

2004, 2013, 2015 Existing Special Use Conditions and 2018 Proposed Special Use Conditions

*Note: Text to be enacted shown in blue, bold, and underlined. Text to be repealed shown in red, bold, and strikethrough. The 2018 Proposed Special Use Ordinance will contain the following, except for the repealed text.*

Conditions approved under Z-031029-51725-2 on January 22, 2004:

- ~~1.—The home furnishing and interior décor center shall be limited to the sale of furniture and accessory items, an interior design office, the manufacturing of draperies, and upholstery service.~~
2. The catering business shall be limited to hours of operation from 8:00 a.m. to 11:00 p.m. on-site food preparation for off-site service.
3. Commercial deliveries shall be limited to the hours between 8:00 a.m. to 6:00 p.m., Monday through Friday. Delivery trucks shall use only the Bacon Park Drive access.
4. Commercial dumpsters shall be fully screened from adjacent properties.
5. The existing vegetative buffer that extends the ~~the~~ length of the western property line shall remain undisturbed. If it is disturbed, then it shall be replaced with more vegetation and/or a six-foot wood, opaque privacy fence.
6. No modification of the existing building footprint or demolition of existing buildings shall be allowed.
- ~~7.—Employee parking shall be in the rear of the Property.~~
- ~~8.—The proposed interior design business and catering business shall not expand beyond the main building and the accessory buildings.~~
- ~~9.—The eight existing residential units shall remain residential units.~~

The conditions approved under 13-003286-ZA on September 5, 2013 did not include any of the conditions from 2004. However, the 2013 conditions were incorporated in the conditions approved under 15-005142-ZA on December 10, 2015.

1. The restaurant shall be limited to a maximum seating capacity of 100 seats and shall be limited to hours of operation from 11:00 a.m. to 11:00 p.m. Beer, wine, and spirituous beverages may be served at the restaurant and banquet hall only as part of a full service meal.
2. The banquet hall shall be restricted to the same conditions as the restaurant with the exception that the maximum seating capacity shall be not more than 15 seats.
3. The art studio/gallery shall be limited to a maximum of 35 students with a maximum of 2 instructors. The art studio/gallery shall be restricted to hours of operation between 11:00 a.m. to 11:00 p.m. Beer and wine only may be served at art shows.
4. The general office space shall be limited to a maximum gross area of 1,375 square feet.
5. There shall be not more than 8 residential duplexes with a total of 16 residential units (2010 Bona Bella Ave Units 1-16), with one bedroom each, for a total of 16 bedrooms.
6. All activities associated with the art studio/gallery, restaurant, inn, and banquet hall shall

be limited to inside only with no outside events to include music.

7. Compliance with the off-street parking requirement as determined by the City Zoning Administrator.
8. No additional outside lighting shall be permitted unless such lighting is approved by the MPC staff.
9. All proposed signage, with the exception of a freestanding principal use sign shall be in accordance with the sign standards as contained within an I-P zoning district. A freestanding principal use sign, if desired, shall be limited to a monument style sign with a maximum area of 36 square feet. Such sign shall be either internally lighted with a reverse silhouette or have indirect lighting. No directory signage shall be permitted.

Proposed new conditions:

1. 15 of the residential units may be used for non-transient residential guests (long-term rentals) and/or by the inn for transient guests (short-term rentals).
2. One of the residential units (currently Unit 2) shall be the caretaker's quarters of an onsite 24/7 manager.
3. Four of the residential units (Units 13-16) may be used as live-work units or offices or for non-transient residential guests (long-term rentals) and/or by the inn for transient guests (short-term rentals).
4. Unit 17 (one of the nine original duplexes built in 1978 with approval by the Mayor & Aldermen) may be used as "The Clubhouse". In 2004, the Mayor & Aldermen had approved the conversion of one of the nine duplexes into a nonresidential use.
5. Two storage buildings may be on the western edge of the property. However, they have to maintain a five-foot setback from the property lines.
6. New buildings or structures shall not be allowed without approval of the Mayor & Aldermen.
7. A Certificate of Occupancy and/or Certificate of Completion shall be required for existing uses and prior to any use changes affecting any and all buildings and accessory structures.
8. This Ordinance incorporates the relevant conditions that were approved under Z-031029-51725-2 on January 22, 2004, 13-003286-ZA on September 5, 2013, and 15-005142-ZA on December 10, 2015.