

Village of Bradley
PLANNING & ZONING COMMISSION
147 S. Michigan Ave. Bradley, IL 60915

APPROVED

9/3/19

Date: August 6, 2019

Meeting 6:30pm

Mike Smith, Chairman

Ryland Gagnon, Joanne McGinnis, James Guiss, Mike Dauphin, Clark Gregoire and Barbara Wheeler

Chairman Smith called the meeting to order, we said the pledge of allegiance, roll was taken with all seven members present.

Motion to approve the minutes from July 2, 2019, motion to except by Dauphin 2nd by Guiss, all in favor.

We had no correspondence/Public Communications

All mailings and certificate of publication are in order.

Chairman Smith stated the Planning and Zoning Commission have three items on the agenda tonight.

- a. Special Use Permit for a Planned Development to operate a Strong Neighborhood House at 259 S. LaSalle Avenue.
Applicant: United Way of Kankakee and Iroquois Counties
- b. Amendment to the Village of Bradley Zoning Ordinance – Section 60-199 (j)(2) regarding the surfacing of parking areas and driveways
- c. Special Use Permit for the operation of (1) an automobile repair facility (major) and (2) used car sales at 170 W. Broadway Street. Applicants: Wayne Spangler and Michael L. Montoya

First Item:

Chairman Smith stated the meeting for Neighborhood House at 259 S. LaSalle Avenue has been continued until next meeting because of staff changes in their organization.

Second Item:

Chairman Smith read the changes regarding the (Surfacing of Parking Areas and Driveways) -Section 60-199 (j)(2). Pam Hirth Village of Bradley Community Development Director explained the intention of the changes in Amendment change.

See highlighted changes items: One, Four and Seven on attached article V/I.

We had no Public Comment.

Motion to approve Section 60-199 (j)(2) changes was made by Guiss 2nd by Dauphin, all in favor 7 Yes – 0 No.

Third Item:

Request for a Special Use request by Wayne Spangler and Michael L. Montoya for the operation of a automobile repair facility (major) and a used car sales at 170 W. Broadway Street, Bradley, Illinois.

Wayne Spangler 181 Ponderosa, Bradley, IL, was sworn in.

In addition to the eleven recommendations requested by the Village of Bradley Mr. Spangler stated because of the location they wanted to install a six (6) foot fence on the vacant lot to the East between the buildings. This would allow them to park vehicles they were working on and comply with our ordinance.

See eleven recommendations on attached page.

See Pam Hirth attached Staff Memorandum for detailed information

We had no public comment.

Motion by Gagnon and 2nd by Gregoire to approve the Special Use Permit 60-399 (j)(2) of the Village of Bradley Zoning Ordinance for the operation of an automobile repair facility (major) and a used car sales at 170 W. Broadway,

APPROVED

Bradley, Illinois, and modify recommendation five (5) to allow a six (6) foot fence constructed on the lot to the North to park vehicles in. Vote 7 Yes – 0 No

Motion to adjourn Gregoire, 2nd Wheeler, all in favor.

The findings of these meetings will be presented to the Mayor and Village Board for their consideration at the August 26, 2019 meeting in this room at 6:30pm.

Respectfully submitted, Planning & Zoning Secretary,
Ryland G. Gagnon

G) *Design and maintenance.*

- (1) *Open and enclosed parking spaces.* Accessory parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory parking spaces located in a residence district elsewhere than on the same lot occupied by the use served shall be open to the sky except when otherwise allowed as a special use.
 - (2) *Surfacing.* All open off-street vehicular parking areas and driveways excluding truck loading and access aisles shall be improved with an all weather dustless material consisting of the following as approved by the village:
 - a. For apartments and other residential uses surfacing shall consist at a minimum of one of the following:
 1. Eight-inch thick compacted aggregate base with a three-inch thick hot mix asphalt surface course ~~(a hot mix asphalt surface is not permitted for single-family residential driveways)~~ Residential driveway aprons (right of way) four-inch thick compacted hot mix asphalt surface course; or
 2. Four-inch thick compacted aggregate leveling base with a five-inch thick air entrained appropriate portland cement concrete mix wearing surface,
 3. An approved paver design for which a flatwork permit shall be required.
 4. An existing hot mix asphalt vehicular parking surface may be sealed, patched, repaired or replaced, but may not be overlaid on residential driveways, nor may the elevation of such surface be changed.
 5. A ~~new or existing~~ hot mix asphalt parking surface ~~in zoning districts where there is alley access may be constructed, replaced and/or expanded with a hot mix asphalt surface subject to the requirements contained in this section. A no-charge permit shall be required prior to said replacement, patching, expansion or repairing.~~ A permit fee shall be charged for an application to construct a new hot mix asphalt parking surface pursuant to this subsection. The permit fee shall be as set forth in section 18-1 for driveways, or
 6. An existing gravel vehicular parking surface ~~in zoning districts where there is alley access may be replaced refreshed or maintained with a new gravel vehicular parking surface,~~ upon verification by the Village's Building Inspector, but shall not be expanded. A no-charge ~~permit~~ application shall be ~~required~~ submitted prior to said ~~replacement~~ or maintenance.
 7. Public Sidewalks are prohibited from being overlaid with asphalt
 - b. Other uses including business, commercial, industrial, or when in the opinion of the zoning administrator, the driveway will be required to carry heavy loads, it shall then consist of at a minimum of one of the following:
 1. Ten-inch compacted aggregate base with a 1½-inch bituminous binder course and a 1½-inch bituminous surface course, or
 2. Four-inch thick compacted aggregate leveling base with a six-inch air entrained appropriate portland cement concrete mix wearing surface, or
 3. An approved paver design
- Detailed design of heavy-duty pavements may be required and is recommended.



Village of Bradley

Community Development Department

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PLANNING AND ZONING COMMISSION STAFF MEMORANDUM

TO: Planning and Zoning Commission

FROM: Pam Hirth, Community Development Director

DATE: August 1, 2019

SUBJECT: Special Use Permit for the operation of an automobile repair facility, major and a used car sales lot/170 W. Broadway

BACKGROUND

The subject property has a history of being used for used car sales and/or auto repair, however, a special use permit was never approved for either use. The applicants, Wayne T. Spangler and Michael L. Montoya, have submitted an application seeking approval of a Special Use Permit to continue operation of an automobile repair facility, major and a used car sales lot. Per the Village's Zoning Ordinance, "automobile repair major" means the engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair, and painting of vehicles.

REQUESTED ACTION & PROPOSAL OVERVIEW

The property consists of 5 lots (approximately 11,625 SF in size) and includes an existing commercial building and parking lot. The property is located at the southeast corner of Broadway Street and Washington Avenue and is zoned M - Industrial District. The property is surrounded by M - Industrial District to the east (another auto body repair facility); B-2 Commercial District to the north and west, and R-5 Two Residence District. Properties along West Broadway Street are considered Bradley's City Center.

Per the Village's Zoning Ordinance, an automobile repair facility, major is specifically listed as a Special Use in the M - Industrial District, and used car sales or storage lot is specifically listed as a Special Use in the B-2 District; any use listed as a permitted use or special use in a B-1 or B-2 District is allowed as a special use in the M District.

A Special Use Permit requires a public hearing. A newspaper notice and written notification to all property owners within 250 feet were prepared in accordance with requirements.

Attached is a written narrative outlining the business operations, including days and hours of operation, as anticipated by Mr. Montoya. The applicant has also indicated that no modifications to the property will be made. However, any future enhancements, improvements or alterations to the existing building (interior and exterior),

including signage changes cannot be completed until all applicable permit applications, plans and documentation are submitted for review and approval by the Village.

REQUIRED FINDINGS OF FACT

The Plan Commission must make findings regarding:

- i. Whether the proposed special use is compatible with surrounding land uses and the general area.
- ii. The zoning classification of subject property and other property in the general area.
- iii. Whether the subject property is suitable for uses permitted under its existing zoning classification.
- iv. The trend of development, if any, in the general area of the subject property (including but not limited to recent changes, if any, which have taken place in its zoning classification).
- v. The relationship of the existing zoning classification to the official comprehensive plan of the village.

Standards for Approval: The Plan Commission may not recommend approval of the proposed special use unless it finds all of the following:

- i. The approval of the proposed special use is in the public interest and not solely for the interest of the applicant.
- ii. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is:
 - a. In the interest of (f) public convenience: and
 - b. Will contribute to the general welfare of the neighborhood or community.
- iii. The proposed special use will not (under the specific circumstances presented):
 - a. Be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity; or
 - b. Be injurious to property values or improvements in the vicinity.
- iv. The proposed special use will comply with all applicable regulations and conditions specified in the Village Code (taking into account any stipulations and/or conditions to be made a part of the authorization granted by the village board of trustees).

RECOMMENDATION

Should the Planning and Zoning Commission find the requested Special Use Permit for the operation of an automobile repair facility, major and used car sales lot on the property located at 170 W. Broadway Street favorable, the following conditions and restrictions should be considered.

1. The uses approved under the Special Use Permit will need to comply with all other applicable requirements of the M - Industrial District.
2. The Special Use is limited to the Applicants only and will not be transferable to a new owner except upon re-application, hearing and approval in the manner provided by the Village's Zoning Ordinance. In other words, the Special Use Permit will continue in effect so long as Mr. Spangler owns the property and will

also continue if Mr. Spangler sells the property to Mr. Montoya for as long as Mr. Montoya owns the property, but in the event that the property is ever sold to any new owner other than Mr. Spangler or Mr. Montoya, the special use permit would lapse and a new special use permit would be required.

3. The provisions of the Village Code of Bradley and the Village's Zoning Ordinance apply to and govern the subject property. All activities at the subject property need to comply with all Village codes, ordinances and regulations at all times.
4. All work performed on any vehicles will need to be conducted within the existing building.
5. No vehicles in need restoration and/or body repair are to be parked or stored outside.
6. Any enhancements, improvements or alterations to the existing building (interior and exterior), including signage cannot be completed until all required permit applications, plans and documentation are submitted for review and approval by the Village.
7. Any vehicles located on the property will need to meet all State of Illinois statutory and regulatory requirements with regard to valid license plates and/or registration requirements and any other statutory and regulatory requirements pertaining to the vehicles.
8. No vehicles are to be parked on the public right-of-way (street or alley) located immediately adjacent to the subject property.
9. No vehicles are to be parked near any fire hydrants located immediately adjacent to or on the subject property so as to impede access to the fire hydrants by emergency vehicles.
10. Only used passenger vehicles (cars, SUVs, vans and pick-up trucks) are allowed to be sold on the property.
11. The parking lot will need to be maintained in good condition to present a neat and orderly appearance, free from broken pavement, potholes, refuse and debris. Striping will need to be visible and clearly define all parking spaces, including the required handicapped parking spaces in accordance with standards established by the State (most current version of the Illinois Accessibility Code). The posted fine for a handicapped parking space is \$250.

Attachments

1. Written Narrative, Staff Email
2. Aerial Pictures (2)