

STAFF REPORT

DATE: August 18, 2022
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2022-52
Applicant: Bays Premier Building, LLC
Status of Applicant: Owner
Owner: Bays Premier Building, LLC C/O John Bays
Location: 51 W. Jackson Street
Request: **A Special Use Permit to allow office uses in an I-1 (Light Industrial) zoning district, located at 51 W. Jackson Street.**

Purpose

The petitioner is requesting a Special Use Permit to allow office uses in an I-1 (Light Industrial) zoning district, located at 51 W. Jackson Street. The property is located just north of the City's B-2 (Central Business District) zone and contains existing office uses. The R-B (Restricted Business District) zone is the zoning district that most commonly features business office uses and professional buildings outside of the B-2 (Central Business District) zone. Per Section 47-14.3(C) of the Zoning Ordinance, R-B (Restricted Business) uses are prohibited in industrial zoning districts, except in the I-1 (Light Industrial) District as special uses when authorized by two-thirds majority of the Zoning Board of Appeals.

Site Specific Information

The subject property is approximately 1.9 acres in size and has contained the existing building since for several decades. Historically, the building was used as a facility for Commonwealth Edison. In 1995, the building was renovated to include several office spaces. The property was purchased in 2019 by the current owner with the intent of expanding the amount of office space in the building by converting most of the first floor into office space. A Development Agreement the current owner executed with the City in 2019 detailed several intended improvements the owner would make to the property to allow for expanded office use in the building.

Surrounding Zoning, Land Use and Character

- | | |
|--------------------------|-------------------------------|
| * North: I-1; Commercial | * East: B-3; General Business |
| * South: B-2; Commercial | * West: Des Plaines River |

Applicable Regulations

- Section 47-10.1 – Permitted Uses – R-B (Restricted Business District)

- Section 47-14.3(C) – Prohibited Uses – All Industrial Districts – Except As Noted
- Section 47-5.2(C) - Criteria for issuance of a Special Use Permit (see attached petition)

Discussion

The approval of the requested Special Use Permit would allow for the continued office use in an I-1 (Light Industrial) zoning district within the existing building at 51 W. Jackson Street.

Staff finds that the petitioner has established with clear and convincing evidence that the criteria outlined in Section 4705.2(C) of the City Code, which covers the conditions that must be present for a special use permit to be issued, will be met with the proposed use. The office use that is proposed throughout the building is less intense than what is generally allowed within the I-1 (Light Industrial) zoning district. The subject property is just north of the City's B-2 (Central Business District) zone. Comparable general business and office facilities can be found in the surrounding area.

Conditions

If the Zoning Board desires to approve the requested variation, the following conditions would be included:

1. That any businesses within the building shall be registered with the City Clerk's Office.
2. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit.

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.		

FOR OFFICE USE ONLY

Verified by Planner (please initial): _____

Payment received from: _____

Petition #: 2022-52

Common Address: 51 W. Jackson St.

Date filed: 07/19/22

Meeting date requested: 08/18/22

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: 51 W. Jackson St., Joliet

PETITIONER'S NAME: Bays Premier Building, LLC

HOME ADDRESS: _____ ZIP CODE: _____

BUSINESS ADDRESS: 3077 W Jefferson St, Joliet, IL ZIP CODE: 60435

PHONE: (Primary) 815-741-2700 (Secondary) 815-953-2204

EMAIL ADDRESS: office@baysinvestmentcorp.com FAX: 815-741-2823

PROPERTY INTEREST OF PETITIONER: multi use offices

OWNER OF PROPERTY: Bays Premier Building, LLC / John Bays

HOME ADDRESS: _____ ZIP CODE: _____

BUSINESS ADDRESS: 3077 W Jefferson St, Joliet, IL ZIP CODE: 60435

EMAIL ADDRESS: office@baysinvestmentcorp.com FAX: 815-741-2823

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 07-09-238-005-0000 ;

30 07-09-238-004-0000 ; _____.

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):

LOT SIZE: WIDTH: _____ DEPTH: _____ AREA : _____

PRESENT USE(S) OF PROPERTY: multi-use offices , warehouse attached

PRESENT ZONING OF PROPERTY: light industrial

SPECIAL USE REQUESTED: multi-use offices

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?

Helps serve the community with multi use offices

2. How will the special use impact properties in the immediate area? No change to 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?

It does conform with no violations

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)?

N/A

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, JOHN BAYS, 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.

John Bays
Petitioner's Signature

John Bays
Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me
this 19th day of July, 20 22

Jessica Bays



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:

51 W Jackson St., Joliet

PIN(s): 30 07-09-238-005-0000; 30 07-09-238-004-0000

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

Bays Premier Building, LLC / John Bays, principal/manager

3077 W Jefferson St., Suite 100, Joliet, IL 60435

815-953-2204 - John Bays

E-MAIL: office@baysinvestmentcorp FAX: 815-741-2823

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

E-MAIL: _____ 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: *John Bays*

DATE: 07/19/2022

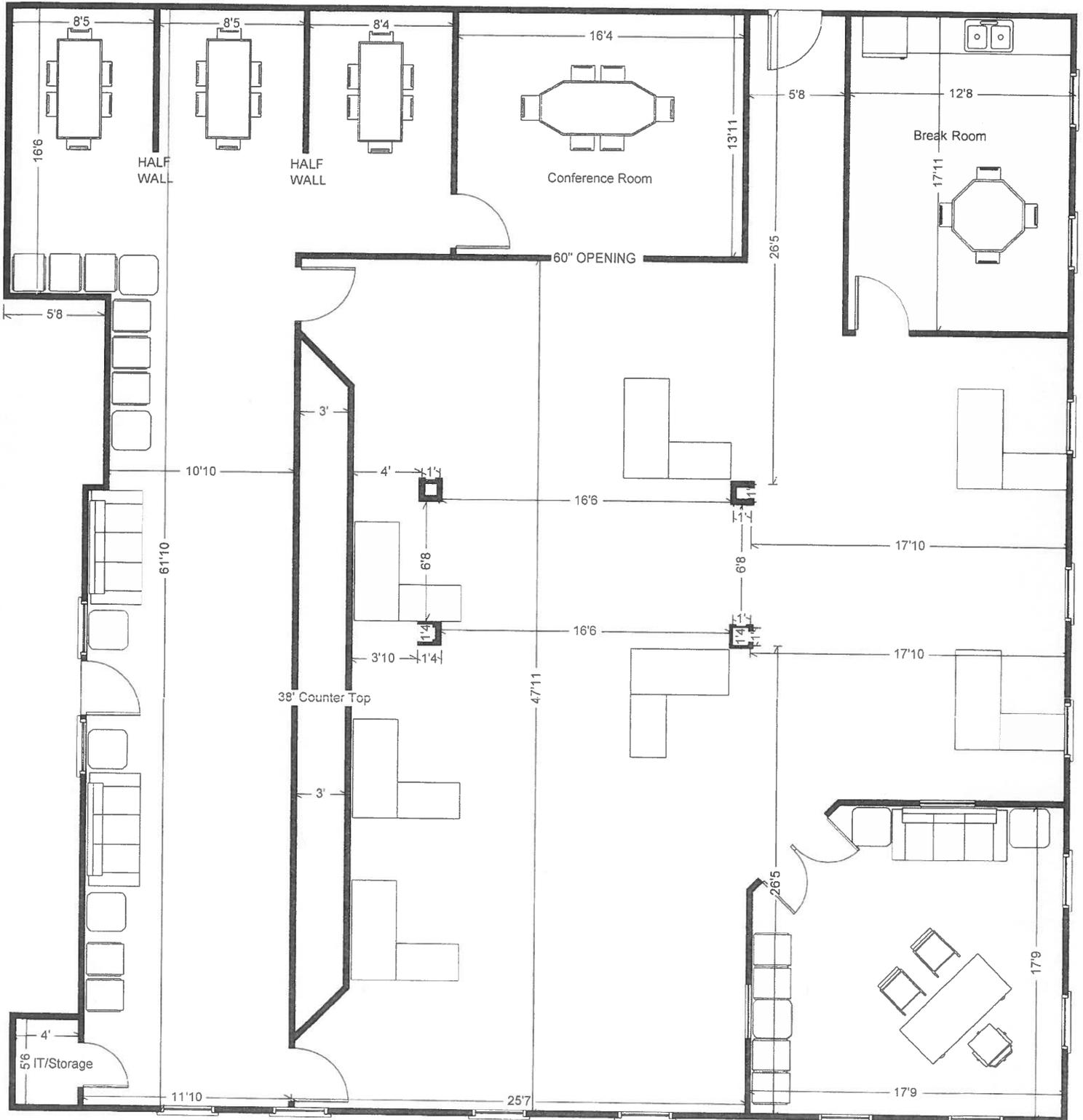
Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

John Bays, Manager/Owner

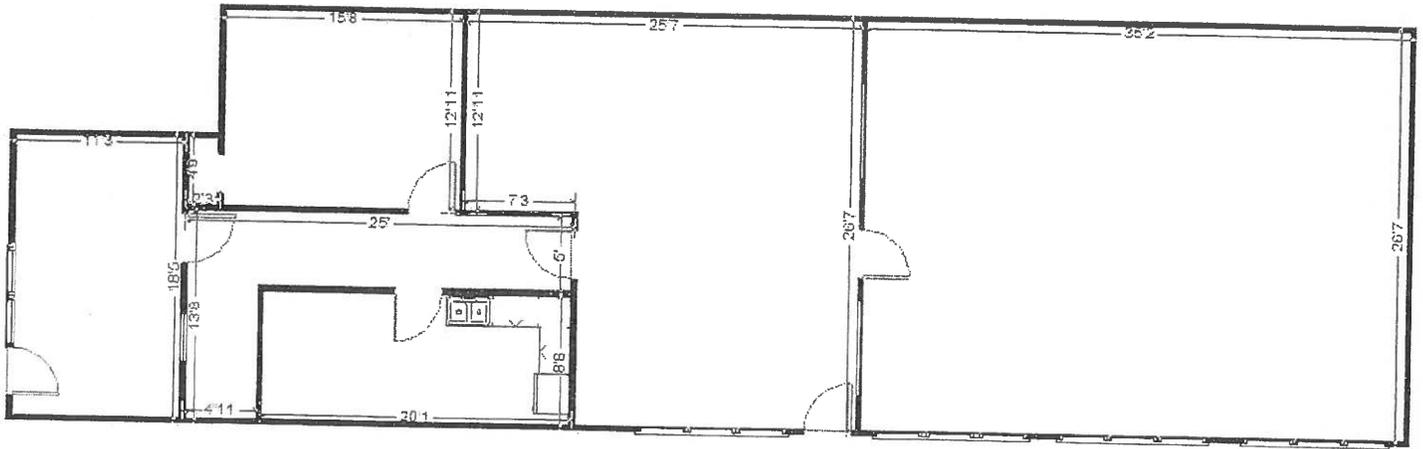
815-953-2204

PRINT

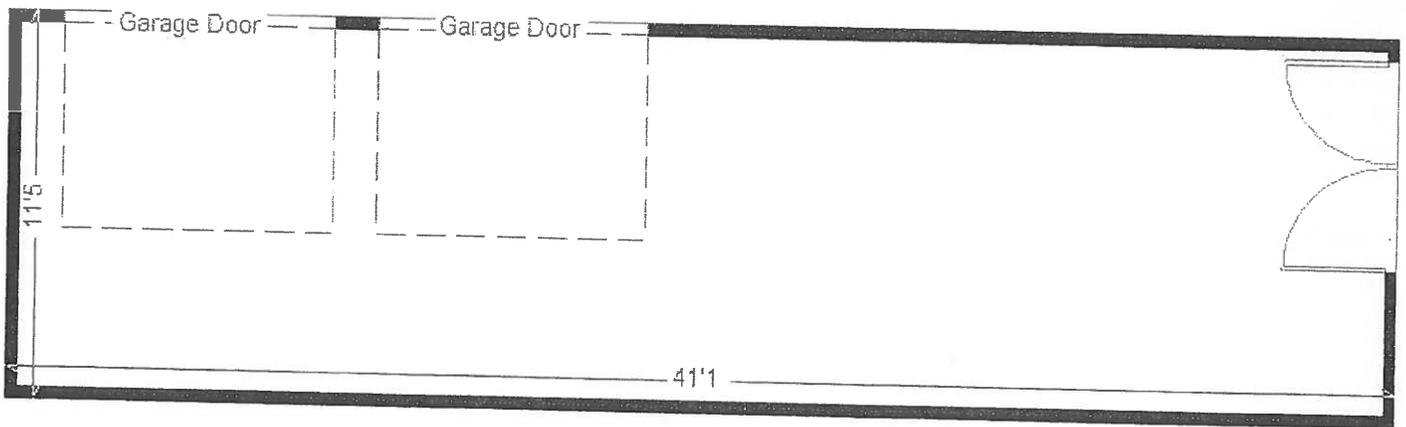
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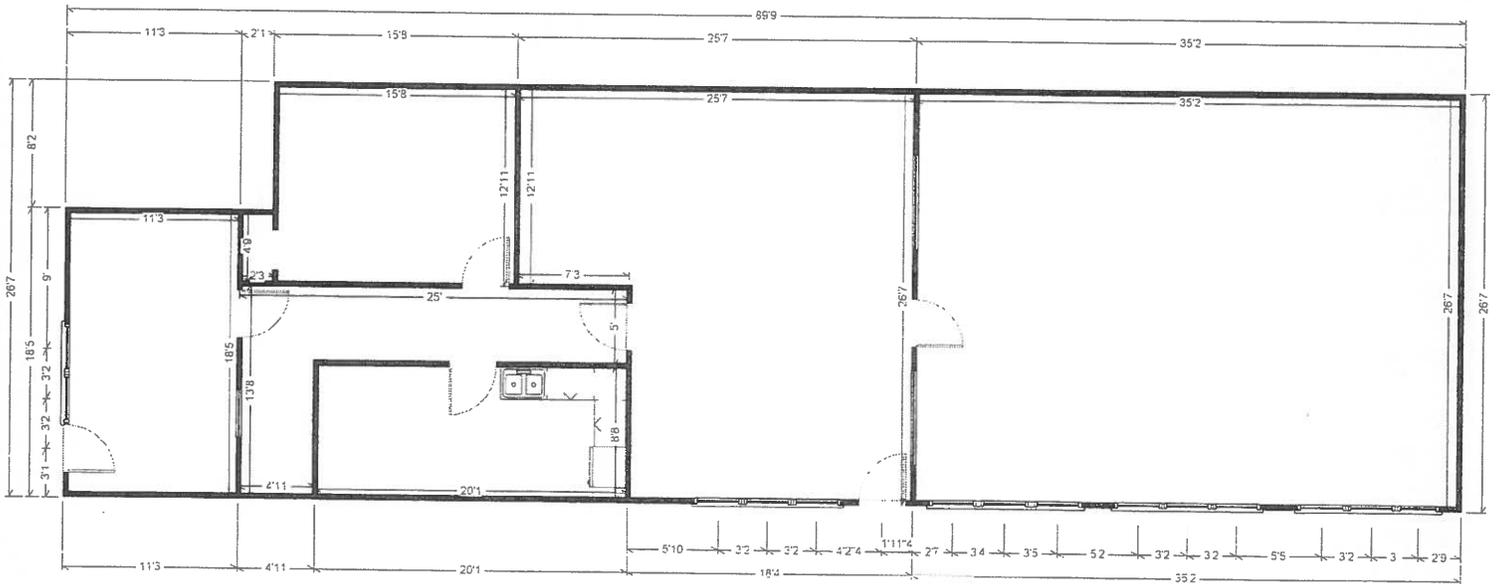
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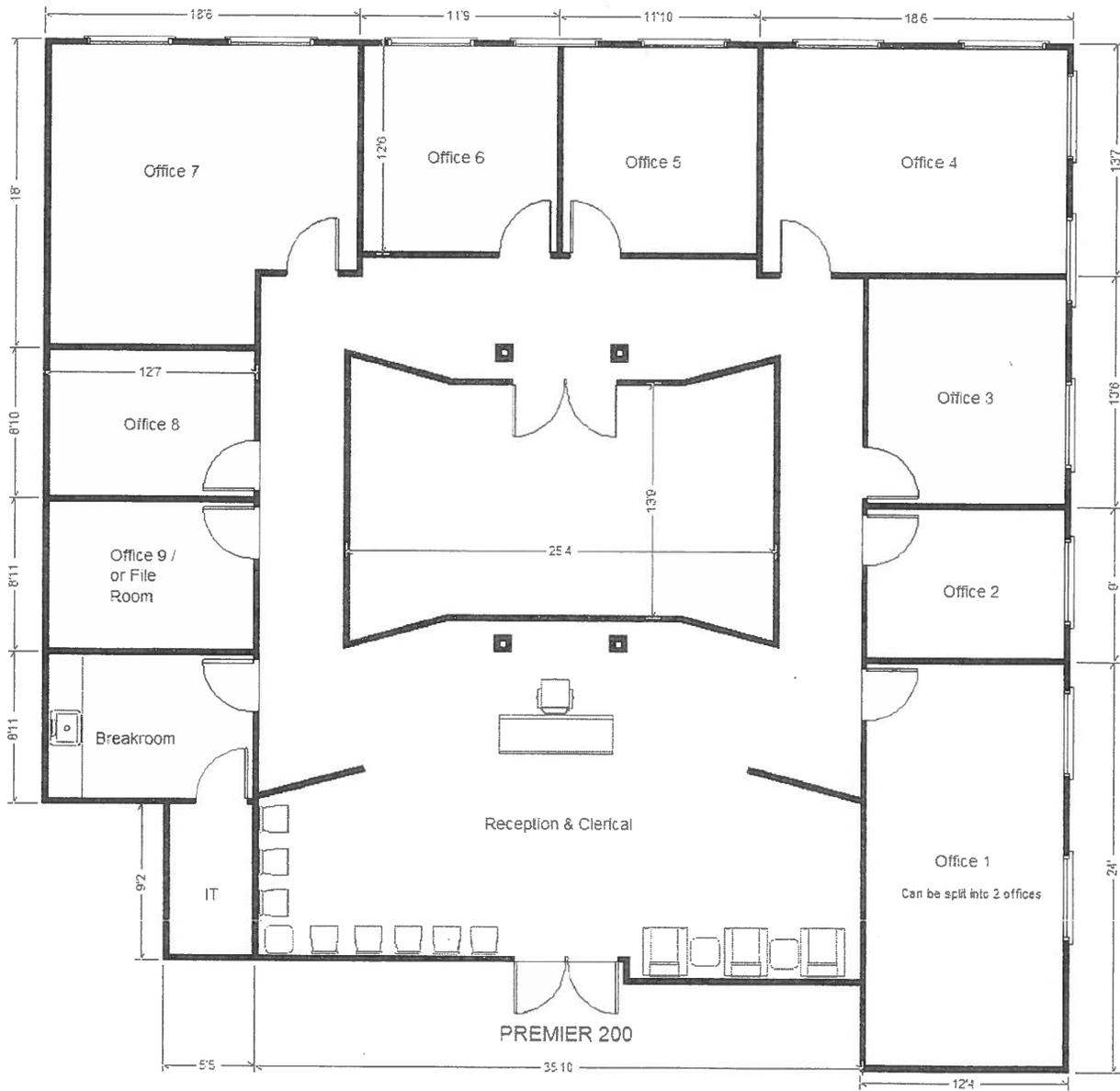


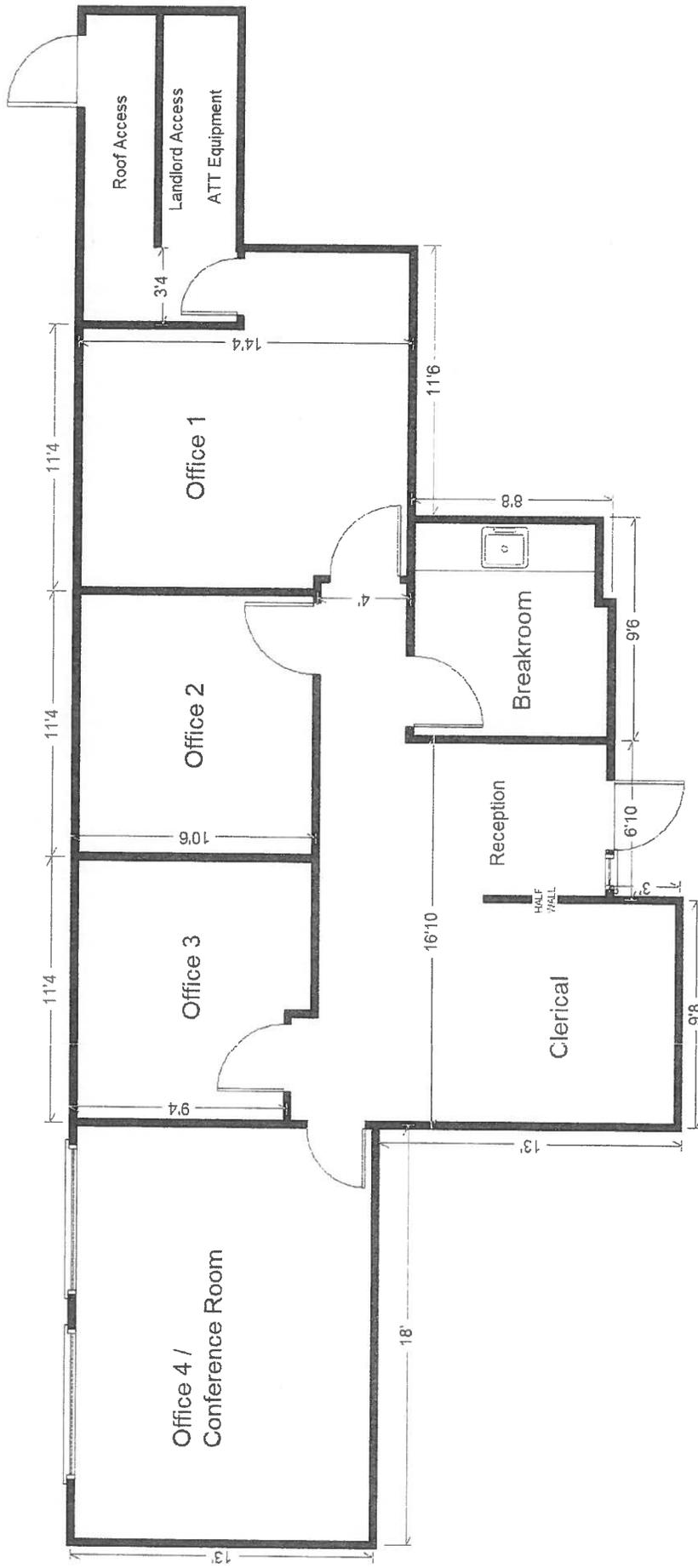
STORAGE



Premier 120

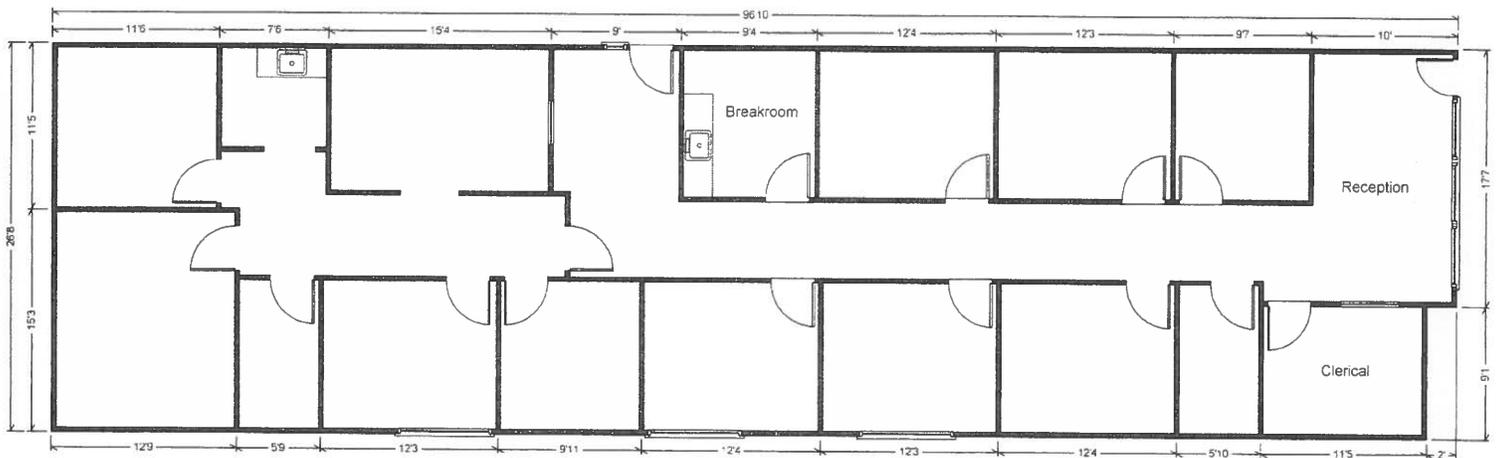


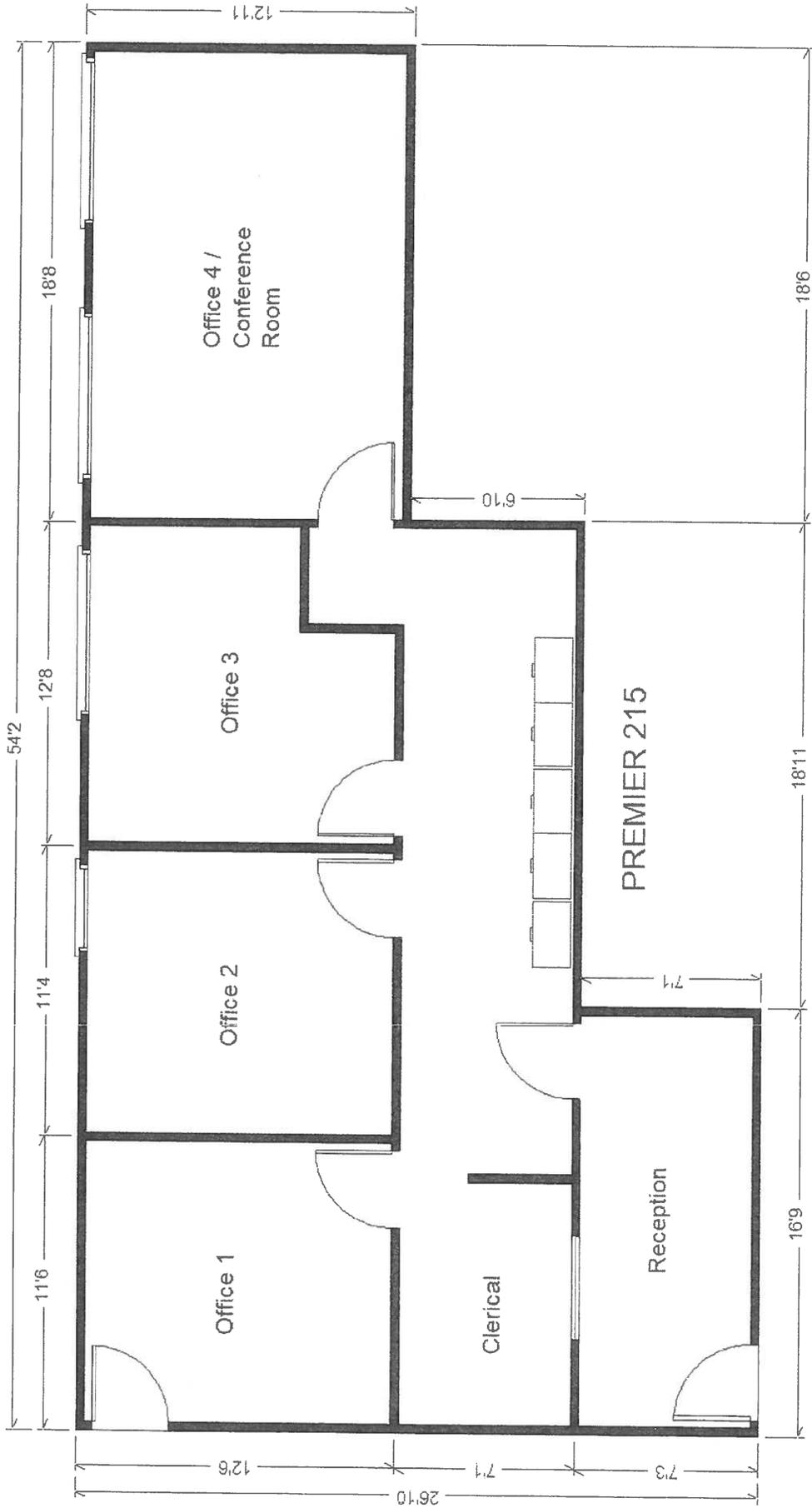




PREMIER 205

Premier Suite 210





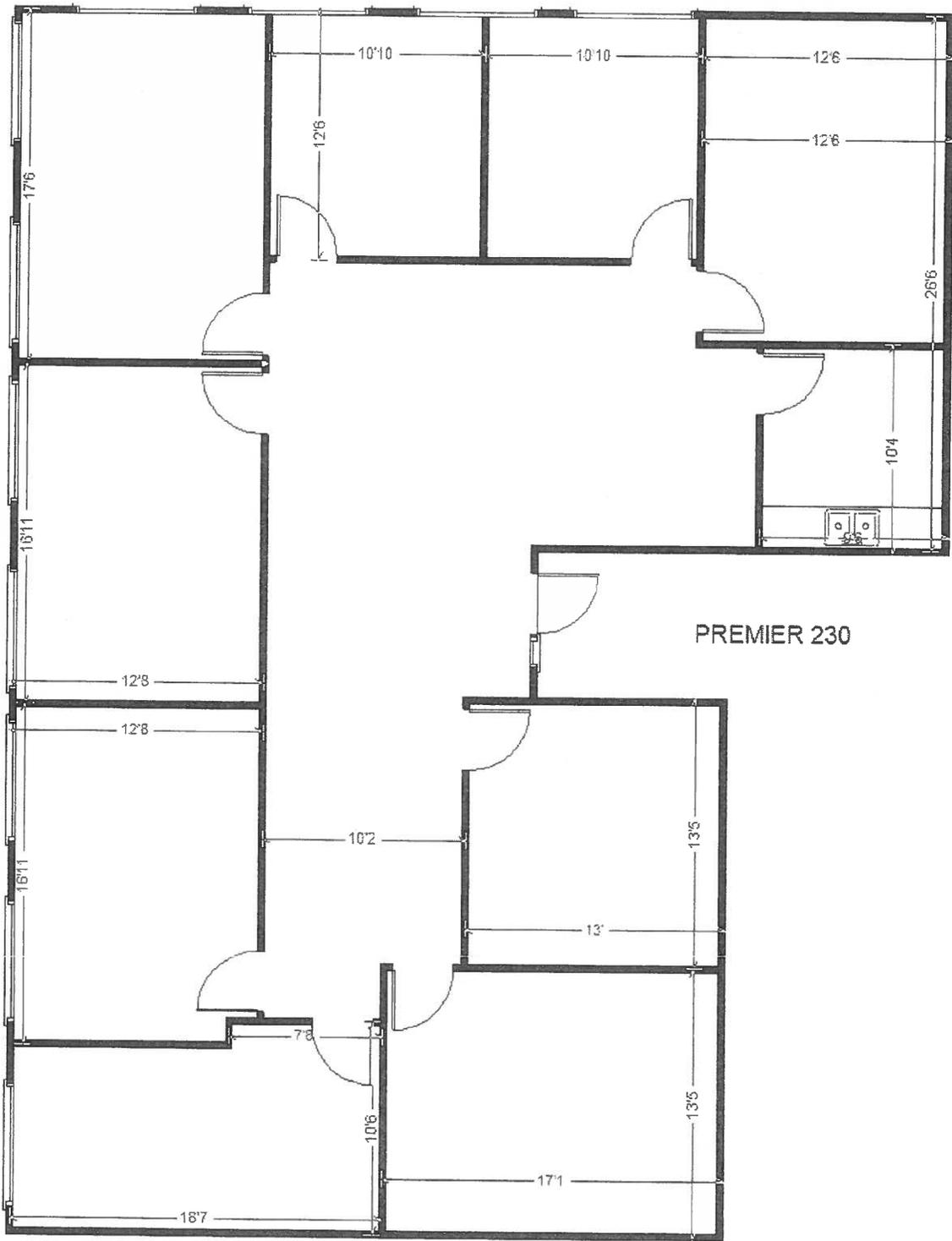


Figure 1: 51 W. Jackson Street

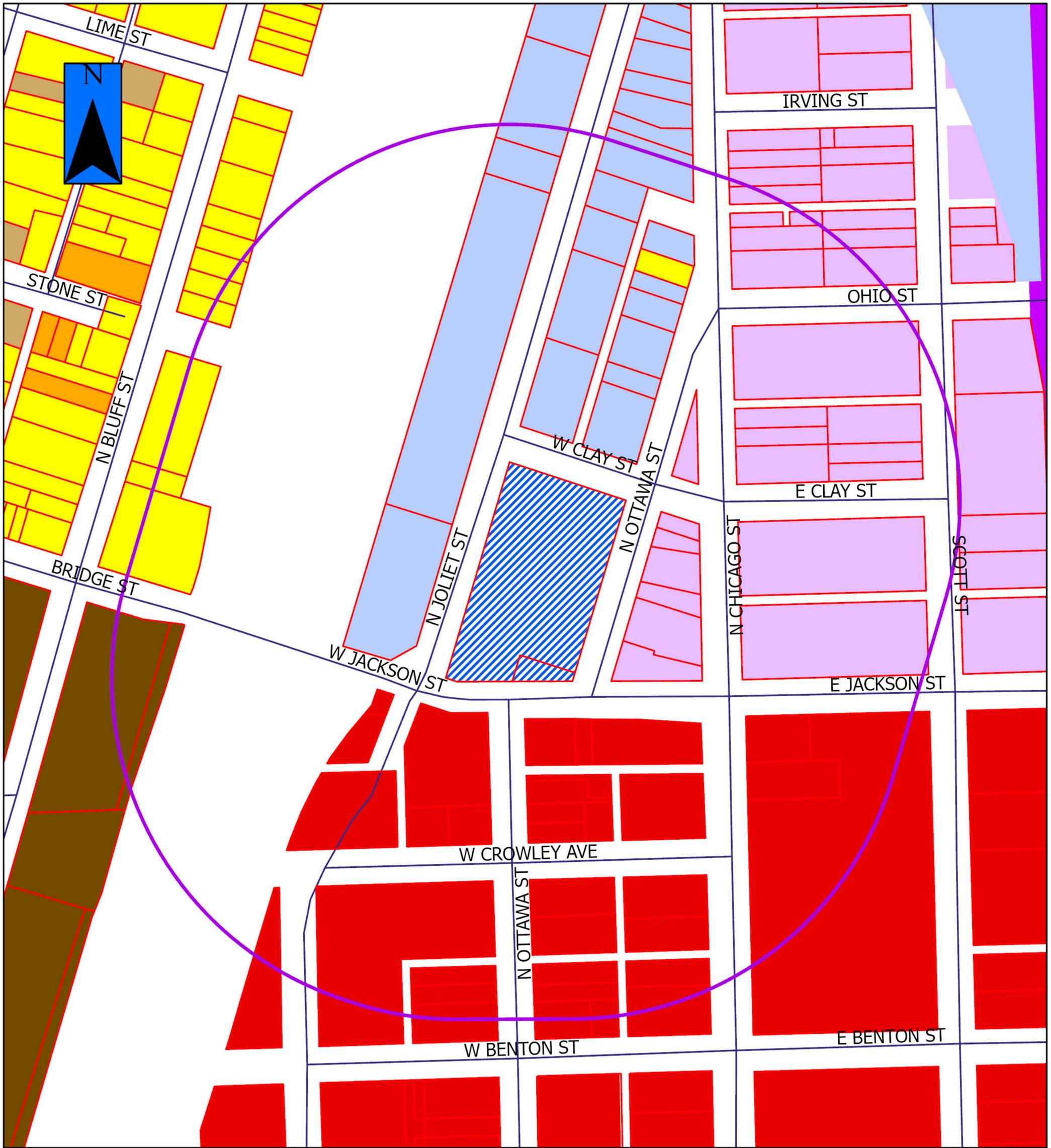


Figure 2: Front Parking Lot at 51 W. Jackson Street



Figure 3: View Looking East from 51 W. Jackson Street

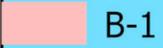


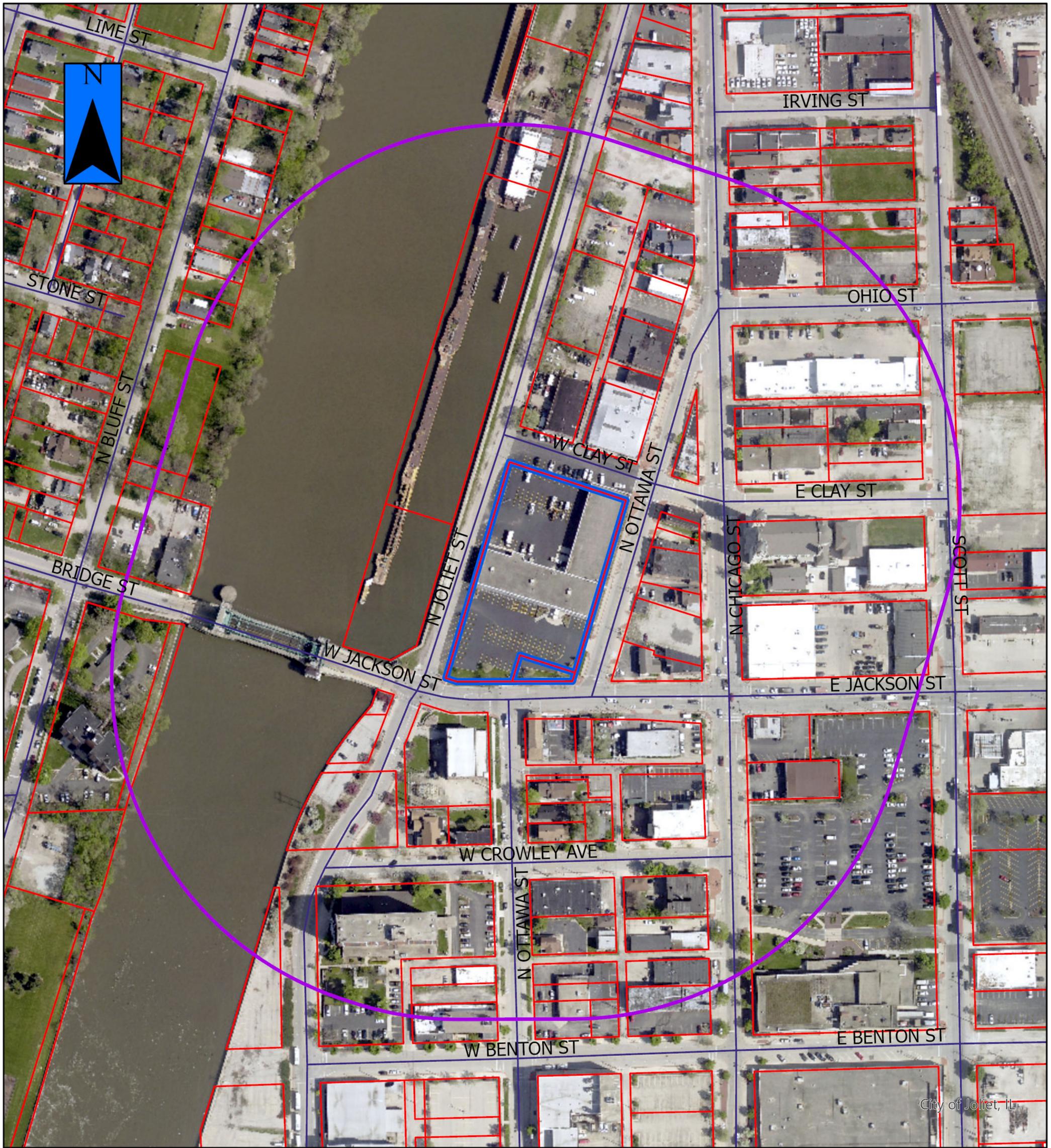


2022-52



 = Property in Question
 = 600' Public Notification Boundary

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



City of Joliet, IL

2022-52a



- = Property in Question
- = 600' Public Notification Boundary