



City of Galena, Illinois

AGENDA

ZONING BOARD OF APPEALS

WEDNESDAY, MAY 10, 2017
6:30 P.M. – CITY HALL 101 GREEN STREET

ITEM	DESCRIPTION
17Z-2001	Call to Order by Presiding Officer
17Z-2002	Roll Call
17Z-2003	Establishment of Quorum

APPROVAL OF MINUTES

ITEM	DESCRIPTION	PAGE
17Z-2004	Approval of the Minutes of the Regular Meeting of April 12, 2017	3-15

UNFINISHED BUSINESS

ITEM	DESCRIPTION	PAGE
17S-18	Karl & Angela Stodden - Request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District at 102 Third Street. Ratification of Findings of Fact.	16-19
17S-19	Cynthia Jacobson - Request for Special Use Permit to allow Accommodations, Vacation Rental – Single Room in the Low Density Residential District at 713 South Bench Street. Ratification of Findings of Fact.	20-23

NEW BUSINESS

ITEM	DESCRIPTION	PAGE
17PD-01	History Museum – Request for Preliminary Plan approval and Rezoning for a Planned Unit Development with an underlying district of Medium Density Residential to allow Construction of a new Museum at 513-517 Bouthillier Street. ***PUBLIC HEARING***	24-45
17S-21	Raechelle & Ikhlas Ahmed – Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District at 219 South Main Street. ***PUBLIC HEARING***	46-50

17S-22	Andresen Family Trust – Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District at 221 South Main Street. ***PUBLIC HEARING***	51-55
17S-23	Sean & Amy Loberg – Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District at 304 South Main Street. ***PUBLIC HEARING***	56-60

OTHER BUSINESS

ITEM	DESCRIPTION	PAGE
17Z-2005	Public Comments <ul style="list-style-type: none"> • Not to exceed 15 minutes as an agenda item • Not more than 3 minutes per speaker 	
17Z-2006	Adjournment	

CALENDAR INFORMATION

BOARD/COMMITTEE	DATE	TIME	PLACE
Zoning Board of Appeals	Wed. June 14, 2017	6:30 P.M.	City Hall, 101 Green Street

Posted: May 7, 2017 at 11:00 a.m. Posted By: Matt Oldenburg

**MINUTES
ZONING BOARD OF APPEALS
APRIL 12, 2017**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday April 12, 2017 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Present
Bochniak	Present
Cook	Present
Holman	Present
Jansen	Present
Nybo	Present
Rosenthal	Present

A quorum was declared.

Zoning Administrator Matt Oldenburg, City Attorney Joe Nack and Secretary Deb Price were also present.

APPROVAL OF MINUTES

MOTION: Cook moved, seconded by Bochniak to approve the March 8, 2017 minutes.

Motion carried on voice vote.

UNFINISHED BUSINESS

Cal. No. 17S-12, Applicant: Raymond Pace, LLC, 505 Aurora Avenue, Boulder, CO 80302 and Owner: Richard Hess & Elizabeth Boggess, 116 South Bench Street, Galena, IL 61036. Location: Parcel: 22-100-060-03, Part of Lots 38 & 39, Lots between Main & Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 116 South Bench Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

MOTION: Jansen moved, seconded by Bochniak to ratify the Findings of Fact as presented.

As Roll Call was:

Bochniak	Yes
Cook	Yes
Holman	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Rosenthal	Yes

Motion carried.

Cal. No. 17S-13, Applicant: William Deiter, 314 Third Street, Galena, IL 61036 and Owner: WK Development LLC, 301 North Main Street, Galena, IL 61036. Location: Parcel: 22-100-382-00, North 83' 7" of Lot 43, Northwest part of Lot 42, Center Addition, Galena, Jo Daviess County, Illinois. Common Address is 301-303 North Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

MOTION: Baranski moved, seconded by Bochniak to ratify the Findings of Fact as presented based on the criteria, conclusions and determination of those set forth in Cal. No.17S-12.

As Roll Call was:

Cook	Yes
Holman	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Bochniak	Yes
Rosenthal	Yes

Motion carried.

Cal. No. 17S-16, Applicant and Owner: Kouz Properties, LLC, 242-246 North Main Street, Galena, IL 61036. Location: Parcel: 22-100-119-00, S ½ of Lot 5 and Lot 7, Block C, Lots in Wedge, Galena, Jo Daviess County, Illinois. Common Address is 242-246 North Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District

MOTION: Cook moved, seconded by Bochniak to ratify the Findings of Fact as presented based on the criteria, conclusions and determination of those set forth in Cal. No.17S-12.

As Roll Call was:

Holman	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Bochniak	Yes
Cook	Yes
Rosenthal	Yes

Motion carried.

Cal. No. 17S-14, Applicant and Owner: Aaron Johnson, 107 North West Street, Galena, IL 61036. Location: Parcel: 22-100-836-00, Part of Lots 1 & 3, Block 21, Original Lots, Galena, Jo Daviess County, Illinois. Common Address is 107 North West Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District.

MOTION: Jansen moved, seconded by Holman to ratify the Findings of Fact as presented.

As Roll Call was:

Jansen	Yes
Nybo	Abstain
Baranski	Abstain
Bochniak	Yes
Cook	Yes
Holman	Yes
Rosenthal	Yes

Motion carried

Cal. No. 17S-15, Applicant and Owner: Mark Schlenker, 301 South High Street, Galena, IL 61036. Location: Parcel: 22-100-625-00, Lots 2, 4, East 50' of Lot 1 and East ¼ of Lot 3, Block 8, Original Lots, Galena, Jo Daviess County, Illinois. Common Address is 301 South High Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District.

MOTION: Bochniak moved, seconded by Cook to ratify the Findings of Fact as written based on the criteria, conclusions and determination of those set forth in Cal. No.17S-14.

As Roll Call was:

Nybo	Abstain
Baranski	Yes
Bochniak	Yes
Cook	Yes
Holman	Yes
Jansen	Yes
Rosenthal	Yes

Motion carried.

NEW BUSINESS

Cal. No. 17HCO-01, Applicant and Owner: Matthew & Michael Blaum (Bros.), 9380 U.S. Highway 20 West, Galena, IL 61036. Location: Parcel: 06-500-505-00, Lot 1 of the Jackson Family Subdivision, Section 21, Township 28 North, Range 1 East of the Fourth Principal Meridian, Galena, Jo Daviess County, Illinois. Common Address is 9380 U.S. Highway 20 West, Galena, IL 61036. Request for Highway 20 Development Permit to construct a new building and site improvements. PUBLIC HEARING

Baranski asked Chairperson Rosenthal to allow him to recuse himself from this agenda item as he is involved with the project.

Motion carried on voice vote.

Nack swore in those wishing to testify at this public hearing.

Matt Blaum and Mike Blaum 9380 US Highway 20 West Galena said they would like to expand the building as shown on the submitted site plans. They need storage space and they want to improve the aging parking lot.

Nybo asked about heat for the new space.

Blaum said there would be no heat or insulation in the space - the aging process benefits from natural temperature fluctuations.

Nybo asked about evaporation – are they losing alcohol or water.

Blaum said in this climate you lose more water. In more humid climates you would lose more alcohol.

Nybo asked if there are odors associated with this.

Blaum said there should be no outdoor odors with evaporation – inside the building there is some smell associated with the evaporation.

Rosenthal asked about their current storage.

Blaum said they do have barrels on site.

Rosenthal asked if there had been any odor complaints.

Oldenburg said there had been no odor complaints.

Nybo asked about the ability of the trucks to move around the entire building – would there be large units making deliveries or idling at all hours of the day and night

Blaum said they do not have deliveries outside of business hours which are either 10-5 or 10-7. Trucks are on premise only during business hours and they have a semi come in once every ten days or so. The employees who operate the fork lifts only work Monday through Thursday until 4:30 – deliveries are during that time. The main reason they are asking to reroute traffic is for the safety of the trucks pulling out onto the highway. Often trucks have to pull onto the shoulder or are partially on the highway and in the parking lot entrance.

Rosenthal asked about cold shipping. Are there refrigeration trucks that sit on sight for long periods of time.

Blaum said there are not. The longest a truck would be on site would about 30 minutes, but usually 10-15 minutes is sufficient.

Jim Baranski, 1015 South Bench Street Galena said the distance between the two buildings was originally planned as 20 feet, 1 inch but it has been moved back another 3-4 inches. There is a breezeway link so in a way this is an addition. They would like to keep the distance about 20 feet so they can make use of the solar gain and natural light as they may not install much of a lighting system.

Bochniak asked about rainfall and drainage.

Baranski said something like a swale will be utilized – the plan is to find the best possible way to manage the runoff.

Jansen asked if IDOT had given permission for the entry.

Baranski said IDOT is reviewing for approval and there is an alternate plan. The two entrances would help with the truck traffic. The proposed large shoulder should help with vehicles turning into the lot.

Rosenthal asked if anyone else wanted to testify in favor of the request.

No one came forward.

Rosenthal asked those who wished to testify against the request to come forward.

Lisa Monterastelli 9472 Apollo Court Galena said she lives kitty corner from the distillery. She moved into the house five years ago – it was a peaceful neighborhood. A second-hand store occupied the distillery space. She was never notified that the distillery was moving to this site. The brewery sits higher than her home so it is extremely noisy especially with the two large industrial fans they utilize. Matt Oldenburg has measured the

noise level but it seems that it is within acceptable levels for Galena standards. She and her neighbors certainly do not want this. They put up with pungent odors during the warm summer months. She has spoken with the Blaum's about these issues and they seem very unaccommodating. The use is not appropriate for this area. She doesn't want to see, hear or smell the distillery.

Holman asked if she had any recommendations for parking.

Monterastelli said vehicles should face the building not her property. The installation of fence panels would be a great help with the noise and view. When her windows are open, she can hear the fans grinding away. The addition of some shrubbery would also help. The overall appearance of the area is poor – pallets and other debris lying around. What guarantee do the neighbors have that the Blaum Brothers will keep up the appearance of the building?

Holman said the two parties should be able to come to some resolution.

Monterastelli said nothing has happened with her complaints.

Nybo asked Oldenburg what the decibel level was.

Oldenburg said it was 24.

Nybo asked if the fans were on a variable speed.

Bochniak asked if there would be an increase in the number of fans with the new building.

Baranski said there would not be any new fans installed. He said the new building is 14 feet tall, the same height as the existing structure, and should block much of the noise coming from the fans. The new building will in affect act as a fence.

Nybo asked what type of fans were being used.

Baranski said they are glycol chiller fans. With respect to parking the diagonal parking would only be in the front of the building- facing Highway 20.

Rosenthal said regardless of where the parking is – how does that affect Monterastelli's property.

Monterastelli said currently parking is only in front facing Highway 20 - no one should be allowed to park behind the building.

Baranski said employees are the only one's parking behind the building – this won't change.

Monterastelli said this affects her when the employees are noisy when they mingle after work hours.

Baranski said a bufferyard will be installed per requirements.

Oldenburg said a six-foot dog eared wooden privacy fence would be installed.

Monterastelli asked what would happen if the noise issue was not resolved.

Baranski said the noise or sound levels are within the acceptable range and should be reduced with the new addition blocking the fans.

Rosenthal said the sound levels comply with Galena standards. They have been tested. The Blaum's are not going to add more fans so it will not get louder.

Monterastelli said when she moved in everything was fine. The noise level has increased, The Blaum's will not make accommodations and she was never notified about the change in use.

Rosenthal said if they are within the limits they can operate the business.

Baranski said they are not asking for any variance to change existing operating conditions.

Oldenburg said there will also be increased landscaping to help with the bufferyard.

Monterastelli said she doesn't want the installation of anything to interfere with her cable or internet interception – the site line should remain the same for this. The fence should to the end their property line.

Oldenburg said the individual property owners are protected by the bufferyard provisions in the code. The applicant will be held to the bufferyard standards as required by the code.

Tim Stephenson 9388 Route 20 West Galena said his original concerns about the expansion request had to do with privacy. His understanding is that the parking will not be around the entire building. Hearing that there is only one semi per week and that there will be a six-foot privacy fence helps although he would prefer an eight-foot fence. Water run-off is a concern; there has never been an issue and he hopes there never is. As to odors, on a rare occasion when the breeze is just right there is an odor. It's not the worst smell and it rarely happens. He's not objecting to the project.

Nybo asked Blaum about the odor.

Blaum said if the windows are open and the breeze is going through the building there may on occasion be an odor which is a byproduct of the aging process.

MOTION: Bochniak moved, seconded by Cook to close the Public Hearing on Cal. No. 17HCO-01.

Motion carried on voice vote.

MOTION: Bochniak moved, seconded by Jansen to draft a positive Finding of Fact to approve the request for a Highway 20 Development Permit to construct a new building and site improvements, Cal. No. 17HCO-01.
Discussion: Bochniak reviewed the approval criteria.

Approval Criteria & Decision:

Highway 20 Development Permit - The application shall demonstrate that the proposed development will comply with the following:

- (1) All applicable site plan review criteria in § [154.914](#); *Proposal meets all site plan review criteria.*
- (2) The overall context of the corridor and the goals for new development as described in Chapter [III](#) of the Design Manual; *The addition and site improvements support the goals of: Promote residential and business diversity and vitality; Create a quality image of development; Enhance the onsite experience of occupants and visitors of development; and Coordinate access and traffic between properties.*
- (3) The corridor development concepts described in Chapter [IV](#) of the Design Manual; *This improvement supports the encouragement of denser and more highway-oriented development adjacent to limited highway access points. Regarding the Galena “Edge Corridor” Design Character, “the design character outside of the historic district should be unique, unified and high-quality and create the image of a stable edge corridor for the historic community of Galena. This supports the encouraged design character that respects the historic character of Galena, yet does not confuse or detract from the authentic qualities of the original structures and urban fabric of the Galena National Register Historic District”.*
- (4) The proposed character of the applicable design districts as described in Chapter [V](#) of the Design Manual; *This request supports the character of the Southeast Hilltop Commercial District by: Visually unifying through coordinated and shared access and parking, higher density development and controlled access points, high quality site design and amenities; and high quality materials.*
- (5) The proposed pattern of development for the Highway 20 Corridor as described in Chapter [VI](#) of the Design Manual; *n/a, site is under 10 acres in size.*
- (6) The standards for building orientation, design and materials as described in Chapter [VII](#) of the Design Manual; and *Building siting is established behind existing. Wall materials are high-quality.*
- (7) The standards for site features and elements as described in Chapter [VII](#) of the Design Manual. *Site signage has existing freestanding sign. Landscaping points are met and placement is adequate to create buffer between development and adjacent residential land uses. Storm water BMP improvements and capacity will be verified at Building permit level.*

The Zoning Board of Appeals can approve, conditionally approve, or deny all applications for a Highway 20 development permit.

Rosenthal said he hoped that things could be worked out with the neighbors. He hears good things about the business.

As Roll Call was:

Baranski	Recused
Bochniak	Yes
Cook	Yes
Holman	Yes
Jansen	Yes
Nybo	Yes
Rosenthal	Yes

Motion carried.

Baranski returned to the table.

Cal. No. 17A-01 & 17HCO-02, Applicant and Owner: Pam Ehrler, 11750 West Chetlain Lane, Galena, IL 61036. Location: Parcels: 13-001-084-07 and part of 13-001-085-00, Tracts of Land in SE ¼ of Section 11, Township 28 North, Range 1 West of the Fourth Principal Meridian, Galena, Jo Daviess County, Illinois. Common Address is 11422 West Chetlain Lane, Galena, IL 61036. Request for Map Amendment to rezone property from Limited Agricultural to General Commercial and a Highway 20 Development Permit to construct a new building and site improvements.

Oldenburg said this item had been pulled from the agenda.

Cal. No. 17S-18, Applicant and Owner: Karl & Angela Stodden, 102 Third Street, Galena, IL 61036. Location: Parcel: 06-500-219-00, Part of Lot 6, Block 37, Original Town, East of the Galena River, Galena, Jo Daviess County, Illinois. Common Address is 102 Third Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District.

MOTION: Bochniak moved, seconded by Cook to open the Public Hearing on Cal. No. 17S-18.

Motion carried on voice vote.

Nack swore in those wishing to testify at this public hearing.

Angela Stodden 6899 North High Ridge Road Galena said they recently purchased the home at 102 Third Street. They are in process of renovating it but wanted to request a Special Use Permit to allow short term rentals. Adam Johnson has done a drawing for the request.

Rosenthal asked about parking.

Stodden said the initial plan is for parking along the North side of the house. They may also approach the city about purchasing frontage along Third Street as the neighbor has done.

Oldenburg said application has not been made to the City. Regardless of that outcome they do have room to park on site.

No one else presented testimony either in favor of or against the request.

MOTION: Bochniak moved, seconded by Cook to close the Public Hearing on Cal. No. 17S-18.

Motion carried on voice vote.

MOTION: Jansen moved, seconded by Cook to draft a positive Finding of Fact to approve the request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District for Cal. No. 17S-18 based on the guidelines and approval criteria.

Discussion: Jansen reviewed the Approval Criteria:

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

- (1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. *The proposed plan meets the site plan review standards.*
- (2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; *This proposed use meets the district standards.*
- (3) *Specific standards.* The land use regulations established in § 154.406; *The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).*
- (4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. *Complimentary uses are available to the project.*
- (5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:
 - (a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. *The proposed use will protect the privacy of adjacent properties.*
 - (b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. *There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.*

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.*

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

As Roll Call was:

Bochniak	Yes
Cook	Yes
Holman	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Rosenthal	Yes

Motion carried.

Cal. No. 17S-19, Applicant and Owner: Cynthia Jacobson, 713 South Bench Street, Galena, IL 61036. Location: Parcel: 22-100-271-00, Lots 13, 14 and South ½ of Lot 12, Lots between Bench and Prospect Streets, Galena, Jo Daviess County, Illinois. Common Address is 713 South Bench Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental – Single Room in the Low Density Residential District.

MOTION: Baranski moved, seconded by Jansen to open the Public Hearing on Cal. No. 17S-19.

Motion carried on voice vote.

Nack swore in those wishing to testify at this public hearing.

Cynthia Jacobson 713 South Bench Street Galena said they would like a Special Use Permit to operate a single room rental in what was formerly known as the honeymoon cottage when the property was the Captain Harris Guest House. The room would be for two guests only.

Bochniak asked if there was parking on the site.

Jacobson said there is plenty of parking either on or off street.

Baranski asked if the main home was no longer operating as a Bed and Breakfast.

Oldenburg said it was not. The Special Use would be for an accessory use.

No one else presented testimony either in favor of or against the request.

MOTION: Baranski moved, seconded by Cook to close the Public Hearing on Cal. No. 17S-19.

Motion carried on voice vote.

MOTION: Baranski moved, seconded by Cook to draft a positive Finding of Fact to approve the request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District for Cal. No. 17S-19. based on the criteria, conclusions and determination of those set forth in Cal. No.17S-18.

As Roll Call was:

Cook	Yes
Holman	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Bochniak	Yes
Rosenthal	Yes

Motion carried.

COUNTY ZONING

None

WORKSESSION/OTHER

None

PUBLIC COMMENTS

None

MOTION: Bochniak moved, seconded by Jansen to adjourn the meeting at 7:30 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary

DECISION

**ZONING BOARD OF APPEALS
OF THE CITY OF GALENA**

REGARDING

CALENDAR NUMBER: 17S-18

APPLICATION BY: Karl & Angela Stodden, 102 Third Street,
Galena, IL 61036.

FOR: A Special Use Permit to allow Accommodations, Vacation
Rental in a Low Density Residential District.

FINDINGS OF FACT

PROCEDURES

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on April 12, 2017. The hearing was advertised in an edition of the Galena Gazette that was available to the general public between 15 and 30 days prior to the hearing. Letters were sent out to notify property owners within 250 feet of subject property of the request and public hearing date. They were invited to testify if they so desired. A quorum of the Board was present at the hearing in which the subject application and materials were reviewed and all persons were heard who desired to testify.

NATURE OF APPLICATION

The applicant is requesting a Special Use Permit to operate as a one-dwelling vacation rental in a Low Density Residential District.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing and no further development is needed.

Number of Guests: Maximum occupancy load for this dwelling unit is four (4) guests. This is determined by the International Fire Code, International Building Code and NFPA on the basis of minimum 200 square feet per person gross (IFC Table 1004.1.2), with an additional requirement for two means of fire-protected egress for each sleeping area (NFPA 24.2.2.1.1).

Lot Capacity: The lot size is 11,250 square feet, or 0.26 acres. The structure is situated along Third Street near the intersection of Adams Street and will take driveway access from Third Street.

The site is already properly landscaped with well-established vegetation and lighting. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: The driveway can accommodate up to two vehicles off-street. The parking regulations require one (1) off-street space per four (4) guests. The Staff determined a maximum occupancy of four (4) guests, therefore one off-street parking space is required.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include residences.

PUBLIC SUPPORT AND/OR OBJECTIONS

In accordance with Article 9, Table 154.918.1 of the City of Galena Zoning Ordinance, a public hearing was held for the Special Use Request. The Zoning Board of Appeals heard testimony regarding the application from the applicant and the public.

Since the Zoning Board of Appeals is not bound by the strict rules of evidence, substantial latitude is procedurally given in all cases to the kind of evidence that may be made a part of the record. In this case, all testimony and exhibits entered into the record were evaluated and given weight by Board members on the basis of credibility and factuality.

The following persons presented testimony during the public hearings. Their testimony was recorded in the official minutes of the hearing, which are hereby made a part of the findings.

Testimony Presented on Behalf of the Applicant and in Support of the Proposal:

- **Angela Stodden, 6899 North High Ridge Road, Galena** said they recently purchased the home at 102 Third Street. They are in process of renovating it but wanted to request a Special Use Permit to allow short term rentals. Adam Johnson has done a drawing for the request.

Rosenthal asked about parking.

Stodden said the initial plan is for parking along the North side of the house. They may also approach the city about purchasing frontage along Third Street as the neighbor has done.

Oldenburg said application has not been made to the City. Regardless of that outcome they do have room to park on site.

Testimony Presented in Opposition to the Proposal:

- There was no testimony in opposition to the request.

APPLICABLE SECTIONS OF THE ZONING ORDINANCE

- Section 154.005 sets forth the Intent and Purpose of the Zoning Ordinance.
- Section 154.015 defines Accommodations, Vacation Rental.
- Section 154.201 (B) (2) provides a definition and description of the Low Density Residential District.
- Table 154.403.1 lists the Permitted Land Uses permitted by right or by Special Use Permit for all Zoning Districts.
- Section 154.406 (D) (18) defines and outlines the regulations for Accommodations, Vacation Rental.
- Section 154.914 lists the criteria for Site Plan Review.
- Section 154.924 sets forth the Purpose, Applicability, Review Criteria, Decision-Maker, Application and Review Procedures, and Validity for Special Use Permits.

CONCLUSIONS

In applying the regulations and pertinent performance standards of the Zoning Ordinance to this particular case, the following conclusions are reached:

1. The subject property is located in the Low Density Residential District.
2. The Zoning Ordinance provides for Accommodations, Vacation Rental as follows:
 - a. Accommodations, Vacation Rental is permitted only by Special Use Permit as a principal commercial land use in a Low Density Residential District.
3. The Low Density Residential District is intended to permit development which primarily has detached, single family community character. Density and intensity standards for this district are designed to ensure that the Low Density Residential District shall serve as a designation which preserves and protects the residential community character of its area.
4. The applicant seeks a Special Use Permit to allow a one-unit Vacation Rental as a principal commercial land use in a Low Density Residential District.
5. The property is meets the detailed regulations for a vacation rental.

DETERMINATION

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by Karl & Angela Stodden for a Special Use Permit to allow Accommodations, Vacation Rental as a principal commercial land use in a Low Density Residential District should be approved for the following reasons:

1. The site plan review met the applicable criteria for this request.
2. The request meets the district standards for the Low Density Residential District and is appropriate to the defining characteristics of the district.
3. The request meets the detailed land use regulations established for Accommodations, Vacation Rental land use.

4. Complimentary uses are available.
5. The request is compatible with adjoining properties through:
 - a. The protection of privacy will be maintained;
 - b. The elements of the plan are designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;
 - c. The elements of the plan will coexist in a harmonious manner with nearby existing properties.

DECISION

NOW, THEREFORE, BE IT RESOLVED that this Zoning Board of Appeals has determined that this request by Karl & Angela Stodden for a Special Use Permit to allow Accommodations, Vacation Rental as a principal commercial land use in a Low Density Residential District should be approved.

PASSED AND APPROVED this 12th day of April, A.D. 2017, by the Galena Zoning Board of Appeals by a vote of 6 ayes, 0 nays, 0 absent, 1 abstain, 0 recused.

John Rosenthal, Chairperson

DECISION

**ZONING BOARD OF APPEALS
OF THE CITY OF GALENA**

REGARDING

CALENDAR NUMBER: 17S-19

APPLICATION BY: Cynthia Jacobson, 713 South Bench Street,
Galena, IL 61036.

FOR: A Special Use Permit to allow Accommodations, Vacation
Rental – Single Room in a Low Density Residential District.

FINDINGS OF FACT

PROCEDURES

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on April 12, 2017. The hearing was advertised in an edition of the Galena Gazette that was available to the general public between 15 and 30 days prior to the hearing. Letters were sent out to notify property owners within 250 feet of subject property of the request and public hearing date. They were invited to testify if they so desired. A quorum of the Board was present at the hearing in which the subject application and materials were reviewed and all persons were heard who desired to testify.

NATURE OF APPLICATION

The applicant is requesting a Special Use Permit to operate as a Vacation Rental – Single Room in a Low Density Residential District.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing and no further development is needed.

Number of Guests: Maximum occupancy load for this dwelling unit is two (2) guests per the regulations for a single room vacation rental.

Lot Capacity: The lot size is 20,017 square feet, or 0.56 acres. The site is comprised of the main house with a detached cottage structure. The cottage structure is situated along Gear Street near the intersection of South Bench Street and will take driveway access from South Bench Street. The site is already properly landscaped with well-established vegetation and lighting. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: The driveway can accommodate up to five vehicles off-street. The parking regulations require one (1) off-street space plus one (1) for the owners.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include residences.

PUBLIC SUPPORT AND/OR OBJECTIONS

In accordance with Article 9, Table 154.918.1 of the City of Galena Zoning Ordinance, a public hearing was held for the Special Use Request. The Zoning Board of Appeals heard testimony regarding the application from the applicant and the public.

Since the Zoning Board of Appeals is not bound by the strict rules of evidence, substantial latitude is procedurally given in all cases to the kind of evidence that may be made a part of the record. In this case, all testimony and exhibits entered into the record were evaluated and given weight by Board members on the basis of credibility and factuality.

The following persons presented testimony during the public hearings. Their testimony was recorded in the official minutes of the hearing, which are hereby made a part of the findings.

Testimony Presented on Behalf of the Applicant and in Support of the Proposal:

- **Cynthia Jacobson, 713 South Bench Street, Galena** said they would like a Special Use Permit to operate a single room rental in what was formerly known as the honeymoon cottage when the property was the Captain Harris Guest House. The room would be for two guests only.

Bochniak asked if there was parking on the site.

Jacobson said there is plenty of parking either on or off street.

Baranski asked if the main home was no longer operating as a Bed and Breakfast.

Oldenburg said it was not. The Special Use would be for an accessory use.

No one else presented testimony either in favor of or against the request.

Testimony Presented in Opposition to the Proposal:

- There was no testimony in opposition to the request.

APPLICABLE SECTIONS OF THE ZONING ORDINANCE

- Section 154.005 sets forth the Intent and Purpose of the Zoning Ordinance.
- Section 154.015 defines Accommodations, Vacation Rental.
- Section 154.201 (B) (2) provides a definition and description of the Low Density Residential District.
- Table 154.403.1 lists the Permitted Land Uses permitted by right or by Special Use Permit for all Zoning Districts.
- Section 154.406 (D) (18) defines and outlines the regulations for Accommodations, Vacation Rental.
- Section 154.914 lists the criteria for Site Plan Review.
- Section 154.924 sets forth the Purpose, Applicability, Review Criteria, Decision-Maker, Application and Review Procedures, and Validity for Special Use Permits.

CONCLUSIONS

In applying the regulations and pertinent performance standards of the Zoning Ordinance to this particular case, the following conclusions are reached:

1. The subject property is located in the Low Density Residential District.
2. The Zoning Ordinance provides for Accommodations, Vacation Rental as follows:
 - a. Accommodations, Vacation Rental is permitted only by Special Use Permit as a principal commercial land use in a Low Density Residential District.
3. The Low Density Residential District is intended to permit development which primarily has detached, single family community character. Density and intensity standards for this district are designed to ensure that the Low Density Residential District shall serve as a designation which preserves and protects the residential community character of its area.
4. The applicant seeks a Special Use Permit to allow a one-unit Vacation Rental as a principal commercial land use in a Low Density Residential District.
5. The property is meets the detailed regulations for a vacation rental.

DETERMINATION

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by Cynthia Jacobson for a Special Use Permit to allow Accommodations, Vacation Rental – Single Room as an accessory residential land use in a Low Density Residential District should be approved for the following reasons:

1. The site plan review met the applicable criteria for this request.
2. The request meets the district standards for the Low Density Residential District and is appropriate to the defining characteristics of the district.

3. The request meets the detailed land use regulations established for Accommodations, Vacation Rental land use.
4. Complimentary uses are available.
5. The request is compatible with adjoining properties through:
 - a. The protection of privacy will be maintained;
 - b. The elements of the plan are designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;
 - c. The elements of the plan will coexist in a harmonious manner with nearby existing properties.

DECISION

NOW, THEREFORE, BE IT RESOLVED that this Zoning Board of Appeals has determined that this request by Cynthia Jacobson for a Special Use Permit to allow Accommodations, Vacation Rental – Single Room as an accessory residential land use in a Low Density Residential District should be approved.

PASSED AND APPROVED this 12th day of April, A.D. 2017, by the Galena Zoning Board of Appeals by a vote of 6 ayes, 0 nays, 0 absent, 1 abstain, 0 recused.

John Rosenthal, Chairperson

MEMO

To: The Zoning Board of Appeals
From: Matt Oldenburg, Zoning Administrator
Date: May 5, 2017

RE: Cal. No. 16PD-02, Applicant: Galena-Jo Daviess County Historical Society & Museum, 211 South Bench Street, Galena, IL 61036 and Owners: David & Bernadine Anderson, 513 Bouthillier Street and Crow Family, 517 Bouthillier Street, Galena, IL 61036. Location: Parcels: 06-500-276-00, Part of Lot 13, North half of Section 20 and 06-500-276-03, Part of Lot 13, North half of Section 20, Township 28 North, Range 1 East of the Fourth Principal Meridian, City of Galena, Jo Daviess County, Illinois. Common Address is 513 & 517 Bouthillier Street, Galena, IL 61036. Request for Preliminary Plan approval and Rezoning for a Planned Unit Development with an underlying district of Medium Density Residential to allow construction of a new Museum.

Project Summary:

The subject properties are located at 513-517 Bouthillier Street and are commonly known as the Stillman Inn and the Guy Crow family residence. The properties consists of approximately 3.8 acres or 141,551 square feet and are situated between Bouthillier Street and US Highway 20 West above the State Historic Sites. An excellent narrative is included with several descriptive maps and photos from the applicant to describe the scope of the project for your understanding.

The applicants are requesting rezoning of the property from Medium Density Residential to Planned Unit Development for a site with an underlying default district of Medium Density Residential and approval of a Preliminary PUD Plan which includes improvements to the Stillman Mansion, demolition of part of the detached chapel/event building, site improvements and construction of a new Museum. Rezoning to a PUD is the most appropriate process to address some of the deviations related to bulk and density standards for the site and district. As per the PUD section of the City Code, the City can allow deviations from the default district standards if certain amenities are provided in the plan by the applicant. Deviations are listed in the attached narrative; the underlying district serves as a starting-point to base the newly proposed PUD standards. The deviations of physical standards are relative to the proposed standards. Essentially, we are creating a new zoning district to fit this project. In this case, the proposed deviations are acceptable to the Zoning Administrator and Staff as they are designed to compliment, enhance and protect the existing character of the district. The long-term community benefit of a museum and cultural center at this location will warrant the creation of the new PUD district.

This can all be approved by the City Council as a deviation from the default district standards with mitigation of items (a), (c) & (e-g) as noted below in approval criteria under §154.301(D)(5). It is my opinion that the proposed development would exceed the deviation requirements to an amount that justifies this mitigation.

Approval Criteria & Recommendation:

Zoning Map Amendment - In determining whether the proposed zoning map amendment shall be approved, the following factors shall be considered:

1. Whether the existing text or zoning designation was in error at the time of adoption;

2. Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;
3. Whether the proposed rezoning is compatible with the surrounding area and defining characteristics of the proposed zoning district or whether there may be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new zone may generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
4. Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this code, and other city regulations and guidelines;
5. Whether adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone;
6. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs; or
7. Whether there is a need in the community for the proposal and whether there will be benefits derived by the community or area by the proposed rezoning.

And:

Planned unit development zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Specific benefits that would support a PUD zoning include, but are not limited to:

- (1) More efficient infrastructure;
- (2) Reduced traffic demands;
- (3) A greater quality and quantity of public and/or private open space;
- (4) Other recreational amenities;
- (5) Needed housing types and/or mix;
- (6) Innovative designs; and/or
- (7) Protection and/or preservation of natural resources.

Preliminary PUD Plan – A preliminary development plan application shall demonstrate conformance with all of the following:

- a. The ODP review criteria in division (B) above;
- b. The applicable preliminary plat criteria in [Chapter 153](#), Subdivision Regulations; *n/a*
- c. The applicable site plan review criteria in § [154.914](#);
- d. The approved ODP, if applicable; *n/a*
- e. An appropriate, specific density/intensity of uses for all areas included in the preliminary plan approval; and
- f. For a PUD/TND District, the area of the plan is at least five acres in size or as specified in an applicable approved ODP, or as identified in § [154.301](#). *n/a*

Deviations from Default District Standards - The Zoning Board of Appeals may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Zoning Board of Appeals to recommend, and the City Council to approve, a deviation from the default district standards, the listed amenities shall be provided in excess of what would otherwise be required by this code. These amenities include:

- (a) Transportation amenities including but not limited to: off-street trails, bike and pedestrian amenities, or transit oriented improvements, including school and transit bus shelters;
- (b) Open space, agricultural land reservations, or land dedication of 20% or greater;
- (c) Community facilities or provision of public services beyond those required for development within the PUD;
- (d) The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than 15 years; and
- (e) Other amenities, in excess of the minimum standards required by this code, that the City Council specifically finds provide sufficient community benefit to offset the proposed deviation.

Cal. No. 17PD-01

The Zoning Board of Appeals can recommend to the City Council, in the form of a motion, approval or denial of requests for Map Amendments and Preliminary PUD plans. If the Board would like to recommend approval of the requests, motions to approve which include pertinent facts in the cases and reasons for the recommendations should be entertained. The recommendations will then be forwarded to the City Council for final action.

PROJECT NARRATIVE

This project entails construction of a new building for the Galena-Jo Daviess County Historical Society Museum, which will enhance and facilitate the Society's mission of sharing stories unique to the history, place, culture, and environment of Galena and the Driftless Region.

Location:

Sites under consideration are on the east side of the Galena River, near the intersection of Bouthillier Street and Highway 20/Decatur Street:

- 513 Bouthillier Street: Stillman Inn and Galena Wedding Chapel [within the National Historic District]
- 517 Bouthillier Street: Private Residence

Existing Zoning:

Each of the two existing plats are currently zoned as Medium Density Residential (MDR), which per the definition of land use standards in §154.201 allow for: "single-family detached homes, twin-houses and duplexes by right and related institutional land uses."

Planned Unit Development:

We are proposing to rezone the site as a Planned Unit Development (PUD) to allow for the Historical Society Museum in this location. Locating the new Museum in proximity to the adjacent historical sites: the US Grant Home and St. Michael's Cemetery, would create a new Museum District where parking resources are shared, where walkability is encouraged, and where site development will enhance this area as a destination for locals and tourists alike. Design intent is focusing on the following long-term community benefits:

Traffic & Parking

Parking & Tour Buses

- The project intends to assess public parking at a district scale: the three existing state-owned public parking lots (two on Bouthillier by the Grant House and one off Highway 20 below the Stillman Inn) would be augmented by parking at the Museum site, including off-street bus drop-off, with calculations made to assess volume needs in total between the lots. Consideration of parking within the new Museum District would encourage visitors to park once to visit all of the destinations, and also minimize the addition of underutilized impervious surfaces. Additional accessible pedestrian pathways would link parking lots with each destination to encourage walkability between sites.

Bus & Trolley Service

- The proposed design will build on existing service to the Grant House with a new off-street bus stop and pull-off from Bouthillier Street at the Museum Site, and will include extension of pedestrian sidewalks throughout the new Museum District, including new crosswalks to ensure public safety when crossing Bouthillier Street. The new stop will serve Trolley Service, Jo Daviess County Transit as well as tour buses.

Public Open Space

- Similar to parking, the project intends to review pedestrian movement and public space amenities throughout the zone, to enhance the visitor experience and to encourage locals to take advantage of the existing rich open space.
- The proposed Museum site will include the design of outdoor amenities such as outdoor patios and landscape areas which will be open to the public. This represents a net increase in public space in this area, and a revitalization of existing public open space amenities.
- District-level planning and consideration is intended to reinforce this area as a destination for repeated use by visitors and locals.

Innovative Design

Topography

- The proposed sites are excellent examples of the unique topography of the Driftless Region, and it is intended that the proposed design will engage the landscape in ways which become part of the Museum's narrative and the visitor's experience. Given the dramatic elevation changes and the constrained geometry of the site, the design will of necessity be inventive.

Sustainability and Resource Management

- Broader project goals for material and energy sustainability, as well as human health, inform each level of planning and programming, from site development to material selection and detailing.

Stormwater Management

- The project seeks to manage stormwater runoff from the site and new construction through a combination of onsite treatment and reuse and through controlled infiltration, acknowledging this is an A4 very high level for aquifer sensitivity per the Illinois DNR.
- Additional research is required to evaluate the function and connection of the retention basin just off Highway 20 south of the parking lot.

Highway 20 Design Guidelines: The project is following the Highway 20 guidelines, including site and architectural building design standards:

- Integration with topography; preservation of views, historic structures, and wooded hillsides; coordinated and shared access and parking through high quality site design; stormwater management; design sensitivity and high quality materials.
- The overall project team is committed to a high-quality design outcome, and it is intended that the design process will engage with the Highway 20 recommendations for building form and massing sensitive to landscape, traditional character and simple building forms, and low, horizontal profiles.

Comprehensive Plan Goals

The Historical Society's overall mission and project-specific goals align with the Galena Comprehensive Plan and the Goals outlined in Chapter 9:

Goal I: People/Human Resources: The Museum will encourage activities which bring locals together through exhibits and outreach which enhance awareness of the region's heritage

Goal II: Cities and Villages: The addition of the Museum to this neighborhood will reinforce the identity of this area as a Museum District and will help link together the existing historic destinations.

Goal III: Economy and Development: The overall site planning of this project, with its intended larger scale moves to enhance pedestrian movement, access, and safety between destinations, will facilitate local and visitor use of the open public space and the historic and cultural destinations.

Goal IV: Scenic Beauty Protection: Preliminary site assessments and test fits have focused on respecting and working with the existing topography, nature, and already developed portions of the site, recognizing this area as a green corridor along Highway 20.

Goal V: Agriculture: The proposed sites are already developed and within the city's corporate boundary, and will have no impact on existing agricultural development.

Goal VI: Rural Character/Quality of Life: As a steward of the city and region's history, the Historical Society is committed to telling the stories of the past, present and future of Galena-Jo Daviess County. As an active partner in enriching the quality of life for residents, it is the mission of the Museum to present the unique quality, character, and narrative of the area.

Goal VII: Natural and Historic Resources: The project has ambitious goals for energy and resource management, intended to minimize long-term negative impacts to natural resources, and to serve as a model for sensitive development.

Goal VIII: Cooperative Planning: The Historical Society is committed to collaboration with city and county resources for the benefit of the project, the neighborhood, and the community.

ZONING REQUIREMENTS

Planned Unit Development: Medium-Density Residential

The Galena-Jo Daviess Historical Society Museum is in preliminary design. The request for Planned Unit Development status is being made following initial programming and test fit cycles. Continued programming and design will confirm project square footage, adjacencies, and proposed massing on the site. No full formal site survey has been performed yet, which will verify topography, site features, utilities, and landscape features. Existing measurements referenced below are from the Architect's initial building survey. Given dramatic topographical changes E-W and N-S on the site, in excess of 30'-0" difference from Bouthillier St. to Highway 20, the proposed design intends to engage the site to minimize perceived negative impacts of new construction in this area and for key lines of sight.

Zoning District	Minimum Lot Area (2) (sq. ft.)	Minimum Lot Width/ Street Frontage (3) (ft.)	Minimum Setbacks ⁽⁴⁾ (ft.)			Minimum Building Separation (ft.)	Maximum Building Height (floors/ft.)	
			Front (5)	Side From				Rear
				Residential	Nonresidential			
Medium Density Res. (MDR)	40,000 ⁽⁶⁾	100/25	25	10	10	30	20	2/30

(6) May be reduced to 20,000 sq. ft. with approval of a special use permit. See § 154.924.

Table 154.204.1

Minimum Lot Area: No Change
 Minimum Lot Width/Street: No Change
 Minimum Setbacks: Proposed revision

Comply with front setbacks from Bouthillier St and side setbacks on both sides of property. Pending final design. The project may propose revising setback from Highway 20 from 30'-0" to 5'-0". The property line angles away from Highway 20 and is an average of 50'-0" from the Highway, which would be a buffer that remains regardless of final setbacks. In schemes where the new building faces Highway 20 entirely, a small portion of the footprint would be closer to the property line to provide potential access to the Highway 20 parking lot and to allow for a greater visual separation between the new building and the Stillman Inn to maintain line of sight to the Inn from the Highway.

Minimum Building Separation: Proposed revision

Pending final design. Proposed design may engage the Stillman to provide an enclosed physical link between the existing and new buildings. Final dimension of linking portion will be evaluated for impact on visitor flow and on egress. The primary mass of proposed building will likely comply with building separation requirements as listed, in part to address historic preservation concerns about the Stillman Inn.

Maximum Building Height: Proposed revision

Pending final design. Maximum building height of no more than 40'-0", which is the approximate height of the highest peak of the Stillman Inn, excluding the tower and cupola, as measured from the south side, at walk-out lower level. It is the intent of the project to minimize the visible building height from Bouthillier and in relation to the Stillman Inn by recessing the building into the landscape, should the building be located on the Stillman site. The maximum visible height of the building would be as seen from the south, facing Highway 20. If the building is located on the Crow site (517 Bouthillier St), it would likely comply with regulations as stated.

Table 154.205.1

Setbacks for Minor Accessory Structures and Obstructions: To be reviewed further as design proceeds

<i>Table 154.208.1 NONRESIDENTIAL DENSITY STANDARDS</i>				
<i>STANDARD ZONING DISTRICT</i>	<i>MAXIMUM FLOOR AREA RATIO (FAR)</i>	<i>MAXIMUM BUILDING SIZE w/o SUP APPROVAL</i>	<i>MAXIMUM BUILDING SIZE</i>	<i>MINIMUM LANDSCAPE SURFACE RATIO</i>
Medium Density Residential (MDR)	0.25	10,000 ⁽¹⁾ sq. ft.	30,000	35%

Table 154.208.1

Maximum Floor Area Ratio: No Change

Maximum Building Size w/o Superintendent approval: Proposed revision

Pending final program and final design. Final new building size to be determined pending decision about utilization of Stillman Inn, and pending final program established with Historical Society Project Committee. Current program is approximately 12,000 to 16,000 GSF. Stillman Inn can accommodate approximately 5,000 GSF.

Maximum Building Size: Review Following Design

During design the project team will be assessing long-term growth potential for the Museum. At present this potential growth from the current program size could be accommodated within the MDR Maximum Building Size of 30,000 GSF per lot, but it should be noted that the proposed project may combine lots for 513 and 517 Bouthillier St under common ownership, and growth projections may establish a maximum building size for the combined lot size of 3 acres that is greater than the MDR maximum building size for a single lot per regulations.

Minimum Landscape Surface Ratio: Review Following Design

Design goals related to overall project and site sustainability and resource management will likely establish a higher ratio. Final ratio to be established during design development phase. Refer to site plan diagrams for evaluation of existing LSR versus potential proposed.

<i>TABLE 154.403.1 PERMITTED LAND USES (Cont'd)</i>														
<i>LA</i>	<i>CSR</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>	<i>NO</i>	<i>PO</i>	<i>NC</i>	<i>PC</i>	<i>GC</i>	<i>DC</i>	<i>PI</i>	<i>LI</i>	<i>LH</i>	<i>TYPES OF LAND USE PRINCIPAL AGRICULTURAL LAND USES (§ 154.406(B))</i>
S									S					(3) Recreation, outdoor - Campground
S	S	S	S	S	S	S	S	S	S	S	S			(4) Institutional, outdoor
				S	S	S			S		S			(5) Institutional, indoor - Day care center
S	S	S	S	S	P	P	P	P	P	P	P			(6) Institutional, indoor - General

Table 154.403.1 [re: §154.406C Principal Institutional Uses]

Institutional Indoor Use – General, permitted as a special use within Medium-Density Residential.

§ 154.406 Detailed Land Use Descriptions and Regulations

(6) Institutional, indoor - general. Indoor institutional land uses include all indoor public and not-for-profit recreational facilities (such as gyms, swimming pools, libraries, museums,

and community centers), schools, churches, nonprofit clubs, nonprofit fraternal organizations, and similar land uses.

- (a) Regulations:
 1. Shall be located with primary vehicular access on a collector or arterial street.
 2. Shall provide off-street passenger loading area if the majority of the users will be children (as in the case of a school, church, library, or similar land use.)
 3. All structures shall be located a minimum of 50 feet from any residentially zoned property.

Proposed revision:

The project proposes leaving the existing Stillman Inn and its existing curb cuts, with a proposed demolition of the existing wedding chapel outbuilding, which is pending approval of the Historic Preservation Commission. Proposed project shall comply with items #1 and #2 from the regulations, but proposes a revision to item #3, given the constraint of the existing building, whose rear face is 50'-0" from the east property line, shared with the adjacent residential lot; one of the proposed schemes sites new construction between the back of the building and the property line, a siting which is beneficial from a historic preservation perspective because it minimizes the visual impact to the front of the house which faces the US Grant House.

§ 154.503 Natural Resource Protection Standards

<i>TABLE 154.503.1 NATURAL RESOURCE PROTECTION STANDARDS</i>							
<i>NATURAL RESOURCE FEATURE</i>		<i>ZONING DISTRICT TYPE</i>					
<i>FEATURE</i>	<i>MINIMUM AREA REQUIRING PROTECTION</i>	<i>CONSERVATION</i>		<i>RESIDENTIAL (1)</i>		<i>NONRESIDENTIAL (2)</i>	
		<i>PROTECTION STANDARD</i>	<i>MITIGATION PERMITTED</i>	<i>PROTECTION STANDARD</i>	<i>MITIGATION PERMITTED</i>	<i>PROTECTION STANDARD</i>	<i>MITIGATION PERMITTED</i>
Steep Slopes (3)							
20 to <= 30%	5,000 sq. ft.	65%	No	75%	No	70%	No
> 30%	5,000 sq. ft.	90%	No	85%	No	80%	No
Footnotes:							
(1) Including residential PUD Districts (or residential portions thereof).							
(2) Including nonresidential PUD Districts (or nonresidential portions thereof).							
(3) Protection standards for steep slopes and woodlands shall be enforced over the total combined occurrences of such features on lands held in common ownership, rather than over each of any two or more individual occurrences of steep slopes or woodlands on such lands. Lands shall be considered to share a common boundary even if they are divided by a public road or navigable waterway, or if they connect at only one point.							
(4) Whether mitigation is permitted shall be determined by the Zoning Administrator on a case-by-case basis.							
(5) If not otherwise restricted by state or federal regulations, the Zoning Administrator may allow the filling or alteration of up to one acre of wetland without mitigation if such filling or alteration is essential for public safety purposes as defined under state law.							

Proposed design will comply with Table 154.503.1 for all Natural Resource types applicable. On the Stillman Inn property, there has been substantial site work over time on the south side facing Highway 20 running the length of the site from the west end of the Inn to the east end of the property, including re-grading and the installation of retaining walls. This portion of the site is not seen as an extant natural resource feature and thus not subject to the regulations of Table 154.503.1, however any new design in this area will address adjacent natural topographic changes in elevation and include an assessment of proposed site grading on soil erosion and the natural hydrological systems.

On the Crow property, 517 Bouthillier St, the length of the south property edge qualifies as an extant steep slope. Should this site be purchased and a design developed for this site, a natural resource protection plan would be created in compliance with §154.503.D

§ 154.601 Off-Street Parking and Traffic Circulation Standards

The new Museum will be located within a five minute walk to the U.S. Grant Home historic site. A review of visitor volume and interest indicates that visitors to one location will likely visit the other; as such, this project proposes to evaluate parking requirements that acknowledge the three existing state parking lots, and the high likelihood that visitors will park once to visit both sites. This contrasts with § 154.601.H.2, which requires calculations be made on combined volume for both facilities.

At this time, no itemization of projected visitor volume into passenger vehicle, tour bus, school bus, or trolley can be made, though this should be taken into account for final evaluation of parking requirements.

For calculations of required parking spaces, refer to separate attachment "Galena-Jo Daviess Historical Society Museum District Parking Assessment" dated 04/17/17.

§ 154.601 H

(2) Joint parking facilities.

(a) Parking facilities which have been approved by the Zoning Administrator to provide required parking for one or more uses shall provide a total number of parking spaces which shall not be less than the sum total of the separate parking needs for each use during any peak hour parking period when said joint parking facility is utilized at the same time by said uses.

(b) Each parking space designed to serve as joint parking shall be located as specified in division (C), except as permitted by a special use permit.

(c) The applicant(s) for approval of a joint parking facility shall demonstrate to the Zoning Administrator's satisfaction that there is no substantial conflict in the demand for parking during the principal operating hours of the two or more uses for which the joint parking facility is proposed to serve.

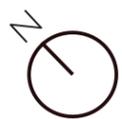
(d) A legally binding instrument, approved by the City Attorney, shall be executed by any and all parties to be served by said joint parking facility. This instrument shall be recorded with the Jo Daviess County Recorders Office, and filed with the City Clerk.

TABLE 154.601.3 MINIMUM REQUIRED PARKING SPACES	
LAND USE	REQUIRED NUMBER OF PARKING STALLS
(library or museum)	1 per 250 sq. ft. or gross floor area, or 1 per 4 seats at maximum capacity, whichever is greater, plus 1 per employee on the largest work shift

Design Approach to Lighting, Landscape, Signage, and Stormwater Systems in compliance with Zoning Requirements to be developed but will include:

- Bicycle parking
- Transit-oriented improvements including off-street bus loading and pedestrian crosswalks
- Innovative onsite stormwater filtration, infiltration, and rainwater reuse
- Landscape buffers
- A Green Building Code compliant design targeting greater than required energy performance

U.S. GRANT HOME
500 BOUTHILLIER ST.



STILLMAN SITE
513 BOUTHILLIER ST.

CROW SITE
517 BOUTHILLIER ST.

EXISTING AERIAL PHOTOGRAPH



VIEW FROM HIGHWAY 20 TO STILLMAN SITE



VIEW FROM HIGHWAY 20 TO CROW SITE

EXISTING SITE PHOTOGRAPHS



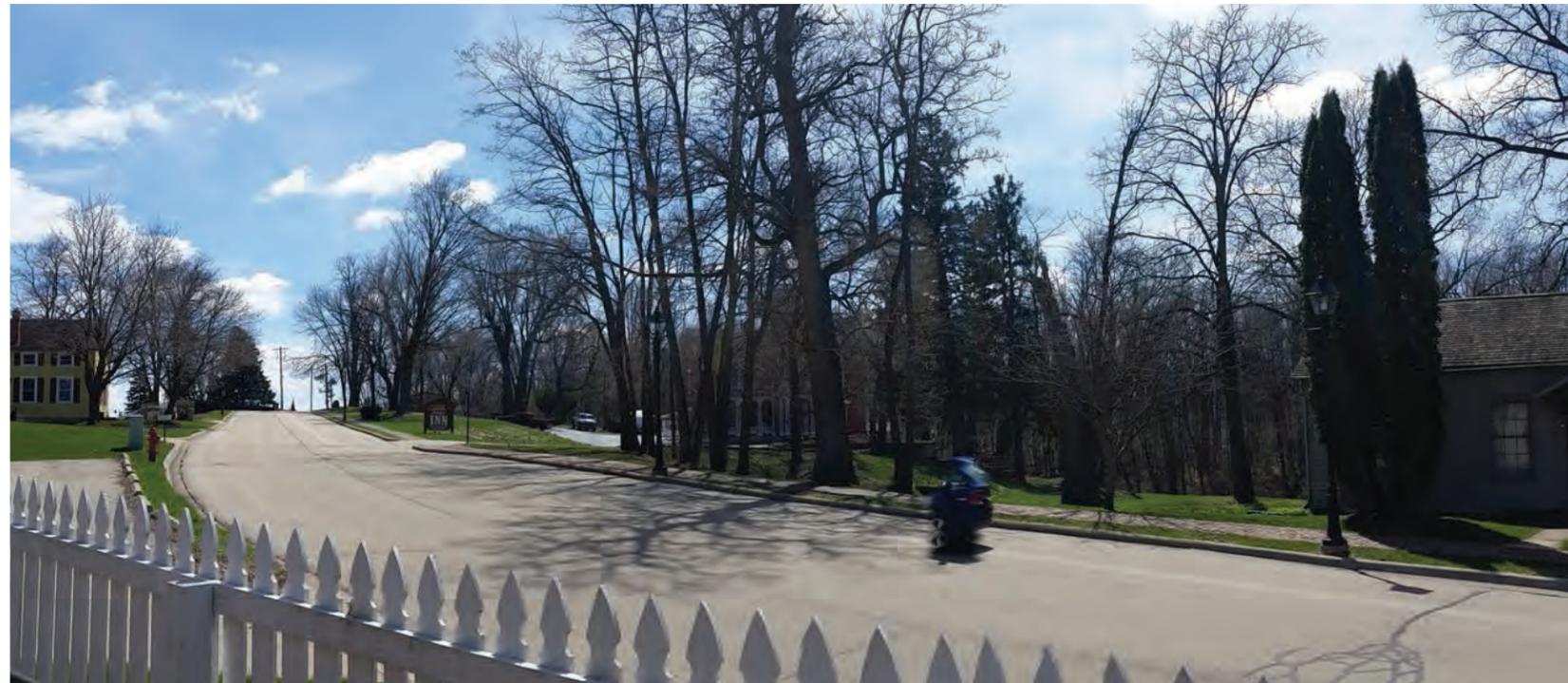
INTERSECTION OF HWY 20 AND BOUTHILLIER ST.



521 AND 517 BOUTHILLIER ST. ACROSS FROM ST. MICHAEL'S CEMETERY
EXISTING NEIGHBORHOOD: OUTSIDE OF HISTORIC DISTRICT



VIEW FROM HIGHWAY 20



VIEW FROM BOUTHILLIER ST.

EXISTING SITE PHOTOGRAPHS: WITHIN HISTORIC DISTRICT



511 BOUTHILLIER ST.

**NOTE: Building was moved from original location to present location*



522 BOUTHILLIER ST.



524 BOUTHILLIER ST.



500 BOUTHILLIER ST.

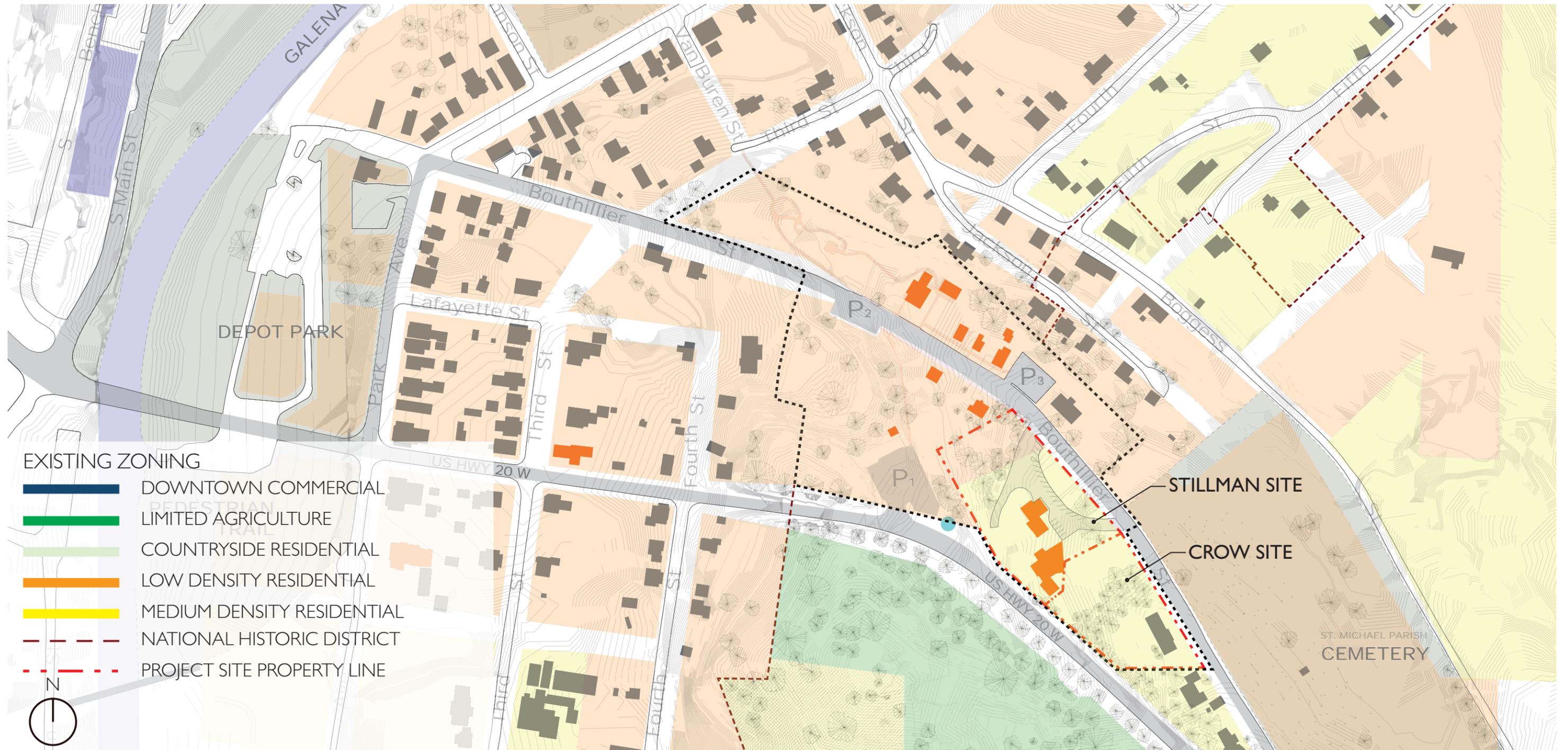


512 BOUTHILLIER ST.



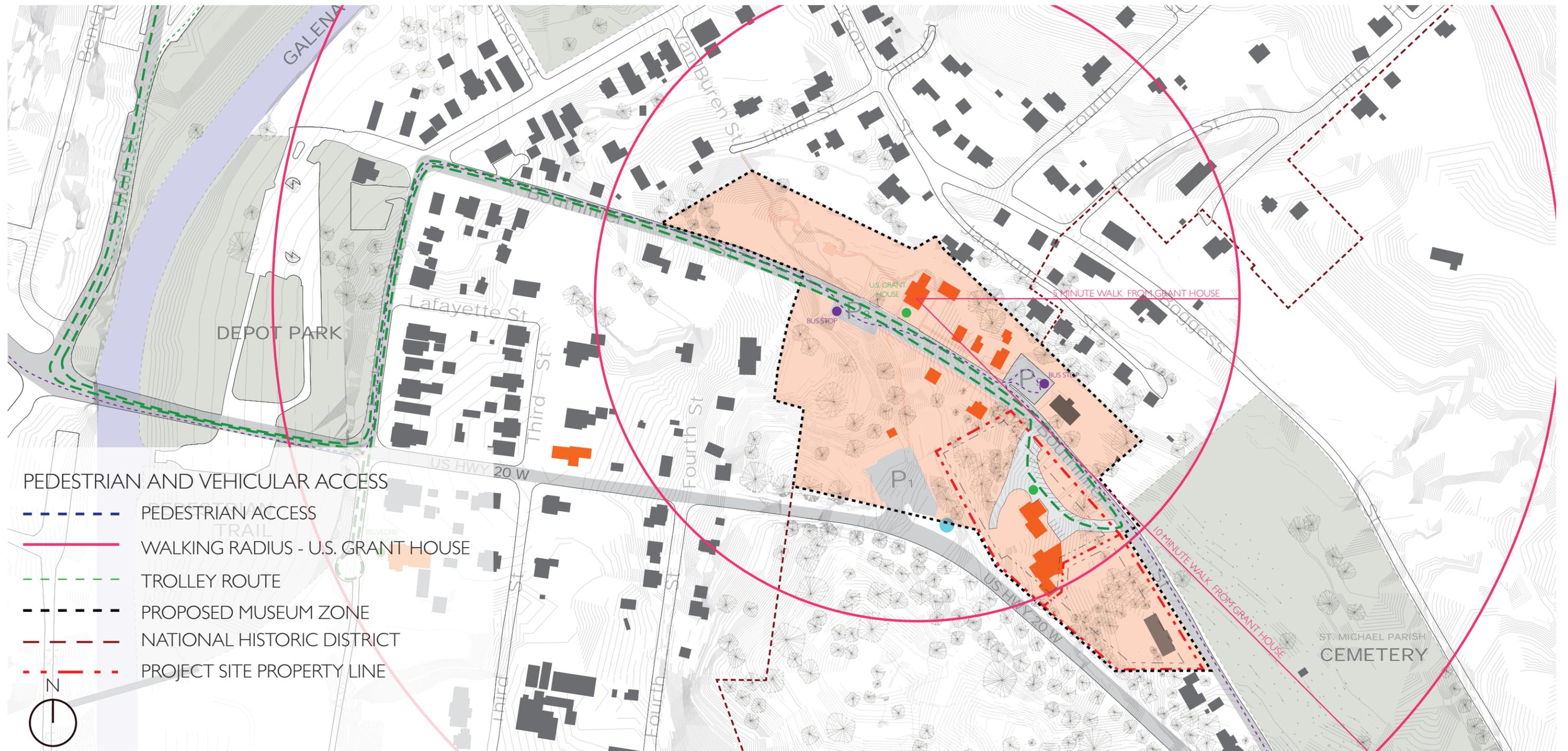
518 BOUTHILLIER ST.

EXISTING NEIGHBORHOOD: LISTED PROPERTIES WITHIN HISTORIC DISTRICT



DISTRICT SITE PLAN

1. The area does not sit within a floodplain. It is within the A4 very high sensitivity zone for the Aquifer as identified by the Illinois Department of Natural Resources, a depth of 5'-0" to 25'-0" from the surface, over sand and gravel and/or bedrock.
2. Utilities enter the site from the street; no upgrade of public utilities is intended.
3. Stormwater management will include onsite treatment and reuse and controlled infiltration.
4. Existing driveways at the Stillman property are to remain. There will be selective rework of the parking lot to address revised parking requirements. Final scope of site work at Crow site to be determined as required.
5. There will be minimal and selective tree removal as required to allow for new construction. New plantings are a part of the proposed design and will be compatible with existing.
6. A phasing plan is not applicable at this time. The Museum may expand long-term; an evaluation of potential growth will be completed as part of early design phases and incorporated into the final P.U.D. application.
7. Scope and feasibility of demolition of the Galena Wedding Chapel and non-historic portions of the Stillman Inn is pending final review and approval by the Galena Historic Preservation Commission.



SITE ACCESS PLAN

1. Existing public parking areas will be added to with dedicated parking for the museum site, and parking will be shared between each of these lots with visitors to the US Grant House.
2. A new off-street stop will be provided for the trolley and buses.
3. Pedestrian crosswalks at Bouthillier will be created for increased pedestrian safety when crossing at the US Grant House and at the new Museum.
4. Site development to encourage walking between cultural sites.



SCHEMATIC PARKING PLAN*

- *NOTE: Reconfigured driveway and parking shown for schematic purposes only. Final layout of drive and quantity of parking spots pending civil survey, architectural design, and confirmation of district parking approach with City.
1. D.O.T. Stormwater retention tank shown in approximate location. Further research required on system type, extents, and location.
 2. D.O.T. Stormwater retention tank shown in approximate location. Further research required on system type, extents, and location.
 3. Setbacks shown per Project Narrative and proposed modifications to Medium Density Residential requirements within proposed P.U.D.
 4. Demolition of Stillman Inn Wedding Chapel and 1936 Dining Addition pending approval by Galena Historic Preservation Commission and requirements of final design.
 5. Demolition of Crow House pending final design.
 6. As shown, schematic parking utilizes existing curb cut on Crow property and eliminates (1) existing curb cut at Stillman adjacent to the south property line.



KEY VIEWS

NOTE: While pedestrian and vehicular approach from the U.S. Grant House is key, line of sight from that location is heavily obstructed by the two cabins on the west side of Bouthillier St. and the existing tree stands.

A. View from State Parking Lot to front of Stillman Inn: Existing trees largely obstruct view.

B. View to rear of Stillman Inn from Bouthillier St. at edge of Historic District.

C. View to side of Stillman Inn from Highway 20 W.

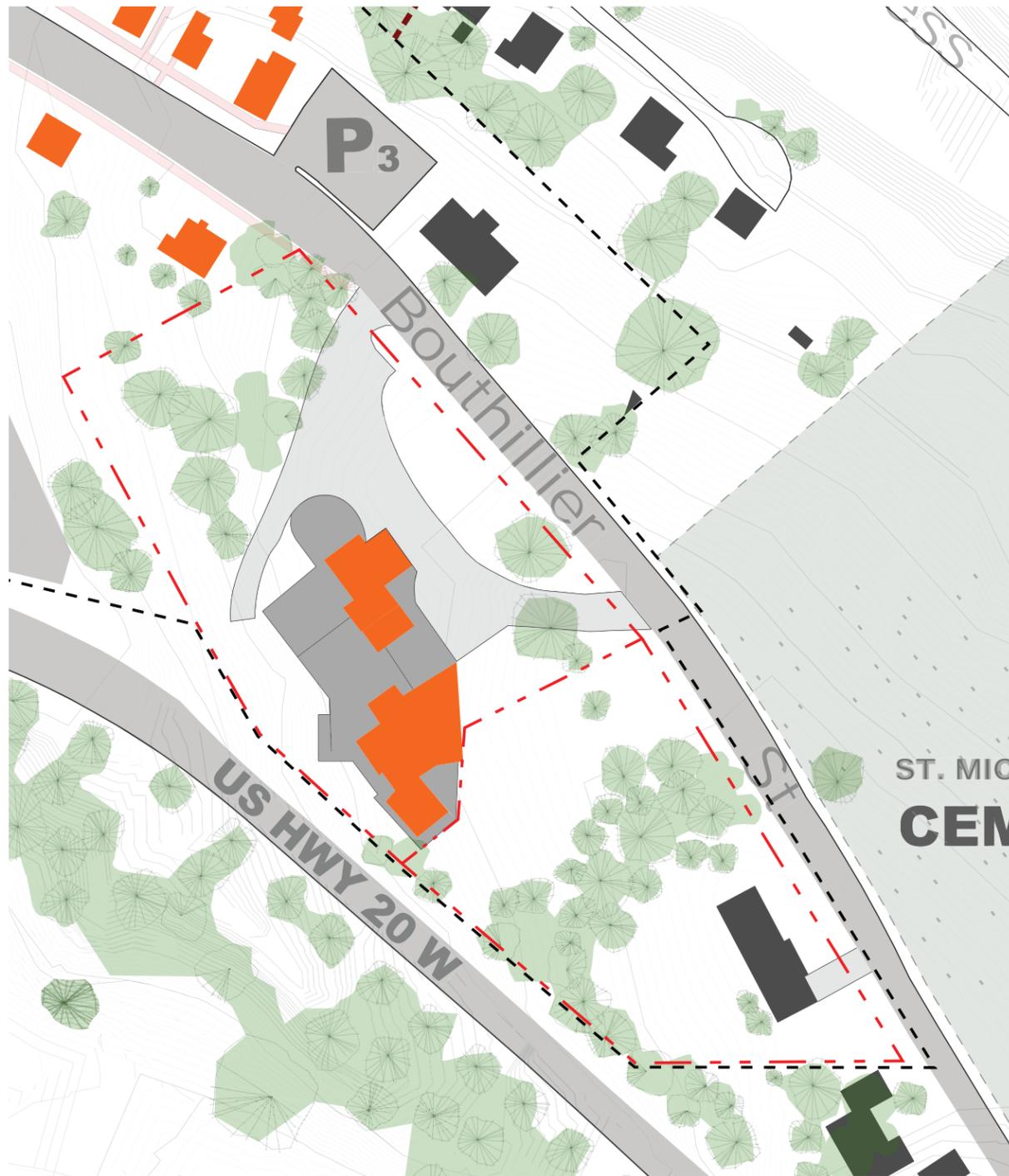
D. View to side of Stillman Inn from Highway 20 E.



EXISTING SITE DEVELOPMENT - LANDSCAPE

*NOTE: Topography shown in drawing is from older survey and does not reflect observable topography, grading, and site development of the Stillman Inn site including retaining walls and parking. Comprehensive civil survey to be performed as part of Schematic Design.

1. Stillman Inn property is largely developed, and while some portions are steeply sloping, retaining walls and paved patios have been constructed and re-constructed over the years.
2. Portion of the Stillman property NW of the existing drive facing the State Commons and running from Bouthillier St. to the Hwy 20 Parking Lot appears to retain original topography and older-growth trees.
3. Steep slope portion of Crow site along Highway 20 appears to retain original topography. Extensive analysis of existing trees for native versus invasive has not yet been performed.
4. The tree stand bisecting the Crow site is a mix of native and invasive species. Proposed site development would remove invasive species and replace with native species.



EXISTING SITE DEVELOPMENT - LANDSCAPE SITE RATIO

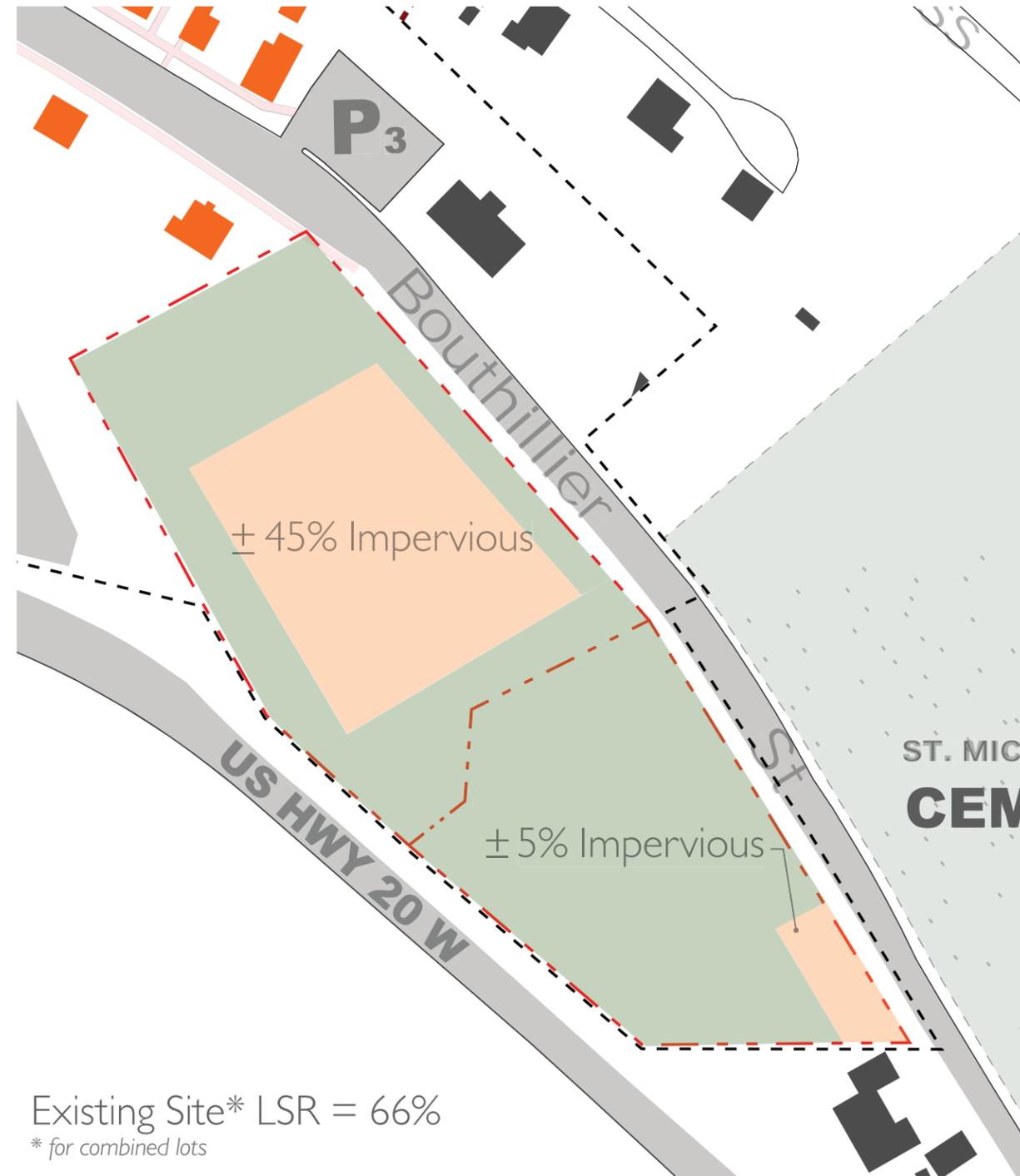
STILLMAN SITE - 513 BOUTHILLIER ST.

Existing LSR = +/- 55%

Existing Impervious Development Includes:

- (2) Buildings: Stillman Inn and Galena Wedding Chapel
- Asphalt driveway + Brick patios, grouted
- Raised planters on brick patio

NOTE: Estimates for impervious are based on initial site surveys and will be updated following civil survey.



Existing Site* LSR = 66%

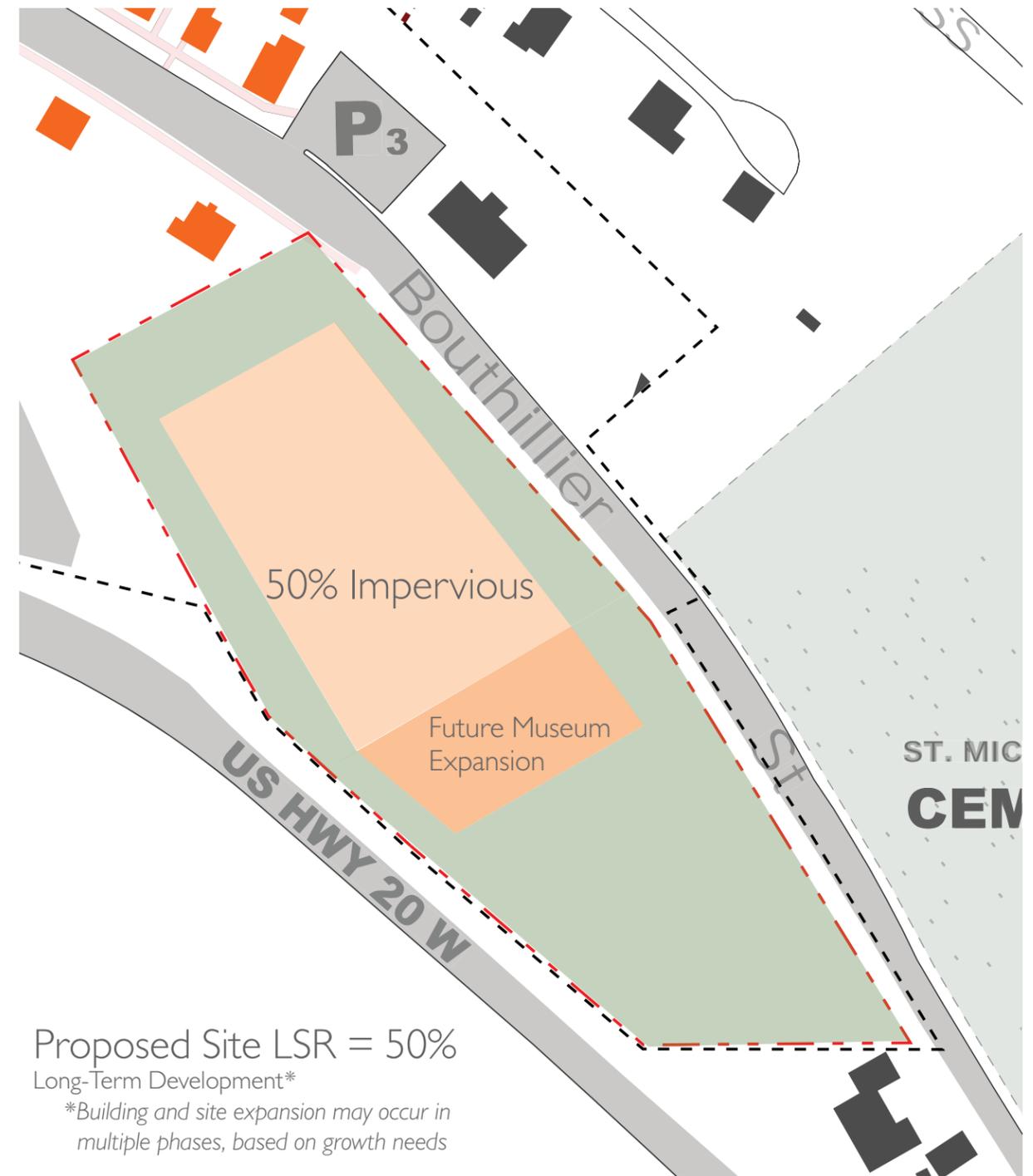
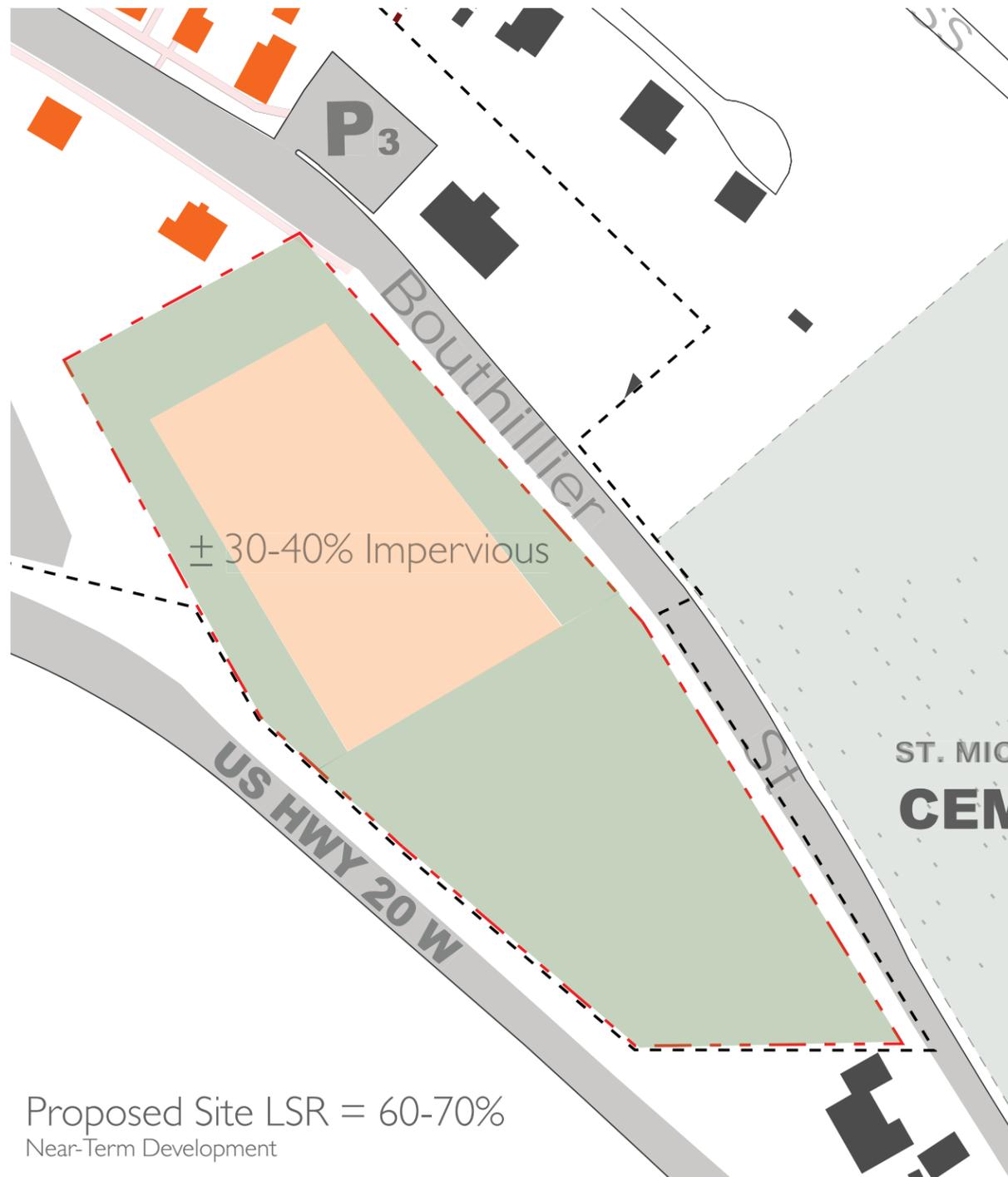
* for combined lots

CROW SITE - 517 BOUTHILLIER ST.

Existing LSR = +/- 95%

Existing Impervious Development Includes:

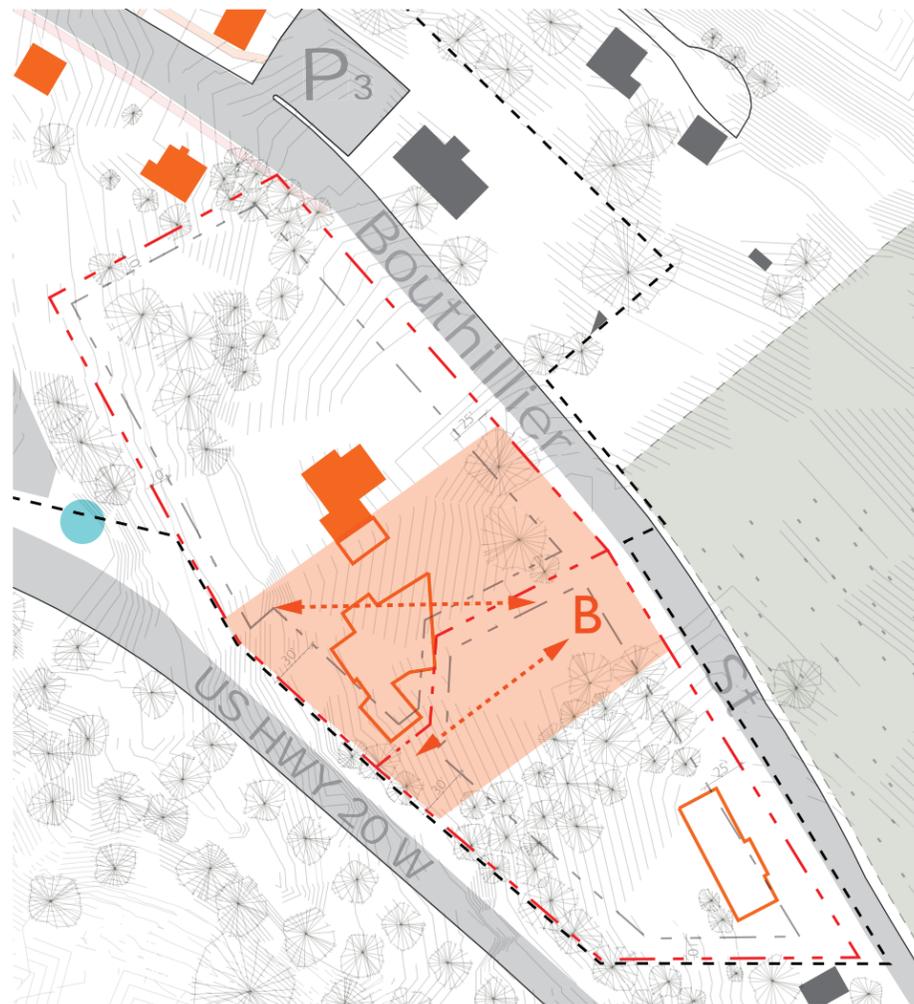
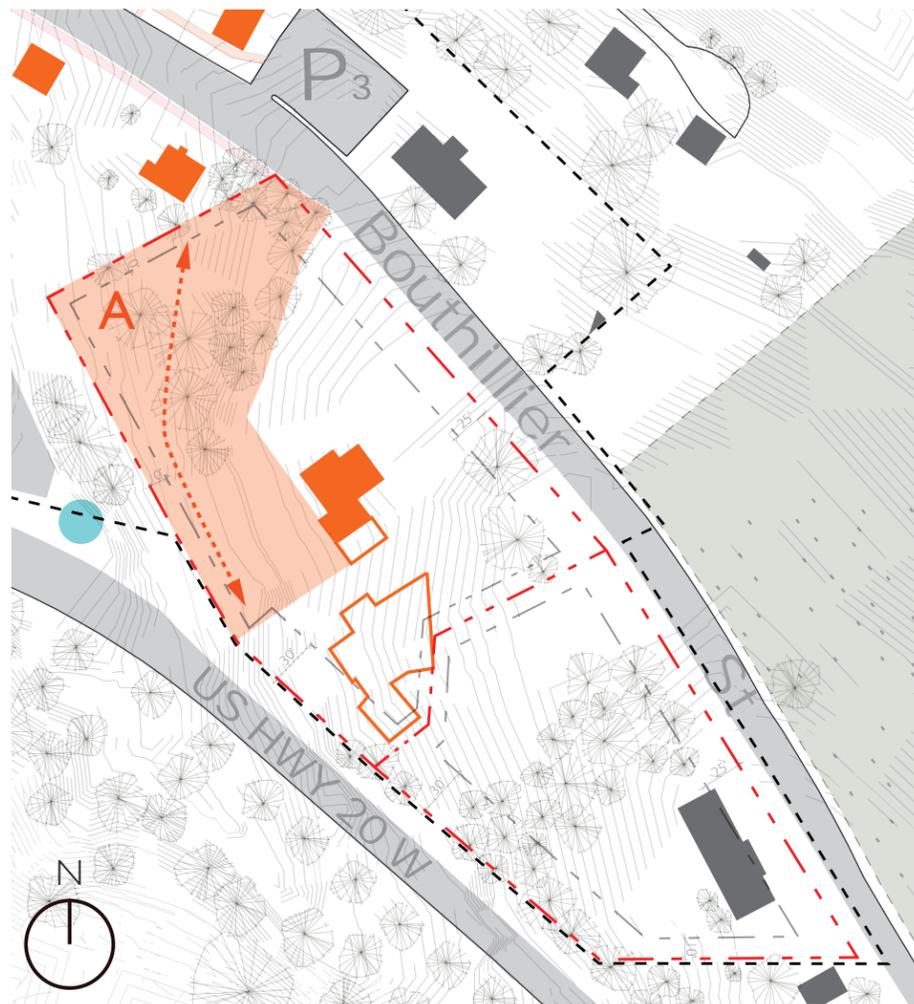
- (1) Building: Crow Residence
- Asphalt driveway



PROPOSED SITE DEVELOPMENT TARGETS - LANDSCAPE SITE RATIO

NOTES:

1. Total impervious development will include buildings, driveway and parking, pedestrian pathways and exterior patios; final placement of features onsite to be developed during later design phases.
2. It is intended that new construction will utilize green roof assemblies and pervious paving; while these strategies reduce the overall impervious percentage, they do not qualify as protected landscape and do not contribute to the site's LSR.
3. Final targets for proposed design Landscape Site Ratios pending programming and schematic design, as well as final placement of proposed new construction on site.
4. Overall site LSR would decrease if the Museum primarily builds on the Crow site, leaving the Stillman Inn buildings, parking, and patio largely as-is. New construction on the Crow site alone would comply with or exceed the 35% LSR per code.



SITE ZONE STRATEGIES FOR PROPOSED NEW CONSTRUCTION

SITE ZONE A

- New building massing to run with topography.
- New construction to take advantage of elevation drop and be primarily one story lower than Stillman Inn to preserve views to and from property, with primary facade facing public open space/Hwy 20.
- Would require entry element visible at grade from Bouthillier.
- Design may modify back of Stillman and demolish former Wedding Chapel outbuilding and exterior paved patio.
- Crow site undeveloped in near-term.

SITE ZONE B

- New building massing to run across the grain of the topography.
- New construction to take advantage of elevation drop with major portions embedded within the land.
- Likely modifications to back of Stillman and demolition of former Wedding Chapel outbuilding and exterior paved patio.

SITE ZONE C

- Physically removed from other sites and existing parking.
- New building can be oriented in response to a number of factors.
- New building massing could have more than one volume, addressing more than one of the key site boundaries.
- Building massing could be developed to create sheltered outdoor space for museum use.
- Museum in this zone could be independent from or related to Stillman properties, with scope of demolition at Stillman outbuilding and exterior paved patio TBD.

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: May 5, 2017

RE: Cal. No. 17S-21, Applicant and Owner: Raechelle & Ikhlas Ahmed, 219 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-043-00, 23' of Lot 31, Lots between Main & Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 219 South Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

Summary:

The applicant is requesting a Special Use Permit to operate as a one-dwelling vacation rental on the second floor of the building in the Downtown Commercial District.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing and no further development is needed.

Number of Guests: Maximum occupancy load for the total request is eight (8) guests, as determined by the Architect. This is determined by the International Fire Code, International Building Code and NFPA on the basis of minimum 200 square feet per person gross (IFC Table 1004.1.2), with an additional requirement for two means of fire-protected egress for each sleeping area (NFPA 24.2.2.1.1).

Lot Capacity: The lot size is 1,930 square feet, or 0.044 acres. The structure is situated between Main & Bench Streets and currently houses 2 apartments above retail. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: There is no off-street parking requirement in the Downtown Commercial District.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include residences, commercial and tourist attractions.

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. *The proposed plan meets the site plan review standards.*

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; *This proposed use meets the district standards.*

(3) *Specific standards.* The land use regulations established in § 154.406; *The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).*

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. *Complimentary uses are available to the project.*

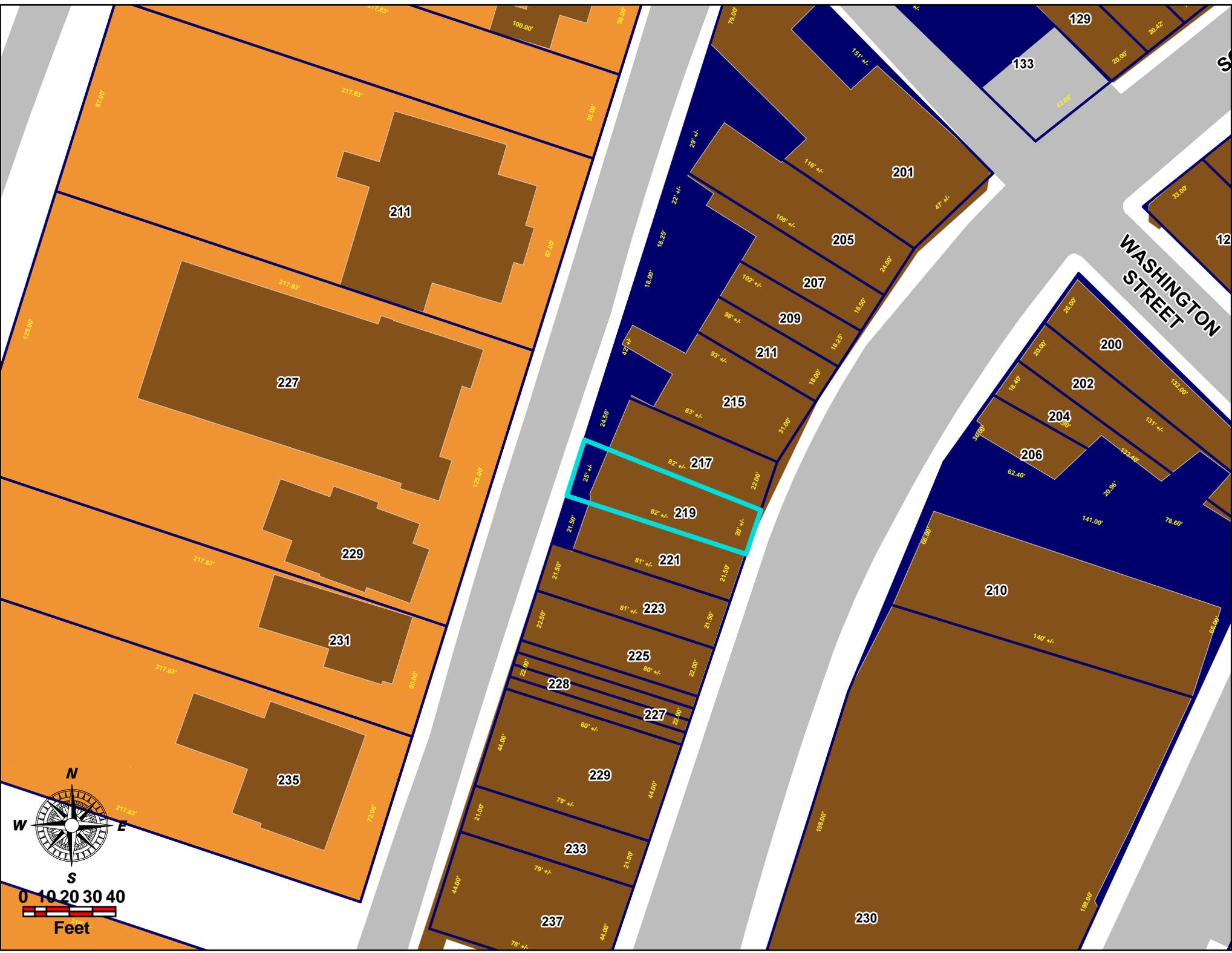
(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. *The proposed use will protect the privacy of adjacent properties.*

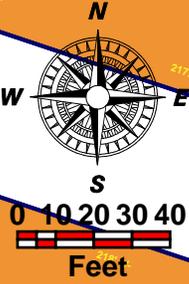
(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. *There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.*

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.*

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.



WASHINGTON STREET



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12

87.00'

217.83'

38.00'

123.00'

217.83'

123.00'

217.83'

20.00'

217.83'

72.00'

217.83'

117.83'

100.00'

30.00'

79.00'

151' +/-

20.00'

20.62'

30.00'

116' +/-

47' +/-

106' +/-

24.00'

102' +/-

18.50'

98' +/-

18.25'

93' +/-

18.00'

83' +/-

31.00'

43' +/-

24.50'

25' +/-

82' +/-

22.00'

21.50'

81' +/-

21.50'

22.50'

81' +/-

21.50'

22.00'

80' +/-

22.00'

44.00'

80' +/-

44.00'

21.00'

79' +/-

44.00'

44.00'

79' +/-

21.00'

44.00'

78' +/-

44.00'

193.00'

168.00'

31.00'

62.40'

141.00'

78.60'

20.95'

133.40'

76.60'

76.60'

140' +/-

198.00'

198.00'



221

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MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: May 5, 2017

RE: Cal. No. 17S-22, Applicant and Owner: Andresen Family Trust, 221 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-041-00, North 15.5' of Lot 30 and South 6' of Lot 31, Lots between Main & Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 221 South Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

Summary:

The applicant is requesting a Special Use Permit to operate as a one-dwelling vacation rental on the second floor of the building in the Downtown Commercial District.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing and no further development is needed.

Number of Guests: Maximum occupancy load for the total request is four (4) guests, as determined by the Architect. This is determined by the International Fire Code, International Building Code and NFPA on the basis of minimum 200 square feet per person gross (IFC Table 1004.1.2), with an additional requirement for two means of fire-protected egress for each sleeping area (NFPA 24.2.2.1.1).

Lot Capacity: The lot size is 2,109 square feet, or 0.048 acres. The structure is situated between Main & Bench Streets and currently houses 2 apartments above retail. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: There is no off-street parking requirement in the Downtown Commercial District.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include residences, commercial and tourist attractions.

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. *The proposed plan meets the site plan review standards.*

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; *This proposed use meets the district standards.*

(3) *Specific standards.* The land use regulations established in § 154.406; *The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).*

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. *Complimentary uses are available to the project.*

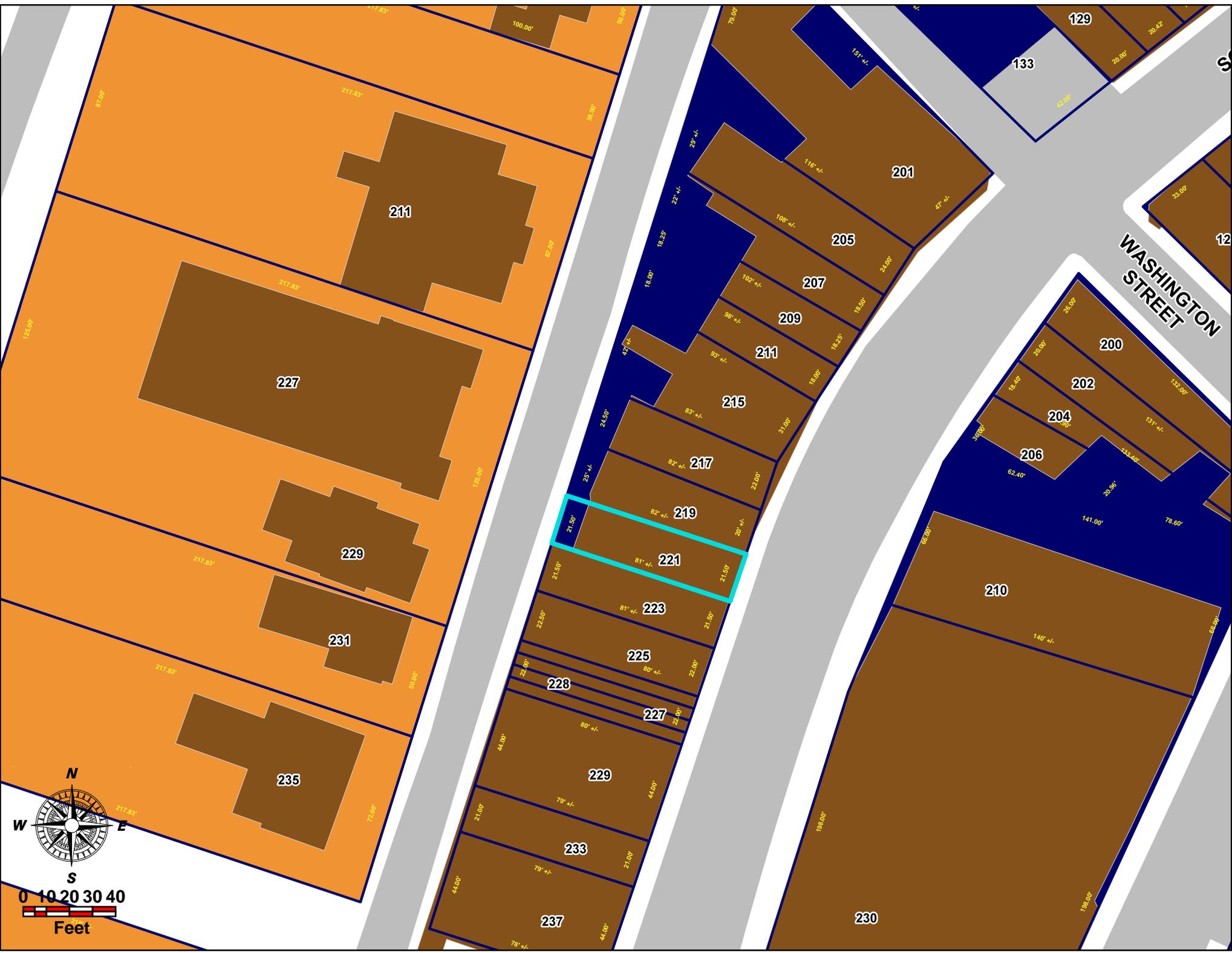
(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

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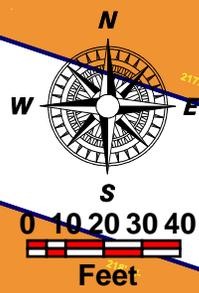
(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. *There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.*

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.*

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.



WASHINGTON STREET





Floral Center
The Artisan

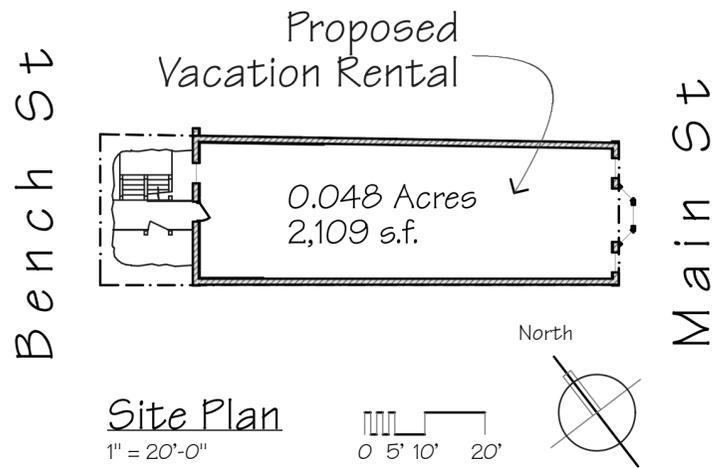
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UNION
LEATHER

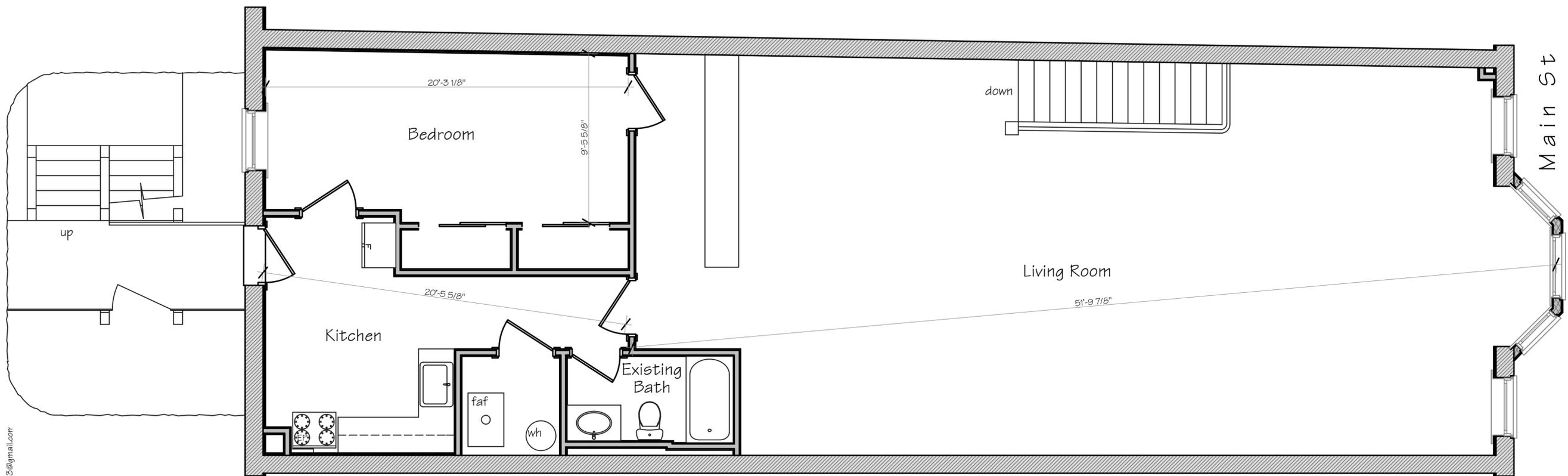
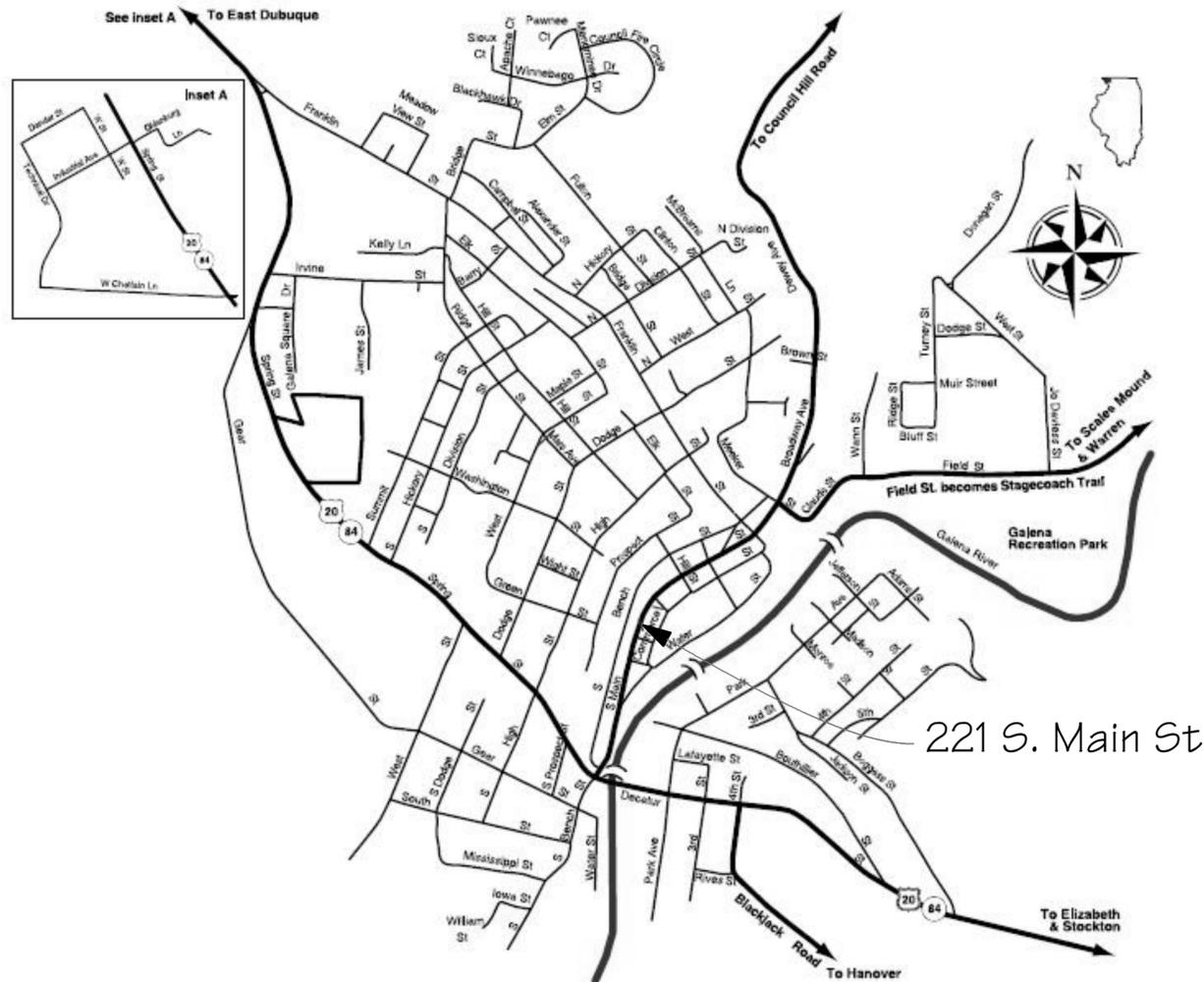
Floral
Center

111 0951



Vacation Rental Unit

1 Bedroom, 1 baths
 1,541 sq ft in Downtown Commercial
 with no Parking Requirement
 4 guests allowed



Existing 2nd Floor Plan
 1/4" = 1'-0"

net area
A: 1,541 sq ft

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: May 5, 2017

RE: Cal. No. 17S-22, Applicant and Owner: Sean & Amy Loberg, 304 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-124-00, North 19.5' of Lot 4, East Side of Main Street, Galena, Jo Daviess County, Illinois. Common Address is 304 South Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

Summary:

The applicant is requesting a Special Use Permit to operate as a two-dwelling vacation rental on the second and third floors of the building in the Downtown Commercial District.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing and no further development is needed.

Number of Guests: Maximum occupancy load for the total request is eight (8) guests, as determined by the Architect. This is determined by the International Fire Code, International Building Code and NFPA on the basis of minimum 200 square feet per person gross (IFC Table 1004.1.2), with an additional requirement for two means of fire-protected egress for each sleeping area (NFPA 24.2.2.1.1).

Lot Capacity: The lot size is 2,340 square feet, or 0.054 acres. The structure is situated between Main & Commerce Streets and currently houses retail and offices. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: There is no off-street parking requirement in the Downtown Commercial District. However, this property does have two off-street spaces in the rear access from Commerce Street.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include residences, commercial and tourist attractions.

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

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(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; *This proposed use meets the district standards.*

(3) *Specific standards.* The land use regulations established in § 154.406; *The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).*

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. *Complimentary uses are available to the project.*

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. *The proposed use will protect the privacy of adjacent properties.*

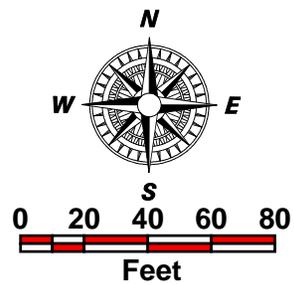
(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. *There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.*

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.*

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

Legend

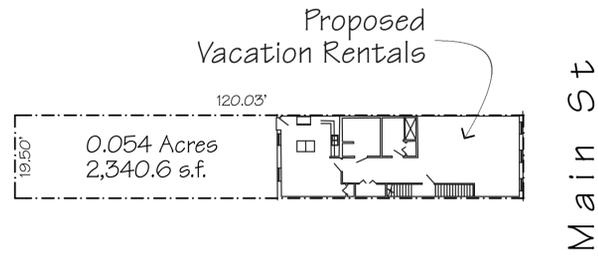
-  Low Density Residential
-  Planned Commercial
-  Downtown Commercial District
-  Property Boundary





FIBER *Wild!*
YARNS - KNIWEAR - GIFTS

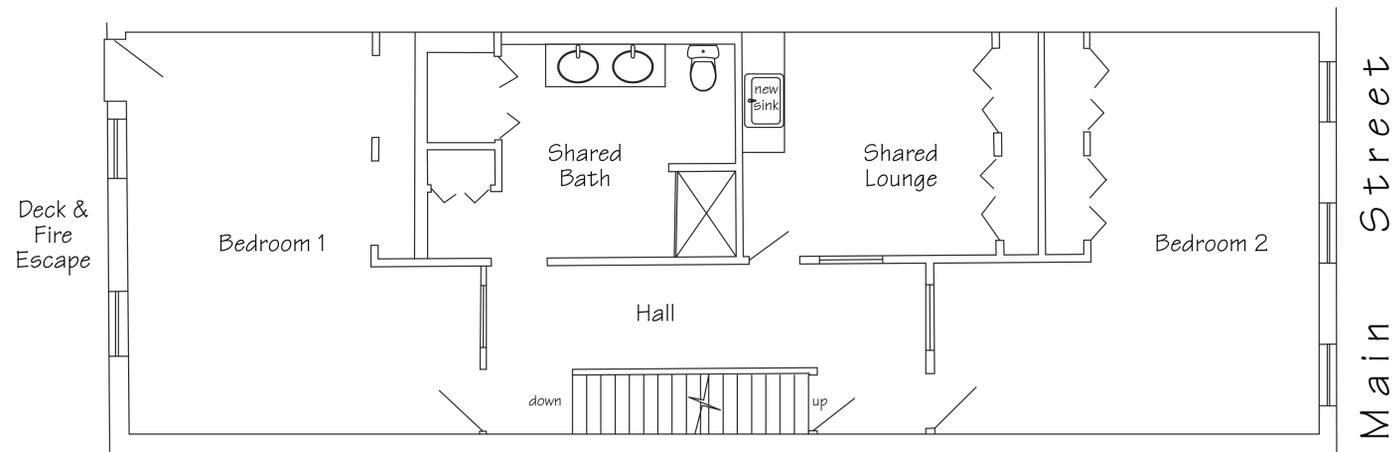
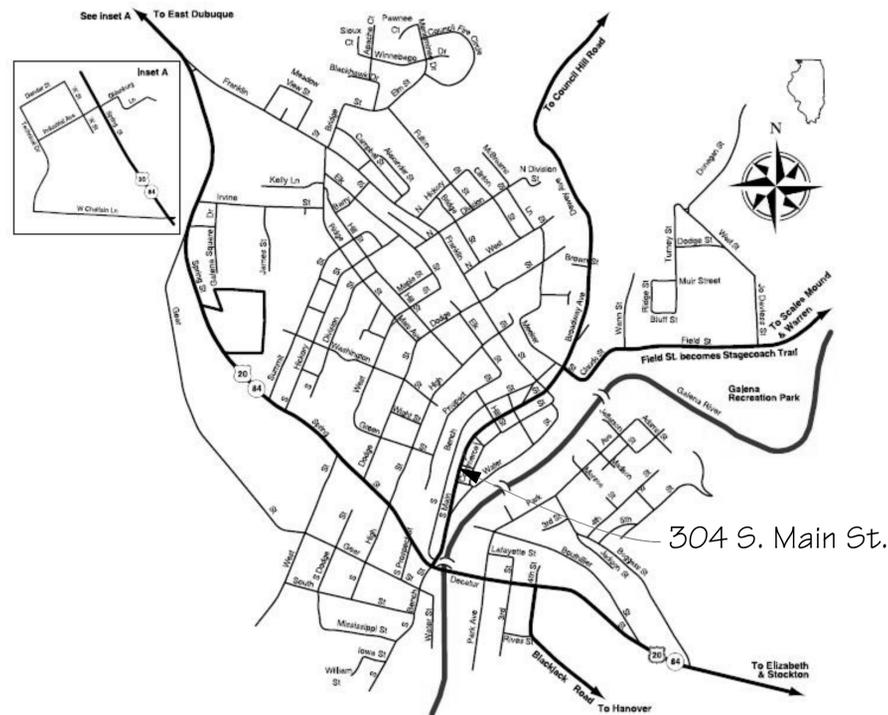
Commerce St



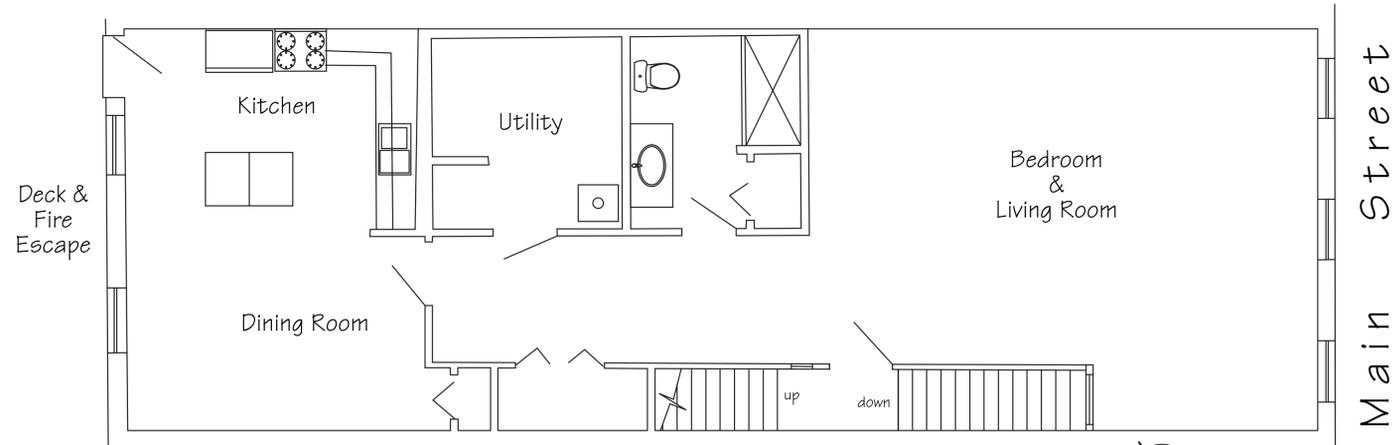
Site Plan
1" = 20'-0"

Vacation Rental Unit

2nd Floor 1,200 s.f. 1 Bedroom, 1 bath
 3rd Floor 1,200 s.f. 2 Bedroom, 1 bath
with no Parking Requirement
 8 guests allowed



Existing 3rd Floor Plan
1/4" = 1'-0"



Existing 2nd Floor Plan
1/4" = 1'-0"