City of Crystal Lake

Memorandum

To: Planning and Zoning Commission

From: Elizabeth Maxwell

Date: March 19, 2014

Re: 2014-08 Text Amendment to UDO to allow Bingo and SUP for Bingo at 540 E. Terra Cotta

Background:

- The petitioner has approached the City with a Text Amendment to the Unified Development Ordinance (UDO) to allow Bingo as a Special Use.
- The petitioner has also requested a Special Use to be a Bingo provider at the existing Crystal Lake Rib House restaurant.

PZC Discussion:

The Planning and Zoning Commission wanted additional information on how other jurisdictions regulate Bingo. The item was continued until March 19th to give staff time to complete the research.

Staff Research:

Staff reviewed the ordinances of other surrounding municipalities and some out of state municipalities as illustrated in the table below:

Location	City Code	Zoning Code	Comment
Crystal Lake	408-8 Has provision for requiring Bingo receipts to be submitted per IDR 268-2 States nothing shall prohibit gaming for non-profit per 230 ILCS 30 / Charitable Games Act - Allows cards, dice, casino night, bingo, pull tabs, etc.	Nothing	
McHenry	Nothing about Bingo	Nothing	Video gaming allowed by State license
Woodstock	3.5.6 Records requires Bingo receipts be submitted.	Nothing	Gaming locations need licensing, etc (related to Video Gaming)
Huntley	Title 11 Receipts for Bingo and requires license through IDOR	Nothing	Video gaming per state license.
Rockford	Nothing	No requirement when an accessory use. Parking must be met and SUP required when stand-alone.	
Phoenix, AZ	Bingo Permitted in C-1 (Neighborhood Retail w/SUP, C-2, PSC (Planned Shopping Center Overlay) Bingo permitted as Ancillary Use up to 2 days for charitable institution in R-O (Res. Office), RE-2 (Res. Estate) C-O (Comm. Office), Residence Districts and RE-43 Bingo Permitted as Ancillary Use in private clubs in R-5 MF Bingo Prohibited in 7th Ave. Main Street Overlay District		

Ocean City, NJ	Nothing	Nothing	Casino gaming license
Ocala, FL	Bingo permitted as Accessory Use in Institutional District for Church, School Rec. Facility FS Ch 849-0931 nothing shall prohibit charitable organization from holding Bingo		

Staff Reports:
Staff has made some minor changes to the staff reports to reflect the new information.

Text Amendment to the UDO for Bingo
Staff has made the change to allow Bingo games as an ancillary use, "Bingo, but only when ancillary to a [Religious Organization / Full Service Restaurant] and pursuant to a special use permit."

Special Use Permit to allow Bingo at 540 E. Terra Cotta Avenue
Staff removed the condition about meeting the parking requirements.

RECEIVED
JAN 29 2014
BY:

CITY OF CRYSTAL LAKE
DEVELOPMENT APPLICATION

Please type or print legibly

OFFICE USE ONLY
CASE # 2014 08

PROJECT TITLE: Rib House Bingo Parlor

ACTION REQUESTED:

_____Annexation	_____Preliminary PUD
_____Comprehensive Plan Amendment	_____Preliminary Plat of Subdivision
_____Conceptual PUD Review	_____Rezoning
_____Final PUD	__X__Special Use Permit
_____ Final PUD Amendment	_____Variation
_____Final Plat of Subdivision	__X__Other: Text Amendment

Petitioner Information:

NAME: David Faccone

ADDRESS: 4915 Terra Cotta Rd

Crystal Lake, IL 60012

PHONE: 815 477 2368

FAX: _____

E-MAIL: clribhouse@att.net

Owner Information:(if different)

NAME: Terra Cotta Shops LLC

ADDRESS: 850 McHenry Ave

Crystal Lake, IL 60014

PHONE: 815 477 3123

FAX: _____

E-MAIL: Bostrom@chasrivdev.com

Property Information:

Project Description: The petitioner is a text amendment to allow for the creation of a Bingo Parlor as a special use permit in a B-2PUD zoning classification. Upon the approval of a text amendment to allow the issuance of a special use permit for a Bingo Parlor for the property located at 540 E Terra Cotta Ave.

Project Address/Location: 540 E Terra Cotta Ave (rte 176) , Crystal Lake Illinois. The property is located on the North side of Rte 176 between Knaack Blvd and Terra Cotta Road.

PIN Number(s): 14-33-277-009, 14-33-277-010

Development Team:

Developer: Bo Strom, Charles River Dev. 850 McHenry Ave. CL 815 477 3123, Fax 815 477 4923 Bostrom@chasrivdev.com

Architect: ALA 2600 Behan Rd Crystal Lake 815 788 9200 Fx 815 788 9201 spolit@alaarchitects.com

Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, 815 459-5152, FAX 815-459-0290

Engineer:

Landscape Architect:

Planner:

Surveyor:

Other:

Signatures:

By: X

David Faccone 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 actions.

By

Bo Strom OWNER: Print and Sign Name Date

NOTE: If the subject property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter which 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 David Faccone

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 on the application by David Faccone on behalf of Terra Cotta Shops LLC for the purposes of seeking a UDO Text Amendment and Special Use Permit to allow a Bingo Parlor as a Special Use at 540 E. Terra Cotta Avenue, Crystal Lake, Illinois. PINs: 14-33-277-009, 14-33-277-010.

This application is filed for the purpose of seeking a UDO Text Amendment from Article 2 Land Use to allow the category of Bingo Parlor as a Special Use within the B-2 zoning district subject to the specific special use criteria and a Special Use Permit Article 2-400 and Article 9-200 D. to open a Bingo Parlor in the B-2 zoning district. 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 on this request will be held at 7:30 p.m. on Wednesday, February 19, 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 February 4, 2014. #A2621)

#2014-08
David Faccone – UDO Text Amendment (Revised)
Project Review for Planning and Zoning Commission

Meeting Date: March 19, 2014

Zoning Request: UDO Text Amendment to allow Bingo

Staff Contact: Elizabeth Maxwell 815.356.3615

Background:

- The petitioner has approached the City with an amendment to the Unified Development Ordinance (UDO) to allow Bingo.
- The proposed request would be to allow Bingo games at the restaurant. The existing table and chairs would be used for Bingo games.
- The following outlines the proposed changes to the UDO for this request.

Article 2-Land Use

Section 2-300 Permitted Uses Table

The proposed text amendment would allow Bingo, but only when ancillary to a [Religious Organization / Full Service Restaurant] and pursuant to a special use permit in the B-2 zoning district. Allowing only Bingo as a use would restrict the use to just Bingo and not permit the other gambling uses.

TABLE 2-300 PERMITTED USES TABLE

	F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS
COMMERCIAL RECREATION																
Bingo (As an ancillary use in conjunction with a Religious Establishment or Full Service Restaurant)										**S**					2-400C-63	

Section 2-400 Limited and Special Use Criteria

63. Bingo
Bingo must comply with the following standards:

a. License: Any Bingo operator/location must comply with the state licensing requirements in accordance with 230 ILCS 25 et. seq. Bingo License and Tax Act. A copy of this license shall be provided to the City of Crystal Lake annually.
b. Record Keeping: The license holder must keep an accurate accounting record for each Bingo session showing the gross receipts from fees, sale of cards and other Bingo Equipment; the total number of winners and amount paid to each winner and the net amount deposited in the organization's Bingo checking account. This record shall be provided on a monthly basis to the City.
c. Floor Plan: Floor Plan: The owner must provide an accurate floor plan of the space within the location at which Bingo will be planed, which will depict the fixed tables and chairs for all Bingo participants. All participants must be physically present at the facility at which Bingo is played and must play from a fixed chair as depicted in the floor plan. The number of Bingo participants shall not exceed the number of fixed chairs designated for Bingo.

Article 4-Development and Design Standards

Section 4-200 Off-Street Parking and Loading

The proposed text amendment would allow Bingo as ancillary to a [Religious Organization / Full Service Restaurant] and pursuant to a Special Use in the B-2 zoning district. Since the use is an ancillary use, the parking requirements would already be established for the principal use. Additional seating that would be added for Bingo, would need to be reviewed to confirm adequate parking, exiting and occupancy requirements.

Section 4-1000 Signs

Since the Bingo is an ancillary use, the signage would be calculated for the principal use. The business could then choose to split the signage between their main sign and a separate Bingo sign.

Article 10-Definitions

BINGO: A game in which each player has a card or board, for which a consideration has been paid, containing 5 horizontal rows of spaces, with each row except the central one containing 5 figures. The central row has 4 figures with the word "free" marked in the center space.

BINGO EQUIPMENT: Any handheld card or board which uses chips, paint, stamps or other similar means to mark the board covering the figures called. This does not include electronic equipment, pre-printed instant winner cards and video bingo machines as these are all prohibited.

#2014-08
Faccone Bingo – Special Use Permit (Revised)
Project Review for Planning and Zoning Commission

Meeting Date:	March 19, 2014	
Request:	Special Use Permit to allow Bingo	
Location:	540 E. Terra Cotta Road	
Acreage:	2.3 acre site (6,400 SF tenant space)	
Existing Zoning:	B-2 PUD General Commercial	
Surrounding Properties:	North:	M Manufacturing
	South:	B-2 PUD General Commercial
	East:	B-2 PUD General Commercial
	West:	M Manufacturing
Staff Contact:	Elizabeth Maxwell (815.356.3615)	

Background:

- Existing Use: The property is improved with a multi-tenant inline tenant retail building. Crystal Lake Rib house is occupying the eastern 6400 square feet.
- Previous Approvals:
    - 2003-91: Approval Preliminary and Final PUD with Variations for the multi-tenant inline retail building.
    - 2006-33: Approval of a Final PUD Amendment with Variations to allow a drive-up ATM and drive-through tenant space.

Development Analysis:

General

- Request: Special Use Permit to allow Bingo games as ancillary to the full-service restaurant.
- Land Use: The land use map shows the area as Commerce. This land use designation is appropriate for Bingo as it is in conjunction with the restaurant use.
- Zoning: The site is zoned B-2 PUD General Commercial. The zoning district is appropriate for Bingo.

Floor Plan

- The Bingo games will occur within the Crystal Lake Rib house restaurant space. A portion of the fixed tables and chairs would be used for the Bingo games.

Parking

- There are 95 shared parking spaces.
- Parking for the restaurant use is required at 1 per 4 seats, requiring 71 spaces.
- The Bingo games will be held in a portion of the restaurant area. No increase of seating would be necessary to hold the Bingo games.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future commercial. The following goal is applicable to this request:

Land Use - Industry

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: Encourage mixed-use developments that allow people to live, work and play in the same area, as well as, support the transfer of goods and services between businesses and limit the number of traffic trips generated.

Findings of fact:

SPECIAL USE PERMIT

The petitioner has requested a Special Use Permit to allow a repossession lot in the M Manufacturing zoning district. Special Uses require a 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 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, Bingo is required to meet the following specific special use standards.

1. License: Any Bingo operator/location must comply with the state licensing requirements per 230 ILCS 25 / Bingo License and Tax Act. A copy of this license shall be provided to the City of Crystal Lake annually.

   ☐ *Meets* ☐ *Does not meet*

   The petitioner has not provided a copy of the approved licenses to the City.

2. Record Keeping: The license holder must keep an accurate accounting record for each Bingo session showing the gross receipts from fees, sale of cards and other Bingo Equipment; the total number of winners and amount paid to each winner; and the net amount deposited in the organization's Bingo checking account.

   ☐ *Meets* ☐ *Does not meet*

3. Floor Plan: The owner must provide an accurate layout of space and illustrate the fixed tables and chairs for all Bingo participants. All participants must be present and play from a fixed seat. The number of Bingo participants shall not exceed the number of fixed seats designated for Bingo

   ☐ *Meets* ☐ *Does not meet*

Recommended Conditions:

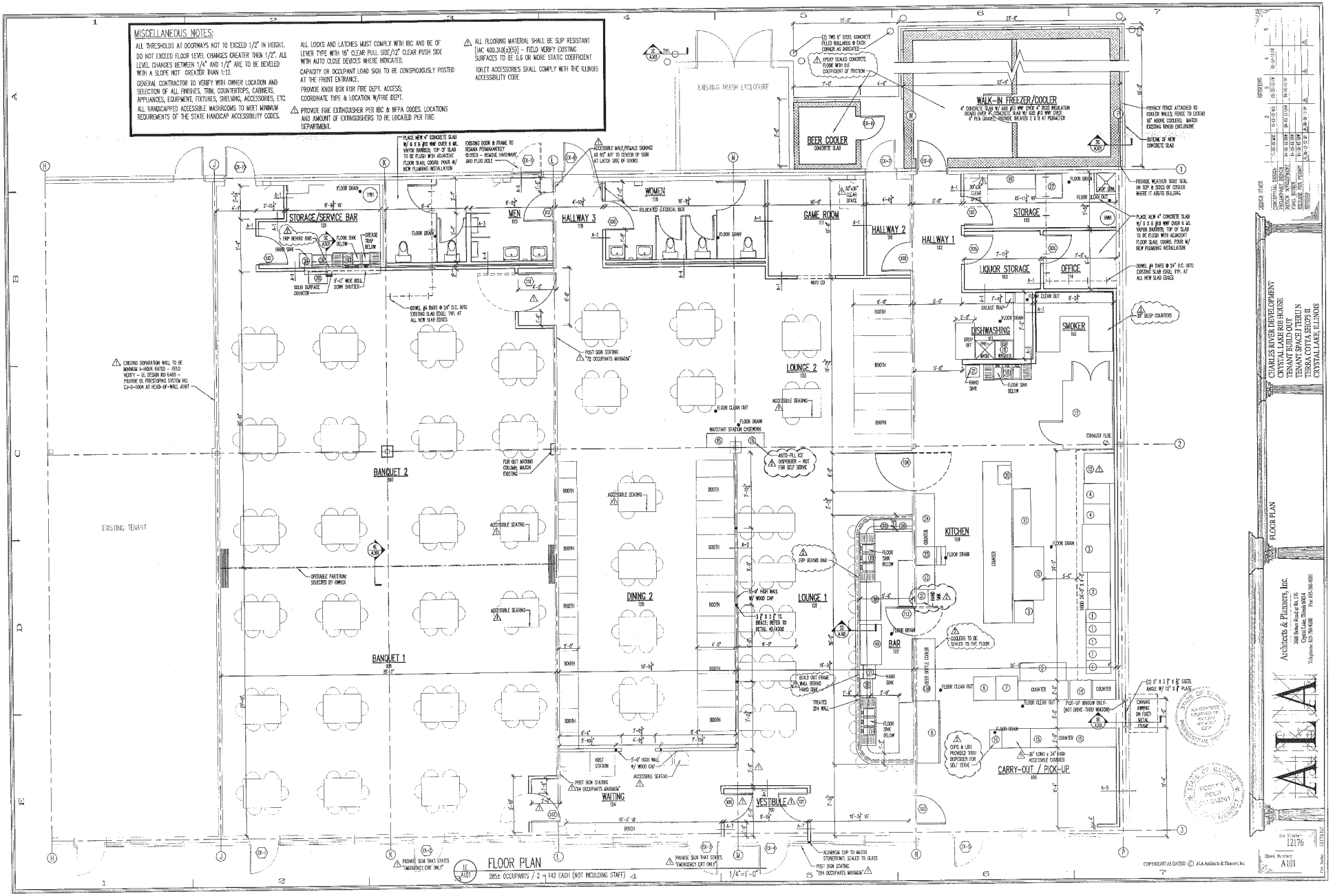
If a motion to recommend approval of the petitioner's request to allow a Bingo Hall as a Special Use within the B-2 General Business zoning district is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Faccone, received 01/29/14)
   B. Bingo Operations Summary (Faccone, received 01/29/14)
   C. Floor Plan (ALA Architects & Planners, dated 06/19/13, received 01/29/14)

2. Apply for and comply with the City's raffle license.

3. Petitioner shall arrange for alternative, overflow parking and provide written confirmation along with an occupancy application for the Bingo use prior to commencing Bingo games.

4. The petitioner shall address all of the review comments and requirements of the Police, Fire Rescue, Engineering and Building and Planning and Economic Development Departments.


MISCELLANEOUS NOTES:
ALL THRESHOLDS AT DOORWAYS NOT TO EXCEED 1/2" IN HEIGHT. DO NOT EXCEED FLOOR LEVEL CHANGES GREATER THEN 1/2". ALL LEVEL CHANGES BETWEEN 1/4" AND 1/2" ARE TO BE BEVELED WITH A SLOPE NOT GREATER THAN 1:12.
GENERAL CONTRACTOR TO VERIFY WITH OWNER LOCATION AND SELECTION OF ALL FINISHES, TRIM, COUNTERTOPS, CABINETS, APPLIANCES, EQUIPMENT, FIXTURES, SHELVING, ACCESSORIES, ETC.
ALL HANDICAPPED ACCESSIBLE WASHROOMS TO MEET MINIMUM REQUIREMENTS OF THE STATE HANDICAP ACCESSIBILITY CODES.
ALL LOCKS AND LATCHES MUST COMPLY WITH IBC AND BE OF LEVER TYPE WITH 18" CLEAR PULL SIDE/12" CLEAR PUSH SIDE WITH AUTO CLOSE DEVICES WHERE INDICATED.
CAPACITY OR OCCUPANT LOAD SIGN TO BE CONSPICUOUSLY POSTED AT THE FRONT ENTRANCE.
PROVIDE KNOX BOX FOR FIRE DEPT. ACCESS; COORDINATE TYPE & LOCATION W/FIRE DEPT.
PROVIDE FIRE EXTINGUISHER PER IBC & NFPA CODES. LOCATIONS AND AMOUNT OF EXTINGUISHERS TO BE LOCATED PER FIRE DEPARTMENT.
ALL FLOORING MATERIAL SHALL BE SLIP RESISTANT [IAC 400.310(e)(5)] - FIELD VERIFY EXISTING SURFACES TO BE 0.6 OR MORE STATIC COEFFICIENT
TOILET ACCESSORIES SHALL COMPLY WITH THE ILLINOIS ACCESSIBILITY CODE
EXISTING TRASH ENCLOSURE
BEER COOLER
WALK-IN FREEZER/COOLER
STORAGE/SERVICE BAR
MEN
WOMEN
HALLWAY 3
GAME ROOM
HALLWAY 2
HALLWAY 1
STORAGE
LIQUOR STORAGE
OFFICE
DISHWASHING
SMOKER
LOUNGE 2
BANQUET 2
BANQUET 1
DINING 2
LOUNGE 1
KITCHEN
BAR
WAITING
VESTIBULE
CARRY-OUT / PICK-UP
EXISTING TENANT
FLOOR PLAN
285± OCCUPANTS / 2 = 142 EACH (NOT INCLUDING STAFF)
1/4"=1'-0"
CHARLES RIVER DEVELOPMENT
CRYSTAL LAKE RIB HOUSE
TENANT BUILD OUT
TENANT SPACE 1 THEILIN
TERRA COTTA SECTION 31
CRYSTAL LAKE, ILLINOIS
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