

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: CONDITIONAL USE REQUEST FOR 1317 S. WEBSTER AVENUE

Date: 01 June 2018

A Conditional Use Permit (CUP) has been requested by Jeff Matzke to allow for a mix of uses in an existing building on parcel AL-864, located at 1317 S. Webster Avenue. The parcel is currently zoned "Commercial," which allows for mixed-use as a conditional use.

Below is an exterior picture and aerial photograph of the existing building. The buyer intends to leave the site existing; using the upstairs as an owner-occupied residence and the main level as a woodworking and stained glass workplace studio. This proposed use of the property cannot proceed without being granted a conditional use permit.



Any future changes on the site will have to go through the Site Plan and Design Review process and be consistent with the zoning requirements for a "Commercial District." Interior alterations or a change of commercial use will have to be approved by the Building Inspector to ensure the building is up to date.

Section 475-58 of the village ordinances requires the following standards for granting a Conditional Use Permit.

- A. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;*
- B. *The conditional use will not substantially reduce the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and shall not substantially diminish or impair property values within the neighborhood;*
- C. *Adequate facilities, access roads, drainage, parking, and any other necessities have been or are being provided;*
- D. *Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion in the public streets; and*
- E. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

Staff has reviewed the proposed application and recommends approval. Plan Commission has also recommended approval.

The Village Board is asked to determine whether or not to proceed with scheduling a public hearing. The earliest a public hearing could occur would be June 5th. Village Board is asked to whether or not to approve a Conditional Use Permit for mixed use at 1317 S Webster Avenue. The motion should specify the conditions, if any, of the Conditional Use Permit. Note that denial can only be based on failure to meet conditions listed in Section 475-58 of the village ordinances.