



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
October 17, 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 **September 19, 2024** meeting
3. Report from the Zoning Office – None
4. Unfinished business – None
5. New business –
 - A. **6602 Nimtz Road (08-34-401-004)** – A Zoning Map Amendment from the CN (Commercial Neighborhood) Zoning District to the R3A (Four-family Residential) Zoning District.
 - B. **5642 N. Second Street** - A Special Use Permit to allow a non-for-profit foster care agency in the CR (Commercial Retail) Zoning District.
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer

BOARD DISCUSSION

None

FINDINGS OF FACT HAVE BEEN MET

Mrs. Taylor made a motion to approve a Variance for a 15 foot high business sign from a maximum allowable 8 foot high business sign in the IL (Light Industrial) Zoning District for 6202 Forest Hills Road.

Mr. Daniels second the motion. Motion carried by vote 4-0.

Staff 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 October 7, 2024 at 4:30 pm, in Council Chambers.

5 New Business

- A. 6239 N. Second Street - A Special use Permit to allow automobile sales in the CR (Commercial Retail) Zoning District.

Petitioner: Rigoberto Flores

The applicant stated that he would like to have the space to do auto sales. The applicant stated that he would follow all of the requirements that the city is requesting.

Staff stated that the location was the site of the former Ponderosa on N. Second Street. Staff stated that the north half of the building is unoccupied, and the applicant would like to establish his car sales business at this location.

Mrs. Taylor reviewed the conditions with the applicant. He was in agreement with the conditions of the approval.

Mr. Daniels asked the applicant if there was justification for the 20 vehicle limit.

The applicant stated this is his first business and he wanted to start out small.

Mr. Daniels stated that as his business grows, if he wanted to have more than what is approved, he would need to come back and make a request to increase the number of vehicle sold.

The applicant stated that he understood.

Staff stated that he met with the applicant to review the petition. He explained that there are several car lots on N. Second. In the past, businesses have overcrowded the lot, where the land could not support them. Staff and the owner of the car sales lot determined that the lot can support the vehicle sales numbers that the applicant was requesting..

NO PETITIONERS PRESENT

BOARD DISCUSSION

None

FINDINGS OF FACT HAVE BEEN MET

Mr. Daniels made a motion to approve a Special Use Permit to allow automobile sales in the CR (Commercial Retail) Zoning District for 6239 N. Second Street with the following conditions:

1. The Special Use Permit expires with the discontinuance of the car lot.
2. The owner of the business may only have 20 vehicles for sale at any time.
3. The owner of the business shall not be allowed to wash and work on vehicles for the business. Repairs and maintenance shall take place off-site.
4. The property owner or business owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, and materials. The landscape beds shall be tended too, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times.

Mr. Kutz second the motion. Motion carried by vote 4-0.

Mr. Carlson 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 October 7, 2024 at 4:30 pm, in Council Chambers.

- B.** 4020 Stadium Drive (12-02-226-017) - A Special Use Permit for an automobile oil change service in the CR (Commercial Retail) and E. Riverside/I90 Overlay District.

Petitioner: Stan Latos

The applicant stated he was before the board to petition for a special use permit for Valvoline on a Costco outlet. He explained that the lot comes with a deed restriction, not permitting food service. Costco was supportive of the petition.

Mr. Daniels inquired if the parcel was currently owned by Costco.

Mr. Latos stated that the lot was not currently owned by Costco.

Staff stated that the petition will be reviewed by a third body, being the Overlay Review Board, which will review the building materials to verify if the project meets the design standards.

Mr. Latos indicated they he had been working with Staff to make changes to the building and are providing additional landscaping on Stadium Drive.

NO PETITIONERS PRESENT

BOARD DISCUSSION

None

Mr. Daniels made a motion to approve a Special Use Permit for an automobile oil change service use in the CR (Commercial Retail) and E. Riverside / I90 Overlay District with the following conditions:

1. The Special Use Permit expires with the change of use.
2. Landscaping shall be installed no later than May 30, 2025.
3. The property owner or business owner shall be responsible for the maintenance, repair, and replacement of all landscape trees, plants, and materials. The landscape beds shall be tended to, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times.

Mr. Kutz second the motion. Motion carried by vote 4-0.

6. Public Participation and Comment

None

7. General Discussion

None

Mrs. Taylor moved that the meeting be adjourned. Second by Mr. Daniels. Motion carried by vote. The meeting adjourned at 5:45 PM.

Secretary, Andrew Quintanilla



ZONING BOARD OF APPEALS

Community Development Department

Date:

October 17, 2024

SUBJECT: A Special Use Permit to allow a non-for-profit foster care agency in the CR (Commercial Retail) Zoning District.

LOCATION: 5642 N. Second Street

ZONING DISTRICT:

North	CR (Commercial Retail)
South	CR (Commercial Retail)
East	CR (Commercial Retail)
West	CR (Commercial Retail)

PROPERTY INFORMATION

CR Requirements:

Required: Office, business, medical and professional offices, as a stand alone use, requires a special use permit.

Provided: Foster care establishment providing legal, medical, therapy, advice and assessments. The use will also include interpreters, mentoring, and social services.

Parking:

Required: The required parking is 28 parking stalls, of which, 2 shall be ADA compliant.

Provided: Requirement met.

Findings:

- 1 The establishment, or operation of the special use will be detrimental to existing uses already permitted in the zoning district by failing to enhance retail opportunities within the district. The property is zoned for commercial retail and office use and would not comply with the purpose or intent of the zoning district and therefore would not serve the public welfare.
- 2 The use will be injurious to other uses in the immediate vicinity by not providing for an expansion of retail activity. Complimentary uses result in a proliferation of the desired use whereas mixed-use development does not.
- 3 The establishment of the special use will adversely impact the orderly development of the zoning district. It is a keypart of the City's economic development plan to foster North Second Street as the commercial gateway to the City. The City has worked to attract and incentivize new retailers to the area. The inclusion off office space not only diminishes a singular opportunity to develop a parcel as a retail provider, but also changes the character of surrounding parcels stymieing further economic development. New businesses tend to attract similar businesses in their wake. In that regard, the proposed use would impede the normal orderly development and improvement of the surround properties for uses already permitted in the zoning district.

4, 5

Utilities, access, ingress and egress are all existing. It would not be likely that anything additional would be necessary to accommodate the use.

6

The special use will not conform to the applicable regulations of the district in which it is located.

STAFF COMMENTS

Denial - A Special Use Permit to allow an office use in the CR (Commercial Retail) Zoning District is not in keeping with the City's plans for this corridor.

ATTACHMENTS:

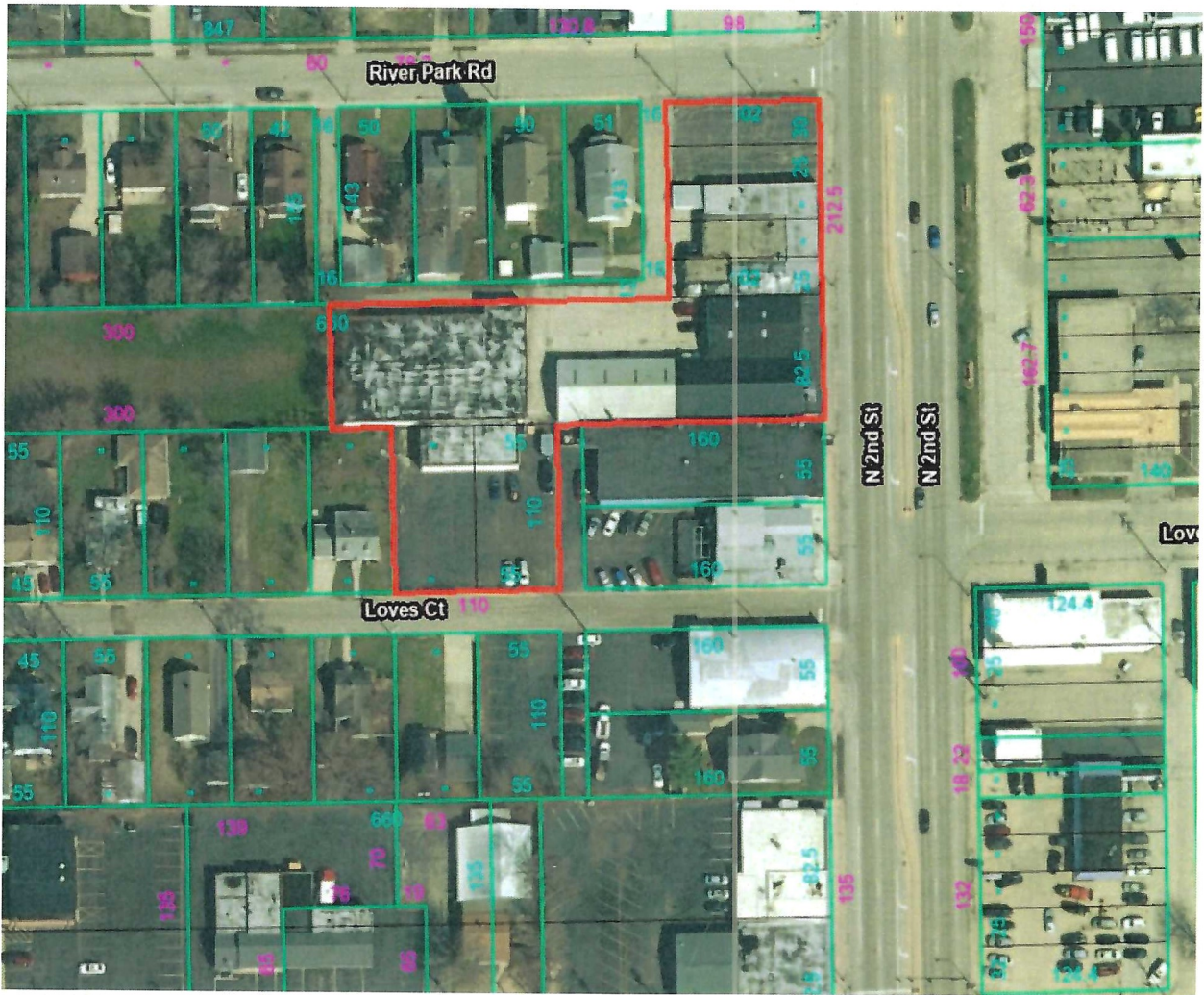
See attachments

**ZONING BOARD
RECOMMENDATION:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



PROPERTY ADDRESS: 5642 N. Second Street

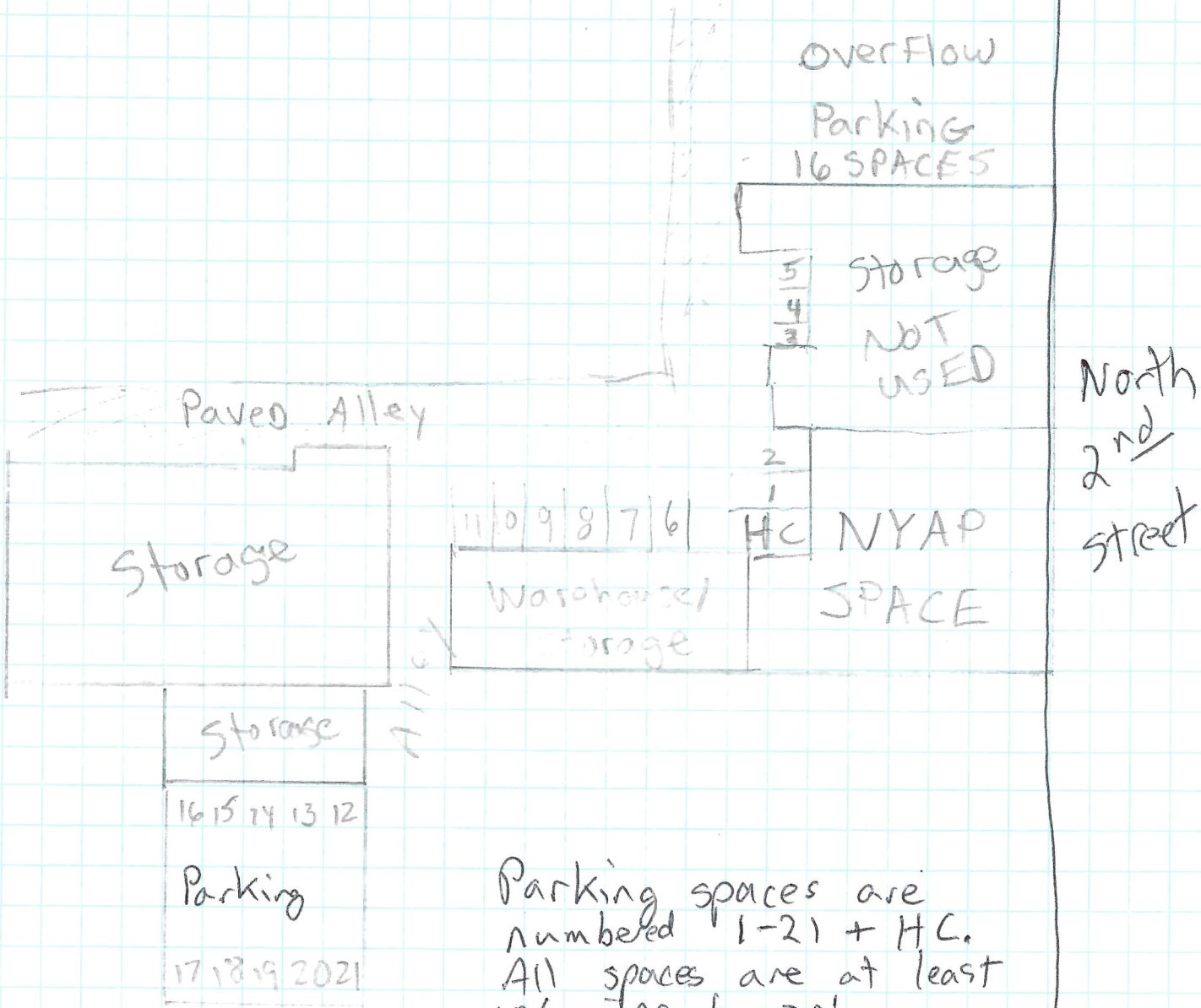
PARCEL 11-01-476-018

ZONING DISTRICT: CR (Commercial Retail)

APPLICANT: National Youth Advocate Program
1801 Watermark Drive, Ste. 200
Columbus, Ohio 43215

PROPERTY OWNER: AJB Properties, LLC.
Attn: Tim Ancona
5642 N. Second Street
Loves Park, Illinois 61111

River Park Rd



Parking spaces are numbered 1-21 + HC. All spaces are at least 10' wide by 20'.

Long Term Foster Care Program Description

The National Youth Advocate Program (NYAP) is one of the largest nonprofit foster care agencies in the county. We operate in multiple states and provide myriad programs and services for children and families.

The NYAP program operated in the office is a longer term foster care program for children ages 0-18. The goal is to provide longer term foster care (typically less than 6 months), reunify children with kinship care / sponsor family providers, and provide in-office and in-home wrap-around services.

In-office services fall within the International Building code 304.1 classification as outpatient clinic and training and skill development.

In-office services provided to the children include: case management; outpatient clinical assessment, monitoring, and referral to community mental health providers as-needed; medical/dental assessment and coordination for treatment with community health/dental providers as-needed; and educational assessment and providing tutoring and skill development.

Our in-office case management services include assessing the needs of each child, developing individual wrap-around service plans, provision of identified services, facilitating the safe and timely unification of children from their foster home to kinship / sponsor family care, and other case management services.

Our in-office clinical services are limited to assessment, monitoring, and linkage to community mental health providers. Our team uses trauma-informed assessments to identify whether children in our care require mental health services. We meet with children weekly to monitor their mental well-being in both private individualized and group session. If assessment and monitoring indicates the need for clinical treatment, our team coordinates specialized services with community mental health providers.

Our in-office medical/dental services are limited to assessment and linkage to community providers. Our team assesses whether children in our care require medical/dental treatment. If assessment indicates medical/dental treatment is required, our medical coordinator coordinates services with community medical/dental providers.

Our in-office educational services are limited to assessing the educational level of the children in our care. Upon arrival in our program, our team assesses the educational level of each child. Children in this program are enrolled in the public school system in the neighborhood of their foster family. Our assessment team works with the school to provide additional tutoring in identified educational areas.

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.

5642 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: **5642 N. Second Street**
Foster care agency

Chairman
Catherine Nelson

Signature

Date