

**Memorandum
Community and Economic Development
Department**

**To: Thomas Thomas, City Manager
Subject: Special Use Permit Amendment Request for
3055 38th Street
Date: June 29, 2016**



Richard Lopez has filed an application for an amendment to an approved Special Use Permit for a neighborhood café and bakery at 3055 38th Street, zoned O-1 (office) district. The amendment is to change the name from the previous operator (Christine Thompson) to Mr. Lopez and to amend the business hours from the hours listed on the attached previous ordinances to the following: 6:00 a.m. to 10:00 p.m., Tuesday, Wednesday, Thursday and Sunday and 6:00 a.m. to 11:00 p.m., Friday and Saturday in an attempt to pick up customers after high school night football games. The outside dining on the patio is also proposed to be until 8:00 p.m. for each day.

Nature of the Proposed Use:

The property has a long history of approved Special Use Permits since 2001 when it was first approved for a gift shop. In 2008 Ms. Thompson purchased the property and received her Special Use Permit to allow the café and bakery with indoor and outdoor seating, up to 5 employees with hours from 7:00 a.m. to 7:00 p.m., seven days a week. The original ordinance allowed 11 outdoor tables and 10 indoor tables and, 19-space parking lot, drive thru lane at the northeast corner of the property and reuse of a 14 square-foot freestanding sign (see attached original ordinance).

In January 2009 she obtained an amendment to expand to 7 employees and allow a larger new lighted freestanding sign. A second amendment in May 2009 was also approved to expand the business hours to 6:00 a.m. to 8:00 p.m., Monday through Friday, 8:00 a.m. to 8:00 p.m. on Saturdays and 10:00 a.m. to 6:00 p.m. on Sundays. Ms. Thompson closed her business this past spring.

Mr. Lopez is interested in continuing the neighborhood café and bakery maintaining the employment level at up to 7 people and reusing the lighted freestanding sign. He will also maintain the same level of outside and inside seating, parking lot and drive thru window at the northeast corner of the structure. As previously indicated he is requesting an amendment to expand the indoor seating hours to up to 10:00 p.m. on Tuesday, Wednesday, Thursday and Sunday nights and until 11:00 p.m. on Friday and Saturday nights (outside seating will be maintained at the 8:00 p.m. time limit on all nights).

Analysis:

Staff believes that the proposed amendments meet all seven conditions for approving a Special Use Permit identified in the Zoning Ordinance as there is adequate parking on the site and the changes will not have a detrimental effect on the public health, safety, and welfare or property values on the area.

Staff believes that the proposed indoor seating business hours until 10:00 p.m. are reasonable for the nights identified, but that the Friday and Saturday night amendment to extension of

indoor seating hours until 11:00 p.m. be stipulated to be only be allowed when when there are home high school football games in Rock Island.

Legal Description of Property:

The west 120 of Lot A of Saukenauk Lane Addition to the City of Rock Island, also known as 3055 38th Street, Rock Island, Illinois.

Recommendation:

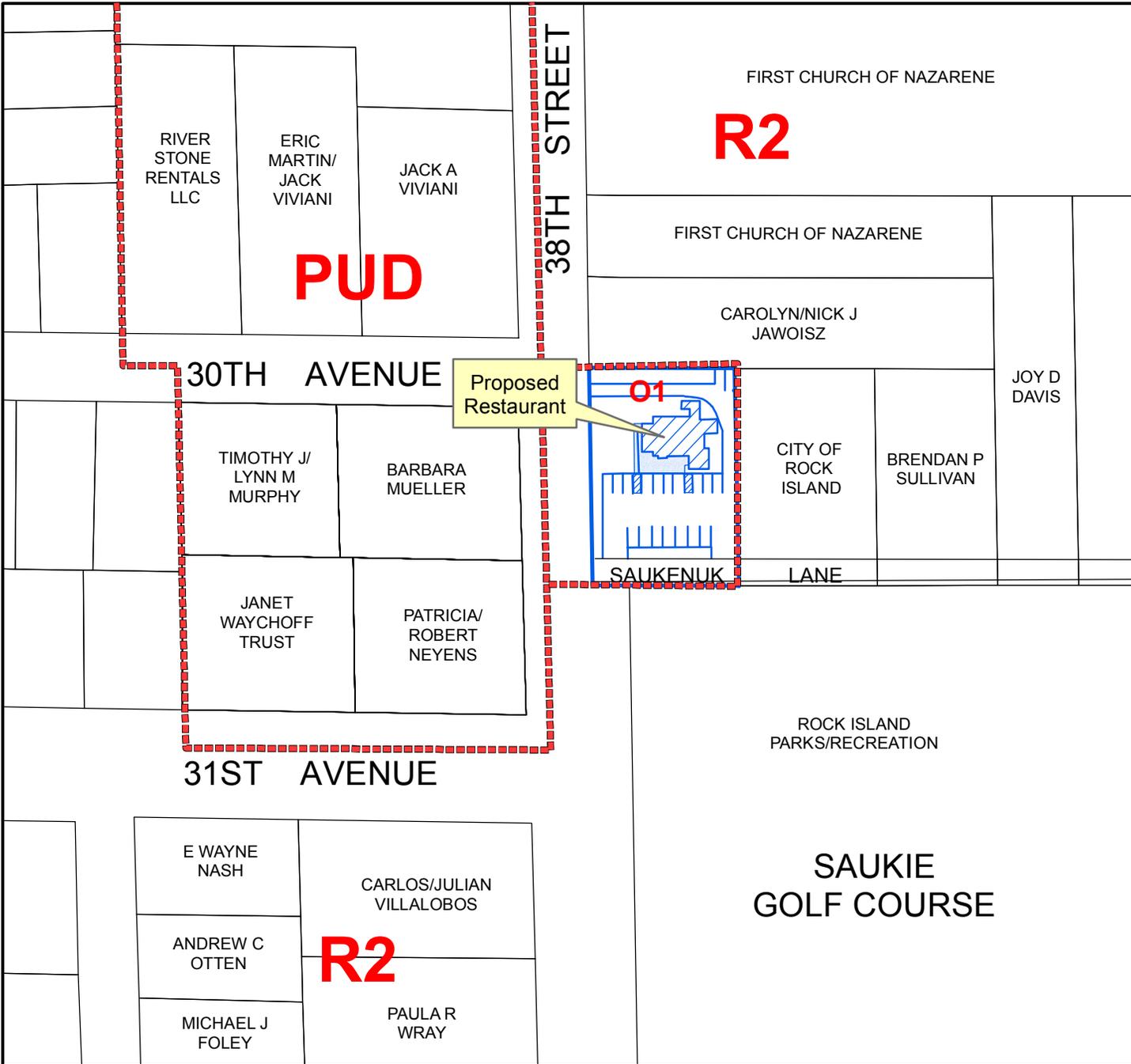
That the request to change the ownership be approved because it will not have a negative effect on the character of the adjacent neighborhood.

Staff also recommends the request to extend Tuesday, Wednesday, Thursday and Sunday night indoor seating business hours until 10:00 p.m. be approved and that Friday and Saturday night indoor seating hours also be approved until 11:00 p.m., but only on nights there are Friday or Saturday home high school football games in Rock Island because it will not have a negative effect on the character of the neighborhood.

Submitted by: Alan Fries, Urban Planner II
Ben Griffith, Planning and Redevelopment Administrator
Jeff Eder, Community and Economic Development Department Director

Approved by: Thomas Thomas, City Manager

SPECIAL USE PROPOSAL



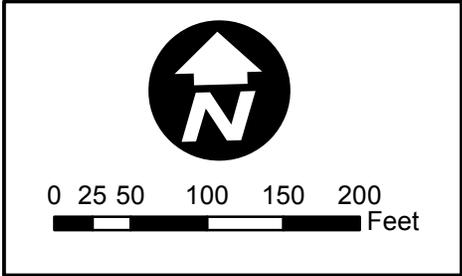
SPECIAL USE PROPOSAL
2016-6

Legend

- R2 zoning district
- subject property
- zoning line

DR. BY: K.G.D.

APPR. BY: B.G./A.F.

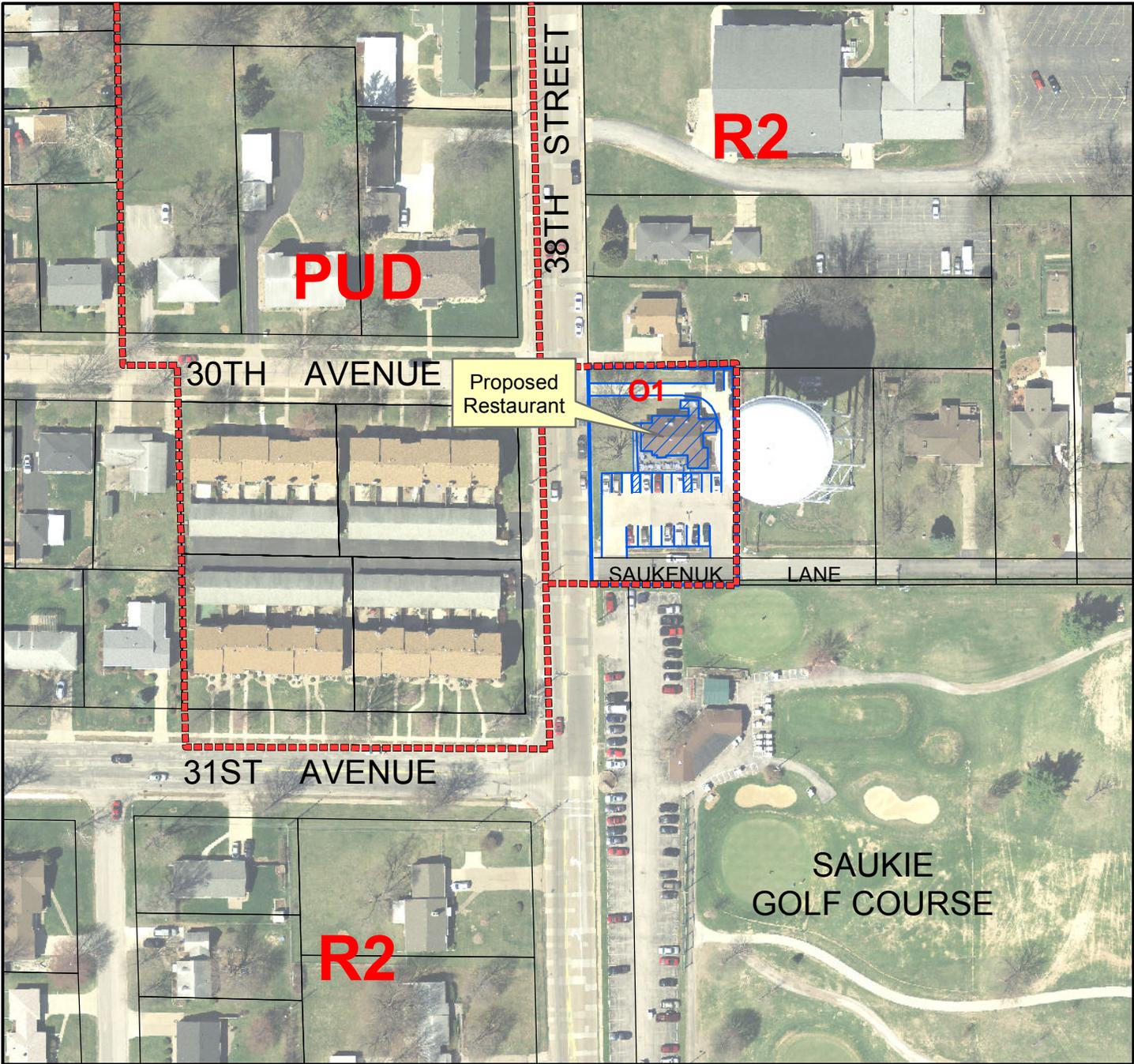


City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment

ROCK ISLAND
ILLINOIS

SPECIAL USE PROPOSAL



SPECIAL USE PROPOSAL
2016-6 Aerial Legend

- R2** zoning district
-  subject property
-  zoning line

DR. BY: K.G.D.
APPR. BY: B.G./A.F.


0 25 50 100 150 200 Feet

City of Rock Island
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment



ORDINANCE NO. 043-2008

**A SPECIAL ORDINANCE AMENDING A SPECIAL ORDINANCE
GRANTING A SPECIAL USE PERMIT FOR 3055 38th STREET
IN THE CITY OF ROCK ISLAND, ILLINOIS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. A special ordinance amending a special ordinance granting a special use permit to operate a neighborhood bakery and cafe at 3055 38th Street, in the City of Rock Island, Illinois, shall and is hereby granted to Chris Thompson and Karen Ganzer, said property being legally described as:

The west 120 feet of Lot A of Saukenuk Lane Addition to the City of Rock Island,
also known as 3055 38th Street, Rock Island, Illinois.

Section Two. Said permit be and is hereby subject to the following stipulations:

1. Hours of operation are limited from 7:00 a.m. to 7:00 p.m., seven days a week;
2. The business is limited to five employees;
3. Seating is limited to 11 outdoor tables and ten indoor tables (seating for 64 people);
4. Parking areas with a total of 19 spaces be provided (13 spaces in expanded parking lot, four parallel spaces along east property line and two pull-in spaces at the northeast corner of property);
5. Drive thru lane be allowed along the east and north property lines with drive thru window at northeast corner of structure;
6. Re-use of 14 square foot lighted freestanding sign be allowed;
7. The property shall meet all applicable code requirements.

Section Three. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Four. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.


MAYOR OF THE CITY OF ROCK ISLAND

PASSED: June 2, 2008

APPROVED: June 3, 2008

AYES: Alderman Brooks
Conroy
Pauley
Tollenaer
Mejia-Caraballo
Murphy
Austin

ATTEST: 
CITY CLERK

NAYS: NONE

A SPECIAL ORDINANCE AMENDING A SPECIAL ORDINANCE
GRANTING A SPECIAL USE PERMIT FOR 3055 38th STREET
IN THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. A special ordinance amending a special ordinance granting a special use permit for a neighborhood bakery and cafe at 3055 38th Street, in the City of Rock Island, Illinois, be and is hereby amended to include the following changes to the stipulations:

1. The business is limited to seven employees;
2. That a 27 square foot lighted freestanding sign be allowed to replace the existing sign located in the west front yard. The sign will be lit by two floodlights.

Section Two. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Three. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____
CITY CLERK

ORDINANCE NO. 073-2009

**A SPECIAL ORDINANCE AMENDING A SPECIAL ORDINANCE
GRANTING A SPECIAL USE PERMIT FOR 3055 38th STREET
IN THE CITY OF ROCK ISLAND, ILLINOIS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND,
ILLINOIS:

Section One. A special ordinance amending a special ordinance granting a special use permit for a neighborhood bakery and cafe at 3055 38th Street, in the City of Rock Island, Illinois, be and is hereby amended to include the following changes to the stipulations:

1. Hours of operation shall be as follows:

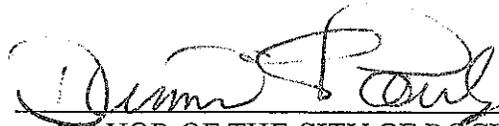
6:00 a.m. to 8:00 p.m. Monday through Friday.

8:00 a.m. to 8:00 p.m. on Saturday.

10:00 a.m. to 6:00 p.m. on Sunday.

Section Two. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Three. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.



MAYOR OF THE CITY OF ROCK ISLAND

PASSED: November 2, 2009

AYES: Alderman Brooks
Conroy
Tollenaer
Jones
Murphy
Austin

APPROVED: November 3, 2009

ATTEST:


CITY CLERK

ABSENT: Foley

NAYS: NONE