



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
November 18, 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 **October 21, 2021** meeting
3. Report from the Zoning Office - None
4. Unfinished business –
 - A. 7003 N. ALPINE ROAD (12-05-202-002, 12-05-202-008, 1205-202-009, 12-05-202-010 & 12-05-202-003) – A Special Use Permit to allow an Indoor Sports Facility and a concert venue in the CR (Commercial Retail) Zoning District.**
5. New business –
 - A. 5902 E. RIVERSIDE BOULEVARD – A Special Use Permit to allow a car wash in the CR (Commercial Retail) Zoning District.**
 - B. 5105 N. SECOND STREET – A Variance to widen the driveway 12 feet in front of the home in the CR (Commercial Retail) Zoning District.**
 - C. 1034 WINDSOR ROAD (08-31-454-011 & 08-31-454-010) – A Special Use Permit for a duplex 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, OCTOBER 21, 2021
5:30 P.M.
COUNCIL CHAMBERS

1. CHAIRMAN MIKE OWENS CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: MIKE OWENS, BEN DANIELSON, JASON VANDIVER,
CATHY NELSON, TINO RIVERA, LUKE CARLSON, LYNDI
TOOHILL

MEMBERS ABSENT: JASON VANDIVER, TINO RIVERA

OTHERS PRESENT: ZONING OFFICER - ANDREW QUINTANILLA,
ATTORNEY PHIL NICOLosi
SECRETARY - SHEILA MILLS

Chairman Owens announced that items considered for recommendation at this meeting will be forwarded to the Community Development Committee meeting on November 1, 2021 at 6:15 p.m.

Mr. Danielson joined the meeting at 5:31 p.m.

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting September 16, 2021. Second by Mr. Carlson. Motion carried by voice vote.

3. ZONING OFFICE REPORT

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- A. **7003 N. ALPINE ROAD** – Special Use Permit to allow the operation of a concert venue in conjunction with an Indoor Sports Facility in the CR Zoning District. Appropriate notice has been given.

Petitioner not present.

Mrs. Toohill moved to lay over the petition for a Special Use Permit to allow the operation of a concert venue in conjunction with an Indoor Sports Facility in the CR Zoning District for the property known as 7003 N. Alpine Road. Second by Mr. Carlson.

MOTION APPROVED 4-0

- B. **5400 NORTH SECOND STREET (11-12-226-083 & 11-12-226-051)** – Special Use Permit to allow overflow parking and staging of Fleet commercial vehicles (outside storage of vehicles) in the CR Zoning District. Appropriate notice has been given.

Dave Sockness, Stenstrom, 12548 County Line Road, Roscoe, IL was sworn in on behalf of Petitioner and indicated that he is requesting a Special Use Permit to park and stage vehicles on the property.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit to allow overflow parking and staging of fleet commercial vehicles (outside storage of vehicles) in the CR Zoning District for the property known as 5400 North Second Street, with the following conditions:

1. The Special Use Permit shall expire with any change in property ownership, change in business ownership, or discontinuance of the commercial automobile sales business.
2. No off-site business signage shall be permitted for parcels 11-12-226-083 and aa-12-226-054.
3. No commercial or passenger vehicle sales shall be permitted on 11-12-226-083 and 11-12-226-054. The commercial vehicles shall not display any options or pricing. All sales and vehicle information shall be provided when the vehicle is available for sale at 4925 N. Second Street, the existing Kar Korner sales lot.
4. All areas utilized for driving or parking must be paved with a dust free hard impervious surface within 6 months of approval of the special use. Such material shall be approved by the City prior to installation. The vehicle storage areas shall be stripped, observing the defined fire lane, as presented on the site plan. Storage of the vehicles shall only be permitted within the striped vehicle storage areas and not encroach into the landscape bed areas on both N. Second Street frontages.
5. There shall be no storage of the owner or employees personal or recreational vehicles, which includes campers, trailers, rv's, aquatic items, boats, or any other items not associated with the business located at 4925 N. Second Street.
6. The properties shall be limited to the storage of the mini fleet transit cargo vans only. No vehicles that require a Commercial Drivers License (CDL) or passenger vehicles shall be permitted on parcels 11-12-226-083 and 11-12-226-054.
7. Loading and unloading of vehicles shall only be permitted in the rear of the building.
8. No vehicle washing or repair shall be permitted, and all vehicles shall be operable and maintained in a good state of repair.
9. Landscaping shall meet all of the requirements of Section 102-258, and the N. Second Street Overlay District. The owner shall be required to remove asphalt for the landscaping bed on both frontages and provide a protective curb on all sides. The buffer shall be 8-ft deep. The owner shall also provide a landscape buffer on both parcels that will obscure vehicles behind the building. The buffer will require the removal of asphalt and provide a protective curb on all sides. The rear landscaped areas shall be lined with a row of arborvitae trees and perennials. The buffer will also include the installation of a black vinyl coated chain link fence that shall not exceed 6-ft in height. No barb or razor wire shall be allowed.

10. The property owner or business owner shall be responsible for the maintenance, repair, and replacement of all landscape plants and materials. The landscape beds shall be tended too, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. The owner shall provide staff with a landscape schedule outlining the various plants/trees that will be provided as part of the approval within 30 days of approval.
11. The Special Use Permit shall be renewed 1 year from the date of approval.
12. If the improvements identified in Phase 1 are not completed and conditions recommended with the approval have not been met, the land owner or business owner shall be required to remove any and all vehicles from parcels 11-12-226-083 and 11-12-226-054.

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

MOTION APPROVED 4-0

6. PUBLIC PARTICIPATION AND COMMENT

None

7. General Discussion

None

Mrs. Nelson moved that the meeting be adjourned. Second by Mr. Danielson. Motion carried by voice vote. The meeting adjourned at 6:05 p.m.

Sheila Mills, Secretary



ZONING BOARD OF APPEALS

Community Development Department

Date: November 8, 2021

SUBJECT: A Special Use Permit for an automobile car wash establishment in the CR (Commercial Retail) Zoning District.

LOCATION: 5902 E. Riverside Boulevard

COMPREHENSIVE 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)

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

Dumpster enclosure:
Required: Provisions shall be made for commercial establishments to provide refuse disposal and recyclable materials storage areas.

Provided: The dumpster enclosure requirement has been provided by the previous owner.

Landscaping:
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. The

Provided: The landscape requirement has been met by the previous owner.

Parking:
Required: The required parking for this businesses is 25 parking stalls. The site plan provides 25 stalls for patrons and employees.

Provided: The parking requirement has been met by the previous owner.

Findings: The establishment of the special use has not been detrimental to the public health or safety of the general public. The use will not adversely impact the zoning district or diminish land values within the neighborhood. The use has been operating at this location for a number of years. A condition placed on the initial approval required that that a change in ownership would require that the special use be renewed. The use has not prevented development in the area. The use has spurred development for a

complimentary automobile use recently. The use has been operating with little to know complaints since the inception of the use.

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

Conditions:

1. The Special Use Permit expires with the change of use or change in property ownership.
2. The Special Use Permit shall be revoked with verified complaints from adjacent property owners, business owners, or local authorities.
3. The business or land owner shall be responsible for the maintenance, repair, and replacement of all landscaping materials. Plant materials in landscape bed areas shall be maintained in a healthy growing condition free from refuse, debris, and weeds at all times.

ATTACHMENTS: See Attachments

ZONING BOARD

RECOMMENDATIONS: APPROVAL / DENIAL / TABLED

Vote: _____

AUDIENCE

COMMENTS: _____



PARCEL NUMBER: 12-04-276-013

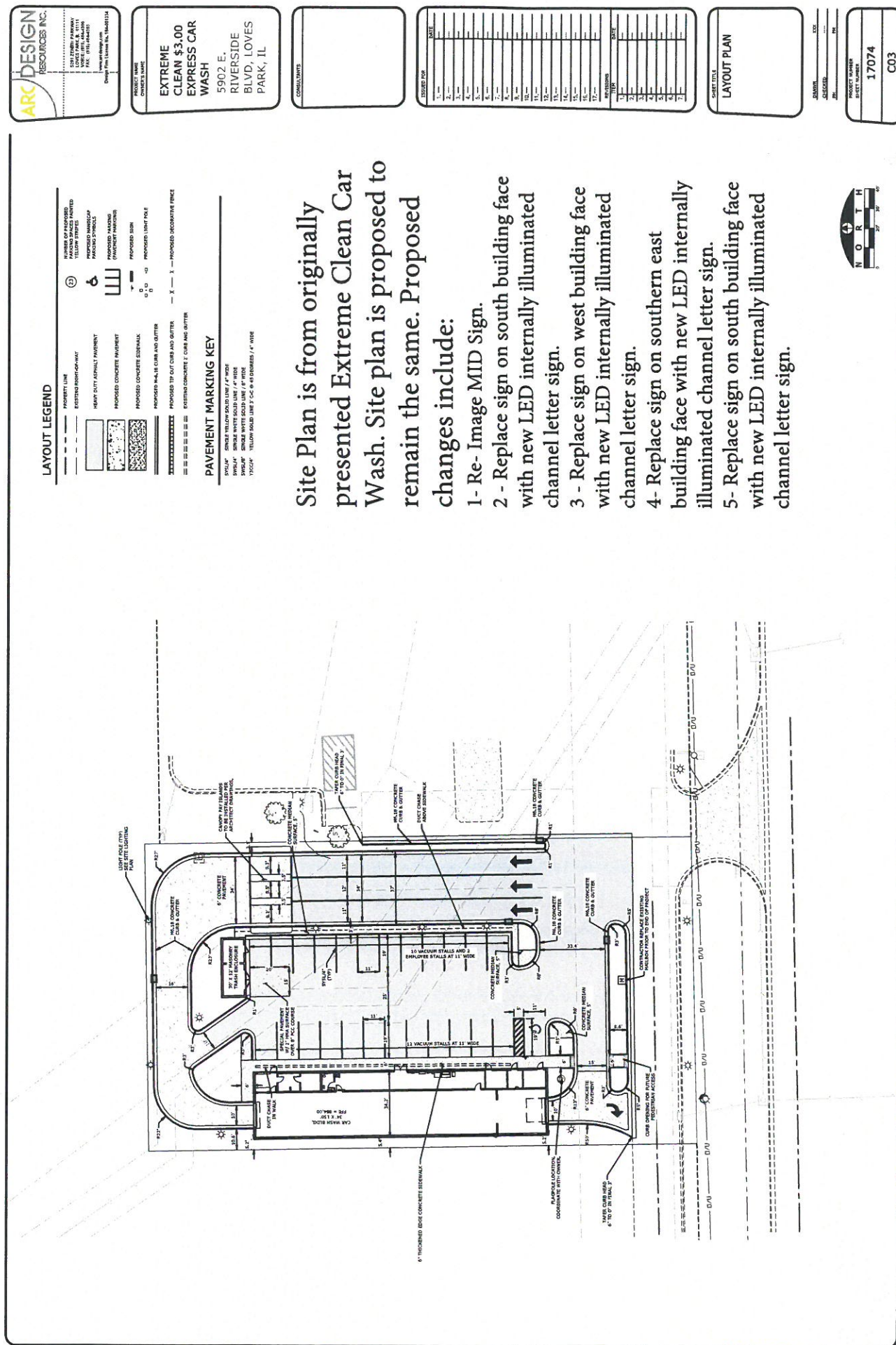
ZONING: CR (COMMERCIAL RETAIL)

ADDRESS: 5902 E. RIVERSIDE BOULEVARD

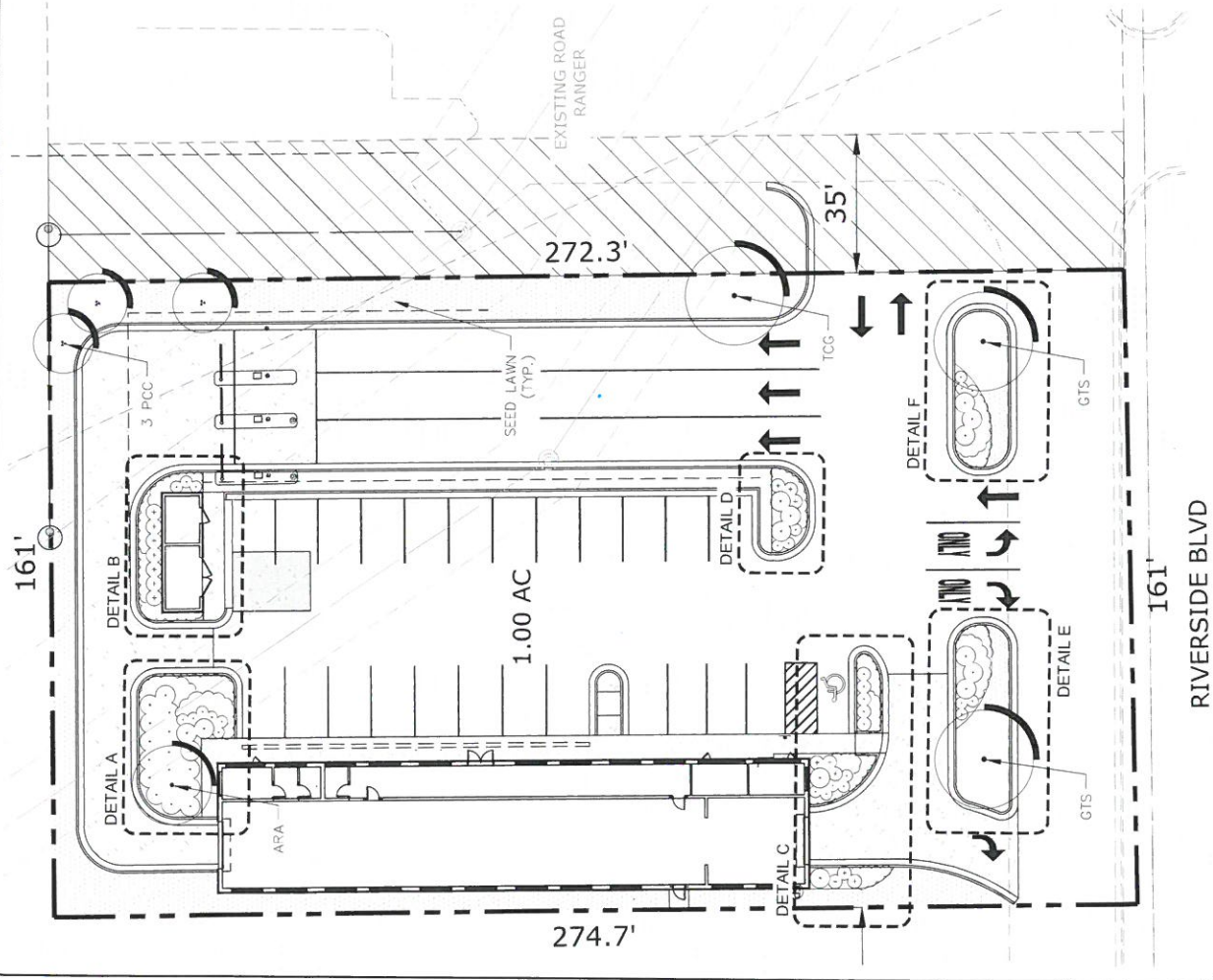
APPLICANT: MEGAN K. GIAMBRONE
9540 GARLAND ROAD, STE 381-188
DALLAS, TEXAS 75218

OWNER: TRUE BLUE CAR WASH - LYNNE BERREMAN
1255 W. RIO SALADO PARKWAY, STE 111
TEMPE, ARIZONA 85281

True Blue Car Wash- Exhibit A- Site Plan



Site plan 7/14/17



planting list

KEY	QTY	Botanical name	SIZE	REMARKS
ARA	1	Asplenium platyneuron 'Anastasia' MAUL	2-1/2"	
ARC	6	Artemisia nemorosus	NO. 5	
CAF	17	Ceanothus 'Yogi Foster'	NO. 1	
EAC	1	Eucalyptus 'doris' 'Compton'	NO. 5	
ECF	32	Eucalyptus 'doris' 'Compton'	NO. 5	
FDG	13	Ficus 'doris' 'Compton'	NO. 3	
GTS	2	Gleditsia 'doris' 'Compton'	2-1/2"	
HBO	9	Hedera 'doris' 'Compton'	NO. 1	
HME	10	Hemerocallis 'doris' 'Compton'	NO. 1	
PAP	16	Papaver 'doris' 'Compton'	NO. 1	
PCC	3	Poa 'doris' 'Compton'	2-1/2"	
RAG	15	Rhus 'doris' 'Compton'	NO. 5	
SAC	11	Syringa 'doris' 'Compton'	NO. 3	
SAL	6	Salix 'doris' 'Compton'	NO. 3	
SAR	19	Sedum 'doris' 'Compton'	NO. 1	
SDI	27	Shade 'doris' 'Compton'	NO. 1	
SMP	4	Syringa 'doris' 'Compton'	NO. 5	
TGC	1	Taxus 'doris' 'Compton'	2-1/2"	
TGC	7	Taxus 'doris' 'Compton'	6"	
WDO	9	Woods 'doris' 'Compton'	NO. 3	
WJ	3	Wisteria 'doris' 'Compton'	NO. 5	

planting notes

1. LANDSCAPE CONTRACTOR SHALL VERIFY SITE, IMPROVE EXISTING CONDITIONS AND PLANT LIST. PLANT SHALL BE PLANTED IN PLACE OF EXISTING PLANT.
2. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ONE-SIDE UTILITIES PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES.
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ARC

DESIGN

RESOURCES INC.

5501 ZEPHYRUS PARKWAY

LOVE'S PARK, GAITHERSBURG, MD 20878

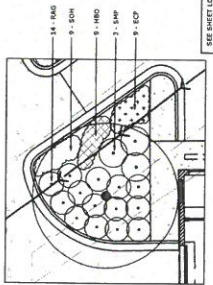
VOICE: (815) 484-4300

FAX: (815) 484-4300

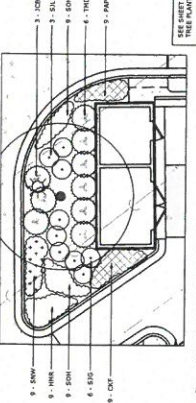
www.arcdesign.com

Design Firm License No. 19-4001334

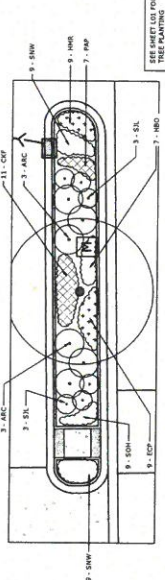




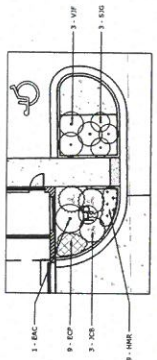
A PLANTING DETAIL 'A'
SCALE 1" = 10'-0"



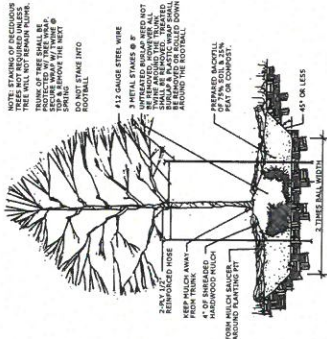
B PLANTING DETAIL 'B'
SCALE 1" = 10'-0"



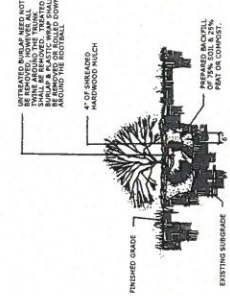
D PLANTING DETAIL 'D'
SCALE 1" = 10'-0"



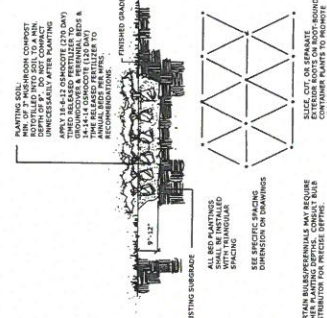
C PLANTING DETAIL 'C'
SCALE 1" = 10'-0"



TREE PLANTING DETAIL
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE



BED PLANTING DETAIL
(GROUNDCOVER, PERENNIALS, UNITS & ANNUALS)
NOT TO SCALE

ARC DESIGN
RESOURCES INC.
10000 N. 10TH AVE., SUITE 100
DENVER, CO 80231
TEL: 303.733.4400
WWW.ARCDESIGN.COM

EXTREME
CLEAN \$3.00
EXPRESS CAR
WASH
5902 E.
RIVERSIDE
BLVD., LOVES
PARK, IL

CONTRACTS

ITEM NO.	QUANTITY	UNIT	PRICE
1. 100' SAND	100	CU YD	100.00
2. 9" SOIL	100	CU YD	100.00
3. 9" MULCH	100	CU YD	100.00
4. 9" GRAVEL	100	CU YD	100.00
5. 9" CONCRETE	100	CU YD	100.00
6. 14" SAND	100	CU YD	100.00
7. 9" SOIL	100	CU YD	100.00
8. 9" MULCH	100	CU YD	100.00
9. 9" GRAVEL	100	CU YD	100.00
10. 9" CONCRETE	100	CU YD	100.00
11. 14" SAND	100	CU YD	100.00
12. 9" SOIL	100	CU YD	100.00
13. 9" MULCH	100	CU YD	100.00
14. 9" GRAVEL	100	CU YD	100.00
15. 9" CONCRETE	100	CU YD	100.00
16. 14" SAND	100	CU YD	100.00
17. 9" SOIL	100	CU YD	100.00
18. 9" MULCH	100	CU YD	100.00
19. 9" GRAVEL	100	CU YD	100.00
20. 9" CONCRETE	100	CU YD	100.00
21. 14" SAND	100	CU YD	100.00
22. 9" SOIL	100	CU YD	100.00
23. 9" MULCH	100	CU YD	100.00
24. 9" GRAVEL	100	CU YD	100.00
25. 9" CONCRETE	100	CU YD	100.00
26. 14" SAND	100	CU YD	100.00
27. 9" SOIL	100	CU YD	100.00
28. 9" MULCH	100	CU YD	100.00
29. 9" GRAVEL	100	CU YD	100.00
30. 9" CONCRETE	100	CU YD	100.00

LANDSCAPE
DETAILS

17074
L02

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.

5902 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: **5902 E. Riverside Boulevard**
SUP for a car wash

Chairman
Mike Owens

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: November 5, 2021

SUBJECT: A Variance to widen the driveway 12 feet across the front of the home in the CR (Commercial Retail) Zoning District.

LOCATION: 5105 N. Second Street

COMPREHENSIVE PLAN: Residential and commercial development

ZONING DISTRICT:

North	CR (Commercial Retail)
South	CR (Commercial Retail)
East	R1 (Single Family Residential)
West	CR (Commercial Retail)

PROPERTY INFORMATION: The property owner would like to expand the existing driveway in front of the home.

Requirement:
R1 (Single Family)

30 foot front yard building setback
6 foot side yard setback
30 foot rear yard setback
Lot width 80 feet at the BSL
Accessory setback 3 feet from side and rear lot lines, 10 feet from the primary structure.

Driveway: Driveway is a solid impervious surface used for direct access from a public street, alley, or thoroughfare, which connects to a garage, attached or detached, for private off-street parking. Where no garage or other structure for off-street parking exists, the driveway shall be the area where primary access is provided onto the property for off-street parking.

Provided:
R1 (Single Family)
Existing - Built in 1930

25 foot front yard building setback
4.5 feet to the north, and 7.8 feet to the south, side yard setback
82 foot rear yard setback
Lot width 49 feet at the BSL
Accessory setback 2.2 feet from south lot line.
Home setback is 4.5 feet to the north property line, and 7.8 feet to the south property line.

Driveway: Solid impervious surface used for direct access from a public street to a detached garage. The garage is a single car garage that is roughly 12' x 20' foot structure, with a significant amount of the driveway surface area that is 7.8' feet in width.

Findings: Strict interpretation and enforcement of the regulations would result in unnecessary

hardship. The property owner would like to make improvements to the property that would allow for additional off-street parking. The home was built in 1930, under older regulations that would have made it possible to have the home built as it exists today. By today's standards for development, the land and existing structures, are deemed legal non-conforming. The homeowner does live on a busy state highway, and over the years, the right-of-way for the property, and other properties in the area has increased, impacting how these lots could be developed.

The adjacent property to the north has a similar driveway that was approved by the City, but City records do not show when the expansion originally occurred. The property owner for 5105 N. Second Street would like to make the same improvements and be deprived of privileges that other property owners have been granted. A variation should not constitute a grant of special privilege. Off-street parking is a developmental standard for every residential dwelling within the City. Improvements to off-street parking are encouraged. The City of Loves Park supports valid hardship requests for property improvements. The variation shall not impose a public health risk, nor shall it have an adverse impact on land values for the zoning district.

RECOMMENDATION: **Approval** - A Variance to widen the driveway 12 feet across the front of the home in the CR (Commercial Retail) Zoning District.

ATTACHMENTS: See attachments

ZONING BOARD RECOMMENDATIONS: APPROVAL / DENIAL / TABLED Vote: _____

CONDITIONS: AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:



PARCEL NUMBER:	12-07-151-004
ZONING:	CR (COMMERCIAL RETAIL)
ADDRESS:	5105 N. SECOND STREET
APPLICANT:	JESSICAL ECCLES 5105 N. SECOND STREET LOVES PARK, ILLINOIS 61111
PETITIONER:	JESSICAL ECCLES 5105 N. SECOND STREET LOVES PARK, ILLINOIS 61111



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.

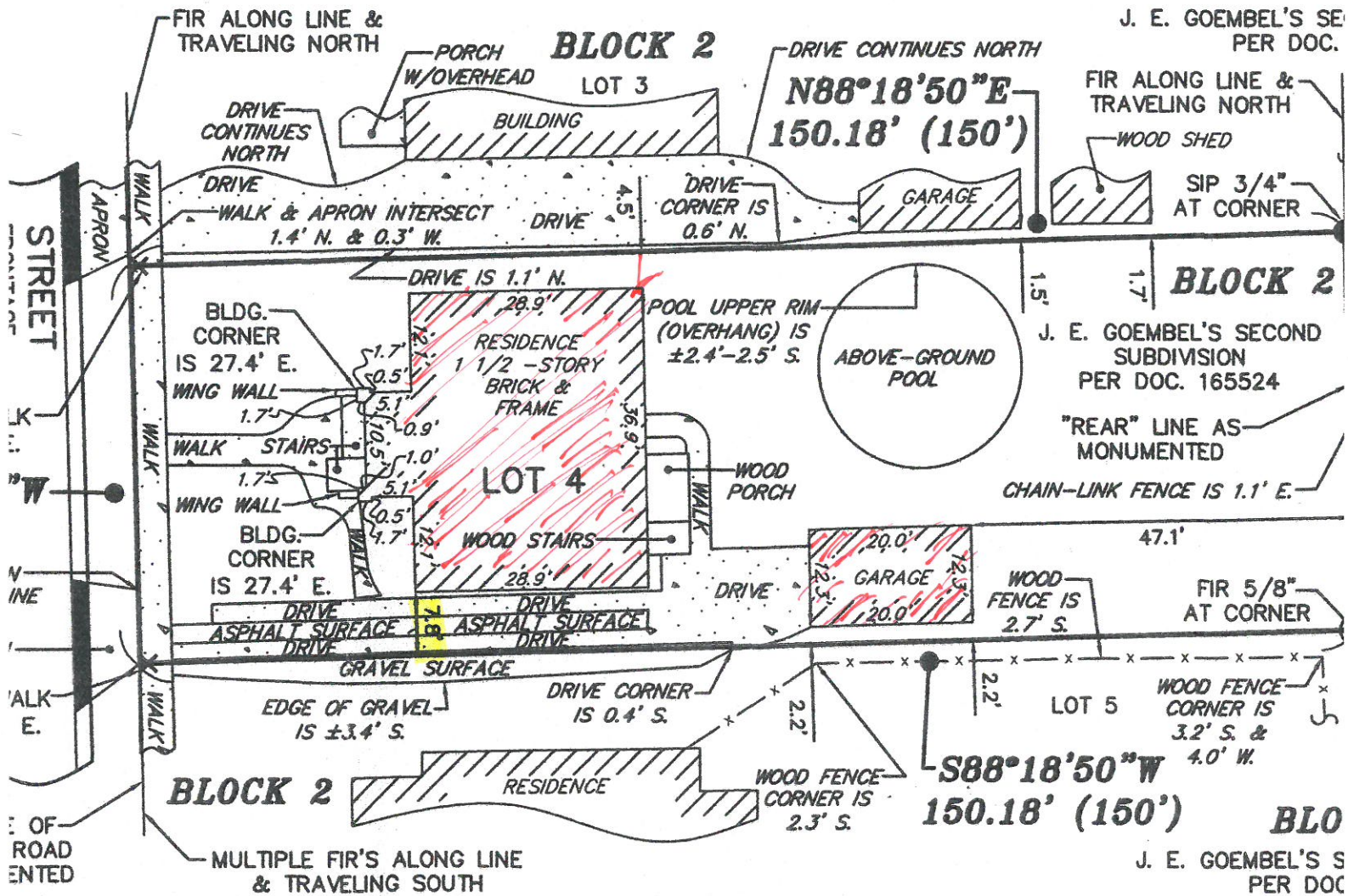
0 25 50 Feet

SCALE: 1:346




WIN GIS

Winnebago County Geographic Information System

PLAN OF SURVEY



SYMBOL LEGEND

-  - DEPRESSED CURB
-  - CONCRETE SURFACE
- (XXX.XX) - RECORD CALL
-  - FOUND IRON PIPE/ROD

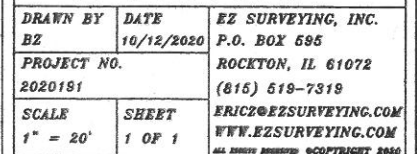
AREA SUMMARY

MEASURED PARCEL AREA IS
7 350 SQ. FT. =

PREP
JESSI
5105
LOVES P

CTT

SHEET 1 OF 1



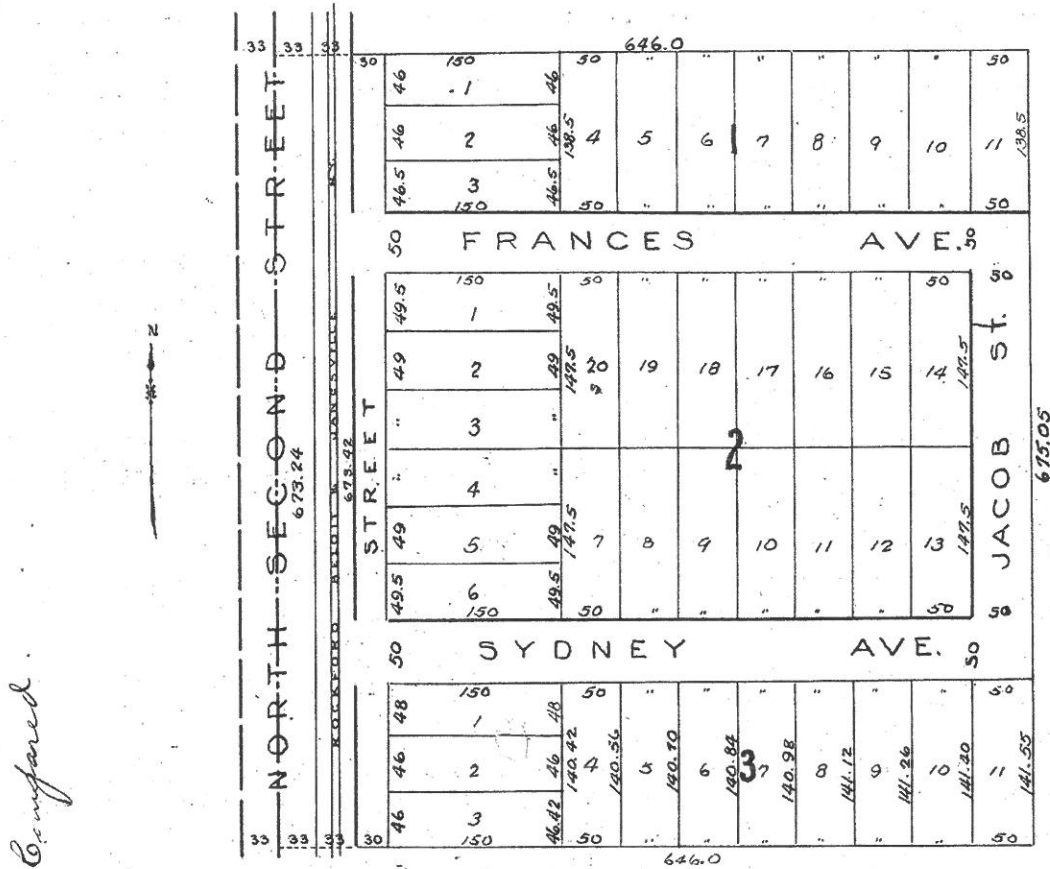
86

J. E. GOEMBEL'S SECOND SUBDIVISION

OF A PART OF.

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 77-44N-R.2E, OF THE 3RD PM

SCALE 1" = 100'.



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.

5105 N. Second 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 findings are based on staff interpretation of the required findings necessary for approval of a variation. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a variation.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: **5105 N. Second Street**
Variance for an auxiliary parking pad 12 feet in front of the home.

Chairman
Michael Owens

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: November 5, 2021

SUBJECT: A Special Use Permit for a duplex in the CR (Commercial Retail) Zoning District.

LOCATION: 1034 Windsor Road (08-31-454-011 & 08-31-454-010)

COMPREHENSIVE PLAN: General commercial development

ZONING DISTRICT:

North	R1 (Single Family) Machesney Park
South	R1 (Single Family) Windsor Elementary School
East	CN (Commercial Neighborhood)
West	R1 (Single Family)

PROPERTY INFORMATION:

Requirement:

Requirement for R2:	Lot size:	8,800 sqft
	Lot area p/unit:	4,400 sqft
	Front yard:	30 ft. min.
	Side yard:	6 feet
	Rear yard:	30 ft. min.

Provided:	Lot size:	15,609 sqft
	Lot area p/unit:	7,805 sqft
	Front yard:	greater than 30 feet
	Side yard:	5 feet
	Rear yard:	17ft. 4"

Off-Street Parking:

Commercial requirements:

- Parking Lots: curbed
- Interior landscaped islands
- 8 ft. deep landscape buffer spanning frontage with plants, shrubs and trees.
- 2 Trees, 1 interior and 1 exterior
- Vehicle circulation 24ft, parking stalls 19 deep and 9ft wide
- Location of lot within 150 feet of the principal use

Commercial provided:

- Non curbed parking lot
- 3 trees, 1 interior and 2 exterior
- 4 foot deep landscape buffer spanning frontage with plants and shrubs
- Vehicle circulation 24ft, parking stalls 19 deep and 9ft wide
- Adjacent to principal use
- 17 parking stalls, which exceeds what is required for the restaurant

Landscaping:

Requirement for R2: Landscaped lots shall be required to provide landscaping based on a point system. The point system shall be applied to each parcel and the landscaping shall be distributed equally between each dwelling. The requirement for this residential development is 31 points. The 31 points shall be allocated for vegetation of trees, shrubs and plants.

Provided for R2: Two varieties of shrubs, that do not meet the point system for the establishment of this development. A new 6 foot high fence will be installed across the northern property line.

Requirement for CR: Landscape lots shall provide 1 tree for every 5 stalls placed on the perimeter, and 1 stall for every 10 parking stalls placed on the interior. The landscaping shall include some combination of planted trees, shrubs, vines, ground cover, flowers or lawns. The landscaped strip shall be mounded a minimum of one foot above the height of the adjacent parking spaces but not exceeding a three to one slope and shall be protected from automobile traffic by curbing or some other effective barrier to the passage of automobiles. Where public or private parking containing more than 5 spaces exists, there shall be a screened landscape area on the sides used for residential purposes and on all side abutting a public right-of-way.

Provided for CR: The applicant is providing 2 four feet deep buffers. Both buffers will run parallel with Windsor Road, the other buffer will be on the north end of the parking lot. Both landscape areas will be filled with shrubs.

Findings:

The establishment of the special use will not be detrimental to the public or general welfare of the existing residents and businesses in the zoning district. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and not diminish or impair property values in the zoning district. The area to the north has single family residences that are a good compliment to the two family residence that is being established. The home to the west was recently rezoned to single family residence from a commercial property. The area as a whole supports single family uses both with residential dwellings and the public schools, which compliment the area. The area has seen some development over the years, however, the establishment of this use would be the most significant development to the area in years. The use is not likely to impact orderly development to surrounding properties for uses permitted in the district. Adequate access, drainage, and utilities will be provided as part of the development of the site. Planning for this site has undergone a review of access. The development will be providing adequate ingress/egress for residents and patrons of the restaurant.

RECOMMENDATION:

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

Conditions:

1. The Special Use Permit expires with the discontinuance of Windsor Pizza Parlor, or sale of the properties 08-31-454-011 or 08-31-454-010.
2. The entire parking lot shall be curbed.
3. The 2 (4ft in depth) landscape berms are sufficient to meet the requirement. The landscaping shall include replacement of all Gold Coast Juniper bushes with Karl Forester Grasses. Landscaping shall also include replacement of all Dwarf Lilac shrubs with ornamental Bradford Pear Trees. And, replacement of the Dwarf Crabapple Tree with a Shademaster Honey Locust Tree. The landscape hedge,

on the western property line for parcel 08-31-454-010, shall continue southward to the 30 foot setback for the property. Islands in and around the parking lot shall contain some combination of perennials and may be coordinated with Staff. If staff recommendations for this condition are met, the landscaping for both uses shall be sufficient for this development. An updated landscape plan shall be provided within 30 days of approval of the special use.

- 4. Eighteen feet deep stalls will be adequate for meeting the stall requirement in order to observe vehicle circulation.
- 5. Restaurant parking shall only be allowed in the newly created parking lot designated for its customers. A private parking sign shall be installed to accommodate the residents living in the duplexes.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED Vote: _____

CONDITIONS:

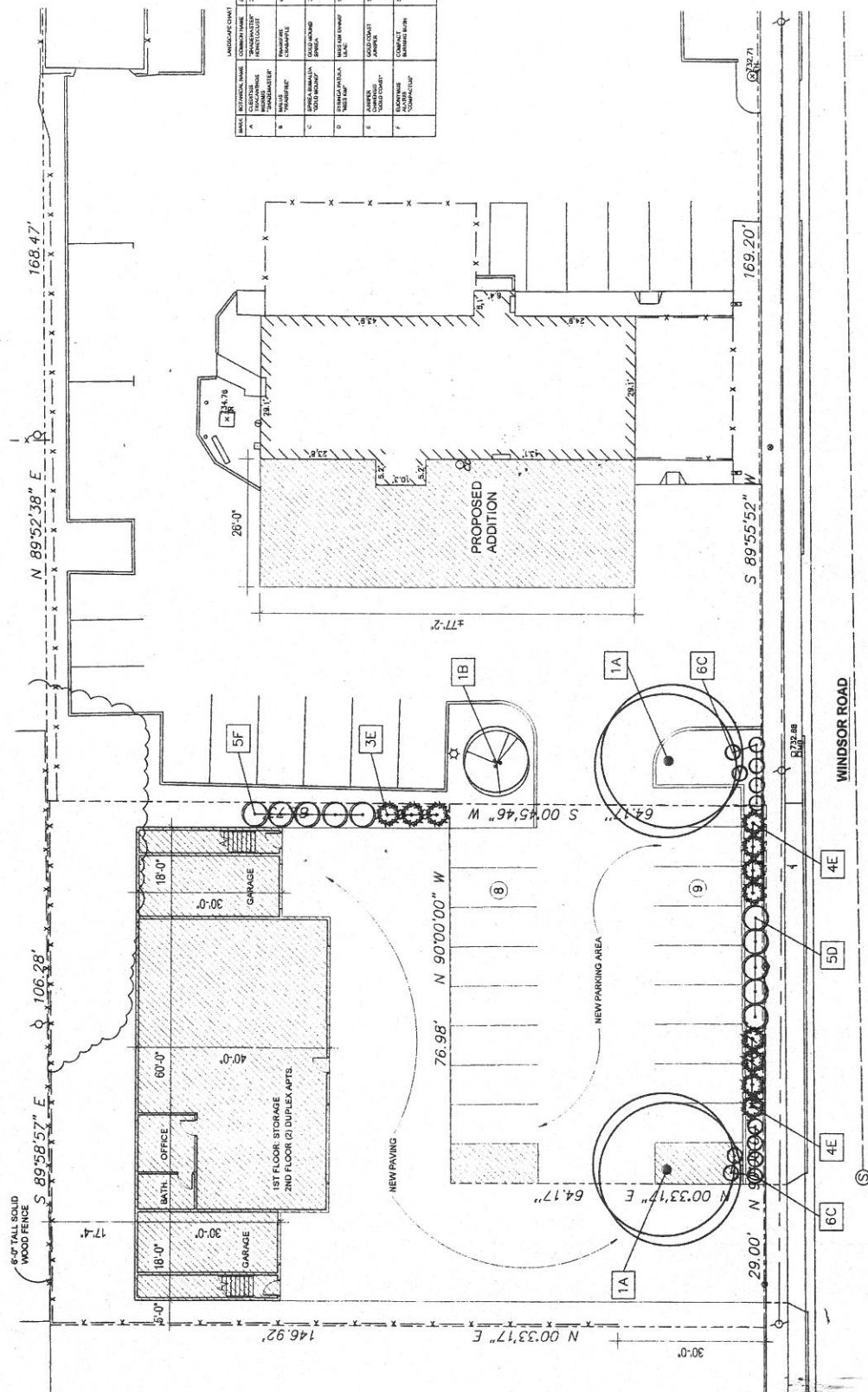
AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:



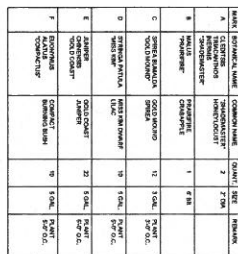
PARCEL NUMBER(S):	08-31-454-011 & 08-31-454-010
ZONING:	CR (COMMERCIAL RETAIL)
ADDRESS:	1028 WINDSOR ROAD, 1034 WINDSOR ROAD
APPLICANT:	SABLAKE PROPERTIES, LLC 804 WILLOW STREET KIRKLAND, ILLINOIS 60146
PETITIONER:	SABLAKE PROPERTIES, LLC 804 WILLOW STREET KIRKLAND, ILLINOIS 60146

INDEX	ALTERNATIVE NAME	COMMON NAME	FILE NUMBER
A	CELESTINE MOUNTAIN MARIJUANA	HEAVENLY GULLST	2704
B	THUNDERBOLT MARIJUANA	THUNDERBOLT	404
C	RED BOMBAY SUNNY MARIJUANA	GOLD MARIJUANA	3104
D	RED BOMBAY SUNNY MARIJUANA	GOLD MARIJUANA	3104
E	JAMPER MARIJUANA	MATE AND SWEET	8104
F	RED BOMBAY SUNNY MARIJUANA	GOLD MARIJUANA	3104



PROPOSED SITE PLAN

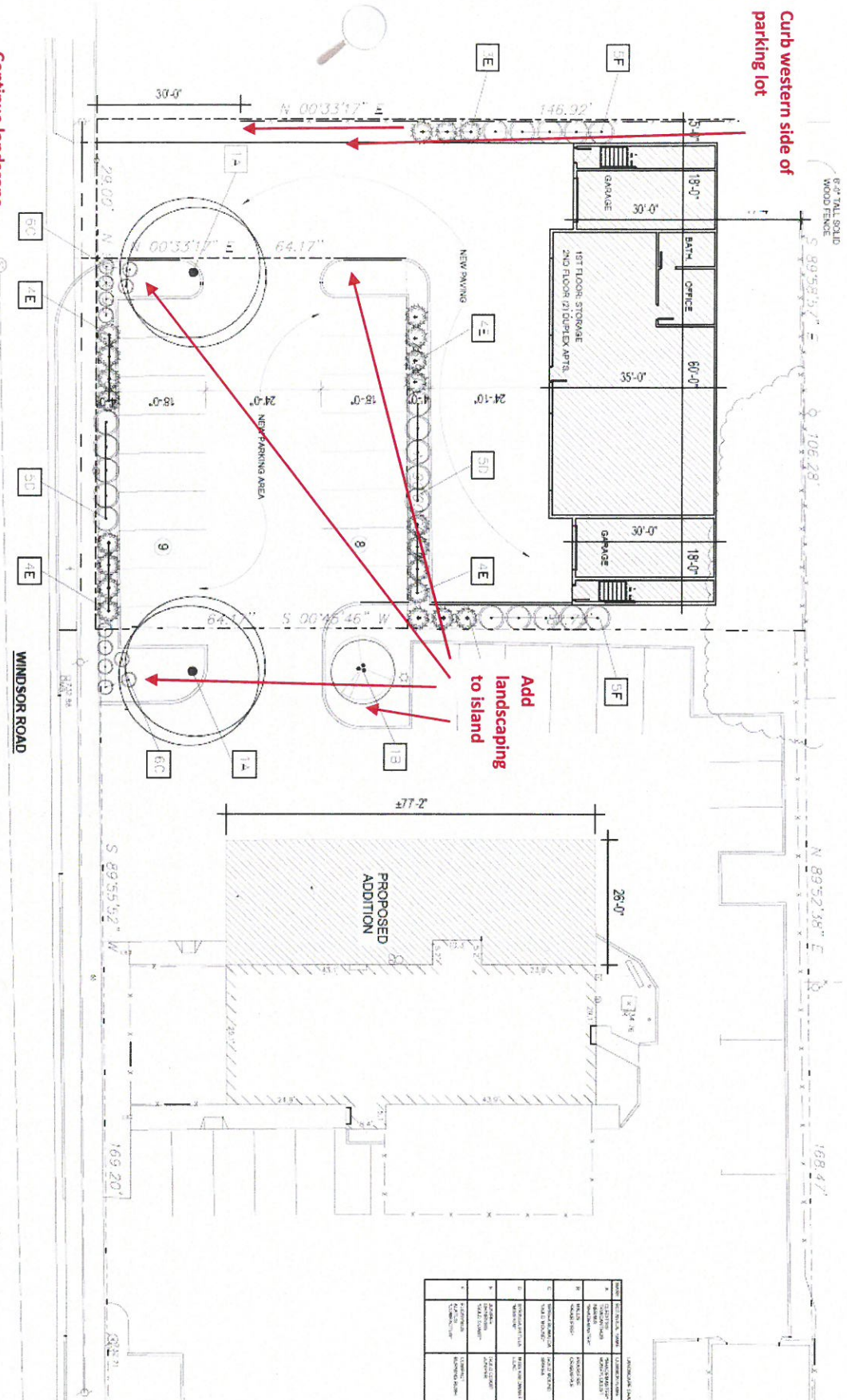
SCALE: 1" = 10'-0"



Curb western side of parking lot

Continue landscape materials southward observing 30 feet vision clearance

Replace all Gold Coast Juniper bushes with Karl Forester Grasses. Replace all Dwarf Lilac shrubs with ornamental Bradford Pear Trees. Replace Dwarf Crabapple Tree with a Shademaster Honey Locust Tree.



NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	GRASS	100	SQ. YD.	1.50	150.00
2	SHRUBS	10	EA.	10.00	100.00
3	TREES	5	EA.	20.00	100.00
4	LANDSCAPING	1	LOT	50.00	50.00
5	PAVING	100	SQ. YD.	2.00	200.00
6	CONCRETE	10	SQ. YD.	1.00	10.00
7	IRONING	10	SQ. YD.	1.00	10.00
8	PAINTING	10	SQ. YD.	1.00	10.00
9	LANDSCAPING	1	LOT	50.00	50.00
10	PAVING	100	SQ. YD.	2.00	200.00
11	CONCRETE	10	SQ. YD.	1.00	10.00
12	IRONING	10	SQ. YD.	1.00	10.00
13	PAINTING	10	SQ. YD.	1.00	10.00
14	LANDSCAPING	1	LOT	50.00	50.00
15	PAVING	100	SQ. YD.	2.00	200.00
16	CONCRETE	10	SQ. YD.	1.00	10.00
17	IRONING	10	SQ. YD.	1.00	10.00
18	PAINTING	10	SQ. YD.	1.00	10.00
19	LANDSCAPING	1	LOT	50.00	50.00
20	PAVING	100	SQ. YD.	2.00	200.00
21	CONCRETE	10	SQ. YD.	1.00	10.00
22	IRONING	10	SQ. YD.	1.00	10.00
23	PAINTING	10	SQ. YD.	1.00	10.00
24	LANDSCAPING	1	LOT	50.00	50.00
25	PAVING	100	SQ. YD.	2.00	200.00
26	CONCRETE	10	SQ. YD.	1.00	10.00
27	IRONING	10	SQ. YD.	1.00	10.00
28	PAINTING	10	SQ. YD.	1.00	10.00
29	LANDSCAPING	1	LOT	50.00	50.00
30	PAVING	100	SQ. YD.	2.00	200.00
31	CONCRETE	10	SQ. YD.	1.00	10.00
32	IRONING	10	SQ. YD.	1.00	10.00
33	PAINTING	10	SQ. YD.	1.00	10.00
34	LANDSCAPING	1	LOT	50.00	50.00
35	PAVING	100	SQ. YD.	2.00	200.00
36	CONCRETE	10	SQ. YD.	1.00	10.00
37	IRONING	10	SQ. YD.	1.00	10.00
38	PAINTING	10	SQ. YD.	1.00	10.00
39	LANDSCAPING	1	LOT	50.00	50.00
40	PAVING	100	SQ. YD.	2.00	200.00
41	CONCRETE	10	SQ. YD.	1.00	10.00
42	IRONING	10	SQ. YD.	1.00	10.00
43	PAINTING	10	SQ. YD.	1.00	10.00
44	LANDSCAPING	1	LOT	50.00	50.00
45	PAVING	100	SQ. YD.	2.00	200.00
46	CONCRETE	10	SQ. YD.	1.00	10.00
47	IRONING	10	SQ. YD.	1.00	10.00
48	PAINTING	10	SQ. YD.	1.00	10.00
49	LANDSCAPING	1	LOT	50.00	50.00
50	PAVING	100	SQ. YD.	2.00	200.00
51	CONCRETE	10	SQ. YD.	1.00	10.00
52	IRONING	10	SQ. YD.	1.00	10.00
53	PAINTING	10	SQ. YD.	1.00	10.00
54	LANDSCAPING	1	LOT	50.00	50.00
55	PAVING	100	SQ. YD.	2.00	200.00
56	CONCRETE	10	SQ. YD.	1.00	10.00
57	IRONING	10	SQ. YD.	1.00	10.00
58	PAINTING	10	SQ. YD.	1.00	10.00
59	LANDSCAPING	1	LOT	50.00	50.00
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61	CONCRETE	10	SQ. YD.	1.00	10.00
62	IRONING	10	SQ. YD.	1.00	10.00
63	PAINTING	10	SQ. YD.	1.00	10.00
64	LANDSCAPING	1	LOT	50.00	50.00
65	PAVING	100	SQ. YD.	2.00	200.00
66	CONCRETE	10	SQ. YD.	1.00	10.00
67	IRONING	10	SQ. YD.	1.00	10.00
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79	LANDSCAPING	1	LOT	50.00	50.00
80	PAVING	100	SQ. YD.	2.00	200.00
81	CONCRETE	10	SQ. YD.	1.00	10.00
82	IRONING	10	SQ. YD.	1.00	10.00
83	PAINTING	10	SQ. YD.	1.00	10.00
84	LANDSCAPING	1	LOT	50.00	50.00
85	PAVING	100	SQ. YD.	2.00	200.00
86	CONCRETE	10	SQ. YD.	1.00	10.00
87	IRONING	10	SQ. YD.	1.00	10.00
88	PAINTING	10	SQ. YD.	1.00	10.00
89	LANDSCAPING	1	LOT	50.00	50.00
90	PAVING	100	SQ. YD.	2.00	200.00
91	CONCRETE	10	SQ. YD.	1.00	10.00
92	IRONING	10	SQ. YD.	1.00	10.00
93	PAINTING	10	SQ. YD.	1.00	10.00
94	LANDSCAPING	1	LOT	50.00	50.00
95	PAVING	100	SQ. YD.	2.00	200.00
96	CONCRETE	10	SQ. YD.	1.00	10.00
97	IRONING	10	SQ. YD.	1.00	10.00
98	PAINTING	10	SQ. YD.	1.00	10.00
99	LANDSCAPING	1	LOT	50.00	50.00
100	PAVING	100	SQ. YD.	2.00	200.00

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.

1034 Windsor Road (08-31-454-011 & 08-31-454-010)

- 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:

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- 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.
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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: **1034 Windsor Road (08-31-454-011 & 08-31-454-010)**
Duplex in CR (Commercial Retail)

Chairman
Mike Owens

Signature

Date