

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, MAY 17, 2018
5:30 P.M.
CITY COUNCIL CHAMBERS
LOVES PARK CITY HALL

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:38 P.M.

MEMBERS PRESENT: CHAIRMAN ALISE HOWLETT, DENNIS HENDRICKS,
BRIAN KERN, NICOLAS BECKER,

MEMBERS ABSENT: CATHY NELSON, SHAWN NOVAK, LINDY TOO HILL

OTHERS PRESENT: ATTORNEY PHIL NICOLOSI
ANDREW QUINTANILLA – ZONING OFFICER
SHEILA MILLS – SECRETARY

OTHERS ABSENT: STEVE THOMPSON - COMMUNITY DEVELOPMENT
DIRECTOR
NATE BRUCK - ECONOMIC DEVELOPMENT/PLANNING
DIRECTOR

Chairman Howlett announced that the next Community Development Committee meeting will be held May 30, 2018 at 5:30 p.m.

2. MINUTES

Mr. Kern moved to approve the minutes from the meeting held March 15, 2018. Second by Mr. Hendricks. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

- A. 5818 NORTH SECOND STREET – SPECIAL USE PERMIT FOR AN AUTOMOBILE SALES ESTABLISHMENT IN THE CR ZONING DISTRICT.** Appropriate notice has been given.

Richard Herter, 3324 Prairie Road, Belvidere, IL was sworn in as Petitioner. Mr. Herter indicated he is requesting a Special Use Permit to utilize the property for automobile sales along with auto repair for autos he is selling on his lot. The business will have two employees and will operate Monday thru Friday, 9:00 a.m. to 7:00 p.m. and Saturday 9:00 a.m. to 5:00 p.m.

Mr. Herter stated that he will remove the two old signs that are currently on the property and provide an 8-ft landscape. He will plant trees and also utilize some existing landscaping plants. He plans for 25 vehicles for sale and he will seal and stripe the lot so every car will have striped space, add a handicap ramp by the sales office and remove the color purple from the building. Mr. Herter stated that he has a boat that he would like to store in one of the service bays, but understands if that is not allowed.

Mrs. Howlett stated that condition #12 would make storing his personal boat on the property not allowed.

Mr. Quintanilla commented that it is common for the city to place the condition of no personal storage of vehicles on the property to be consistent with other businesses.

No objectors present.

Mr. Hendricks moved to approve the Special Use Permit for an automobile sales establishment in the CR Zoning District for the property commonly known as 5818 North Second Street, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, business ownership, or discontinuance of the business.
2. The two freestanding signs and concrete light blocks shall be removed before the business opens to the public.
3. The asphalt shall be removed to install the 8-ft. deep landscape buffer spanning across both frontages, and shall be curbed on all sides.
4. The business owner shall incorporate the existing perennials into the landscaping. All landscaping shall be installed and protected with dark landscape mulch before the business opens. At the time of installation, trees shall have a 4-in. diameter, as measured 4-ft above the root system and maintenance is required.
5. The brush and saplings that have grown up along all fence lines shall be removed, along with the stumps.
6. The vehicle sales area, handicap parking, and employee parking areas shall be striped prior to opening.
7. Only 25 vehicles shall be permitted for sale. Vehicles for sale shall only be permitted in the parking stalls. Parking vehicles across striped parking stalls shall not be permitted. Vehicle display lifts or other vehicle platforms shall not be permitted.
8. Loading or unloading shall only be permitted in the rear of the business.
9. Vehicles that require repairs, before being sold, shall only be permitted to be stored inside of the building. No outside storage or displays of merchandise shall be allowed.
10. The business shall be limited to the sale of passenger motor vehicles only. Only vehicles weighing 6,000 lbs. or less shall be permitted. Oversized commercial vehicles that are to be licensed and used for the transportation of goods or materials, rather than passengers, shall not be permitted. Boat and trailer sales shall not be permitted.
11. The automobile sales establishment shall not be a “buy here, pay here” business. All financing shall be done through an off-site third party.
12. The business shall not be permitted the storage of the business owner, employee, or property owner’s personal vehicles, trailers, cars, trucks, plows, tow trucks, campers, rvs, and aquatic items of any sort.

13. Vehicle signage shall only be permitted to be placed on the front passenger windshield. Signage shall be done with the use of professionally manufactured lettering, and only convey the year and price. No other signage shall be permitted on the vehicles.
14. Auto repair work shall not be a permitted service offered to the general public, only vehicles being sold on the lot shall be allowed to be repaired.
15. The site plan does not identify the location of the dumpster enclosure. The business owner shall work with staff to ensure it is completed.
16. The Special Use Permit shall be revoked with verified complaints from the police department, adjacent businesses or land-owners, and may be revoked if the conditions for the use have not been met.

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

MOTION APPROVED 4-0 (CHAIRMAN HOWLETT VOTED)

B. TEXT AMENDMENT: ARTICLE III, DISTRICTS, DIVISION 2, RESIDENTIAL

Mr. Quintanilla commented that city staff has found that multi-family developments in the newer areas have little to no landscaping, which only enhances the subdivision. These text amendments will require landowners, and/or developers to include landscaping in their developments. He added that the requirements for landscaping will be based on a point system with each parcel being assigned points based on the square footage of the parcel. Mr. Quintanilla indicated that landscaping serves several purposes such as reducing noise levels, adding privacy between lots, filtering out artificial light sources, improving air quality, and softening the aesthetic of the area created by multi-family and buildings.

Discussion followed regarding the placement of two shade trees in the front yard and the 4-ft landscaped area. The board felt that the need for clarification and and/or a revision in the language of the text amendments exist.

Mr. Kern moved to layover the Text Amendment – Article III, Districts, Division 2, Residential, until more information is provided. Second by Mr. Becker.

MOTION APPROVED 4-0 (CHAIRMAN HOWLETT VOTED)

7. PUBLIC PARTICIPATION AND COMMENT

None

8. General Discussion

None

Mr. Becker that the meeting be adjourned. Second by Mr. Hendricks. Motion carried by voice vote. The meeting adjourned at 6:44 p.m.

Sheila Mills, Secretary

