

**MINUTES
ZONING BOARD OF APPEALS
FEBRUARY 10, 2016**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:35 PM on Wednesday, February 10, 2016 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

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

A quorum was declared.

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

APPROVAL OF MINUTES

January 13, 2016 minutes were not available for approval. They will be on the next agenda.

OLD BUSINESS

Cal. No. 16S-01, Applicant: Straka Johnson Architects, P.C., 3555 Digital Drive, Dubuque, IA 52003 for Owner: John Coulter, 201 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-049-00, Lot 34 between Main and Bench Streets in the original town of Galena, situated on the West side of the Galena River, City of Galena, Jo Daviess County, Illinois. Common address 201 South Main Street, Galena, IL 61036. Request for Special Use Permit to expand an existing, conforming, Outdoor Dining land use. This request is contingent upon a Street Vacation request to vacate part of Washington Street between Main and Bench Streets.

MOTION: Baranski moved, seconded by Cook to ratify the Findings of Fact to deny the request.

As Roll Call was:

Bochniak	Yes
Cook	Yes
Holman	Yes
Nybo	Abstain
Baranski	Yes

Motion carried.

NEW BUSINESS

Cal. No. 16A-01, Applicant: City of Galena – 101 Green Street Galena, IL 61036. Request for Text Amendment to §154.601(G)(1) *Off-Street Parking and Traffic Circulation Design Standards, Surface and Marking* and §154.601(G)(13) *Alternative Parking Surfaces and Designs* to allow alternative, sustainable surface improvements for parking areas by right upon approval of administrative site plan review.

MOTION: Baranski moved, seconded by Bochniak to open the Public Hearing on Cal. No. 16A-01.

Motion carried on voice vote.

Nack swore in those persons who wished to testify at tonight’s public hearing.

Matt Oldenburg said the City initiated the application. There are two standards in the ordinance dealing with parking surfaces and marking. Currently if you want to use an alternate parking surface you must obtain a Special Use Permit. When installing a new parking surface, site plans are required to address stormwater runoff. This would still apply even when using an alternate surface that allows improved infiltration which can reduce the need for a large detention pond. The new products are safe and have a good appearance. The application would allow the use of alternative sustainable surface improvements by right thru site plan review and administrative approval rather than obtaining zoning approval through a Special Use Permit as the ordinance requires now. If staff believes the request to be part of a larger project, such as an expansion of 25 % or more in the Highway 20 Corridor, it could still require the project to have ZBA approval.

Rosenthal said all projects would have to be reviewed by staff. If they were requesting something on a large scale or had other issues it would need to come before the Board.

Oldenburg said yes. These alternatives can be used and approved administratively if the requirements, such as green space, are met.

Baranski said engineering would still be a big part of the project. A penetrable surface still needs to be installed and marked properly. The area still needs to be tied into the stormwater system to handle run off. At some point we should be promoting these installation of these materials and really eventually it should be a goal to require these alternative materials.

Oldenburg said this can be looked at in the future. We will always need to be concerned about water detention and run off as well as engineering.

Baranski agreed there will probably always have to be some type of collection. The runoff will be reduced but not totally eliminated.

Nybo wondered about seasonal changes. How do these products work when the ground is frozen and we have heavy rains or melting and thawing at a fast rate?

Baranski said that is why you have to have plans for runoff and detention to accommodate these types of events.

Oldenburg said part of the review would be looking at what the soil types and conditions are and how they would be impacted with the installation.

Baranski said installation of these products requires pretty intense preparations.

Rosenthal asked if it would be similar to driveway prep.

Baranski said you actually have to dig deeper.

Rosenthal said it seems as though the product wouldn't necessarily handle the 100 year monsoon rains we occasionally receive.

Nybo said he likes the idea. He is familiar with these applications as the Denver Colorado airport where his son works has been installing alternative surface products for about five years. He is concerned that this would be allowed by right if approved.

Baranski said again we really should be requiring that these products be used wherever possible.

Oldenburg said there would be staff review of the product to be used, the required stormwater plans as well as several other checkpoints. Depending what they want to use and the conditions,

such as the soil type, they may or may not obtain approval administratively. These products will not 100% eliminate the need for detention especially in winter months but it should generally not be an issue.

Nybo said he wants to make sure these checks are in place.

Oldenburg said percentage of increase, historical oversight, appropriate color and location are all part of the review process before approval could be given. These products are used in conjunction with many historic homes, museums and communities – the Royal Palace in the UK uses these types of surface products. The Zoning Board could see applications if the requirements do not meet the standards for the administrative review process. Any high visibility areas would require review by the ZBA.

Nybo said anything 2500 square feet and under could be approved by Oldenburg; over 2500 square feet would have to come to the ZBA with site plans, materials specifics, etc.

Oldenburg said he has already been approached by someone looking to expand their parking and wants to use this type of product. This would need Zoning Board approval.

Rosenthal said approval of the change would give Oldenburg the ability to review and approve or forward it to the ZBA.

Baranski said it should be a goal to rid the City of traditional parking lots not only to reduce the stormwater runoff but these large masses radiate and become heat islands. Alternative materials reduce runoff and generate less heat.

Oldenburg said there are several benefits when using these products. The efficiency of the alternative surface material used in conjunction with other stormwater methods reduces the coefficient of the runoff which helps filter out the contaminants and cools the water.

Nybo asked if Oldenburg thought there would be many applications for the product in historic districts.

Oldenburg said he believed most applications would be for new development. Each location would need to be engineered to determine which alternative product would be best suited for the site and use. Each product has its own specs and recommended uses as well as its weight bearing capacity.

No one was in attendance to testify either in favor of or in opposition to the request.

MOTION: Bochniak moved, seconded by Holman to close the Public Hearing on Cal. No. 16A-01.

Motion carried on voice vote.

MOTION: Baranski moved, seconded by Bochniak to recommend the City Council approve the proposed text amendment as written.

Discussion: The Board reviewed the approval criteria:

- (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 Board determined that all criteria applied except #1 and #5 which were not applicable.

As Roll Call was:

Cook	Yes
Holman	Yes
Nybo	Yes
Baranski	Yes
Bochniak	Yes
Rosenthal	Yes

Motion carried.

COUNTY ZONING

None.

WORKSESSION/OTHER

None

PUBLIC COMMENTS

None.

MOTION: Bochniak moved, seconded by Holman to adjourn the meeting at 7:20 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary