

STAFF REPORT

DATE: December 10, 2024
TO: Zoning Board of Appeals
FROM: Helen Miller, Planner
RE: Petition Number: 2024-60
Applicant / Owner: 1st Choice Auto Sales / Bujar Shabani
Location: 115 N. Center Street
Request: A Special Use Permit to allow an automobile storage lot for an existing used automobile sales business

Purpose

The applicant is requesting a Special Use Permit to allow an automobile storage lot that will be used to park inventory for their existing used automobile sales business. The applicant owns 1st Choice Auto Sales at 201 N. Center Street. The subject of the special use request is the parking lot at 115 N. Center Street. Per the City of Joliet Zoning Ordinance, uses related to automobile sales may be allowed as special uses by the Mayor and City Council, with the advice of the Zoning Board of Appeals in accordance with Section 47-5.2.

Site Specific Information

The subject property is a 6,270-square-foot lot that contains an existing parking area. The property is accessed from an alley off Center Street that runs along the south side of the site. The petitioner installed an aluminum fence around the property in December 2021.

The property is zoned B-3 (general business) and has been a parking lot for decades. In the 1960s and 1970s, it was part of the Kinney Motors car dealership that operated at 104 and 116 N. Center Street. The lot remained under ownership related to Kinney Motors until the petitioner purchased it in 2021.

The petitioner previously requested the same special use permit under Petition 2022-73, which was recommended for denial by the Zoning Board of Appeals in December 2022 and denied by City Council in January 2023.

Surrounding Zoning, Land Use and Character

The property is located on the west side of Center Street between Oneida Street and Jefferson Street. It is surrounded by residential and commercial properties with B-3 (general business) zoning. Adjacent to the north is Last Chantz Sports Bar and its parking lot. Adjacent to the west is a two-unit residence. Across the alley to the south is a five-

unit residence. Across Center Street to the east is an eight-unit residence and a vacant commercial building.

Applicable Regulations

- Section 47-13.2A (G) Special Uses – B-3 General Business District
- Section 47-5.2 (C) Criteria for issuance of a Special Use Permit
(refer to attachment)

Discussion

The petitioner, the owner of 1st Choice Auto Sales at 201 N. Center Street, is requesting a special use permit to use the property at 115 N. Center Street to store extra inventory for their business. 1st Choice Auto Sales is a used car dealership located one block north of the proposed storage lot on a 6,000-square-foot site that contains a small office building and 18 parking spaces. The dealership is located at the northwest corner of Center Street and Oneida Street and has no room to expand. 201 N. Center Street has been a car dealership since at least the late 1980s when a variation of use to allow used car sales was approved for the site, which is zoned B-1 (neighborhood business).

The petitioner has operated 1st Choice Auto Sales at 201 N. Center Street since 2018 and purchased the lot at 115 N. Center Street in 2021. The proposed site plan for 115 N. Center Street shows 16 parking spaces. The lot would only be used for storage of vehicles – no sales would be conducted on the property. As a condition of approval, the special use permit would terminate if the variation of use that permits auto sales at 201 N. Center Street were revoked or if the use were abandoned for longer than one year. As another condition, the parking lot will need to be re-paved and striped in accordance with City regulations. Additionally, the petitioner will need to replace the public sidewalk along Center Street and the alley apron adjacent to Center Street.

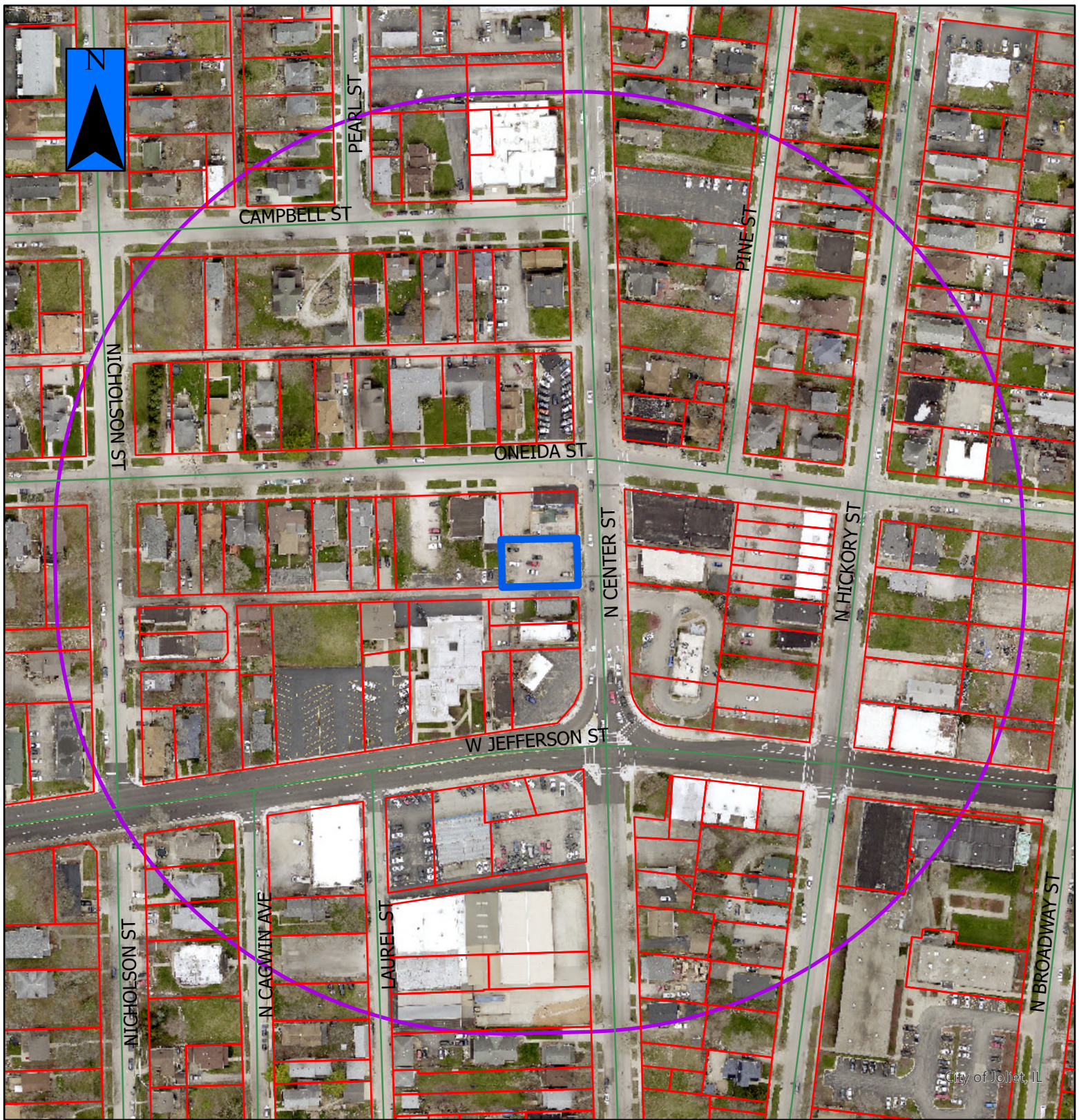
Staff finds that the request meets the criteria for special uses in that it will not be detrimental to public health or general welfare and will not be injurious to the use of other property in the immediate vicinity. The property will continue to operate as a parking area as it has for many years and will need to be improved per the proposed conditions. More than one year has elapsed since the previous denial of the same special use request at this site.

Conditions

If the Zoning Board desires to approve this Special Use Permit to allow an automobile storage lot for an existing used automobile sales business, located at 115 N. Center Street, the following conditions would be included:

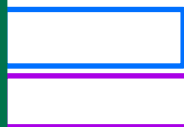
1. That no sales or repair of automobiles shall be conducted on the property;

2. That no inoperable vehicles shall be stored on the property;
3. That the property shall be re-paved, and the parking spaces marked (painted) in accordance with an approved City plan prior to utilization of the lot;
4. That the public sidewalk adjacent to the east side of the property and extending to the south side of the alley, and the alley apron, shall be replaced within 6 months of ordinance approval in accordance with the requirements of the Public Works Department;
5. That no business signage shall be permitted on the property;
6. That the Special Use Permit shall terminate if the Variation of Use for 201 N. Center Street (Ordinance #8562) is revoked or if the use is abandoned for longer than one year;
7. That the Special Use granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period. The Board may grant an extension of this period, valid for no more than one hundred and eighty (180) additional days, upon written application and good cause shown without notice or hearing. Whether or not there is an intention to abandon the Special Use, if any special use is discontinued for a continuous period of one year, or if an intent to abandon the Special Use is evident in a shorter period of time, the Special Use for such use shall become void, and such use shall not thereafter be reestablished unless a new Special Use Permit is obtained;
8. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit.

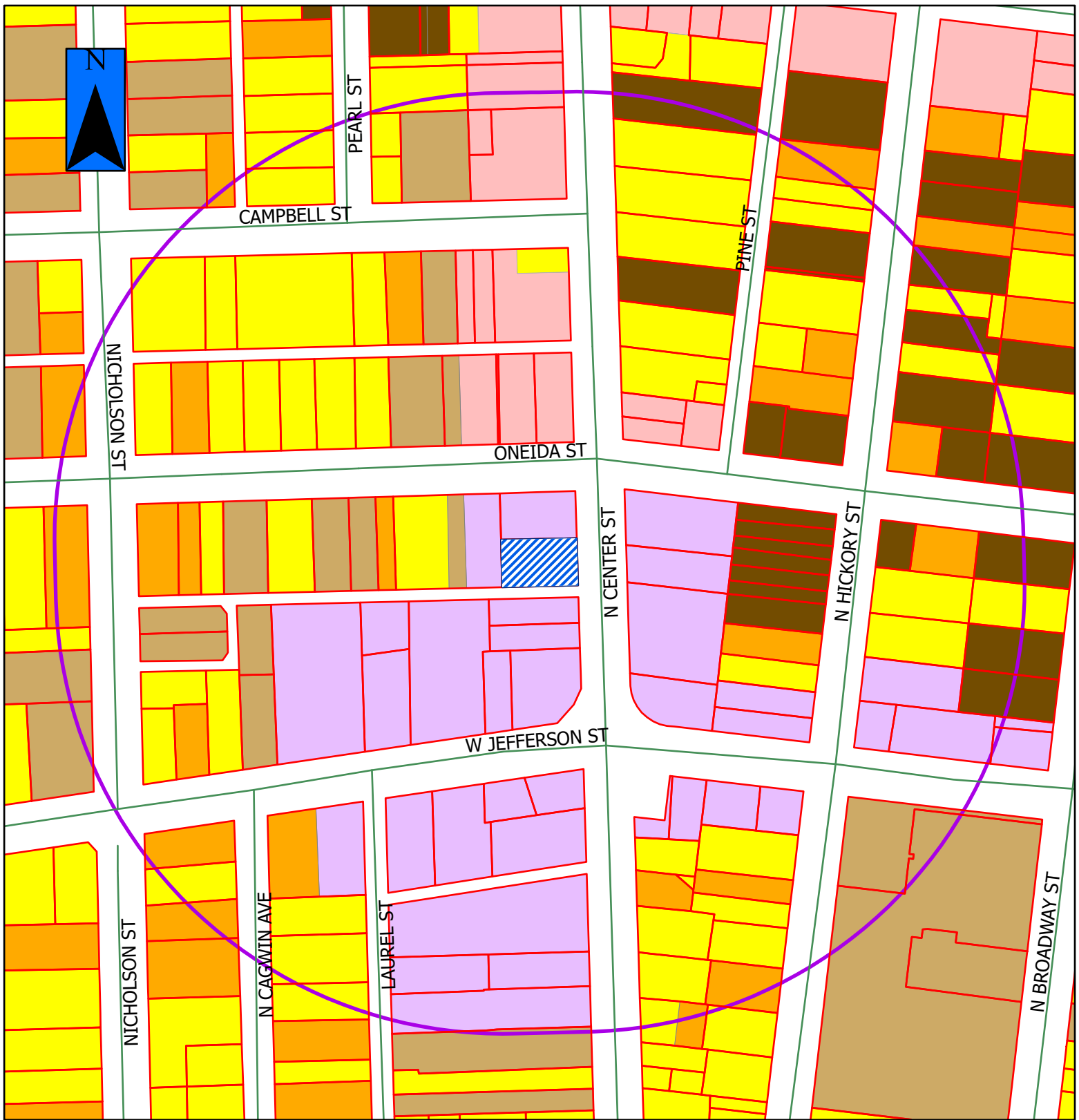


City of Joliet, IL

2024-60a



= Property in Question / Propiedad en cuestión
 = 600' Public Notification Boundary /
 Límite de notificación pública de 600 ft (180 m)



2024-60



 = Property in Question
 = 600' Public Notification Boundary

Legend

	B-1		I-TA		R-2
	B-2		I-TB		R-2A
	B-3		I-TC		R-3
	I-1		R-1		R-4
	I-2		R-1A		R-5
	I-T		R-1B		R-B

Figure 1: Aerial view of 115 N. Center Street and 201 N. Center Street (2024)

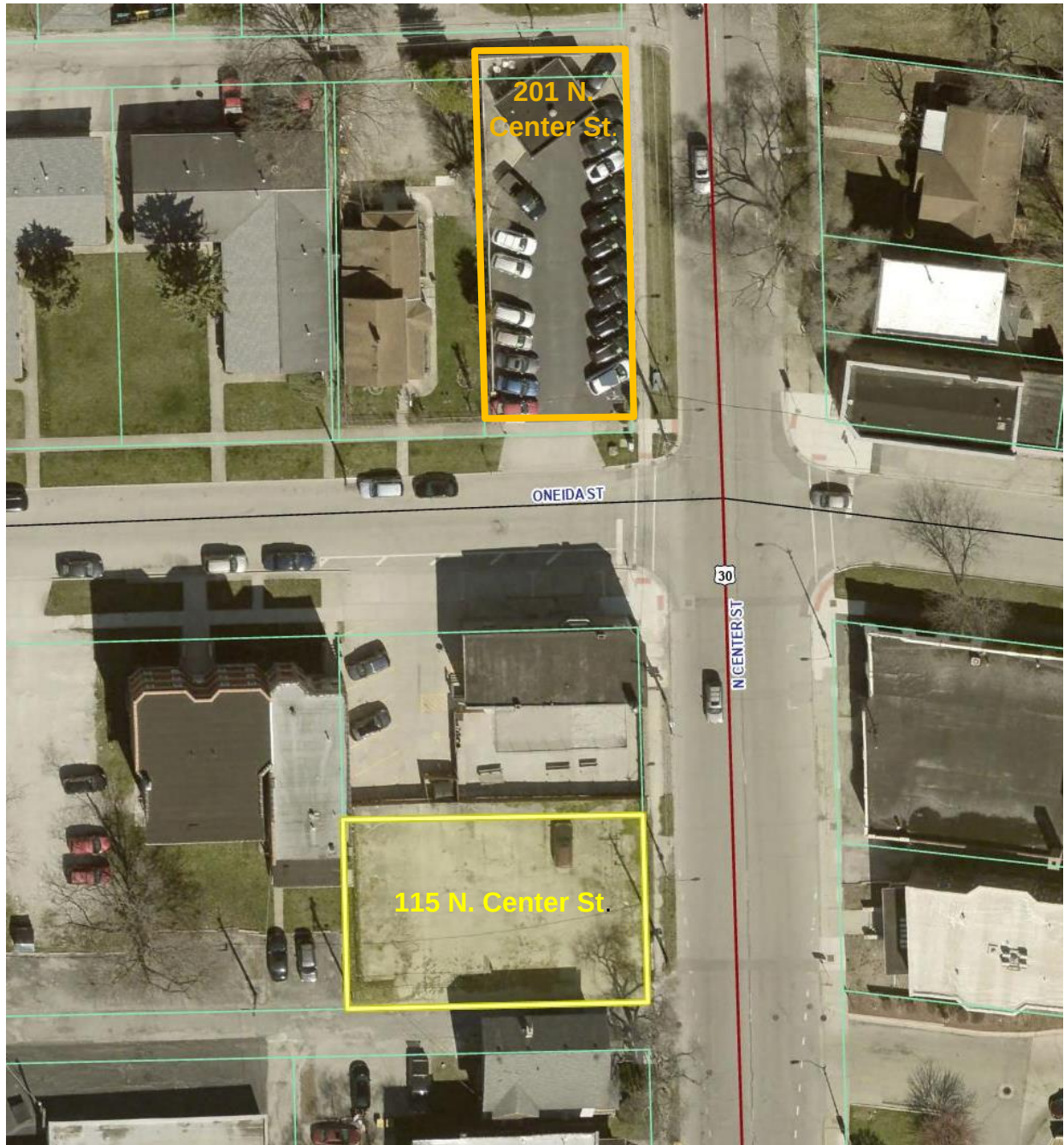


Figure 2: Parking lot at 115 N. Center Street, view west from Center Street (December 2024)



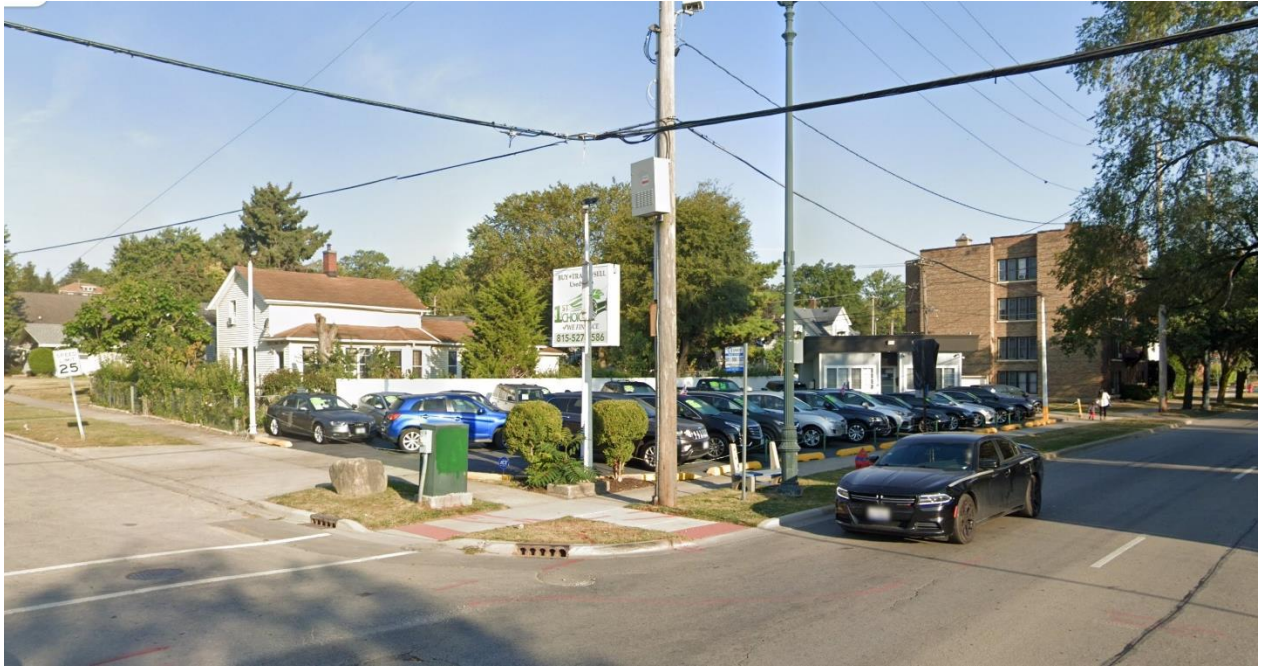
Figure 3: Parking lot at 115 N. Center Street, view northwest from alley entrance (December 2024)



Figure 4: Alley apron and sidewalk along Center Street adjacent to 115 N. Center Street, view north from alley (December 2024)

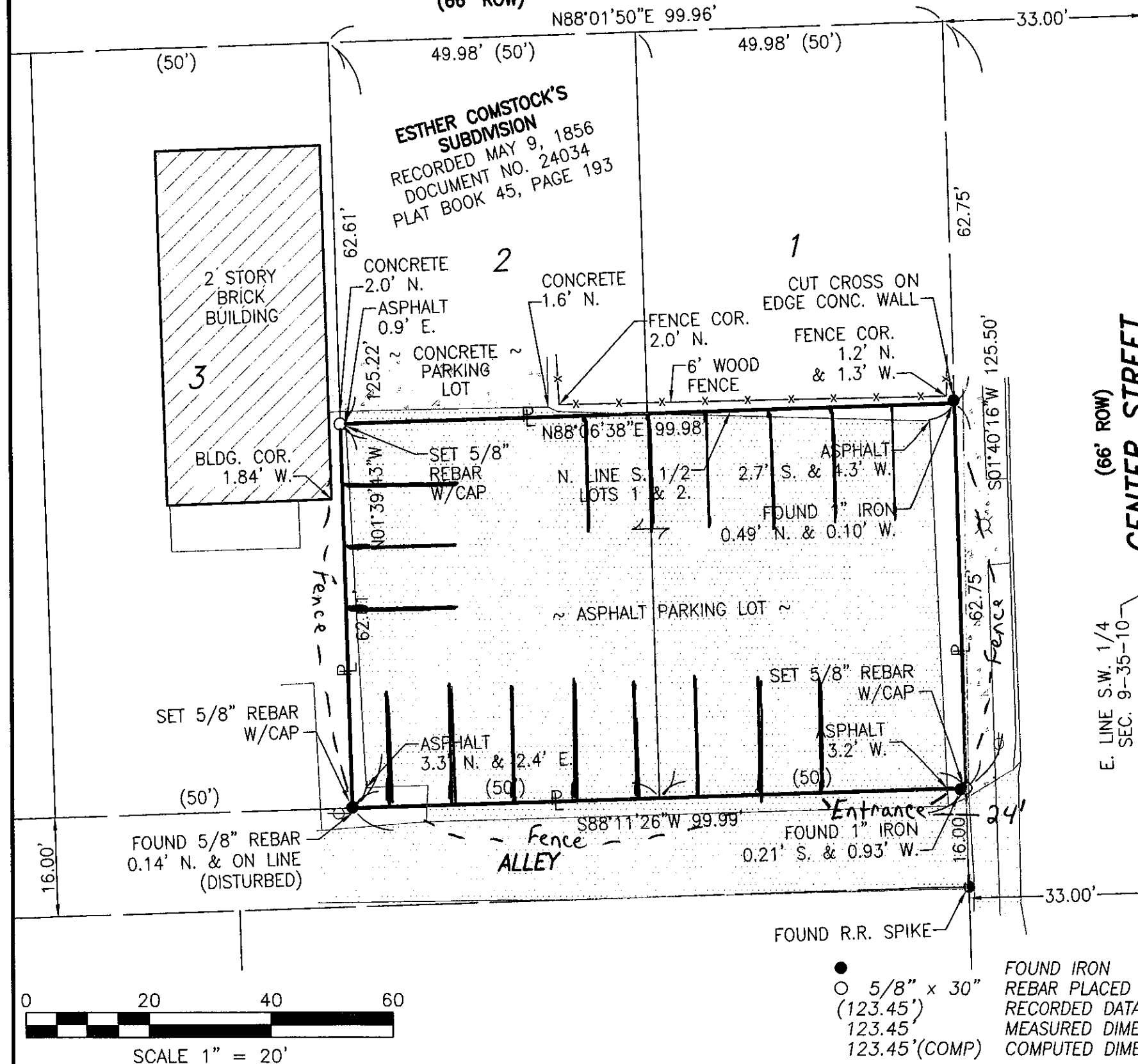


Figure 5: 1st Choice Auto Sales at 201 N. Center Street, view northwest from the intersection of Center Street and Oneida Street (September 2024)



Plat of Survey

ONEIDA STREET
(66' ROW)



LEGAL DESCRIPTION

THE SOUTH HALF OF LOTS 1 AND 2, IN ESTHER COMSTOCK'S SUBDIVISION OF BLOCK 50 IN CANAL TRUSTEES SUBDIVISION OF THE WEST HALF OF SECTION 9, IN TOWNSHIP 35 NORTH AND IN RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PAT THEREOF RECORDED MAY 9, 1856 AS DOCUMENT NO. 24034 IN PLAT BOOK 45, PAGE 193, IN WILL COUNTY, ILLINOIS.

ADDRESS: 115 N. CENTER STREET, JOLIET, ILLINOIS 60435
PIN: 30-07-09-325-013-0000

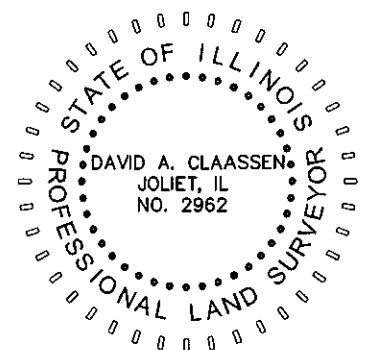
NOTES:

- THIS PLAT HAS BEEN PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 758964, WITH A COMMITMENT DATE OF JUNE 24, 2021.
- REFER TO TITLE COMMITMENT FOR BUILDING AND EASEMENT RESTRICTIONS.
- THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83(2011).

STATE OF ILLINOIS
COUNTY OF WILL

THIS IS TO CERTIFY THAT I, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AS SHOWN BY THE ANNEXED PLAT WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

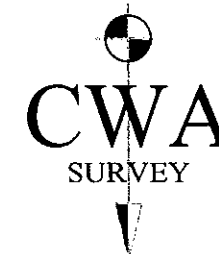
GIVEN UNDER MY HAND AND SEAL AT JOLIET, ILLINOIS, THIS 22nd DAY OF JULY, 2021.



DAVID A. CLAASSEN, ILLINOIS LAND SURVEYOR NO. 2962
LICENSE EXPIRES 11-30-2022

H:\7500-7599\7536\DWG\7536.DWG

JOB #7536



CLAASSEN, WHITE & ASSOCIATES, P.C.
LAND SURVEYORS

121 AIRPORT DRIVE, UNIT I, JOLIET, ILLINOIS 60431
(815) 744-3720 claassenwhite@cwasurevey.com

THE LAW OFFICE OF MICHELLE HANSEN
950 ESSINGTON ROAD, SUITE C
JOLIET, ILLINOIS 60435
(815) 582-4568

SCALE: 1"=20'
DATE: 07/27/21
DRAWN: JLS
DWG#: 121-099

FOR OFFICE USE ONLY

Verified by Planner (please initial):_____

Payment received from: _____

Petition #: _____

Common Address: _____

Date filed: _____

Meeting date requested: _____

ZONING BOARD OF APPEALS
JOLIET, ILLINOIS

PETITION FOR SPECIAL USE PERMIT

City of Joliet Planning Division, 150 W. Jefferson St., First Floor, South Wing, Joliet, IL 60432
Phone (815)724-4050 Fax (815)724-4056

ADDRESS FOR WHICH SPECIAL USE IS REQUESTED: 115 N. Center Street, Joliet, IL

PETITIONER'S NAME: 1st Choice Auto Sales Inc.

HOME ADDRESS: 704 Silver Fox Drive, Joliet, IL ZIP CODE: 60431

BUSINESS ADDRESS: 201 N. Center Street, Joliet, IL ZIP CODE: 60435

PHONE: (Primary) 815-212-0176 (Secondary) _____

EMAIL ADDRESS: 1stchoiceautosalesjoliet@gmail.com FAX: _____

PROPERTY INTEREST OF PETITIONER: Operator

OWNER OF PROPERTY: Bujar Shabani

HOME ADDRESS: 704 Silver Fox Drive, Joliet, IL ZIP CODE: 60431

BUSINESS ADDRESS: 201 N. Center Street, Joliet, IL ZIP CODE: 60435

EMAIL ADDRESS: Bujar74@hotmail.com FAX: _____

Any use requiring a business license shall concurrently apply for a business license and submit a copy with this petition. Additionally, if this request is for operation of a business, please provide the following information:

BUSINESS REFERENCES (name, address, phone):

OTHER PROJECTS AND/OR DEVELOPMENTS:

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 30-07-09-325-013-0000;
_____; _____; _____.

Property Index Number/P.I.N. can be found on tax bill or Will County Supervisor of Assessments website

LEGAL DESCRIPTION OF PROPERTY (attached copy preferred):

See attached

LOT SIZE: WIDTH: 65.00 DEPTH: 102.00 AREA : _____

PRESENT USE(S) OF PROPERTY: B-3 (General Business Districts)

PRESENT ZONING OF PROPERTY: B-3 (General Business Districts)

SPECIAL USE REQUESTED: Special use to permit property to be used to park vehicle
inventory for 1st Choice Auto Sales Inc.

The Zoning Board of Appeals is authorized to grant a special use permit provided the applicant establishes by clear and convincing evidence:

- (1) That 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; and
- (2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and
- (3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and
- (4) That adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided; and
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- (6) That the special use shall in all other respects conform to the applicable land use regulations of the district in which it is located and shall not be in violation of any other applicable law, ordinance or regulation; and
- (7) At least one (1) year has elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites, unless conditions in the area have substantially changed.

Please describe how this request meets the criteria by responding to the following questions in your own words.

1. How will the establishment, maintenance, or operation of the special use affect the public health, safety, morals, comfort, or general welfare?

There will be no negative impact on the public health, safety, morals, comfort, or general welfare.

2. How will the special use impact properties in the immediate area?

The special use will not impact properties in the immediate area.

3. Will the use impede the normal/orderly development/improvement of surrounding property?

No

4. Are adequate utilities, access roads, drainage, and/or other necessary facilities provided?

Yes

5. Have adequate measures been taken to provide ingress/egress design to minimize traffic congestion in public streets?

Yes

6. Does the use conform to the applicable land use regulations of the district in which it is located and does it violate any other applicable law, ordinance or regulation?

Yes, the use conforms to the land use regulations of the district. No, it does not violate known laws, ordinances or regulations.

7. Has at least one (1) year elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites (unless conditions in the area have changed substantially)?

Yes

REQUIRED SUPPORTING ATTACHMENTS

- ☐ Site plan / concept plan / floor plan / building elevation plan
- ☐ Joliet Ownership Disclosure form
- ☐ Business license application (if applicable)

NOTARIZATION OF PETITION

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, BUJAR SHABARI depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

Bujar Shabari
Petitioner's Signature

Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me
this 8 day of November, 20 24

Grizel Arellano



CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

I. INFORMATION ABOUT THE APPLICATION

This form is submitted as part of an application for the following (check all that apply):

- ☒ Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)
- ☐ Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)
- ☐ Building Permit (Complete Sections II and III)
- ☐ Business License (Complete All Sections)

II. INFORMATION ABOUT THE PROPERTY

The address and PIN(s) of the real property associated with this application are:

115 N. Center Street, Joliet, IL

PIN(s): 30-07-09-325-013-0000

III. PROPERTY OWNERSHIP

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

- ☒ **Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- ☐ **Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- ☐ **Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- ☐ **Land Trust:** State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries
- ☐ **Partnership:** State the names, addresses, and phone #'s of all partners
- ☐ **Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

Bujar Shabani, 704 Silver Fox Drive, Joliet, IL 60431

815-212-0176

E-MAIL: Bujar74@hotmail.com **FAX:** _____

IV. BUSINESS OWNERSHIP

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

Select the type of business owner associated with this application and fill in the contact information below:

- ☐ **Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- ☒ **Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- ☐ **Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- ☐ **Partnership:** State the names, addresses, and phone #'s of all partners
- ☐ **Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

Bujar Shabani, 201 N. Center Street, Joliet, IL 60435

815-212-0176

E-MAIL: Bujar74@hotmail.com

FAX: _____

NOTE:

If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

SIGNED: _____

DATE: _____

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

Bujar Shabani, 1st Choice Auto Sales Owner

815-212-0176

ZONING BOARD OF APPEALS

CRITERIA FOR SPECIAL USES

Section 47-5.2 (C) of the Zoning Ordinance states:

A special use permit shall not be granted unless the applicant establishes by clear and convincing evidence:

	Does the evidence presented sustain this criteria?	Comments
(1) That 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; and		
(2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and		
(3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and		
(4) That adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided; and		
(5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and		
(6) That the special use shall in all other respects conform to the applicable land use regulations of the district in which it is located and shall not be in violation of any other applicable law, ordinance or regulation; and		
(7) At least one (1) year has elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites, unless conditions in the area have substantially changed.		