

MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

TO: City Manager

**SUBJECT: Special Use Permit Amendment Request Public Hearing for 4328 78th Avenue West
Date: August 20, 2013**

Mr. Loran Lassuy has filed an application for an amendment to an existing Special Use Permit to allow two additional years to meet requirement of a previous City Council stipulation to complete work to improve the driveway and parking area on the subject site to asphalt, concrete or alternative equivalent materials acceptable to the City Engineer (paving bricks) for a single family residential and a commercial use in a B-4 (highway/intensive business) district. The original Special Use Permit ordinance is attached.

Mr. Lassuy has not completed the work on the entire parking area identified in his attached site plan. The applicant is in the process of renovating the house in order to live there and has recently established a storage structure sales business on the site. Based on the Special Use Permit ordinance approved in 2009 he should have had the parking area for the residence and proposed all terrain vehicle (ATV) business (relocated to the site from Andalusia) completed two years from approval. He has never occupied the house as he has not yet not completed renovation work on the residence nor has he ever relocated his (ATV) business to the site (ATV business ceased all business operations in fall 2012).

Nature of the Use:

He is currently working on completing house renovations and has recently established the storage structure sales business (business has no set hours as it is only open for business when the applicant is on site, or by taking phone inquiries). Mr. Lassuy has also indicated that he still has a long range plan to again start up his ATV business on the site, but has no set time frame for that business operation.

The site has a long zoning history. Mr. Lassuy's original 2008 plans in was to use the residential structure for his family residence. He made application to the Board of Zoning Appeals in January 2008 to expand the nonconforming residential use in an I-2 (general industrial) district. In December 2008 his plan changed and he requested a rezoning from I-2 to B-4 indicating he intended to demolish the house and construct a 1,440 square foot commercial structure on the site for his ATV business. In September 2009 he decided to reestablish the residence in the B-4 zoned parcel, while still intending to relocate his ATV business to the site sometime in the future. He applied and received a Special Use Permit for the residential use. The City Council also stipulated that he have the driveway and parking area improved for both uses (residence and ATV business) within two years.

Since that time the applicant has done some work repairing and renovating on the house, but has not completed everything in conformance with the Building Code. There is active code enforcement through the Inspection Division on the work being done to the house. Mr. Lassuy does have some improved parking on the site (adequate for the residence, but not for the additional storage building business use that he has started up). As previously stated he is asking for more time to improve the parking area required for both uses (see attached photos of the paving brick parking area and storage business buildings).

Parking:

The Zoning Ordinance requires two parking spaces for the residence. Since Mr. Lassuy is the only employee of the existing business. There is a small “office” structure, which located inside one of the storage buildings on “display” on the site. Two additional parking spaces is adequate for the business (total of four spaces needed for business and residence). Mr. Lassuy’s attached site plan identifies four proposed parking spaces and the area that is currently improved with paving bricks.

Analysis:

Staff believes that the request does not meet the seven standards for approving a Special Use Permit (or amendment to an existing Special Use Permit) identified in Section 6.5G of the Zoning Ordinance. Standard number four in this section requires “that adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided”. Standard number five requires “that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets”. Adequate off street parking is essential to meet both of these standards. Staff believes that the applicant has had adequate time to make the improvements. Operating both uses without adequate improved parking alters the character of the neighborhood.

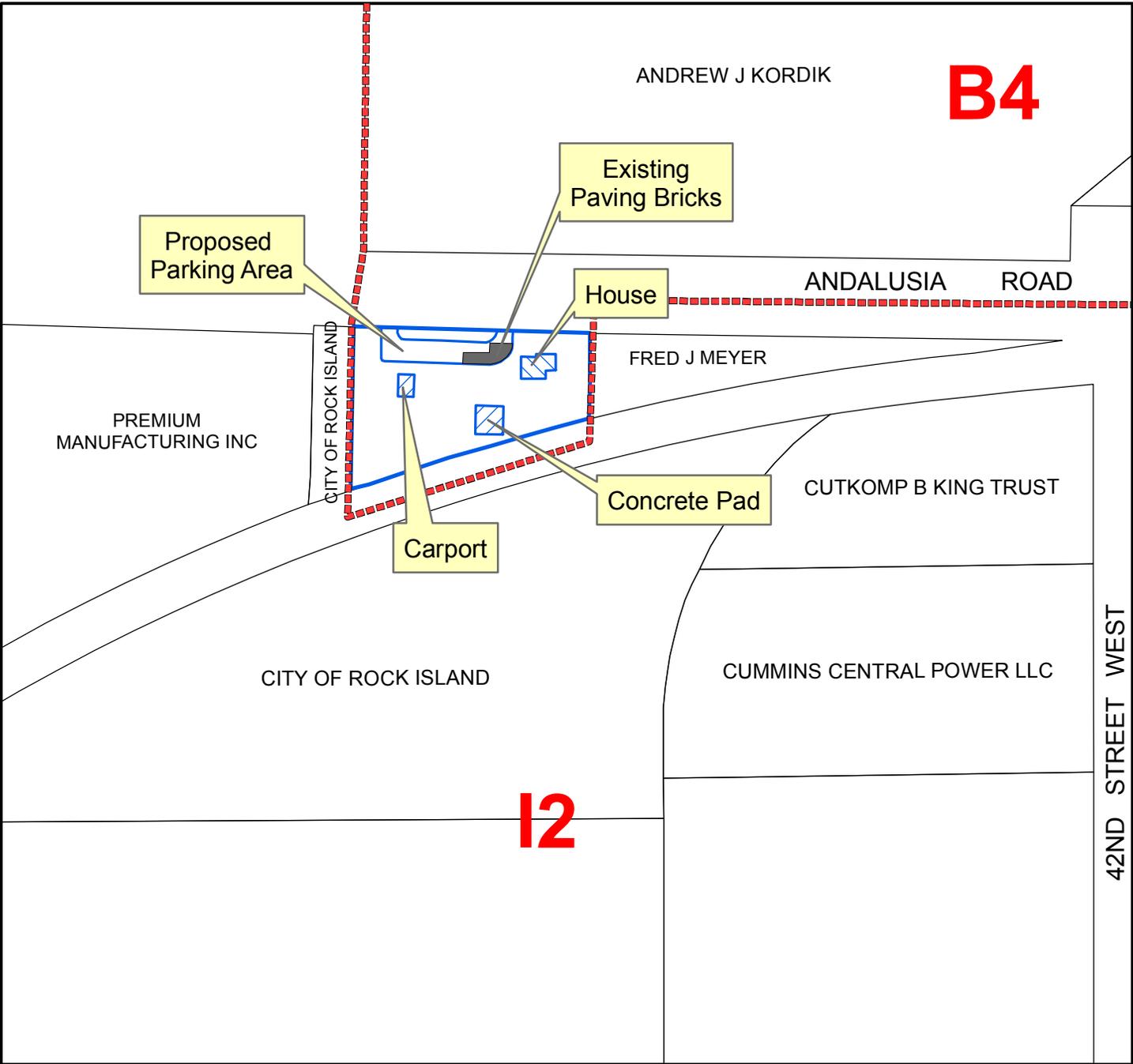
Recommendation:

That the request be denied because it does not meet the seven standards identified in the Zoning Ordinance for approving a Special Use Permit and the current situation alters the character of the neighborhood.

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

APPROVED: Thomas Thomas, City Manager

SPECIAL USE PROPOSAL



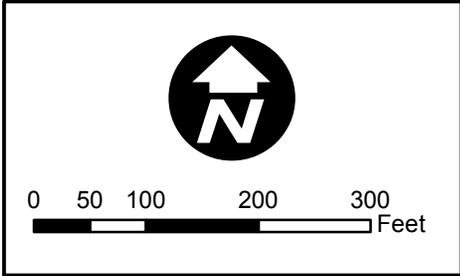
**SPECIAL USE PROPOSAL
2013-2**

Legend

- Parcels
- Subject Property
- Zoning District Line

DR. BY: K.G.D.

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

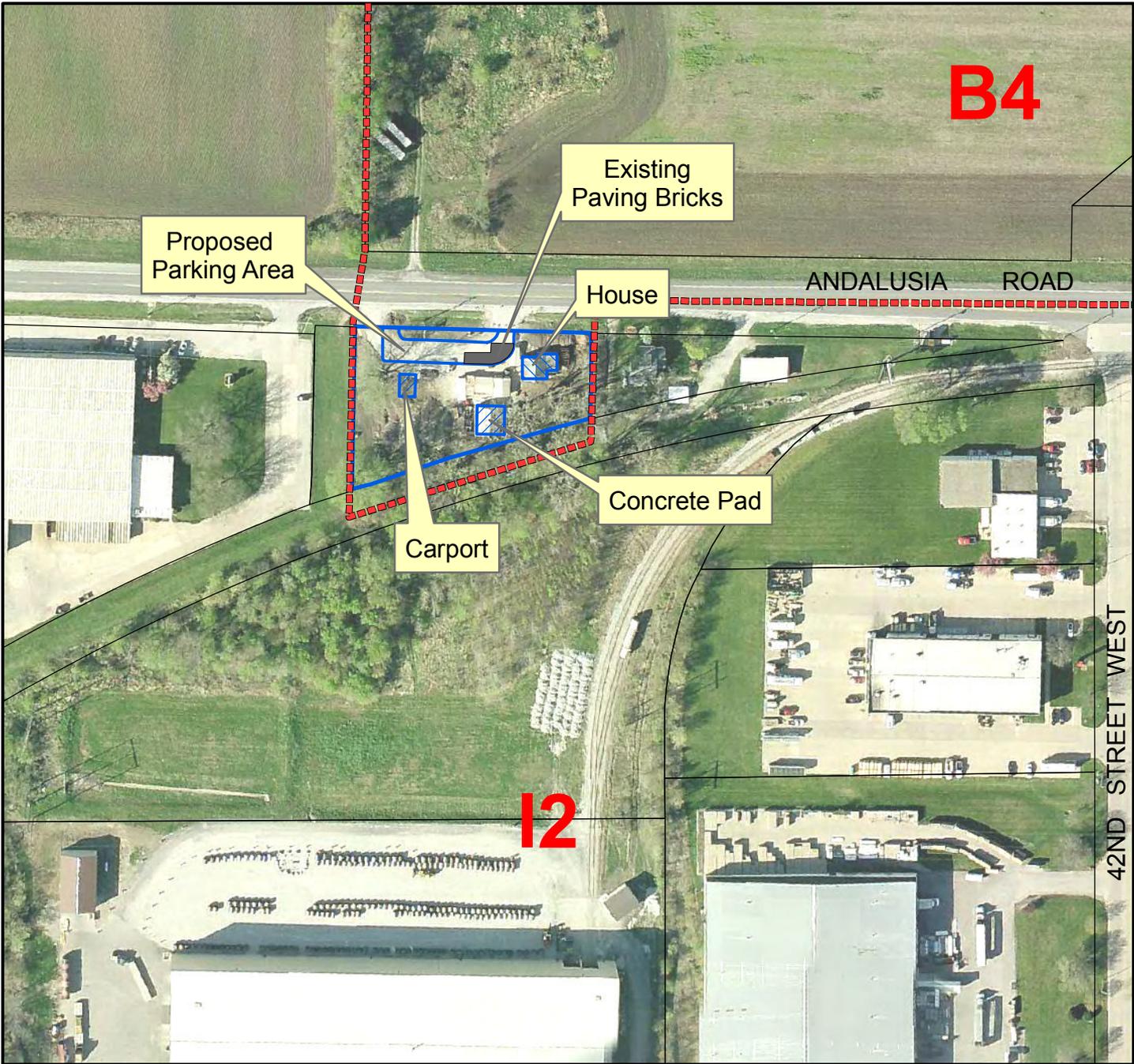


City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment


 ROCK ISLAND
ILLINOIS

SPECIAL USE PROPOSAL



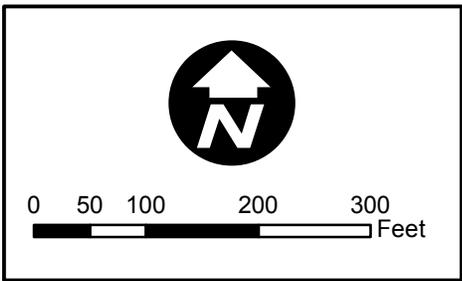
SPECIAL USE PROPOSAL 2013-2 Aerial

Legend

- Parcels
- Subject Property
- Zoning District Line

DR. BY: K.G.D.

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



City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment

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ROCK ISLAND
ILLINOIS

ORDINANCE NO. 058-2009

**A SPECIAL ORDINANCE GRANTING A SPECIAL USE PERMIT
IN THE CITY OF ROCK ISLAND, ILLINOIS**

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

Section One. A special use permit to allow reestablishment of a single family residence in a B-4 (highway business) district located at 4328 78th Avenue West, Rock Island, Illinois, be and is hereby granted to Loran Lassuy, said property being legally known as:

Supervisor of Assessment Lot 202, Section 29 of Blackhawk
Township, City of Rock Island,

also known as 4328 78th Avenue West, Rock Island, Illinois.

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

- 1, That the applicant should improve the driveway and parking area to asphalt or concrete within two years following approval of the Special Use Permit.

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

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



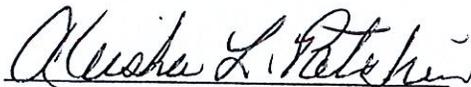
MAYOR OF THE CITY OF ROCK ISLAND

PASSED: September 14, 2009

AYES: Alderman Brooks
Conroy
Foley
Tollenaer
Jones
Austin

APPROVED: September 15, 2009

ATTEST:



CITY CLERK

ABSENT: Murphy

NAYS: NONE



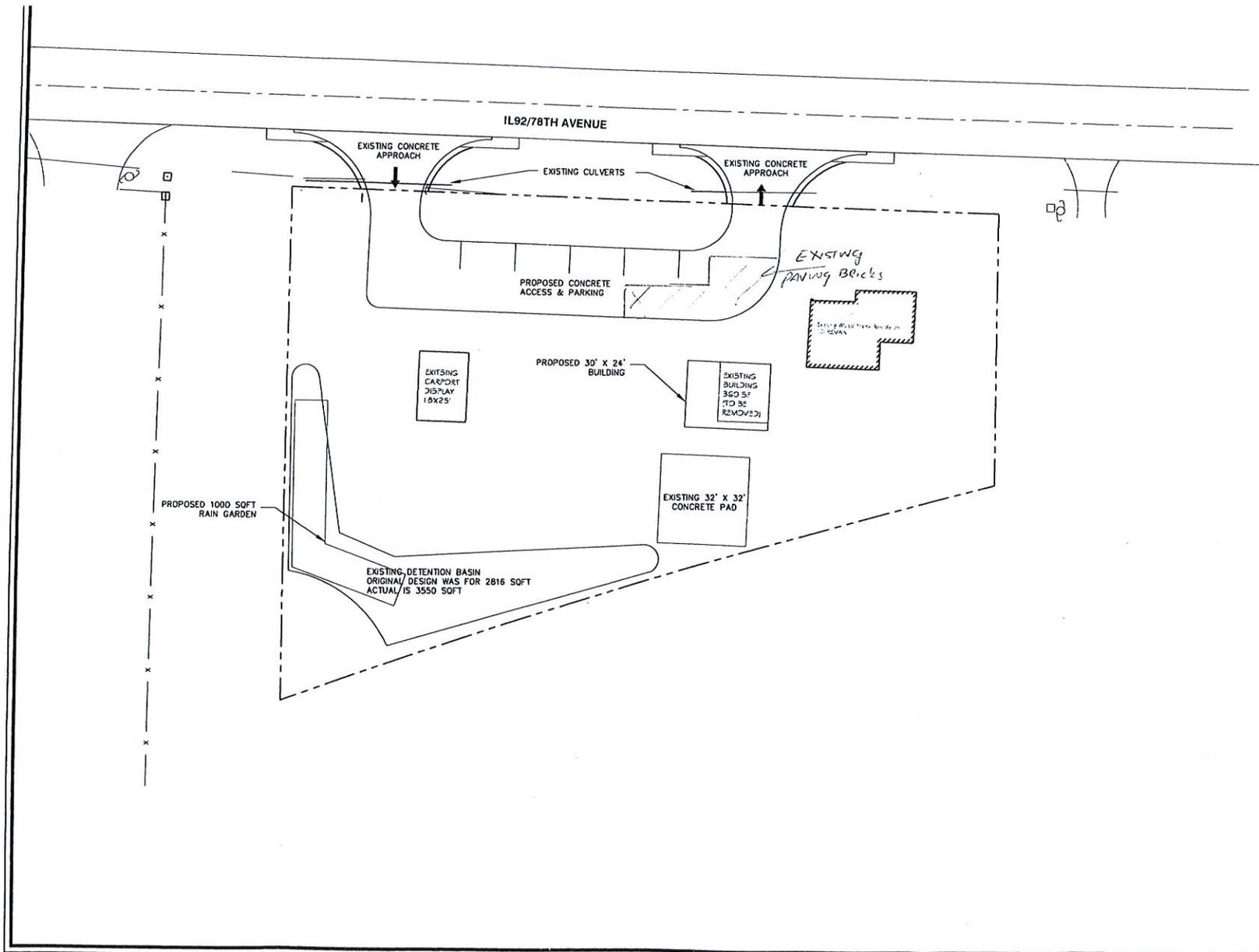
LUMBER HOME
787-ATV2

Dick's Lumber
843-344-3333
OR 502-754-7171

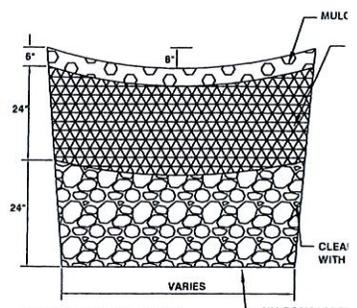
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*AGGREGATE TO BE ENCASED
IN GEO-TEXTILE FABRIC TO PREVENT
CROSS LAYER CONTAMINATION