



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
February 16, 2023

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 **January 19, 2023** meeting
3. Report from the Zoning Office – None
4. Unfinished business – None
5. New business –
 - A. 4461-4463, 4465-4467, 4469-4471, 4473-4475 Squaw Valley Drive** – A Zoning Map Amendment from IL_CR (Light Industrial_Commercial Retail) to the R2 (Two-family Residential) Zoning District.
 - B. 4003 McFarland Road** – A Special Use Permit for 100% office space in IL_CR (Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay Districts.
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer



Minutes of the Loves Park Zoning Board of Appeals

Date: January 19, 2023 Time: 5:30 P.M.

1. Chairman: Benjamin Danielson call the meeting to order at: 5:30 PM

Members Present:	<u>Ben Danielson</u>	<u>Lyndi Toohill</u>
	<u>Cathy Nelson</u>	<u>Madeline Stucky</u>
	<u>Luke Carlson</u>	<u>Jason Vandiver</u>
Members Absent:	<u></u>	<u></u>
Others Present	<u>Andrew Quintanilla (Staff)</u>	<u></u>

2. Minutes

Mrs. Nelson moved to approved the minutes from the November 17, 2022 meeting. Second by Mrs. Toohill. Motion carried by vote.

3. Zoning Office Report

None

4. Unfinished Business

None

5. New Business

A. Text Amendment - Chapter 102, Article III, Districts, Section 102-135, Accessory structures, (j), (7).

Mr. Quintanilla discussed the reasoning behind the text amendment and how the City wanted to have guidelines for the use of shipping containers used for commercial purposes. He also discussed how they would be permitted under the provisions laid out in the proposed text amendment. He indicated that the provisions will include approvals from the building department trades, national codes for all trades, fire department, and the health department. Mr. Quintanilla also indicated that the use for the shipping containers would not allow for stand alone uses. He stated that the proposed amendment would permit the shipping containers provided they were part of a Precise Plan Development within the commercial retail zoning district.

Mr. Quintanilla discussed that Linos Pizza was currently using a shipping container, while going through the plan review process for the renovations of the building on site. He stated that the Linos shipping container was temporary while going through the plan review process for the build out on the building also located on the lot.

Mr. Carlson commented that he didn't think that the property where Linos had the shipping container was in Loves Park. Mr. Quintanilla stated that the property was

in Loves Park.

NO OBJECTORS PRESENT

Mrs. Nelson moved to approved a text amendment for Chapter 102, Article III, Districts, Section 102-135, Accessory Structures, (j), (7), as presented.

Second by Mrs. Toohill.

MOTION APPROVED: 5-0

B. Text Amendment - Chapter 102, Article V, Off-street Parking and Loading, Section 102-258, Parking in Yards, (10), (a).

Mr. Quintanilla discussed that presently the City's ordinances does not allow for parking in the required front yard and side setbacks, unless it is on a impervious surface, being asphalt or concrete. These areas would generally be designated parking lots and areas for parking for the establishment at this location. He stated that some businesses have been driving in the required front yards, in areas that were lawn, which have destroyed the yards at these locations.

Mr. Quintanilla stated that there have been issues with driving in yards and having the capacity to enforce site restoration. He stated that by adding "driving" to the existing ordinance, it would make enforcement easier for the City to work with the property owner to prevent driving on lawns and site restoration, where necessary.

Mrs. Nelson asked if the proposed amendment would address the issue with driving on the lawn for Windsor Pizza Parlor on Windsor Road. Mr. Quintanilla explained that it would address the issue of driving on the lawn for this property. He also stated that the owner for the property was given temporary approval to utilize the lot for overflow parking, while development was occurring under the special use permit. Mrs. Nelson did say that the SUP was over a year and there did not appear to be any progress on the site.

Mrs. Nelson inquired whether violations were also occurring in residential areas, or were the complaints limited to businesses. Mr. Quintanilla stated he does not handle property maintenance violations on a day to day, however, the City's Code Enforcement officer Juan Terre made the request to be able to address these issues as they were occurring across all districts.

NO OBJECTORS PRESENT

Mrs. Nelson moved to approve a Text Amendment - Chapter 102, Article V, Off-street Parking and Loading, Section 102-258, Parking in Yards, (10), (a), as presented.

Second by Mrs. Toohill.

MOTION APPROVED 5-0

6. Public Participation and Comment

None

7. General Discussion

None

Mr. Carlson moved that the meeting be adjourned. Second by Mrs. Toohill. Motion carried by vote.
The meeting adjourned at 5:42 p.m.

Secretary, Andrew Quintanilla



ZONING BOARD OF APPEALS

Community Development Department

Date: February 16, 2023

SUBJECT:	A Zoning Map Amendment from IL_CR (Light Industrial_Commercial Retail) to the R2 (Two-family Residential) Zoning District for 4461-4462, 4465-4467, 4469-4469, 4473-4475 Squaw Valley Drive		
LOCATION:	Lot 24, 25, 26, and 27 Squaw Valley Drive (12-02-126-014)		
ZONING DISTRICT:	North	R2 (Two-family Residential)	
	South	IL_CR (Light Industrial_Commercial Retail)	
	East	IL_CR (Light Industrial_Commercial Retail)	
	West	SUP (Two-family Residential)	
PROPERTY INFORMATION:			
Requirement for R2:	Front yard BS:	30 feet	
	Side yard BS:	6 feet	
	Rear yard:	30 feet	
	Lot width at BS:	80 feet	
	Lot size:	8,800 square feet	
	Lot size p/unit:	4,400 square feet	
Provided:	Front yard:	30 feet	
	Side yard:	6 feet	
	Rear yard:	30 feet	
	Lot width at BS:	80 feet	
	Lot size	11,200 square feet to 15,138.2 square feet	
	Lot size p/unit:	5,600 square feet to 7,569.1 square feet	
Findings:	The proposed amendment would not interfere with the policies and proposals of the City's comprehensive plan. The comprehensive plan identifies the area for the cultivation of medium multi-family residential, which is consistent with the City's framework for future land uses. The proposed amendment would not permit buildings or other structures that are incompatible with the character of development for this zoning district. The zoning map amendment is for duplex residential dwellings. Buildings or structures will be developed in a manner consistent with the duplex style buildings already developed in the zoning district. All structures will be required to meet the established setbacks laid out in the City's code of ordinances for these types of dwellings. The area proposed will provide all of the required square footages for these types of structures and will not promote the overcrowding of land as a result of the approval. The public health and safety shall not be adversely impacted as a result of the establishment of the zoning change. The area has been developing with these types of structures for many years. This request will complete the final stages of development for these properties along Squaw Valley Drive. The amendment will support existing uses for this area.		

RECOMMENDATION:

Approval - A Zoning Map Amendment from IL_CR (Light Industrial_Commercial Retail) to the R2 (Two-family Residential) Zoning District for 4461-4462, 4465-4467, 4469-4469, 4473-4475 Squaw Valley Drive.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:



Parcel Number (s): 12-02-126-014

Address (s): 4XXX N. Bell School Road /4461-4463, 4465-4467, 4469-4471, and 4473-4475 Squaw Valley Drive

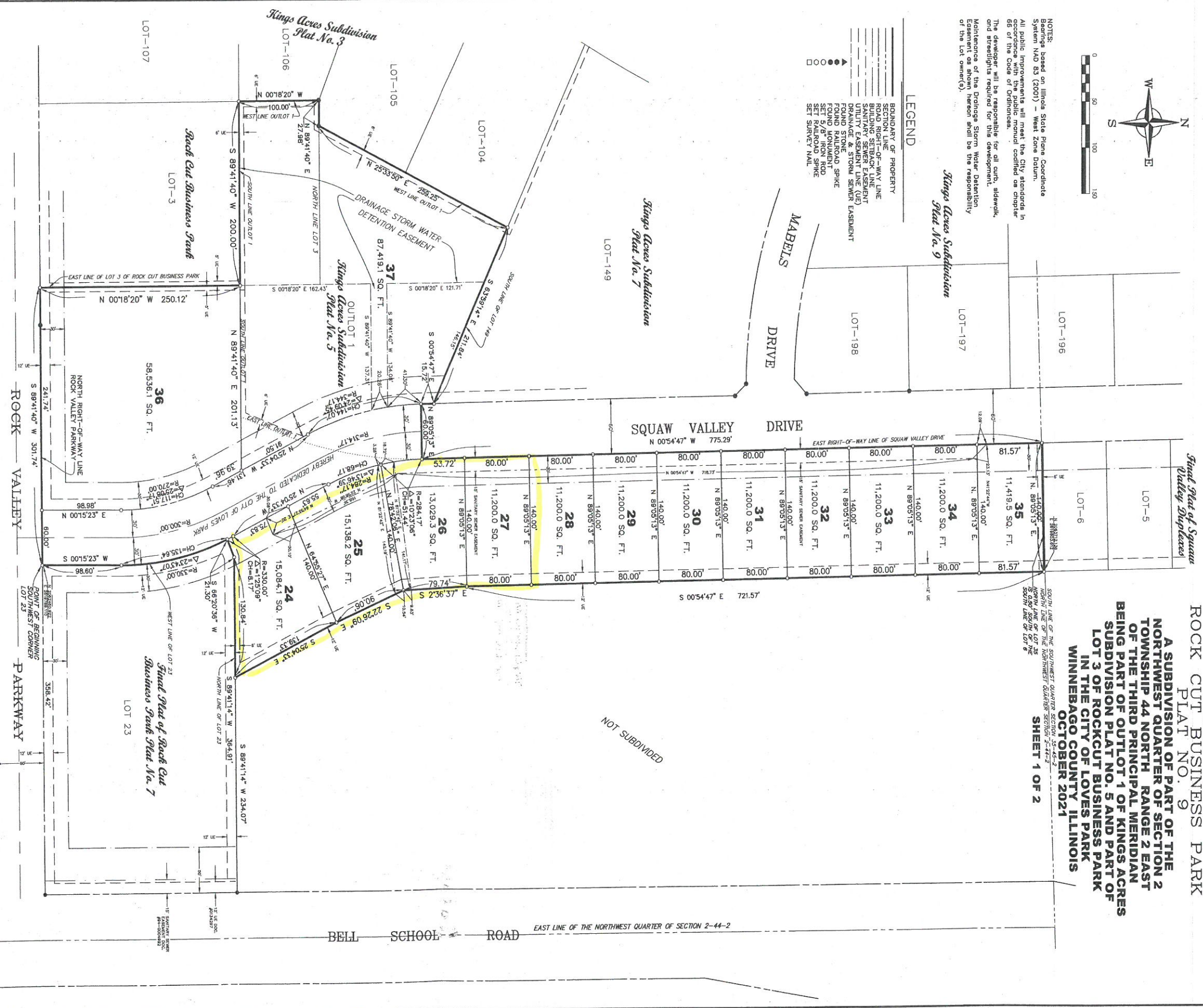
Applicant: North Riverside Partners and East Riverside Farms, Inc.
154 Geranium Court
Marco Island, Florida 34145

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154 Geranium Court
Marco Island, Florida 34145



NOTES:
Survey based on Illinois State Plane Coordinate System NAD 83 (2011) - West Zone Datum.
All public improvements will meet the City standards in the City of Moline.
The developer will be responsible for all curb, sidewalk, and streetlights required for this development.
Maintenance of the Drainage Storm Water Detention Easement as shown herein shall be the responsibility of the Lot owner(s).

- LEGEND**
- BOUNDARY OF PROPERTY
 - SECTION LINE OF WAY LINE
 - ROAD RIGHT-OF-WAY LINE
 - BOUNDARY OF DETENTION EASEMENT
 - SAINTARY SEWER EASEMENT
 - UTILITY EASEMENT LINE (UE)
 - DRAINAGE & STORM SEWER EASEMENT
 - FOUND RAILROAD SPIKE
 - FOUND MONUMENT
 - SET 5/8" IRON ROD
 - SET 1/2" IRON ROD
 - SET SURVEY NAIL



FINAL PLAT OF
ROCK CUT BUSINESS PARK
PLAT NO. 9
A SUBDIVISION OF PART OF THE
NORTHWEST QUARTER OF SECTION 2
TOWNSHIP 44 NORTH RANGE 2 EAST
OF THE THIRD PRINCIPAL MERIDIAN
BEING PART OF OUTLOT 1 OF KINGS ACRES
SUBDIVISION PLAT NO. 5 AND PART OF
LOT 3 OF ROCKCUT BUSINESS PARK
IN THE CITY OF LOVES PARK
WINNEBAGO COUNTY ILLINOIS
OCTOBER 2021

SHEET 1 OF 2

SHEET 1 OF 2

SURVEY-TECH
A DIVISION OF C.E.S. INC.
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-001280
1044 MAPLE COURT ROCKFORD, ILLINOIS 61088
(815)-962-8771 FAX (815)-962-8553

DATE: 10-21-2021
SCALE: 1" = 50'
DRAWN BY: DEW
REVIEWED: THOMAS

FILE NUMBER: 51350

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 map amendment 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: 4XXX N. Bell School Road (12-02-126-014)

ZBA

- 1 _____ The proposed amendment would not interfere with the policies and proposals of the city area comprehensive plan adopted by the city council.

Reason:

- 2 _____ The proposed amendment would be consistent with the framework the city has cultivated to continue city development in a very orderly manner.

Reason:

- 3 _____ The proposed amendment would not permit uses, buildings, or structures incompatible with the character of development or intended uses within specified zoning districts.

Reason:

- 4 _____ Any additions, alterations, or remodeling of existing buildings or structures would not be modeled in such a way as to avoid the restrictions and limitations imposed on the ordinance.

Reason:

- 5 _____ The proposed amendment would not promote the overcrowding of land and undue construction of structure.

Reason:

- 6 _____ The public health, safety, morals, comfort, peace, and general welfare of the people would be promoted as a result of the proposed amendment.

Reason:

- 7 _____ The risk of bodily harm to a person or damage to personal property or chattels by fire, explosion, toxic fumes and other hazards would not become more likely as a result of the proposed amendment.

Reason:

- 8 _____ The proposed amendment would not encourage the prevention of incompatible uses or nuisances.

Reason:

These findings are based on staff interpretation of the required findings necessary for approval of a map amendment. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a zoning map amendment.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: 4XXX N. Bell School Road (12-02-126-014)
ZMA IL_CR to R2 westerly portion of parcel

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: February 16, 2023

SUBJECT:	A Special Use Permit for 100% office space in IL_CR (Light Industrial_Commercial Retail) and the East Riverside/I90 Overlay District.		
LOCATION:	4003 N. McFarland Road		
ZONING DISTRICT:	North	IL_CR (Light Industrial_Commercial Retail)	
	South	IL_CR (Light Industrial_Commercial Retail)	
	East	IL_CR (Light Industrial_Commercial Retail)	
	West	IL_CR (Light Industrial_Commercial Retail)	
PROPERTY INFORMATION:			
Building Requirements:			
Requirement for CR:	Front yard BS:	30 feet	
	Side yard BS:	5 feet	
	Rear yard:	20 feet	
Provided:	Front yard:	70 feet and 75 feet	
	Side yard:	60 feet	
	Rear yard:	30 feet	
Landscaping:			
Required	The required planting strip shall be a minimum of eight feet in depth and span the width of the each frontage, excepting areas required as ingress/egress. Parcels containing more than one frontage will be required to provide a continuous planting strip where possible, on all frontages. The mounded landscape buffer is required to provide a combination of trees (including evergreens), shrubs, ground cover and some combination of live plants that shall be salt tolerant. Four trees are required.		
Provided	The landscape plan provided shows that some of the landscaping will be provided, however, the proposal does not meet all of the requirements.		
Overlay Requirements	Landscaping shall meet the requirements of Section 102-136, and 102-258. The plan shall delineate dimensions, distances, vehicle circulation, parking, the location and size of the landscape materials, identify easements, transition areas and building setbacks. The property owner or their agent shall be responsible for their repair and replacement of landscape materials and keep landscape beds in healthy growing condition free from refuse, debris and weeds.		
Dumpster enclosure:			
Required	A dumpster enclosure is required for commercial development. Dumpster enclosures are required to be poured concrete, or some form of masonry and appropriately located on the parcel for access.		

Provided	The site plan does not show that a dumpster will be provided.
Overlay Requirements	Loading and service areas, as well as, dumpster areas, meters and mechanicals shall be screened with a masonry wall, dense landscaping or some other approved material that is compatible with the development.
Commercial material guidelines and standards:	
Required:	Approved commercial material guidelines for new businesses. See attachment. Businesses shall also provide a site plan that communicates all of the relevant information such as setbacks, dimensions, easements, and
Provided:	The approved materials standards have been met and are outlined on the elevations provided.
Overlay Requirements	<p>The elevations provided, outline the materials being used for this development. See attached elevations.</p> <p>Materials: Color palette should compliment existing uses in the district.</p> <p>Building Details: The building shall incorporate architectural features.</p> <p>Attached Structures: The use of awnings, canopies or other design features are required to enhance facades.</p> <p>Building Entrances: Clearly articulated relative to other portions of the building.</p> <p>Façade Articulation: Use of horizontal and vertical façade variations. Buildings shall employ the use of pop-outs, recesses, arches, banding, columns, or other similar features.</p> <p>Height and Roofline: Varied roofline elevations providing architectural interest, breaking up long continuous rooflines. Use of parapets with the roofline and screening for mechanical equipment mounted on the roof to completely obscure visibility from public view.</p> <p>Pedestrians: Buildings shall be designed to promote pedestrian activity and socialization.</p> <p>Windows: Eye level windows, clear glass storefronts, windows, doors where retail is displayed, and exterior windows with minimal tinted windows. No windows shall be mirrored and no graphics may be applied to windows</p> <p>Building Placement: Main façade oriented to primary frontage. Buildings on corner lots must be oriented in such a way that provides equal treatment to each frontage. Varied architectural features shall be given emphasis at intersecting streets.</p> <p>Lighting: Site lighting shall be low-intensity from a concealed source, white or amber lighting allowed. Lighting fixtures shall be directional and capable of shielding the light source from direct view. The developed lighting plan shall show the relationship of fixtures and light patterns to each other, to the project site and unit development, and also include some indication on how light will impact right-of-ways. Fixtures shall accent or compliment the landscaping and should, while not having lighting adversely impacting the surrounding environment. Architectural lighting should be recessed under roof overhangs from a concealed source. Both the lighting and landscape plans shall be</p>

	submitted together for review.
Parking:	
Required	The required parking for the development is 12 parking shall, one of which is required to be an accessible stall. Curb and gutter is required with all new construction.
Provided	The development is proposing 15 parking stalls, one of which is an accessible stall.
Overlay Requirements	Curb and gutter must be provided for internal parking areas, providing a separation from landscaping, pedestrian walk ways and lighting. Separate pedestrian cross access within the parking lot shall provide connectivity to sidewalks, bike paths, and/or multi-use paths within the public right-of-way. Pedestrian connectivity to and from multi-use walk ways shall consist of dissimilar material from the parking lot.
Signage:	
Required	A monument sign, not to exceed 8 feet, shall only be permitted. Setbacks shall be 10 feet from the property lines.
Provided	The location of the sign is the only information provided on the landscape plan.
Overlay Requirements	Building signage should be planned or coordinated with the design of the façade. Complimentary materials shall be used in the development of the sign that are consistent with the materials used on the building.
Findings:	The establishment, maintenance, or operation of the special use will not be detrimental to the public health, or adversely impact the safety of patrons or existing uses in the zoning district. The zoning request is for 100 percent office in the zoning district. Uses that have been established in this area should only see a slight increase of traffic. The use will not injurious to the or negatively impact persons in and out of the zoning district. The use will not diminish or impair property values within the neighborhood. The applicant is constructing a new building offering mostly low impact office activity. The use should not impede the normal orderly development and improvements for the area. The applicant will be meeting the standards of the E. Riverside/I90 Overlay district, which has higher standards for development that will be consistent with existing and future development for this area. The utilities, access and drainage will be evaluated and approved through the plan review process.
RECOMMENDATION:	<p>Approval - A Special Use Permit to allow 100 percent office space in IL_CR (Light Industrial Commercial Retail) and the E. Riverside/I90 Overlay District.</p> <ol style="list-style-type: none"> 1. The Special Use Permit expires with the change of property ownership. 2. The dumpster enclosure shall be provided and meet the standards for commercial development in Section 102-132, and the E. Riverside/I90 Overlay. 3. The required landscape buffer shall meet the standards of Article V, Off-street Parking and Loading, and the E. Riverside/I90 Overlay. 4. The sign indicated on the landscape plan shall meet the requirements of Section 102-284 and Section 102-338 of the City's code of ordinances and the E. Riverside/I90 Overlay. 5. The landscaping is required to be a continuous berm that spans both frontages, but given the challenges overcoming the easements recorded on the property, the landscape provided will be sufficient.

6. The Special Use Permit shall be renewed 1 year from approval.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:

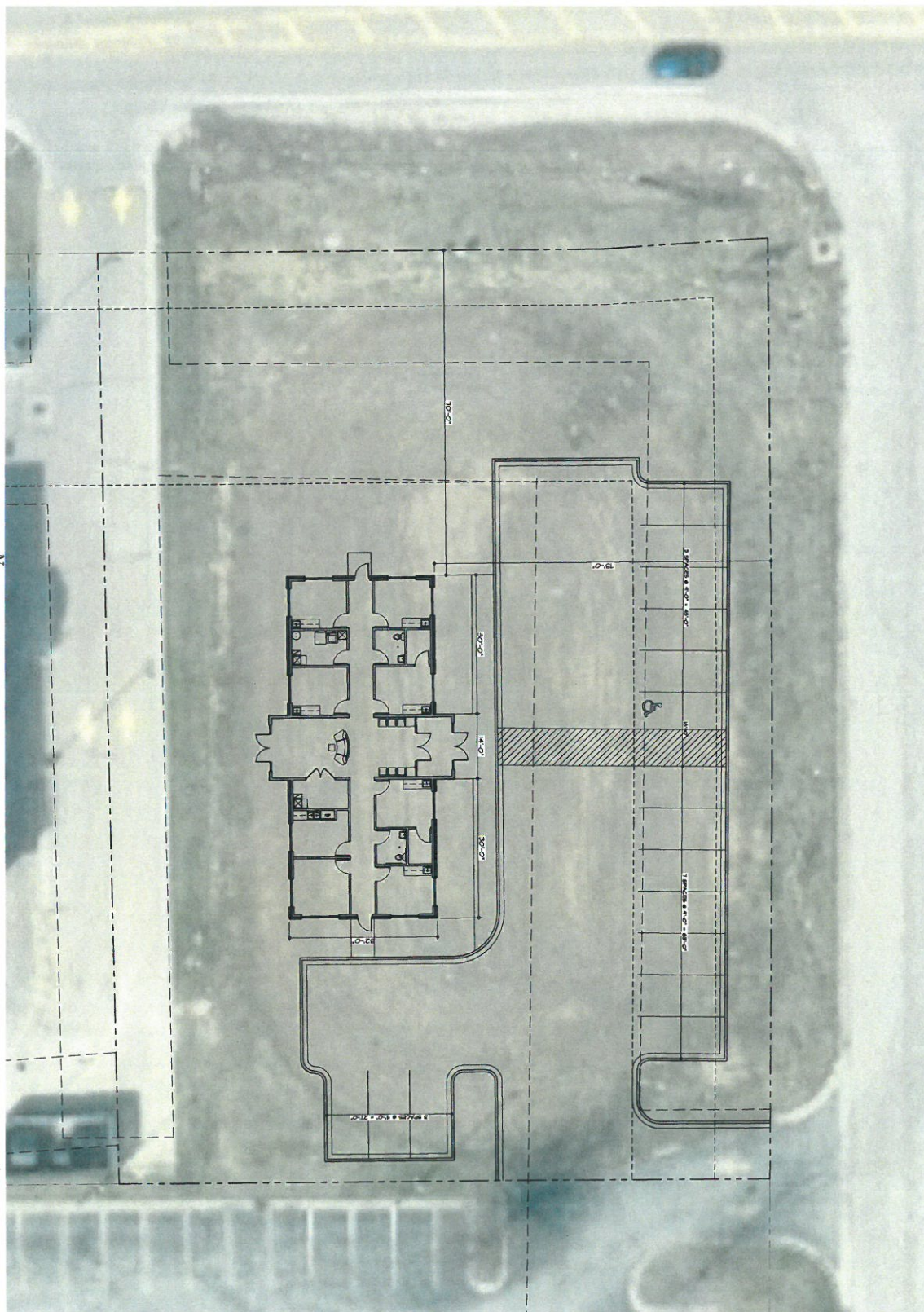


Parcel Number (s): 12-02-155-004

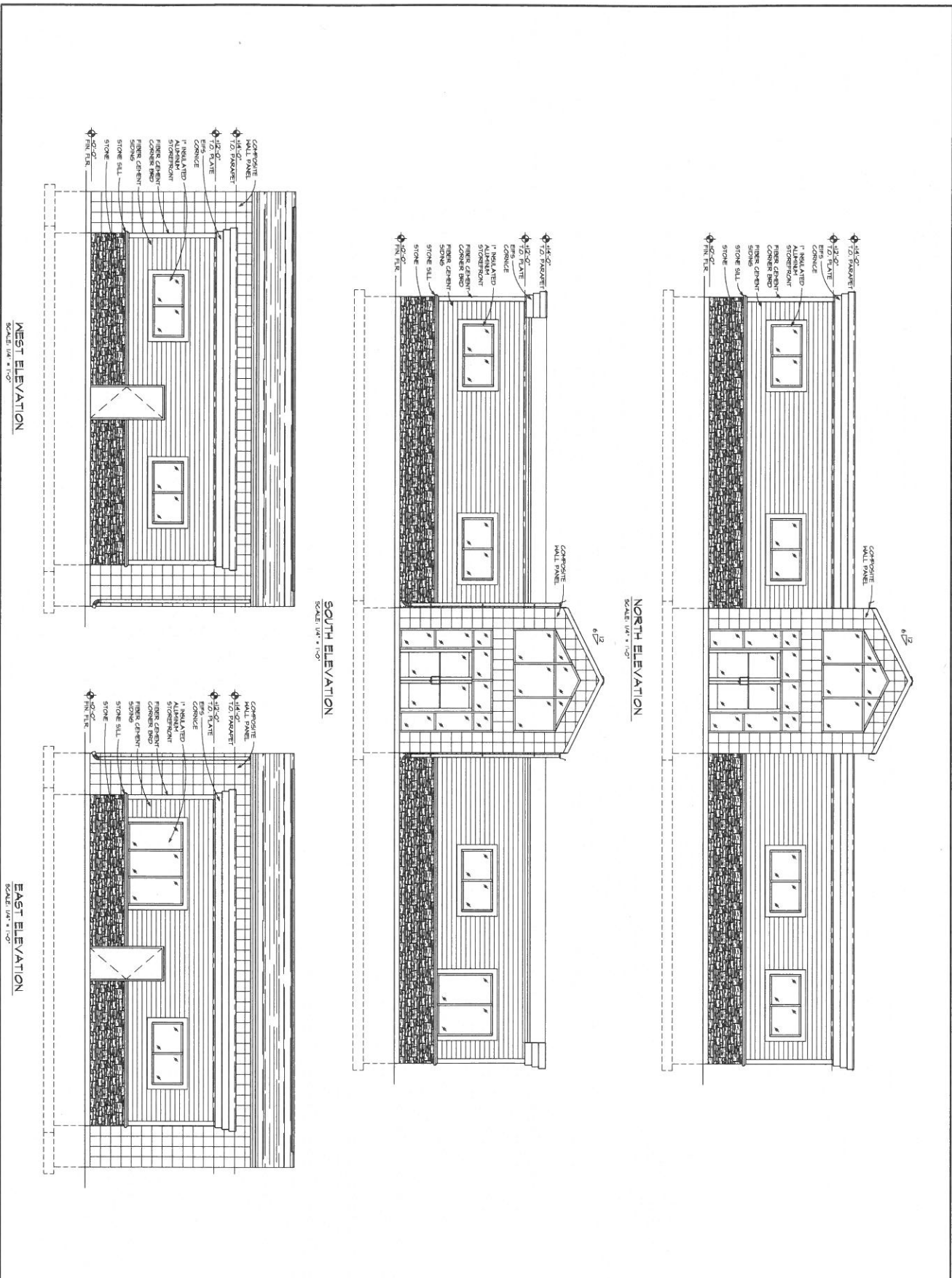
Address (s): 4003 McFarland Road

Applicant: NIRIK, LLC – Eric Gillam
4950 Nimtz Road
Loves Park, Illinois 61111

Applicant: North Riverside Partners and East Riverside
Farms, Inc.
154 Geranium Court
Marco Island, Florida 34145

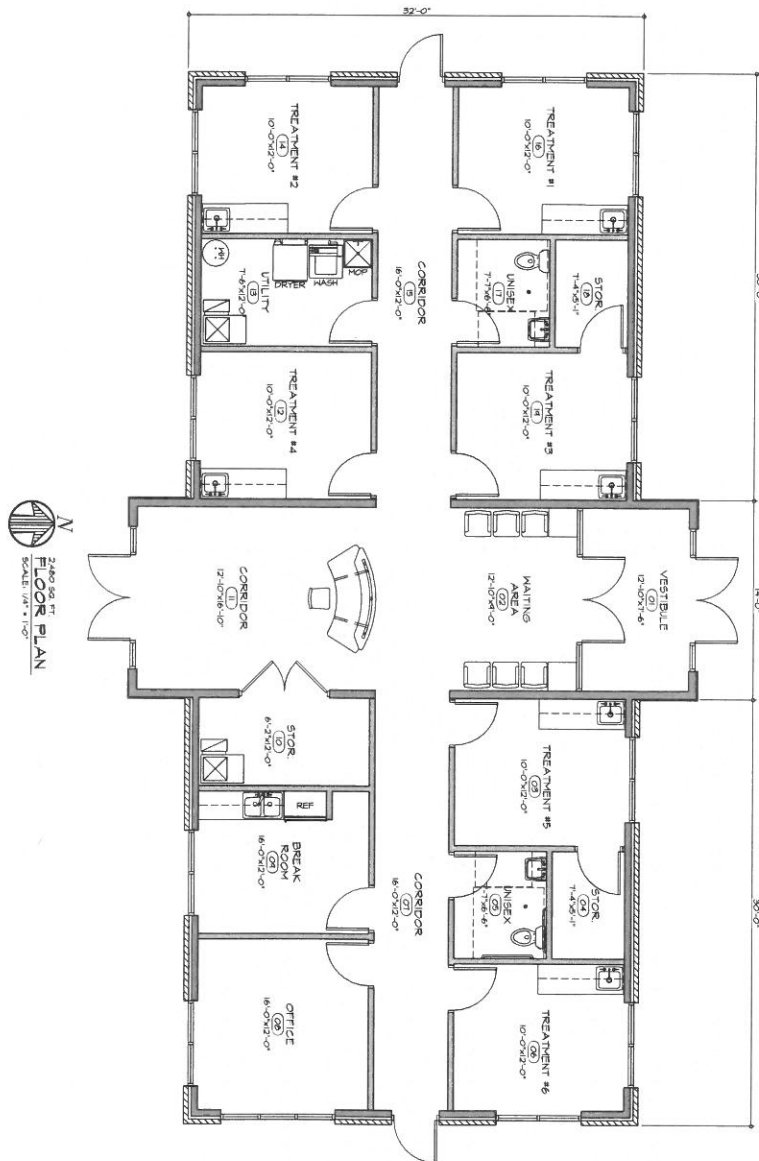


C1



NOT FOR CONSTRUCTION

<p>SALON & SKIN BOUTIQUE LOT 4 KINGS ACRES SUBDIVISION 4003 MCFARLAND RD LOVES PARK, IL 61111</p>	<p>GENERAL CONTRACTOR:</p>	<p>ARCHITECT: JEFFREY A. MYERS, P.C. 10395 GLEN ABBEY CLOSE ROCKFORD, ILLINOIS 61107 (815) 540-5823 E-mail: j.a.myers@mchsl.com</p>	<p>DATE: 02/02/23 REVISIONS:</p>	<p>PROJECT NO.: 190-22 A2</p>
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N
2440 SQ. FT.
FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION

SALON & SKIN BOUTIQUE

LOT 4 KINGS ACRES SUBDIVISION
4003 MCFARLAND RD
LOVES PARK, IL 61111

GENERAL CONTRACTOR:

ARCHITECT:

JEFFREY A. MYERS, P.C.
10395 GLEN ABBEY CLOSE
ROCKFORD, ILLINOIS 61107
(815) 540-5823
E-mail: j.a.myers@mchs1.com

DATE: 02/02/23

PROJECT NO.: 190-22

REVISIONS:

A1

Section 102-174 CR (Commercial Retail)

Commercial material guidelines:

All building facades, public or private, shall be designed to enhance the character of the zoning district with the use of durable natural materials.

Approved exterior materials

- Brick or brick veneer
- Natural stone (limestone, brownstone, lannon stone, marble or granite)
- Concrete tile roofing
- Cement-fiber siding
- Decorative concrete masonry units (CMU) - plain concrete blocks shall not be exposed
- Concrete, including pre-cast panels, shall be used when incorporating color, texture and architectural finish features
- Exterior grade wood - accent only
- Composite or manufactured wood siding - accent only
- Stucco or EFIS - shall not be used on first story, and shall not exceed 30 percent of wall area
- Vinyl - accent only
- Glass block - only as a feature element, not for glazing or windows
- Brick and stone pavers
- Manufactured stone
- Commercial grade asphalt shingles
- Slate roofing
- Glass
- Metal or synthetic panels - shall not exceed 20 percent of the exterior building materials used
- Corrugated metal, or corrugated synthetic materials shall not exceed 20 percent of the exterior building materials used

Unapproved exterior materials

- Aluminum siding
- Veneer based plywood siding
- Plywood panels
- Plexi-glass or resins
- Standing seam or batten seam metal roofing - unless dictated by the specific architectural style
- Painted smooth-faced concrete masonry units - unless used in locations behind screened walls
- Exposed steel framing - unless integral to the design
- T1-11 siding
- Corrugated tin roofing - unless dictated by the specific architectural style
- Smooth or exposed concrete block

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: 4003 McFarland 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:

- 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: **4003 McFarland Road**
 SUP 100% office

Chairman
Benjamin Danielson

Signature

Date