



Memo

File #: 349-24

Agenda Date: 7/16/2024

TO: Mayor and City Council

FROM: Beth Beatty, City Manager

SUBJECT:

An Ordinance Approving a Special Use Permit to Allow an Antique Store, Located at 118 N. Ottawa Street

BACKGROUND:

Emily Brzyki, owner of Black Cat Curiosities, seeks to open an antique store in the tenant space at 118 N. Ottawa Street, which is the multi-tenant Hotel Plaza building. The tenant space has 420 square feet of leasable space. City requires a Special Use Permit for businesses where most of the merchandise is second-hand. She has been selling antiques and vintage items for the last four years through online sales and through markets and niche events. She also sells items at the Internode, which is a plant and home goods store located at 81 N. Chicago Street. She intends to be open Tuesday through Thursday from 11:00 am to 5:00 pm; Fridays from 11:00 to 8:00 pm and Saturdays from 10:00 am to 3:00 pm. She will also offer flexible hours to accommodate special events in the downtown.

ZONING BOARD OF APPEALS PUBLIC HEARING::

The Zoning Board of Appeals held a public hearing on this matter on June 20, 2024. Ms. Emily Brzycki, petitioner, represented the petition. The Zoning Board asked a few questions related to the current use of the property to which the petitioner responded. No one appeared or submitted comments in opposition to the petition. Meeting minutes are attached.

RECOMMENDATION OF THE ZONING BOARD OF APPEALS:

Ralph Bias moved that the Zoning Board of Appeals recommend approval of the Special Use Permit to allow an antique store, located at 118 N. Ottawa Street, subject to the following conditions:

1. That the Special Use granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period. The Board may grant an extension of this period, valid for no more than one hundred and eighty (180) additional days, upon written application and good cause shown without notice or hearing. Whether or not there is an intention to abandon the Special Use, if any special use is discontinued for a continuous period of one year, or if an intent to abandon the Special Use is evident in a shorter period of time, the Special Use for such use shall become void, and such use shall not thereafter be reestablished unless a new Special Use Permit is obtained; and

2. Should the business be declared a public nuisance, it may be subject to a rehearing and a possible revocation of the Special Use Permit.

Bob Nachtrieb seconded the motion, which passed with four (4) aye votes. Voting aye were: Nachtrieb, Bias, Alessio and Riggs. Voting nay were: none. Absent were: Hennessy and Roehr.

RECOMMENDATION:

The Administration concurs with the recommendation of the Zoning Board of Appeals and recommends the Mayor and City Council adopt an Ordinance approving the Special Use Permit to allow an antique store, located at 118 N. Ottawa Street, subject to the same conditions approved by the Zoning Board of Appeals above.