

APPROVING A SPECIAL USE PERMIT FOR A TWO-TENANT BUILDING WITH A RESTAURANT DRIVE-THROUGH FACILITY IN ONE-HALF OF THE BUILDING ON PROPERTY ZONED "GC" GENERAL COMMERCIAL AND LOCATED AT 1101 WEST LINCOLN HIGHWAY, DEKALB ILLINOIS.

WHEREAS, Pearl Street Commercial, LLC has filed a petition with the City Clerk of the City of DeKalb, Illinois, for a special use permit allowing variances on signage, parking lot setbacks into the landscaping buffer and to approve a Special Use Permit to allow the use of the property in part as a restaurant with a drive through facility on property zoned "GC" General Commercial and located at 1101 West Lincoln Highway; and,

WHEREAS, the DeKalb Planning and Zoning Commission held a Public Hearing and reviewed the request on June 27, 2012 and recommended conditional approval of the special use permit by a vote of 4-0, subject to conditions; now,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

Section 1. That a Special Use Permit allowing variances on signage, parking lot setbacks into the landscaping buffer and to approve a Special Use Permit to allow the use of the property in part as a restaurant with a drive through facility on property zoned "GC" General Commercial and located at 1101 West Lincoln Highway, be approved conditional upon the following:

1. A full engineering plan, signage plan and architectural plans shall be submitted for review and approval by the appropriate City departments prior to the issuing of any building permits.
2. The modification of one monopole sign, as indicated in the signage plan, shall be approved, provided that such sign does not increase any dimensional nonconformity. Such approved sign shall more closely conform with current regulations by skirting and landscaping the base of the sign.
3. The Petitioner shall amend the building elevations to utilize the three differing elements around four sides of the building by including the darker hardiboard and cement board elements on all building face to break up the expense of the brick veneer and aluminum glass system. Revised elevations of the building shall be submitted to evidence compliance with this requirement, with such elevations being subject to review and approval by the Principal Planner.
4. The landscape plan submitted in the background materials is hereby approved, including a waiver of the landscaping buffer requirement.

5. The Petitioner shall reduce the lettering sets to fifteen (15") inches shown in the signage plan and not allow more than two (2) wall signs that meet the current UDO ratio for wall signage which would not exceed 55.45 square feet.
6. The Petitioner shall be allowed one projecting sign on west building elevation to extend no further than 48" away from building face.
7. This Special Use Permit approval shall require removal of Automated Teller Machine (ATM) unless petitioner can demonstrate how site plan can be modified to accommodate the UDOs requirement for such machine, to the satisfaction of the Principal Planner.
8. Any deviations to the layout of the site, size of the building, signage, landscaping or conditions of approval must be resubmitted to the Planning and Zoning Commission and City Council for approval as an amendment to this special use permit.

Section 2. That all provisions of the Unified Development Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage and approval according to law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a regular meeting, held on the 10th day of December, 2012 and approved by me as Mayor on the same day. First reading held July 9, 2012. Passed in Second reading by roll call vote 7-1. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, Povlsen. Nay: O'Leary.

ATTEST:



DIANE K. WRIGHT, City Clerk



KRIS POVLSEN, Mayor

