



City of Galena, Illinois

AGENDA

ZONING BOARD OF APPEALS

WEDNESDAY, DECEMBER 12, 2018
6:30 P.M. – CITY HALL 101 GREEN STREET

ITEM	DESCRIPTION
18Z-2001	Call to Order by Presiding Officer
18Z-2002	Roll Call
18Z-2003	Establishment of Quorum

APPROVAL OF MINUTES

ITEM	DESCRIPTION	PAGE
18Z-2004	Approval of the Minutes of the Regular Meeting of November 14, 2018	3-14

UNFINISHED BUSINESS

ITEM	DESCRIPTION	PAGE
18S-15	Tanya Billmeyer – Request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District at 104 North Dodge Street. Ratification of Findings of Fact.	15-17
18PD-02	Adam Johnson – Request for approval of Preliminary Plan and Rezoning for a site, with an underlying default district of Low Density Residential at 413 South Bench Street. Directed Continuance of the Public Hearing.	18-32

NEW BUSINESS

ITEM	DESCRIPTION	PAGE
18A-04, 18S-16, 18V-02	Paul Pendola – Request for Text Amendment to allow Artisan Studio as a land use only by Special Use Permit in Low Density and Medium Density Residential Districts; Special Use Permit to allow Artisan Studio in the Low Density Residential District; and Variance for off-street parking requirement.	33-46

OTHER BUSINESS

ITEM	DESCRIPTION	PAGE
18Z-2005	Public Comments Not to exceed 15 minutes as an agenda item Not more than 3 minutes per speaker	
18Z-2006	Adjournment	

CALENDAR INFORMATION

BOARD/COMMITTEE	DATE	TIME	PLACE
Zoning Board of Appeals	Wednesday, January 9, 2019	6:30 P.M.	City Hall, 101 Green Street

Posted: December 7, 2018 at 4:00 p.m. Posted By: Matt Oldenburg

**MINUTES
ZONING BOARD OF APPEALS
NOVEMBER 14, 2018**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, November 14, 2018 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	Absent
Jansen	Present
Nybo	Absent
Rosenthal	Present

A quorum was declared.

Zoning Administrator Matt Oldenburg and City Attorney Joe Nack were present.

APPROVAL OF MINUTES

MOTION: Bochniak moved, seconded by Cook to approve the October 10, 2018 minutes.

Motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

City Attorney Nack swore in all those who wished to testify at any of tonight's Public Hearings.

Cal. No. 18S-15, Applicant and Owner: Tanya Billmeyer-Finn, 104 North Dodge Street, Galena, IL 61036. Location: Parcel: 22-100-850-00, Lot 3 of Temple's Subdivision of Lot 8 in Block 21 of the Original City of Galena, Jo Daviess County, Illinois. Common Address is 104 North Dodge 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 Bochniak to open the Public Hearing for Cal. No. 18S-15.

Motion carried on voice vote.

Tanya Billmeyer, 104 North Dodge Street Galena stated this is a second home for her. Her primary residence is in Dubuque where she has several other vacation rentals. She would like to have permission to use this property as a vacation rental.

Rosenthal asked those in favor of the request to come forward and testify.

No one else spoke in favor of the request.

Rosenthal asked those opposed to the request to come forward and testify.

Jay Steinstra, 106 North Dodge Street Galena said he is not necessarily opposed but said he is planning to sell his home in the next few weeks and is concerned that this may negatively impact the sale or value. He doesn't know much about how vacation rentals function in Galena.

Rosenthal said the City has fairly strict rules on how they operate.

Oldenburg said there are standards that must be met. If the rental has nuisance complaints the license could be revoked. Currently there are about forty-four licensed vacation rentals and we have had no complaints.

MOTION: Bochniak moved, seconded by Cook to close the Public Hearing for Cal. No. 18S-15.

Motion carried on voice vote.

MOTION: Jansen moved, seconded by Bochniak to approve the Special Use Permit for Cal. No. 18S-15 as presented.

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:

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

Motion carried.

Cal. No. 18PD-02, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036 and Owner: Galena Art & Recreation Center, 413 South Bench Street, Galena, IL 61036. Location: Parcel: 22-100-191-00, Lots 13, 14, 15 & 3-3/4' of Lot 16, West Side of Bench Street, D.O.R. Docket No. 85-43-20 Community Center, Original City of Galena, Jo Daviess County, Illinois. Common Address is 413 South Bench Street, Galena, IL 61036. Request for approval of Preliminary Plan to rezone to Planned Unit Development for a site, with an underlying default district of Low Density Residential, to allow proposed uses.

MOTION: Cook moved, seconded by Jansen to open the Public Hearing for Cal. No. 18PD-02.

Motion carried on voice vote.

Adam Johnson, 411 Fourth Street Galena is representing Mark Schlenker, the potential buyer of the current ARC building. He is looking to provide an accommodation that is different to Galena. He is excited about using the entire building as a group recreation rental center. You could use the gym space for reunions or team building practices and stay there overnight as well. The south playground area would be converted to a parking area; the north playground area would be turned into an outdoor entertainment area. The pool concept is more

of a large hot tub or dunk pool but is in the early planning stages. You could sit and relax in this area rather than having the basketball courts. It would not be your typical pool that would cause a lot of noise. The current on site activity is high. What they are proposing would not intensify the day to day use and would most likely lessen the day to day activity level. The way the building is situated there is no room at the rear for development so having use of the front space is important. They don't have a landscaping plan yet but are working with staff to develop one. This would provide a use that Galena does not currently have. This would allow continued use of the gym preserving that portion of the building.

Jansen asked about the first floor over flow bedroom.

Johnson said they were planning on having traditional rooms on the other floors but thought bunk room style accommodations might be appealing to some groups.

Baranski asked how the rental process would happen.

Johnson said the entire building would be rented out with staff from Schlenker's other property, The Victorian Mansion assisting.

Bochniak asked how serious Schlenker was about the pool.

Johnson said Schlenker thought this would be a good offering and would like the opportunity to build it. He's not sure if it is a priority on the to do list.

Bochniak asked how the pool would look from Bench Street.

Baranski asked about privacy.

Johnson said the pool would be sunk - it would be lower than the current basketball court. The historic preservation commission was inclined to not require a privacy fence as it would block the building.

Baranski said he was trying to picture a group of people using the pool, having cocktails and visiting.

Johnson said he thought adding some low landscape shrubbery to break up the area along the fence before the pool deck would be a good idea.

Cook asked if the pool area would be usable until 10PM.

Rosenthal said he thought that time limit was for noise purposes.

Baranski asked who would enforce the close time.

Johnson said the whole outdoor space would probably need to be closed at a specific hour.

Baranski said the necessary parking area would seem to be determined by the maximum number of people allowed by the building code.

Bochniak asked about the term entertainment.

Johnson said they were thinking about offering the space for cooking or crafting classes. The only outdoor entertainment would be the lounge area. There would be no area outside for basketball or other games.

Bochniak said if this was approved by Zoning and the City Council and there was no onsite liquor license could guests still bring their own in.

Oldenburg said renters could bring in their own alcohol like a vacation rental.

Cook asked about potential grilling areas.

Johnson said that hadn't really been determined. They would like to have a space, but parking requirements may take precedence. Developing the parking will be expensive. They want to keep it away from the building to avoid foundation issues, but the grade drops off 36-38 inches so removing material and creating the parking is challenging.

Cook asked how many parking spots were available on the south side.

Johnson said four.

Baranski said all on-site parking requires backing out on to Bench Street.

Cook said this is the case most anywhere on Bench Street.

Rosenthal said the request really is for a hybrid vacation rental. Other vacation rentals on Bench aren't even required to have off street parking.

Dave Decker, 413 South Bench Street Galena is Director of the Galena ARC. He said it is very exciting to have a buyer for the building so soon after its listing. Schlenker has been wonderful to work with. If the sale goes thru Schlenker has agreed to be flexible as to when the ARC will need to vacate the building and he has offered use of the gym during the week when space is tight at their new facility. The building has only had three uses in its 100 plus years of existence – the past 50 as the ARC. Change is always difficult, and he appreciates open mindedness when looking at the application.

Rosenthal asked if the gym is still used for basketball.

Decker said it is basically a practice gym. It is so difficult for spectators to access the gym that games and tournaments are held at Galena public school facilities.

Rosenthal asked those opposed to the request to come forward and testify.

John Carey, 501 South Bench Street Galena said he has lived next door to the ARC since purchasing their home in 2005. At the time it was a duplex, but they are converting it back to a single-family home. They love hearing the children at the school which is different than hearing people having cocktails while lounging around a pool. They are concerned about the change of use from a school to, for all practical purposes, a hotel that would be open 24 hours a day, 365 days a year. They are worried about parking for the seven bedrooms. This requires seven parking spots, a manger space, an ADA spot as well as a loading zone for deliveries. The plan shows three spaces which includes an ADA spot. Parking really hasn't been an issue with the ARC - people are coming and going and school buses are unloading all in front of the building. The new plan has vehicles backing onto Bench Street and the potential of large delivery trucks. There are no buffer zones or screening – virtually no landscaping. Having a liquor license, a pool and lounge area doesn't seem compatible. Are there plans for fire escapes. Is there true ADA access? A PUD requires 5 acres; this shows they have .69 acres and really the amount of usable acreage is about a third of that – maybe a quarter of an acre.

Bochniak asked what his feelings would be if the building was converted to condos with no pool.

Carey said that was what everyone was thinking. This seems to be a stand-alone party destination.

Baranski asked Carey what he thought an appropriate use for the building would be.

Carey said it could be a museum, a professional building, a community center, but he realizes ADA access is an issue.

Baranski said if this was approved and the ordinances were enforced by the City would he still have a problem with the use.

Carey said the pool is not in keeping with Galena. The potential new owner makes his living as a professional party provider. He has concerns. He thinks it is possible for the use to be managed and he trusts that the City would enforce the regulations. He said Oldenburg indicated that the City is not interested in having a frat house type facility. He does know that selling this type of building is not an easy thing. It appears the presented plan is not very well developed.

Dennis Dunton 407 South Bench Street, Galena said he has the right side of a duplex just North of the ARC. His neighbor is Roger Karsk at 409 South Bench Street. They are the first building to the right of the ARC. Dunton has owned his property for fifteen years. He and his neighbor have two concerns. The first is parking. The ARC has been a great neighbor, but parking is an issue in this area. When you add seven housing units but only three parking spaces there are going to be problems. Backing onto Bench seems a problem – there is no turnaround. The second concern is toward the pool. This goes against everything that is Galena. An outdoor entertainment venue seems more appropriate for East Dubuque. He wants the ARC to have a new larger facility. He suggests that the new owner convert the building into something akin to an artist's center. Our community has a wonderful relationship with artists and area artisans could lease space for their needs. This would be a magnet to the community and would generate sales. He believes developing the space into condos would also be fine.

Rosenthal said if this was an arts center you would still have artists and consumers looking for parking spaces.

Dunton said artists would need parking but most visitors to Bench Street walk it so that would be less impactful than what is being proposed.

Baranski said that use was recently filled with the newly opened arts center on Summit Street. If the building were used for condos it is likely the entire building would be converted resulting in many more than seven units possibly double that number which in turn increases the parking needs. He asked Dunton if pool were removed would the request be okay.

Dunton said the pool is the most objectionable portion of the request but if people can sit outside until all hours of the night consuming alcohol that is problematic too.

Baranski and Rosenthal asked about ordinances concerning noise.

Oldenburg said that would be a general disturbance issue and noise complaints are handled by the police.

Rosenthal said this would not be any different than any Galena resident having a gathering with the potential for alcohol and noise.

Ilisa Farrell 505 South Bench Street, Galena said she has had ownership of this property for thirty-two years. She is in the process of retiring after thirty years in real estate. With the exception of the ARC it is a residential neighborhood. There is very little off street parking so most residents park on the street. As a proposed PUD

there is not the required necessary acreage. Parking is a problem with this development. She feels if this were developed as condominiums you would still only have seven or eight units in the entire building because each unit would have a kitchen, bathrooms, living spaces etc. and the building would have common spaces and hallways. If the pool was not built the outside area could be differently configured for more parking. When people own their space, they have a vested interest in how things are taken care of which is different than having the building as a rental. Having entertainment at this venue means all different kinds of things to this residential neighborhood. Trying to lump this into a PUD just because there is no other appropriate category doesn't seem to fit.

Bochniak asked would there be concerns if a church wanted to use the building.

Farell said she has a church on the other side of her duplex and knows what a church brings.

Bochniak said this type of building will probably have issues with parking and noise no matter what new use is developed.

Baranski said this area really isn't a neighborhood – there are plenty of other uses – the ARC, churches, the library, Turner Hall, the back of Main Street restaurants.

Farell believes condos would be a much better use for the building.

Diane Checckin 414 South Bench Street, Galena lives directly across from the ARC. She and her husband have been residents of Galena for over thirty years. There have been increased parking issues in the area due to the recently approved vacation rentals. The parking demands would only increase due to the use and needs of this proposal. A PUD under five acres requires buffering and mitigation of any adverse effects to neighboring properties. She cannot say enough about her negative feelings toward the pool - large groups can cause a number of problems. This is not the highest and best use for this property.

Christy Wheatley 518 Hill Street, Galena said she is here tonight for her own concerns but also for a friend who lives on Bench Street. Of course parking will become more of an issue as will noise. The idea of a pool in front of the building seems to be asking for trouble. It seems many aspects of the project have not been very well thought through.

Rosenthal asked if Johnson wished to respond to the objectors.

Johnson said he certainly appreciates the feedback provided by the neighbors. The term outdoor entertainment space is a zoning term and he agrees that the neighbors' quality of life needs protecting from detrimental and adverse activities. Would the 10PM end time solve this - he's not sure. The property would be managed by off-site staff from the Victorian Mansion. Is that enough for the neighborhood – that's up to them. Small Inns are managed the same way. No matter what is done with the building parking is going to be a problem. It's easy to think converting to condos would be a sure thing. You would need to destroy the third-floor gymnasium and probably need to seek historic funding to make a full-blown conversion financially feasible. You will still have parking issues and you would want to create some type of outdoor area for residents to use. Would this still be a concern to the neighbors. Converting to commercial space could be even more challenging. Trying to create a use where the gym is retained still seems a viable option.

Bochniak asked if Johnson thought it would be wise to take a step back and meet again with the owner to get a more concrete plan developed.

Johnson said he is not sure what the timeline is for the sale. He said he would like to hear what the Zoning Board has to say and how this impacts the plans.

Rosenthal asked for a motion to close the Public Hearing.

MOTION: Jansen moved, seconded by Bochniak to close the Public Hearing for Cal. No. 18PD-02.

Motion carried on voice vote.

MOTION: Baranski moved, seconded by Jansen to approve the request with conditions for Cal. No. 18PD-02.

Discussion: Baranski said this is a very difficult situation. When he heard ARC was moving he was concerned about the building's future. Conceptually there are good parts to the application but there are some bad as well. He has four points:

1. First because it is a small PUD, the Planned Unit Development ordinance was created because there are many unique properties in Galena and we need different tools to address those properties and yes bufferyards are important. This is only the preliminary plan approval – the Zoning Board would need to approval a final plan.
2. Baranski feels it is a bad idea to not have an on-site manager. Turning a building of that size over to whomever is not a good idea. Having a manager present is essential to maintaining oversight.
3. The pool is not a good idea. He would probably deny that.
4. He agrees with Oldenburg's recommendation to convert the proposed pool area into additional parking if possible.

Jansen concurs. He's not sure if a manger needs to be onsite always during rental but the pool does not belong. Any extra off-street parking that can be created should. The entire downtown area has parking issues. His biggest concern is that this building will have the same fate as that of St. Mary's School. It could sit unused and deteriorate for years which will have a negative impact on neighboring properties. He applauds the ARC for moving to the new site. It will be a wonderful facility. It's not necessarily the City's responsibility to ensure that old buildings have a constant use. He wants it to have a new life, but he's concerned about the potential of it being used as a party house. We need to put in some safeguards to protect the City.

Baranski said he did think about converting it to condos but that is a multi-million-dollar project. Does Galena have a demand for condos?

Jansen said the former high school on Prospect Street sold to a developer for about \$56,000. They then converted to condos. Owning an empty building still requires physical upkeep and financial burden.

Rosenthal said the St. Mary's building has been sitting empty rotting away since 1974.

Bochniak questioned interior restrictions on times for basketball and other activities. If there was going to be a play, musical, concert or even a group of musicians out for a reunion are we looking to restrict that type of noise.

Baranski said it would seem no different than if a group of people were at a private home. If there are complaints the police would respond telling them to quiet down.

Bochniak asked Oldenburg about the definition of entertainment.

Oldenburg said we have definitions for indoor and outdoor entertainment whether it is commercial or if the public is invited or private.

Rosenthal asked what the intent was for entertainment at this site.

Baranski said with a PUD we can pick and choose what seems appropriate to the area and property. He shares the concern of the neighbors for activities such as large frat style gatherings. But how do we restrict it. The application indicates twenty people. Does this mean twenty people in the entire building at one time. There is a building code calculation for how many people are safely allowed in that space.

Oldenburg said the primary purpose of a PUD is to determine what types of land use would be allowed on the site. The accommodations occupancy determines how many people are allowed for such uses as basketball or plays. This should be catered toward the total occupancy of the group renting the building.

Baranski asked as to the gym being used by ARC even after the sale. Would that be allowed.

Oldenburg said you could establish the land uses so the request could move forward. The applicant could later apply for a special use permit to allow additional types of entertainment use such as larger scale basketball use.

Rosenthal said it is very doubtful; that you would be renting out sleeping quarters while having a concert in the gym. It is also unlikely that these sleeping areas would be rented seven days a week, so you could have another activity in the building during those times. You could see families having reunions here – renting the building so everyone could be together and have use of the facilities and gym. It appears every time we have this type of request everyone starts talking frat parties and keggers and yet as far as he knows we haven't had any problems. He agrees that the pool is not a good idea and it seems the liability would be a problem for the owner. An area for people to sit and visit and possibly grill out seems reasonable. He's not as concerned about the parking. Four additional off-street parking spaces are four more spaces than are currently there. It's a good use for the building. He was a member of the last graduating class at St. Mary's in 1974 and he knows how the building looks. If the same thing happens here we are going to have many more people coming in fifteen years from now asking what the City is going to do about that falling down building. It sounds great to have a museum here but who's footing the bill. We have someone who wants to buy the building and use it. The City has the rules and the ability to limit the uses to protect the neighbors. He thinks it's a good idea – there are not a lot of uses for this type of building. If the ARC had not gotten this space 50 years ago it may not have had a use since then.

Bochniak went back to indoor entertainment. If we approve this tonight can we put restrictions on the indoor entertainment when we have the final review.

Oldenburg said the Zoning Board would recommend approval to the City Council and that would be the last time the Council would act on it unless there is some sort of appeal. This is the time the tone is set for the PUD. You could say that accommodations and indoor recreation on the third floor are allowed by right and cap the occupancy. You could say that any other indoor entertainment uses would require a Special Use Permit from the Zoning Board which means a public hearing. You could ask that the matter be continued to the December meeting although he doesn't think new testimony would be allowed.

Rosenthal said it would be nice to hear what the new owner's real intent was concerning entertainment. He doesn't want to see the gym use limited if it doesn't have to be. Yes, it will be limited somewhat due to the overnight accommodations, but he also doesn't want to have a concert on the third floor causing the neighbors to have a legitimate complaint.

Baranski said he thought the Board needed to define what would be allowed as commercial indoor entertainment. He thinks it would be beneficial to have a conversation with the developer.

Nack said right now the Board must speculate as to what the developer is looking to do. You can continue the request to the next meeting where clarification could help determine the uses.

Oldenburg said accessory uses by right, such as basketball, could be allowed. If they wanted to have things like small concerts or hypnotists for groups they would need to come back to the zoning board for a public hearing to obtain a Special Use Permit. This would be after approval of the PUD along with any necessary conditions. The Board should be able to proceed with the application for principal uses of accommodation and indoor recreation at whatever scale the board feels is appropriate.

Nack said the developer may not want to proceed if every indoor entertainment idea must come back before the zoning board and has the potential to be denied. Johnson may be able to clarify.

Baranski said he thinks the developer should come before the Board to address what it is that he has in mind. The Board can better proceed in deciding and include any necessary conditions.

Bochniak said limits on the number of persons attending entertainment type events could be determined depending on the number of overnight guests.

Baranski said he wished the Board had more information to base their decision on.

Rosenthal said if people are concerned about concerts being held there can't we just not allow those.

Nack said you could, but even something as simple as basketball could be an issue. Are the windows open, are they playing in there at all times of the day making a lot of noise. Maybe an end time of midnight would be appropriate. The problem is we don't know what he wants to do – you are being forced to guess.

Baranski asked what the most appropriate way was to get the information needed to make this decision.

Nack said you could continue the agenda item until the next meeting but there would be no new testimony as the public hearing had been closed. The Board can ask the developer for clarification as to what the intended uses are.

Rosenthal said he thinks the entertainment issue needs sorting out as well as the swimming pool.

Oldenburg asked if the board was keeping the outdoor recreation separate from indoor commercial. We have existing land uses as a guide so if you want to restrict nuisance type activities and/or hours of operation we have the tools to do so.

Bochniak asked where cooking classes would fall.

Oldenburg said that is an institutional use which is like they operate now.

Rosenthal asked if we shouldn't just continue this to the next meeting for clarification.

Oldenburg said we also need to look at the intensity as well as specific uses.

Baranski asked if you could have it read activities similar to those of the ARC.

Oldenburg said you could. As far as parking, changes of use are exempt, but parking can be addressed with the PUD.

Nack said as for the neighbors it appears alcohol use and timing of activities are a focus of concern.

Rosenthal said we don't have restrictions limiting a group of people who are gathered outside at someone's house grilling, visiting and having a few drinks. If you aren't bothering anyone it's allowed. You can't put so many restrictions on it that people won't want to come and stay.

Baranski said he just doesn't think it's possible to determine this without the developer coming to us with more specifics on what it is he wants to do.

Nack said someone would need to make a motion to continue.

MOTION: Bochniak moved, seconded by Baranski to continue the request for Cal. No. 18PD-02 until the December 12 meeting to clarify with the applicant the recreation and entertainment land uses that are proposed, the proposed hours and the proposed occupant load for those uses.

As Roll Call was:

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

Motion carried.

NEW BUSINESS

None

WORK SESSION

None

OTHER BUSINESS

None

PUBLIC COMMENTS

None

MOTION: Bochniak moved, seconded by Jansen to adjourn the meeting at 8:35 pm.

Motion carried on voice vote.

Respectfully submitted by
11-14-2018

Deb Price
Zoning Board Secretary

DECISION

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

REGARDING

CALENDAR NUMBER: 18S-15

APPLICATION BY: Tanya Billmeyer, 104 North Dodge 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 November 14, 2018. 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 4,192 square feet, or 0.096 acres. The structure is situated along North Dodge Street. The site is already properly landscaped with well-established vegetation and lighting. The lot can absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: The site can accommodate one (1) vehicle off-street in the driveway. The parking regulations require one (1) off-street space per four (4) guests.

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 and the Old City Cemetery.

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:

- **Tanya Billmeyer, 104 North Dodge Street, Galena** stated this is a second home for her. Her primary residence is in Dubuque where she has several other vacation rentals. She would like to have permission to use this property as a vacation rental.

Testimony Presented in Opposition to the Proposal:

Jay Steinstra, 106 North Dodge Street, Galena said he is not necessarily opposed but said he is planning to sell his home in the next few weeks and is concerned that this may negatively impact the sale or value. He doesn't know much about how vacation rentals function in Galena.

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 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 Tanya Billmeyer 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 Tanya Billmeyer 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 14th day of November, A.D. 2018, by the Galena Zoning Board of Appeals by a vote of 5 ayes, 0 nays, 2 absent, 0 abstain, 0 recused.

John Rosenthal, Chairperson

MEMO

To: The Zoning Board of Appeals
From: Matt Oldenburg, Zoning Administrator
Date: December 7, 2018

RE: Cal. No. 18PD-02, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036 and Owner: Galena Art & Recreation Center, 413 South Bench Street, Galena, IL 61036. Location: Parcel: 22-100-191-00, Lots 13, 14, 15 & 3-3/4' of Lot 16, West Side of Bench Street, D.O.R. Docket No. 85-43-20 Community Center, Original City of Galena, Jo Daviess County, Illinois. Common Address is 413 South Bench Street, Galena, IL 61036. Request for approval of Preliminary Plan to rezone to Planned Unit Development for a site, with an underlying default district of Low Density Residential, to allow proposed uses.

At the November 14, 2018 meeting, the ZBA directed a continuance in order for the applicant to clarify the proposed plan and return with the update at the December 12th meeting. The presentation of new information and testimony will require the public hearing to be re-opened.

The applicant has provided additional narrative and updated drawings to clarify the proposal for the Board. They are the next three pages after this memo; I've also included the original materials for your reference.

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);
- 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*

Cal. No. 18PD-02

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.

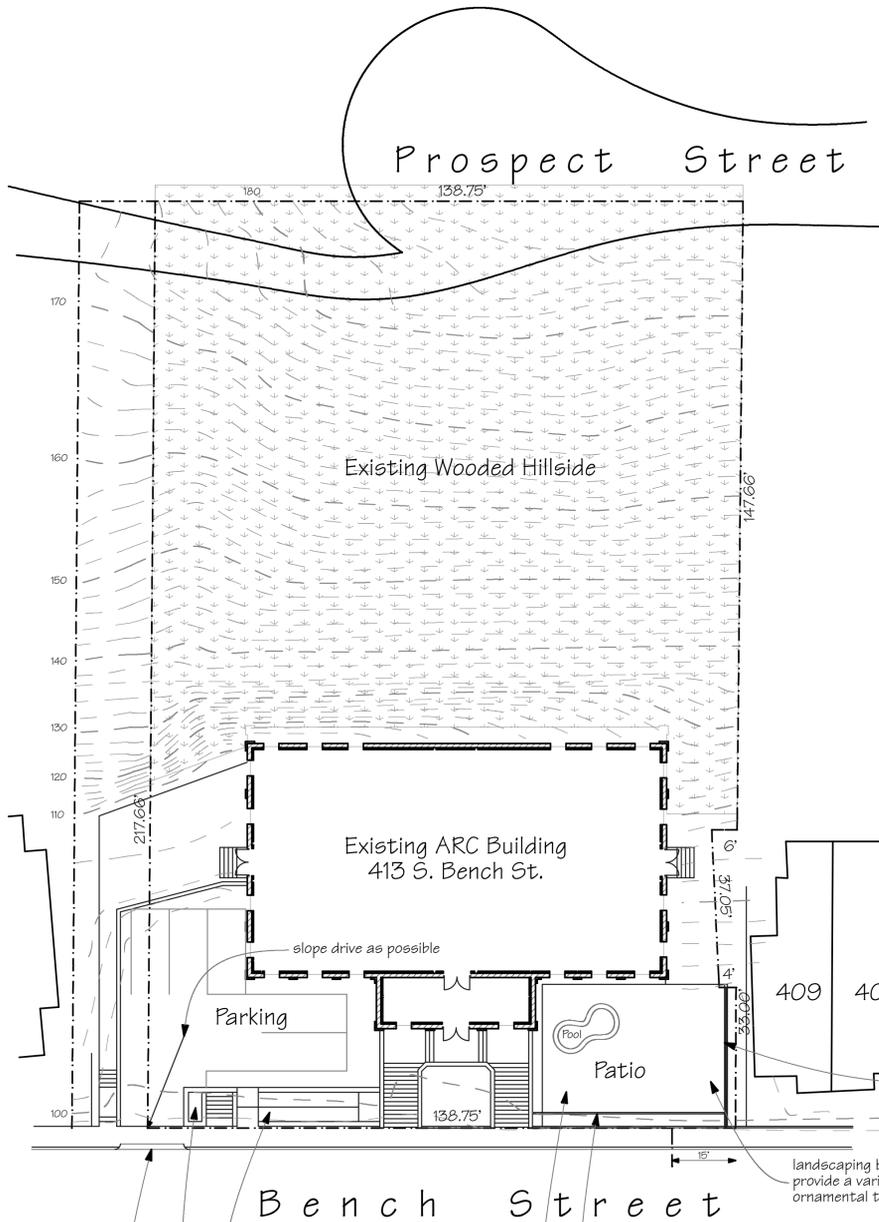
Planned Unit Development for St. Michael's School Building
413 South Bench Street, Galena, Illinois 61036

After clarification with Mark Schlenker, the pool size was greatly reduced to a dip pool or wading pool approximately 5' x 10'. This would not be a hot tub or spa but a cool water pool. The Patio area is reduced and provide with a landscaping buffer, a hedge along the street and appropriate fencing with a privacy fence along the neighbor's property line. No permanent sound system will be installed on the exterior.

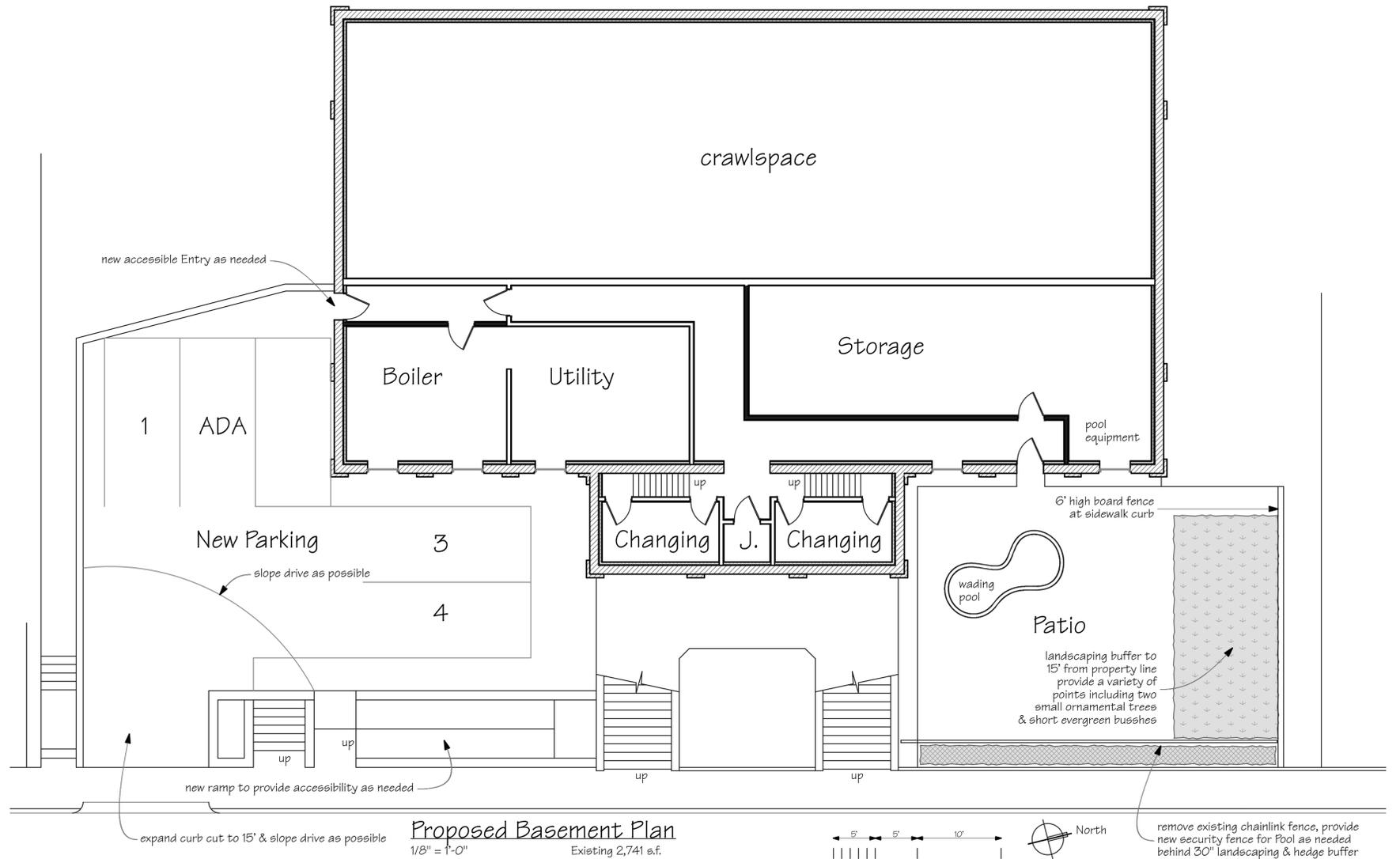
Owner does not propose to have staff on site but will have staff available within a short time period to visit the site to provide services as needed. All public spaces will be monitored by video surveillance to insure the proper behavior is maintained by guests and that the property is respected. Appropriate deposits for renters or guests will be required

Proposed Uses for the building will include:

1. Use of the gymnasium for all typical gym sports, including basketball, volleyball, dodge ball, etc. and for active training or exercise classes or groups, such as martial arts or aerobics classes. Use of gymnasium may also include use of the stage for rehearsals for plays or similar activities. This may be used by renters, local groups using the gym for practices, open gym periods for public use. The ARC intends to continue some gym use. Use of music or amplifiers will be limited to levels that are not distracting from the exterior. Hours for use will be 6 am to 10 pm all year. This use may include up to 30 or 40 people depending on the size of teams for the sport. Separate lodging use would not occur during this use, the building would be otherwise empty.
2. Use of the building for a festival event such as a sports tournament, music event, theater event, or other social gathering or event which may occur over a weekend, up to 3 events a year. These events may gather a large groups of people, as many as 100. These events will be planned and scheduled events such as a recital or a theater performance. Or, an event could be a sporting tournament in which teams gather for a series of games. Or, an event could be a graduation from a group or class, an anniversary party, or other similar large, celebratory party.
3. Use of whole building by groups which will stay in the lodging and use the building facilities during that stay. This would include the use of the Gym and Lounge. There would be no day of time limit to the use of the Gym or Lounge and guests may use the facilities all night if desired as long as no outside noise disruption occurs. Use of the Patio would be limited to sunrise to 10 pm weekends, 9 pm weekdays. Lodging is limited to All year use when building is not otherwise in use
4. Lodging without use of gym limited to 20 guests. Rooms may be rented in groups or individually to separate parties. All year use when building is not otherwise in use.
5. Proposed pool in Patio will be allowed by Special Use Permit and will be subject to the Special Use review process and may be revoked in the future should use of the pool become a disruption in the neighborhood. Use of the Patio would be limited to use by lodging guests from sunrise to 10 pm weekends, 9 pm weekdays.



Proposed Site Plan
1" = 20'-0"



Proposed Basement Plan
1/8" = 1'-0"
Existing 2,741 s.f.

Planned Unit Development Application

Proposed Plans to convert Existing ARC Facility into
 Indoor Entertainment (including Gymnasium use & Cooking Classes)
 Transient Lodging for up to 20
 Outdoor Entertainment use of existing north playground
 Reconfigure south playground for Parking

Zoning Standards

Zoning: LDR Low Density Residential Overlay District
 Lot Size: 0.69 acres, 29,993 s.f.
 Floor Area Ratio FAR = 47%
 Existing building size approx. 14,180 s.f.
 Proposed Landscaping 60% = approx. 18,000 s.f. proposed

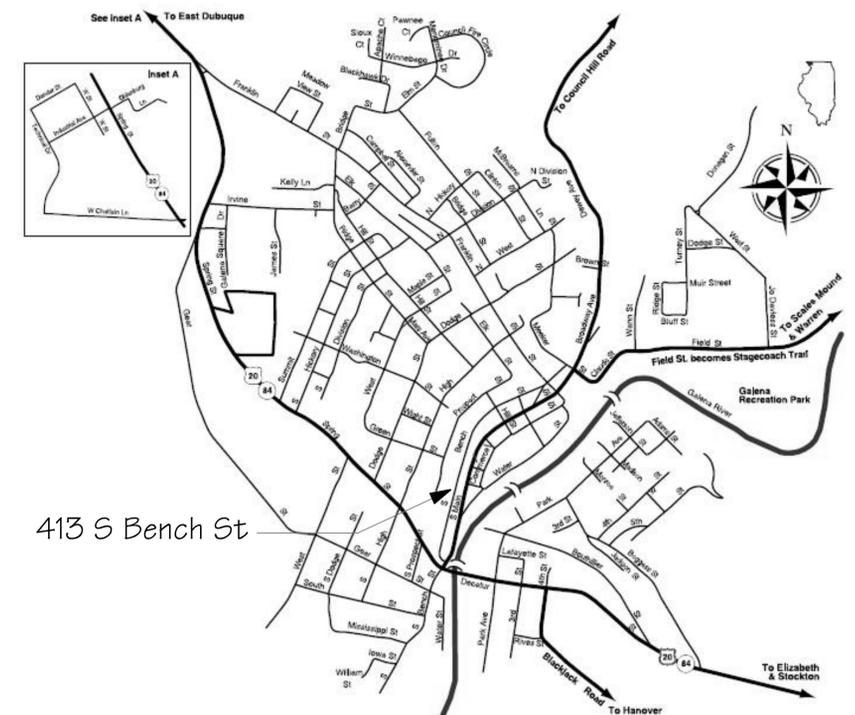
3 Stories, 36' height allowed, existing steeple to be grandfathered

Parking = 3 spaces provided, on ADA accessible

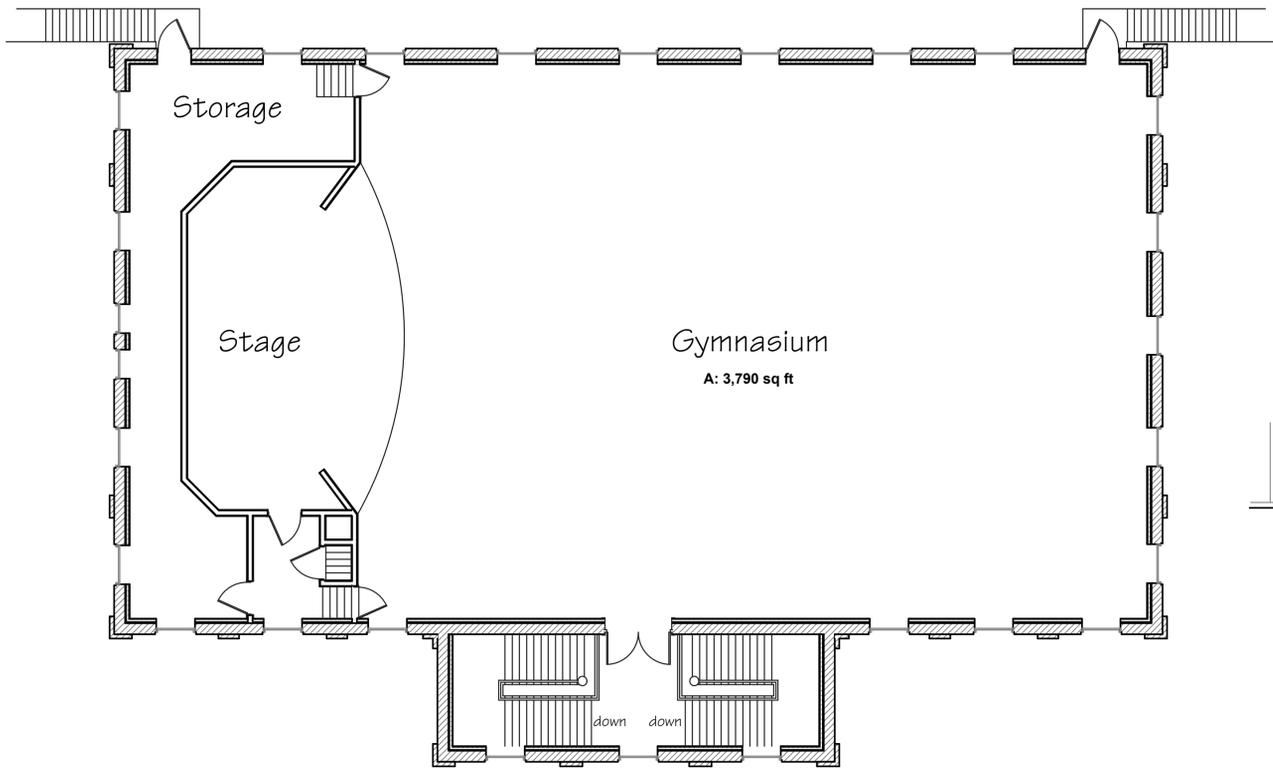
Exterior lighting required for business hours.

No freestanding sign proposed.

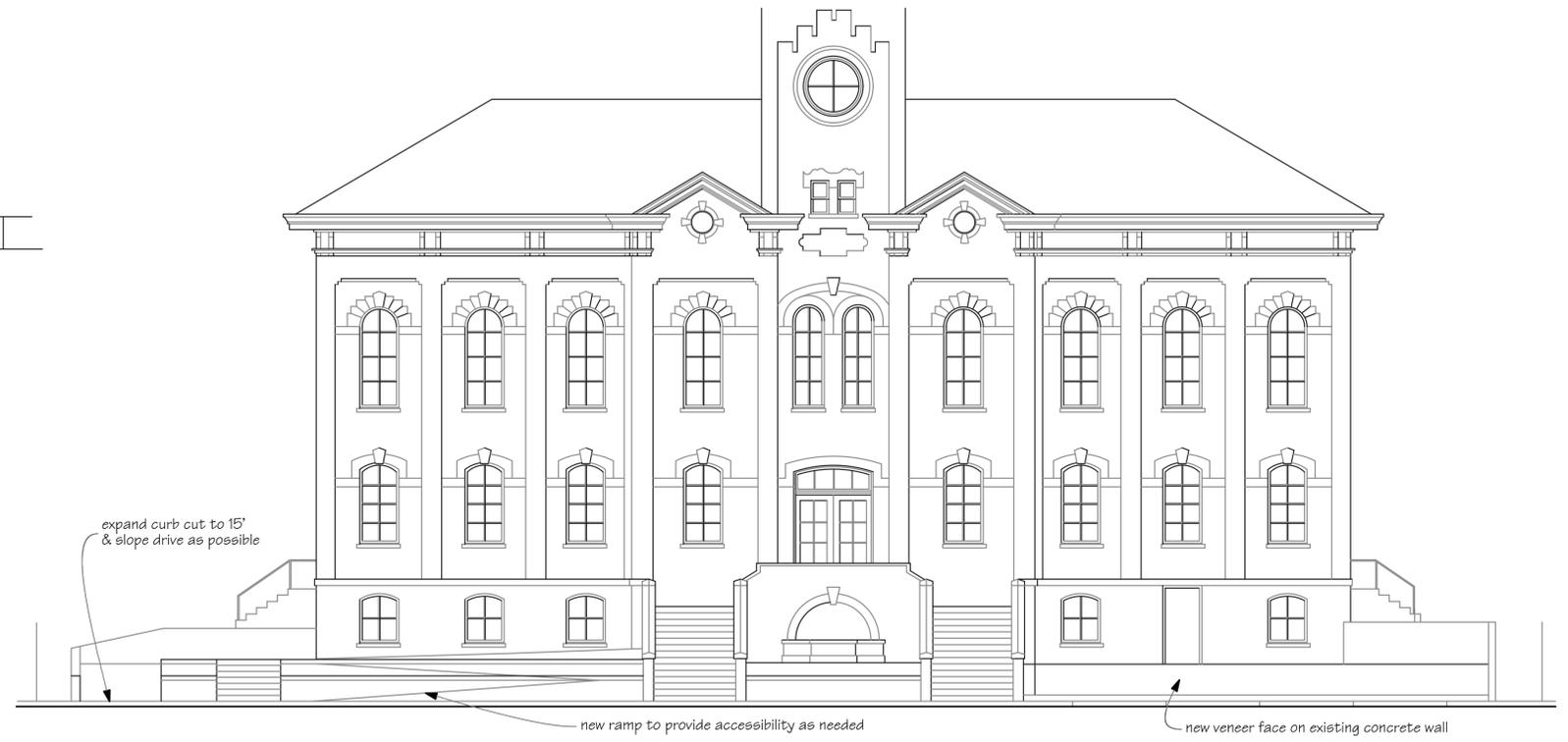
6' high board fence at sidewalk curb



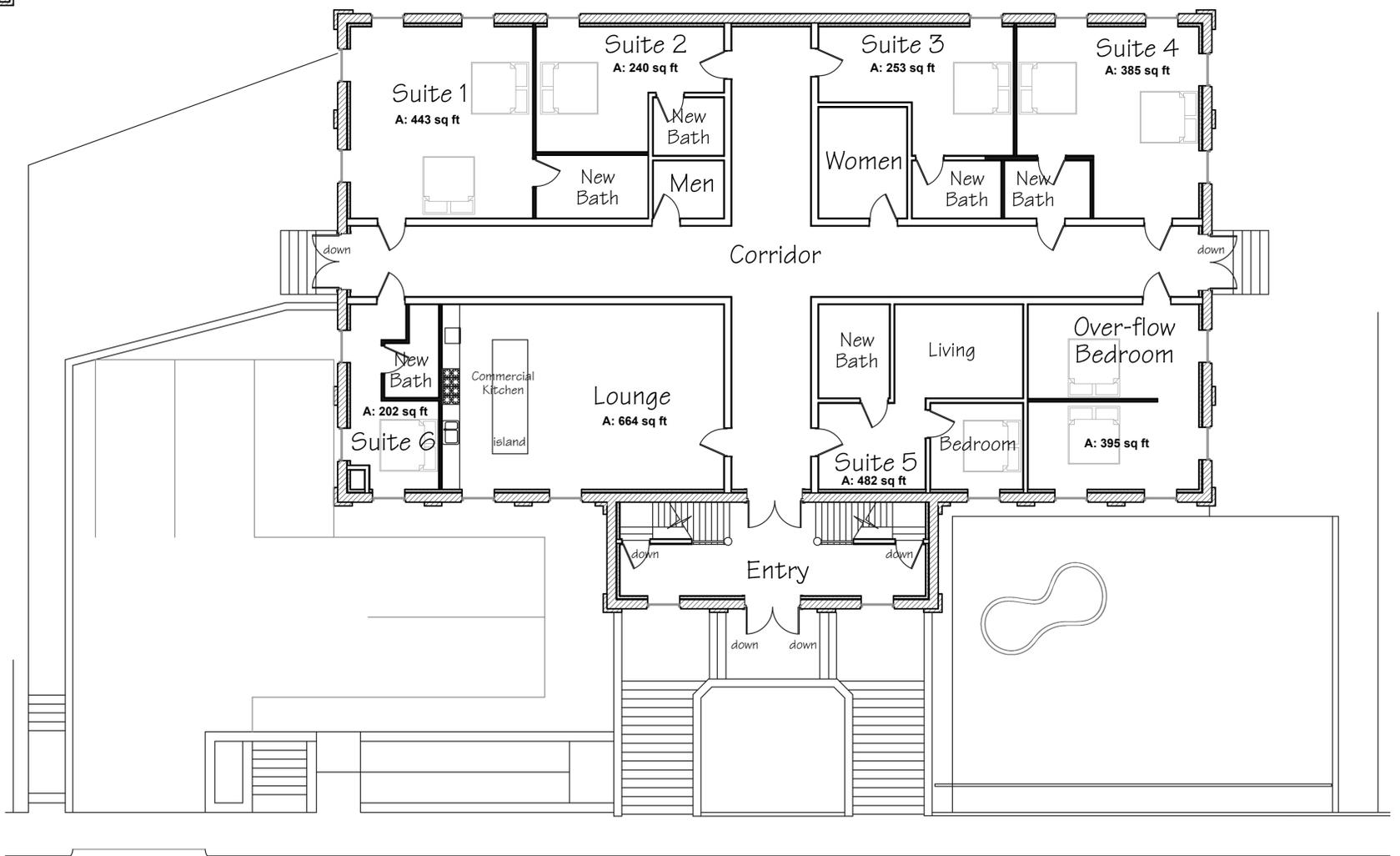
413 S Bench St



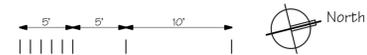
Proposed Second Floor Plan
1/8" = 1'-0" Existing 5,545 s.f.



Proposed East/Front Elevation
1/8" = 1'-0"



Proposed First Floor Plan
1/8" = 1'-0" Existing 5,894 s.f.



MEMO

To: The Zoning Board of Appeals
From: Matt Oldenburg, Zoning Administrator
Date: November 9, 2018

RE: Cal. No. 18PD-02, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036 and Owner: Galena Art & Recreation Center, 413 South Bench Street, Galena, IL 61036. Location: Parcel: 22-100-191-00, Lots 13, 14, 15 & 3-3/4' of Lot 16, West Side of Bench Street, D.O.R. Docket No. 85-43-20 Community Center, Original City of Galena, Jo Daviess County, Illinois. Common Address is 413 South Bench Street, Galena, IL 61036. Request for approval of Preliminary Plan to rezone to Planned Unit Development for a site, with an underlying default district of Low Density Residential, to allow proposed uses.

Project Summary:

The subject property is located at 413 South Bench Street and is commonly known as the Art & Recreation Center. The property consists of approximately 0.77 acres or 30,015 square feet and is situated along South Bench Street overlooking the Downtown Commercial area. A narrative is included with locational and district maps from the applicant to describe the scope of the project for your understanding. The district map colors are explained as: orange = LDR zoning and blue = DC zoning.

The applicant is requesting rezoning of the property from Low Density Residential to Planned Unit Development for a site with an underlying default district of Low Density Residential and approval of a Preliminary PUD Plan which includes changes to land use and associated site improvements. Rezoning to a PUD is the most appropriate process to address the proposed land uses and intensity standards for the site and district. The existing site, structure and use of the property are existing, non-conforming and, unless a proposed use matched the existing use, it would be difficult to find an adaptive use allowable in the Low Density Residential district to suit the property due to its vast scale and original purpose.

As a point of reference, the existing land use on the property is Indoor Institutional with accessory outdoor recreational uses on the playground. The current intensity at the site is as follows:

1. Floor Area Ratio: 0.47
2. Daily intensity:
 - a. Summer months (10 weeks): 50 children, 12 staff, Mon.-Fri. 8AM-6PM;
 - b. Remaining months: 20 children, 7 staff, Mon.-Fri. 8AM-6PM;
 - c. Daily classes: 10-15 people, all year extending into the evenings until 8PM;
 - d. Basketball: Sunday evenings, 6PM-8PM;
3. Parking: No off-street parking, three spaces reserved on-street, day-care and classes mostly drop-offs and pick-ups on-street.

The property sits within an existing transitional area from downtown land uses to the East to residential, guest accommodations and indoor institutional land uses to the North, South and West.

Please refer to §154.301 (A), (B) and (C) for purpose, default standards and establishment of uses when considering this request. Uses will be discussed in Zoning comments below along with any deviations from default standards.

Staff Comments:

Engineering: Storm water facilities shall be demonstrated in further detail with construction drawings and may tie into existing storm drains on the site that connect to the City system. Construction drawings by qualified, licensed professionals shall be submitted for review before building permit is issued.

Fire Prevention: Proposed concept shall meet fire & life safety requirements. Further detail review will be held with construction documents and approval needed before building permit is issued.

Building: Stamped, professional construction drawings must be submitted for final review with Staff before building permit is issued. ADA compliance is required.

Zoning: Site plan review indicates compliance with adopted plans and policies, such as the Comprehensive Plan and does not conflict with any official map, trail or park plans of the City.

Other applicable codes to this request will be International Building Code, International Fire Code, NFPA Code, National Electric Code, ADA Code. These Codes will be reviewed upon approval of zoning processes before building permits are issued.

Proposed land uses:

Essentially, the applicant proposes to market the property to bring interest groups to Galena to stay at the property and use amenities such as a large kitchen, gymnasium and proposed swimming pool. Groups could include a variety of interests and demographics for a proposed maximum occupancy of 20 persons. The breakdown of uses relative to our standard table include:

1. Guest Accommodations – this proposal requests transient lodging for up to 20 persons. Based on the number of guest rooms on the floor plan, it appears to have space for 14 sleeping guests. This amount would be similar to a Small Inn. However, the applicant does not wish to have on-site supervision that would otherwise be required for a Small Inn in the LDR district. In that respect, they are asking for a hybrid of a Small Inn and a Vacation Rental. In the case of Vacation Rentals, the occupancy is determined on a basis of square footage and fire / life safety regulations. Both uses have parking requirements that will be discussed later.
2. Indoor Commercial Entertainment – it appears that the amenities of the structure would provide accessory entertainment to the guests. The applicant lists indoor entertainment on the drawings and narrative as cooking classes, sporting activities in the gym and performances on the stage. It would be prudent to identify the proposed “entertainment” activities during the hearing to ensure the use is compatible with nearby residential properties as to prevent nuisance situations.
3. Outdoor Recreation – the applicant proposes an outdoor swimming area in the North lot in the front yard. Swimming pools are not allowed in front yard areas according to the bulk standards. Additionally, outdoor recreation areas require adequate buffer yard and screening according to the Company-provided On-site Recreation land use. This land use is not allowed in the LDR district, therefore it would be a deviation from the default standards. In order to mitigate the deviation, the below language is applicable:

(5) Deviation from development default 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;*
- (e) The provision of innovative infiltration or filtration techniques such as permeable pavements, rain gardens, bio-swales, French drains, or other low impact development methods such as roof gardens, rainwater harvesting systems, open water features, and vegetative buffers; and*
- (f) The provision of Green Building Code compliant structures or improved efficiency site lighting; and*
- (g) 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.*

If the swimming area is approved, then it is recommended that the applicant be required to install a Type III buffer yard with 6' tall fence and 15' of separation distance with landscaping from the adjacent residential property. A fence is also required to surround the entire pool area per building code.

It is noteworthy that the current use of that space is an outdoor basketball court, which is also an outdoor recreation.

If the swimming area is not approved, I recommend considering that space to be a potential space for additional off-street parking.

Further Plan Comments:

Lighting and landscaping standards provided in §154.603-605 will be presented in detail for the Final PUD Plan approval. Landscaping will be required in accordance with the standards to address the added parking lot and site improvements. Parking standards identified in §154.601 will be discussed later in the review.

Performance standards provided in §154.701 through §154.713 are met; the permanent state of the development is not expected to violate performance standards listed in this Chapter.

Any signage adjustments can be administratively approved by the Zoning Administrator.

Parking requirements: Currently, there are no off-street parking spaces; there are three spaces reserved for the property on-street, in front of the building. Small Inns require one off-street space per guest room, plus one space for the manager; Vacation Rentals require one off-street space per four guests; Indoor Entertainment requires one per three guests. The proposed total occupancy is

20 persons with four off-street parking spaces (including one ADA space); the current three on-street spaces are not proposed on the site plan. Due to the uncertainty of the various group configurations, it is difficult to project the number and modes of transportation that the groups will use ranging from individual vehicles to shuttles to small buses. The parking requirement for off-street spaces will need to be relative to the proposed land uses and the number of vehicles used to bring the groups to the property.

The proposed off-street parking area meets the design standards set forth in §154.605, however, it appears to require some delicate maneuvering when looking at turning movements required to ingress and egress. This could involve backing-out into the street when exiting or backing into the lot when entering. Perhaps an alternative configuration with added spaces on the North lot could relieve this situation in the case that the swimming area does not work-out.

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);
- 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*

Cal. No. 18PD-02

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.

Planned Unit Development for St. Michael's School Building
413 South Bench Street, Galena, Illinois 61036

The prospective owner, Mark Schlenker, is applying for a planned development to allow the rehabilitation of the existing building which has been the ARC Facility for the past few decades. The rehabilitation would create a multi-use center which would combine indoor entertainment and outdoor entertainment with transient lodging, the goal of which would be to create a gathering place for groups with similar interests to come together for an event, a class, a sporting event, or team reunion. Exterior improvements would include a small dip pool on the north playground and work to provide a level parking area for several vehicles to ease accessibility.

The proposed design would incorporate a Lounge on the main level with an attached commercial style kitchen which would be adequate for group cooking or classes. Other existing spaces on the main level would be remodeled into bedroom suites. Because the market would include larger groups of users not all the bedrooms would include an attached bathroom, but one bedroom would be designated as an overflow bedroom offered at a more economical rate. The Gymnasium would be maintained for use by visiting groups or as a stand alone facility for general sporting use or activities. The exterior spaces and the pool would be for transient guests only and would not be used as stand alone facilities.

The terms of use would be flexible as to length of stay and size of groups. The applicants limit use of the exterior areas to 10 pm.

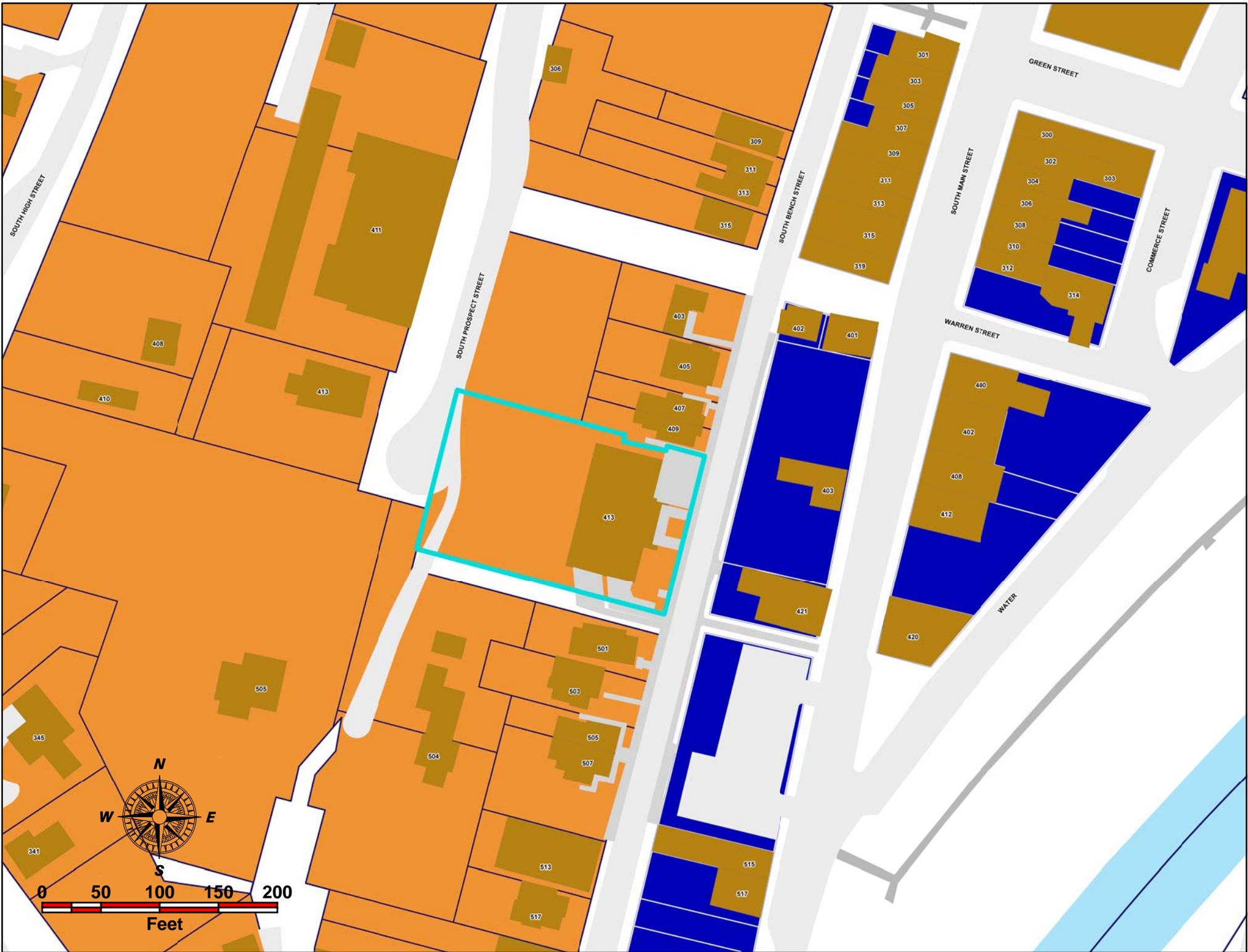
It is in the interest of the City of Galena to approve this application for Planned Development zoning because the St. Michael's School Building is an important community resource and the it is located in a prominent location in Galena. Its continued viability needs to be supported by allowing a proposed combination of uses which will rehabilitate the property into a modern, economically viable facility.

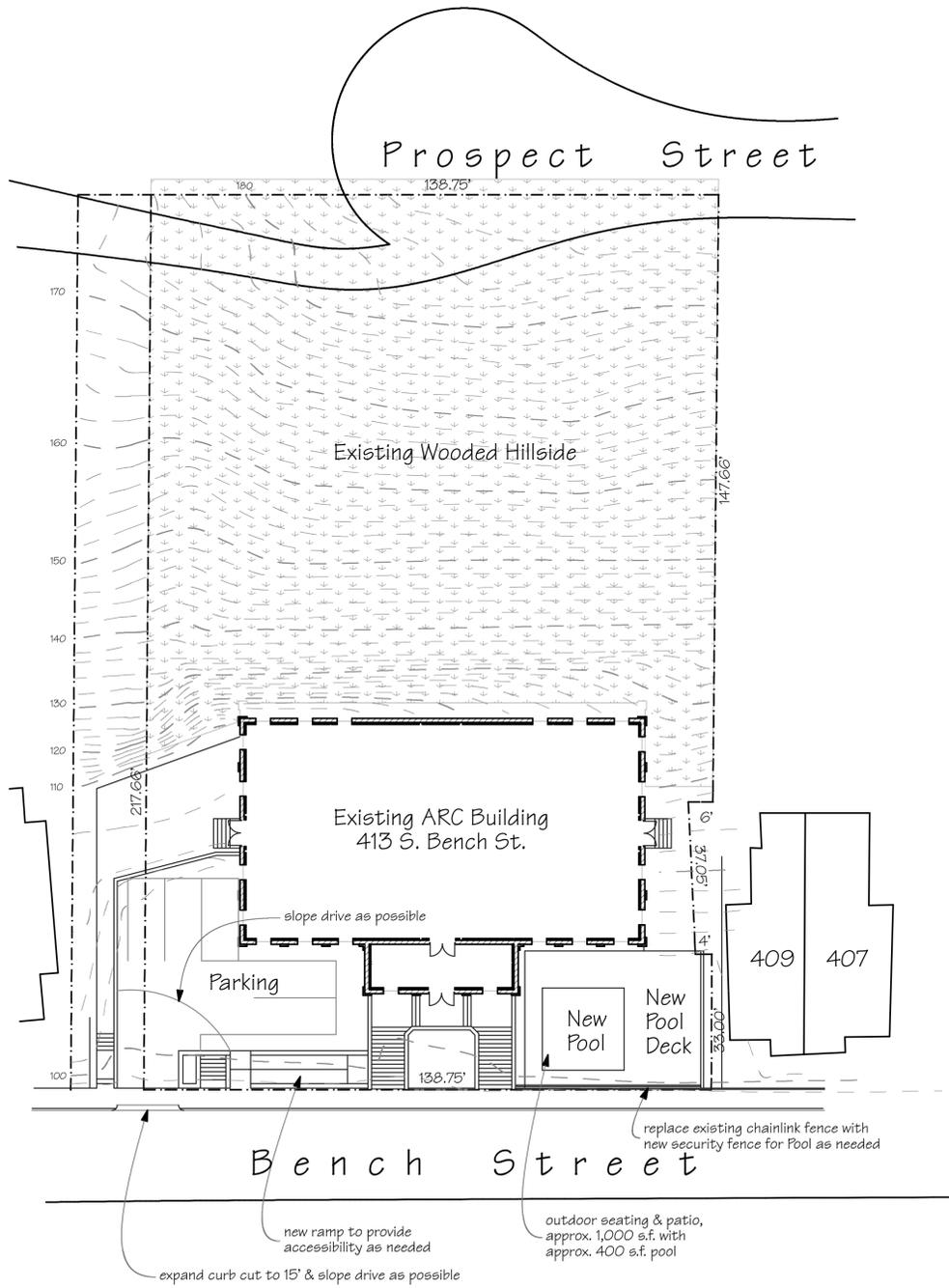
The comprehensive plan provides support for this application. The Planned Development application supports the comprehensive plan goals for the city in many ways. It supports the first goal of economic development by protecting a historic structure, maintaining a use in an existing building (for which a new use would be difficult to find considering any new commercial use would face the same accessibility and parking issues) and providing an additional public facility to support tourism and economic growth. It supports the further goal of providing additional parking. It supports the goal of historic preservation by maintaining and improving a historic property.

The Planned Development application is for a unique single-use project for which increased flexibility is desired to achieve many of the specific benefits for which a Planned Development is created, as stated in the zoning ordinance. Those benefits include reducing on street parking demands, allowing innovative design, and preserving a natural resources, the historic church building.

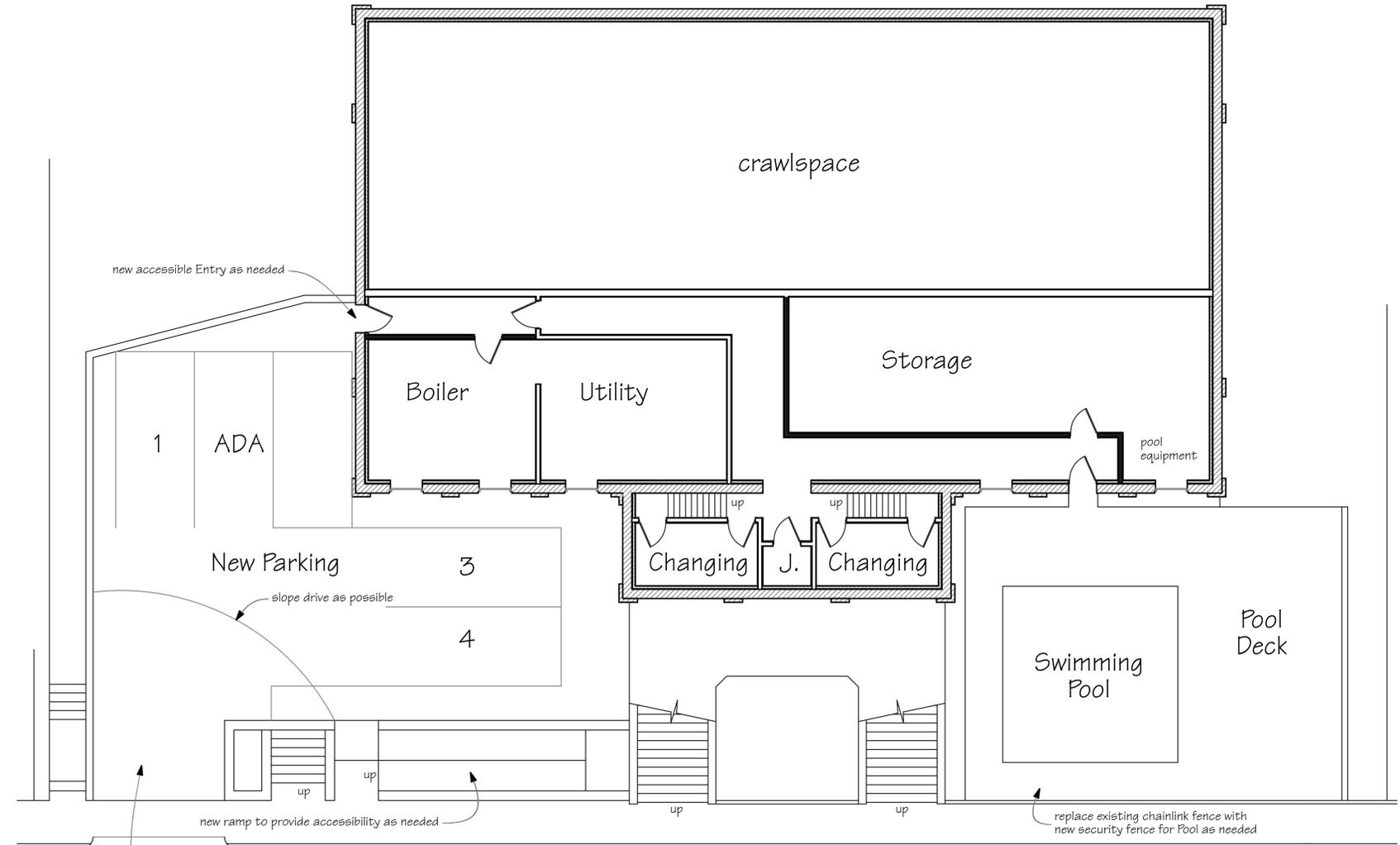
The Planned Development application is required for this proposal because the proposed combination of uses cannot be developed under conventional zoning. This development would be adequately buffered and adverse impacts on adjacent properties have been mitigated to the greatest extent possible. And, as stated above, the proposal is consistent with the goals and policies of the Comprehensive Plan.

This application meets all the criteria for zoning review and furthers the goals of the comprehensive plan and so should be approved.

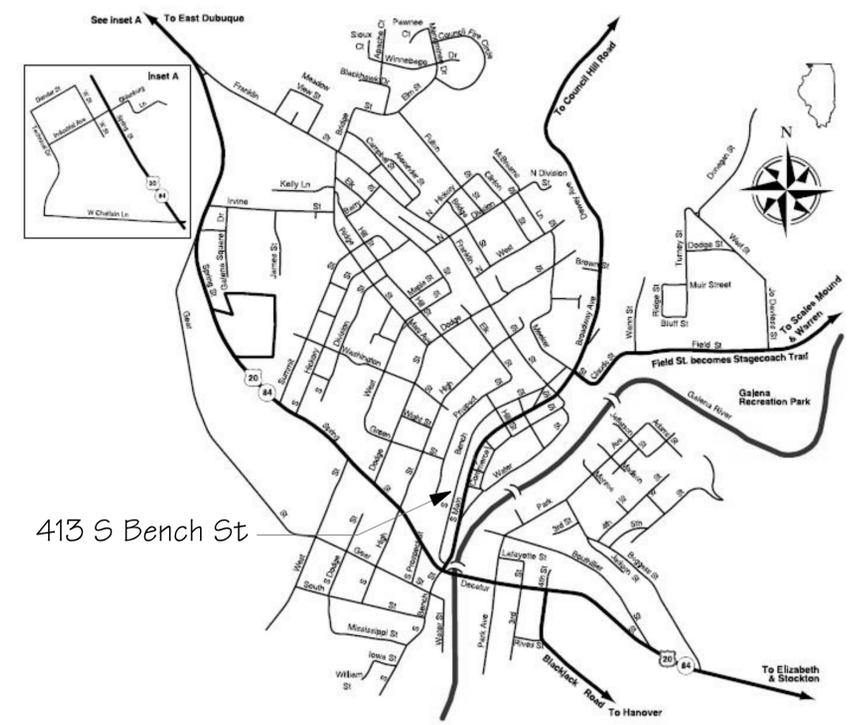




Proposed Site Plan
1" = 20'-0"



Proposed Basement Plan
1/8" = 1'-0"
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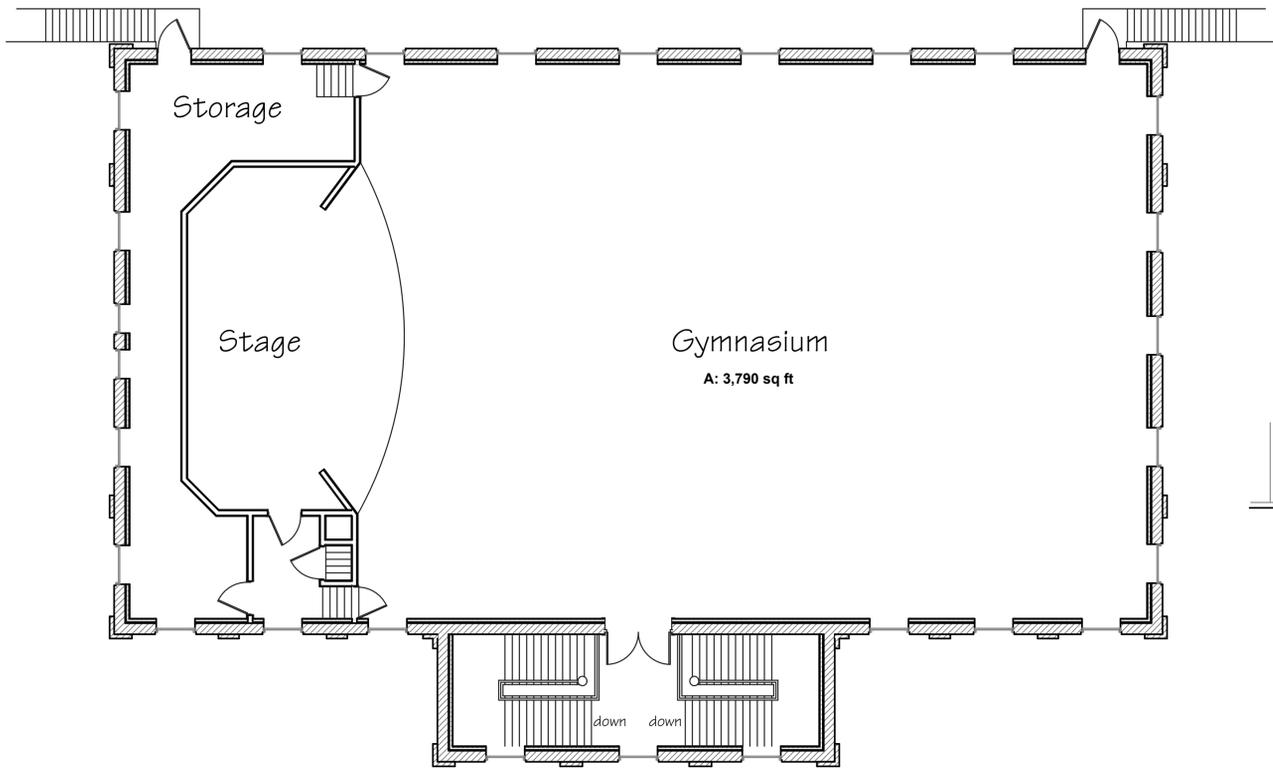


Planned Unit Development Application

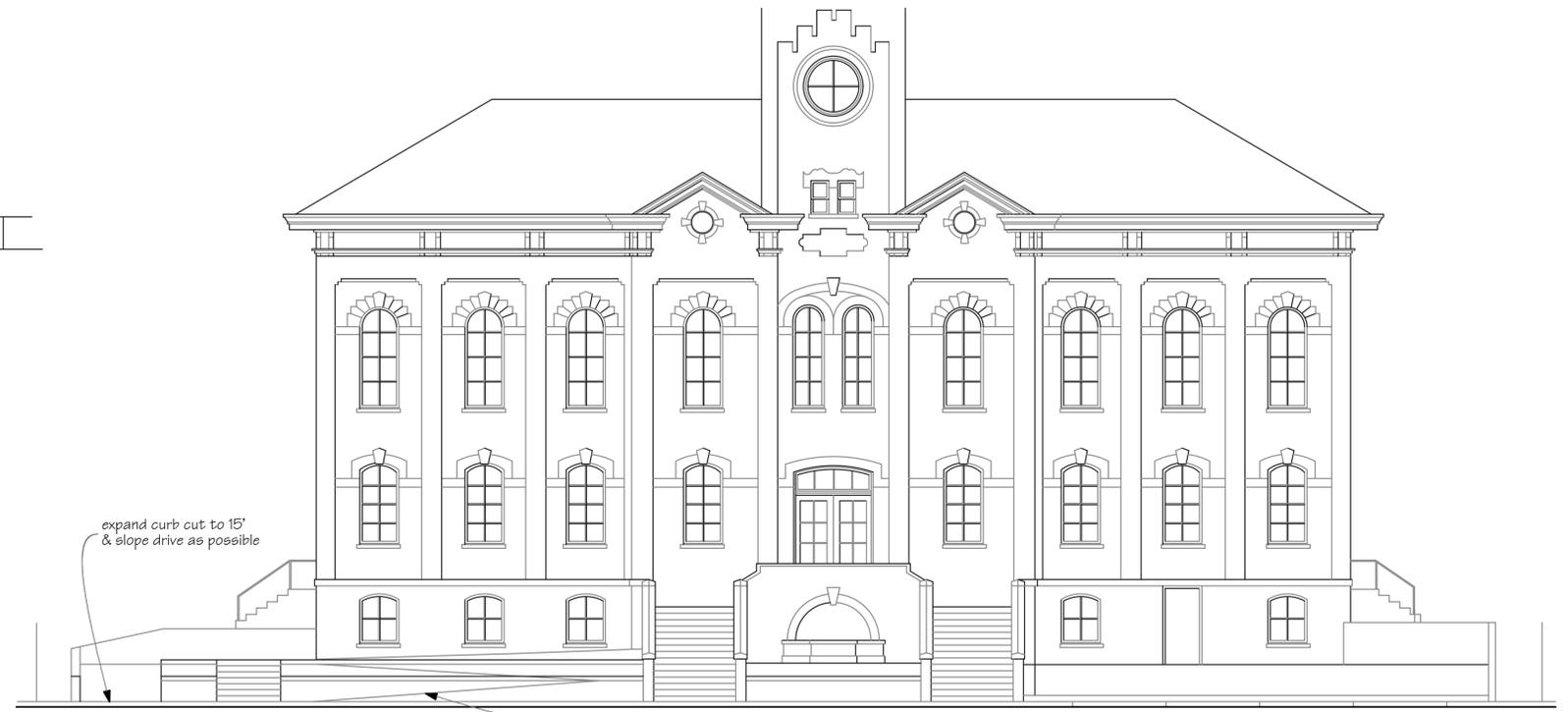
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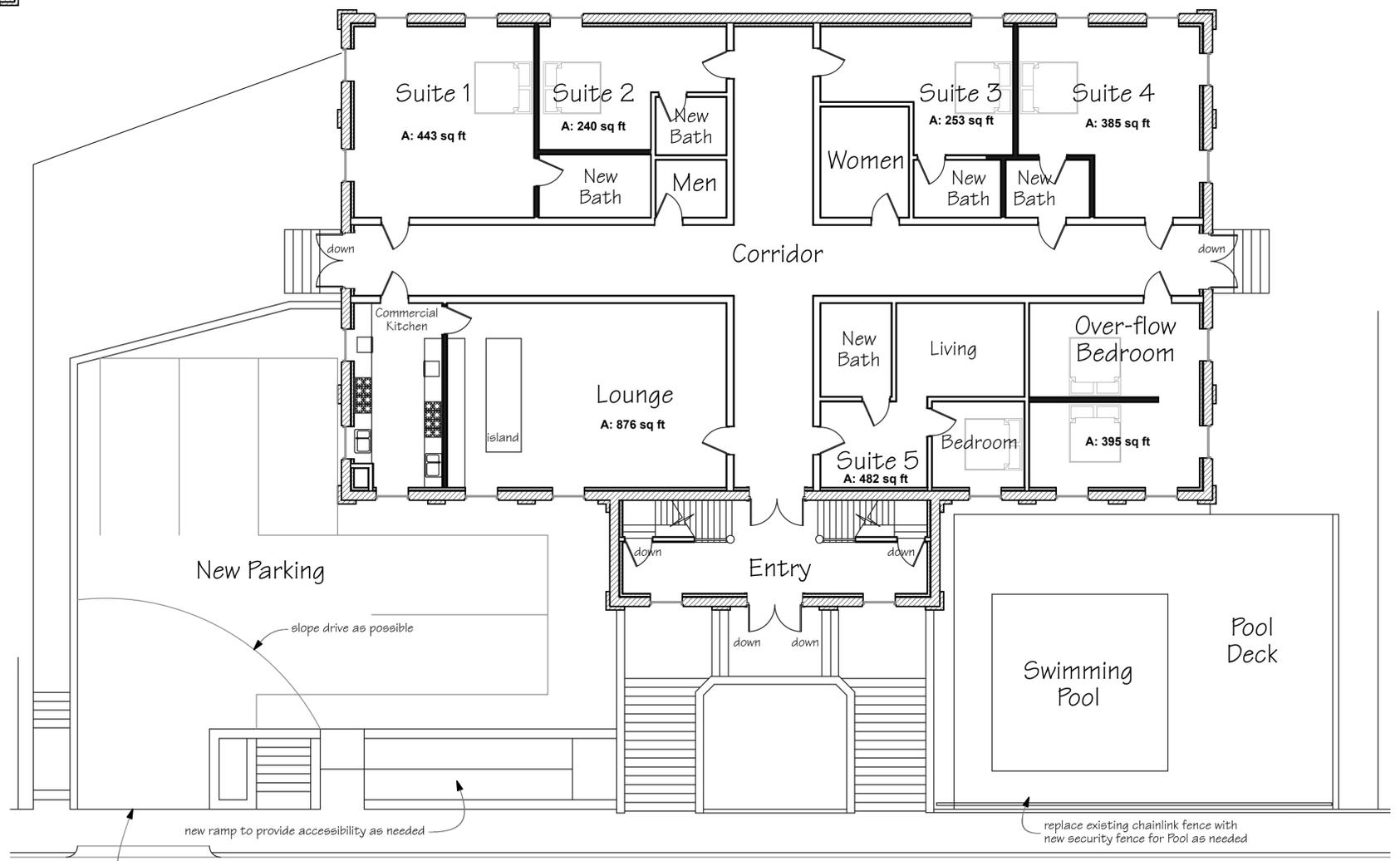
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Proposed Second Floor Plan
1/8" = 1'-0" Existing 5,545 s.f.



Proposed East/Front Elevation
1/8" = 1'-0"



Proposed First Floor Plan
1/8" = 1'-0" Existing 5,894 s.f.

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: December 7, 2018

RE: Cal. No. 18A-04, 18S-16 & 18V-02, Applicant & Owner: Paul Pendola, 306 South Prospect Street, Galena, IL 61036. Location: Parcel: 22-100-201-00, S 25' x 100' Lot 21, NW 25' x 40' Lot 21, SW 5' x 40' Lot 22, W 50' x 50' Lot 20, West Side of Bench Street, Galena, Jo Daviess County, Illinois. Common Address is 306 South Prospect Street, Galena, IL 61036. Request for Text Amendment to allow Artisan Studio as a land use only by Special Use Permit in Low Density and Medium Density Residential Districts; Special Use Permit to allow Artisan Studio in the Low Density Residential District; and Variance for off-street parking requirement.

Summary:

The applicant has approached the Staff about opening his spoon-carving studio at his residence for the public to enjoy. He currently resides at the property, but also owns another on High Street. His intent is to keep the shop open in the basement, but to also display his spoon carvings and possibly have a studio / small residence for another visiting artist on the main level of the house. He will then reside in his other residence on High Street. The land use that best describes his proposal is *Artisan Studio*. The property is located in the Low Density Residential district and Artisan Studio is not allowed. As we further discussed his proposal, we were able to note other residences around town that have artists who allow the public to visit their studios and purchase items. However, this land use is not currently allowed in residential districts. It seems fitting to allow *Artisan Studio* as an allowable land use in residential districts as the use has proven to be compatible in those districts with other “grandfathered” properties existing for many years. The applicant wishes to propose an amendment to our ordinances to allow *Artisan Studio* as a land use allowed only by Special Use Permit in the LDR and MDR districts. This would be a nice feature for residents and visitors to enjoy and it also supports the Comprehensive Plan goals for our local tourism economy.

The following pages include the proposed text amendment changes. Essentially, it is proposed to allow *Artisan Studio* as a principal commercial use or an accessory residential use by Special Use Permit in LDR and MDR districts, in addition to the currently allowed districts.

Next, the applicant would like to concurrently request a Special Use Permit for his specific property to allow *Artisan Studio* as a principal commercial use. A variance request is also necessary because the *Artisan Studio* land use requires one off-street parking space per 300 square feet of gross floor area. The applicant’s house is situated on a bluff and there is no practical way to provide off-street parking. There are three on-street parking spaces across the street and two on-street spaces in front of the house. The applicant expects most visitors to be those who venture by foot from the Green Street Stairs.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914.

Staff recommends approval of this request. The ZBA can make a recommendation to the City Council for decision on the text amendment. The ZBA can also make a decision on the Special Use Permit and Variance with a condition that the text amendment is approved by the Council.

Land uses in the vicinity of the property includes: residences, Linn-Mar Gardens, Galena Green Condos and the Victorian Mansion Small Inn.

Approval Criteria & Recommendation for Text Amendment:

In order to maintain internal consistency within this code and on the zoning map, proposed amendments to the text and zoning map must be consistent with the purposes stated herein.

In determining whether the proposed 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.

The Zoning Administrator and Zoning Board of Appeals shall make recommendations and the City Council shall take final action.

(1) When the Zoning Board of Appeals or City Council deems it necessary or expedient, additional property in the zoning district may be considered for a zoning change provided that this additional property is also addressed in the public hearing notice, in accordance with § [154.919\(F\)](#).

(2) In the event of a written protest against a proposed amendment signed and acknowledged by the owners of 20% of the frontage proposed to be altered or by the owners of 20% of the frontage immediately adjoining or across the alley or rear line therefrom or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered as to such regulations or zoning district and filed with the City Clerk, such

amendment shall not be passed except by the favorable vote of two-thirds of all of the selected members of the City Council.

Approval Criteria & Recommendation for Special Use Permit:

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.
- (2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district;
- (3) *Specific standards.* The land use regulations established in § 154.406;
- (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.
- (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;
 - (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.
 - (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 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.

Approval Criteria & Recommendation for Variance:

A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to this code will result in practical difficulties or undue hardships because of site characteristics that are not applicable to most properties in the same zoning district. Such variances shall be granted only when the applicant establishes that all of the following criteria, as applicable, are satisfied:

- (1) *Hardship unique to property, not self-inflicted.* There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
- (2) *Special privilege.* The variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district;
- (3) *Literal interpretation.* The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant;
- (4) *Reasonable use.* The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance;
- (5) *Minimum necessary.* The variance is the minimum necessary to make possible the reasonable use of land or structures;
- (6) *Compatible with adjacent properties.* The variance will not be injurious to, or reduce the value of, the adjacent properties or improvements or be detrimental to the public health, safety or welfare. In granting a variance, the decision-maker may impose conditions deemed necessary to protect affected property owners and to protect the intent of this code;
- (7) *Conformance with the purposes of this code.* The granting of a variance will not conflict with the purposes and intents expressed or implied in this Code; and
- (8) *Conformance with the Comprehensive Plan.* The granting of a variance will not conflict with the goals and principles in the adopted Comprehensive Plan.

The Zoning Board of Appeals can approve, approve with conditions, or deny requests for variances. If the Board would like to approve the request, a motion to draft Finding of Facts should be entertained. The Findings of Facts will then be presented for final consideration at the next Board Meeting.

**AN ORDINANCE AMENDING ARTICLE 4, TABLE 154.403.1 – PERMITTED LAND USES;
SECTION §154.405 – GENERAL REGULATIONS APPLICABLE TO ALL LAND USES;
AND §154.406 – DETAILED LAND USE DESCRIPTIONS AND REGULATIONS OF
THE CODE OF ORDINANCES OF THE CITY OF GALENA**

BE IT ORDAINED by the City Council of the City of Galena, Jo Daviess County, Illinois as follows:

SECTION I: Table 154.403.1 – Permitted Land Uses of the City of Galena Zoning Code, is hereby amended as follows:

- (Additions are shown as underlined and highlighted)

Table 154.403.1. Permitted Land Uses

LA	CSR	LDR	MDR	HDR	NO	PO	NC	PC	GC	DC	PI	LI	HI	Type of Land Use Principal Commercial Land Uses (154.406 (D))
					P	P	P	P	P	P	P	P	P	(1) Office
					S	S	P	P	P	P	S			(2) Personal or Professional Service
S	S	<u>S</u>	<u>S</u>		S		P	P	P	P	P	P	P	(3) Artisan Studio
						S	P	P	P	P	S			(4) Sales and Service, Indoor
									P				P	(5) Sales and Service, Outdoor Display
									P					(6) Sales and Service, In-Vehicle
	S	S	S	S	S									(7) Accommodations, Bed & Breakfast
		S			S		S	S	S	S				(8) Accommodations, Small Inn
						S		S	P	S	S			(9) Accommodations, Hotel/Motel
						S	S	P	P	P	S			(10) Entertainment, Indoor Commercial
S									S			S		(11) Entertainment, Outdoor Commercial
												S	S	(12) Entertainment, Adult
								S	P	S	P	P	P	(13) Maintenance Service, Indoor
									S				P	(14) Maintenance Service, Outdoor
S									S				S	(15) Commercial Animal Boarding
									P			P	P	(16) Vehicle Repair and Maintenance
					P		P		P	P				(17) House Tour

S	S	S	S				S		S	S				(18) Accommodations, Vacation Rental
P = Permitted by Right (See section 154.402(A)) S = Permitted by a Special Use (See section 154.402 (B))														

LA Limited Agricultural
 CSR Countryside Residential
 LDR Low Density Residential
 MDR Medium Density Residential

HDR High Density Residential
 NO Neighborhood Office
 PO Planned Office
 NC Neighborhood Commercial

PC Planned Commercial
 GC General Commercial
 DC Downtown Commercial
 PI Planned Industrial

LI Light Industrial
 HI Heavy Industrial

Table 154.403.1. Permitted Land Uses

LA	CSR	LDR	MDR	HDR	NO	PO	NC	PC	GC	DC	PI	LI	HI	Type of Land Use Accessory Residential Land Uses (154.406 (H))
P	P	P	P	P	P	P	P	P	P	P				(1) Day Care Home, Serving 3 to 12 Children
P	P	P	P	P	P	P	P	P	P	P				(2) Home Occupation, Minor
S	S	S	S	S	S	S	S	S	S	S				(3) Home Occupation, Major
P	P	P	P	P	P	P	P	P	P	P				(4) Private Kennel
P	P	P	P	P	P	P	P	P	P	P				(5) Outbuildings and Recreation Facilities
P	P	P	P	P	P	P	P	P	P	P				(6) Recreational Vehicle Storage
P	S													(7) Private Stable
S	S	S	S	S										(8) House Tour
S	S	S	S				S			S				(9) Accommodations, Vacation Rental – Single Room
S	S	S	S				S			S				(10) Artisan Studio
														Accessory Agricultural Land Uses (See 154.406(I))
														Accessory Recreational & Institutional Land Uses (See 154.406(J))
														Accessory Commercial Land Uses (154.406(K))
						P		P	P	P	P	P	P	(1) Company-Provided Cafeteria
					S	S	S	S	S	S	S	S	S	(2) Company-Provided Day Care
						S		S	P		S	P	P	(3) Company-Provided On-Site Recreation
					P	S	P	S	S	P				(4) Dwelling Units Above Ground Floor
						S		S	P		P	P	P	(5) Fleet Vehicle Storage
								S	S	S				(6) Light Industrial Incident to Indoor Sales
							S	P	P	S	S			(7) Outdoor Dining
							S	S	P	S				(8) Outdoor Display, Removable

									P					(9) Outdoor Display and Storage, Permanent
								S	P					(10) Outdoor Entertainment
P = Permitted by Right (See section 154.402(A)) S = Permitted by a Special Use (See section 154.402 (B))														

LA Limited Agricultural	HDR High Density Residential	PC Planned Commercial	LI Light Industrial
CSR Countryside Residential	NO Neighborhood Office	GC General Commercial	HI Heavy Industrial
LDR Low Density Residential	PO Planned Office	DC Downtown Commercial	
MDR Medium Density Residential	NC Neighborhood Commercial	PI Planned Industrial	

SECTION II: Section §154.405 (I) – General Regulations Applicable to All Land Uses of the City of Galena Zoning Code, is hereby amended as follows:

- *(Additions are shown as underlined and highlighted)*

(I) Number of land uses per building.

- (1) No more than five nonresidential land uses shall be permitted in any building unless a special use permit for a group development is granted in compliance with §154.407.
- (2) With the exceptions of a commercial apartment, caretakers’ residences, **artisan studio** or a home occupation, no building containing a nonresidential land use shall contain a residential land use.

SECTION III: Section §154.406 (D) – Accessory Residential Land Uses of the City of Galena Zoning Code, is hereby amended as follows:

- *(Additions are shown as underlined)*

(D) Principal Commercial Land Uses.

(3) Artisan Studio. A building or portion thereof used for the preparation, display and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leather-craft, hand-woven articles, and related items, as either a principal use or accessory use. A studio is used by no more than three artists or artisans.

- (a) *Regulations:* In the Limited Agriculture (LA), Countryside Residential (CSR), and Neighborhood Office (NO), Low Density Residential (LDR) and Medium Density Residential (MDR) Districts, a studio shall be used by no more than three artists or artisans.

SECTION IV: Section §154.406 (H) – Accessory Residential Land Uses of the City of Galena Zoning Code, is hereby amended as follows:

- *(Additions are shown as underlined)*

(H) Accessory Residential Land Uses.

(10) Artisan Studio. A building or portion thereof used for the preparation, display and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leather-craft, hand-woven articles, and related items, as an accessory use. A studio is used by no more than three artists or artisans.

SECTION V: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI: This ordinance shall be in full force and effect within ten (10) days of its passage and legal publication in pamphlet form.

SECTION VII: Passed on the ___th day of _____, A.D., 201__, in open Council.

AYES:

NAYS:

ATTEST:

TERRY RENNER, MAYOR

MARY BETH HYDE, CITY CLERK

Application for Text Amendment, Special Use, and Parking Variance

November 28, 2018

306 South Prospect Street, Galena, Illinois

Paul Pendola is applying for a text amendment to allow Artisan Studio in LDR, Low Density Residential, district, for a special use permit to allow Artisan Studio in LDR, and for a parking variance due to hardship due to site conditions. This would allow the use of his house at 306 South Prospect as an Artisan Studio for Fox River Spoon Company in a LDR, Low Density Residential, district.

The proposed text amendment is needed because the present zoning ordinance does not allow Artisan Studio in LDR. The proposed text amendment would revise the zoning ordinance to allow Artisan Studio in LDR by Special Use Permit only. Presently, Artisan Studio Use is allowed in NC Neighborhood Commercial, PC Planned Commercial, GC General Commercial, DC Downtown Commercial, PI Planned Industrial, LI Light Industrial, & LH Heavy Industrial by right and in LA Limited Agriculture, CS Countryside Residential, & NO Neighborhood Office by Special Use Permit. Other uses in LDR permitted by right include Day Care up to 12 children, Minor Home Occupation, Private Kennel, Outbuildings & Recreation Facilities, and Onsite Parking Lots. Other uses in LDR permitted by Special Use permit include Accommodations of various types, Major Home Occupation, and House Tours.

Artisan Studio would seem similar in use and intensity to the Day Care, Major Home Occupation, and House Tours uses, which all possibly bring multiple visitors to a site at varying times during the day. The Definition of Artisan Studio is “a building or portion of a building used for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leather craft, hand-woven articles, and related items, as either as principal use or accessory use. A studio is used by no more than three artists or artisans.” The artisan use limits the production of goods sold and the intensity of the business activity by excluding mass produced goods which may require higher traffic for the business. The requirement for a Special Use Permit in LDR for Artisan Studio will help prevent disruption to neighboring properties and allow oversight on the intensity of use.

To allow a Special Use Permit for this proposed property at 306 South Prospect Street would provide a good example of the benefits of the proposed text amendment. The property is already in a higher traffic area along one of the major viewing points of Galena where tourists are naturally drawn. The house is a small compact structure which was originally a commercial business which served the local neighborhood. Adjacent to the high school steps, an artisan studio would provide another incentive to climb the steps and explore the historic neighborhood. Fox River Spoon Company would be one of the only places in the country where you could visit a working spoon sculptor in his studio.

The layout of the building would work well for the owner and his proposed artisan use of wood working and reclaiming wood and lumber. The current Living Room and Kitchen would provide display areas. The Basement is a perfect shop area already in use. The use would be limited to available space which would limit intensity.

The variance for parking is required because the topography of the property does not have any space for a level parking area. The cost of providing parking on the site would be prohibitive. The variance is mitigated by the ample street parking in an area with few occupied properties.

The Comprehensive plan supports these applications. The Vision Statement calls for attracting clean, new businesses with good paying jobs, promoting tourism, and promoting historic preservation. Artisan Studios provide these benefits and should be allowed in LDR also. Artisans are well trained, self-promoting, business people who produce their own products. Because of their direct involvement in production and the nature of their processes, artisan work is often environmentally friendly and low impact. These small businesses can have a following which can attract tourists with various interests which are complimentary to the traditional tourists which are attracted by Galena's natural and historic beauty.

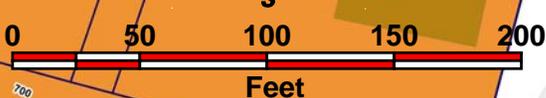
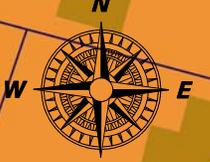
Artisan Studios are another good fit for adaptive re-use of historic structures. Similar to small inns, B & Bs, and vacation rental units, providing a commercial use to compliment the residential use will improve the financial viability of a building and promote redevelopment and historic preservation. These artisan studios can be tailored to fit the property size and neighborhood through the special use permit process, again, similar to the current process for accommodations in LDR. Although the proposed building is not necessarily historic, still it did take a fair amount of repairs and maintenance to get it back to it's present condition. For such a small structure, simply a residential use may not have supported those kinds of costs. Those financial viability questions should be a consideration in providing another option for a commercial use in LDR to promote economic investment in the Historic District.

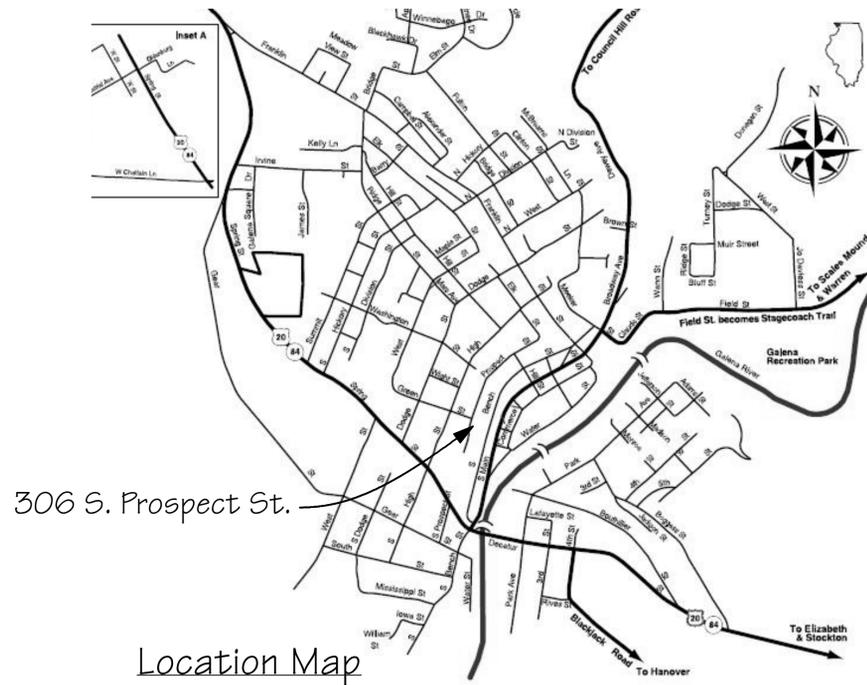
These benefits are all supported in the Comprehensive Plan's Goals and Objectives which look to promote economic development, expand existing businesses, promote tourism, and promote historic preservation. With similar uses and intensities already allowed by right or special use permit in LDR, it makes sense to also allow Artisan Studios.

In conclusion, the proposed text amendment to allow Artisan Studio in LDR, Low Density Residential, district, special use permit to allow Artisan Studio in LDR, and parking variance due to hardship due to site conditions should be approved because it would support the Comprehensive Plan's goals and benefit Galena.









306 S. Prospect St.

Location Map

Special Use & Variance Application

Proposed Plans to convert Existing Residence into Artisan Studio with no off street parking
 Requires Text Amendment to allow Artisan Studio in LDR, Low Density Residential, by Special Use Permit

Zoning Standards

Zoning: LDR Low Density Residential
 Lot Size: 0.15 acres, 6,540 s.f.
 Floor Area Ratio FAR = 16% (25% max.)
 Proposed Landscaping 75% (40% min.)= approx. 5,000 s.f. proposed

3 Stories, 36' height allowed

Parking = no off street parking provided

Exterior lighting required for business hours.

No freestanding sign proposed.

Building Classification

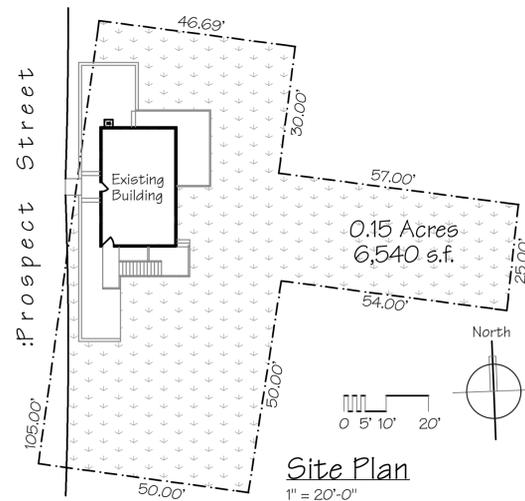
Zoning LDR Low Density Residential, Home Studio Special Use permit
 Construction Type V A, Historic Building, 2 stories, 1,020 sq. ft. gross
 Occupancy Change from R3 to B
 Project type: Change of occupancy from R3 to B Artisan Studio
 No alterations

General Notes

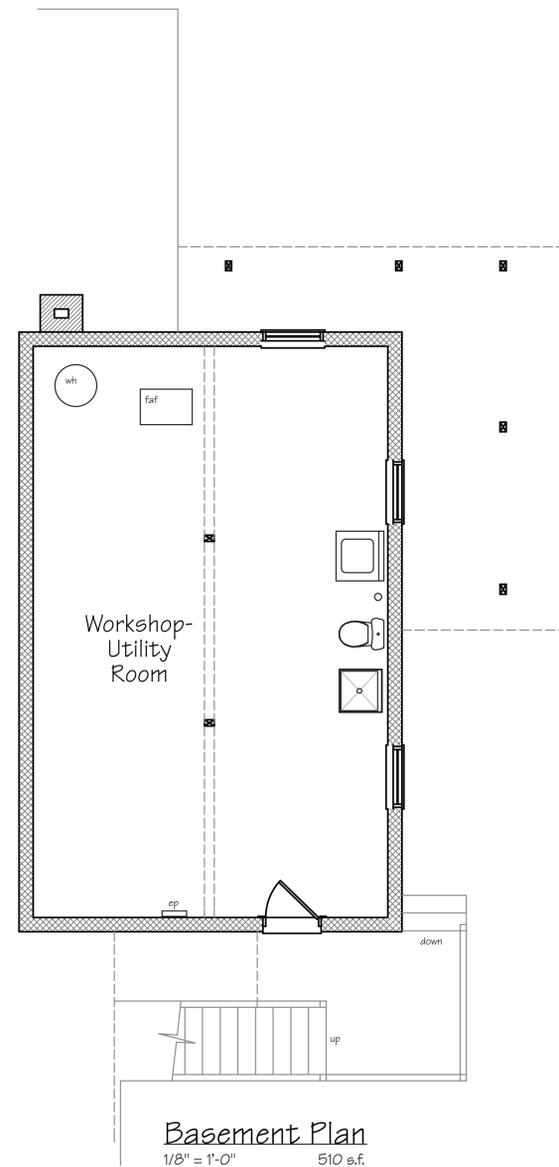
1. Existing conditions for bedroom to be grandfathered.

Electrical Notes

1. Verify existing Smoke Detectors and provide new as needed throughout all areas, within each new bedroom, with in 15' of each bedroom door, & carbon monoxide detector within 10' of bedroom. Hardwire all new detectors with battery back-up as needed.

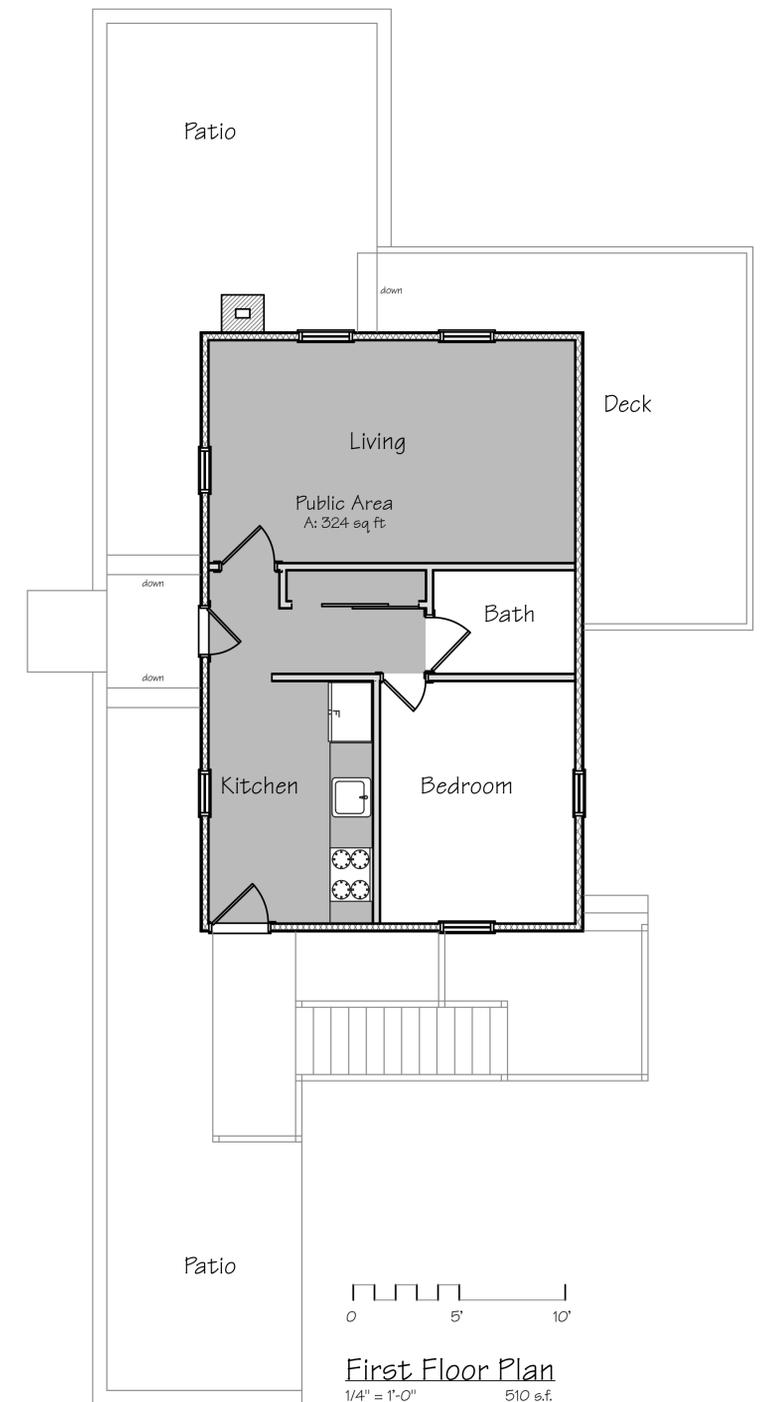


Site Plan
1" = 20'-0"



Basement Plan
1/8" = 1'-0" 510 s.f.

Prospect Street



First Floor Plan
1/4" = 1'-0" 510 s.f.