

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, SEPTEMBER 20, 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, DENNIS HENDRICKS, CATHY NELSON,
BRIAN KERN, NICOLAS BECKER, SHAWN NOVAK,
LINDY TOO HILL

MEMBERS ABSENT:

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 October 1, 2018 at 6:15 p.m.

2. MINUTES

Mrs. Novak moved to approve the minutes from the meeting held August 16, 2018.
Second by Mr. Hendricks. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

A. 6927 N. Alpine Road – Special Use Permit for an indoor auto sales showroom in the CR Zoning District. Appropriate notice has been given.

Nick Shutkas, 8563 Owen Center Road, Rockford IL 61101 was sworn in as Petitioner and indicated that he is requesting a Special Use Permit for an indoor auto sales showroom that will include auto repair.

No objectors present.

Mrs. Novak moved to approve a Special Use Permit for an indoor auto sales showroom in the CR Zoning District for the property commonly known as 6927 N. Alpine Road, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, change in business ownership, or discontinuance of the automobile sales business.

2. All vehicle sales shall be inside of the building. Vehicles for sale shall not be on display outside of the building at any time.
3. The property owner or business owner shall not be permitted to store their personal vehicles, rv's boats, trailers, campers, or any other recreational vehicles at this location.
4. No inoperable vehicles shall be stored outside. All vehicles waiting to be repaired shall be stored inside of the building.
5. The green space in front of the building, on Alpine Road, is primarily all right-of-way, and drainage. Landscaping the right-of-way shall be not be required. The existing planter bed shall remain and be planted with the arborvitae as shown.
6. No more than 30 vehicles shall be permitted for sale at any given time.
7. The parking lot shall be striped as shown on the site plan.
8. Financing for vehicles shall be secured off-site through an independent third party lending institution.
9. No outside storage of any kind shall be permitted on either parcel.
10. The dumpster enclosure shall be completed on or before October 31, 2018.
11. Vehicle performance testing shall not take place outside on either parcel.

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

MOTION APPROVED 5-0 (Mr. Becker abstained from voting)

B. 7102 N. Alpine Road – Renewal of a Special Use Permit for an auto repair service station in the CR Zoning District. Appropriate notice has been given.

Jesus Gonzalez, 3126 Nadine Avenue, Rockford IL 61114 was sworn in as Petitioner. Mr. Gonzalez indicated that he is requesting a renewal of the Special Use Permit he was issued a year ago.

Mr. Quintanilla indicated that the applicant has met all requirements of the Special Use Permit and there have been no complaints regarding his business.

No objectors present.

Mrs. Toohill moved to approve the renewal of a Special Use Permit for an auto repair service station in the CR Zoning District for the property commonly known as 7102 N. Alpine Road, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, discontinuance of the business, or change in business ownership.
2. The business shall be limited to the repair of passenger motor vehicles. Only passenger vehicles weighing 6,000 lbs or less shall be allowed. Oversized vehicles that are licensed to be used for the transportation of goods or materials rather than passengers shall not be permitted.
3. The Special Use Permit does not permit vehicle sales or rentals of any type.
4. The Special Use Permit shall be revoked with verified complaints from adjacent businesses or property owners.
5. There shall be no storage of vehicles or parking permitted on adjacent properties.
6. All vehicle repairs shall be performed within the building.
7. Two 24" height planters shall be placed in front of the business with live plants and maintained annually.

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

MOTION APPROVED 6-0

C. 340 E. Riverside Blvd. – Renewal of a Special Use Permit for a massage establishment in the CR Zoning District. Appropriate notice has been given.

Applicant not present.

Mr. Quintanilla indicated that the applicant has met all requirements of the Special Use Permit and there have been no complaints regarding his business.

No objectors present.

Mrs., Novak moved to approve the renewal of a Special Use Permit for a massage establishment in the CR Zoning District for the property commonly known as 340 E. Riverside Blvd. with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, change in business ownership, or discontinuance of the business.
2. The Special Use Permit shall be revoked with verified reports from adjacent business owners, property owners, or the police department.
3. The Special Use Permit does not permit accessory residence.
4. All employees performing massages shall meet the State of Illinois licensing requirements for massage therapy.
5. The business owner, business operator, and contractor shall provide (2) two previous addresses immediately prior to the present address of the business owner, business operator, and contractor.
6. The business owner, business operator, and contractor shall provide written proof that the masseur or masseuse, and all employees are 18 years of age or older.
7. The business owner, business operator, and contractor shall provide the business, occupation, or employment for the prior (3) three years.
8. The massage or similar business license history of the business owner, business operator, and contractor; whether such person, has previously or currently operating in this or another city or state under license, has had such license revoked or suspended, the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.
9. All criminal convictions, of the business owner, business operator and contractor, except minor traffic violations, of any person mentioned as part of the approval of the Special Use Permit has been so convicted, a written statement must be provided giving the place and court in which such conviction was had, the specific charge under which the conviction was obtained, and the sentence imposed as a result of such conviction.
10. The business owner, business operator, and contractor must furnish a certification of graduation from a recognized accredited school or other institution of learning wherein the method, profession and work of massage is taught; provided, however, that if the business owner and business operator and contractor will have no physical contact with the customers or clients he or she need not possess such diploma or certification of graduation from a recognized accredited school, or other institution of learning wherein the method, profession and work of massage is taught. This requirement also applies to other massage professionals.
11. No services of massages may be carried on within any cubicle, room, booth or any area within a massage establishment, which is fitted with a door capable of being locked.
12. The business owner and business operator of the establishment must maintain a register of all persons employed as masseurs or masseuses and their permit numbers. Such register shall be available for inspection at all times during regular business hours.

13. The business license and all requirements for approval of the special use must be submitted and approved by all required agencies upon request.
Second by Mr. Becker. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 6-0

D. 6152 E. Riverside Blvd. – Special Use Permit for a restaurant with a drive-thru window in the CR Zoning District. Appropriate notice has been given.

Tom Baudhuin, 9816 Rivers Bend Road, Roscoe, IL was sworn in as Petitioner and property owner. Mr. Baudhuin indicated that they are requesting a Special Use Permit for a drive-thru window for a Dunkin Donuts. They would like to locate in a space that has an existing drive-thru window.

Greg Novak, 3332 Farm Gate Drive, Naperville, IL was sworn in as Petitioner and franchisee. Mr. Novak stated that they plan on opening a store at the proposed location.

Mrs. Howlett asked what their plan was for the stacking of vehicles in the drive-thru. She has concerns that the access to or from the private road or the parking lot may be blocked by the cars stacked in the drive thru lane.

Mr. Novak stated that he does not feel there will be a problem with the cars stacked in the drive-thru lane blocking traffic coming or going in the parking lot.

Mrs. Howlett stated that there should be signage indicating the flow of traffic for cars coming from the private road and the lane next to the drive-thru lane.

Mr. Quintanilla commented that a condition could be added that signage be installed indicating the direction of traffic in the lane next to the drive-thru lane.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit for a restaurant with a drive-thru window in the CR Zoning District for the property commonly known as 6152 E. Riverside Blvd. with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, or discontinuance of the business.
2. All parking shall be striped according to the site plan.
3. The property owner shall work with city staff as part of the site plan review process to provide appropriate site signage for traffic control for exiting the north part of the property.

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

MOTION APPROVED 5-0(Mr. Becker abstained from voting)

7. PUBLIC PARTICIPATION AND COMMENT

None

8. General Discussion

None

Mrs. Novak that the meeting be adjourned. Second by Mr. Hendricks. Motion carried by voice vote. The meeting adjourned at 6:36 p.m.

Sheila Mills, Secretary