

CITY OF LOVES PARK

Department of Community Development

100 HEART BOULEVARD LOVES PARK, ILLINOIS 61111 815- 654-5033 • Fax: 815-654-5004

Planning • Zoning • Building • Economic Development

AGENDA LOVES PARK ZONING BOARD OF APPEALS December 20, 2018 CITY COUNCIL CHAMBERS 5:30 P.M. 100 HEART BOULEVARD

- 1. Roll call and declaration of a quorum
- 2. Reading and approval of the minutes from the November 15, 2018 meeting
- 3. Report from the Zoning Office None
- 4. Unfinished business None
- New business
 - A. 6200 FOREST HILLS ROAD AND 6202 FOREST HILLS ROAD A Special Use Permit to allow a banquet facility and café in the IL (Light Industrial) Zoning District
 - B. 5902 E. RIVERSIDE BOULEVARD A Special Use Permit renewal to allow a car and dog wash establishment in the CR (Commercial Retail) Zoning District
 - C. Approval of the 2019 Zoning Board of Appeals and Community Development Committee Schedule
- 6. Public participation & comment
- 7. General discussion
- 8. Adjournment

Andrew Quintanilla Zoning Officer

More information on these agenda items will be posted on the City's website for public download no later than 7 days prior to the scheduled date: http://loves-park.il.us/page/82/zoning-board-of-appeals

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS THURSDAY, NOVEMBER 15, 2018 5:30 P.M. CITY COUNCIL CHAMBERS LOVES PARK CITY HALL

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:35 P.M.

MEMBERS PRESENT:

ALISE HOWLETT, CATHY NELSON, BRIAN KERN,

NICOLAS BECKER, LINDY TOOHILL

MEMBERS ABSENT:

SHAWN NOVAK, DENNIS HENDRICKS

OTHERS PRESENT:

ATTORNEY PHIL NICOLOSI

ANDREW QUINTANILLA - ZONING OFFICER

SHEILA MILLS - SECRETARY

OTHER ABSENT:

NATE BRUCK - ECONOMIC DEVELOPMENT/PLANNING

DIRECTOR

Chairman Howlett announced that the next Community Development Committee meeting is scheduled for November 26, 2018 at 6:15 p.m.

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting held September 20, 2018. Second by Mrs. Toohill. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

5. UNFINISHED BUSINESS

None

- 6. NEW BUSINESS
 - A. 6020 E. RIVERSIDE BLVD SPECIAL USE PERMIT TO ALLOW A DRIVE-THRU WINDOW FOR A CARRYOUT FAST FOOD ESTABLISHMENT. Appropriate notice has been given.

Thomas Baudhuin, 9816 River Bend Drive, Roscoe, II 61073 was sworn in as Petitioner and he indicated that he is requesting a Special Use Permit for a drive-thru window for a Papa John's Restaurant that he plans move to the property.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit to allow a drive-thru window for a carryout fast food establishment at 6020 E. Riverside Blvd. in the CR Zoning District with the following conditions:

- The Special Use Permit shall expire with the change in property ownership, at 6020 or 6100 E. Riverside Blvd., change in business ownership, or discontinuance of the business.
- 2. The property owner shall be required to install a sidewalk between the properties, and additional lighting for the dumpster area that is located at 6100 E. Riverside Blvd., which is being shared with 6020 E. Riverside Blvd. The sidewalk shall be installed no later than May 31, 2018, and the additional security lighting shall be installed before the business opens to the public.
- 3. The Special Use Permit shall be renewed 1 year from the date of approval.

Second by Mrs. Toohill. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 4-0 (Chairman Howlett voted and Mr. Becker abstained from voting)

7. PUBLIC PARTICIPATION AND COMMENT

None

8. General Discussion

None

Mrs. Nelson that the meeting be adjourned. Second by Mrs. Toohill. Motion carried by voice vote. The meeting adjourned at 5:50 p.m.

Sheila Mills, Secretary



ZONING BOARD OF APPEALS

Community Development Department

Date:	December 12, 2018	

SUBJECT:

A Special Use Permit for a banquet and café establishment in the IL (Light

Industrial) Zoning District

SYNOPSIS:

The applicant would like to open a wedding or reception hall with a small café

open to the public with limited hours.

LOCATION:

6202 Forest Hills Road and 6200 Forest Hills Road

COMPREHENSIVE

PLAN:

The City of Loves Park Comprehensive Plan identifies the area for the use of

light industrial uses.

ZONING DISTRICT:

North

IL (Light Industrial)

South

IL (Light Industrial)

East

R1 Residential

West

IL (Light Industrial)

SOILS:

No comment

EXISTING CONDITIONS:

IN

None known

RELEVANT PROPERTY INFORMATION

The business owner would like to establish a banquet/café establishment at this location. Neither use is permitted inherently in the zoning district. A Special Use Permit is required for this location.

The property is the former site of Betty's Square Dance and Western Store. A Special Use Permit was granted to the previous owner in 1995 to allow a retail store and dance studio. At that that time there was a home on this property. The residence was accessory to the store and studio. The home is no longer located at this site. The residence caught fire and was demolished.

The applicant is purchasing 6202 Forest Hills Road with the intent to develop the property as a banquet facility and café. The property will host small receptions and events, up to 100 guest. The space will also include a small café area which will be open to the public.

The applicant, also the owner of the adjacent property to the southwest, will be using the remaining building for the banquet facilty and café. The new owners will be bringing the remaining building up to current building code standards for the intended uses.

The required parking for this location is 47 stalls. The parking provided on site will be 35 parking stalls. The remaining parking will be provided at, 6200 Forest Hills Road. The applicant will be providing an additional 14 stalls on this parcel. Both parcels will be connected with a pedestrian sidewalk.

The required landscaping for the business is 3 trees. Two will be placed out on Forest Hills Road, and 1 placed in the interior of the parking lot. The landscape area on Forest Hills will be an 8 ft buffer spanning the width of the parking area. It will contain some combination of shrubs, perennials, and annuals, as will the islands within the parking lot. The landscaping will be supplemented with existing trees of various types.

The business is required to provide a dumpster enclosure. The busines owner will be providing a site obscured enclosure next to building.

RECOMMENDATIONS: | Approval - A Special Use Permit for a banquet facility and cafe establishment in the IL (Light Industrial) Zoning District.

Conditions:

- 1. The Special Use Permit expires with the change in property ownership of 6202 Forest Hills Road, and/or 6200 Forest Hills Road. The special use expires with the discontinuance of the banquet/café business, or change in business ownership at 6202 Forest Hills Road, and/or 6200 Forest Hills Road.
- 2. The landscape requirements shall be completed on or before May 31, 2018.
- The dumpster enclosure shall be installed on or before May 31, 2018.
- 4. The parking lot area, at 6202 Forest Hills Road, shall be striped and curbed on or before May 31, 2018. The parking lot area at 6200 Forest Hills Road shall be striped on or before May 31, 2018.
- 5. The sidewalk connecting both properties shall be installed on or before May 31, 2018.
- There shall be no outside storage of materials at 6200 Forest Hills Road. All materials shall be stored behind a site obscuring fence.
- 7. No outside storage of personal vehicles, recreational vehicles, trailers, rv's, water craft, or mobile homes shall be permitted for 6200 Forest Hills Road or 6202 Forest Hills Road.
- 8. The special use permit shall expire after 1 year.
- 9. The site plan, as approved by the Zoning Board of Appeals, shall be tied to the approval of the special use.

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See Attachments

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RECOMMENDATIONS: APPROVAL / DENIAL / TABLED

Vote:			

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AUDIENCE COMMENTS:



Property Code: 12-05-302-009 & 12-06-478-002

Property Address: 6200 & 6202 Forest Hills Road

Applicant: Architectural Metals

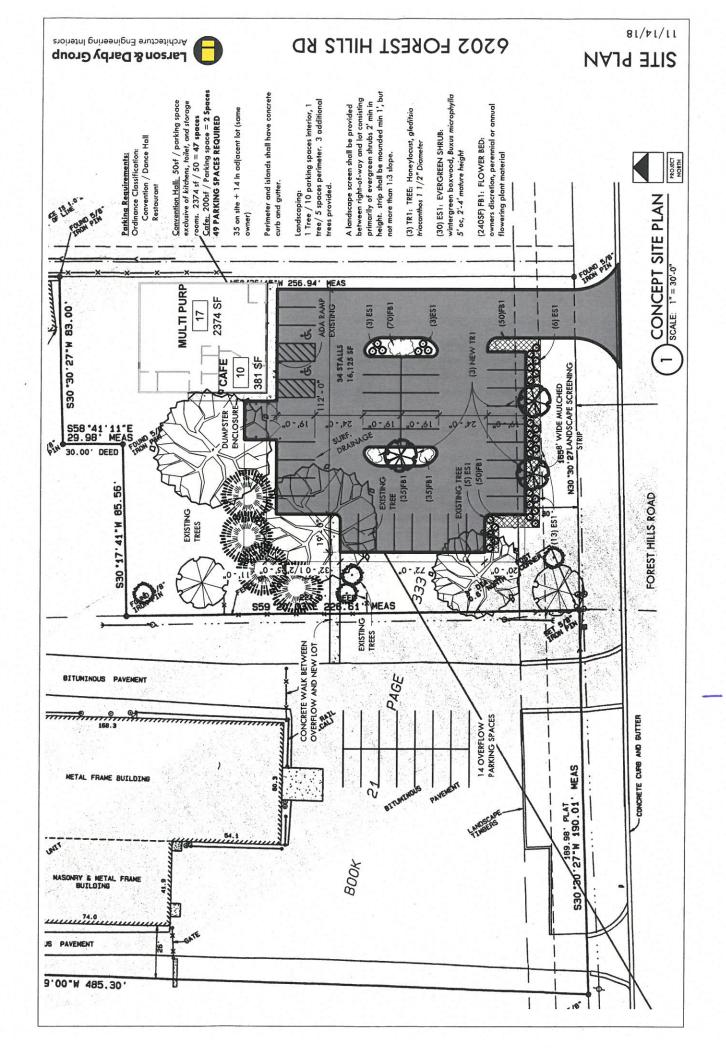
6200 Forest Hills Road Rockford, Illinois 61111

Property Owner: Architectural Metals

6200 Forest Hills Road Rockford, Illinois 61111

Property Owner: Robert and Betty Rand

6202 Forest Hills Road Loves Park, Illinois 61111













Recommended Findings of Fact of City Staff based on the information provided by the applicant

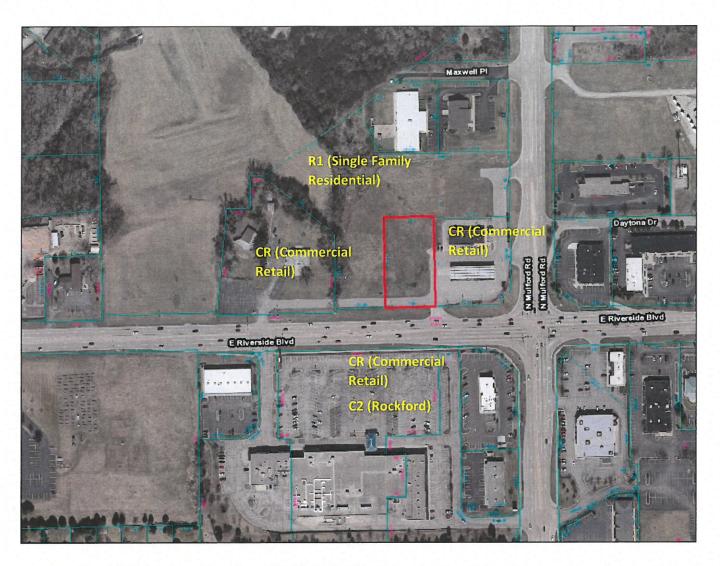
Findings as Required by Loves Park Ordinance - Each enumerated finding must be met before a petition for a a special use may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

Location: 6202 Forest Hills Road and 6200 Forest Hills Road

Staff ZBA	
1 YES	The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The use is not likely to have an adverse affect on the public. The property was used for residential living, as well as, served retail uses, and as a dance studio for teaching. The varied uses have been functioning at this location for over 20 years with little to no incidence. The area will likely see increased traffic to this property, however, the area is highly traveled already. The use will bring business to the City, and utilize a structure that is desperately in need of repair. Reason:
2 <u>YES</u>	The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. The new property owner will be spending money to install a new parking lot, with landscaping, which will improve the property and positively impact the property's value. It will likely increase values to the adjacent property's and maybe even the zoning district as a whole. The owner will be making building improvements to the building bringing it up to code for the use. All of the improvements are positive for this property. The landscaping that is required should improve the area by softening up the view from the street. Reason:
3 <u>YES</u>	The establishment of the special use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district. The establishment of the special use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district. The development in this area has not changed a whole lot. There has been minor light industrial use additions to the area, and this development will likely enhance the area. It may spur other development in the zoning district, which is needed. Reason:
4 <u>YES</u>	Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will

	be provided. The improvements that will be taking place to the parking area will meet all City
	standards for those types of improvements. The building will be brought up to code for the uses as well.
	Reason:
5 <u>YES</u>	Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets. The development of the parking area has been do so to minimize congestion for the property, as well as, for ingress/egress. Reason:
6 <u>YES</u>	The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The zoning officer shall forward the board of appeal's decision and records to the city council within ten days after action or within 45 days from the date of the public hearing if no action has been taken by the board of appeals.
	re based on staff interpretation of the required findings necessary for approval of a Special Use Permit. In do of Appeals must indicate whether or not all the findings have been considered to substantiate the ecial use.
	ave been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals
agenda item:	6202 Forest Hills Road and 6200 Forest Hills Road Banquet facility and café establishment
	Surrique racinity and care octabilisment
Chairman Alise Howlett	
Signature	Date



Parcel Number: 12-04-276-013

Zoning: CR (Commercial Retail)

Property Addresses: 5902 E. Riverside Boulevard

Owner Address: Dyn Commercial Holdings, LLC

6801 Spring Creek Road Rockford, Illinois 61114

MKD Enterprises of Loves Park LLC

23353 Rebecca Court Naperville, Illinois 60564

Petitioner: Daniel Gunsteen

651 S. Sutton Road, Ste 305 Streamwood, Illinois 60107



ZONING BOARD OF APPEALS

Community Development Department

Date:	December 3, 2018

SUBJECT: A Special Use Permit renewal for an automobile car wash establishment in the

CR (Commercial Retail) Zoning District

SYNOPSIS: The applicant would like to open a full service car wash establishment as a

primary use, and also provide a dog wash service

LOCATION: 5902 E. Riverside Boulevard

그 사람이 없는 경험하는 것 같은 사람들이 얼마나 있다.

PLAN: The City of Loves Park Comprehensive Plan identifies the area for the use of

general commercial land use

ZONING DISTRICT: | North | CR (Commercial Retail) & R1 (Single Family Residential)

South C2 (Commercial Retail) - Rockford

East CR (Commercial Retail)

West CR (Commercial Retail)

SOILS: No comment

COMPREHENSIVE

PHYSICAL
SURROUNDINGS: Mixed uses that include various commercial office and retail uses

EXISTING

CONDITIONS: Sanitary sewer easments on the property.

Information provided for special use petition in 2017.
RELEVANT

PROPERTY
INFORMATION:

The property owner would like to open an automated car wash business. The business will also provide manual dog washing services. A Special Use Permit is required for the automobile car was establishment

The car wash establishment will be full service, providing various car wash packages. The car wash provides free vacuuming for customers even if they choose not to purchase a car wash. The hours are from 7am to 9 pm, Monday through Sunday, with hours decreasing during the fall months.

The required parking for this businesses is 25 parking stalls. The site plan provides 25 stalls given the total square footage of the building. It is more likely that the required parking be lower when you take in to account the mechanical, storage and bathroom spaces, which will have no, to low, usage by customers. There will be 3 to 4 employees working on any given shift. Staff does not know the break out of the floor plan of the building, however, given the likely reduction in parking required for customers, it is more than

likely that the parking being provided for customers and employees is adequate. Staff sees that the parking provided meets the City's requirements.

The business owner is required to do landscaping for the development of the property. The landscape site plan shows 7 trees, and several different types of low lying shrubs/bushes, as well as, plants. The landscaping plan submitted meets the City's requirements for this project.

The access road for egress/ingress is a private drive under the ownership of 3 property owners. Staff has discussed maintenance for the private drive with the property owner for the car wash. He has informed me that he has had discussion with the adjacent owner, Fas-fuel, and they understood that maintenance was their responsibility. He did not say that he had reached out to the adjacent property owner to the west of this location to discuss ongoing maintenance. In either case, he was made aware that the City does not maintain this private drive in any capacity.

The applicant is required to install a site obscured dumpster enclosure. The site plan does show the location for this, and will be installed as part of the development of the property.

RENEWAL: 2018

The Special Use Permit for this establishment expired in August of 2017. The development for this project suffered setbacks, and consequently did not open prior to the expiration of the special use.

The business owner has been working with staff to obtain the renewal. The business owner has informed Staff that he anticipated, and was pushing to have the business open in December of 2018. Staff sees, given this fact, that the renewal should appropriately assigned to the opening of the business to gauge the performance for a full year, since Staff is recommending a renewal. Staff also sees that all of the same conditions shall apply that were granted with the original special use.

The site plan has changed since the original approval. The changes include a reconfiguration of the landscape area at the north end of the property. Staff was informed that there were issues that arose as a result of the sanitary sewer easement, that facilitated the change. The access to enter the car wash facility was also changed. The business owner modified the layout to improve access, taking advantage to the existing ingress/egress on E. Riverside Boulevard. The overall changes, Staff sees, do not change the overall character of the plan that was approved in 2017.

RECOMMENDATIONS: Approval - A Special Use Permit renewal for a car wash establishment in the CR (Commercial Retail) Zoning District

Conditions:

- 1. The Special Use Permit expires with the discontinuance of the business, change in property ownership, or change in business ownership
- 2. The Special Use Permit shall expire with verified complaints from adjacent property owners, business owners, or local authorities.
- 3. The Special Use Permit shall expire after 1 year. The renewal shall be
- 4. The amended site plan dated 6/22/18 shall be accepted as the official

site plan, which includes the installation of all required elements such as parking, dumpster enclosure, and landscaping.

5. The site plan, as approved by the Zoning Board of Appeals, shall be tied to the approval of the special use.

ATTACHMENTS:

See Attachments

ZONING BOARD

RECOMMENDATIONS:

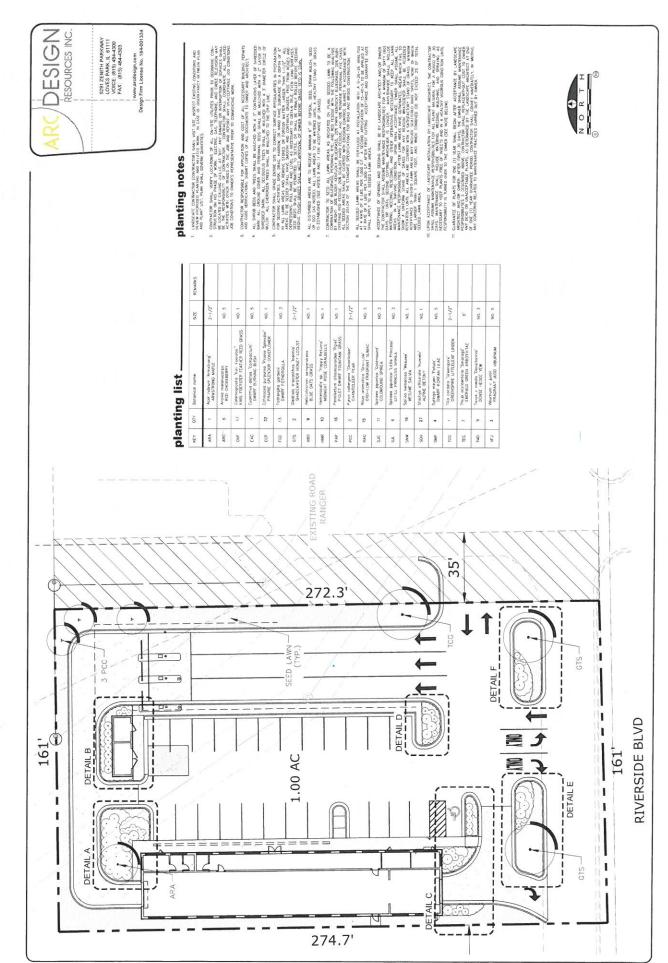
APPROVAL / DENIAL / TABLED

Vote:	

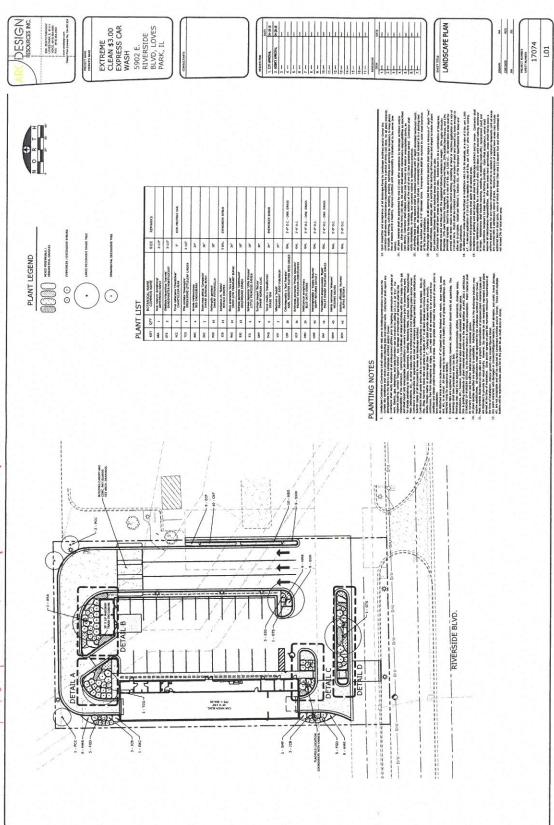
CONDITIONS:

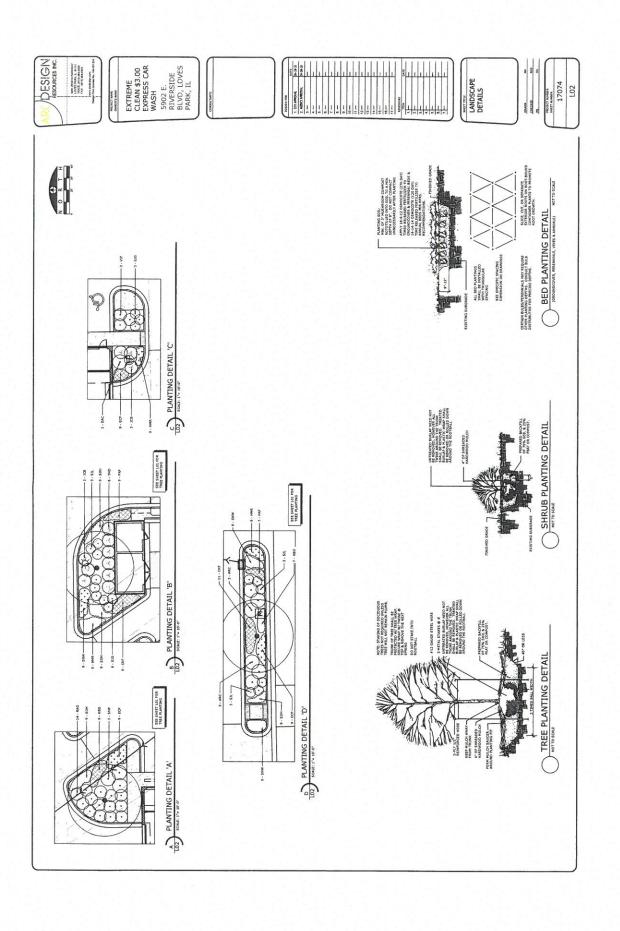
AUDIENCE COMMENTS:

SITEPAN 7/4/17













Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be met before a petition for a special use may be approved.

Mark Yes if the findings have been met. Mark No if the findings have not been met. If you mark No, please explain why in the space provide below each finding.

Location: 5902 E. Riverside Boulevard

	Staff ZBA	
1	YES	The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
		The establishment, maintenance, or operation of the special use will not be detrimental to
		or endanger the public health, safety, morals, comfort or general welfare. The car wash
		will increase traffic to the area, however, an access road will likely eliminate congestion.
		The use will have a low impact to the general public, and will likely spur increased sales
		to adjacent businesses and the area. It is possible that the blowers for the business may
		may be distruptive for adjacent business owners or residents. It would be necessary to
		place a renewal on the special use to gauge performance during the 1 year period.
		Reason:
2	YES	The special use will not be injurious to the use and enjoyment of other property in the
		immediate vicinity for the purposes already permitted, not substantially diminish and
		impair property values within the neighborhood.
		The special use will not be injurious to the use and enjoyment of other property in the
		immediate vicinity for the purposes already permitted, not substantially diminish and
		impair property values within the neighborhood. The property is presently a vacant lot.
		The developmental improvements proposed will likely improve property values in the zoning
		district. It is also likely that there will be increased traffic to the area, but this should not
		be problematic for adjacent businesses during regular business hours. Weekend hours
		for this business will likely generate higher than normal traffic to this area. Given the
		increased weekend traffic, congestion for the area will likely be controlled by the stop light
		off of the service drive. It is also likely, that customers for this business might utilize the
		Fas-Fuel property to access the car wash establishment, which could be problematic for
		their business. There may be a cross access and maintanence agreement in place,
		otherwise this property would be land locked. The owner is working on obtaining this
		information.
		Reason:
3	YES	The establishment of the special use will not impede the normal orderly development and
	120	improvement of the surround property for uses permitted in the district.
		The establishment of the special use will not impede the normal orderly development and
		improvement of the surround property for uses permitted in the district. There is currently
		a car wash in the vicinity that has been operating in the zoning district with no problems.
		It is unlikely that the addition of a second business providing the same services will affect
		the development for this area.
		Reason:

4 <u>YES</u> _	Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being,
	or will be provided. The business will be using a private access road in conjunction with
	the development. The access road should reduce excess traffic to the area.
	Reason:
	Treated.
5 YES	Adequate measures have been or will be taken to provide ingress or egress so designed as
	to minimize traffic congestion in the public streets.
	The business layout was reconfigured to provide better ingress/egress that will likely
	reduce traffic congestion for the use.
	Reason:
6 <u>YES</u>	The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The zoning officer shall forward the board of appeal's decision and records to the city council within ten days after action or within 45 days from the date
	of public hearing if no action has been taken by the board of appeals.
Use Permit.	s are based on staff interpretation of the required findings necessary for approval of a Special The Zoning Board of Appeals must indicate whether or not all the findings have been met to he approval of a special use.
These finding	s have been adopted as the official Findings of Fact for the City of Loves Park, Zoning
Board of Appe	eals agenda item: 5902 E. Riverside Boulevard
	Car Wash
Chairman	
Alise Howlett	
Signature	Date
Signature	Date

LOVES PARK ZONING BOARD OF APPEALS SCHEDULE / COMMUNITY DEVELOPMENT SCHEDULE AND FILING DEADLINES 2019

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Filing Deadline	ZBA	Community Development Committee Meeting
December 14, 2018	January 17, 2019	January 28, 2019
January 11, 2019	February 21, 2019	March 4, 2019
February 15, 2019	March 21, 2019	April 1, 2019
March 15, 2019	April 18, 2019	April 29, 2019
April 12, 2019	May 16, 2019	May 28, 2019
May 10, 2019	June 20, 2019	July 1, 2019
June 14, 2019	July 18, 2019	July 29, 2019
July 12, 2019	August 15, 2019	August 26, 2019
August 9, 2019	Septermber 19, 2019	September 30, 2019
September 13, 2019	October 17, 2019	October 28, 2019
October 11, 2019	November 21, 2019	December 2, 2019
November 15, 2019	December 19, 2019	December 30, 2019
December 13, 2019	January 16, 2020	January 27, 2020

Zoning Board of Appeals meetings are at 5:30 p.m. The Community Development Committee meetings are at 6:15 p.m. Both meetings are held at the City of Loves Park in Council Chambers, 100 Heart Boulevard, Loves Park Illinois