



**AGENDA**  
**LOVES PARK ZONING BOARD OF APPEALS**  
**August 17, 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 **July 20, 2023** meeting
3. Report from the Zoning Office – None
4. Unfinished business – None
5. New business –
  - A. TEXT AMENDMENT** – Chapter 102, Zoning, Section 102-9, Definitions, Box Market
  - B. TEXT AMENDMENT** – Chapter 102, Zoning, Section 102-338, E. Riverside/I90 Overlay, (d), Permitted Uses, (6), Box Market
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla  
Zoning Officer



# Minutes of the Loves Park Zoning Board of Appeals

Date: July 20, 2023 Time: 5:30 P.M.

**1. Chairman: Benjamin Danielson call the meeting to order at:** 5:35 PM

Members Present:	<u>Benjamin Danielson</u>	<u>Rhonda Taylor</u>
	<u>Luke Carlson</u>	<u>Frank Laudicina</u>
	<u>Cathy Nelson</u>	<u>Nathan Kutz</u>
		<u>Don Daniels</u>

Members Absent:

Others Present Andrew Quintanilla (Staff)

Mr. Danielson informed petitioners of the second meeting (CDC) in the process to be held on **August 7, 2023** in Council Chambers here at Loves Park City Hall, at 4:30 PM.

## 2. Minutes

Mrs. Nelson moved to approved the minutes from the **June 15, 2023** meeting. Second by Mr. Carlson. Motion carried by vote.

**3. Zoning Office Report** - No report. Introduced new board members Frank Laudicina, Rhonda Taylor, and Nathan Kutz.

4. Unfinished Business - None

## 4. New Business

- A. 5129 Forest Hills Court (08-33-105-014 & 08-33-105-013) - A Special Use Permit for a dog daycare, board, and grooming establishment in the IL (Light Industrial) Zoning District.**

**Petitioner: William Caldwell**

### GENERAL DISCUSSION:

Mr. Caldwell stated that he was before the Zoning Board about 3 months ago seeking approval for the same business at another location. He stated that here was here seeking approval for the same business located at the new location. He also stated that there was an issue with the purchase of the property on Material Avenue, but has since found an alternate location to establish his business.

Mr. Caldwell stated that the facility will provide dog daycare and boarding, a service that was necessary for families with busy schedules. He also stated that he will still be providing mobil services for his clients who wish to still receive on site attention.

Mr. Quintanilla stated that the petitioner recently received approval for his business

in another light industrial zoning district. Same zoning district, some modifications for the approval based on the site.

Mr. Nelson asked the applicant if he was aware of the conditions placed on the approval of the special use permit.

Mr. Calwell stated that he was, and that he would be meeting all of the conditions if approved. Mr. Caldwell stated that he felt the location was a better fit given that there was a pet warehouse establishment in close proximity, and that there was the capacity for them to share many of the same clients.

#### **BOARD DISCUSSION:**

Mrs. Nelson stated that all of the finding of fact have been met as presented. She also stated that the location was better suited for the applicants business.

Mr. Quintanilla stated that there was some concern from the Forest Hills Village residents about the tree removal planned as part of the improvements to the property. The concern included unnecessary light and noise that may result as part of the approval for the special use.

Mrs. Nelson inquired as to whether there was an concerned provided in written format. In the past, concerns with put in written form.

Mr. Quintanilla stated no, but did receive a call regarding the matter.

Mrs. Nelson stated there is an easement to the south of these properties. She also stated that there is an elevated grade change that puts the mobil home park higher than this establishment.

Mr. Calwell, stated that there was a 30 foot height difference between the two properties. It is not likely to impact the mobil home to the south. Light and noise will not be problematic for the residential in the Forest Hills Village.

Mr. Quintanilla stated that the site plan noted a liquor establishment. As published, there was inquiry regarding the hours for that portion of the business.

Mr. Caldwell stated that the bar, when opened, will only be open until 9pm, and was dog centric.

Mr. Daniels indicated that residents who buy next to a property that is not residential may find themselves next to a property that can be developed for uses in that zoning district and that they is no way how a property will be developed in the future.

#### **FINDINGS OF FACT HAVE BEEN MET**

#### **NO OBJECTORS PRESENT**

Mrs. Nelson made a motion to approve a Special Use Permit for a dog daycare, grooming, and boarding establishment in the IL (Light Industrial) Zoning District for 5129 Forest Hills Court with the following conditions,

1. The Special Use Permit expires with the change in use, or discontinuance of the pet grooming, boarding, and daycare establishment.
2. The Special Use Permit shall be renewed 1 year from approval.
3. The business owner/property owner shall install the required 8 feet deep landscape buffer on both frontages. The landscaping shall include a combination of planted trees (including a variety of pine), shrubs, vines, ground cover, and perennials. The landscape buffer shall be mounded a minimum of one foot above the height of the adjacent parking spaces but not exceeding a three to one slope. The applicant shall provide a minimum of 8 trees in the landscaped buffer.
4. The business owner/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, trees, and materials. The landscape bed shall be tended too, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. A landscape plan shall be provided to Staff within 2 weeks of the date of approval. The landscaping shall be installed before the business opens to the public.
5. The properties share a 20 foot drainage easement. No structures shall be erected within or over the drainage easement.
6. The plan review process, permits, and final inspections shall be obtained and completed before the business opens to the public.

Mr. Carlson second the motion.

**MOTION APPROVED: 6-0**

- B. 4802 N. Second Street - A Variance from a required 30 foot front yard building setback on Snow Avenue to a requested 10 foot front yard building setback on Snow Avenue in the CG (Commercial General) Zoning District.**

**Petitioner: Uma Bhavani and Shaanu, LLC (John Navar)**

**GENERAL DISCUSSION:**

The applicant stated that Mr. Patel owned the property and wanted to develop the site for a business. He stated that the site will include a video gaming slot house and a Laundromat, with the Laundromat in the rear and the video gaming business facing N. Second Street.

Mr. Danielson inquired as to whether or not this was on the same lot.

The applicant stated no, that it was on a smaller lot just south of the Clayton House.

The applicant stated that the site was a former pool and pool house that served the Clayton House many years ago, which was filled in and not remains undeveloped.

Mr. Nelson inquired to Staff, why there was so little parking for the Laundromat.

Staff stated that the parking required for the Laundromat is greater than what would be necessary for the video gaming. Staff calculated parking based on machines provided and the number was determined to be seven stalls, with any overflow parking on the Clayton House lot. Both lots are under the same ownership.

Mr. Carlson stated that some communities are doing away with parking requirements for businesses for a number of reasons.

Mr. Nelson stated she had concern that there was not sufficient parking, and that the prospect included parking for the video gaming.

Mr. Quintanilla inquired to the applicant if there was going to be a cross access for parking recorded for the newly development property. The applicant stated that any of the occupants of the Laundromat or video gaming will have access to the property via a shared sidewalk between the two properties.

#### **BOARD DISCUSSION:**

Discussion that that the findings of fact have been considered and met.

#### **FINDING OF FACT HAVE BEEN MET**

#### **NO OBJECTORS PRESENT**

Mrs. Nelson made a motion to approve a variance from a required 30 foot front yard building setback on Snow Avenue to a requested 10 foot front yard building setback on Snow Avenue in the CG (Commercial General) Zoning District for 4802 N. Second Street with the following condition

The construction of the dumpster enclosure shall be poured concrete or masonry as required by Section 102-132, (g), of the City's code or ordinances. The construction of the landscape bed on Snow Avenue shall be a continuous, 7 foot in depth, and span that frontage. The construction of the landscape bed on N. Second Street shall be continuous, 8 feet in depth, and span that frontage. The applicant/owner shall provide Staff with a complete landscape plan outlining the construction of both landscape berms, and trash enclosure, with the construction documents provided as part of the plan review process.

Mr. Carlson second the motion.

#### **MOTION APPROVED: 6-0**

### **6. Public Participation and Comment**

None

### **7. General Discussion**

Mr. Carlson moved that the meeting be adjourned. Second by Mr. Daniels. Motion carried by vote.  
The meeting adjourned at 6:05 p.m.

Secretary, Andrew Quintanilla



## ZONING BOARD OF APPEALS

### Community Development Department

Date: August 17, 2023

<b>SUBJECT:</b>	Text Amendment - Chapter 102, Zoning, Section 102-9, Definitions, Box Market
<b>Add: Box Market</b>	Box Market shall mean multiple shipping containers, temporary, transportable or transferable structures used for the establishment of small commercial businesses. A Box Market shall be a market place providing goods and services, which includes commercial shopping, dining, entertainment, and cultural activities. Office uses would be permitted in a Box Market marketplace, at no more than 25% of the total occupancy.
<b>RECOMMENDATION:</b>	<b>Approval</b> - Text Amendment - Chapter 102, Zoning, Section 102-9, Definitions, Box Market
<b>ZONING BOARD RECOMMENDATIONS:</b>	APPROVAL / DENIAL / TABLED      Vote: _____
<b>CONDITIONS:</b>	AS PRESENTED / AMENDED / N/A
<b>AUDIENCE COMMENTS:</b>	_____ _____ _____



## ZONING BOARD OF APPEALS

### Community Development Department

Date: August 17, 2023

<b>SUBJECT:</b>	Text Amendment: Chapter 102, Zoning, Section 102-338, E. Riverside I/90 Overlay, (d), Permitted Uses, (6), Box Market
<b>Add: (6), Box Market</b>	Shipping containers, temporary, transportable or transferable structures may be retrofitted and occupied to conduct business on a commercially zoned lot when they are part of a precise plan development, and has received approvals through permitting from the building department. The approval shall also be contingent upon approval of the local health department, and if warranted, the local fire department, the International Building Code (IBC), National Electric Code (NEC), Illinois Plumbing Code (IPC), and International Mechanical Code (IMC).
<b>RECOMMENDATION:</b>	<b>Approval</b> - Text Amendment - Chapter 102, Zoning, Section 102-338, (d), Permitted Uses, (6) Box Market, in IL_CR (Light Industrial_Commercial Retail) and E. Riverside/I90 Overlay District.
<b>ATTACHMENTS:</b>	See attachments
<b>ZONING BOARD RECOMMENDATIONS:</b>	APPROVAL / DENIAL / TABLED      Vote: _____
<b>CONDITIONS:</b>	AS PRESENTED / AMENDED / N/A
<b>AUDIENCE COMMENTS:</b>	_____ _____ _____