



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
November 17, 2022

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 20, 2022** meeting
3. Report from the Zoning Office – None
4. Unfinished business – None
5. New business –
 - A. 5400 N. Second Street (11-12-226-083 & 11-12-226-051)** – A renewal of a Special Use Permit to allow overflow parking and staging of Fleet commercial vehicles (outside storage) in the CR (Commercial Retail) and N. Second Street Overlay Zoning Districts.
 - B. Squaw Valley Road** – A Special Use Permit for a Planned Unit Development in R3 (Multi-family Residential) and IL_CR (Light Industrial_Commercial Retail).
 - C. Text Amendment** – Chapter 102, Article III, Districts, Division 3, Commercial, Section 102-174.
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, OCTOBER 20, 2022
5:30 P.M.
COUNCIL CHAMBERS

1. CHAIRMAN BEN DANIELSON CALLED THE MEETING TO ORDER AT 5:37 P.M.

MEMBERS PRESENT: CHAIRMAN BEN DANIELSON, CATHY NELSON, JOSEPH
GIACONE, LYNDI TOOILL

MEMBERS ABSENT: MADELINE STUCKY, JASON VANDIVER, LUKE CARLSON

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

Mr. Danielson announced that items considered for recommendation at this meeting will be forwarded to the Community Development Committee meeting which is tentatively scheduled for November 7, 2022, at 6:15 p.m.

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting held on September 15, 2022.
Second by Mr. Giaccone. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- A. 5296 BENNETT STREET** – A Variance in a maximum allowable 15-ft. high accessory structure to a requested 18-ft. high accessory structure, from peak to grade, in the R1 Zoning District. Appropriate notice has been given.

David Walter, 5296 Bennett Street, Loves Park, IL was sworn as Petitioner and he indicated that he is requesting a Variance so he can construct an unattached structure with a height of 18-ft. on his property. He stated that the structure will be placed on an existing concrete pad from a former garage that was torn down. Mr. Walter added that the increase in height will allow for more storage in the structure and he also agrees to the condition recommended by city staff.

No objectors present.

Mrs. Nelson moved to approve a Variance in the maximum allowable 15-ft. high accessory structure to a requested 18-ft. high accessory structure, from peak to grade, in the R1 Zoning District, at the property known as 5296 Bennett Street, with the following condition:

1. The approval of the variation shall include the removal of two accessory structures. The removal will remedy land overcrowding, which may be detrimental to adjacent properties.

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

MOTION APPROVED 4-0, Chairman Danielson voted

Attorney Phil Nicolosi joined the meeting at 5:40 p.m.

- B. 6390 E. RIVERSIDE BLVD** – A Special Use Permit for a fast food establishment with a drive-thru window in IL/CR Zoning District. Appropriate notice has been given.

Bryan Suh, 7042, Cardigan Way, Rockford, IL 61114, was sworn in as Petitioner and he indicated that he is requesting a Special Use Permit to allow for a drive-thru window in a fast food restaurant (Baked Wings). He added that he agrees with the conditions recommended by city staff.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit for a fast food establishment with a drive-thru window in the IL/CR Zoning District, for the property known as 6390 E. Riverside Blvd., with the following conditions:

1. The Special Use Permit shall expire with the change in use.
2. The business owner or property owner shall install an 8-ft deep landscape buffer out at the E. Riverside Boulevard frontage. The buffer shall include decorative grasses, Hostas, and Daylilies, and be mounded with protective ground cover.
3. The business owner or property owner shall include (3) Red Maples along the western property line as indicated in the illustration. No additional trees shall be required due to the installation of the landscape buffer on the Riverside Boulevard frontage.
4. The business owner/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, trees, and materials. The landscape beds shall be tended to, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. All landscaping shall be completed by May 31, 2023.

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

MOTION APPROVED 4-0, Chairman Danielson voted

- C. 6245 N. SECOND STREET** – A Special Use Permit renewal to allow a carwash establishment in the CR Zoning District. Appropriate notice has been given.

Dan Gunsteen, 651 S. Sutton Rd., Streamwood, IL was sworn in as Petitioner and he indicated that he plans to construct a carwash on the property. Mr. Gunsteen added that he agrees with the conditions recommended by city staff.

Bob Burden, Loves Park City Clerk, 6334, Park Ridge Road, Loves Park, IL was sworn in as an objector. Mr. Burden spoke in opposition to the Special Use Permit and he expressed concern about the noise that comes from the dryer blowers of the proposed carwash. He stated that the last carwash that was presented to the board by this petitioner is located on E. Riverside Blvd. and he added he could hear the blowers from the dryers while he was in OrthoIllinois' parking lot across the street. The blowers were extremely loud and sounded like a jet engine. Mr. Burden stated the blower noise is too loud and it would be a nuisance and would not be a good fit for the neighborhood.

Mr. Gunsteen indicated that at one time he did own the carwash on Riverside, but has since sold the carwash. He commented that the blower doors should be closed except for when a car is exiting, at least that is how it was when he owned it. Mr. Gunsteen added that the new owners must not be closing the door unless a car is exiting.

Mr. Quintanilla indicated that he received notification from 2nd Ward Alderman John Pruitt that he is opposed to the Special Use Permit for a carwash.

Mr. Quintanilla stated that he feels that the hours of operation should be 7:00 a.m. to 8:00 p.m.

Mrs. Nelson moved to approve a Special Use Permit to allow for a carwash establishment in the CR Zoning District for the property known as 6245 N. Second Street, with the following conditions:

1. The Special Use permit expires with the change in use or change in property ownership.
2. The mixed masonry wall, up to a height of 8-ft, along the eastern property line, shall be allowed for 519 Theodore Street, and mirror the wall established at the Elgin, Illinois Extreme Clean car wash location. The 8-ft wall shall extend to the recorded 25-ft. building setback line on Theodore Street, and drop down to 4-ft. to the property line. The mixed masonry wall shall extend south on the easterly property line of 519 Theodore Street. The increased height of the wall shall aid in the reduction of noise and artificial light generated by the establishment of the use.
3. The Special Use Permit shall be renewed 1 year from the date of approval.
4. The business or land owner will be responsible for the maintenance, repair, and replacement of all landscaping materials. The plant materials and landscaped bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times, Irrigation shall be provided for all landscaped areas.
5. A 10-ft rear setback shall be allowed to help reduce traffic congestion on Theodore Street, b having 3 service lanes.
6. The trash enclosure shall meet the requirements of Article III, Districts, Division 1, Section 102-132.
7. The hours of operation shall be limited due to the vacuums and the location of the blowers. The business shall only be permitted to operate from 7:00 a.m. to 8:00 p.m. The business can only be in operation if the entrance and exit doors are in full operation. If they are disabled at any time, they cannot operate the business. All blowers that are part of the business should have sound dampeners installed as recommended and approved by the property owner.

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

MOTION APPROVED 4-0, Chairman Danielson voted



ZONING BOARD OF APPEALS

Community Development Department

Date: October 7, 2021

SUBJECT:	A Special Use Permit to allow overflow parking and staging of Fleet commercial vehicles (outside storage of vehicles) in the CR (Commercial Retail) Zoning and N. Second Street Overlay Districts.
LOCATION:	5400 N. Second Street and 5312 N. Second Street
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the area for the use of commercial retail.
ZONING DISTRICT:	North CR (Commercial Retail) and N. Second Street Overlay South CR (Commercial Retail) and N. Second Street Overlay East CR (Commercial Retail) and N. Second Street Overlay West R2 (Two-family Residential) and R3 (Multi-family Residential)
PROPERTY INFORMATION AND RELEVANT FACTS:	<p>The applicant is applying for a Special Use Permit to allow the storage of commercial vehicles, and staging on site in conjunction with Kar Korner automobile establishment located at 4925 N. Second Street, in the City of Loves Park.</p> <p>The property is presently being used for the storage of vehicles, which is not permitted, and has been used in this manner for over a year. City Staff has made the owner aware of this on numerous occasions and has been seeking compliance in accordance with the zoning district and overlay guidelines. The owner is now making a request to to use the properties for outside storage and to make improvements that will occur in three phases, with a special use permit renewal each year, until the work has been completed. The applicant has provided an outline for each phase of development of the properties, and understands that if the work outlined on the timeline and conditions for the approval are not met, the removal of all vehicles from the property will be required. The applicant also understands that the outside storage of the vehicles only permits the storage of commercial mini fleet transit cargo vans.</p>
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. The applicant is also required to install a 3 foot high decorative wall within the landscaped area. The N. Second Street Overlay, requires a 3 foot high masonry wall incorporated into the landscape bed, in conjunction with Section 102-258 of the City's Zoning that regulates landscaping.
Provided:	The applicant did not provide a landscape plan. The only thing provided is an

illustration labeled "berm detail". The illustration does not sufficiently outline the types of plants, shrubs, etc., that will be provided, nor the quantity. The same illustration does show that the 3 ft decorative wall will be installed, as required by the N. Second Street Overlay.

Signage

Required:

The properties, 11-12-226-083 and 11-12-226-054, are being used for the storage of commercial mini fleet transit cargo vans. No actual business will be operating at this location, therefore signage will not be necessary.

Provided:

The site plan does not indicate that any signage is a part of the request, nor did the applicant request a need for off-site signage to be included in the Special Use Permit.

Parking

Required:

Outside storage is only permitted by special use in the CR (Commercial Retail) and N. Second Street Overlay District's. No business is operating at this location, but high volume mini fleet transit cargo vans will be stored on site. The applicant will maintain order of the vehicles by striping designated areas where the vehicles will be stored, as indicated on the site plan provided. The designated areas will allow for proper fire lane access, and prevent overcrowding of the outside storage area.

Provided:

The applicant will provide designated, and striped, areas where vehicles will be stored on site. The storage areas will be defined, and the fire lanes observed. The site plan shows how this will be observed.

Dumpster

Required:

A dumpster enclosure is required for trash removal for the development. However, there will not be an active business operating from this location. An enclosure will be a requirement when the business opens to the public.

Provided:

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

**N. Second Street
Overlay District**

The N. Second Street Overlay District was established to improve the aesthetic and visual character, as well as, promote orderly development and redevelopment within the boundaries of the overlay. The overlay district recognizes the importance of the commercial corridor to the City, and so it was designed to encourage appropriate renovations to existing structures, compatible new construction promoting the use of building forms, materials, and site design that will improve the architectural and visual character, and enhance functionality of this corridor.

Overlay Review Board:

The Overlay Review Board (ORB) has reviewed the applicants submission, and is not making an official recommendation for the approval. The ORB is comfortable with the petition as presented, with the understanding that all of the improvements are being made.

The establishment of the special use may adversely impact adjacent businesses or the zoning district. The property has been slated for development by the applicant for many years, with little to no improvements made on either parcel. It will be necessary to work with the property owner to ensure that the improvements are made as presented. It is a probability that worsened conditions of the properties may substantially diminish or impair property values. The outline of improvements will increase property values and aesthetically improve the area. The establishment of the

special use should not impede the development of surrounding properties in the same zoning district. Overcrowding of the properties with outside storage may be problematic if the property owner does not adhere to the designated areas for outside commercial vehicle storage. A yearly renewal of the special use will provide the City the opportunity to hold the property owner accountable for the improvements included with the approval of the special use. The City of Loves Park has been trying to work with the property owner to bring the properties in compliance since 2018, with little to no success. The special use request should be given careful consideration for the approval, and any future approvals if the owner fails to meet the terms of the special use in any part of the phases of development.

**UPDATE: 2022
November 10, 2022**

The applicant provided a list of improvements that were going to be made to the property. The improvements are to be made in three phases, as approved by the Zoning Board of Appeals and City Council.

Items to be completed for Phase 1, before the November, 2022 renewal.

Not Completed

1. Install 8' wide landscape area along N. Second Street to include 14' long segments of 3' tall decorative block walls and concrete footings. Plantings to meet current landscape guidelines as specified by City of Loves Park.

- Protective curb for the landscape not complete
- Dirt not is not installed in the required landscape beds
- Required plantings have not been installed

Completed

2. Patch and sealcoat existing blacktop surfaces from the sidewalk along N. Second Street to existing fence.

Completed

3. Paint existing 6,000 sf masonry building.

Completed

4. Replace exterior broken glass panels in 1,600 sf store-front section of the building along N. Second Street.

Completed

5. Install new entrance gates.

Additional Information: Condition 6 states:

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.

The property owner has been storing vehicles other than what was approved by the Zoning Board and City Council. Staff has observed this on several occasions. The attached photos also show this.

The storage of vehicles, for both properties, have not been parked in the designated areas as approved by the Zoning Board of Appeals and City Council for Phase 1.

The landscaping and parking lot improvements began on or around October 13, 2022.

RECOMMENDATION:

A Special Use Permit to allow overflow parking and staging of fleet commercial vehicles (outside storage of vehicles) in the CR (Commercial Retail) and N. Second Street

Overlay Districts.

Conditions:

1. The Special Use Permit expires 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 11-12-226-054.
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 vehicles 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 striped, 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 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 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 8ft 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 6ft 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.

Approval/Denial/Tabled:

Vote:

ATTACHMENTS:

See attachments

CONDITIONS:

Additions/deletions/
modifications

**AUDIENCE
COMMENTS:**



Applications for Special Use Permit & Overlay Review Board

9/2/2021

Kar Korner Improvements – 5400 N. Second Street – Scope of Project

2021(Phase I) Commitment to Site & Building Improvements

1. Install 8' wide landscape area along N. Second Street to include 14' long segments of 3' tall decorative block walls and concrete footings. **Note: Plantings to meet current landscape guidelines as specified by the City of Loves Park.**
2. Patch and sealcoat existing blacktop surfaces from sidewalk along N. Second Street to existing fence.
3. Paint existing 6,000 sf masonry building.
4. Replace exterior broken glass panels in 1,600 sf store-front section of the building along N. Second Street.
5. Install new entrance gates.

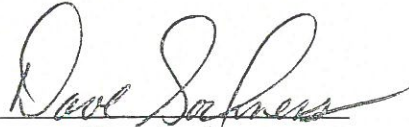
2022 (Phase II) Tentative Plan upon Annual Review

1. Demolish existing wood framed garages along south side of property.
2. Provide retaining wall along south property line where building is demolished.
3. Plant arborvitaes along east side of existing fence.
4. Sawcut, remove, & patch blacktop surfaces as needed.
5. Continue with more sealcoating west of existing fence.
6. Install new concrete bases with poles and LED light fixtures along N. Second Street.

2023 (Phase III) Tentative Plan upon Annual Review

1. Sawcut, remove, & patch existing blacktop surfaces as needed.
2. Continue with more sealcoating west of Phase II.
3. Add more concrete bases with new poles and LED light fixtures.
4. Remove existing over growth of trees, shrubs, vegetation, & debris along west fence line.

Respectfully submitted,

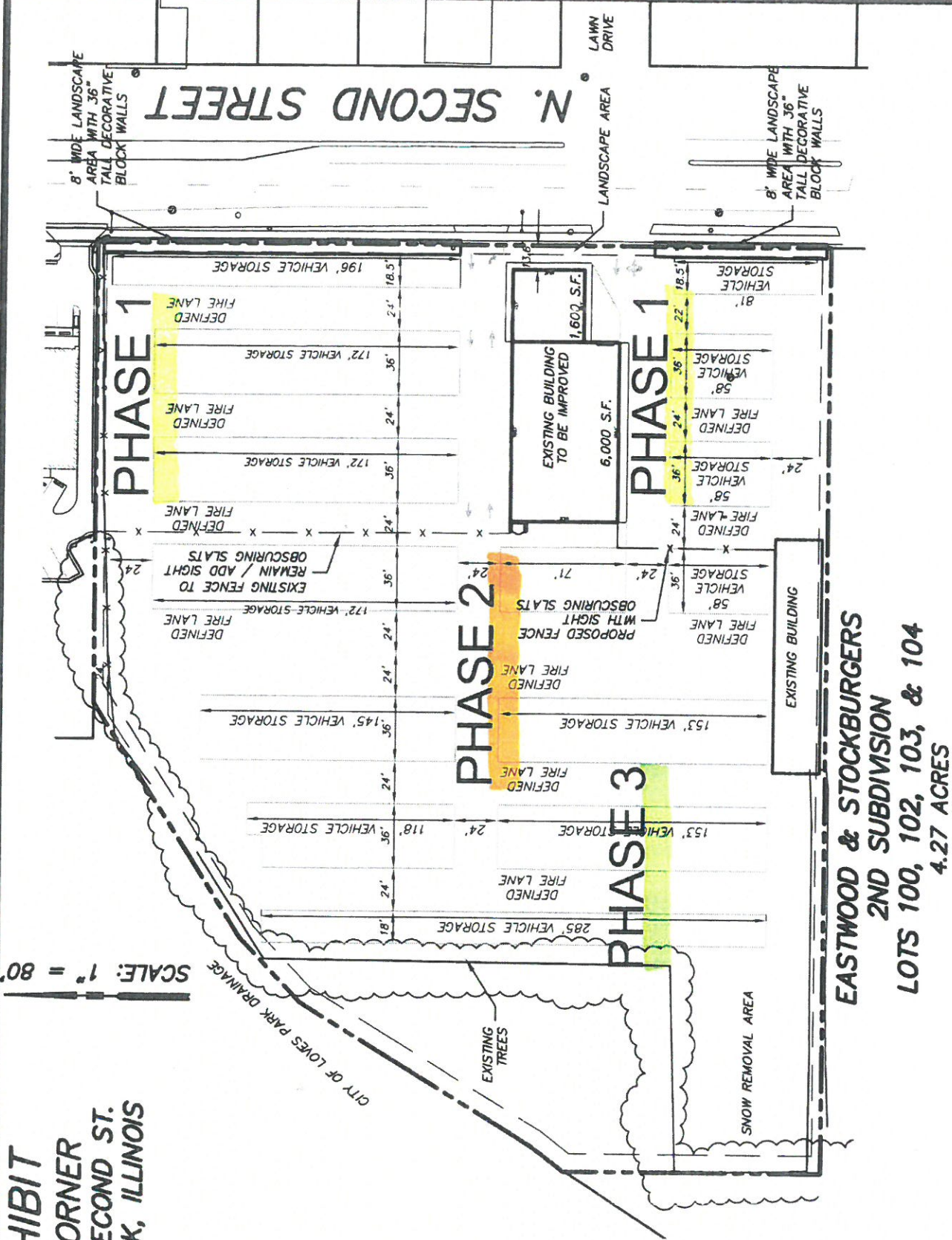

Dave Sockness



Parcel Number:	11-12-226-083 & 11-12-226-054
Zoning:	CR (Commercial Retail) & N. Second Street Overlay District.
Property Address:	5400 N. Second Street & 5312 N. Second Street
Property Owner:	Mad II, LLC 4925 N. Second Street Loves Park, Illinois 61111
Applicant:	Mad II, LLC 4925 N. Second Street Loves Park, Illinois 61111

EXHIBIT **KAR KORNER** **5400 N. SECOND ST.** **LOVES PARK, ILLINOIS**

SCALE: 1" = 80'

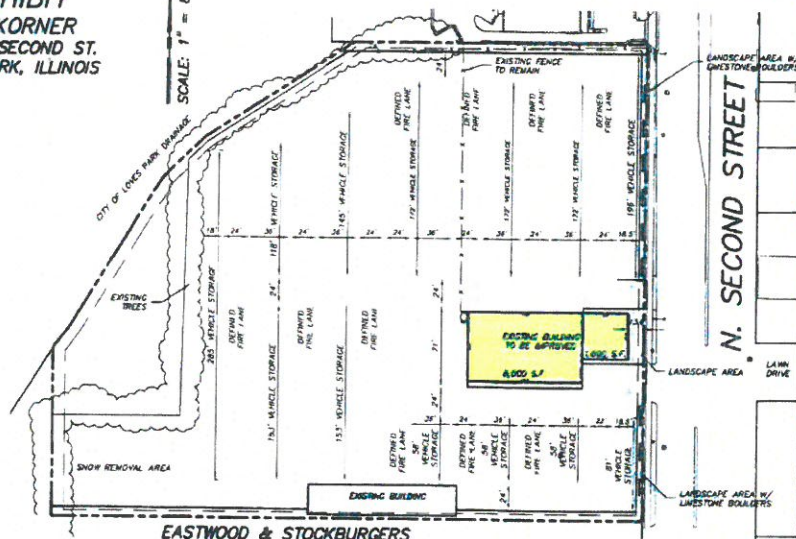


ZONING CLASS
 OR
 RETAIL COMMERCIAL DISTRICT
 WITHIN NORTH SECOND STREET
 OVERLAY DISTRICT
BUILDING SETBACKS
 FRONT SETBACK: MIN. 5' - MAX. 10'
 REAR SETBACK: 10'
 SIDE SETBACK: 5'

R.K. JOHNSON & ASSOCIATES, INC.
 CONSULTING CIVIL ENGINEERS - LAND SURVEYORS
 1515 WINDSOR ROAD LOVES PARK, ILLINOIS 61111
 (815) 633-0097 FAX (815) 633-4593
 www.rkjohndsonassociates.com
 ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004994
 JULY 14, 2021 JOB NO.: 15066

SCALE: 1" = 80'

SCALE: 1" = 80'



ZONING CLASS
CR RETAIL COMMERCIAL DISTRICT
WITHIN NORTH SECOND STREET
OVERLAY DISTRICT

BUILDING SETBACKS
FRONT SETBACK: MIN 5' - MAX 10'
REAR SETBACK: 10'
SIDE SETBACK: 5'

R.K. JOHNSON & ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS - LAND SURVEYORS
1515 WINDSOR ROAD, LOFTS PARK, ILLINOIS 61111
(815) 637-5807 FAX (815) 637-4953
www.rkjohncivil.com
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 194-000991
JULY 14, 2025 FIRM NO. 15646

VEHICLE DISPLAY AREA

36" DECORATIVE
BLOCK WALL

GRASSES AND
PLANTS

LANDSCAPE AREA

5' BUILDING SETBACK LINE

NORTH SECOND STREET RIGHT-OF-WAY

PUBLIC SIDEWALK

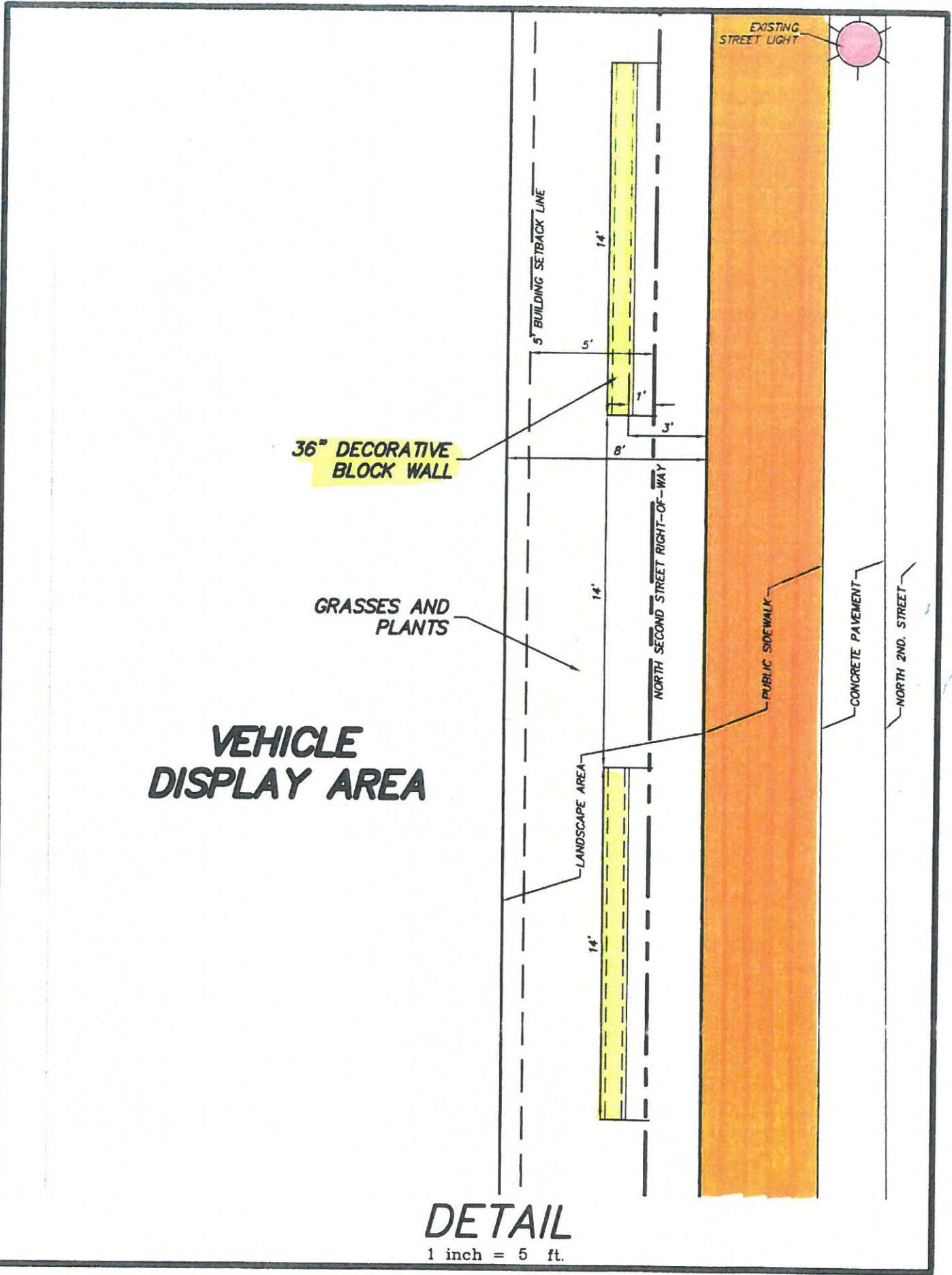
CONCRETE PAVEMENT

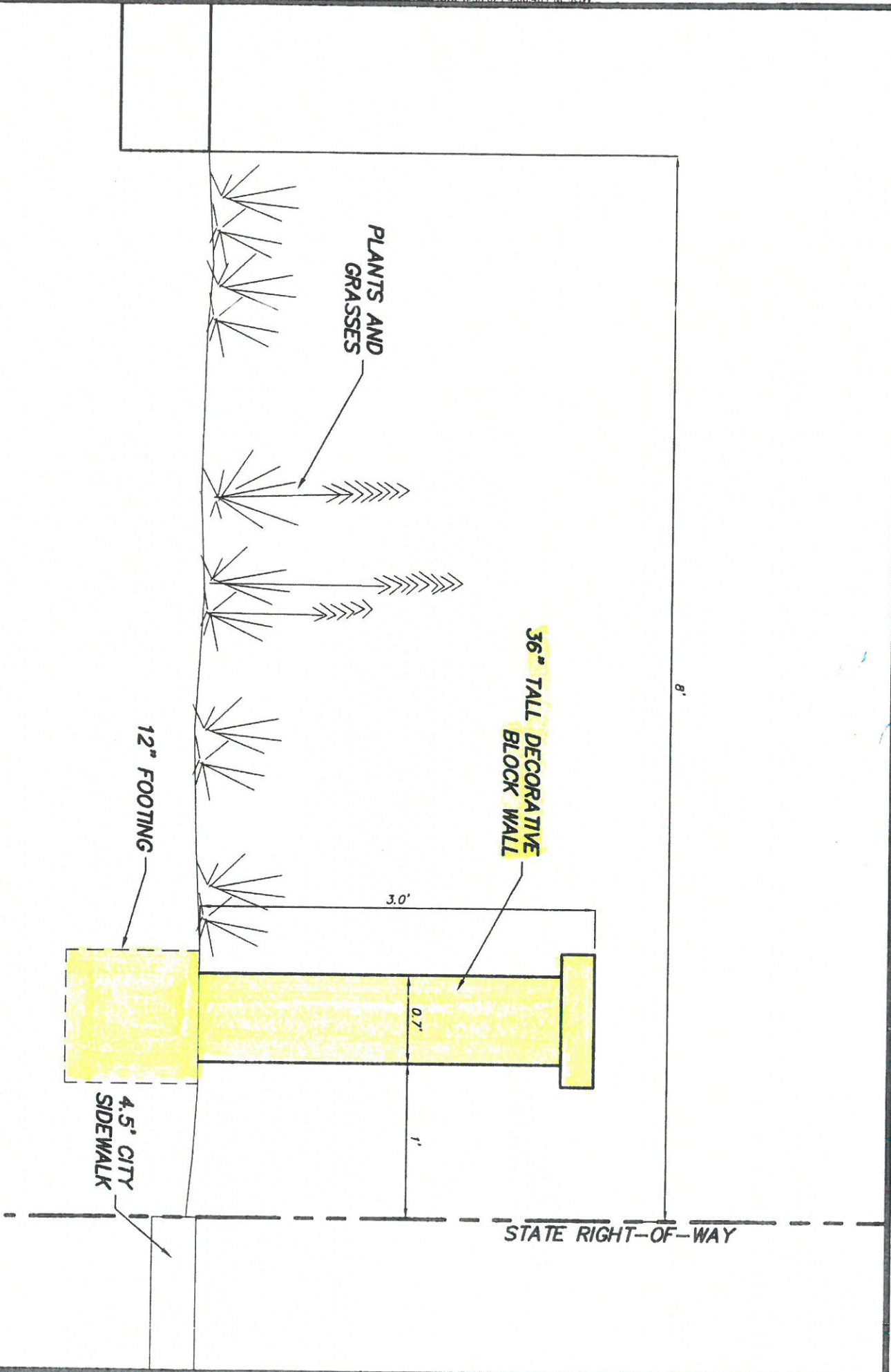
NORTH 2ND. STREET

EXISTING
STREET LIGHT

DETAIL

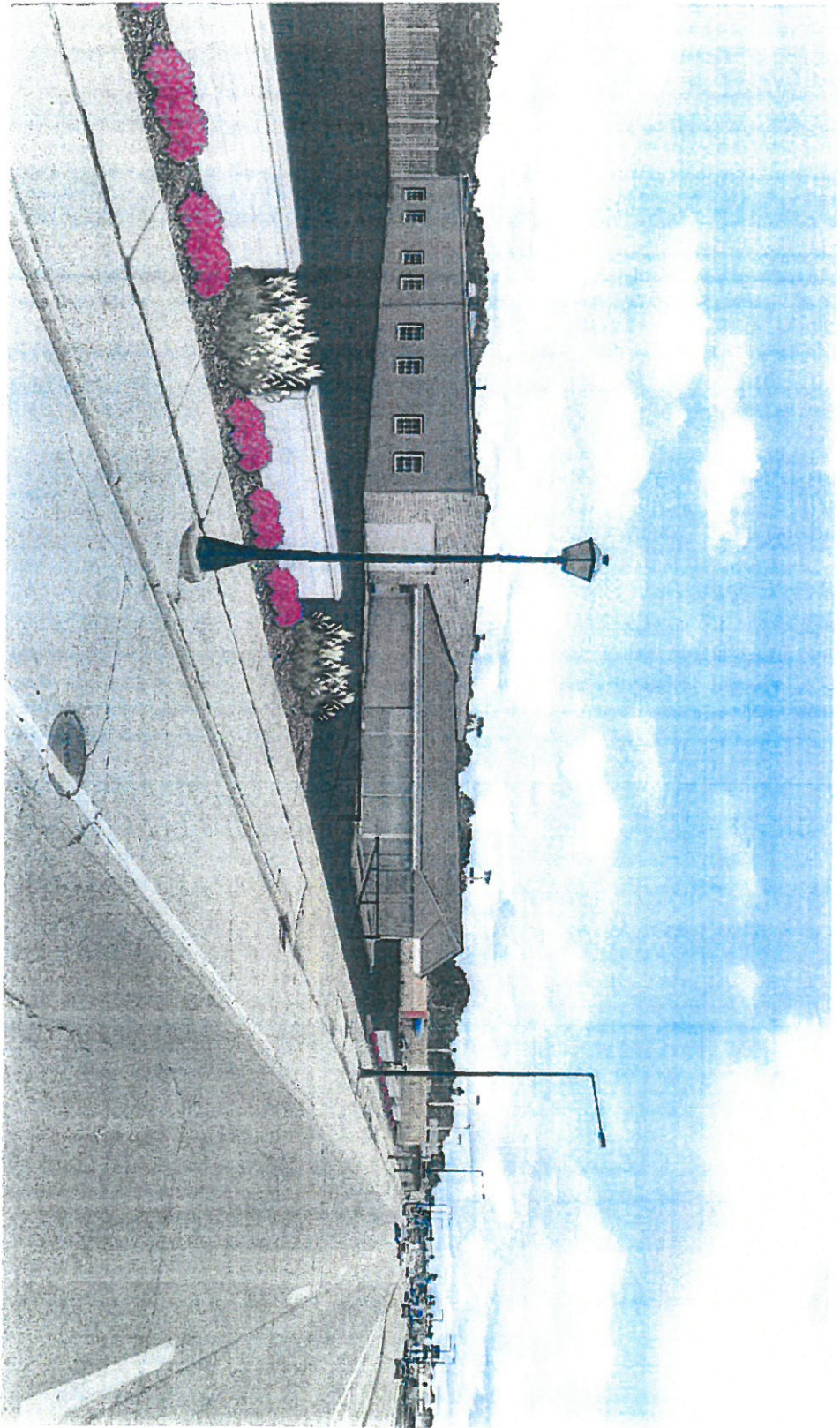
1 inch = 5 ft.





BERM DETAIL

1 inch = 1 ft.





November 10, 2022



November 10, 2022



November 10, 2022



November 10, 2022



November 10, 2022



November 10, 2022



November 10, 2022



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.

Location: 5400 & 5312 N. Second Street

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: **5400 & 5312 N. Second Street**
SUP Outside storage

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: November 17, 2022

SUBJECT: Special Use Permit for a Planned Unit Development in R3 (Multi-family Residential) and IL_CR (Light Industrial_Commercial Retail).

LOCATION: 4XXX N. Bell School Road & 43XX Squaw Valley Drive - Squaw Valley Drive PUD

COMPREHENSIVE PLAN: The City of Loves Park Comprehensive Plan identifies the area for the use of medium density multi-family residential.

ZONING DISTRICT:

North	R2 (Two-family Residential) / IL_CR (Light Industrial_Commercial Retail) and R3 (Multi-family Residential)
South	IL_CR (Light Industrial_Commercial Retail)
East	IL_CR (Light Industrial_Commercial Retail) and R2 (Tw-family Residential)
West	R3 (Multi-family Residential)

PROPERTY INFORMATION AND RELEVANT FACTS:

Building setbacks:

Required:

Front yard:	30 feet
Side yard:	6 feet
Rear setback:	30 feet

Provided:

Front yard:	30 feet
Side yard:	6 feet minimum, maximum 17 feet
Rear setback:	greater 30 feet

Landscaping:

Required: The landscaping for this project is based on a point system for trees, bushes and plants. Shade trees, ornamental trees, shrubs, and bushes are required.

Provided: The project will provide several types of trees and a variety of plants and shrubs around the perimeter the each dwelling. Nothing further will be required.

Findings: The establishment of the special use will not be detrimental to or endanger the public health or general welfare of the people in the district. The special use is for duplex dwellings that have already been established in this area. The area is host to single family, duplexes, and four family dwelling units already. The mixed residential uses have not had any adverse impact to how the area has developed. The use will not be injurious to the other existing uses that are already permitted, and will not impair land values within the neighborhood. The use, at the core of the request, has already been established to the north, where duplex, single family, and four family dwellings exist. The use will not impede normal orderly development. The use will be a part of the final developmental stages on Squaw Valley Drive. The development will include

observing the detention and drainage on the western portion of the development.
Appropriate access will be provided for this development.

RECOMMENDATION:

Approval

Special Use Permit for a Planned Unit Development in R3 (Multi-family Residential) and IL_CR (Light Industrial_Commercial Retail).

Conditions:

1. The land owner shall be responsible for the maintenance, repair, and replacement of all landscaping materials. The plant materials and landscaped bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times.
2. The Special Use Permit shall be renewed 1 year from the date of approval.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**

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Parcel Number (s):	12-02-126-014 & 12-02-127-010
Address (s):	4XXX N. Bell School Road & 43XX Squaw Valley Drive
Applicant:	North Riverside Partners and East Riverside Farms, Inc. 154 Geranium Court Marco Island, Florida 34145
Applicant:	North Riverside Partners and East Riverside Farms, Inc. 154 Geranium Court Marco Island, Florida 34145

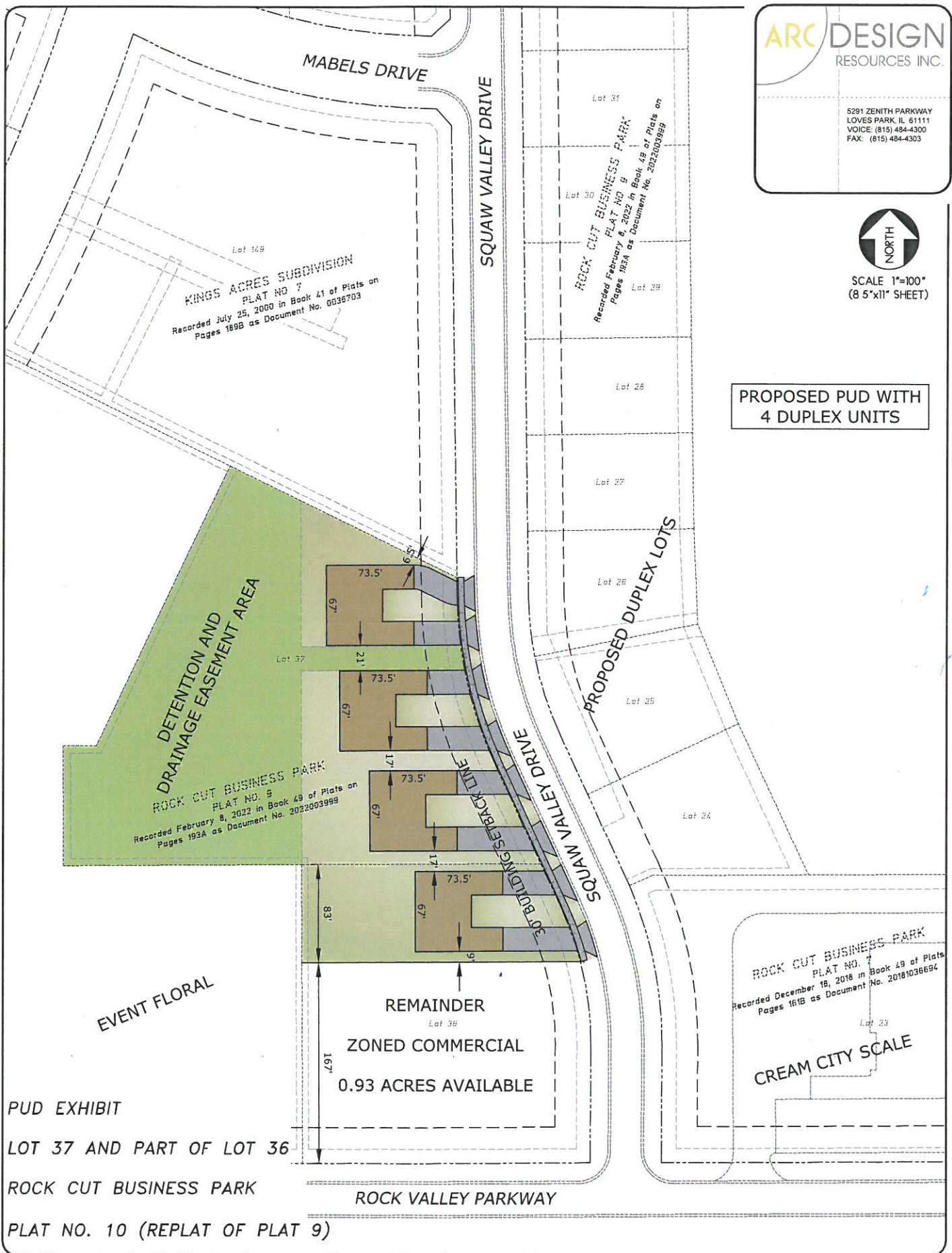
ARC DESIGN
RESOURCES INC.

5291 ZENITH PARKWAY
LOVES PARK, IL 61111
VOICE: (815) 484-4300
FAX: (815) 484-4303



SCALE 1"=100"
(8 5"x11" SHEET)

**PROPOSED PUD WITH
4 DUPLEX UNITS**



PROJECT	DATE
CHECKED	INIT
PM	PL

PROJECT NUMBER
SHEET NUMBER

22022

101

[illegible]

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.

Squaw Valley Duplexes - SUP for a PUD

- 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: **Squaw Valley Duplexes**
 SUP for a PUD

Chairman
Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: November 17, 2022

SUBJECT:	Text amendment - Chapter 102, Article III, Districts, Division 3, Commercial, Section 102-174, (c), Special Uses, (21), Adult-use cannabis dispensing organization, (a), (b), and (h).
Existing:	<p>C. Special uses. The following uses in the CR district may be allowed by special use permit in accordance with the provision of article VIII of this chapter:</p> <p>21. Adult-use cannabis dispensing organization. The proposed facility must comply with the following:</p> <ul style="list-style-type: none">a. The facility may not be located within 1,000 linear feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section. Measurement shall be from property line to facility building.b. Facility may not be located in a dwelling unit or within 250 linear feet of the property line of a pre-existing property with residential zoning, day care home, or residential care home. Measurement shall be from residential property line to facility building.h. Facility may not be located within 500 linear feet of any existing public park facility. Measurement shall be from park property line to facility building.
Proposed:	<p>C. Special uses. The following uses in the CR district may be allowed by special use permit in accordance with the provision of article VIII of this chapter:</p> <p>21. Adult-use cannabis dispensing organization. The proposed facility must comply with the following:</p> <ul style="list-style-type: none">a. The facility may not be located within 1,000 linear feet of the property line of a pre-existing preschool, primary or secondary school. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section. Measurement shall be from property line to facility building.b. Facility may not be located in a dwelling unit or within 250 linear feet of the property line of a pre-existing property with residential zoning, day care home or residential care home. Measurement shall be from property line to facility building.h. Facility may not be located within 500 linear feet of any existing public park facility, public or private nursery school, or day care center. Measurement shall be from property line to facility building.
RECOMMENDATION:	<p>Approval:</p> <p>Text amendment - Chapter 102, Article III, Districts, Division 3, Commercial, Section 102-174, (c), Special Uses, (21), Adult-use cannabis dispensing organization, (a), (b), and (h).</p>

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**

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