

AGENDA LOVES PARK ZONING BOARD OF APPEALS June 17, 2021

CITY COUNCIL CHAMBERS 100 HEART BOULEVARD 5:30 P.M.

- 1. Roll call and declaration of a quorum
- 2. Reading and approval of the minutes from the May 20, 2021 meeting
- Report from the Zoning Office None
- 4. Unfinished business None
- 5. New business -
 - A. **4624 ARLINGTON STREET** A Variance from a required 57 foot front yard building setback to a requested 38 foot front yard building setback in the R1 (Single Family Residential) Zoning District.
 - B. **4624 ARLINGTON STREET** A Variance in height from a permitted 15 foot high for an accessory structure to a requested 21 foot in height for an accessory structure, from peak to grade, in the R1 (Single Family Residential) Zoning District.
 - C. **5319 BENNETT STREET** A Variance to widen a portion of an existing gravel driveway in front of and alongside of the garage in the R1 (Single Family Residential) Zoning District.
 - D. 6803 FOREST HILLS ROAD A Special Use Permit for a car wash in the CR (Commercial Retail) Zoning District.
- 6. Public participation & comment
- 7. General discussion
- 8. Adjournment

Andrew Quintanilla Zoning Officer

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS THURSDAY, MAY 20, 2021 5:30 P.M. COUNCIL CHAMBERS

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

MEMBERS PRESENT:

ALISE HOWLETT, DENNIS HENDRICKS, LYNDI TOOHILL,

BEN DANIELSON, MIKE OWENS, SHAWN NOVAK, CATHY

NELSON

OTHERS PRESENT:

ANDREW QUINTANILLA - ZONING OFFICER

ATTORNEY PHIL NICOLOSI

ABSENT:

SHEILA MILLS, SECRETARY

2. MINUTES

Mrs. Novak moved to approve the minutes from the meeting April 15, 2021. Second by Mrs. Nelson. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

4. UNFINISHED BUSINESS

5. NEW BUSINESS

A. 8400 E. RIVERSIDE BOULEVARD (12-01-176-018, 12-01-176-019, 12-01-176-022) – Zoning Map Amendment from the IL and E. Riverside/I90 Overlay Zoning District to the CR and E. Riverside/I90 Overlay Zoning District. Appropriate notice has been given.

Bruce Burrell, Vice-President, Skyland Corp., 4805 Interstate Blvd., Loves Park, IL was sworn in as Petitioner and stated that they are seeking a Zoning Map Amendment for the three parcels and feel the amendment will be beneficial to the area.

No objectors present.

Mr. Owens moved to approve a Zoning Map Amendment from the IL and E. Riverside/I90 Overlay Zoning District to the CR and E. Riverside/I90 Overlay Zoning District for the property known as 8400 E. Riverside Blvd. (12-01-176-08, 12-01-176-019, and 12-01-176-022). Second by Mrs. Nelson. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 6-0

B. TEXT AMENDMENT - Section 102-337, (d), Review Required.

Mr. Quintanilla commented that the reason for the text amendment is to allow for review of variance requests in the Overlay Districts.

No objectors present.

Mrs. Nelson moved to approve a Text Amendment - Section 102-337, (d), Review Required. Second by Mrs. Novak.

MOTION APPROVED 6-0

6. PUBLIC PARTICIPATION AND COMMENT

7. General Discussion

None

Mr. Owens moved that the meeting be adjourned. Second by Mrs. Novak. Motion carried by voice vote. The meeting adjourned at 5:50 p.m.

Sheila Mills, Secretary



Property: 4624 Arlington Street

Property Code: 11-12-481-012

Applicant: Robert Schlensker and Michelle Schlensker

4624 Arlington Street

Loves Park, Illinois 61111

Petitioner: Robert Schlensker and Michelle Schlensker

4624 Arlington Street

Loves Park, Illinois 61111



ZONING BOARD OF APPEALS

Community Development Department

LOVES PA	Date: June 4, 2021
SUBJECT:	A Variance from a required 57 foot front yard building setback to a requested 38 foot front yard building setback in the R1(Single Family Residential) Zoning District.
	A Variance in height from a permitted 15 foot high for an accessory structure to a requested 21 foot in height for an accessory structure, from peak to grade, in the R1 (Single Family Residential) Zoning District.
LOCATION:	4624 Arlington Street Parcel (11-12-481-012)
ZONING DISTRICT:	North R1 (Single Family Residential) South R1 (Single Family Residential) East R1 (Single Family Residential) West R1 (Single Family Residential)
RELEVANT PROPERTY INFORMATION:	
Required:	An average building setback of 57 feet.
Requested:	An average building setback of 38 feet.
Required:	Accessory structure maximum height 15 feet from peak to grade.
Requested:	Accessory structure height increased to 21 feet from peak to grade.

Strict interpretation would result in practical difficulty inconsistent with how the area has been developed. Many homes have structures that exist within the average setbacks on this street. All of the lots on this street are river front properties, and almost all of them are different, or irregular, as lots go in this area of the City. The requested height increase for the structure will mimic the roof line of the residence, which should create a continuity between both structures, unlike many structures in the same district. Enforcement of the regulation would prevent the owner of being able to utilize his property, by making improvements, in the same zoning district. Granting of either variance shall not be deemed special privilege. The property owner will be building a structure that matches the home, in building materials and in height, therefore, preserving the integrity of how the area has developed. The proposed additions will positively impact the area and increase property values in the zoning district. None of the improvements intended, will likely be a detriment to the health and welfare of the surrounding residents or properties.

Recommendation: | Approval - A Variance from a required 57 foot front yard building setback to a

requested 38 foot front yard building setback in the R1(Single Family Residential)

Zoning District.

Recommendation: | Approval - A Variance in height from a permitted 15 foot high for an accessory

structure to a requested 21 foot in height for an accessory structure, from peak to

grade, in the R1 (Single Family Residential) Zoning District.

ATTACHMENTS: See attachments

ZONING BOARD RECOMMENDATIONS

VOTE:

APPROVAL:

DENIAL:

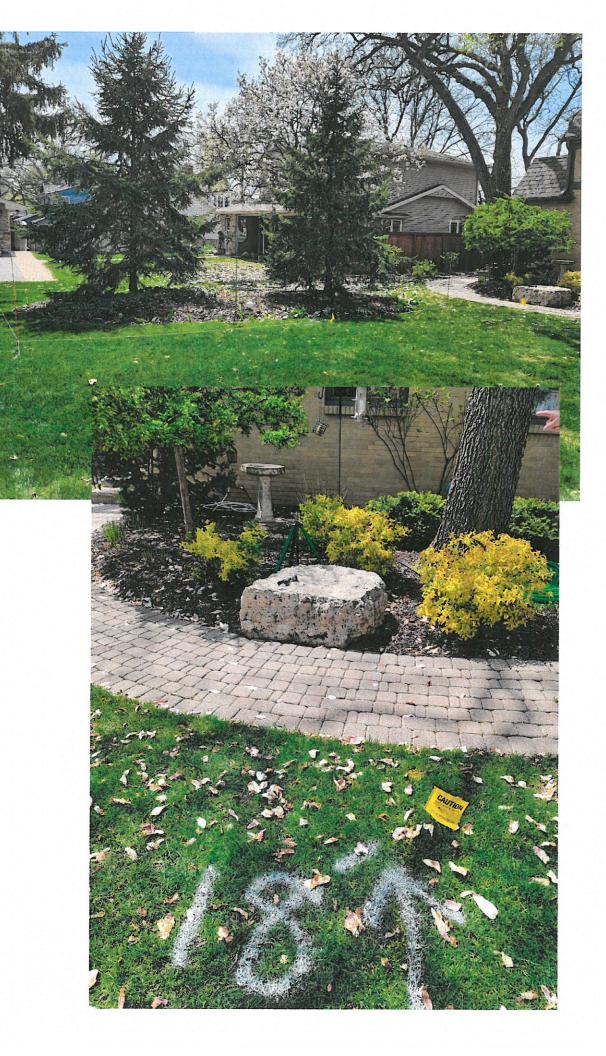
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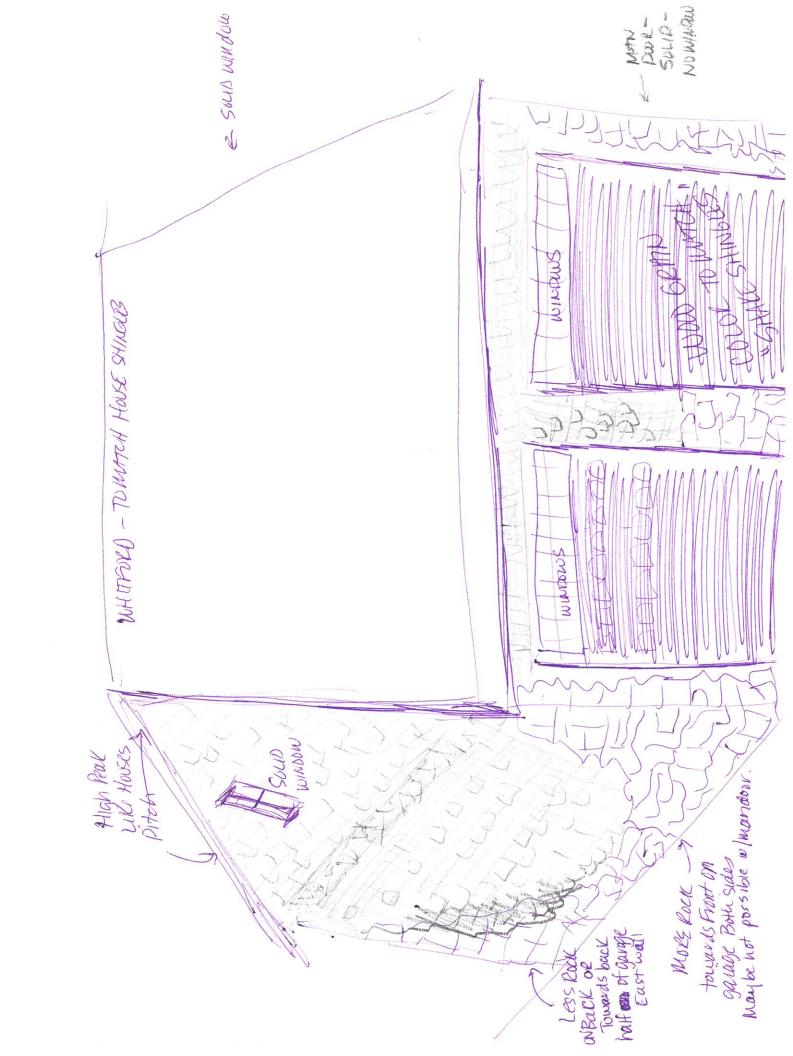
CONDITIONS:

AUDIENCE COMMENTS:

ROCK RIVER PATIO **EXISTING HOME** LANDSCAPE AVEA existint Delvellay 290.92 FRET _____ SIDEWALK PROPOSED STRUCTURE 24 X 24 21 FEET HIGH FEET DRIVEWAY 38 FEET ARLINGTON ROAD NOT TO SCALE









SHOWS THE HIGHER PEAK WE WOULD USE ON ROOF, IT MATCHES THE HOUSE PITCH.

NO DORMERS OR FULL WINDOWS THAT OPEN JUST ONE WINDOW HIGHER IN PEAK ON EACH SIDE ONE MAN DOOR FACING HOOSE STONE ON CURNERS

E A WOOD SHAKE SIDING SAME COLOR AS HOUSE OR CEDAR

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 considered before a petition for a variation 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: 4624 Arlington Street

ZBA	
1	Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter.
	Reason:
2	There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties classified in the same zoning district.
	Reason:
3	Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
	Reason:
4	The granting of the variation will not constitute a grant of special privilege inconsistent with the limitations on the other properties classified in the same zoning district.
	Reason:
5	The granting of the variation will not be detrimental to the public health, safety, welfare or material injurious to properties or improvements in the vicinity.

	Reason:
6	The concurring vote of four members of the board shall be necessary to recommend the authorization of any variance in this chapter.
These findir Zoning Boa approval of	ngs are based on staff interpretation of the required findings necessary for approval of a variation. The rd of Appeals must indicate whether or not all the findings have been considered to substantiate the a variation.
These findir	ngs have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals
agenda item	
Chairman	
Mike Owens	
Signature	Date
- 0	

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	These findings agenda item:	4624 Arlington Street
Mike Owens	Chairman Mike Owens	
Signature Date	Signature	Date



ZONING BOARD OF APPEALS

Community Development Department

A Variance to widen a portion of an existing gravel driveway in front of and alongside

Date: June 4, 2021

of the garage in the R1 (Single Family Residential) Zoning District.

5319 Bennett Street Parcel: 12-12-226-040

ZONING DISTRICT:

SUBJECT:

LOCATION:

North R1 (Single Family Residential)

South R1 (Single Family Residential)
East R1 (Single Family Residential)
West R1 (Single Family Residential)

RELEVANT PROPERTY INFORMATION:

Required: A driveway that is a hard-surfaced, dust free area used for direct access from a

thoroughfare to an off-street parking space or private garage.

Requested: Widen a portion of an existing gravel driveway in front of and alongside of the existing

garage, as presented on the site plan.

Strict interpretation and enforcement of the regulation would result in practical difficulty for the property owner. The property owner has a gravel driveway that has existed for up to 20 years. The owner wishes to seek a variance for a large portion of the driveway so that he may make it impervious, which the code requires. The remaining portion of the gravel driveway shall remain as gravel, and maintained as such. The owner cannot increase the footprint of the remaining gravel portion. The area has several residences that continue to have gravel drive areas, legal non-conforming, properties. The owner does have conditions applicable to his property that do not exist with the majority of the properties in the neighborhood. Many properties have expanded driveways to accommodate additional off-street parking. The variation will not appear special privilege, given that the owner is bringing the surface area into compliance with the variation request. The exterior improvements will not adversely impact other properties or general welfare of residents and landowners.

Recommendation

Approval - A Variance to widen a portion of an existing gravel driveway in front of and alongside of the garage in the R1 (Single Family Residential) Zoning District.

ATTACHMENTS: | See attachments

ZONING BOARD RECOMMENDATIONS

VOTE:

APPROVAL:

DENIAL:

TABLED:

CONDITIONS:

AUDIENCE COMMENTS:



Property: 5319 Bennett Street

Property Code: 11-12-226-040

Applicant: George Harp

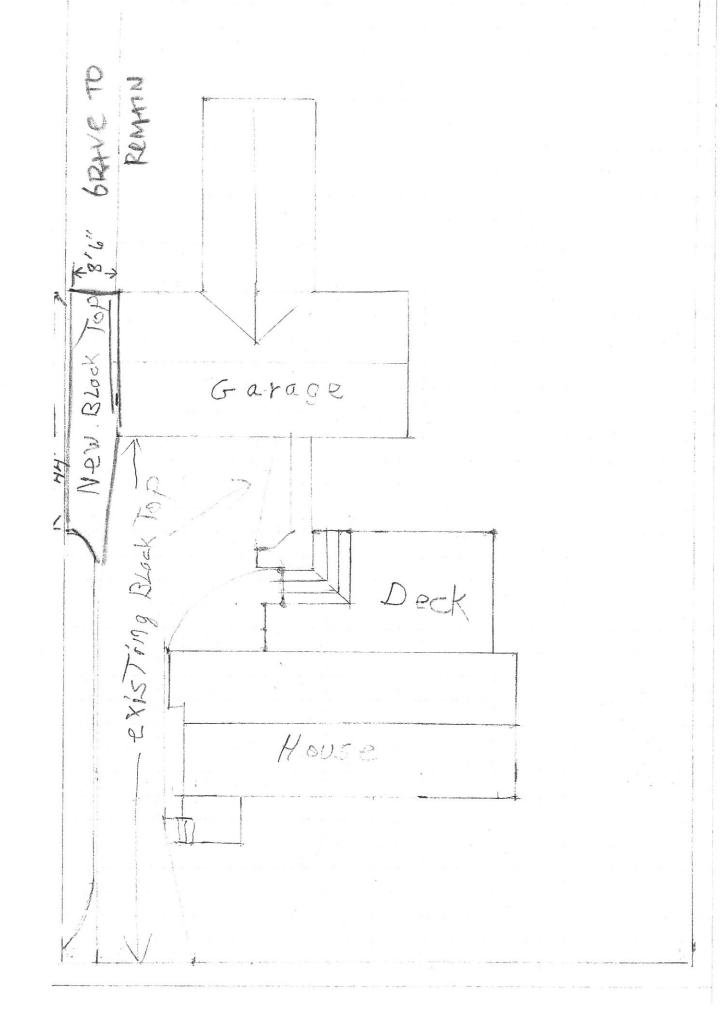
5319 Bennett Street

Loves Park, Illinois 61111

Petitioner: George Harp

5319 Bennett Street

Loves Park, Illinois 61111







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

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Location: 5319 Bennett Street

ZBA	
1	Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter.
5	
9	Reason:
1	
2	There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties classified in the same zoning district.
1.	
	Reason:
	, toucom
	Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
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-	
-	Reason:
-	
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-	
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agenda ite	m: 5319 Bennett Street Variance to widen the driveway
Chairman	
Mike Ower	
Signature	Date



Property Address: 6803 Forest Hills Road

Parcel Number: 12-05-177-011

Owner Highland Park CVS, LLC

CVS Caremark Corp #8530

One CVS Drive

Woonsocket, RI 02985

Applicant: PWS Holdings 19, LLC

4609 33rd Avenue, #400

Fargo, ND 58104



Provided:

ZONING BOARD OF APPEALS

Community Development Department

LOVES PA	RK Date: June 10, 2021					
SUBJECT:	A Special Use Permit for a car wash in the CR (Commercial Retail) Zoning District.					
LOCATION:	6803 Forest Hills Road					
PARCEL (S)	12-05-177-011					
ZONING DISTRICT:	North CR (Commercial Retail) South CR (Commercial Retail) East CR (Commercial Retail) West CG (Commercial General)					
PROPERTY INFORMATION AND RELEVANT FACTS:						
Landscape						
Required:	The applicant is required to provide a mounded landscape buffer across all frontages. The buffer is required to be 8 feet in depth, observing ingress/egress. The landscaping is required to be composed of a combination of trees (including evergreens), shrubs, ground cover, and some combination of live plants that should be salt tolerant.					
Provided:	The landscape provides a variety of mixes plants and trees. The landscape plan does not provide much on the eastern side of the development. The trees provided for the overall development are smaller decorative trees that will enhance the aesthetics of the property, but at maturity, they will not compliment the varied tree heights that exist at for the neighboring CVS.					
Signage	: [2] : [2] : [2] : [2] : [2] : [3] : [3] : [3] : [3] : [3] : [4]					
Required:	A sign shall be required to meet the established standards and requirements set forth in Article VI, Section 102-284.					
Provided:	The applicant is proposing a 20 foot tall pylon sign.					
Parking						
Required:	There are 7 required parking spaces for this development.					
Provided:	There are 6 parking stalls provided. An additional 12 parking stalls with vacuums will be provided.					
Dumpster Required:	A dumpster enclosure is required for trash removal for the development.					

A dumpster enclosure is identified on the site plan and will be provided.

The establishment of the special use will not be detrimental to the safety and general welfare of the public. The use will support higher than normal traffic given the nature of the use, but is situated in an area that can support the higher traffic volumes. The use will not diminish or impair property values. The establishment of a new business is an enhancement to the area and an improvement to the zoning district. The proposed use is a service use, which should compliment the retail uses on the adjacent properties. Mixed commercial uses are encouraged in the Commercial Retail Zoning District. Adequate access roads, drainage, and ingress/egress will be provided. The property is part of a larger cluster of properties that utilize several access points that minimizes congestion to the area.

RECOMMENDATION:

Approval - A Special Use Permit for a car wash in the CR (Commercial Retail) Zoning District.

Conditions:

- 1. The Special Use Permit shall be renewed 1 year from approval.
- 2. The landscape plan shall include a variety of mixed trees that range from 8 feet to 25 feet at maturity, and be dispersed around the perimeter of the property. Additionally, a landscape bed shall be provided around the parking area on the eastern part of the development. It shall mirror the landscaping being provided on the Forest Hills Road frontage. The mixed tree variety and additional landscape bed shall be approved and coordinated with Staff.
- 3. The dumpster area shall be obscured with landscaping.
- 4. The sign for the establishment shall meet the requirements established in Article VI, Section 102-284.
- 5. The parking provided for this establishment shall be sufficient.

APPROVAL / DENIAL / TABLED

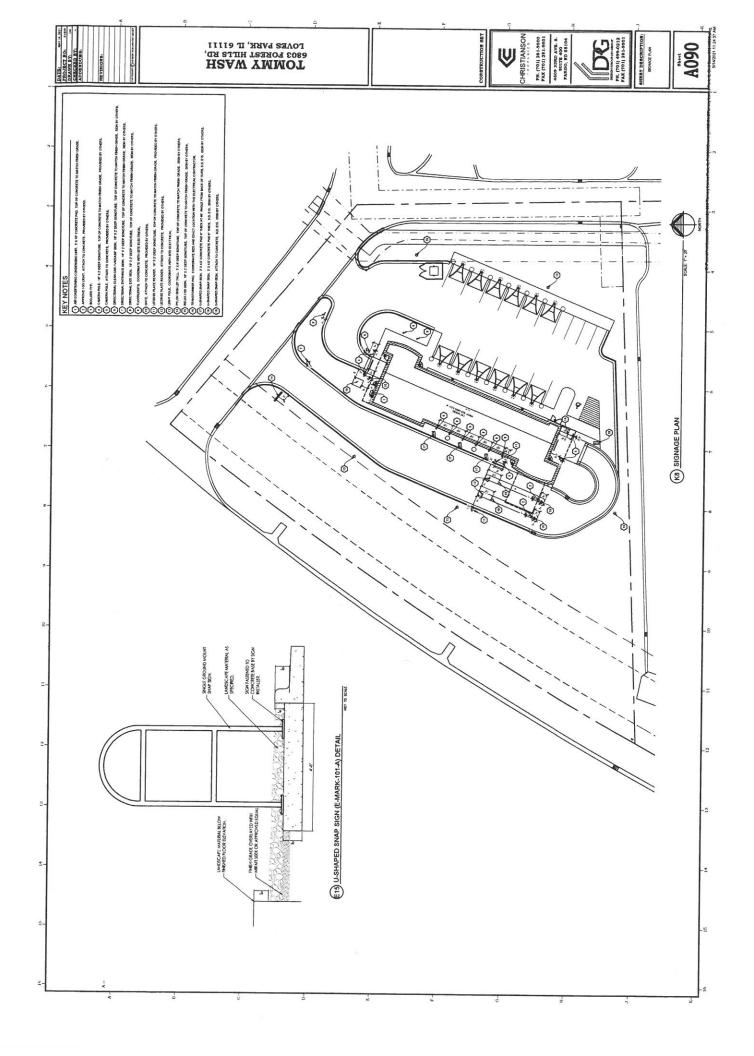
ATTACHMENTS:

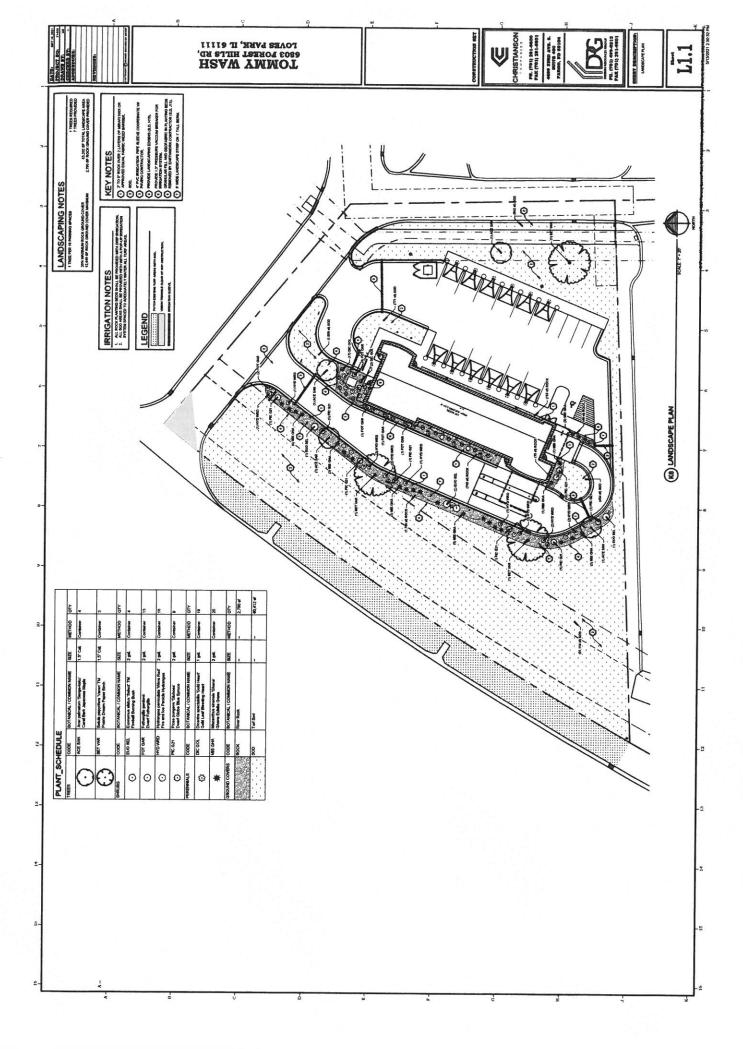
See attachments

ZONING BOARD RECOMMENDATIONS:

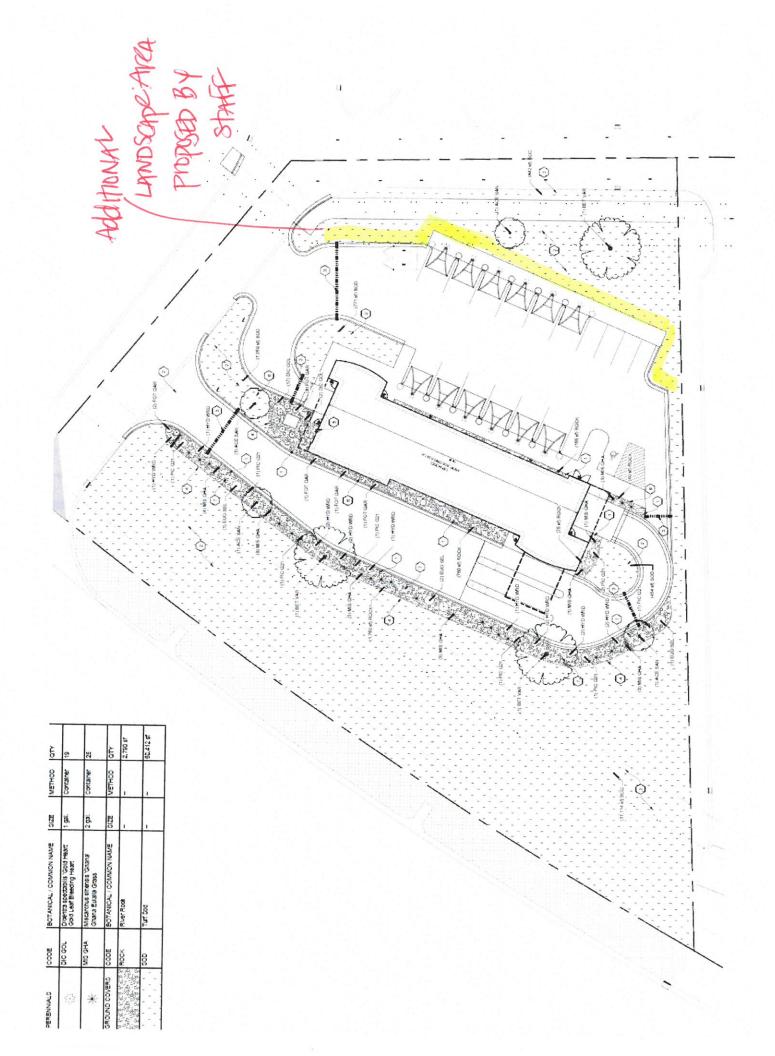
Vote:			
CONDITIONS:			

AUDIENCE COMMENTS:





PLANT_SC	HEDULE				
TREES	CODE	BOTANICAL / COMMON NAME	SIZE	METHOD	QTY
\odot	ACE SAN	Acer palmatum 'Sango-kaku' Coral Bark Japanese Maple	1.5" Cal.	Container	4
0	BET VAR	Betula papyrifera 'Varen' TM Prairie Dream Paper Birch	1.5" Cal.	Container	3
SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	METHOD	QTY
0	EUO SEL	Euonymus alatus 'Select' TM Fireball Burning Bush	2 gal.	Container	4
0	FOT GAR	Fothergilla gardenii Dwarf Fothergilla	2 gal.	Container	13
\odot	HYD WRD	Hydrangea paniculata 'Wims Red' Fire and Ice Panicle Hydrangea	2 gal.	Container	16
♦	PIC G21	Picea pungens 'Globosa' Dwarf Globe Blue Spruce	2 gal.	Container	9
PERENNIALS	CODE	BOTANICAL / COMMON NAME	SIZE	METHOD	QTY
€;;3	DIC GOL	Dicentra spectabilis 'Gold Heart' Gold Leaf Bleeding Heart	1 gal.	Container	19
*	MIS GHA	Miscanthus sinensis 'Ghana' Ghana Eulalia Grass	2 gal.	Container	25
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	SIZE	METHOD	QTY
	ROCK	River Rock	-	-	2,790 sf
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	SOD	Turf Sod	-	-	60,412 sf



Tommy's Express

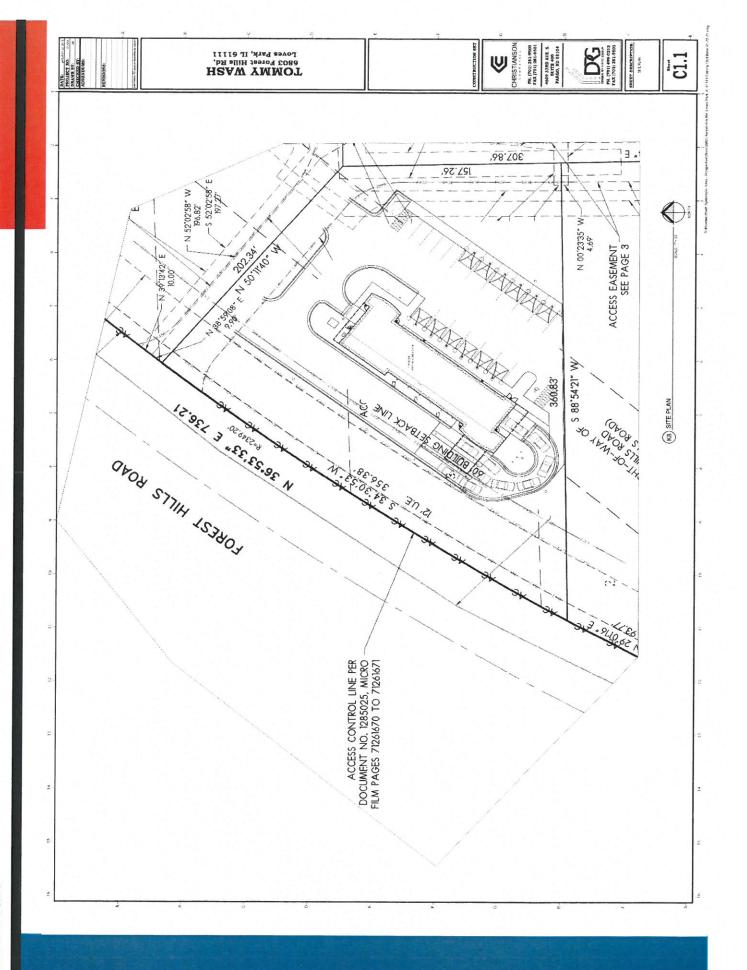
BENEFITS

Environmentally Friendly

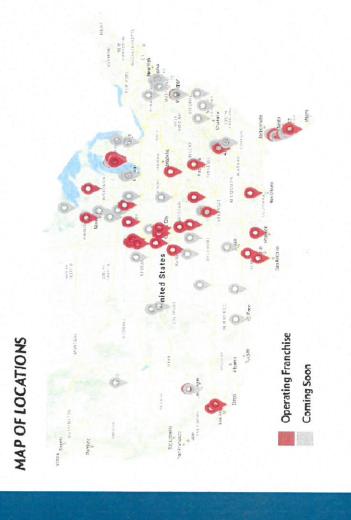
- Every location employs an advanced water reclaim system which not only uses up to 60% less fresh water than washing at home, it also keeps 100% of used water out of the storm system.
 - Every Tommy's Express uses an average of 22 gallons of fresh water per car, where a typical home wash uses 100 gallons in 10min.
 - We use advanced lighting controls and all LED lights to ensure every location can monitor and manage their everyday power usage.
- everyday power usage.

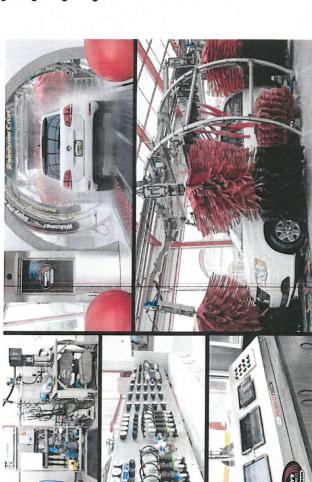
 Our clear acrylic roof system allows for daylight harvesting so no lighting is required during most operational hours.





What Sets Us Apart

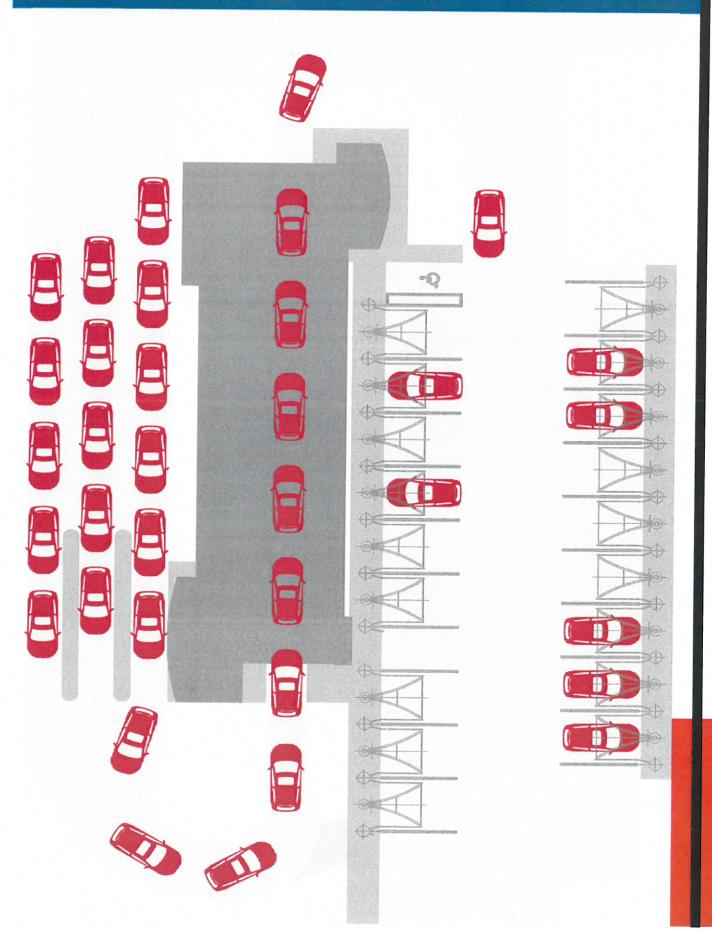




- State-Of-The-Art Technology
- Conveyor belt system
 - License plate reader
- TommyClub Membership and mobile App
- **Environmentally friendly**
- Best quality wash on the market
- Investing in the community High quality jobs
- Fast and efficient



Premier Wash Systems 4609 33rd Ave. S. Suite 400 Fargo, ND 58104



Customer

Date Revision

Location

FOR REFERENCE ONLY

Confidential Warring. This sheet contains and constitutes Car Wash Systems. Any unauthorized use or disclosure of any portion therati, is strictly prohibited. This work is the exclusive property of Tomnsy Car Wash Systems. All rights reserved.















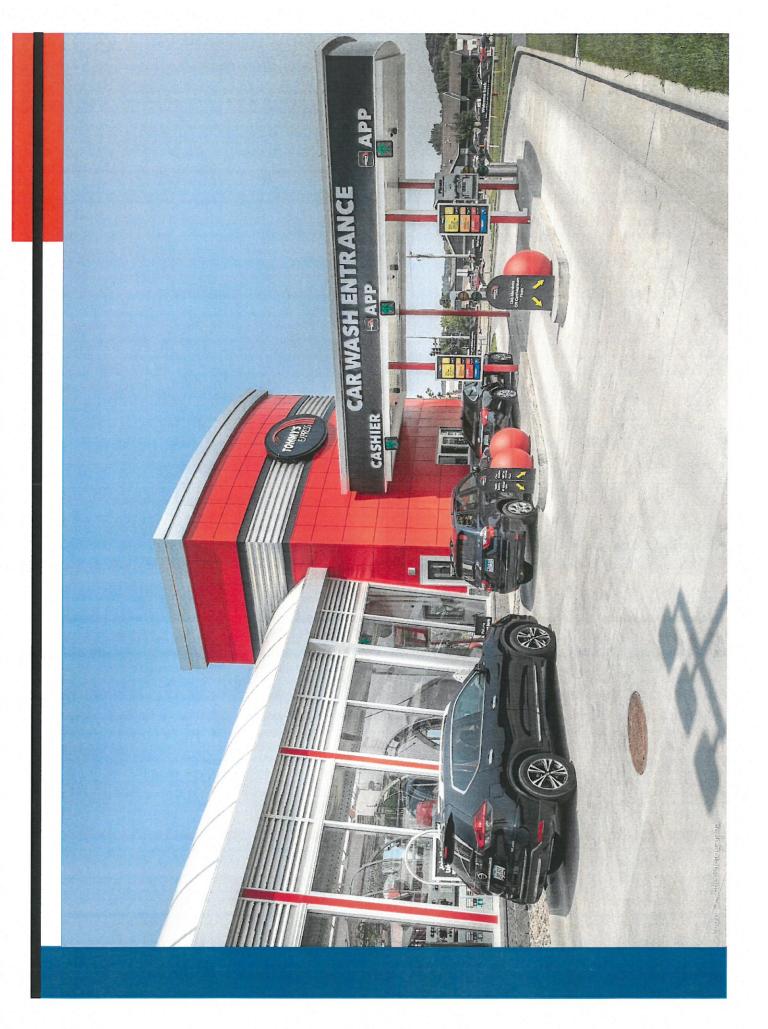
Front Elevation

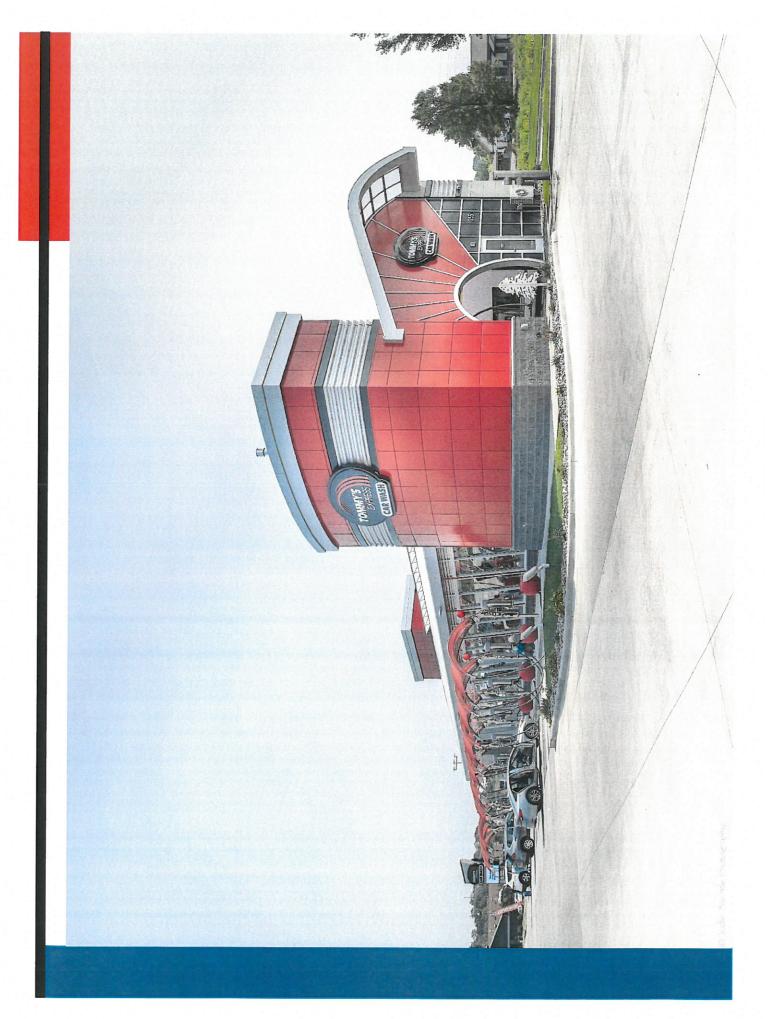


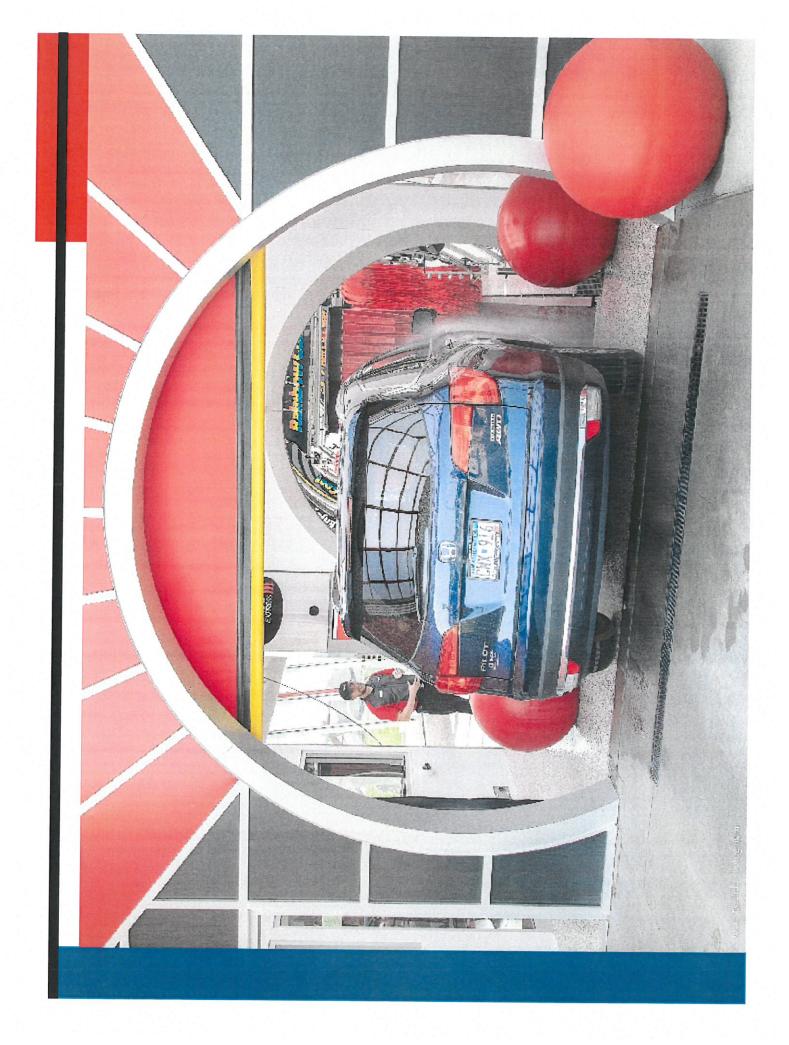
Back Elevation

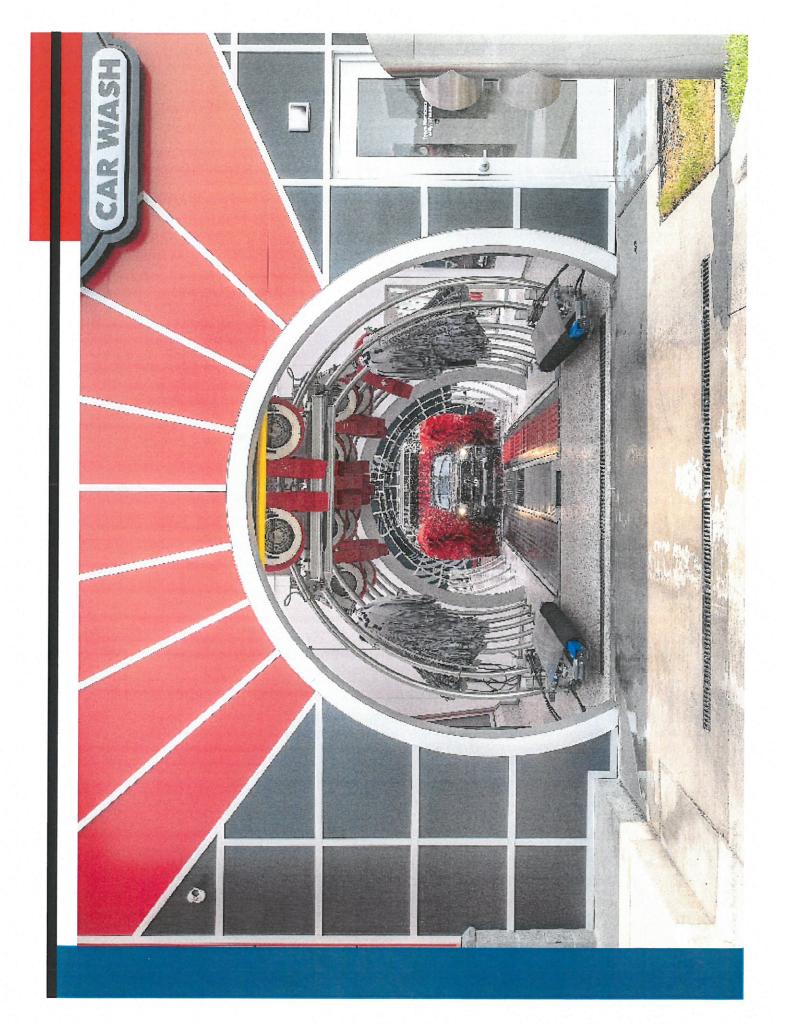




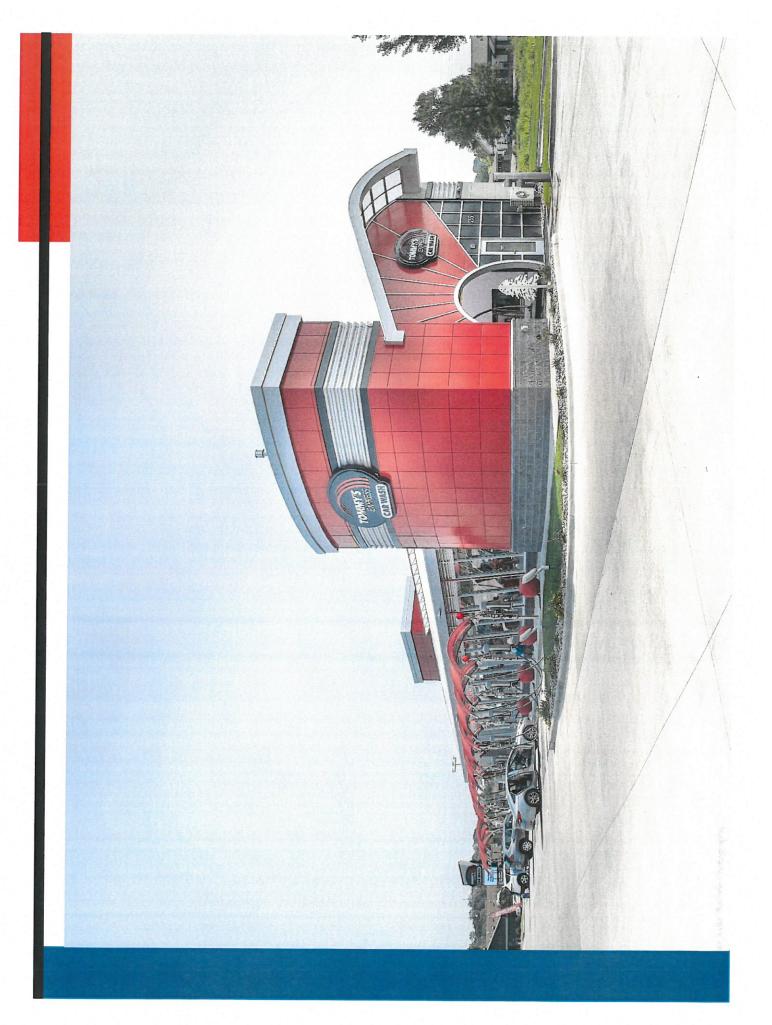




















CHRISTIANSON COMPANIES- ABOUT US

Christianson Companies and its affiliated entities Paces Lodging Corporation, Property Resources Group, and Design Resources Group have 25+ years of commercial real estate experience. Christianson Companies has in-house land development, architecture, construction management, and property management divisions.

OUR ACCOMPLISHMENTS

- 4 Million Square Feet of Commercial Real Estate Developed Across 10 States
 - · 5,000 Residential Lots Developed
 - 2,700+ Multifamily Units Developed
- · 950+ Storage Units Developed
- · Currently Working on \$35 Million of New Yertical Development

FRANCHISES AND LARGER CHAINS WE HAVE WORKED WITH

Christianson Companies has owned/aperated, leased space to, built for, sold land to, or represented all of the following:

Anytime Fitness 4ce Handware Alerus Bank Ally Bark Aerotek

Ford Crecit Great Clips Holiday Senedictine Health

BlueCross BlueShield of Minnesota **Bremer Eank** BIMPIES

Best Western

Caseys Convenience Stores PIETE

Church's Chicken Chase Eank

Comfort Inn CODOLLIS

Fairway Mortgage Edward Jones Jairy Queen rairfield Inn

First International Bank Great Western Bank Johnson Controls Mainstay Suites PILE SUDE SUDS Vr. Good Sense Panda Express Endol ymmil Old Chicago Jersey Mikes vicDoralds ioneywell Papa Johns Metro PCS Next are TRaillys

State of Minnesota

State of Arizona

Starbucks

SP n

Privent Financial

SLbway

Kimberly Matteson (Principal Architect and Architecture manager, has been with the company for over 15 years. She has site building and interior design experience in a Kimberly is committed to building strong client relationships as well as providing an variety of areas including multi-family, retail, commercial, and healthcare projects. exceptional team for clients. Kim oversees a design team of 10.



Sherwir Williams

Shap Fitness

Sleep Inn

Sports Clips Sola Salons

Sallys 8 eauty

commercial, mixed use, multi-family, historic renovation, and municipal construction. Mike Orth (Vice President of Construction). Michael has 20 years of experience in Mike oversees a construction management team of 20,



University of North Dakota

UPS Store

Walgreens

white Sanner Uniforms

Weight Watchers

Painbow Clothing

Rosati's Pizza

Regus

federal Eureau of Investigation

Fernous Daves

Federicos Mexican Food

Red Roof E/MAX

Wells Fargo

Fractor Supply Company

Jnify Financial

ommy's Express

Today's Patio

T-Mobile









https://youtu.be/x6sJ4eBA2CI

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 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.

6803 Forest Hills Road

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:
	NedSUII.
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.
	December
	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.
Those find	ings are based as staff into an at the first and the first
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: 6803 Forest Hills Road SUP for a car wash	
Chairman Mike Ower	ns established to the state of
Signature	Date