

Ruth Barn Relocation, Zoning

Taylor Wegrzyn <twegrzyn@mundelein.org>

Mon 11/6/2023 1:49 PM

There are some hurdles with the zoning. I agree with the zoning notes Geoff Perry included in his November 3rd letter. Some points to add or clarify:

1. **Use.** Museums are a permitted use according to Section 5-4-2(A)(38)
2. **20-foot Building Separation.** In addition to Section 5-3-12's required 20-foot separation between the Principal building and accessory structures, Section 5-4-9(B)(2) also requires a 20-foot separation between all structures in the B1 district. This would mean that the Ruth Barn and Archer School would need an additional 15.7 feet of separation than what is shown.
3. **Non-retail ground floor space.** Section 5-4-9(B)(1)(a) limits the amount of non-retail ground floor space to no more than 20% of all ground floor space in the B1 district – My understanding is that Village Administration maintains a working list of these calculations. This list should be consulted to see if the proposal would be under that threshold.
4. **Conservation Easement.** A 20-foot buffer from the conservation easement is required per Section 7-5-7.
 - a. The attached ALTA survey shows the conservation easement on Lot 7. The 20-foot separation is not a problem in this case.
5. **PUD.** The Red Oaks PUD (Ord. No. 86-O-61) approved of a Planned Unit Development plan for this property (Lot 7). It included the existing building and the museum use; however, Section 15 of the Ordinance specifically states: *“any further improvements or structures other than the one noted for this parcel on the preliminary site plan, shall be submitted to and receive the approval of the Plan Commission prior to the construction thereof.”*
 - a. For this reason, I believe that an amendment to the Red Oaks PUD should first be filled by the Historical Society to request approval of the change in use and structures on the property.

So approval process would look like:

1. Architectural Commission Review [Required by 5-4-9(B)(2)]
2. Submit a petition for PCZBA for:
 - a. PUD Major Amendment (Final PUD Application Form)
 - i. For new structures/uses within the PUD
 - b. Text Amendment – to alter the text of Section 5-4-9(B)(2) to allow for a shorter setback between building structures if within a PUD or by Village Ordinance
3. Staff Review, if necessary
4. Schedule PCZBA Hearing (approximately 3 weeks prior)
5. Send out Notices (15 days prior)
6. PCZBA Public Hearing
7. Recommendation is made
8. Village Board Review (likely that Village Attorney can make this one meeting instead of two)
9. Building Permit

I put the Architectural Commission review at the start – I think it would be prudent to get their input first (Since they are the Historic Commission as well).

Thu 11/9/2023 8:43 AM

Concerning the prospect of placing the Ruth Barn at 3110 Old McHenry Road, next to the Archer School, the zoning is far less of a concern. The barn could be placed near the school, no less than 50 feet from either the northern, eastern, or western property lines. There is ample room to meet these conditions (subject to building and/or engineering). The Village Hall property is not within a PUD and simple R1 zoning applies. Accessory structures are permitted in this district and there is no requirement for a minimum separation between two accessory structures. There is only a 20-foot separation requirement from the main village hall building. From our point of view, this location option looks like a simple building permit process.