



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
June 20, 2024

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

1. Roll call and declaration of a quorum
2. Reading and approval of the minutes from the **May 16, 2024** meeting
3. Report from the Zoning Office – None
4. Unfinished business – None
5. New business –
 - A. **430 Pearl Avenue (11-12-226-088)** - A Zoning Map Amendment from the CR (Commercial Retail) Zoning District to the R2 (Two-family Residential) Zoning District.
 - B. **430 Pearl Avenue (11-12-226-088)** - A Variance from a required 8,800 square foot lot for a two family dwelling to a requested 4,005 square foot lot for a two family dwelling in the R2 (Two-family Residential) Zoning District.
 - C. **430 Pearl Avenue (11-12-226-088)** - A Variance from a minimum required 80 foot lot width at the front yard building setback line to a requested 45 foot lot with at the front yard building setback line in the R2 (Two-family Residential) Zoning District.
 - D. **430 Pearl Avenue (11-12-226-088)** - A Variance from a minimum required 30 foot rear yard building setback to a requested 15 foot rear yard building setback in the R2 (Two-family Residential) Zoning District.
 - E. **430 Pearl Avenue (11-12-226-088)** - A Variance from a required 1/2 the right of way, or minimum 30 foot building front yard building setback to a requested 25-foot front yard building setback in the R2 (Two-family Residential) Zoning District
 - F. **8400 E. Riverside Boulevard (12-01-176-018 and 12-01-176-019)** – A Special Use Permit for an indoor/outdoor box market in the IL (Light Industrial) and E. Riverside/I90 Overlay Districts.
 - G. **6631 N. Second Street** – A Special Use Permit for an event/banquet space in the CR (Commercial Retail) Zoning District.
6. Public participation & comment

7. General discussion

8. Adjournment

Andrew Quintanilla
Zoning Officer

vehicular traffic in the neighborhood.

FINDINGS OF FACT HAVE BEEN MET

Mr. Laudicina made a motion to approve a Variance from a maximum allowable height of 4 feet for a fence in the front yard building setback to a requested 6-foot-high fence in the front yard building setback on Stuyvesant Drive in the R1 (Single Family Residential) Zoning District for 12138 Columbus Circle with the following condition:

Condition: No fence panel may be higher than 6 feet in height, and nothing additional may be added to the fence to gain additional height.

Mr. Carlson second the motion. Motion carried by vote 5-0.

Mrs. Nelson stated that this was the first meeting for the applicants petition, and that the second step in the process will be with an aldermanic committee on June 3, 2024 at 4:30 pm, in Council Chambers.

- B.** 430 Pearl Avenue (11-12-226-088) - A Zoning Map Amendment from the CR (Commercial Retail) Zoning District to the R2 (Two-family Residential) Zoning District.

Petitioner: Phillippe Gardner

Mr. Quintanilla stated that the applicant made a request to lay the petition over.

NO PETITIONERS PRESENT

BOARD DISCUSSION

None

Mr. Laudicina made a motion to lay over a petition for a Zoning Map Amendment from the CR (Commercial Retail) Zoning District to the R2 (Two-family Residential) Zoning District for 430 Pearl Avenue.

Ms. Hall second the motion. Motion carried by vote 5-0

- C** 1312 Renrose Avenue – A Variance from a required 25 foot building setback to a requested 11'7" building setback for an addition on Renrose Avenue in the R1 (Single Family Residential) Zoning District.

Petitioner: Nathan Fowler

Mr. Fowler stated that he recently purchased the house. He also stated that he had begun making improvements. He said that he would like to extend the roofline out in front of the house to create a seating area. He stated that the improvements to the home are all to increase the value of the home, and to improve the overall aesthetics of the home.

NO PETITIONERS PRESENT

BOARD DISCUSSION

None

FINDINGS OF FACT HAVE BEEN MET

Mrs. Taylor made a motion to approve a Variance from a required 25 foot building setback to a requested 11'7" building setback for an addition on Renrose Avenue in the R1 (Single Family Residential) Zoning District for 1312 Renrose Avenue

Ms. Laudicina second the motion. Motion carried by vote 5-0

- D. 7310 E. Riverside Boulevard – A Special Use Permit for a drive-thru window in IL_CR (Light Industrial Commercial Retail) and the E. Riverside/I90 Overlay District.

Petitioner: Mike Gilbert

Mr. Gilbert stated that the underlying zoning required any restaurant with a drive-thru to obtain a Special Use Permit.

He stated that the drive-thru will allow for expedited ordering, and was part of the business model for how the franchise runs all across the United States.

Mrs. Nelson stated that there was a landscape adjustment, which is only enhancing the project as a whole. That it is not taking away from the overall use of the property.

Mr. Quintanilla asked if end-users have been identified for the additional retail space they are providing.

Mr. Gilbert stated they are in negotiations with a number of users, but could not comment, because nothing had been determined as of yet.

NO PETITIONERS PRESENT

BOARD DISCUSSION

Mr. Daniels stated that while they have not identified a retailer yet, was there a type commercial use that they were focusing on.

Mr. Gilbert stated no. Open to any retailer that complies with any zoning ordinance.

FINDINGS OF FACT HAVE BEEN MET

Mr. Carlson made a motion to approve a Special Use Permit for a drive-thru window in the IL_CR (Light Industrial Commercial Retail) and the E. Riverside/I90 Overlay District for 7310 E. Riverside Boulevard

and the E. Riverside I90 Overlay District with the following conditions;

Conditions:

1. The Special Use Permit expires with the change in use.
2. The Special Use Permit shall be revoked with verified complaints from adjacent businesses or property owners.
3. The dumpster enclosure shall meet the requirements of section 102-132 (g).
4. Irrigation for all landscape areas shall be required.

Ms. Taylor second the motion. Motion carried by vote 5-0

- E. 641 Sydney Avenue – A Variance to widen the driveway for auxiliary parking 3’6” to the east of the existing driveway, and 5’6” to the west of the existing driveway in the R1 (Single Family Residential) Zoning District

Petitioner: Tyler Anderson and Patrick Anderson

Mr. Anderson stated that he is attending the meeting on behalf of his son Tyler Anderson. He stated the request for the Variance was to help the family gain additional parking because it was safer off the street. He also stated that he thinks the improvements will be a significant improvement to the property, and is in line with several other properties who have done the same thing.

Staff stated that the improvements are in line with how the driveways have been modified in this area over the years.

NO PETITIONERS PRESENT

BOARD DISCUSSION

Mr. Daniels stated that he was in agreement with the information that the applicant has stated.

Mrs. Nelson agreed that the area has developed in this manner and that the petitioners request is in line with many approvals for these types of improvements. She also stated that many of the homes in the older areas of Loves Park have single car garages and that there was a need for driveway improvements in this part of the city.

FINDINGS OF FACT HAVE BEEN MET

Mr. Carlson made a motion to approve a Variance to widen the driveway for auxiliary parking 3’6” to the east of the existing driveway, and 5’6” to the west of the existing driveway in the R1 (Single Family Residential) Zoning District for 641 Sydney Avenue with the following condition:

Condition: The driveway shall not extend directly out to the street. The auxiliary parking addition shall not extend any wider than the front door of the residence and taper down to meet the existing opening for the driveway. In no case shall the improvements be any wider than 17 feet indicated on the site plan. No pavers or

blocks may be added for additional width.

Ms. Taylor second the motion. Motion carried by vote 5-0

6. Public Participation and Comment

None

7. General Discussion

Mr. Laudicina moved that the meeting be adjourned. Second by Mr. Carlson. Motion carried by vote.
The meeting adjourned at 5:50 PM.

Secretary, Andrew Quintanilla



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT:	A Zoning Map Amendment from the CR (Commercial Retail) Zoning District to the R2 (Two-family Residential) Zoning District.												
LOCATION:	430 Pearl Avenue (11-12-226-088)												
ZONING DISTRICT:	<table> <tr> <td>North</td> <td>CR (Commercial Retail)</td> </tr> <tr> <td>South</td> <td>CR (Commercial Retail)</td> </tr> <tr> <td>East</td> <td>CR (Commercial Retail)</td> </tr> <tr> <td>West</td> <td>R2 (Two-family Residential)</td> </tr> </table>	North	CR (Commercial Retail)	South	CR (Commercial Retail)	East	CR (Commercial Retail)	West	R2 (Two-family Residential)				
North	CR (Commercial Retail)												
South	CR (Commercial Retail)												
East	CR (Commercial Retail)												
West	R2 (Two-family Residential)												
PROPERTY INFORMATION:													
Requirement for R2:	<table> <tr> <td>Front yard building setback:</td> <td>30 feet, or 1/2 right-of-way</td> </tr> <tr> <td>Side yard building setback:</td> <td>6 feet</td> </tr> <tr> <td>Rear yard building setback:</td> <td>30 feet</td> </tr> <tr> <td>Lot size:</td> <td>8,800 square feet</td> </tr> <tr> <td>Lot square feet p/unit:</td> <td>4,400 square feet</td> </tr> <tr> <td>Lot width at the building setback:</td> <td>80 feet</td> </tr> </table>	Front yard building setback:	30 feet, or 1/2 right-of-way	Side yard building setback:	6 feet	Rear yard building setback:	30 feet	Lot size:	8,800 square feet	Lot square feet p/unit:	4,400 square feet	Lot width at the building setback:	80 feet
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Rear yard building setback:	30 feet												
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Lot square feet p/unit:	4,400 square feet												
Lot width at the building setback:	80 feet												
Provided:	<table> <tr> <td>Front yard building setback:</td> <td>25 feet (existing)</td> </tr> <tr> <td>Side yard building setback:</td> <td>6 feet, 10 feet (existing)</td> </tr> <tr> <td>Rear yard building setback:</td> <td>15 feet (existing)</td> </tr> <tr> <td>Lot size:</td> <td>4,005 square feet (existing)</td> </tr> <tr> <td>Lot square feet p/unit:</td> <td>2,000 square feet (existing)</td> </tr> <tr> <td>Lot width:</td> <td>45 feet (existing)</td> </tr> </table>	Front yard building setback:	25 feet (existing)	Side yard building setback:	6 feet, 10 feet (existing)	Rear yard building setback:	15 feet (existing)	Lot size:	4,005 square feet (existing)	Lot square feet p/unit:	2,000 square feet (existing)	Lot width:	45 feet (existing)
Front yard building setback:	25 feet (existing)												
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Rear yard building setback:	15 feet (existing)												
Lot size:	4,005 square feet (existing)												
Lot square feet p/unit:	2,000 square feet (existing)												
Lot width:	45 feet (existing)												
Findings:													
1	The proposed amendment will not interfere with policies and proposals of the city area comprehensive plan. The area is already developed for both commercial retail and residential to the west.												
2	The amendment would be consistent with the framework the city has cultivated to continue development in an orderly manner. The property is contiguous to R2 multi-family presently, so a zoning map amendment for this property would be appropriate. The lot is presently a non-conforming property because the properties in this area have been replotted over the years												
3	The amendment would not permit uses, buildings, or structures that are incompatible with the character of the development. The property has a house on it that has been converted into two apartments. The use will compliment existing R2 directly to the west. The amendment will not have any impact on development in the area.												
4	Any additions or alterations would need zoning approvals. No exterior												

additions or modification would be allowed without approval from the Zoning Board of Appeals and City Council.

5 The amendment will not promote land overcrowding. The lot is non-conforming, and not likely to gain approvals for additions due to the size of the lot and the and location.

6 Residential uses are low impact relative to adjacent commercial uses already established in the area. The zoning change will not adversely impact the area or general welfare of landowners.

8 The proposed amendment will not encourage incompatible uses. To the west is R2, which is compatible with the request of the applicant. The zoning change will final this type of zoning on this street. No more R2 will be permitted go towards N. Second Street because the area is predominantly commercial retail and commercial general, which is how the area will remain.

RECOMMENDATION: **Approval** - A Zoning Map Amendment from the CR (Commercial Retail) Zoning District to the R2 (Two-family Residential) Zoning District.

ATTACHMENTS: See attachments

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

CONDITIONS: AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS: _____



PROPERTY ADDRESS: 430 PEARL AVENUE
ZONING DISTRICT: CR (COMMERCIAL RETAIL)
APPLICANT: SIBLING HOLDINGS, LLC
134 N. 1ST STREET
ROCKFORD, ILLINOIS 61107
PROPERTY OWNER: SIBLING HOLDINGS, LLC
134 N. 1ST STREET
ROCKFORD, ILLINOIS 61107

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.

430 Pearl Avenue

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 un 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: 430 Pearl Avenue
ZMA from CR to R2

Chairman
Catherine Nelson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT:	A Variance from a required 8,800 square foot lot for a two family dwelling to a requested 4,005 square foot lot for a two family dwelling in the R2 (Two-family Residential) Zoning District.
LOCATION:	430 Pearl Avenue (11-12-226-088)
ZONING DISTRICT:	North CR (Commercial Retail) South CR (Commercial Retail) East CR (Commercial Retail) West R2 (Two-family Residential)
PROPERTY INFORMATION:	
Requirement for R2:	Front yard building setback: 30 feet, or 1/2 right-of-way Side yard building setback: 6 feet Rear yard building setback: 30 feet Lot size: 8,800 square feet Lot square feet p/unit: 4,400 square feet Lot width at the building setback: 80 feet
Provided:	Front yard building setback: 25 feet (existing) Side yard building setback: 6 feet, 10 feet (existing) Rear yard building setback: 15 feet (existing) Lot size: 4,005 square feet (existing) Lot square feet p/unit: 2,000 square feet (existing) Lot width: 45 feet (existing)
Findings:	
1	Strict or literal interpretation and enforcement of the specified regulation would result in unnecessary physical hardship. The property owner purchased the property to make improvements. The owner did not realize that there were so many non-conforming issues with the property. The home has not been used for commercial uses. The dwelling is a two family, and has only ever been used for residential purposes.
2	There are exceptional or extraordinary circumstances or conditions applicable to the property that do not generally apply to other properties in the zoning district. Through the years the property has undergone land changes that have created the non-conforming property it is presently. The lot is a non-conforming residential use that the new property owner purchased. The landowner wishes to seek approvals for all of the necessary zoning to bring the property into compliance using zoning.
3	Strict interpretation would deprive the property owner of privileges enjoyed by other owners who are in the same zoning district. The property owner purchased the property with all of the non-conforming issues. Since the home has been converted to a two family, it makes sense to rezone the property as it is contiguous to two-family residential to the west.

4

Granting the variation will not constitute special privilege inconsistent with other properties in the area. The zoning will bring the property into compliance with all of the non-compliant issues that have been created over the years.

RECOMMENDATION:

Approval - A Variance from a required 8,800 square foot lot for a two family dwelling to a requested 4,005 square foot lot for a two family dwelling in the R2 (Two-family Residential) Zoning District.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:

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.

430 Pearl Avenue (11-12-226-088)

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: 430 Pearl Avenue (11-12-226-088)
8800 to 4005 SQFT

Chairman
Catherine Nelson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT:	A Variance from a minimum required 80 foot lot width at the front yard building setback line to a requested 45 foot lot width at the front yard building setback line in the R2 (Two-family Residential) Zoning District.
LOCATION:	430 Pearl Avenue (11-12-226-088)
ZONING DISTRICT:	North CR (Commercial Retail) South CR (Commercial Retail) East CR (Commercial Retail) West R2 (Two-family Residential)
PROPERTY INFORMATION:	
Requirement for R2:	Front yard building setback: 25 feet, or 1/2 right-of-way Side yard building setback: 6 feet Rear yard building setback: 30 feet Lot size: 8,800 square feet Lot square feet p/unit: 4,400 square feet Lot width at the building setback: 80 feet
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1	Strict or literal interpretation and enforcement of the specified regulation would result in unnecessary physical hardship. The property owner purchased the property to make improvements. The owner did not realize that there were so many non-conforming issues with the property. The home has not been used for commercial uses. The dwelling is a two family, and has only ever been used for residential purposes.
2	There are exceptional or extraordinary circumstances or conditions applicable to the property that do not generally apply to other properties in the zoning district. Through the years the property has undergone land changes that have created the non-conforming property it is presently. The lot is a non-conforming residential use that the new property owner purchased. The landowner wishes to seek approvals for all of the necessary zoning to bring the property into compliance using zoning.
3	Strict interpretation would deprive the property owner of privileges enjoyed by other owners who are in the same zoning district. The property owner purchased the property with all of the non-conforming issues. Since the home has been converted to a two family, it makes sense to rezone the property as it is contiguous to two-family residential to the west.

4

Granting the variation will not constitute special privilege inconsistent with other properties in the area. The zoning will bring the property into compliance with all of the non-compliant issues that have been created over the years.

RECOMMENDATION:

Approval - A Variance from a minimum required 80 foot lot width at the front yard building setback line to a requested 45 foot lot width at the front yard building setback line in the R2 (Two-family Residential) Zoning District.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:

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.

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430 Pearl Avenue (11-12-226-088)

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Reason:

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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: 430 Pearl Avenue (11-12-226-088)
80 ft to 45 ft

Chairman
Catherine Nelson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT:	A Variance from a minimum required 30 foot rear yard building setback to a requested 15 foot rear yard building setback in the R2 (Two-family Residential) Zoning District.
LOCATION:	430 Pearl Avenue (11-12-226-088)
ZONING DISTRICT:	North CR (Commercial Retail) South CR (Commercial Retail) East CR (Commercial Retail) West R2 (Two-family Residential)
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3	Strict interpretation would deprive the property owner of privileges enjoyed by other owners who are in the same zoning district. The property owner purchased the property with all of the non-conforming issues. Since the home has been converted to a two family, it makes sense to rezone the property as it is contiguous to two-family residential to the west.

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Granting the variation will not constitute special privilege inconsistent with other properties in the area. The zoning will bring the property into compliance with all of the non-compliant issues that have been created over the years.

RECOMMENDATION:

Approval - A Variance from a minimum required 30 foot rear yard building setback to a requested 15 foot rear yard building setback in the R2 (Two-family Residential) Zoning District.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:

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

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430 Pearl Avenue (11-12-226-088)

ZBA

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Reason:

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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: 430 Pearl Avenue (11-12-226-088)
30 ft to 15 ft

Chairman
Catherine Nelson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT:	A Variance from a required 1/2 right of way, or minimum 30 foot building front yard setback to a requested 25 foot front yard building setback in the R2 (Two-family Residential) Zoning District.
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Provided:	Front yard building setback: 25 feet (existing) Side yard building setback: 6 feet, 10 feet (existing) Rear yard building setback: 15 feet (existing) Lot size: 4,005 square feet (existing) Lot square feet p/unit: 2,000 square feet (existing) Lot width: 45 feet (existing)
Findings:	
1	Strict or literal interpretation and enforcement of the specified regulation would result in unnecessary physical hardship. The property owner purchased the property to make improvements. The owner did not realize that there were so many non-conforming issues with the property. The home has not been used for commercial uses. The dwelling is a two family, and has only ever been used for residential purposes.
2	There are exceptional or extraordinary circumstances or conditions applicable to the property that do not generally apply to other properties in the zoning district. Through the years the property has undergone land changes that have created the non-conforming property it is presently. The lot is a non-conforming residential use that the new property owner purchased. The landowner wishes to seek approvals for all of the necessary zoning to bring the property into compliance using zoning.
3	Strict interpretation would deprive the property owner of privileges enjoyed by other owners who are in the same zoning district. The property owner purchased the property with all of the non-conforming issues. Since the home has been converted to a two family, it makes sense to rezone the property as it is contiguous to two-family residential to the west.

4

Granting the variation will not constitute special privilege inconsistent with other properties in the area. The zoning will bring the property into compliance with all of the non-compliant issues that have been created over the years.

RECOMMENDATION:

Approval - A Variance from a required 1/2 right of way, or minimum 30 foot building front yard setback to a requested 25 foot front yard building setback in the R2 (Two-family Residential) Zoning District.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:

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.

430 Pearl Avenue (11-12-226-088)

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: 430 Pearl Avenue (11-12-226-088)
1/2 ROW to 25 ft

Chairman
Catherine Nelson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT: A Special Use Permit for an indoor/outdoor box market in the IL (Light Industrial) and E. Riverside/I90 Overlay Districts.

LOCATION: 8400 E. Riverside Boulevard (12-01-176-018 & 12-01-176-019)

ZONING DISTRICT:

North	CR (Commercial Retail)
South	C3 (Commercial) - Rockford
East	IL (Light Industrial)
West	IL (Light Industrial)

Property Information:

CR Requirements

Setbacks:

Required:

Front yard building setback:	1/2 ROW, minimum 30 feet, maximum 60 feet
Side yard building setback:	10 feet
Rear yard building setback:	0 feet

Provided:

Front yard building setback:	150 feet
Side yard building setback:	Greater than 10 feet for both sides
Rear yard building setback:	Greater than a 30 foot setback

Meets the minimum requirements.

Off-street parking:

Required: The required parking for this development is 103 parking stalls. Three ADA compliant stall are included win the total required.

Provided: Meets the minimum requirements.

Dumpster enclosure:

Required: The property owner is providing a dumpster enclosure, but will be retrofitted to accommodate dumpsters

Provided: The enclosure will be provided, and will mirror the box market them the applicant is providing.

Landscaping:

Required:	The landscape requirement is an 8 foot deep landscape bed that spans all frontages with a variety of plants, trees, and ground cover.
Provided:	Meets the minimum requirements.
Shipping containers:	The site plan shows the location of containers that will be used for coffee and gelato. Two will be provided on in front of the building. No additional food service containers will be provided.
Findings:	<ol style="list-style-type: none"> <li data-bbox="227 609 1425 766">1 The establishment of the special use will not be detrimental or adversely impact the health or general welfare of the public. The use, while does generate increased traffic to the area, will not have a detrimental impact on the public. These types of uses do not generate public safety issues for the public and adjacent businesses. <li data-bbox="227 798 1425 997">2 The special use will not be injurious to other properties in the immediate vicinity. The use is largely for a restaurant, which will incorporate small businesses in a variety of ways that will provide several services to the area. The area has begun to develop for commercial uses. The owner will be making interior and exterior improvements that will enhance the property and surrounding properties. <li data-bbox="227 1029 1425 1144">3 The use will not impeded the normal orderly development and improvements of surrounding properties permitted in the district. The City recently adopted a plan that would continue development such as this, for this area. <li data-bbox="227 1176 1425 1291">4,5 Adequate utilities and access are existing. The site will include several additional points of access to minimize congestion to the area. There should be not issues with improvements being made to the property.
RECOMMENDATION:	<p>Approval - A Special Use Permit for an indoor/outdoor box market in the IL (Light Industrial) and E. Riverside/I90 Overlay Districts.</p> <p>Conditions:</p> <ol style="list-style-type: none"> <li data-bbox="389 1470 1425 1617">1. The business owner/property 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. <li data-bbox="389 1627 1425 1659">2. Irrigation for all landscape areas shall be required. <li data-bbox="389 1669 1425 1885">3. The three shipping containers for the exterior shall be permitted as part of the box market. The containers shall be free from rust and deterioration, and must have a finished façade. All containers shall acquire permitting from the building department. Approval shall also be contingent upon approvals from the local health department, local fire department, the International Building Code (IBC), National Electric Code (NEC), Illinois Plumbing Code (IPC), and International

Mechanical Code (IMC)

4. Additional containers will require approvals from the Zoning Board of Appeals and City Council. No administrative approvals shall be permitted.

APPROVAL / DENIAL / TABLED

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: _____

CONDITIONS:

**AUDIENCE
COMMENTS:**



PROPERTY ADDRESS: 8400 E. RIVERSIDE BOULEVARD

PARCEL (12-01-176-018 & 12-01-176-019)

ZONING DISTRICT: IL_CR (LIGHT INDUSTRIAL
COMMERCIAL RETAIL & E. RIVERSIDE I90
OVERLAY

APPLICANT: PLACE FOUNDRY DESIGN PLLC
5611 E. STATE STREET
ROCKFORD, ILLINOIS 61108

PROPERTY OWNER: 8400 RIVERSIDE BLVD LLC
5611 E. STATE STREET
ROCKFORD, ILLINOIS 61108



Lino's Piazza at Riverside Commons: Application for Overlay District/Zoning Board of Appeals

Prepared by Place Foundry LLC, on behalf of Lino's,
for the city of Loves Park

Site Engineer
RK Johnson
1515 Windsor Rd
Loves Park, IL 61111

Architect
Place Foundry Design
728 N Prospect Street, Suite 101
Rockford, IL 61107

MEP Engineer
Miller Engineering Co
1616 S Main St,
Rockford, IL 61102

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03 Location Map

04 Site Design

Site Plan Layout

Building Placement

Screening

Landscaping

Lighting

Parking

Pedestrian Circulation

10 Building Design

Elevations

Exterior

LOCATION MAP

Area A - 8400 E Riverside Blvd

Area A is approximately 4.92 acres and is zoned IL Light Industrial.

Area A consists of three parcels of lands:

1. 12-01-176-018 (3.73 acres)
2. 12-01-176-019 (1.10 acres)
3. 12-01-176-022 (0.09 acres)

*access easement shared with parcel 12-01-176-021



Figure 1. Existing zoning for site (WinGis Data, 2022)



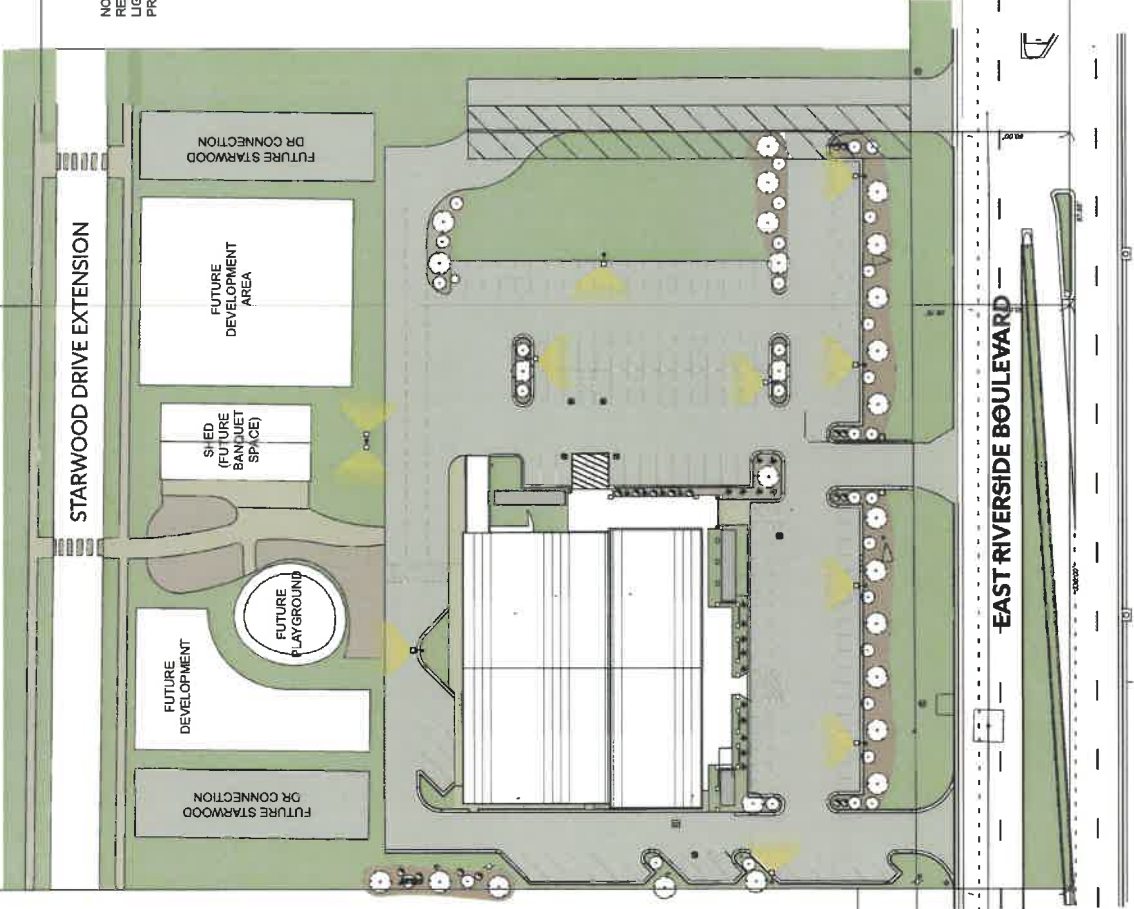
RENOVATION FOR
LINO'S

8400 RIVERSIDE BLVD.
LOVES PARK, IL 61111

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6/1/2024

LIGHTING PLAN

NOTE: TYPICAL SIZE AND TYPE ARE REPRESENTATIVE OF DESIGN CONCEPT. FINAL LIGHTING DESIGN SELECTIONS TO BE PROVIDED BY DESIGNER.



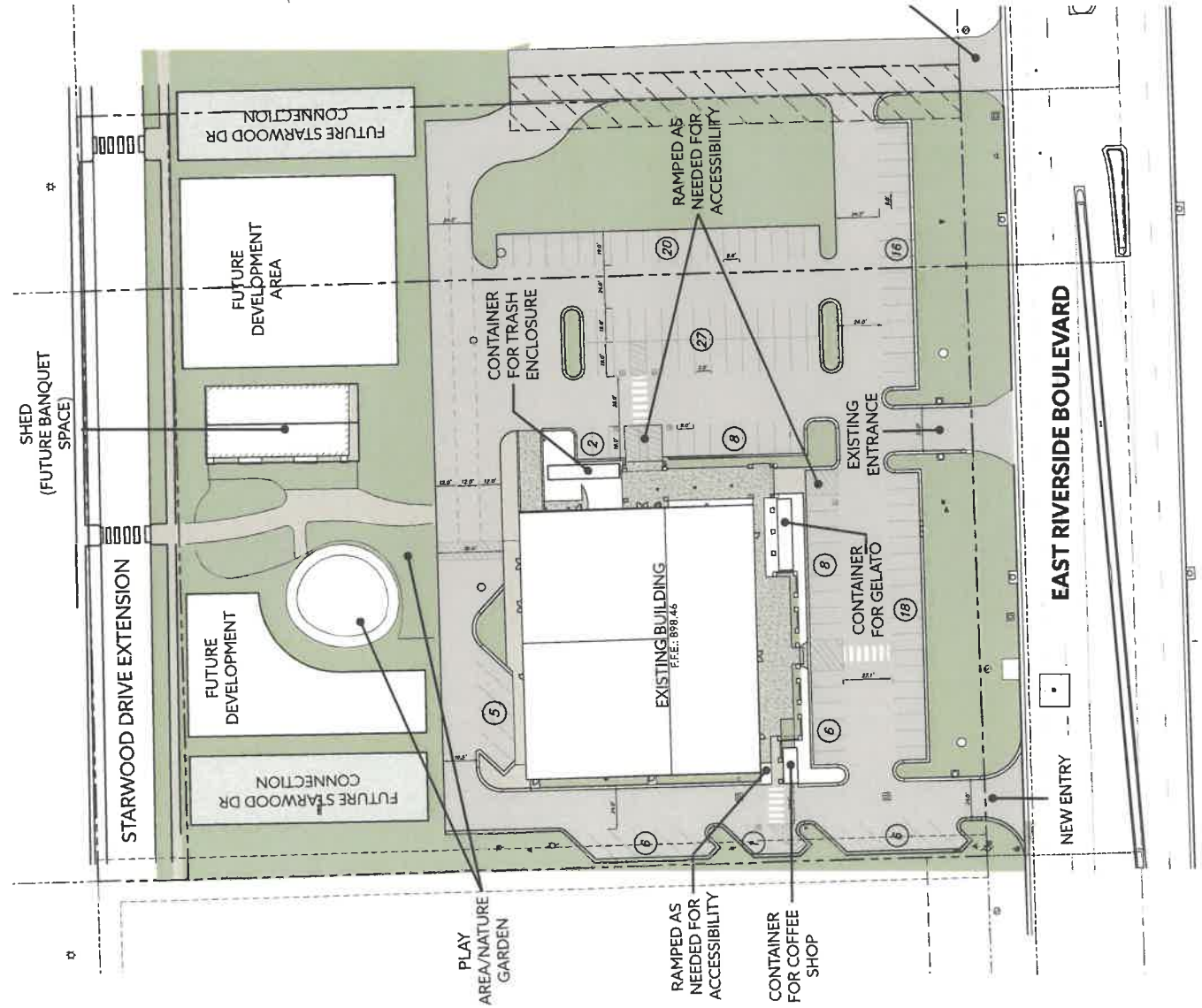
LIGHTING PLAN
1/32" = 1'-0"



Design and Use Standards

SITE DESIGN

SITE PLAN LAYOUT



The site plan provides a layout for the future development of Lino's Piazza at 8400 E Riverside Blvd. This includes the placement of proposed parking, sidewalks, outdoor patio, carry-out location, and buildings.

The existing building (19,500 SF) on the site will be renovated into retail spaces and a restaurant consisting of shipping containers. The redevelopment of the building enhances the ability to reuse and recycle shipping containers into flexible spaces. The building will be open year-round with the ability to use patio space in the summer for the community to enjoy.

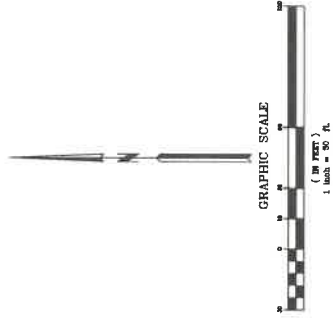


Figure 2. Proposed Site Plan (RK Johnson)

SITE DESIGN

This sections goes over site design requirements for developments in the overlay district. According to the design and use standards, new developments are required to match surrounding developments and landscapes: building placement, screening, landscaping, lighting, parking and active transportation, pedestrian circulation

Building Placement

The existing building has the main facade of the building oriented to face the principal street, Riverside Boulevard (Figure 1).

Screening

1. The existing loading dock is screened with metal columns and future landscaping (Figure 3)
2. Mechanical equipment is to be located on the roof top where it will not be visible to the general public on the ground.
3. Future trash receptacles will be screened away inside shipping containers, but accessible for waste collection.

Lighting

1. Building and parking are far way from major roads that will not interfere with vision of on-coming motorists.
2. If fixtures used to accent architectural features, it shall be shielded to minimize light spill into the surrounding environment.
3. Architectural lighting shall be generated from a concealed source.
4. There will be low-level lighting that defines on-site vehicular and pedestrian ways.
5. Lighting will be included on the landscaping plan (Figure 4).

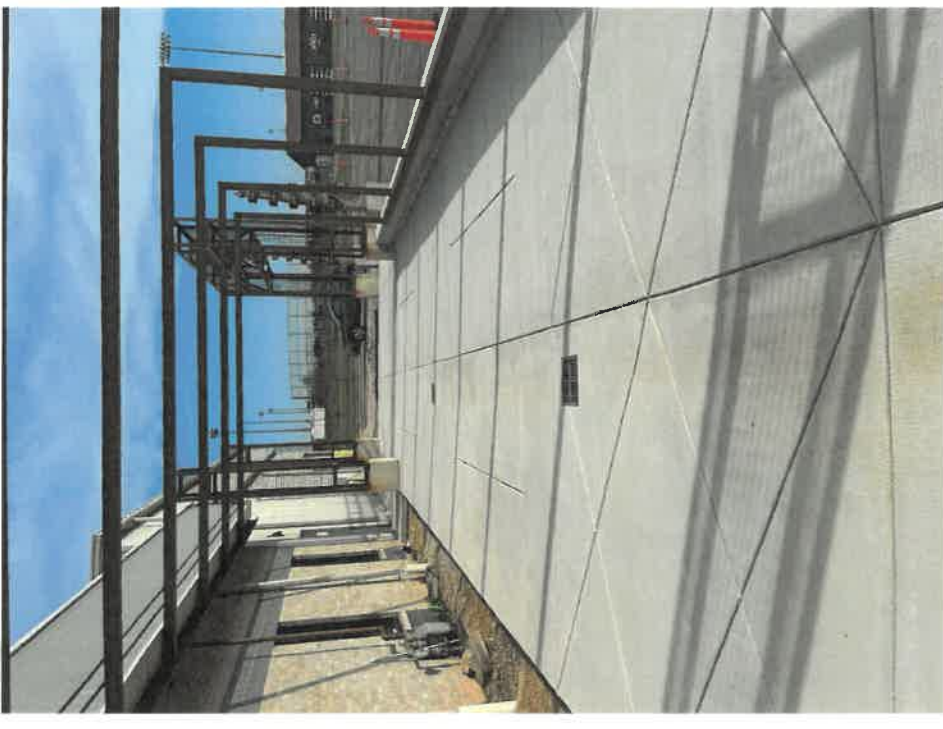
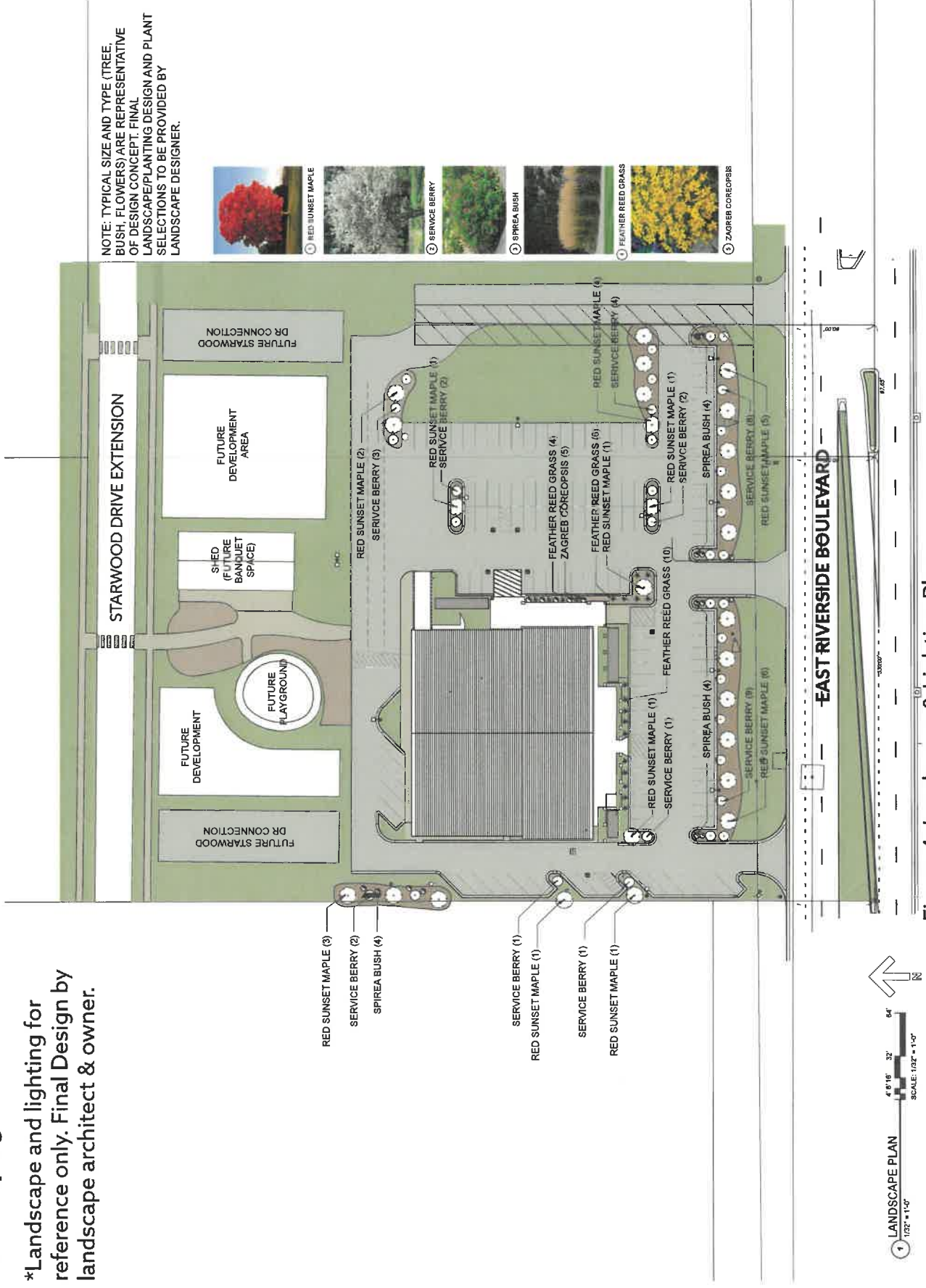


Figure 3. Loading dock not visible due to column placement.

SITE DESIGN

Landscaping

*Landscape and lighting for reference only. Final Design by landscape architect & owner.



NOTE: TYPICAL SIZE AND TYPE (TREE, BUSH, FLOWERS) ARE REPRESENTATIVE OF DESIGN CONCEPT. FINAL LANDSCAPE/PLANTING DESIGN AND PLANT SELECTIONS TO BE PROVIDED BY LANDSCAPE DESIGNER.

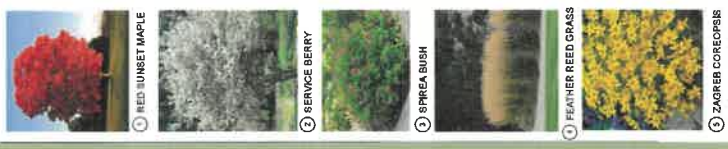
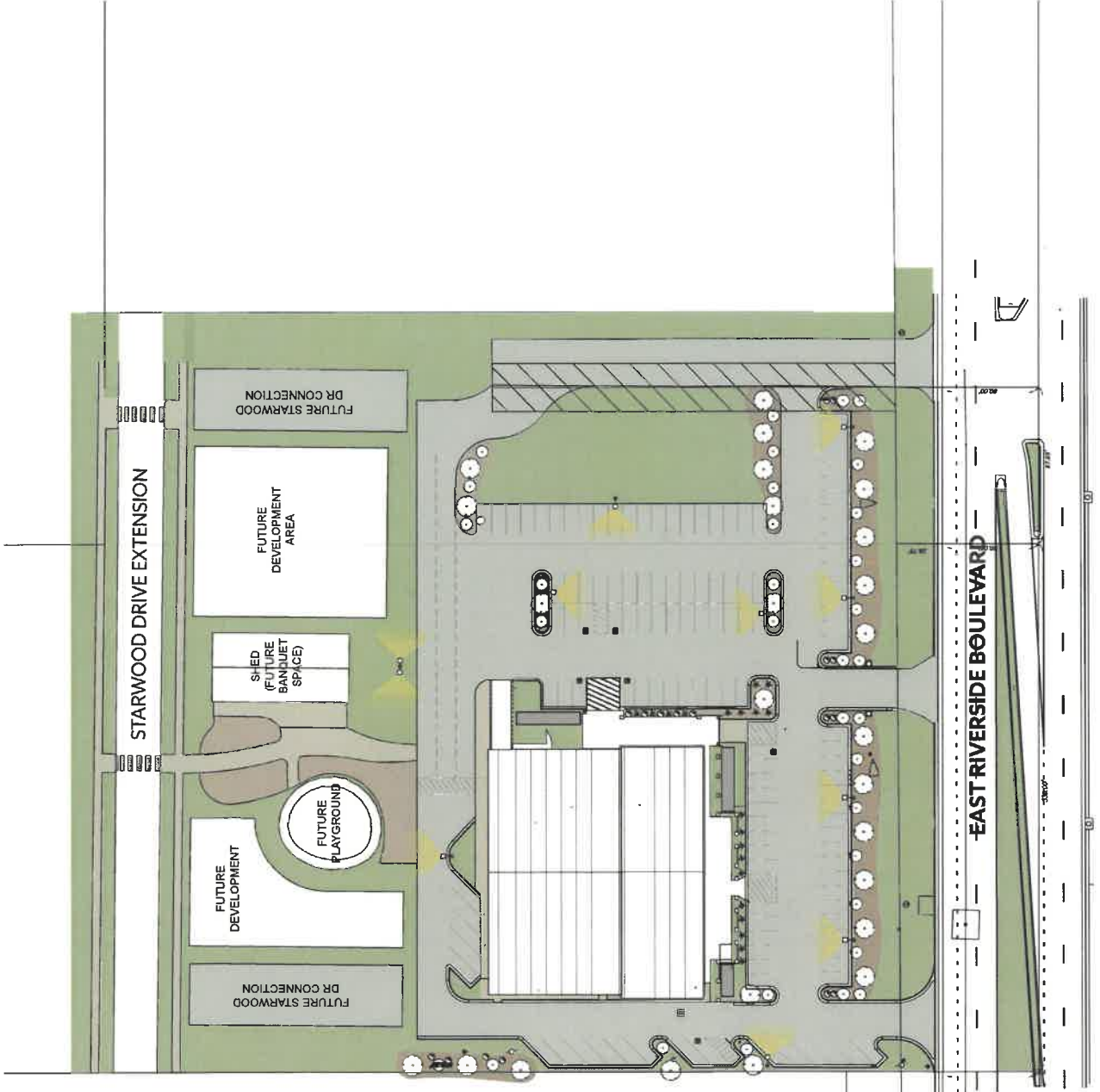


Figure 4. Landscape & Lighting Plan.

SITE DESIGN

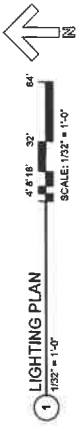
Lighting

*Landscape and lighting for reference only. Final Design by landscape architect & owner.



Legend

- ● Double commercial light
- Single commercial light



SITE DESIGN

Parking

This sections goes over parking requirements in article V, section 102-260 and requirements established in the overlay district.

Based on Sec 102-260 Schedule of Parking Requirements, the table below summarizes the minimum parking counts for the development:

Required Parking Spaces				
Area	Square Footage	Zoning	Parking Requirement	Parking Spaces
Area A	3,929 SF	Retail	200 SF/Space	20
Area B	12,486 SF	Dispensing Food	200 SF/Space	62
Outdoor Patio	1,120 SF	Dispensing Food	200 SF/Space	6
Employees			Per Employee	15
			Total Parking Spaces Required	103
			Total Parking Spaces Providing	129

*Of the 129 spaces, **123 are standard parking spaces and 6 are accessible parking spaces.**

1. The entrances and internal circulation roadways are separated from parking areas using curb and gutter, landscaping, walkways, and lighting.
2. There are separated cross-access for automobiles and pedestrians with the use of cross-walks on the site.
3. Pedestrian cross access within parking lots connect to sidewalks and multi-use paths within the public rights-of-way.
4. The existing loading and service areas is located in the back of the building and away from the public circulation patterns.

**for this section, reference Figure 2.

SITE DESIGN

Pedestrian Circulation

This sections goes over pedestrian circulation requirements established in the overlay district for both within the development and adjacent developments.

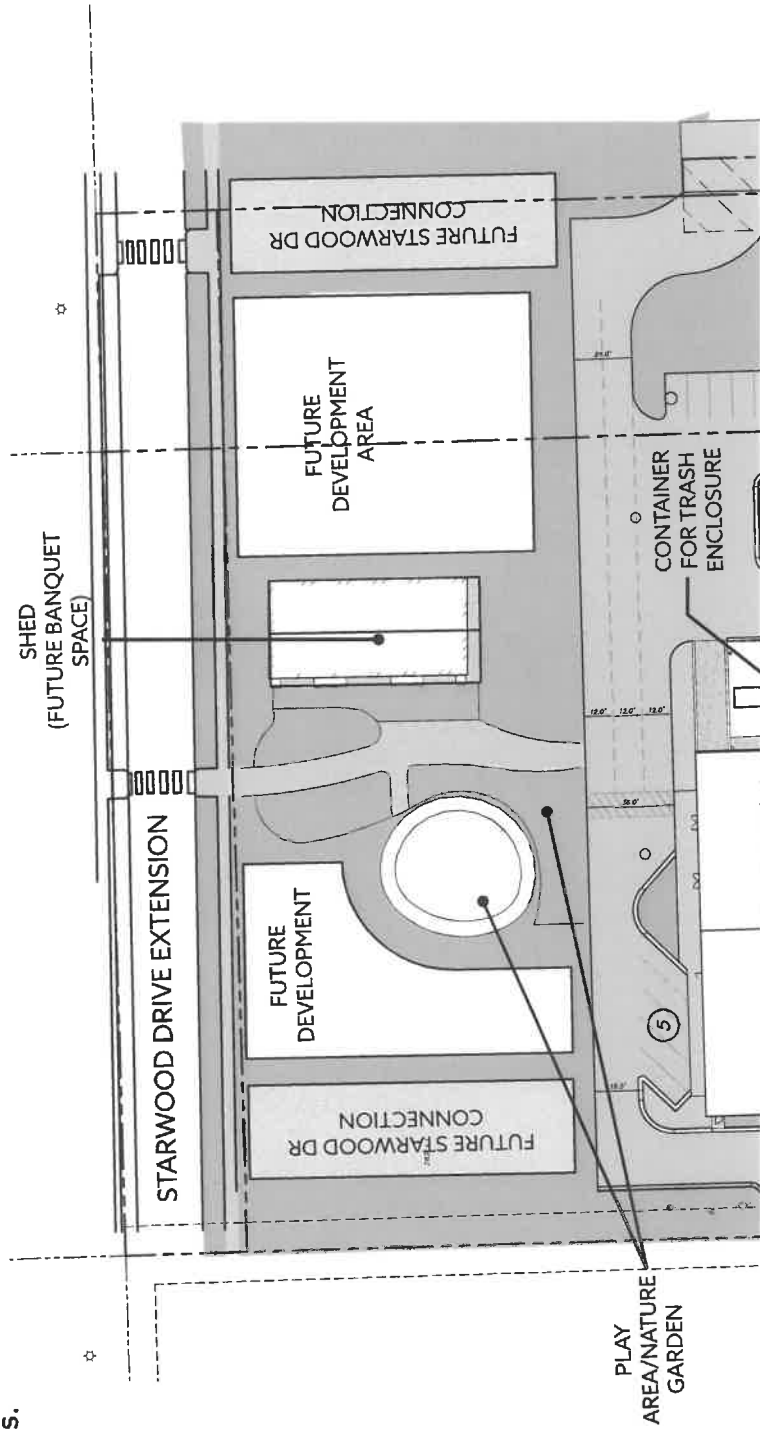


Figure 5. Future development of the north of site.

1. The development incorporates sidewalks that allow for pedestrian access from the south to the north part of the site where there will be future community area for the community. This area will have direct, safe pedestrian access to the stadium area.
2. The site plan (Figure 2) indicates areas that will be ramped to ensure there is ADA-compliant handicapped access from parking areas to inside the building and around.
3. In the future, there is an intention to ensure the north part of the site is part of a pedestrian and/or bike trail connection that will provide a link to a larger trail of networks within the overlay district area (Figure 5).

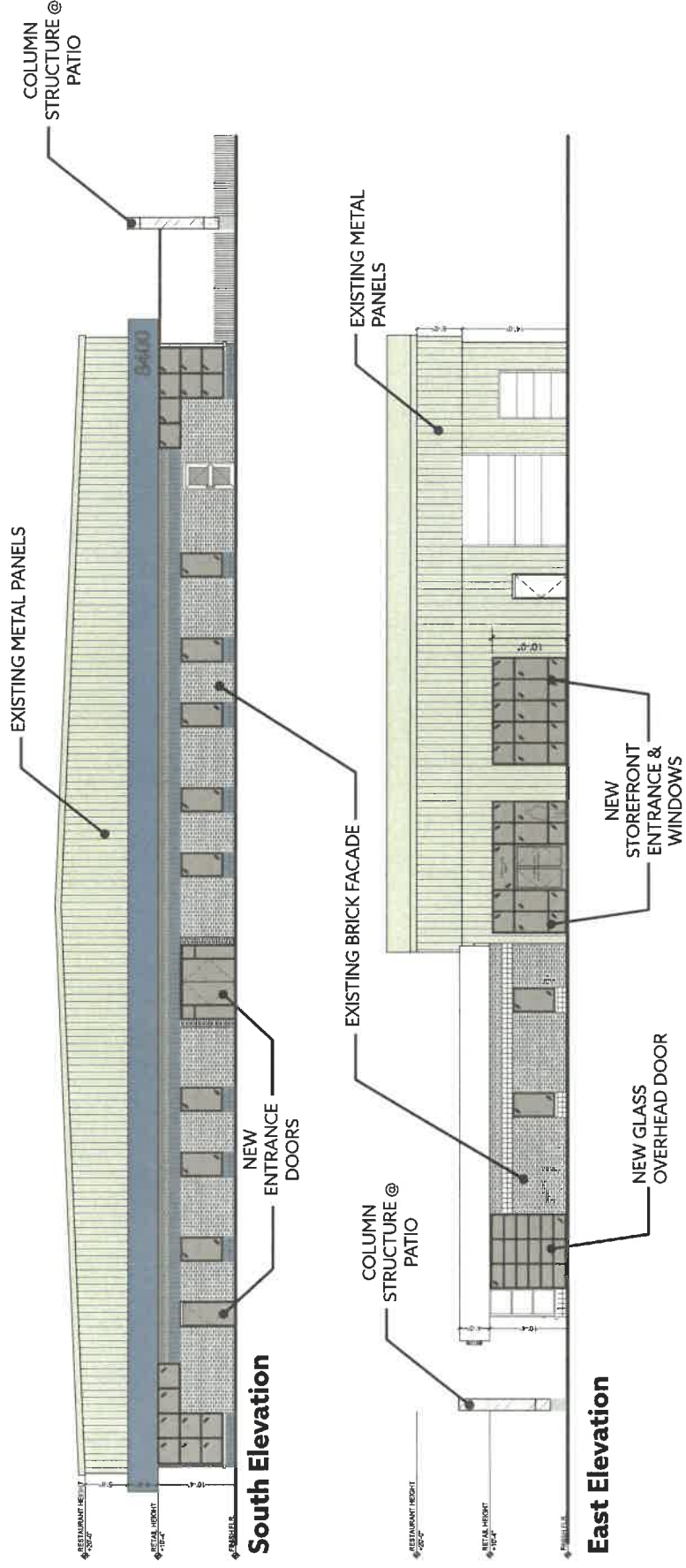


Design and Use Standards
BUILDING DESIGN

BUILDING DESIGN: ELEVATIONS

The design and use of standards are intended for new development. This section addresses building materials, building elevations, entrances, facade, height, pedestrians, windows and signs for the existing building at 8400 E Riverside Blvd.

Exterior Building Materials & Color



Material List:



Existing Brick



Existing Metal Panels



Existing Glazed Blocking Tile

BUILDING DESIGN: EXTERIOR



building entrance articulates transition from the exterior to the interior

iron ore columns as attached structures

varied roof line elevations and heights to avoid long roof line expanses with mechanical equipment on roof

exterior patio area encourage pedestrian activity and social interaction



eye level windows to the scale of the person

iron ore columns as attached structures

building signs

BUILDING DESIGN: EXTERIOR



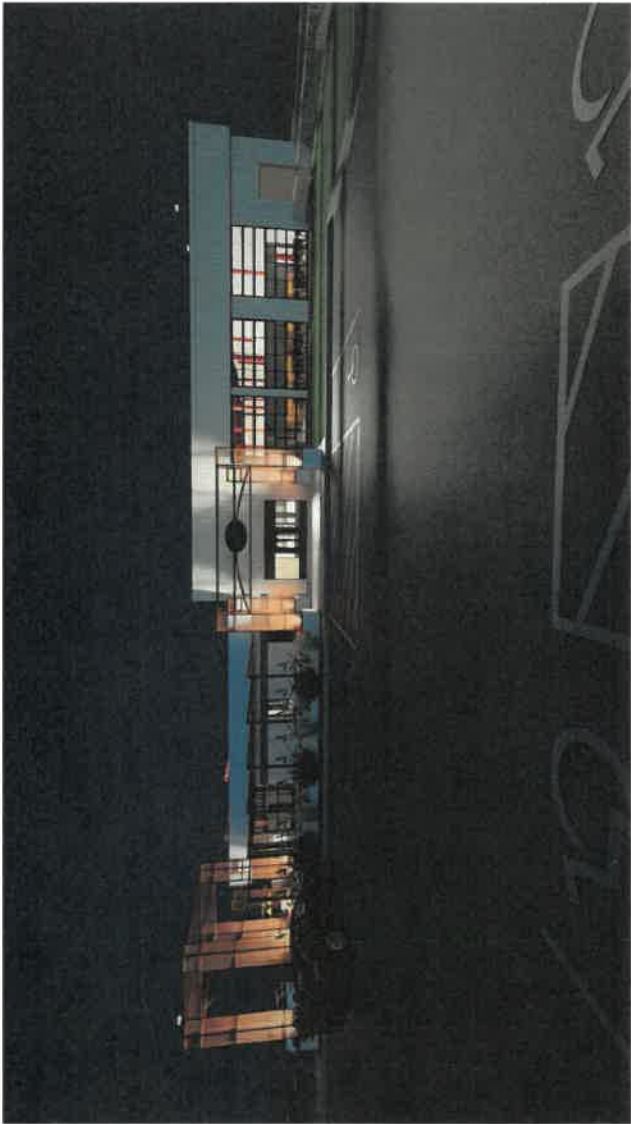
BUILDING DESIGN: EXTERIOR



BUILDING DESIGN: EXTERIOR



BUILDING DESIGN: EXTERIOR



PLACE FOUNDRY DESIGN, LLC.
ARCHITECTURE & ENGINEERING
728 N PROSPECT ST. STE 101
ROCKFORD, IL 61107
P: 815-871-0915
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IL DESIGN PLAN REGISTRATION: 164-103844



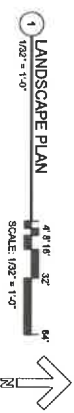
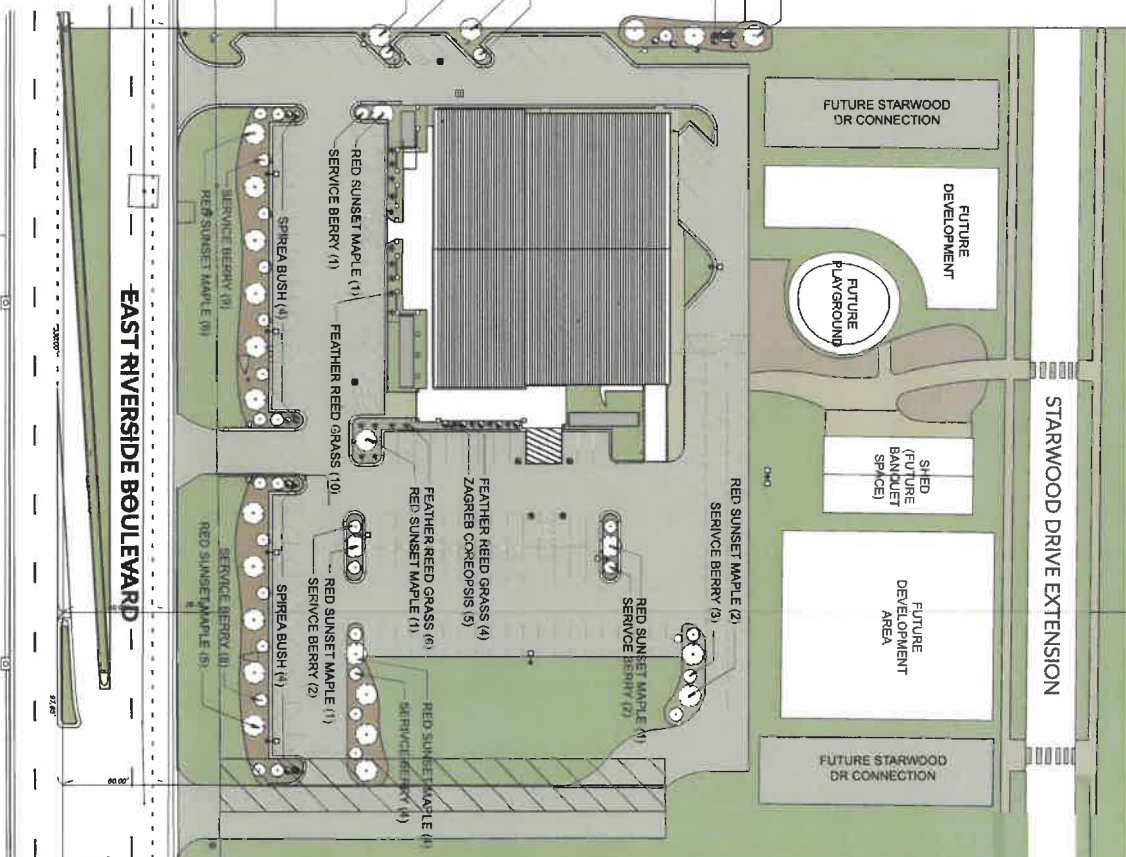
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LINO'S

ANDY WERBERG AND
LOREN PARK, R. 61111

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(R) 2024

LANDSCAPE PLAN

NOTE: TYPICAL SIZE AND TYPE (TREE, BUSH, FLOWERS) ARE REPRESENTATIVE OF DESIGN CONCEPT. FINAL LANDSCAPE/PLANTING DESIGN AND PLANT SELECTIONS TO BE PROVIDED BY LANDSCAPE DESIGNER.



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.

8400 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: **8400 E. Riverside Boulevard**
Box Market

Chairman
Catherine Nelson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 20, 2024

SUBJECT: A Special Use Permit for an event/banquet space in the CR (Commercial Retail) Zoning District.

LOCATION: 6331 N. Second Street

COMPREHENSIVE PLAN: Commercial Retail uses

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

PROPERTY INFORMATION AND RELEVANT FACTS:

Building Setbacks:

Required:

Building setback:	1/2 the right-of-way, minimum 30 feet
Side yard:	5 feet buildings under 25 feet
Rear yard:	20 feet

Provided:

Building setback:	Roughly 200 feet
Side yard:	5 feet buildings under 25 feet
Rear yard:	Greater than 20 feet

Parking:

Required: Forty stalls are required. One stall shall be an accessible stall.

Provided: The site plan shows acceptable parking for all uses.

Findings:

1 The establishment of the special use will not be detrimental to or endanger the public health and general welfare of the public. The use, itself, is as impactful as a retail use where traffic to the area is concerned. The majority of the activity generated by this use will be in the late afternoons, evenings, and weekends. There should be no adverse impact to the public.

2 The use should not be injurious to the use and enjoyment of other properties and businesses in the zoning district. The area does already sustain high volumes of traffic throughout the day, but not from a use such as this. It is unknown how the use will perform at this location. Any issues that arise as a result may be addressed with a renewal on the petition.

The use will not impede the normal orderly development for the zoning district. There are a number of mixed commercial services offered at this location. The establishment of the use will bring consumers to the area, which may benefit other existing uses. The business owner will operate on an appointment basis for scheduled activities. The owner of the business may need to provide parking lot security if banquet or event issues arise within the parking areas.

RECOMMENDATION:

Approval - A Special Use Permit for an event/banquet establishment in the CR (Commercial Retail) Zoning District.

Conditions:

1. The Special Use Permit shall expire with the discontinuance of the event/banquet establishment.
2. If music is provided for any event or banquet, the doors shall remain closed to reduce noise. The Special Use Permit is for use as a banquet venue and not a concert, or special event venue and not music only events shall be permitted.
3. The Special Use Permit shall be revoked with substantiated complaints from other businesses, residents, or local authorities.
4. The establishment shall not be permitted to have live music or a DJ, unless it is included, as part of a reception, banquet, or other similar occurrence happening on site. No concerts, paid or pre-paid ticket events, or other events with a cover charge at the door shall be permitted. All conditions of this Special Use Permit apply to any event held on the premises, whether hosted directly by the owner or through a third-party. All events are to be private events by invitation and not open to the general public. Notwithstanding the foregoing, ticketed events, of no more than 60 total occupants (which number includes employees, event staff and presenters) will be allowed for crafting type of events during which no other entertainment is allowed whether it be live music, DJ, comedian or otherwise.
5. If alcohol is to be served on the premises, the permit holder must obtain and maintain a City of Loves Park liquor license, and meet the building code requirements necessary for the issuance of a liquor license.
6. The occupancy shall be limited to the capacity for the unit as determined by the Loves Park Fire Department. The occupancy for the unit includes employees, volunteers, caterers and staff, and persons providing music, which includes DJ's and musicians.
7. All activities related to the business shall be confined to the unit for this establishment. Parking areas must be monitored to prevent loitering by patrons.
8. A business license must be obtained by the City of Loves Park.

ATTACHMENTS:

See attachments



PROPERTY ADDRESS:	6331 N. SECOND STREET
PARCEL	12-06-101-020
ZONING DISTRICT:	CR (COMMERCIAL RETAIL)
APPLICANT:	TAVANNA BRANCH 6451 OLD HUNTERS RUN ROCKFORD, ILLINOIS 61114
PROPERTY OWNER:	MEADOW MART LLC 550 7TH AVENUE , 15TH FL NEW YORK, NEW YORK 10019

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.

6331 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: 6331 N. Second
Event banquet space

Chairman
Catherine Nelson

Signature

Date