

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. · Washington, IL 61571

Ph. 309-444-1135 · Fax 309-444-9779

<http://www.washington-illinois.org>

joliphant@ci.washington.il.us

MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinance – Sleep Inn Sign Height Variance
DATE: May 9, 2017

Gary Matthews from the Sleep Inn has requested a variance to allow a new ground sign to be 52' in height, which is 27' higher than allowed in the C-2 (General Retail) zoning district. It is proposed to be located near the northwest corner of the hotel property. Because this is a sign height variance request, the City Council is granted final voting authority following a public hearing and recommendation from the Planning and Zoning Commission.

The property is 1.46 acres and has about 507 feet of frontage adjacent to both N. Cummings Lane and W. Cruger Road. Mr. Matthews has indicated in his application that the increased height would give the hotel better visibility from US 24 and allow travelers to be aware of their special rates. The hotel currently has a ground sign near the southwest corner of the property and a wall sign on their tower structure, which has a height of approximately 59 feet. Because this property has between 501-1,000 feet adjacent to a public street, it can have up to three ground signs.

It is hard to justify that a hardship exists for the granting of this variance when the hotel already has a sign that extends seven feet higher than the proposed ground sign. Staff has visited the site and reviewed the submitted PhotoShop rendering of the proposed sign (see attached) to gauge the visibility of the existing wall sign and the proposed sign from afar. The new sign would be approximately 175 feet closer to US 24 than the wall sign. But at seven feet lower than the wall sign, there does not appear to be much advantage gained by placing this sign at the desired corner location. Additionally, it is not clear what impact having a taller ground sign would have on attracting potential customers who do not already have a hotel reservation. Finally, such a request could lead to other significant sign height variance requests and staff would be concerned about how this would impact the visual appeal throughout the city. As a result, staff recommends denial of the variance request.

The Planning and Zoning Commission held a public hearing on this variance request at its meeting on May 3 and had a split 3-3 vote. The draft minutes from that meeting are attached. This is scheduled as a first reading ordinance at the May 15 City Council meeting and a second reading on June 5.

Enclosures

ORDINANCE NO. _____

(Adoption of this ordinance would grant a height variance of 27 feet for a ground sign for the Sleep Inn located at 1101 N. Cummings Lane.)

AN ORDINANCE GRANTING A VARIANCE FROM THE TERMS OF THE ZONING CODE OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY, ILLINOIS, TO THE PROPERTY LOCATED AT 1101 N. CUMMINGS LANE TO ALLOW A VARIANCE OF THE GROUND SIGN HEIGHT

WHEREAS, Gary Matthews of GEM Washington Group, LLC, has petitioned the City Council for a variation from the literal terms of the Zoning Code of the City of Washington for the construction of a ground sign of fifty-two feet (52') in height on his property located at 1101 N. Cummings Lane in the City of Washington, which will exceed the permitted height of a ground sign by twenty-seven feet (27'); and

WHEREAS, the Planning and Zoning Commission did on May 3, 2017, hold a public hearing for the purpose of hearing testimony regarding the granting of the variation to the property located at 1101 N. Cummings Lane in the City of Washington, pursuant to property notice; and

WHEREAS, the Planning and Zoning Commission had a split 3-3 vote in recommending the granting of a variance to the City Council and directed city staff to prepare an ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY, ILLINOIS, does make the following specific findings of fact:

Section 1. The Petitioner, Gary Matthews of GEM Washington Group, LLC, is the owner of the property located at 1101 N. Cummings Lane in the City of Washington, Tazewell County, Illinois, which is more particularly described as follows:

Legal Description: SEC 15 T26N R3W MALLARD CROSSING COMMERCIAL PARK LOT 1 NW 1/4

PIN: 02-02-15-101-038

Section 2. That the findings and recommendations of the Planning and Zoning Commission are accepted and the findings of fact made by the Planning and Zoning Commission are made a part of this ordinance.

Section 3. That Section 154.150 (B)(4)(b) of the Code of Ordinances of the City of Washington, provides, in part, that no ground sign in a C-2 (General Retail) zoning district shall exceed twenty-five feet (25') in height.

Section 4. That the proposed construction of a ground sign fifty-two feet (52') in height would exceed the maximum of twenty-five feet (25') in height allowed by twenty-seven feet (27').

Section 5. That the real estate described herein consists of approximately 1.46 acres.

Section 6. That the granting of the variance will not alter the essential character of the locality within which the property is located.

Section 7. The facts show there are practical difficulties which would result in a particular hardship if a variation were not granted.

PASSED AND APPROVED in due form of law at a regular meeting of the City Council of the City of Washington, Tazewell County, Illinois, on the _____ day of _____ 2017.

Ayes: _____

Nays: _____

Mayor

ATTEST:

City Clerk





CRUGER RD.

CUMMINGS LN.

KINGSBURY RD.

1931 1921 1911 1901

1930 1920 1910 1900

1101 1005 901 801

1860

1840

1700

1041 1001

1833 906

742 734 726 718

CITY OF WASHINGTON, ILLINOIS

APPLICATION FOR VARIANCE

To have a complete application for a variance, you must submit the following:

- Signed and completed application
- Ownership documentation (lease, deed, mortgage, etc.)
- Plat showing subject property and proposed site improvements
- Application fee of \$100 payable to the City of Washington

Name(s) of Applicant(s): Sleep Inn & Suites

Phone Number of Applicant: 309 694.1596

Address of Applicant: 1101 N. Commings Lane Washington, IL 61571

Owner of Property: Gem Washington Grove

Address of Owner: 533 Main St. Suite 358 Peoria, IL 61602

I would like to receive correspondence by: ☐ Mail ☒ Email Email Address: grygemproperties.net

Property Tax ID (PIN) number: 02-02-15-101-038

Current zoning classification of the property: _____ Current use of the property: Hotel

Describe how your property cannot yield a reasonable return, if it is required to be used only under the general conditions of your zoning classification:

Current Height Restrictions lower the chance for potential guest to stay at the hotel.

To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance became law? Yes _____ No ☒

If "no," explain why the hardship should not be regarded as self-imposed. (Self-imposed hardships are NOT entitled to variations.)

Because the Visibility of the sign does not have anything to do with individuals but with the location of the hotel

Describe how your situation is unique or different from any other property: Most likely transit travelers

would stay at a hotel where they could see a sign near by.

Describe the alteration or change, if any, in the basic character of the neighborhood the variation, if granted, would make:

We are requesting to increase the height of the sign to 52' located on the hotel property.

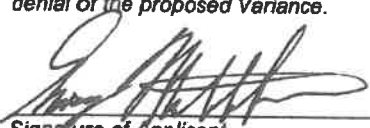
Describe the nature of the variation you are requesting (attach dimensioned site plan):

The reason why we are requesting this variance is because the location of the hotel is found in disadvantages due that potential travelers do not locate the property easily and/or not aware of our special rates.

PUBLIC HEARING: Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission (PZC) meeting for a public hearing. The PZC meets the first Wednesday of every month at 6:30 p.m. at the Washington District Library meeting room at 380 N. Wilmor Road. At the PZC meeting, you will present your request. A variance cannot be granted by the PZC unless the PZC finds, based upon the application and evidence presented at the public hearing, that a strict application of the terms of the Zoning Ordinance imposes practical difficulties or particular hardship. The following are examples of variances that can be granted:

1. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
2. To permit the reconstruction of a nonconforming building which has been destroyed or damaged to an extent of more than fifty percent (50%) of its value, by fire or act of God, or the public enemy, where the PZC shall find some compelling public necessity requiring a continuance of the nonconforming use, but in no case shall such a permit be issued if its primary function is to continue a monopoly.
3. To make a variance, by reason of exceptional narrowness, shallowness or shape of a specific piece of property of record, or by reason of exceptional topographical conditions the strict application of any provision of this chapter would result in peculiar and exceptional practical difficulties or particular hardship upon the owner of such property, and amount to a practical confiscation of property, as distinguished from a mere inconvenience to such owner, provided such relief can be granted without substantial detriment to the public good and without substantially impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in the Zoning Ordinance.
4. To interpret the provisions of this chapter where the street layout actually on the ground varies from the street layout as shown on the district map fixing the several districts.
5. To waive the parking requirements in the business or industrial districts whenever the character or use of the building is such as to make unnecessary the full provision of parking facilities or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or convenience.
6. To permit a building to be erected, reconstructed, altered, or enlarged so that the building lines would extend beyond the distance specific in this chapter into side yards or into front yards; provided that such variance may not be granted:
 - a. Unless there is a building in the block that extends beyond the distance from the front street line specified in this chapter, in which case the building line may be permitted to extend as near to the front street line as such nonconforming building;
 - b. Unless the lot is irregular in shape, topography, or size; or
 - c. Unless the street line of the lot is directly opposite the street line of a lot which is irregular in shape, topography, or size.
7. To permit in any district such modifications of the requirements of the regulations of this chapter as the Board may deem necessary to secure all appropriate development of a lot where adjacent to such lot on two or more sides there are buildings that do not conform to the regulations of the district.

Certification: To the best of my knowledge, the information contained herein, and on the attachments, is true, accurate, and correct, and substantially represents the existing features and proposed features. Any error, misstatement, or misrepresentation of material fact or expression of material fact, with or without intention, shall constitute sufficient grounds for the revocation or denial of the proposed Variance.


Signature of Applicant

March 28, 2017
Date


Signature of Owner

March 28, 2017
Date

After receiving a completed application, the City Clerk will file notice of your request with the local newspaper and with the adjoining property owners. If you have any questions, please contact Becky Holmes, Building and Zoning Supervisor, at (309) 444-1122.