

**APPROVING A SPECIAL USE PERMIT FOR A MUSEUM ON PROPERTY ZONED "MFR-1" MULTI-FAMILY RESIDENTIAL, LOCATED AT 417 NORTH FIRST STREET, DEKALB.**

**WHEREAS**, Ellwood House Association, Inc. has filed a petition with the City Clerk of the City of DeKalb, Illinois for a special use permit allowing the conversion of a single family residence into a museum on property zoned "MFR-1" Multi Family Residential, located at 417 North First Street, DeKalb; and,

**WHEREAS**, the DeKalb Planning and Zoning Commission held a public hearing and reviewed the request on June 27, 2012 and recommended conditional approval of the special use permit by a vote of 4-0, subject to conditions; now,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois as follows:

**Section 1.** That a Special Use Permit allowing a museum on property zoned "MFR-1" Multi-Family Residential, located at 417 North First Street, be approved conditional upon the following:

1. The City and the Ellwood House Association acknowledge that given the unique nature of the proposed use of the premises, the actual need for parking is difficult to evaluate, and the proposed construction activities at the site are likely to damage any permanent parking improvements that would be installed. Accordingly, the City and the Ellwood House Association, by this Special Use Permit, intend to permit temporary use of unpaved areas for a limited duration, prior to the time that construction activities on-site are completed.
2. The Special Use Permit expires on December 31, 2014. Not less than six (6) months prior to this expiration, the Ellwood House Association shall submit documentation to the City Council giving evidence that the parking needs are being met by the current facilities, to the City Council's satisfaction. The Council may grant a two (2) year extension to the Special Use Permit if both the Ellwood House Association and the City of DeKalb agree that further evaluation of the parking needs for the museum campus is required based upon the current uses of the property. If extended, during such two (2) year extension, the City and the Ellwood House Association shall determine whether the current parking schedule is effective. Otherwise, the Special Use Permit expires and parking will be required to be provided in accordance with the terms of the City's Uniform Development Ordinance (UDO). In the event that parking is not provided in accordance with the UDO, all use of the Nehring House and carriage museum shall cease until such point in time as parking is provided in accordance with then-applicable requirements (and at no point shall the use of the premises become a legal, non-conforming use)..
3. The Ellwood House Association will keep a log of the number of events and attendees over the duration that this Special Use Permit is in effect to help understand the potential parking requirements for the whole museum campus.

4. The new parking and drive aisle areas around the horseshoe driveway be allowed to use crushed limestone for the duration of this Special Use Permit, but any such limestone areas shall not be counted towards satisfying parking requirements under the UDO following the expiration of this Special Use Permit.

**Section 2.** That all provisions of the Unified Development Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage and approval according to law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a regular meeting, held on the 23<sup>rd</sup> day of July, 2012 and approved by me as Mayor on the same day. Received and filed July 9, 2012. Passed on July 23, 2012 by roll call vote: 3-2-2. Aye: Teresinski, Naylor, Baker. Naye: Jacobson, O'Leary. Absent: Lash, Gallagher.

**ATTEST:**

  
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**DIANE K. WRIGHT**, City Clerk

  
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**KRIS POVLSSEN**, Mayor

