO. 63843
PLOT DATE = 10/30/2013		DATE	REVISION									ILLINOIS FED. AID PROJECT

