

## **Notice of Special Meeting**

### **Revised**

**Please take notice that the Planning and Zoning Commission of the City of Darien has schedule a special meeting to be held on Monday, October 20, 2014, at 7:00 PM, in the Darien Police Training Room, 1710 Plainfield Road, Darien, Illinois. Agenda is as follows:**

- 1. Call to Order**
- 2. Roll Call**
- 3. Establish a Quorum**
- 4. Public Hearing: PZC 2014-08: 1000 N. Frontage Road, Unit C, Miskatonic Brewing:** Petitioner seeks approval of the following:
  - A. Text amendment to the Zoning Ordinance listing a brewery with taproom as a special use within the OR&I Office, Research and Light Industrial District.
  - C. Special use approval for a brewery with taproom within the OR&I Office, Research and Light Industrial District.
  - D. A variation from the Zoning Ordinance to reduce the required corner side yard setback from 50 feet to 24 feet in order to construct a patio.
  - E. A variation from the Sign Code to permit a 100 square foot identification sign on the overhead door where 16 square feet is otherwise permitted.
- 5. Adjournment**

**This notice is given pursuant to Chapter 5, Section 120/2.02 of the Illinois Compiled Statues (5 ILCS 120/2.01).**

**JoAnne E. Ragona  
City Clerk  
October 16, 2014**



South: OR&I Office, Research and Light Industrial – mini warehouse; R-1 Single-Family Residence – single-family home  
West: OR&I Office, Research and Light Industrial – kennel

Size of Property: 46,626 square feet  
Floodplain: None.  
Natural Features: None.  
Transportation: Property has frontage and access on N. Frontage Road and Wilmette Avenue.  
History: None.

### **Documents Submitted**

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Site Plan, 1 sheet, prepared by petitioner.
2. Floor plan, 1 sheet, prepared by petitioner.
3. Patio site plan, 1 sheet, prepared by petitioner.
4. Patio fence detail, 1 sheet.
5. Identification sign detail, 1 sheet.
6. Special Use description

### **Planning Overview/Discussion**

The subject property is located on the northwest corner of N. Frontage Road and Wilmette Avenue.

The petitioner proposes occupying the western portion of the building and establishing a brewery with a public taproom. The use is summarized as follows:

- a. Brewery, brewing specialty beers.
- b. Public taproom where patrons can purchase beer for on-site consumption as well as growler-fills to-go, less than 10% or less of volume being sold on-site, remainder sold wholesale to distributors. No on-site food preparation or service, but carry-out menus from area restaurants made available.
- c. Patio.
- d. Tours on weekends.
- e. The petitioner would also like the ability to allow groups to use the space for meetings and events.

The OR&I district permits light industrial activities. A brewery would seem to be a light industrial

activity. However, the public taproom, tours and event space adds a unique character to the use beyond strictly industrial. Staff recommends amending the Zoning Ordinance to list a brewery with an accessory taproom as a special use. Staff finds the use a good addition to the community.

The area surrounding the proposed use is a mix of light industrial activities to the north, mini-warehouse storage to the south, a kennel to the west, with a daycare center and residence to the east and west across streets.

Once distribution has been established, they plan to provide local businesses with craft beer.

The petitioner proposes constructing a 16' x 32' patio on the south side of the building, along N. Frontage Road. The Zoning Ordinance requires a 50-foot corner side yard setback, the building is located 40 feet from the lot line. The patio will extend 16 feet out from the building, resulting in a 24-foot setback from the lot line.

The patio will be enclosed by a wood fence with an emergency exit, 42 inches tall, and landscaping. There will be a door between the patio and the taproom. For outdoor liquor service and consumption, the Liquor Code requires the outdoor area is to be enclosed, the fence meets this requirement. Furthermore, the Code requires the outdoor area to close at 11:00 PM on Sunday through Thursday and at 12:00 midnight on Friday and Saturday.

There is a single-family home to the south across the street from the patio. The petitioner should address how they will mitigate any impacts the patio may have on the resident.

The petitioner proposes a 100 square foot identification sign on their overhead door. The Sign Code permits identification signs up to 16 square feet. These signs are defined as a wall sign used to display and identify the name of the individual, business, profession, organization or institution occupying the premises. The overhead door faces the parking lot on the north side of the building and not onto a street.

The site plan shows 25 parking stalls, 2 are handicapped accessible. The petitioner should comment on the time of day they expect their parking demands to peak versus the other businesses on the property.

The City Council will need to amend the Liquor Code to create a liquor license to fit the proposed use. The Code requires establishments serving liquor be at least 100 feet from a church, school, hospital or home for the aged or indigent persons. No such uses are near the subject property.

The special use request is to address the following criteria for approval:

1. That the special use is deemed necessary for the public convenience at the location specified.

2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.
3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
4. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be a variation with either the exterior architectural design, landscape treatment, and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
8. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the planning and Zoning Commission and the Planning and Development Committee

The variation request is to address the following criteria for approval:

1. Whether the general character of the property will be adversely altered.
2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.
3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.
4. Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.
5. Whether the proposed variation will adversely alter the essential character of the neighborhood.

When considering a sign variation, the Commission shall consider the following:

1. The available locations for adequate signage on the property.
2. The effect of the proposed sign on pedestrian and motor traffic.
3. The cost to the applicant in complying with the Sign Code as opposed to the detriment, if any, to the public from granting of the variance.

4. If undue hardships and practical difficulties result in complying with the Sign Code and if these hardships are a result of previous actions of the applicant.
5. The general intent of the Sign Code.

The general intent of the Sign Code:

1. To promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents of the City.
2. To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
3. To promote the safety and recreational value of public travel.
4. To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.
5. To ensure compatibility of signs with surrounding land uses.
6. To enhance the economy of the City by promoting the reasonable, orderly and effective display of outdoor advertising.
7. To protect the pedestrians and motorists within the City from damage or injury caused by distractions, obstructions and hazards created by a proliferation of off-site advertising signs.
8. To prevent the proliferation of off-site advertising signs which distract from the development of the City in an aesthetically pleasing manner.
9. To preserve the character of the City which is a single-family residential community by assuring the compatibility of signs with the surrounding land uses.

### **Staff Findings/Recommendations**

Staff does not object to the proposed use, to the variations related to the patio or identification sign. Staff finds the use will be a good, unique addition to the community. The proposed use is located in a mostly light industrial area of Darien, away from predominantly commercial or residential areas.

The proposed variation for the patio will not adversely alter the general character of the property or essential character of the neighborhood, nor will it impair the adequate supply of light and air in adjacent properties.

The proposed sign variation will not negatively affect pedestrian or motor vehicle traffic since the sign does not face a public street.

Therefore, staff recommends the Commission make the following motion recommending approval of the variation petition:

**Based upon the submitted petition and the information presented, the request associated with PZC 2014-08 is in conformance with the standards of the Darien**

Agenda Memo

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**City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.**

**Decision Mode**

Planning and Zoning Commission:

October 20, 2014