#2022-89
19 N. Williams Street – Special Use Permit
Project Review for Planning and Zoning Commission

Meeting Date:	May 18, 2022
Requests:	Special Use Permit for outdoor seating.
Location:	19 N. Williams Street
Acreage:	Approximately 2,600 square feet
Existing Zoning:	B-4 Mixed-Use Commercial
Surrounding Properties:	North: B-4 Mixed Use Commercial South: B-4 Mixed Use Commercial East: B-4 Mixed Use Commercial West: B-4 Mixed Use Commercial
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- The space used to be a bakery and is now Jude's, which is a gin bar and small plate restaurant.
- During COVID-19 businesses found outdoor seating to be critical to having their business survive. Outdoor seating is very popular with customers and the demand to provide it is very high.
- UDO Requirements: Outdoor seating is a limited use provided the criteria can be met. If the criteria cannot be met then it requires the Special Use Permit.
- Site Layout: The proposed outdoor seating on the public sidewalk includes six tables located adjacent to the tenant space and five additional tables in front of the adjacent tenant space. There is proposed fencing to help screen the seating from the parking area.
- At the April 5, 2022 City Council meeting, the petitioner received approval to have outdoor seating on the public sidewalk in front of the restaurant. At the same meeting, Jude's had requested the continual use of the parking spaces as an outdoor seating area. The City Council directed the petitioner to come up with a different solution for adding outdoor seating.
- The petitioner worked with the adjacent business to come to an agreement to allow outdoor seating in front of their retail storefront on the public sidewalk.

Findings of Fact:

SPECIAL USE PERMIT

The petitioner has requested a Special Use Permit to allow outdoor seating on a public sidewalk. 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*

Sidewalk seating located on public sidewalks shall comply with the following standards:

a. City Council approval is required in accordance with plans submitted to the City.

☐ *Meets* ☐ *Does not meet*

b. The sidewalk seating area must be located adjacent to the primary restaurant and must not extend beyond the frontage of the restaurant.

☐ *Meets* ☐ *Does not meet*

This criteria is not being met as a portion of the outdoor seating is located in the wider section of the sidewalk in front of the adjacent tenant space. Previously the outdoor seating was located in the parking spaces. To open up more available parking the seating is being moved to the sidewalk area.

c. The operation of the sidewalk seating area shall be conducted in such a way as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets or sidewalks. There shall be a minimum of three feet of clear pedestrian passage provided between the seating area and the edge of the pavement.

☐ *Meets* ☐ *Does not meet*

d. All kitchen equipment and refuse containers used to service the sidewalk seating shall be located inside the primary food service use.

☐ *Meets* ☐ *Does not meet*

e. The food service use owner/operator shall be responsible for maintaining the sidewalk seating in a clean, neat, orderly and safe condition. All debris and litter shall be removed daily. Private trash containers in the sidewalk seating area are prohibited. Public sidewalk trash containers shall not be used by restaurant staff as a means of disposing of table waste generated by restaurant customers.

☐ *Meets* ☐ *Does not meet*

f. The applicant shall be required to provide the City with a certificate of insurance, naming the City as an additional insured, in the amount to be specified by the City.

☐ *Meets* ☐ *Does not meet*

g. A standard hold harmless agreement between the applicant and the City will be required.

☐ *Meets* ☐ *Does not meet*

Comprehensive Land Use Plan 2030 Plan Review:

The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future commercial, service and office uses. The following goals are applicable to this request:

Land Use - Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the City, as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan and Economic Development Strategic Plan.

This can be accomplished with the following supporting action:

Supporting Action: Promote, retain, and attract businesses that provide a diverse tax base.

Economic Development – Attract and Retain Businesses

Goal: Establish marketing efforts to attract and retain businesses throughout the City.

This can be accomplished with the following supporting action:

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

Success Indicator: The number of retail businesses – grocery, restaurants, coffee/juice shops, apparel, electronics, and comparison goods – contacted, started and/or relocated.

Recommended Conditions:

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

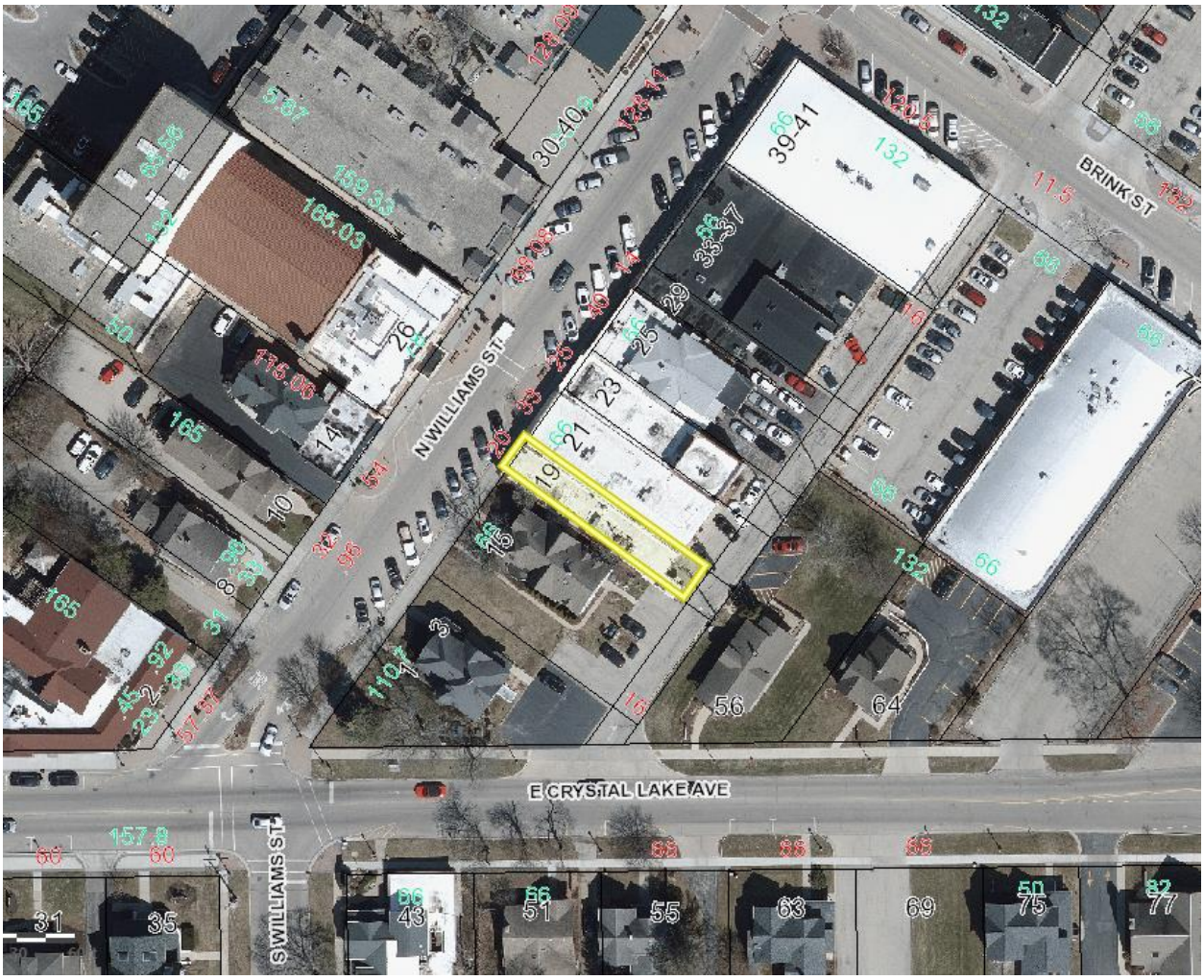
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Jude's, received 05/03/22)
   B. Site Plan (Jude's, undated, received 05/03/22)

2. The seating shall meet all other criteria in 2-400 19 a. unless granted approval through this request.

3. The number and location of seats cannot be expanded without modification to this Special Use Permit.

4. The petitioner shall address all of the review comments and requirements of the Community Development Department.

PIQ MAP
19 N. Williams Street



City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: Judes Cocktails and Nosh

Address: 19 N Williams St Crystal Lake

Phone: 815 575 8337

E-mail: judesd jim@gmail.com

Project Name & Description: outdoor dining area

Project Address/Location: 21 N Williams

Signature

X

Owner: Print and Sign name Date

NOTE: If the property is held in a 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 PETITION OF 19 Williams St LLC

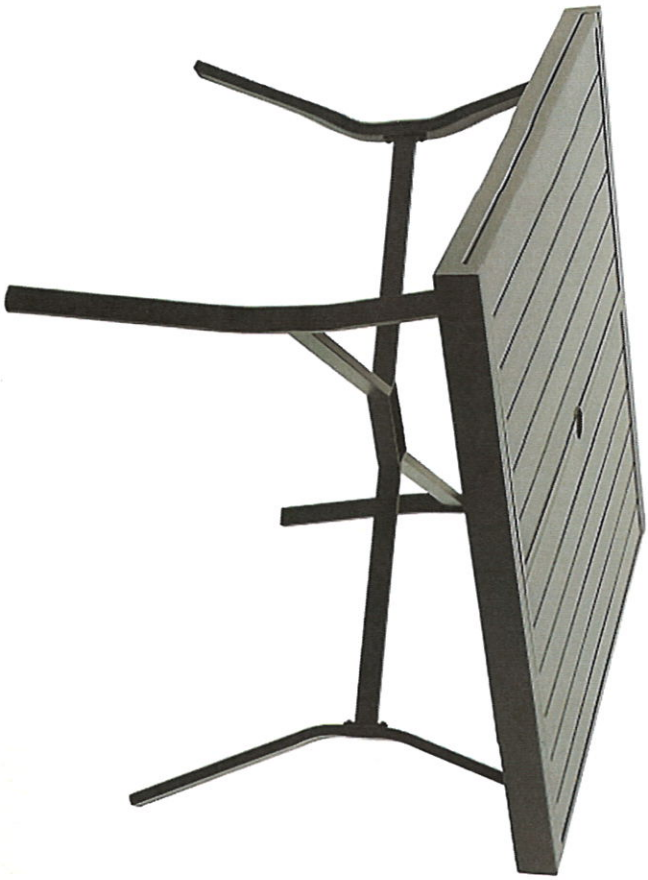
LEGAL NOTICE
Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission upon the application by James Tomasek, on behalf of 19 Williams St LLC for a Special Use Permit, relating to the property at 19 North Williams Street, Crystal Lake, Illinois 60014. PIN: 14-32-483-031.

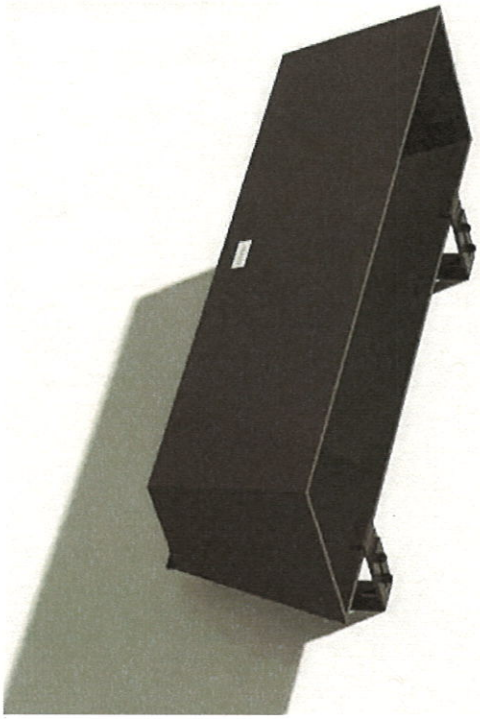
This application is filed for the purpose of seeking a Special Use Permit to allow outdoor seating on an adjacent property pursuant to Article 2-400 19 and Article 9. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall. A public hearing before the Planning and Zoning Commission for this request will be held at 7:00 p.m. on Wednesday May 4, 2022, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Jeff Greenman, Chairperson
Planning and Zoning Commission
City of Crystal Lake

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fencing

tables

