



Posted: 6/15/2017

**PLANNING AND ZONING COMMISSION
SPECIAL MEETING**

Marengo City Hall
132 E. Prairie Street

AGENDA

June 20, 2017

7:00 p.m.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes:** May 15, 2017 Regular Meeting Minutes
5. **New Business**
 - a. **Public Hearing** - Application and Recommendation for a Variance from the Marengo Sign Ordinance to Allow for a Sign 20 Feet in Height within a Required Setback – 19800 East Grant Highway – Taco Bell
6. **Adjournment**

City of Marengo
Planning & Zoning Commission Meeting
Council Chambers
132 E. Prairie Street
Marengo, IL 60152
May 15, 2017
7:00 P.M.

CALL TO ORDER

Commission Chairman Mike Bieniek called the Meeting of the Planning & Zoning Commission to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mr. Bieniek led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Commissioners Bieniek, Piwonka, Varney, Hunt, and Brackmann. Also present were Assistant City Administrator Joshua Blakemore, Attorney Carlos Arevalo and Deputy City Clerk Anna Leyrer. Commission Member Ryan Gieseke was absent.

APPROVAL OF MINUTES

Commission member Piwonka made a motion, seconded by Commission member Varney to approve the **March 20, 2017** Planning and Zoning Minutes. The motion passed with aye votes from Commission members Bieniek, Brackmann, Piwonka, Varney, and Hunt.

NEW BUSINESS- PUBLIC HEARING

Public Hearing- Application and Recommendation for a Zoning Variation from a Zoning Text Amendment to Section 11.03(4) to Permit Manufacturing of Firearms Pursuant to Alcohol, Tobacco & Firearms Regulations as a Special Use in the B-2 General Business District and Issuance of a Special Use Permit for Said Use- 20014 East Grant Highway- Marengo Guns

Commission member Varney made a motion, seconded by Commission member Hunt to open the Public hearing. The motion passed with a voice vote.

Attorney Arevalo stated that there was public notification of the Public Hearing, and requested that the verification of mailings that were sent to property owners within 250 feet surrounding the area about this public hearing be submitted for record. Documents were presented to Deputy City Clerk Anna Leyrer for the record.

Attorney Arevalo swore in Mr. Dominick DeBock and Terry McKenna, both representing Marengo Guns, Inc.

Assistant City Administrator Joshua Blakemore explained that Dominick DeBock, owner of Marengo Guns, and his Attorney, Terry McKenna, approached the City requesting a Zoning Text Amendment and Special Use Permit to allow for manufacturing of firearms in the B-2 General

Business District, more particularly, applying Cerakote on firearms from their inventory. Mr. Blakemore introduced Mr. DeBock and Mr. McKenna for further explanation.

Terry McKenna, the petitioners Attorney confirmed that per AFT regulations, Marengo Guns would need to apply for a type 07 Federal Firearms License, to allow for the application of Cerakote and slide modifications. The Cerakote, a polymer-ceramic composite coating that would change the color of the gun, would be applied on location in a spray booth. Along with Cerakote, slide modifications would be offered. Slide modification removes non-essential metal areas of the firearm slide. This is mainly done for aesthetic reasons. Because the ATF requires that the firearm would need to be tested after the Cerakote and/or slide modification, Marengo Guns would also need to test fire the firearm after the processes are complete. Marengo Guns would purchase a device that the muzzle of the firearm is inserted into, and the firearm is discharged. These mechanisms are commonly used in this process and there is not much noise associated with the discharge of the firearm.

Attorney McKenna proceeded to explain that the proposed Zoning Text Amendment and Special Use permit would not negatively impact the City or neighboring businesses/residents and meets the standards for Special Uses.

Attorney Arevalo stated to the Commission, that if requested, the Commission can limit the definition of what would be allowed; producing guns as an example.

Dominick DeBock, of Marengo Guns stated that he would not like to see a restriction on producing guns. He stated that though it is not in his immediate plans, it may be a possibility in the future. Commission asked how much space is at the location, and how that would impact the ability to produce firearms. Mr. DeBock stated there is approximately 10,000 square feet total, and the Cerakoting would take up about 2,500 square feet of that. He stated there is plenty of space to produce in the future if needed. He stated that they would not be mass producing, it would be as request. Commissioner Brackmann asked what the definition of mass production is. It was said that there is no real number associated with mass production and it would need to be addressed if needed.

It was questioned whether the Special Use permit would follow Mr. DeBock, Marengo Guns or the location in case location was moved. It was stated the ATF license would be issued to Marengo Guns, Inc, so the Special Use would be the same, to Marengo Guns, Inc. and an address change would void the Special Use permit.

PLANNING AND ZONING ACTION

A motion was made from Commissioner Hunt for the recommendation of a Special Use permit to allow Cerakote and the associated testing only. The motion died for a lack of a second.

A motion was made by Commissioner Brackmann, and seconded by Commissioner Piwonka to recommend the Zoning Text amendment and to issue a Special Use Permit to Marengo Guns, Inc. with the conditions that it is limited to the ATF type 07 license and that the applicant would need to return for an amendment, if the use changes for example, if Marengo Guns expanded and wanted to do mass production or other types of modifications, not allow by the ATF type 07 license. The motion passed with aye votes from Commissioners Bieniek, Piwonka, Varney, and Brackmann. No vote casted by Commissioner Hunt.

NEW BUSINESS- PUBLIC HEARING

Public Hearing- Application and Recommendation for a Special Use Permit to allow Two Drive Through Facilities on a Proposed Future Commercial Strip Center- 20009-20015 East Grant Highway.

Commission Member Corey Brackmann recused himself from the meeting.

Commission member Varney made a motion, seconded by Commission member Hunt to open the Public hearing. The motion passed with a voice vote.

Attorney Arevalo stated that there was public notification of the Public Hearing, and requested that the verification of mailings that were sent to property owners within 250 feet surrounding the area about this public hearing be submitted for record. Documents were presented to Deputy City Clerk Anna Leyrer for the record.

Assistant City Administrator Joshua Blakemore explained that the applicant is requesting a Special Use Permit to allow for two drive through facilities at a future development. This development will be coming before PZC and City Council again in the future, once more specifics regarding turn lanes and allowable uses are determined. He introduced Corey Brackmann, the developer on this project for further explanation.

Mr. Brackmann explained that this property is currently zoned B-2, General Business District, and a Special Use permit is required for drive thorough.

Attorney Arevalo stated that because this development is still being worked out, more components of this development will be coming forward in the future. This Special Use is just for the drive through and are required in order to get the process moving with various other entities like IDOT and Engineering firms.

Mr. Brackmann stated that another vital component of this development is the issuance of a liquor license and TH funding.

PUBLIC COMMENT

Commission Chairman Bieniek opened the floor for Public Comment. There was none.

PLANNING AND ZONING ACTION

Commission member Piwonka made a motion to recommend the Application and Recommendation for a Special Use Permit to allow Two Drive Through Facilities on a Proposed Future Commercial Strip Center- 20009-20015 East Grant Highway, with the condition that the applicant must present future plan developments to the Commission, Commissioner Varney seconded. The motion passed with aye votes from Commissioners Hunt, Bieniek, Varney, and Piwonka.

CLOSING OF PUBLIC HEARING

Commissioner Piwonka made a motion, seconded by Commissioner Varney, to close the public hearing. The motion passed with a voice vote.

DISCUSSION

Assistant City Administrator stated that PZC members should have received a memo stating that future packets would need to be emailed or picked up. The PD will not be delivering packets any longer. Please make arrangements with Megan on your preferred method of future delivery. A June meeting is highly likely for the Storage rental business at Route 23 and 8th Avenue, and a sign variance for Taco Bell.

Commissioner Bieniek stated that he feels the sign ordinance should be re-visited since it is very restrictive. It was agreed that in the future, it should be addressed, so we do not have to keep issuing variances for business signs.

ADJOURNMENT

Commission member Varney made a motion to close the meeting. The motion passed with a voice vote. The meeting adjourned at 8:13 p.m.

Respectfully submitted,
Anna Leyrer
Deputy City Clerk

Approved at the _____ Planning and Zoning Commission meeting.

DRAFT

PUBLIC HEARING

TO: Planning & Zoning Commission

FROM: Joshua Blakemore, Assistant City Administrator

FOR: June 20, 2017 Special Planning & Zoning Commission Meeting

RE: Request for a Variance – 19800 East Grant Highway – Taco Bell – Sign Variance

The Applicant is seeking a variance from Chapter 16 of the Marengo Municipal Code, in particular to the regulation of height and placement of a sign. While the Applicant's request states the desire to install a pylon sign, the sign provided in the drawings is more depictive of a pole sign, currently prohibited by the sign ordinance. The relevant definitions have been attached for your review. Under these definitions, the sign can be considered a "freestanding" sign as well.

There are two particular issues here the PZC will need to address, namely variance from the height regulation and the proposed pylon sign being more of a pole sign.

Most signs are allowed a maximum allowable height of 7 feet in this zoning district. Regarding the sign height, the requested sign is 20 feet in height. The Applicant originally requested a sign 32 feet in height, but staff indicated that 32 feet would be too high. An application for a 20 foot sign was then submitted. For PZC's reference other signs in the area have the following height allowances:

1. Joe's Place – 14.4 feet;
2. Sullivan's Foods – 20 feet;
3. Glo-Bowl – 14 feet; and
4. Karsten's, 11 feet, (expandable up to 17 feet 2 inches).

It should be noted that Karsten's sign can be expanded to allow for additional signs for neighboring businesses. Sullivan's Foods sign was built at 20 feet but is also a monument style sign which can accommodate signage for other businesses within their strip center.

Staff has also discussed with the Applicant the issue of the proposed sign being a "pole sign" under the ordinance. The Applicant has stated that it wishes to proceed with the application as is. There are things that could be done to make the sign more of a pylon sign or freestanding sign to bring it into compliance with the ordinance. The Applicant did state it would be open to the idea of placing an aluminum casing over the pole, which would be the same width as the sign, making it more of a true pylon style sign. Drawings of the sign with and without the casing have been provided for your review.

A further variance would also be needed to build a sign closer than 25 feet to any side, corner side or rear lot line. This has become a somewhat common request in the area, as sign variances for Karsten's, Glo-Bowl and Joe's all allow for the sign to be placed in a required setback. As you can see from the attached site plan, given the lot layout and required parking, it would be challenging to place a sign in an area outside of a required setback.

The Planning & Zoning Commission is being asked to review the matter during the public hearing on Tuesday's meeting. Much like a special use request, this is the opportunity for the PZC to work with the Applicant and place what stipulations they feel necessary on the request as part of your recommendation to the City Council.

A letter from a neighboring property owner objecting to the 20 feet in height has been attached for your review. To this point, we have not received any other objections.

Listed below are the findings of facts standards for variance requests, which would need to be included as part of any recommendations the PZC makes to the City Council. At the conclusion of the public hearing and discussion, a motion to approve the variance as requested (or as modified by the PZC) would be in order.

Finding of Facts

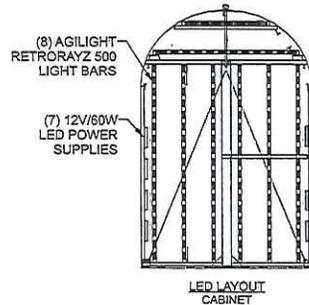
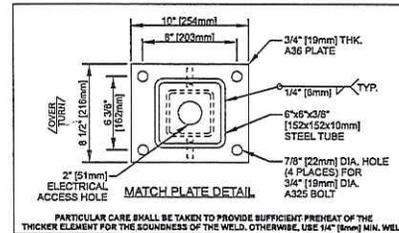
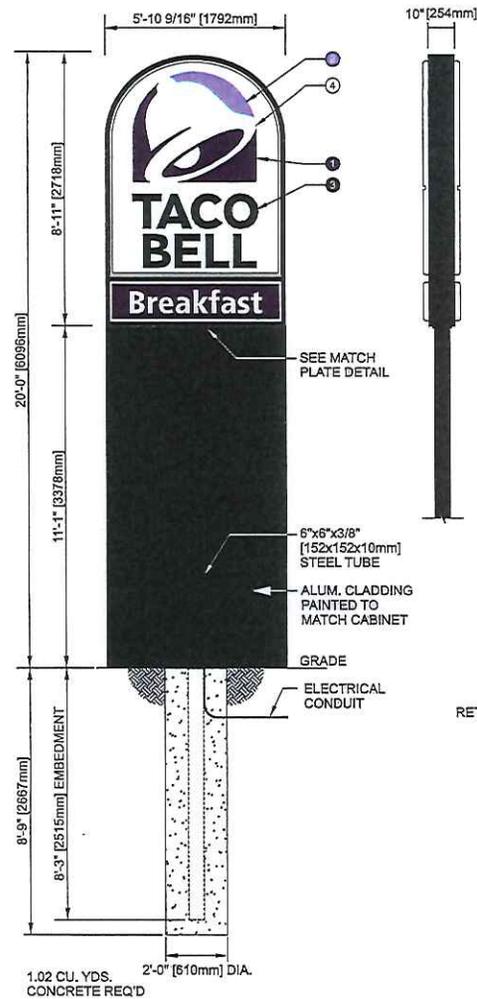
19800 East Grant Highway, Taco Bell – Application for Sign Variance

Based on the evidence presented at the June 20, 2017 Public Hearing regarding the above case, the Planning and Zoning Commission make the following findings:

1. The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
2. The condition upon which the petition for a variation is based are unique to the property for which the variation is sought, and would not be applicable, generally, to other property within the same zoning classification;
3. The purpose of the variation is not based exclusively upon a desire to increase the value of the property, the monetary gain to be realized from the property, or to alleviate financial difficulty experienced by the petitioner in the attempt to comply with the provisions of this Zoning Code;
4. The alleged difficulty or hardship is caused by the application of this Zoning Code and has not been created by any person presently having an interest in the property;
5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
6. The proposed variation will not impair an adequate supply of light or air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fires, or endanger the public safety, or substantially diminish or impair property values in the neighborhood;
7. The granting of the variation requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures, or buildings of the same zoning classification.

cc: Michelle Forsys – Omega Signs

NEW 48 SQ. FT. STANDARD PYLON SIGN - TACO BELL



SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
 - 100 MPH 3 second gust wind speed per ASCE 7-05 (130 MPH - ASCE 7-10), Category II, Exposure C.
 - 150 PSF per foot of depth allowable lateral soil bearing pressure.
 - Compliant with national building codes and standards (IBC 2009, IBC 2012, AISC 14th Edition, ASCE 7-05, ASCE 7-10, ACI & Aluminum Design Manual).
 - Refer to written documentation for material specifications.

Cabinet

- Extruded aluminum frame, 10" [254mm] deep with 2" [51mm] retainer
- Aluminum painted fillers
- .187 [5mm] pan-formed SG polycarbonate face with debossed reinforcement at main ID face - 2nd surface digitally printed decal backed up with white
- .150 [4mm] pan-formed SG polycarbonate face at breakfast face
- Faces pinned into the retainer with mechanical fasteners as required
- Hingeable access for service

ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- UL & NEC approval required.
- 12V, Class II UL approved system.
- If alternate LED's are used:
 - 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours.
 - Thermally managed surface mount devices (SMD).

Cabinet:

LED(s): (6) AgiLight LS-RTRZ5-084-50K-G3 RetroRayz 500 Light Bars
 (1) AgiLight LS-RTRZ5-060-50K-G3 RetroRayz 500 Light Bar
 (1) AgiLight LS-RTRZ5-036-50K-G3 RetroRayz 500 Light Bar

Power Supply: (7) 12V/60W LED Power Supplies @ 0.9 amps ea.

Total Load: 6.3 amps

Circuits(s): (1) 20 amp-120V



TACO BELL

ADDRESS: 19800 US Rte 20
 CITY/STATE: Marengo, IL
 ZIP: 60152

www.OMEGASIGNCHICAGO.COM
 PHONE 630.237.4397 FAX 630.237.4398

SCALE:	Rev 1	00/00/00	UL NUMBER(S)			ARTIST
NTS	Rev 2	00/00/00	000000	000000	000000	J. Richmond
	Rev 3	00/00/00	000000	000000	000000	CUSTOMER APPROVAL
DATE	Rev 4	00/00/00	000000	000000	000000	DATE
6/14/17	Rev 5	00/00/00	000000	000000	000000	LANDLORD APPROVAL
	Rev 6	00/00/00				DATE
	Rev 7	00/00/00				
001	The customer agrees that Omega Sign & Lighting Inc. will fabricate signs as per the above rendering(s) and customer agrees to all charges to fabricate sign(s) including permit & procurement fees & storage fees. The colors depicted in this rendering are not the exact color matches that will be displayed in the sign(s) construction, exact color swatches for each color can be supplied only upon the owners request.					

FILE PATH: Shared\Client Files\Taco Bell\Taco Bell - NJB Operations\Marengo\Art\Taco Bell - Marengo_2017 Sign_170614.pdf

ELECTRICAL NOTES
 Sign Company DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor or licensed electrician.
 Each sign must have:
 1. A minimum of one dedicated 120V/20A circuit.
 2. Junction box installed within 6 feet of sign.
 3. Three wires, Line, Ground and Neutral.

Copy: Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying the street address only

Directional sign: Any sign that is designed and erected for the purpose of providing direction, instructions, and/or facility orientation for pedestrian and vehicular traffic.

Double-faced sign: A sign with two faces, back to back.

Electrical sign: A sign or sign structure in which directional electrical wiring, connections, or fixtures are used.

Electronic message sign or center: An electrically activated changeable sign whose message changes automatically on a lamp bank or through mechanical means or whose variable message capability can be electronically programmed. This shall not include areas of signs which indicate time and temperature.

Exterior sign: Any sign placed outside a building.

Externally illuminated sign: A sign illuminated by a source of light which is cast upon the surface of the sign to illuminate by reflection of that light.

Face of sign: The surface of the sign, upon, against, or through which the message is displayed or illustrated on the sign.

Facade: The front or main face of a building; the side of a building, the exterior wall of a building exposed to public view.

Flag: A piece of fabric, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, religious or political subdivision.

Flashing sign: A sign in which the illumination intermittently flashes off and on in whole or in part used primarily to attract attention.

Foot candle: A unit of measure for luminance. A unit of luminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Freestanding sign: A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground.

Frontage (building): The length of an exterior building wall or structure of a single premise oriented to the public way or other properties that it faces. (The length of the property line of any one lot along a public right-of-way which it borders.)

activity not conducted, sold or offered upon the premises where the sign is located.

On premise sign: A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

Owner: A person recorded as such on official records.

Painted wall sign: A sign which is directly applied with paint or similar substance on any portion of an exterior building wall, fascia, parapet, chimney, on a fence or fence type wall, retaining wall, bench, fence post, refuse enclosure, utility box, storage shed, bus shelter, satellite dish, antenna or other accessory structure, except wall signs regulated herein.

Parapet: The extension of a false front or wall above a roof line.

Pennant: A temporary sign of lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string.

Permanent sign: A sign or sign structure which is directly affixed to the ground surface or any part of a building or structure.

Pole sign: A sign supported by one upright or brace in or upon the ground surface.

Political sign: A temporary sign intended to advance a political statement, cause or candidate for office and also known as a campaign or election sign. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

Portable sign: Any sign not permanently attached to the ground or to a building or building surface. Usually of a temporary nature, designed to be moved easily and not permanently affixed, including but not limited to: signs to be transported by means of wheels; menu and sandwich boards signs, umbrellas used for advertising; and signs attached to or painted on vehicles or trailers located for the primary purpose of displaying said signs, unless the vehicles are used in the normal day-to-day operations of the business.

Post sign: A sign supported by one upright or brace in or upon the ground surface.

Projecting sign: A sign supported by a building or other structure which projects over any street, sidewalk, alley or public way or public easement, structure or supporting wall. A sign that is affixed perpendicular to a building in such a manner that its leading edge extends more than twelve inches beyond the line of such building or beyond the lot line.

Public right-of-way: Land either owned by or prescribed to the municipality that is used for public purposes, such as streets, sidewalks, utilities or green space. A right-of-way includes all land and improvements located within the property lines of said right-of-way.

Public sign: Any informational sign which is owned or maintained by a local, regional, state or federal government.

Pylon sign: A tall vertical structure on or forming part of a sign. Pylons are not poles, posts or cylindrical in shape.

Real estate sign: A temporary sign erected for purpose of advertising the sale, rental or lease of the premise or property upon which it is located.

Revolving sign: A sign that revolves 360 degrees about an axis.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Roof sign: A sign erected, constructed or maintained in whole or in part upon or over the roof of a building or structure.

Setback: The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

Sign: Any device visible from a public place that displays either commercial or non-commercial messages by means of graphic presentations of alphabetic or pictorial symbols or representations.

Sign area: The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face.

Sign copy: Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

Sign face: The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

Sign structure: Any structure supporting a sign.

Subdivision sign: A sign identifying a recognized subdivision, complex or residential development.

Temporary sign: A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is embedded into the ground, are considered temporary signs.

Vehicle sign: Any advertising or business sign attached to a motor vehicle which is parked or

property, to be removed summarily and without notice. The cost of such removal shall be the responsibility of the owner of such sign. Payment shall be due within 30 days or a lien shall be made against the property.

16.05 NON-CONFORMING SIGNS

A. Signs existing on the effective date of this Chapter (August 25, 2006) and not conforming to its provisions but which were constructed in compliance with previous City ordinances shall be regarded as non-conforming signs. A non-conforming sign shall not be:

1. Changed to another non-conforming sign;
2. Structurally altered as to prolong the life of the sign;
3. Expanded;
4. Re-established after its discontinuance for a period of 30 days;
5. Removed and replaced, or moved in whole or in part to another location, unless the sign and the use thereof, are in conformance with this Chapter;
6. Re-faced or had the copy changed;
7. Re-established after damage or destruction by means, including an act of God, exceeding 50 percent of the estimated value of the sign. For the purpose of establishing a value, all signs will be deemed to have a cost value of \$1,000.00 unless a bill of sale, tax return or a written appraisal by a sign manufacture can prove the value; nor
8. A continued use with a change of business ownership or business lessee for more than 30 days.

B. No such repair, replacement or alteration shall be made to a non-conforming sign unless such repair, replacement or alteration will create a sign that conforms to the provisions of this Chapter. Minor maintenance such as bulb replacement and painting is allowed.

16.06 PROHIBITED SIGNS

The following signs are strictly prohibited everywhere within the City unless the sign was previously permitted by the issuance of a City permit. If the sign was permitted under a previous permit and not currently in compliance with this Chapter, it must comply with the provisions set forth in Section 16.05 Non-Conforming Signs, and, if applicable, the provisions of Section 16.11, Overlay District.

1. Mobile, movable and portable signs not affixed to the ground (e.g. flashing arrow signs);

2. Pennants, flags (other than those described in Section 16.07), streamers, ribbons, strings of lights (except as defined herein), spinners and other similar signs used as attention getters;
3. Signs attached to trees, fences or public utility poles, other than warning signs used by public utilities and entities;
4. Signs placed in any public right-of-way, other than warning signs used by public utilities and entities;
5. Defunct signs, including the support structure(s) that advertise or identify an activity, business, product or service no longer conducted on the premise where such sign is located;
6. Roof-mounted signs;
7. Billboards;
8. Pole signs;
9. Off-premise business signs with the exception of recreational sporting areas;
10. Off-premise real estate signs;
11. Projecting signs (except as permitted herein);
12. Abandoned signs;
13. Animated signs;
14. Signs placed or affixed to vehicles and/or trailers which are parked and visible from the public right-of-way where the apparent purpose is to advertise a product or direct people to a business activity located on the same nearby property. However, this is not in any way intended to prohibit signs placed on, or affixed to, vehicles and trailers, such as permanent lettering on motor vehicles where the sign is incidental to the primary use of the vehicle or trailer;
15. Signs which contain characters, cartoons, statements, works or pictures of an obscene, indecent, prurient or immoral character;
16. Illuminated signs in residential zoning districts (excluding the R-3 Single Family Zoning District);
17. Moving or rotating signs;

street frontage that extends higher than its neighboring building.

- g. No more than one wall sign shall be allowed per business or use per building side.
- h. Multiple unit buildings are allowed a wall sign indicating tenants and individual units. The maximum square footage of the outline of signage containing the individual tenants shall not exceed 25 square feet.

3. **Freestanding Signs:** *→ Permitted Signs* In addition to the sign area allowance, freestanding signs are subject to the following provisions:

- a. Not more than one freestanding sign shall be displayed on any street front of any lot.
- b. Freestanding signs shall not exceed seven feet in height the any business, ORI Office, Research & Light Industrial or M Manufacturing zoning districts. Height is measured from the adjacent "normal" grade to the top of the sign.
- c. No freestanding sign shall be erected closer than 25 feet to any side, corner side or rear lot line.
- d. Freestanding signs shall not portray signs in excess of 85 square feet. In determining sign area, the base of such free standing sign does not count as square footage, providing there are no signs attached to it.
- e. No part of a freestanding sign shall intrude or project over any public right-of-way. All structural supports shall be situated at least 10 feet from any public right-of-way.
- f. All freestanding signs shall be securely constructed and erected. At the discretion of the Building Department, construction plans may be required to be certified by a registered architect or engineer. Such plans will ensure compliance with applicable wind, seismic and snow loads.
- g. Unless the sign is mounted on a concrete base at least three feet in height, any freestanding sign within three feet of a driveway, parking area or maneuvering area shall be completely surrounded by curbing that is not less than three feet from the outermost perimeter of the sign.
- h. All freestanding signs shall be located a minimum of 80 feet apart.

4. **MONUMENT (GROUND) SIGNS:** In addition to the sign area allowance, monument signs are subject to the following provisions:

- a. No part of any monument sign shall intrude into any public-right-of way.

June 7, 2017

Mayor John Koziol
City Hall
132 E. Prairie St.
Marengo, IL 60152

Mr. Joshua Blakemore
Interim City Administrator
City Hall
132 E. Prairie St.
Marengo, IL 60152

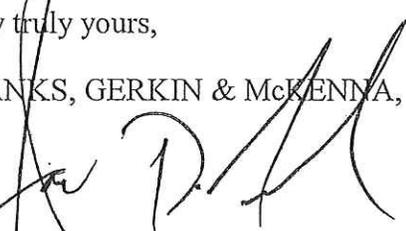
Re: Requested 20' Sign by Taco Bell at 19800 E. Grant Highway, Marengo

Dear Mayor Koziol and Mr. Blakemore:

We represent the landowners at 19809 E. Grant Highway, which is directly across from the newly constructed Taco Bell. My clients recently received a communication from Omega Sign & Lighting regarding the proposed 20' high pylon sign at the subject property. Please let this letter serve as our official objection to the height of the sign which we believe is inappropriate. The signs in the vicinity are approximately 14' high and there is no commercially reasonable reason for a sign to be so much higher than those in the immediate vicinity. My clients object not only on the grounds of aesthetics, but also that the size of the sign could have an adverse affect on the value of their property. I apologize that I cannot be with you at the meeting, as I have an obligation at the County building at the same time. I would be grateful if you would please share these sentiments with the members of the Planning Commission as well as the Trustees.

Very truly yours,

FRANKS, GERKIN & MCKENNA, P.C.



Jack D. Franks

JDF/jlz

REQUEST FOR A VARIANCE AMENDMENT

Instructions to applicant: The purpose of a variance is to provide relief to a property owner when the strict enforcement of the zoning regulations pertaining to lot size, setback, parking requirements, etc., impose an undue hardship on the reasonable use of the land.

Hardship to the applicant is the crucial test. Variations will be granted only to provide relief in unusual situations, which were not intended or foreseen when the Zoning Ordinance was adopted. Economic loss is seldom a unique situation and is generally not considered a valid hardship.

All information requested below must be provided before a hearing will be scheduled.

1. Applicant information:

Name Omega Sign & Lighting, Inc. Telephone # 630-237-4399
Address 100 W. Fay Avenue Addison IL 60101
Street City Zip Code

2. Property interest of applicant:

() Owner () Contract purchaser
() Lessee (X) Other Contractor on behalf of owner

3. Name of owner (if other than applicant):
(attach additional sheets if necessary)

Name Taco Bell / N.J.B Operations Telephone # 847-309-8013
Address 302 Saunders Road Riverwoods IL 60015
Street City Zip Code

4. Location of property:

Street address 19800 Ulysses S. Grant Highway (US 20)

Legal description (lot, block and subdivision): Coral Township, McHenry County
Lot 23, Regub 1-2-3, in Northwest Ctr for Commerce

PIN 17-06-102-006

SEE ATTACHED

5. Present zoning classification of the area: PD (planned Development)

6. Present use of property (if any uses or buildings on the property are non-conforming, so state:
New Construction - restaurant with drive-thru
(Taco Bell)

Request for Special Use Continued

7. Variance request: State exactly what is intended to be done with the property which does not conform with existing zoning regulations:

Wish to add a 20ft. pylon sign. This sign type is comparable to other signs in the area which were grandfathered prior to most recent ordinance update.

8. I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

Michelle L. Lorys

Signature of applicant

5/30/17

Date

Signature of owner (if different than applicant)

Date

DO NOT WRITE IN THIS SPACE- FOR OFFICE USE ONLY

Date of hearing _____ PIN _____

Notice published on _____ Zoning _____

Newspaper _____ Fee paid _____ Check # _____

Action by Planning and Zoning Commission: _____ Date _____

Denied _____ Approved _____ Approved with modification by Commission _____

Comments: (indicate other actions such as continuance) _____



7
②/03

WARRANTY DEED
②

JOSEPH J. TIRIO
RECORDER-MCHENRY COUNTY, IL

2017R0011151

03/30/2017 10:41AM PAGES 2

RECORDING FEE 26.00

GIS FEE 15.00

STATE STAMP FEE 375.00

COUNTY STAMP FEE 187.50

RHSPS HOUSING FEE 9.00

STATE & COUNTY TAX	STATE OF ILLINOIS MAR. 30. 17 	REAL ESTATE TRANSFER TAX
	MC HENRY COUNTY	0056250 FP351004

0000020373

THIS INDENTURE WITNESSETH, that the GRANTOR

FUND 601, LLC,
an Illinois limited liability company

for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, CONVEYS and WARRANTS to:

NJB Operations, Inc., an Illinois corporation

THE PROPERTY COMMONLY KNOWN AS: 19800 U.S. Route 20, Marengo, Illinois 60152

PROPERTY CODE: 17-06-102-006

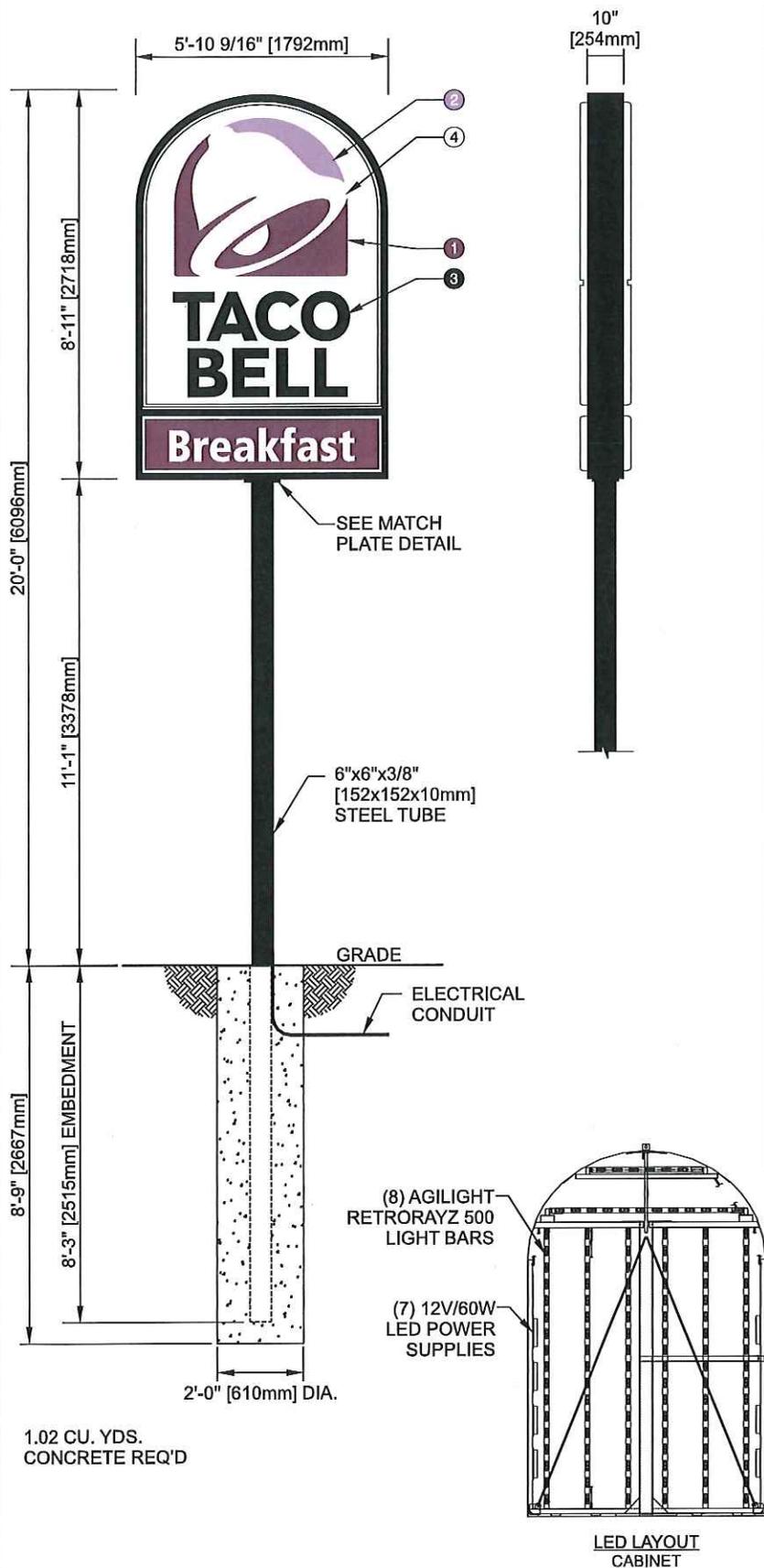
AND LEGALLY DESCRIBED AS:

Lot Twenty-three (23) in the Final PUD Plat of Resubdivision of Lots 1, 2 & 3 in Northwest Center for Commerce, being a subdivision of part of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 31, Township 44 North, Range 6 and Part of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section 6, Township 43 North, Range 6, East of the Third Principal Meridian, according to the plat of Resubdivision recorded August 23, 2013 as Document No. 2013R0041916, in McHenry County, Illinois; situated in the County of McHenry and State of Illinois;

Subject to Real Estate Taxes for 2016 and subsequent years and all easements, covenants and restrictions of record.

Dated this 21st day of March, 2017.

TUA MM242937COM



SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 100 MPH 3 second gust wind speed per ASCE 7-05 (130 MPH - ASCE 7-10), Category II, Exposure C.
- 150 PSF per foot of depth allowable lateral soil bearing pressure.
- Compliant with national building codes and standards (IBC 2009, IBC 2012, AISC 14th Edition, ASCE 7-05, ASCE 7-10, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Cabinet

- Extruded aluminum frame, 10" [254mm] deep with 2" [51mm] retainer
- Aluminum painted fillers
- .187 [5mm] pan-formed SG polycarbonate face with debossed reinforcement at main ID face - 2nd surface digitally printed decal backed up with white
- .150 [4mm] pan-formed SG polycarbonate face at breakfast face
- Faces pinned into the retainer with mechanical fasteners as required
- Hingeable access for service

ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- UL & NEC approval required.
- 12V, Class II UL approved system.
- If alternate LED's are used:
 - 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours.
 - Thermally managed surface mount devices (SMD).

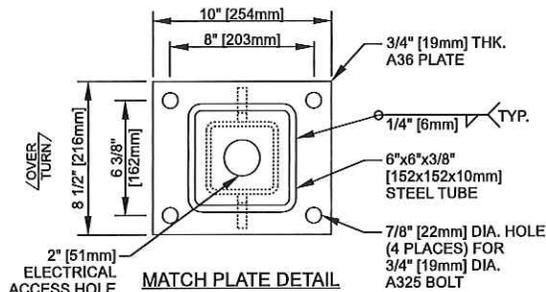
Cabinet:

- LED(s):**
- (6) AgiLight LS-RTRZ5-084-50K-G3 RetroRayz 500 Light Bars
 - (1) AgiLight LS-RTRZ5-060-50K-G3 RetroRayz 500 Light Bar
 - (1) AgiLight LS-RTRZ5-036-50K-G3 RetroRayz 500 Light Bar

Power Supply: (7) 12V/60W LED Power Supplies @ 0.9 amps ea.

Total Load: 6.3 amps

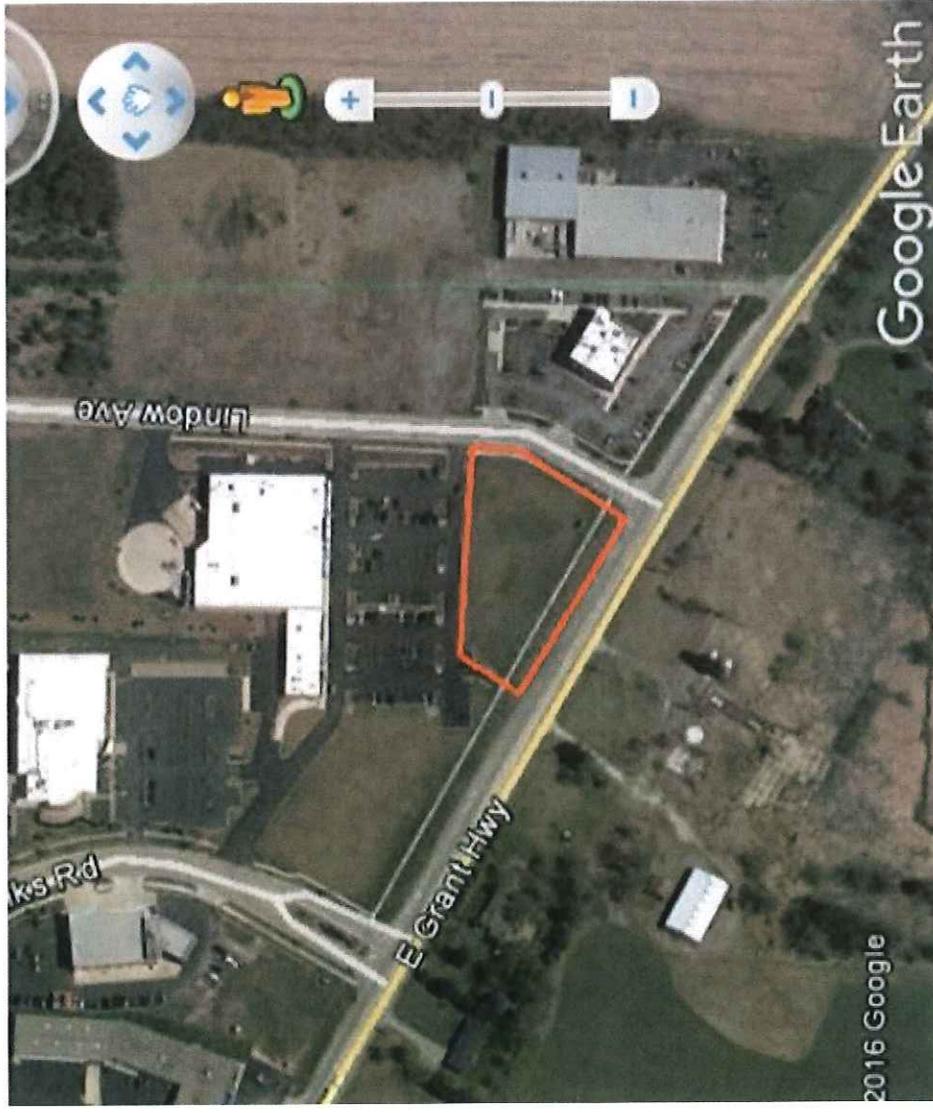
Circuits(s): (1) 20 amp-120V

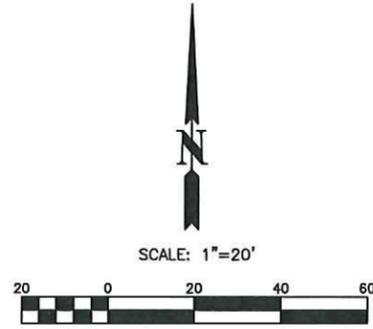


PARTICULAR CARE SHALL BE TAKEN TO PROVIDE SUFFICIENT PREHEAT OF THE THICKER ELEMENT FOR THE SOUNDNESS OF THE WELD. OTHERWISE, USE 1/4" [6mm] MIN. WELD

GRAPHIC & COLOR SPECIFICATIONS:

COLOR	PANTONE	PAINT
① Dark Purple	PMS 2603C	
② Light Purple	PMS 2577C	
③ Black	Pantone Black	
④ White	Pantone White 3M 3630-20	SW2123
⑤ TB Bronze Tiger Drylac	49-66230 C33	





SPECIAL NOTE:
Existing grades and improvements are shown from the best information available and must be verified in the field by the contractor prior to the start of construction. Any discrepancy with the plan shall be immediately reported to the engineer.

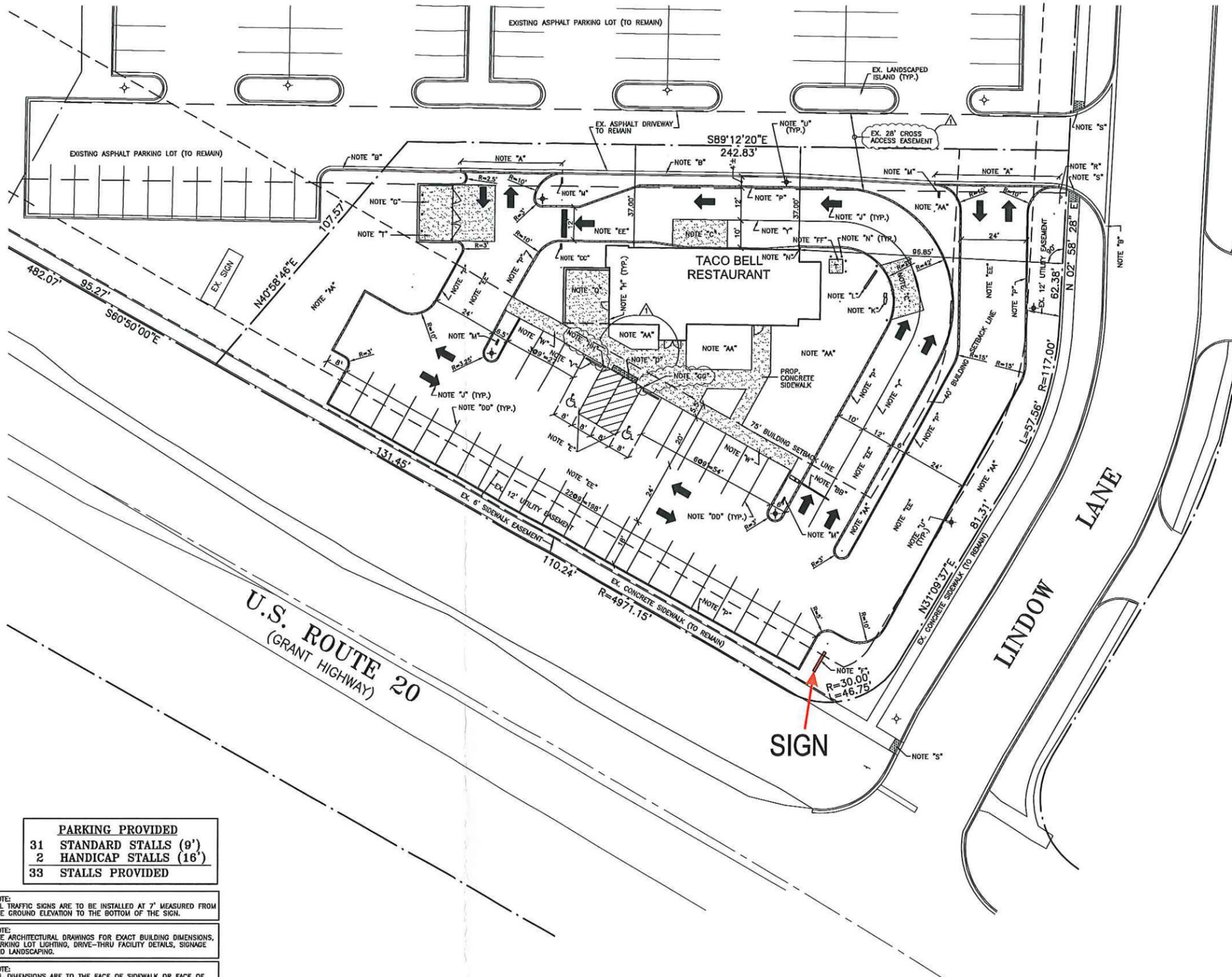
OPERATES 24 HOURS 365 DAYS
CALL JULIE 1-800-892-0123
WITH THE FOLLOWING:
COUNTY: MICHENRY
CITY-TOWNSHIP: MARENGO
SEC. & 1/4 SEC. NO.: NW1/4 8-43-8
48 HOURS BEFORE YOU DIG
EXCLUDING SAT., SUN. & HOLIDAYS

- NOTE "A": SAW CUT AND REMOVE EXISTING BARRIER CONCRETE CURB AND GUTTER ACROSS PROPOSED DRIVEWAYS AS INDICATED. REPLACE WITH NEW DEPRESSED CONCRETE CURB AND GUTTER ACROSS THE PROPOSED DRIVEWAYS, MATCHING EXISTING CURB AND GUTTER. NEW FLOW LINE SHALL MATCH EXISTING FLOW LINE.
- NOTE "B": EXISTING BARRIER CONCRETE CURB AND GUTTER TO REMAIN.
- NOTE "C": CONCRETE PAVEMENT FOR DRIVE-THRU PAD SHALL BE 30' LONG AND SHALL BE MINIMUM OF 3,500 P.S.I. AIR ENTRAINED CONCRETE, 8" THICK, 5' DIA. BAY WITH 5'-0" x 2'-0" W.W.P. ON 6" CA-8 CRUSHED STONE BASE ON COMPACTED SUBGRADE (TYP.). SURFACE TO RECEIVE BROOM FINISH AND ONE SEAL COAT.
- NOTE "D": CONSTRUCT NEW HANDICAP RAMP IN ACCORDANCE WITH ALL CITY, STATE AND ADA REQUIREMENTS (TYPICAL). RAMP SHALL HAVE 24" WIDE RED TRUNCATED DOME DETECTABLE WARNING SURFACE. (SEE DETAIL).
- NOTE "E": PROPOSED HANDICAPPED PARKING STALL WITH PAINTED SYMBOL AND POLE SIGN MEETING ALL STATE OF ILLINOIS AND ADA REQUIREMENTS.
- NOTE "F": SITE IDENTIFICATION SIGN. SEE ARCHITECTURAL DRAWINGS.
- NOTE "G": PROPOSED TRASH ENCLOSURE. SEE ARCHITECTURAL DRAWINGS FOR DETAILS AND DIMENSIONS.
- NOTE "H": WHERE CONCRETE WALK OR PAVEMENT IS ADJACENT TO FOUNDATION WALL, INSTALL COMPRESSIBLE FILLER (3/4" MAXIMUM) BETWEEN PAVEMENT AND FOUNDATION WALL. CUT BACK AND PROVIDE SEALANT AT BUILDING WALL.
- NOTE "I": PROPOSED PAINTED TRAFFIC ARROW (TYP.).
- NOTE "J": PROPOSED SPEAKER POST AND CANOPY. SEE ARCHITECTURAL DRAWINGS.
- NOTE "K": PROPOSED MENU BOARD. SEE ARCHITECTURAL DRAWINGS.
- NOTE "L": PROPOSED DIRECTIONAL SIGN. SEE ARCHITECTURAL DRAWINGS.
- NOTE "M": PROPOSED PIPE BOLLARD.
- NOTE "N": PROPOSED CONCRETE PARKING LOT CURB.
- NOTE "O": PROPOSED COVERED CONCRETE PATIO WITH TABLES. SEE ARCHITECTURAL DRAWINGS.
- NOTE "P": EXISTING TRAFFIC SIGN TO REMAIN.
- NOTE "Q": EXISTING HANDICAPPED RAMP TO REMAIN.
- NOTE "R": CONCRETE PAVEMENT FOR TRASH ENCLOSURE AND APRON SHALL CONSIST OF 8" THICK CONCRETE REINFORCED WITH 5'-0" x 2'-0" W.W.P. ON 6" CA-8 CRUSHED STONE BASE ON COMPACTED SUBGRADE.
- NOTE "S": PROPOSED LIGHT POLE (TYP.). SEE ARCHITECTURAL DRAWINGS.
- NOTE "T": PROPOSED CONCRETE PARKING LOT BUMPER (TYP.).
- NOTE "U": PROPOSED PERIMETER TYPE CONCRETE SIDEWALK. SEE DETAIL, SHEET C-8.
- NOTE "V": PROPOSED 6" WHITE PAINTED LINE.
- NOTE "W": NOT USED.
- NOTE "X": PROPOSED LANDSCAPED AREA. SEE LANDSCAPING DRAWINGS.
- NOTE "Y": PROPOSED CLEARANCE BAR. SEE ARCHITECTURAL DRAWINGS.
- NOTE "Z": PROPOSED RS-1 24"x24" "DO NOT ENTER" SIGN MOUNTED ON METAL POST.
- NOTE "AA": PROPOSED PAVEMENT STRIPING (TYP.).
- NOTE "AB": PROPOSED ASPHALT PAVEMENT. SEE DETAIL, SHEET C-8.
- NOTE "AC": PROPOSED CONCRETE PAD FOR ELECTRICAL TRANSFORMER. SEE ELECTRICAL DRAWINGS.
- NOTE "AD": PROPOSED HANDICAPPED PARKING SIGN.
- NOTE "AE": PROPOSED HANDICAPPED PARKING SIGN WITH A "VAN ACCESSIBLE" SIGN MOUNTED IMMEDIATELY BELOW THE ACCESS SYMBOL SIGN, IN COMPLIANCE WITH ADA REQUIREMENTS.

PARKING PROVIDED
31 STANDARD STALLS (9')
2 HANDICAP STALLS (16')
33 STALLS PROVIDED

- NOTE: ALL TRAFFIC SIGNS ARE TO BE INSTALLED AT 7' MEASURED FROM THE GROUND ELEVATION TO THE BOTTOM OF THE SIGN.
- NOTE: SEE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS, PARKING LOT LIGHTING, DRIVE-THRU FACILITY DETAILS, SIGNAGE AND LANDSCAPING.
- NOTE: ALL DIMENSIONS ARE TO THE FACE OF SIDEWALK OR FACE OF CURB UNLESS OTHERWISE NOTED.

PAVEMENT MARKING (STRIPING) FOR PARKING LOTS
A. After paving operations are completed, or when directed by the General Contractor, marking as designated on the drawings may proceed. Marking shall consist of 4" wide lines configured as indicated on drawings, in "Traffic Yellow" color. Traffic paint shall be manufactured by Sherwin Williams, or approved equal. Apply in strict conformance with manufacturer's instructions.
B. Paint striping work shall include painting of International handicap symbol at designated parking for handicapped, as indicated on drawings.
C. Protect area against traffic for at least 48 hours after application of striping.



CIVIL ENGINEERS SITE PLANNERS LAND SURVEYORS
NORTHWESTERN ENGINEERING CONSULTANTS, P.C.
675 N. NORTH COURT PALATINE, ILLINOIS 60067 (847) 520-8410
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002695 EXP. 4-30-17

SITE PLAN
TACO BELL RESTAURANT
19800 U.S. ROUTE 20
MARENGO, ILLINOIS

NO.	DATE	REVISION PER CITY REVIEW	DESCRIPTION
1	12-12-16		

DRAWN BY: KRL
CHECKED BY: DMH
DATE: 10-28-16
SCALE: 1"=20'
DRAWING NO. C-2
JOB NO. 16-21