

Sec. 129-192. Permitted uses.

(b) *Conditional Uses.* Conditional Uses are uses which may be acceptable within the Local Business District, based on specific circumstances and mitigating site design provisions that would eliminate the potential for these uses to otherwise have negative impacts on adjacent property, other uses in the district, or the district as a whole. Therefore, they require special review to better determine if the circumstances and design provisions for the proposed use when applied to a specific site are sufficient to mitigate any potential negative impacts. The following uses may be permitted in a Local Business District, but only with the prior written approval of the City Council:

- (1) Commercial uses grouped together on one (1) or more contiguous parcels of land having shared access and shared off-street customer parking;
- (2) Automobile service stations and stores at which gasoline is sold, regardless of whether or not repair services are provided at such stores, including, without limitation, stores at which groceries, and/or related items, such as soft drinks, alcoholic beverages, dairy products, tobacco products and bakery items are sold; but such service stations and stores may be located only on corner lots, or upon a group of adjoining lots which includes a corner lot; and further provided, that all pumps, tools, and accessories must be placed not less than fifteen (15) feet from all street right-of-way lines so that motor vehicles can be serviced without obstructing sidewalks. In the Local Business District, these stations should be limited to no more than 8 pumps and no more than 2 service islands to ensure the smaller-scale pedestrian nature of the district;
- (3) Repair garages, provided that all work is done wholly within a building, and that there is no storage or parking of wrecked cars on the premises;
- (4) Coin-operated amusement devices, which shall be permitted only in restaurants; provided, that there shall be not more than five (5) such devices in any one (1) restaurant, that they are not situated in the dining area of the restaurant, that they are an incidental use, and not a primary use, of the premises and that the area of the space in which they are located does not exceed twenty (20) percent of the total public area of the restaurant;
- (5) Inns, bed and breakfast establishments, hotels or motels. The conditional review and approval shall ensure that sufficient parking exists in addition to parking required by this district so that the business will not negatively impact existing established businesses. Sufficient parking may be provided through sharing, valet programs, or other remote parking that are conditions of the review and approval. Proposed uses shall present a forecasted parking demand during operating hours based on industry standards as part of the conditional review;
- (6) Restaurants that are open for business on any weekday of any given week during the hours of 11:00 a.m. and 1:00 p.m. shall be conditional uses in any area covered by a Village Master Plan following the adoption of the Village Master Plan and the Village Overlay

Standards in Chapter 19, Article 31. The conditional review and approval shall ensure that sufficient parking exists in addition to parking required by this district so that the business will not negatively impact existing established businesses. Sufficient parking may be provided through sharing, valet programs, or other remote parking that are conditions of the review and approval. Proposed uses shall present a forecasted parking demand during operating hours based on industry standards as part of the conditional review. For the purposes of this subsection, "Restaurants" shall not include any facility whose primary function between 11:00 a.m. and 1:00 p.m. is other than the sale of food for on-site consumption.

(7) Veterinary Clinics/Pet Grooming, provided that there be no outdoor runs, and that business be conducted wholly within a building; boarding only as required for surgical procedures. Conditional review and approval shall ensure compatibility with the surrounding commercial and residential uses; soundproofing of walls may be required where feasible.