



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
July 16, 2020
CITY COUNCIL CHAMBERS
100 HEART BOULEVARD
5:30 PM

1. Roll call and declaration of a quorum
2. Reading and approval of the minutes from the **June 18, 2020** meeting
3. Report from the Zoning Office - None
4. Unfinished business – None
5. New business –
 - A. **6110 BROADCAST PARKWAY** – A Special Use Permit for a fitness establishment in the CO (Commercial Office) Zoning District.
 - B. **205 E. RIVERSIDE BOULEVARD** – A Special Use Permit for a drive-thru window in the CR (Commercial Retail) Zoning District.

6. Public participation & comment –

Anyone who wishes to speak regarding a petition shall contact the Zoning Officer 24 hours preceding the scheduled meeting.

7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, JUNE 18, 2020**

5:30 P.M.

CITY COUNCIL CHAMBERS

LOVES PARK CITY HALL

Virtual Meeting held at www.cityoflovespark.com

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: ALISE HOWLETT, DENNIS HENDRICKS, SHAWN NOVAK,
CATHY NELSON, LYNDI TOOILL, BEN DANIELSON

MEMBERS ABSENT: BRIAN KERN

OTHERS PRESENT: ANDREW QUINTANILLA – ZONING OFFICER
ATTORNEY PHIL NICOLSI

Chairman Howlett announced that the next Community Development Committee meeting is scheduled for Monday, June 29, 2020 at 6:15 p.m.

2. MINUTES

Mr. Hendricks moved to approve the minutes from the meeting held April 16, 2020.
Second by Mrs. Novak. Motion carried by voice vote.

3. ZONING OFFICE REPORT

4. UNFINISHED BUSINESS

5. NEW BUSINESS

Cathy Nelson and Attorney Phil Nicolosi joined the meeting at 5:34 p.m.

- A. **5128 FOREST HILLS ROAD – ZONING MAP AMENDMENT FROM THE R1 ZONING DISTRICT TO THE IH ZONING DISTRICT.** Appropriate notice has been given.

Charles Thompson, William Charles Co., 1401 N. Second Street, Rockford was sworn in as Petitioner. Mr. Thompson indicated that he is requesting the Zoning Map Amendment so that it shares the same zoning classification as the other surrounding parcels, which are in the heavy industrial district.

No objectors present.

Mrs. Howlett commented that the zoning amendment to the IH Zoning District would make the property consistent with the surrounding properties.

Mrs. Novak moved to approve a Zoning Map Amendment from the R1 Zoning District to the IH Zoning District for the property known as 5128 Forest Hills Road. Second by Mrs. Toohill. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

B. 5373 PEBBLE CREEK TRAIL – SPECIAL USE PERMIT FOR A CHURCH IN THE RU ZONING DISTRICT. The appropriate notice has been given.

Matt Harrison, 1620 Roosevelt Road, Machesney Park, IL of Pebble Creek Church, Noel Sterett, Attorney, 228 Calvin Park Blvd, Rockford, IL were sworn in as Petitioners.

Mr. Harrison indicated that they are requesting a Special Use Permit to operate their church at the location.

Mrs. Howlett asked if they are aware of and agree with staff recommendations.

Mr. Harrison stated that they are fine with staff recommendations.

No objectors present.

Mr. Hendricks moved to approve a Special Use Permit for a church in the RU Zoning District for the property known as 5373 Pebble Creek Trail, with the following conditions:

1. The Special Use Permit expires with the change in property ownership, or discontinuance of Pebble Creek Church.
2. The owner is responsible for the maintenance, repair, and replacement of all landscape materials. The plant materials and landscape bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times. Existing trees and shrubs shall be kept and maintained.
3. The dumpster enclosure shall be installed before the church opens to the public.
4. The Special Use Permit shall be revoked with verified complaints from adjacent property owners and/or local authorities.

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

MOTION APPROVED 5-0

C. 1110 WINDSOR ROAD – SPECIAL USE PERMIT FOR OUTSIDE STORAGE IN THE IG ZONING DISTRICT. The appropriate notice has been given.

Jeffrey Myers, 10395 Glen Abbey Close, Rockford, IL was sworn in as Petitioner. Mr. Myers indicated that Great Lakes Pallet Company is located on the property. They recently tore down the older portion of the building and they are proposing to build outside storage, with a 6-ft screened fence and a landscape buffer. Mr. Myers added that they agree with the conditions and staff recommendations.

Mr. Hendricks asked if a dumpster was required for the property.

Mr. Quintanilla indicated that since Great Lakes Pallet Company already provides a dumpster and enclosure, another dumpster would not be required.

No objectors present.

Mrs. Novak moved to approve a Special Use Permit for outside storage in the IG Zoning District for the property known as 1110 Windsor Road, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, discontinuance of the pallet company.
2. Only the area designated for outside vehicle storage, according to the site plan, can be used for that purpose. No additional areas may be created. There shall be no storage outside of the self-storage units permitted.
3. Only licensed operable vehicles may be stored on the property, and in the designated parking areas for vehicles. Vehicles include passenger vehicles, commercial vehicles that do not require a CDL, recreational vehicles, and trailers. No pallets, construction or bulk materials are permitted to be stored in the area designated for vehicle and self-storage.
4. The property owner shall continue the 6-foot high chain link fence the entire length of the west property line, and remove all sections of the 12-foot high fence on Elm Street. All of the brush and overgrowth shall be removed. Chain link fence slats are not permitted.
5. The owner is responsible for the maintenance, repair, and replacement of all landscape materials. The plant materials and landscape bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times. Existing trees and shrubs that will be kept shall be pruned and integrated into the landscaping.
6. A protective guardrail or barrier shall be provided for the striped vehicle and self-storage area. The striping and barrier shall be completed before the business opens to the public.
7. The Special Use Permit may be revoked with verified complaints from adjacent property owners or businesses.
8. Only 10 self-storage units (10x10x8.5) or smaller are permitted.
9. The fence on the north and northeast part of the property needs to be repaired.

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

6. PUBLIC PARTICIPATION AND COMMENT

None

7. General Discussion

Mrs. Howlett reminded board members that when making a motion to include the language "make a motion to recommend" approval or denial of a petition.

Mrs. Nelson moved that the meeting be adjourned. Second by Mr. Hendricks. Motion carried by voice vote. The meeting adjourned at 6:00 p.m.

Sheila Mills, Secretary



ZONING BOARD OF APPEALS

Community Development Department

Date: July 9, 2020

SUBJECT:	A Special Use Permit for a fitness establishment in the CO (Commercial Office) Zoning District.
LOCATION:	6110 Broadcast Parkway
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the area for the use of mixed use commercial and residential development.
ZONING DISTRICT:	North R1 (Single Family) South R2 (Two-family Residential) East R1 (Single Family) West CR (Commercial Retail)
RELEVANT PROPERTY INFORMATION:	The applicant would like to establish a fitness center at this location occupying one of the units. The use is not permitted on its own at this location. A Special Use Permit is required.
Dumpster: Required by code:	Code requires that a dumpster or trash be established for this business. It further requires that it be screened by a solid fence or wall adequate to shield the containers.
Provided:	Dumpsters are provided on site. The dumpsters are not secured or screened. The owner will be providing the screened enclosure to meet the requirement.
Landscaping: Required by code:	Landscaping shall be made up of trees, shrubs, vines, and other live plants and live plant materials, within an 8ft mounded landscape buffer on the frontage.
Provided:	No further landscaping will be required. Landscaping was provided when the property was developed. All landscape will be maintained by the property owner.
Parking: Required by code:	Thirteen parking stalls are required for this business.
Provided:	The property has 40 stalls, for all uses. Two ADA stalls are also being provided. No additional parking is required.
	The establishment of the special use will not be detrimental to the public health or adversely impact the area or land values. The use that will be established is a low

impact use and should not negatively impact the surrounding properties and zoning district. The area is a mixed use of single family, multi-family, and low impact commercial development.

Recommendation: **Approval** - A Special Use Permit for a fitness establishment in the CO (Commercial Office) Zoning District.

Conditions:

1. The Special Use Permit expires with the change in business ownership, or discontinuance of the fitness establishment.
2. The dumpster enclosure shall be installed within 30 days of approval of the special use.
3. All activities, classes, and items used in conjunction with training shall take place within the building. No outside storage shall be permitted.
4. The Special Use Permit shall be revoked with verified complaints from adjacent property businesses, property owners, and/or local authorities.
5. The business owner shall coordinate with Staff to bring the unit up to code for the use. The business owner may not conduct business at this location until plan review and/or the review process has been completed.
6. The special use shall be renewed 1 year from the date of approval.

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS**

VOTE:

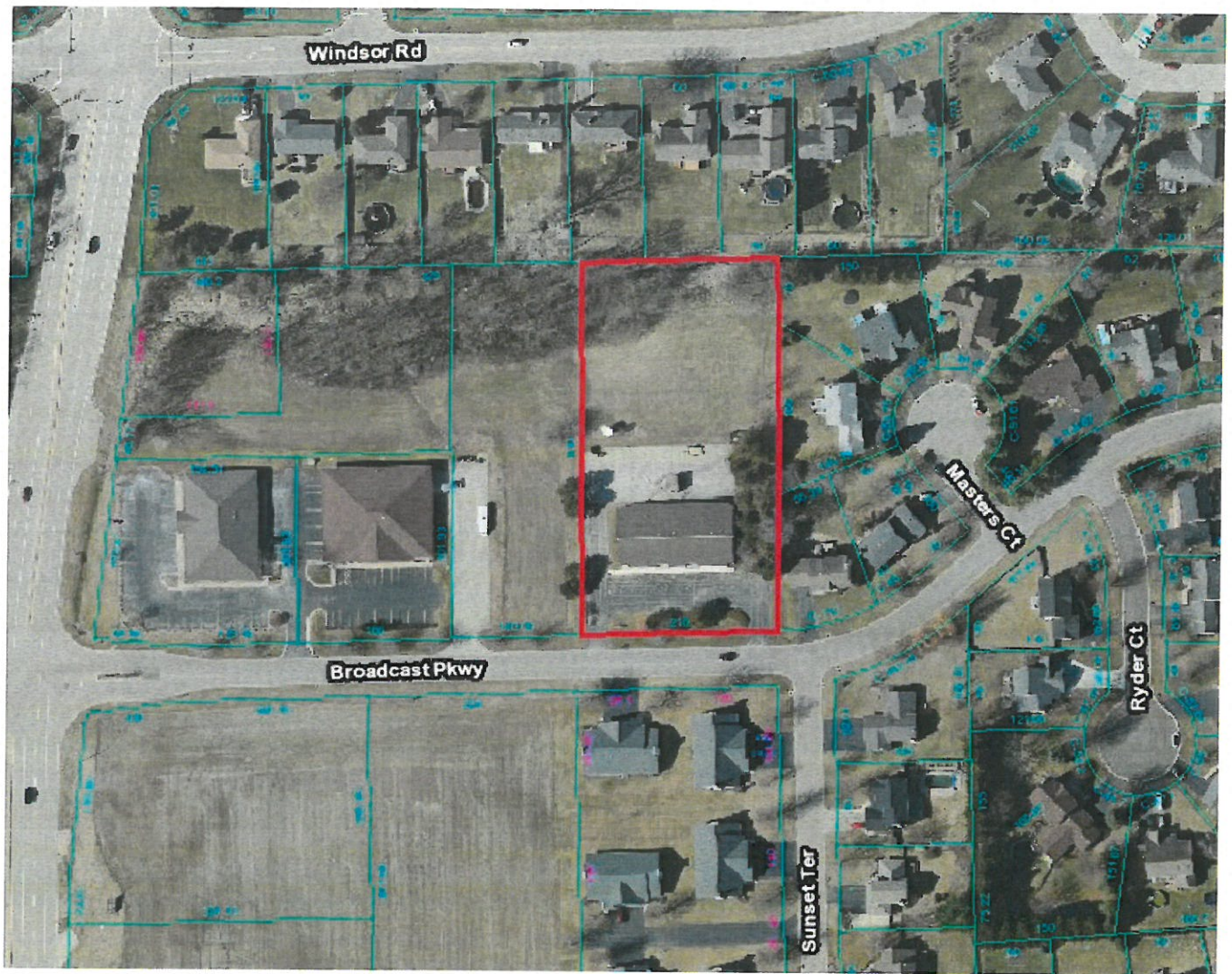
APPROVAL:

DENIAL:

TABLED:

CONDITIONS:

**AUDIENCE
COMMENTS:**



PARCEL: 12-03-101-017

ADDRESS: 6110 BROADCAST PARKWAY

PETITIONER: JACOB DICKINSON
138 ARMADALE WAY
LOVES PARK, ILLINOIS 61111

PROPERTY OWNER: INFINITY ASSETS, LLC
6110 BROADCAST PARKWAY
LOVES PARK, ILLINOIS 61111



property line

property line

property line

grass

satellites (existing)

153' (parking lot)

customer parking (48)

c. parking (5)

c. parking (5)

(CSW)

12.5'

3000
6500 FT
2500
USABLE
500 FT

Building
Pop. MGMT
OFFICE

OFFICE

concrete sidewalk (CSW)

customer parking (10) (2 Accessible)

85'4"

drive
isla

mailboxes

bed

Trees (2)

Shrub

drive
exit

Broadcast Hwy

Broadcast Hwy

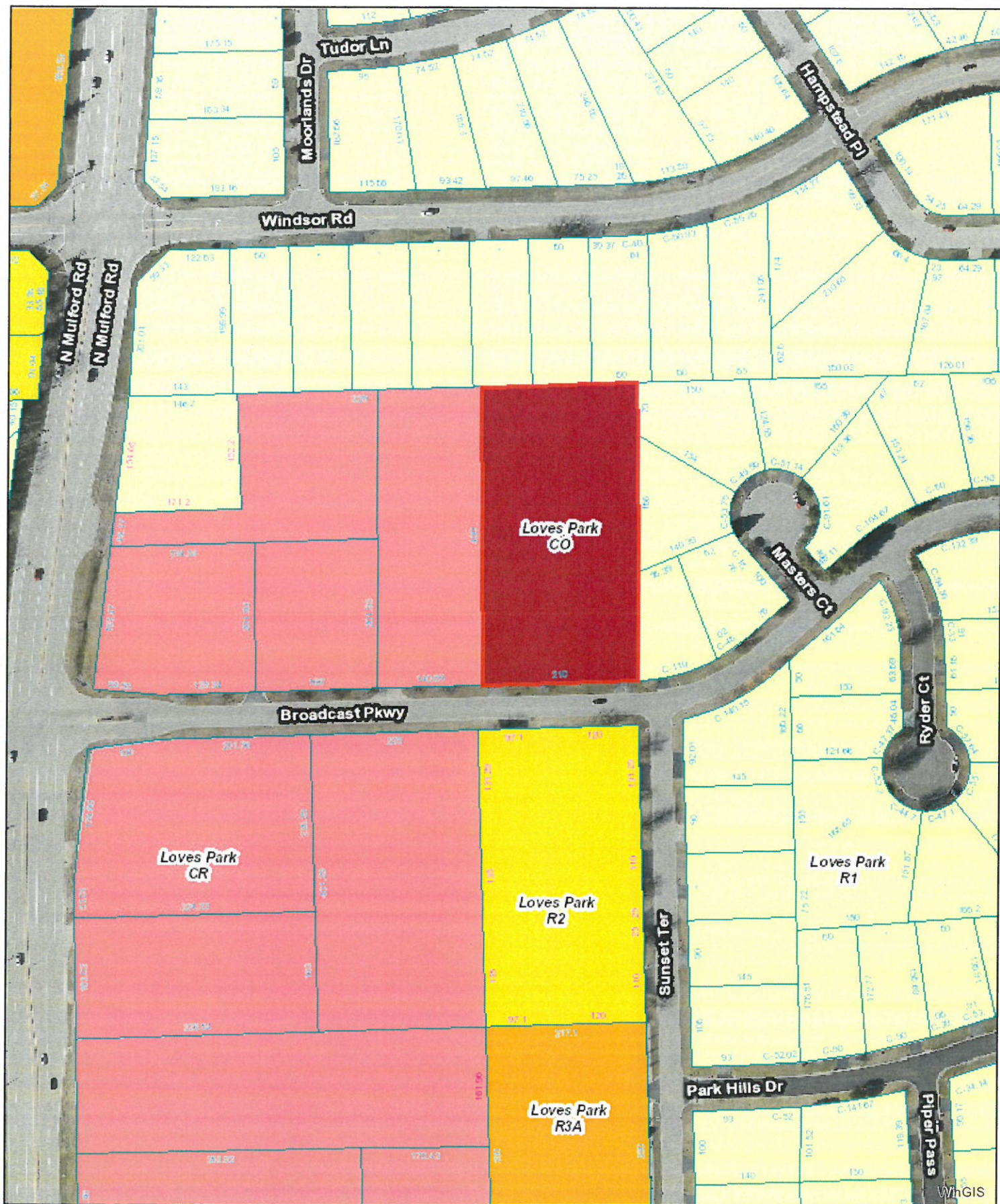
trees (3)

trees (2)

customer parking (4)

trees (2)

trees (11P)



0 170 340 Feet

SCALE: 1:2,085

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 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.

6110 Broadcast Parkway

ZBA

- 1 _____ 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.

Reason:

- 2 _____ 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.

Reason:

- 3 _____ 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.

Reason:

- 4 _____ Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.

Reason:

- 5 Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Reason:

- 6 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.

These findings are based on staff interpretation of the required findings necessary for approval of a Special Use Permit. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a special use.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals agenda item: **6110 Broadcast Parkway**
Fitness Establishment

Chairman
Alise Howlett

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: July 9, 2020

SUBJECT:	A Special Use Permit for a drive-thru window in the in the CR (Commercial Retail) Zoning District.
LOCATION:	205 E. Riverside Boulevard
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the area for the use of mixed use commercial and residential development.
ZONING DISTRICT:	North CR (Commercial Retail) South R1 (Single Family) East CR (Commercial Retail) West CR (Commercial Retail)
RELEVANT PROPERTY INFORMATION:	The applicant would like to install a drive-thru in conjunction with the already established restaurant. The drive-thru requires a Special Use Permit.
Dumpster: Required by code:	Code requires that a dumpster or trash be established for this business. It further requires that it be screened by a solid fence or wall adequate to shield the containers.
Provided:	A dumpsters is provided on site. The dumpster is not secured or screened from view. The applicant is requesting to relocate the dumpster to 209 E. Riverside, to allow for better traffic flow.
Landscaping: Required by code:	Landscaping shall be made up of trees, shrubs, vines, and other live plants and live plant materials, within an 8ft mounded landscape buffer on the frontage.
Provided:	No landscaping will be required. An 8 foot landscape buffer on both frontages would eliminate required parking in primary areas for this business. The irregular lot lines and utilities prohibit the business owner from meeting the requirement on both frontages.
Parking: Required by code:	Ten parking stalls are required for this business.
Provided:	The business has 29 stalls, including two ADA stalls. A parking area on the adjacent property to the east, under the same ownership, shows 9 stalls. The 9 stalls will be converted to (5) 19' x 14' tandem parking stalls to provide additional

parking. The 5 tandem parking stalls do serve the restaurant, however, the stalls are at 209 E. Riverside Boulevard and should be included with the approval since it is a separate parcel. The owner will be marking the parking lot with arrows, as shown on the site plan, to help patrons navigate direction in the parking lot.

Drive-thru window

Required by code:

The drive-thru lane is required to accommodate stacking for 5 vehicles

Provided:

The drive-thru lane meets the requirement.

The establishment of the special use will not be detrimental to the public health or adversely impact the area or land values. The use that will be established is a low impact use and should not negatively impact the surrounding properties and future development. The use will generate additional traffic to the area, however, the area is already a high traffic area with Riverside Boulevard being an arterial road through the City. The small amount of increased traffic should not have an adverse impact to existing surrounding uses in this zoning district. The restaurant is more of a dine in establishment. The drive-thru window is ancillary to the regular functions of the restaurant.

Recommendation:

Approval - A Special Use Permit for a drive-thru window in the CR (Commercial Retail) Zoning District.

Conditions:

1. The Special Use Permit expires with the change in business ownership, or discontinuance of the Alvarez restaurant.
2. The dumpster enclosure shall be installed within 30 days of approval of the special use.
3. The five tandem parking stalls and dumpster enclosure that will be located at 209 E. Riverside, parcel number 11-01-406-003, shall be included as part of the special use. The parking located on parcel number 11-01-406-001, shall also be included as part of the special use.
4. The Special Use Permit shall be revoked with verified complaints from adjacent property businesses, property owners, and/or local authorities.
5. The special use shall be renewed 1 year from the date of approval.
6. All parking stalls and directional arrows shall be striped, according to the site plan, no later than August 31, 2020.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS**

VOTE:

APPROVAL:

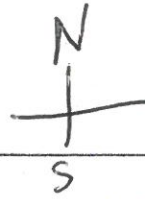
DENIAL:

TABLED:

CONDITIONS:

**AUDIENCE
COMMENTS:**

Los corcos loras de Alvarez
205 Riverside Blvd



East Dr.

Entry

(2)

Parking lot (5)

17'

entry

H/C (3)

garden

(5)
14' x 19'
TANDEM
STALLS

Parking lot

dinning room

19'

garden

(5)
H/C
Parking lot

entry

bar

bar
bathroom

Kitchen

driving tu

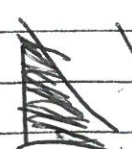
wash dishes

garden

garden

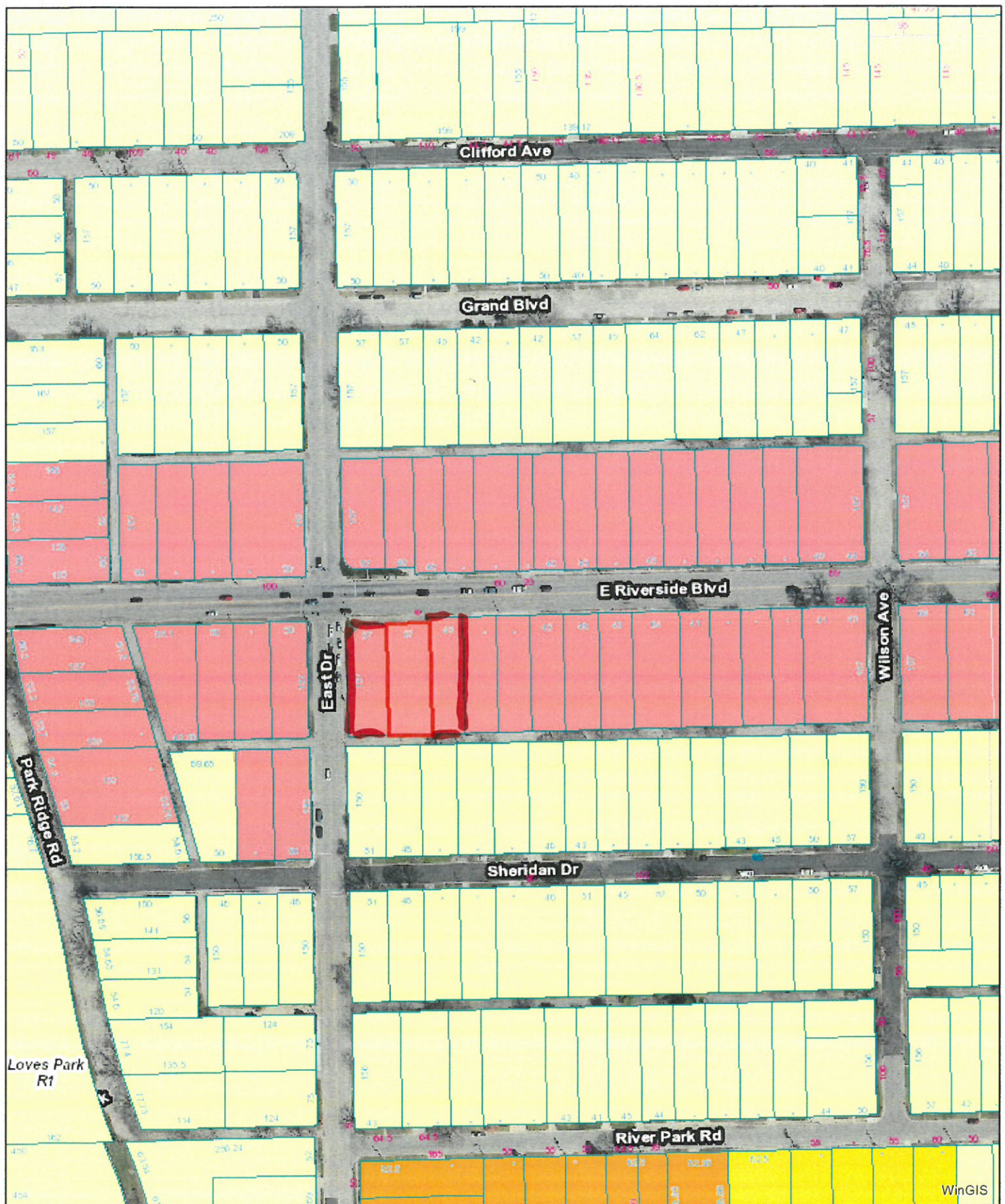
w. bathroom

Menu Board



(5)

Parking lot



WinGIS

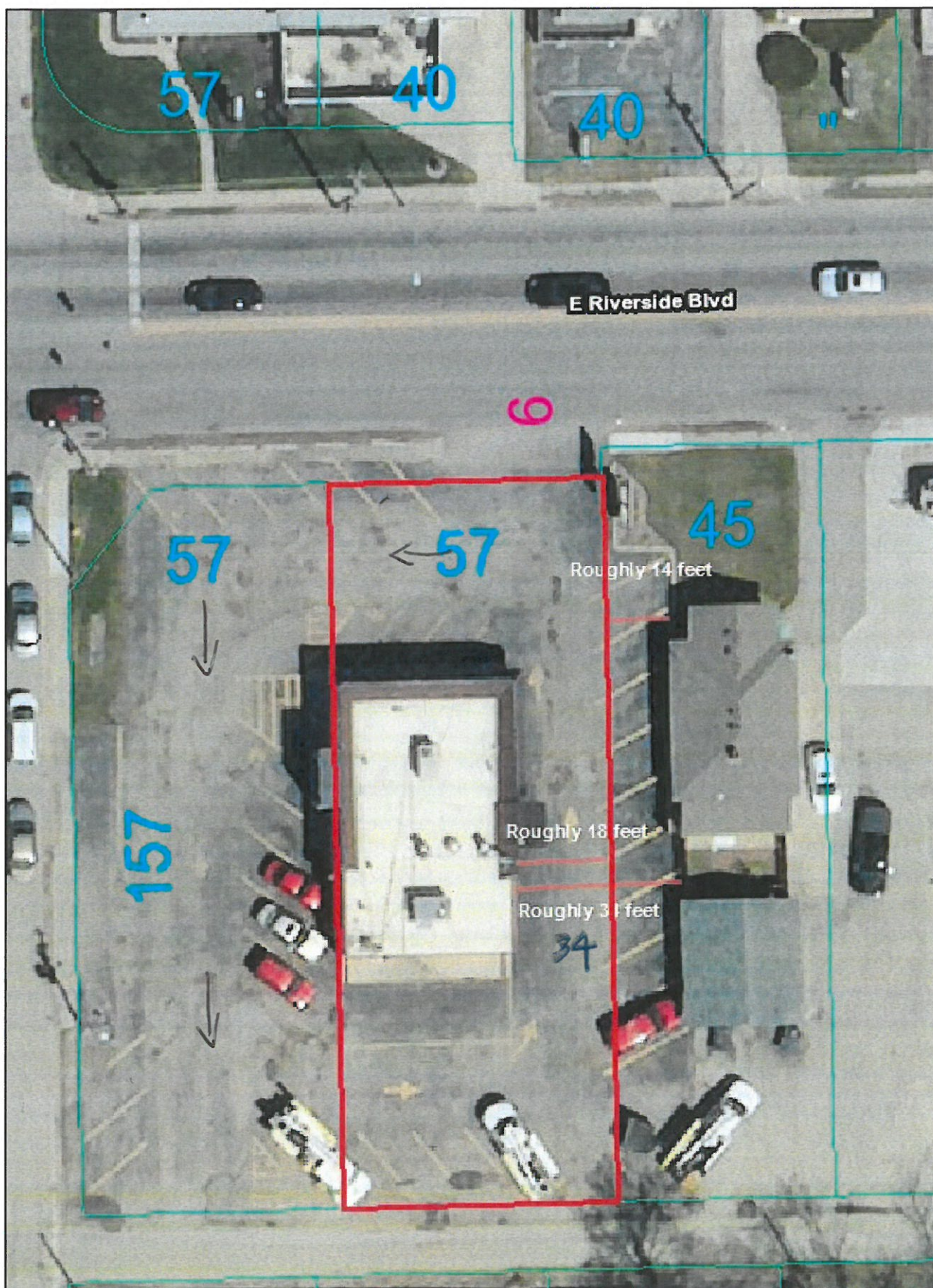


0 170 340 Feet

SCALE: 1:2,085

WIN GIS
Winnebago County Geographic Information System

WinGIS cannot and does not warrant the accuracy of: property and boundary lines, dimensions of parcels and lots, location of structures or improvements, and topographic or geologic features on the land. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy.



ONE WAY STON

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 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.

205 E. Riverside Boulevard

ZBA

- 1 _____ 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.

Reason:

- 2 _____ 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.

Reason:

- 3 _____ 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.

Reason:

- 4 _____ Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.

Reason:

- 5 Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Reason:

- 6 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.

These findings are based on staff interpretation of the required findings necessary for approval of a Special Use Permit. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a special use.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals agenda item: **205 E. Riverside Boulevard**
Drive-thru

Chairman
Alise Howlett

Signature

Date