

## **STAFF REPORT**

**DATE:** September 8, 2021  
**TO:** Zoning Board of Appeals  
**FROM:** Planning Staff  
**RE:** Petition Number: 2021-51  
Applicant: Charleen Jackson  
Owner: Castle Commercial Holdings  
Location: 2 N. 129<sup>th</sup> Infantry Drive, Suite 150  
Request: A Special Use Permit for a youth tutoring center

### **Purpose**

The applicant is requesting a Special Use Permit to allow a youth tutoring center located at 2 N. 129<sup>th</sup> Infantry Drive, Suite 150. The Zoning Board of Appeals is the final decision making body for this Special Use Permit request.

### **Site Specific Information**

The subject property is corner lot with Jefferson Street to the south, 129<sup>th</sup> Infantry Drive to the west and Fairlane Drive to the east. The property is zoned B-1 (Neighborhood Business). The building is owned by Castle Law, and the law firm occupies the majority of the space. The tutoring center intends to lease a 2,500 square foot office suite. The main entrance to this suite faces Fairlane Drive. Parking for this suite is available in the asphalt lot to the north of the building. The parking lot has 32 parking spaces. A sidewalk from the entrance of the tutoring center leads to the rear parking lot. On-street parking is not allowed on Fairlane Drive at this location due to the right-in-right-out configuration of the intersection of Fairlane Drive and Jefferson Street.

### **Surrounding Zoning, Land Use and Character**

- North: B-1 (Neighborhood Business); office
- South: B-3 (General Business); gas station
- East: B-3 (General Business); multi-tenant commercial
- West: B-1 (Neighborhood Business); bank

### **Applicable Regulations**

- Section 47-5.2(A)(3) Special Uses
- Section 47-5.2(C) Criteria for issuance of a Special Use Permit  
(refer to attachment)

### **Discussion**

The City of Joliet Zoning Ordinance considers tutoring centers as a Special Use in the B-1 (Neighborhood Business) District; therefore, the petitioner requests approval of a

Special Use Permit to allow her to lease 2,500 square feet of the office building at 2 N. 129th Infantry Drive for this use.

The tutoring center would accept pre-K through high school age children. The hours of operation would be Monday through Friday from 8:00 am to 6:00 pm. Children would stay for a three-hour session. There are eight classrooms, which would accommodate 4 children per room. The petitioner estimates that the tutoring center would serve approximately 40-50 people a day. The petitioner has indicated that the tutoring center will employ 3-5 qualified teachers and assistants. Children under the age of 13 will be required to be escorted into and picked up from the building by their parent or guardian. Parking as well as pick-up and drop-off for the tutoring center will take place from the rear parking lot, and the use of Fairlane Drive for this purpose shall be prohibited as a recommended condition of approval. A proposed floor plan can be found as an attachment.

### **Conditions**

If the Zoning Board desires to recommend approval of this Special Use Permit for a youth mentoring center, the following conditions would be included:

1. That pick-up and drop-off of people as well as on-street parking shall be prohibited on Fairlane Drive;
2. 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;
3. Failure to comply with any of the above conditions could result in a rehearing and a possible revocation of the special use permit.
4. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit; and
5. That the business shall be registered with the City Clerk's Office.

**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:

Charleen Jackson

Petition #: 2021-51

Common Address: 2 N. Infantry Dr.

Date filed: 08/13/21

Meeting date requested: 09/16/21

ZONING BOARD OF APPEALS  
JOLIET, ILLINOIS

**PETITION FOR SPECIAL USE PERMIT**

City of Joliet Planning Division, 150 W. Jefferson St., Joliet, IL 60432  
Ph (815)724-4050 Fax(815)724-4056

PETITIONER'S NAME: Charleen Jackson

HOME ADDRESS: 12604 Canterbury Drive Plainfield, Il ZIP CODE: 60585

BUSINESS ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE:(Primary) (630) 777-5128 (Secondary) \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL ADDRESS: charbusiness0220@gmail.com

ADDRESS FOR WHICH SPECIAL USE IS REQUESTED: 2 N. 129th Infantry Drive, Suite 150 Joliet, Il 60435

PROPERTY INTEREST OF PETITIONER: Possible Tenant

OWNER OF PROPERTY: Castle Commercial Holdings, LLC

HOME ADDRESS: 25410 W Alison Rd Plainfield, Il 60586 ZIP CODE: \_\_\_\_\_

BUSINESS ADDRESS: 2 N. 129th Infantry Drive, Suite 150 Joliet, Il ZIP CODE: 60435

FAX: 815-744-4518 EMAIL ADDRESS: ejarot@castlelaw.com

**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):

Half Price Books Naperville, IL

OTHER PROJECTS AND/OR DEVELOPMENTS:

N/A

**PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.):** 0506124140090000, 0506124140100000,  
0506124140110000 ; 0506124140120000 ; 0506124140140000 ✓.

*\*\*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):**

THE S 36 FT OF LOT 5 IN BLK 18 IN PARKVIEW SUB UNIT 2, BEING A SUB OF PRT OF THE SE1-4 OF SEC 12, T35N-R9E.

**LOT SIZE:** WIDTH: 280.01' DEPTH: 115' AREA: 32,201.15sf

**PRESENT USE & ZONING:** Vacant Unit/Law Offices B-1 Zoning

NORTH: B-1 EAST: B-3

SOUTH: B-3 WEST: B-1

**SPECIAL USE REQUESTED:** This will be an all ages tutoring family owned business.

Our goal is to create a business that will further our children's learning and development,  
by providing them the tools and support they need to better succeed in different subjects  
and thrive in their education.

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?

It will have no effect.

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

It will have no effect.

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

The use will not impede development of the surrounding properties.

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

Yes all are provided

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

Yes adequate measures have been taken. There are currently curb cuts for access within the property.

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 applicable land use 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)?

An application has never been submitted

A plat of survey is required in order to consider a petition. Please attach a plat of survey to this application.

***If a plat of survey is not included, the petition may not be accepted as an agenda item for the Board.***

The ownership of all property held in a trust must be submitted on a Certificate of Ownership.

STATE OF ILLINOIS) ss  
COUNTY OF WILL)

I, Charleen Jackson 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.

Charleen Jackson

Petitioner's Signature

[Signature]

Owner's Signature

(If other than petitioner)



Subscribed and sworn to before me  
this 11<sup>th</sup> day of August, 2021  
Robin L. Arnold

In accordance with Resolution No. 1694 of the City of Joliet, all persons residing within 300 ft. of the property referred to in this application must be notified of the proposed re-zoning. The Planning Division will notify these residents 10 days prior to the meeting of the Zoning Board of Appeals.

***IMPORTANT!***

Failure to supply the following items may result in non-acceptance as an agenda item for the Board:

- Plat of survey
- Business license application (if applicable)
- Notary Public stamp (original copy)
- Permanent Index Number (P.I.N.)
- Legal description
- Joliet Ownership Disclosure form
- All required fees (*Please make check payable to the City of Joliet*)

***Thank you!***

City of Joliet, Planning Division, 150 W. Jefferson St., Joliet, IL 60432



**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

**Bright Minds Tutoring, Partnership**

Charleen Jackson 50%

Keturah Jackson 50%

12604 Caterbury Dr Plainfield, IL 60585

E-MAIL: charbusiness0220@gmail.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:** Mark E Koenig

**DATE:** 8/12/21

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

Mark E Koenig-Consultant - The Koenig Group

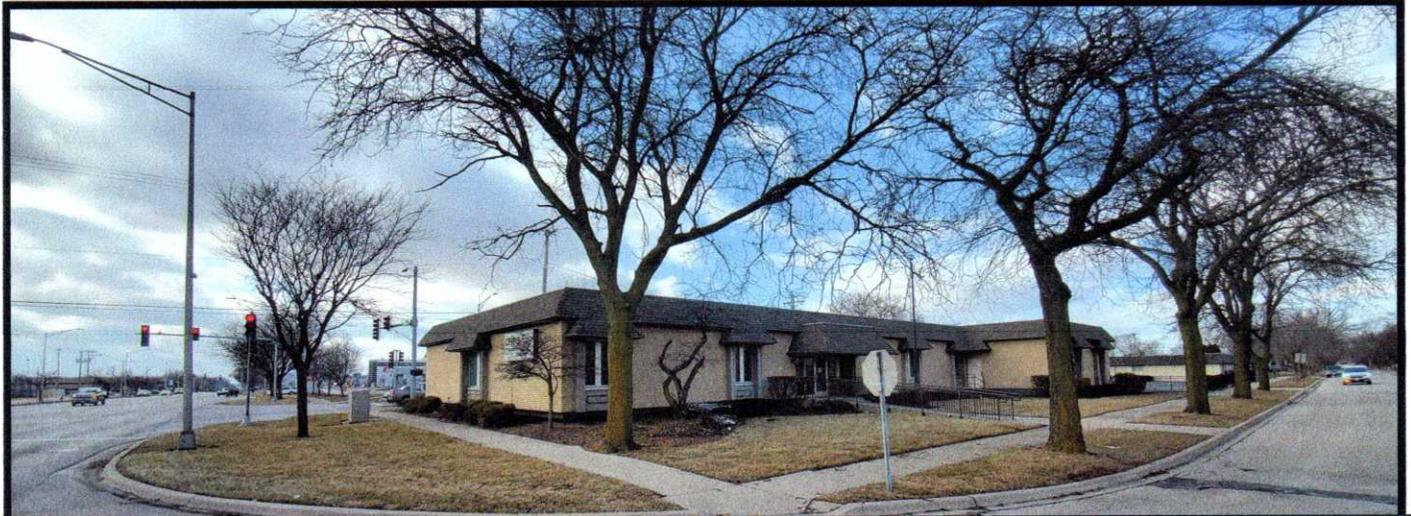
815-546-1679 mark@markekoenig.com



# 2,500SF FOR LEASE

## PROFESSIONAL OFFICE SPACE

**2 N. 129<sup>TH</sup> INFANTRY DRIVE, SUITE #150 JOLIET, ILLINOIS 60435**



### **“Castle Law Center”**

**Unit Size 2,500sf – Enclosed Vestibule/Waiting Area - Reception – 2 /Large Open Areas - 5 Offices (4 with windows) - Conference Room - Breakroom – I.T. & Storage Room - 2 Restrooms - Ample Parking – 35,000 Vehicles Per Day pass by this property – Lighted Corner (NEC Jefferson St & Infantry Dr).**

**Illuminated Signage Available on both Jefferson St & Infantry Dr.**

**Easy Access to the I-55 & Rt 52 Interchange (1.5 Miles) and I-80 & Houbolt Rd Interchange (2.5 miles).**

**\$18.00sf Full Service Lease - Utilities, Taxes, Insurance & Maintenance Included**



FOR ADDITIONAL INFORMATION CONTACT:

**MARK E. KOENIG**

(815) 546-1679 CELLULAR    MARK@MARKEKOENIG.COM

WWW.THEKOENIGGROUPRES.COM



warranty or representation, expressed or implied, is made as to the accuracy of the information contained herein, and is submitted subject to errors, omissions, change of price, rental or other conditions.

# 2,500SF FOR LEASE PROFESSIONAL OFFICE SPACE

2 N. 129<sup>TH</sup> INFANTRY DRIVE, SUITE #150 JOLIET, ILLINOIS 60435



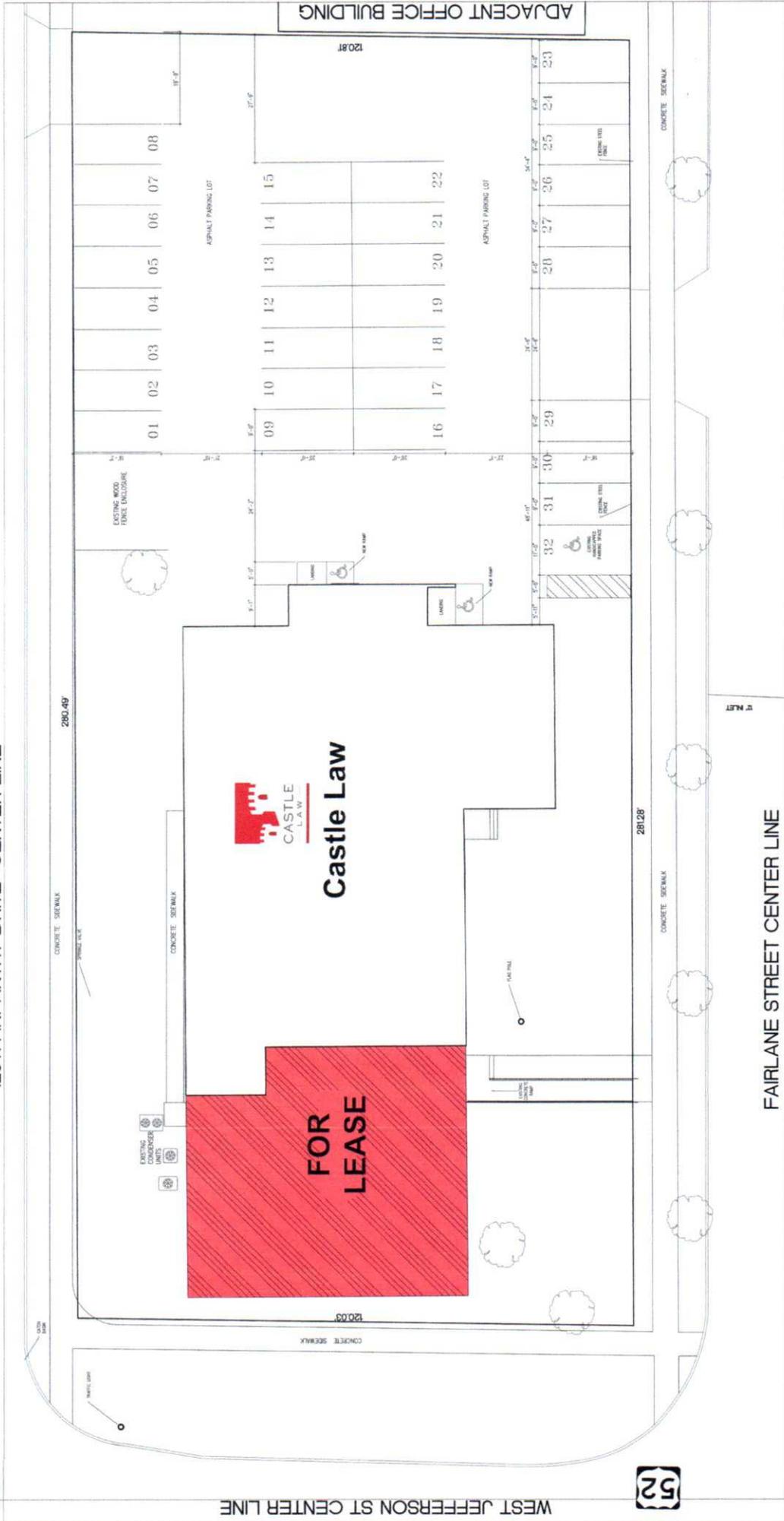
FOR ADDITIONAL INFORMATION CONTACT:  
**MARK E. KOENIG**  
(815) 546-1679 CELLULAR    MARK@MARKEKOENIG.COM  
WWW.THEKOENIGGROUPRES.COM



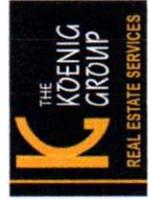
warranty or representation, expressed or implied, is made as to the accuracy of the information contained herein, and is submitted subject to errors, omissions, change of price, rental or other conditions.



129TH INFANTRY DRIVE CENTER LINE



**Castle Law Center**  
**1 Fairlane Drive**  
**Joliet, Illinois 60435**



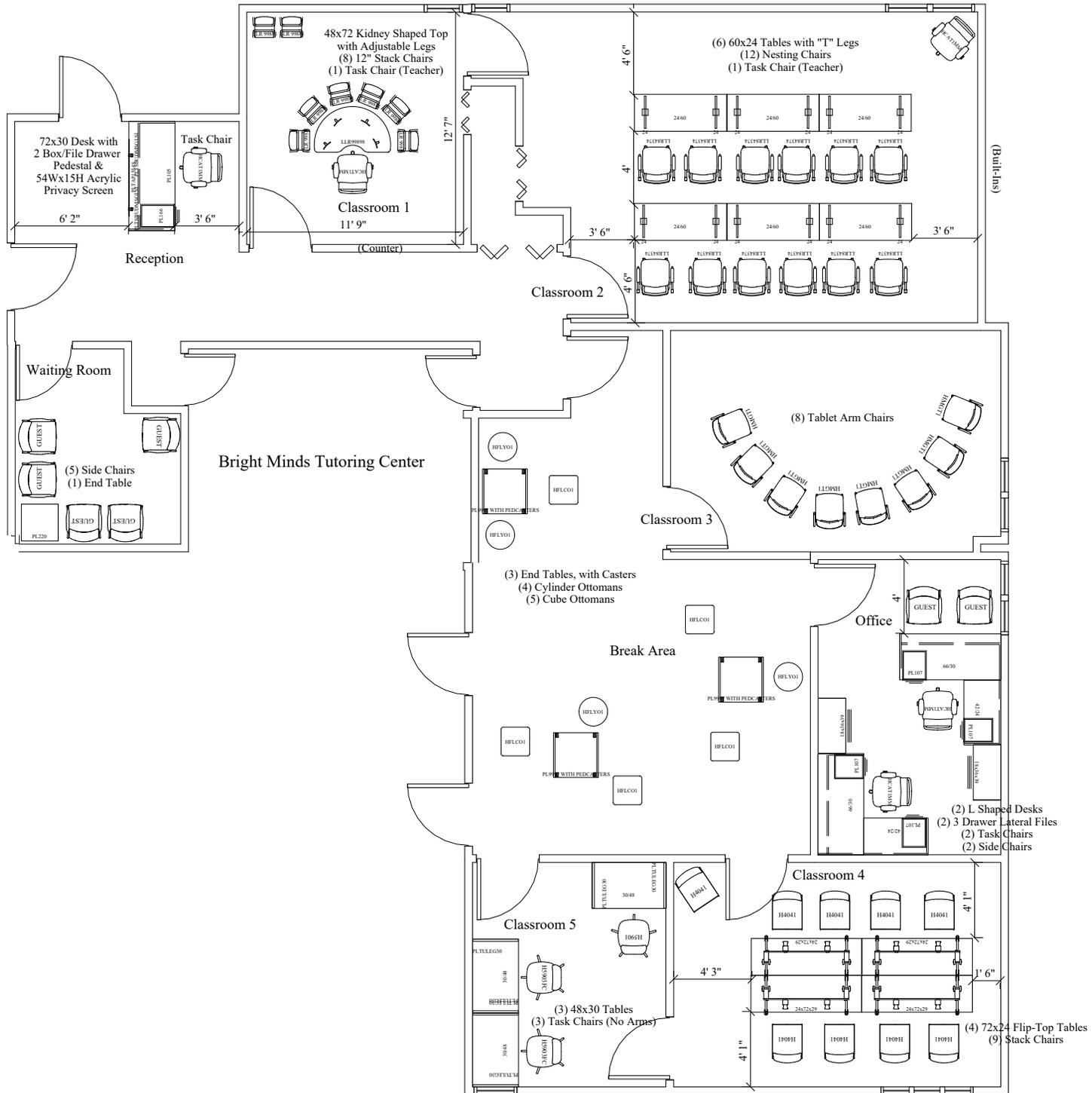


Figure 1: Entrance to Tutoring Center



Figure 2: Entrance to Tutoring Center

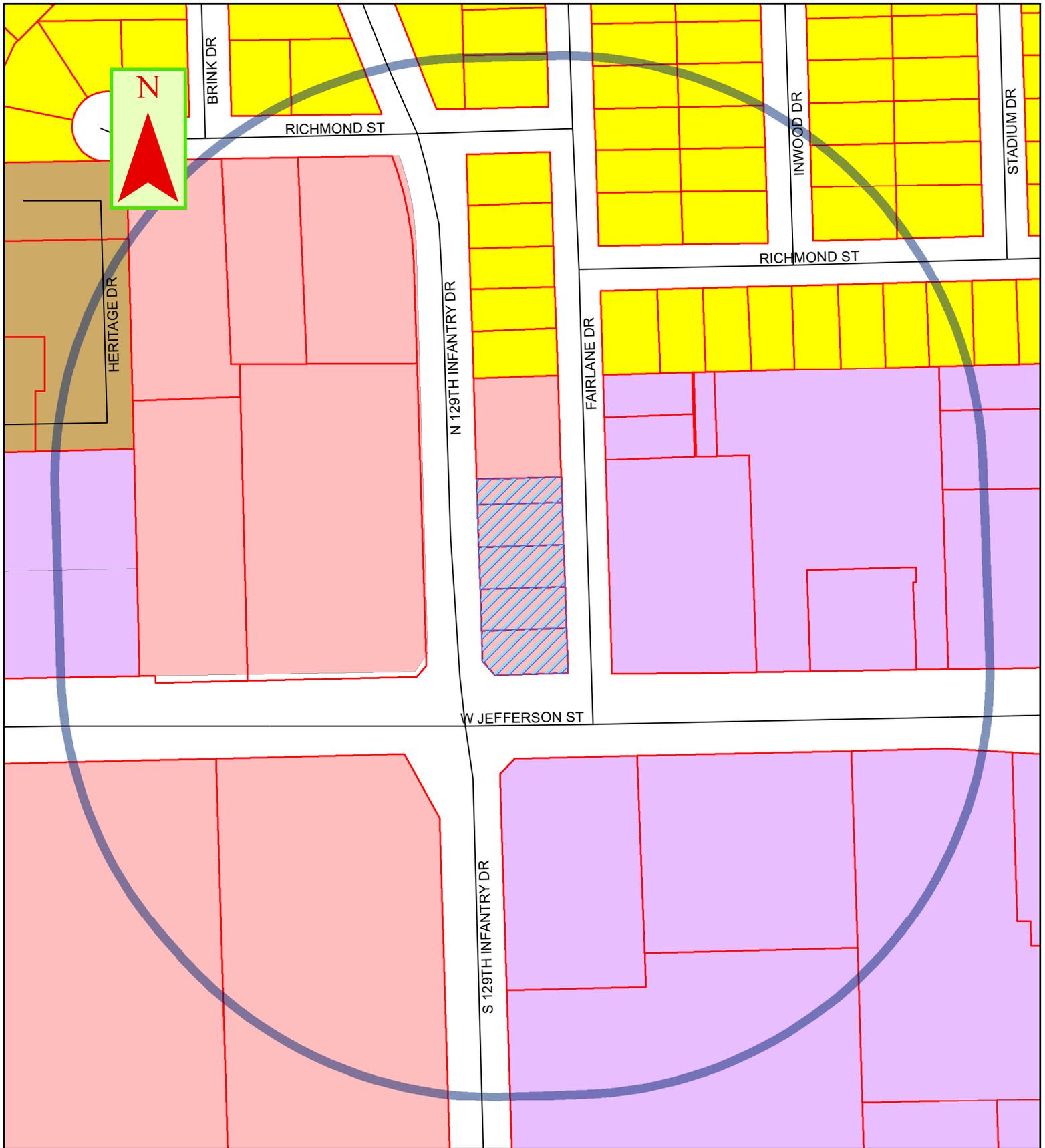


Figure 3: Rear parking lot



Figure 4: Fairlane Drive and its intersection with Jefferson Street

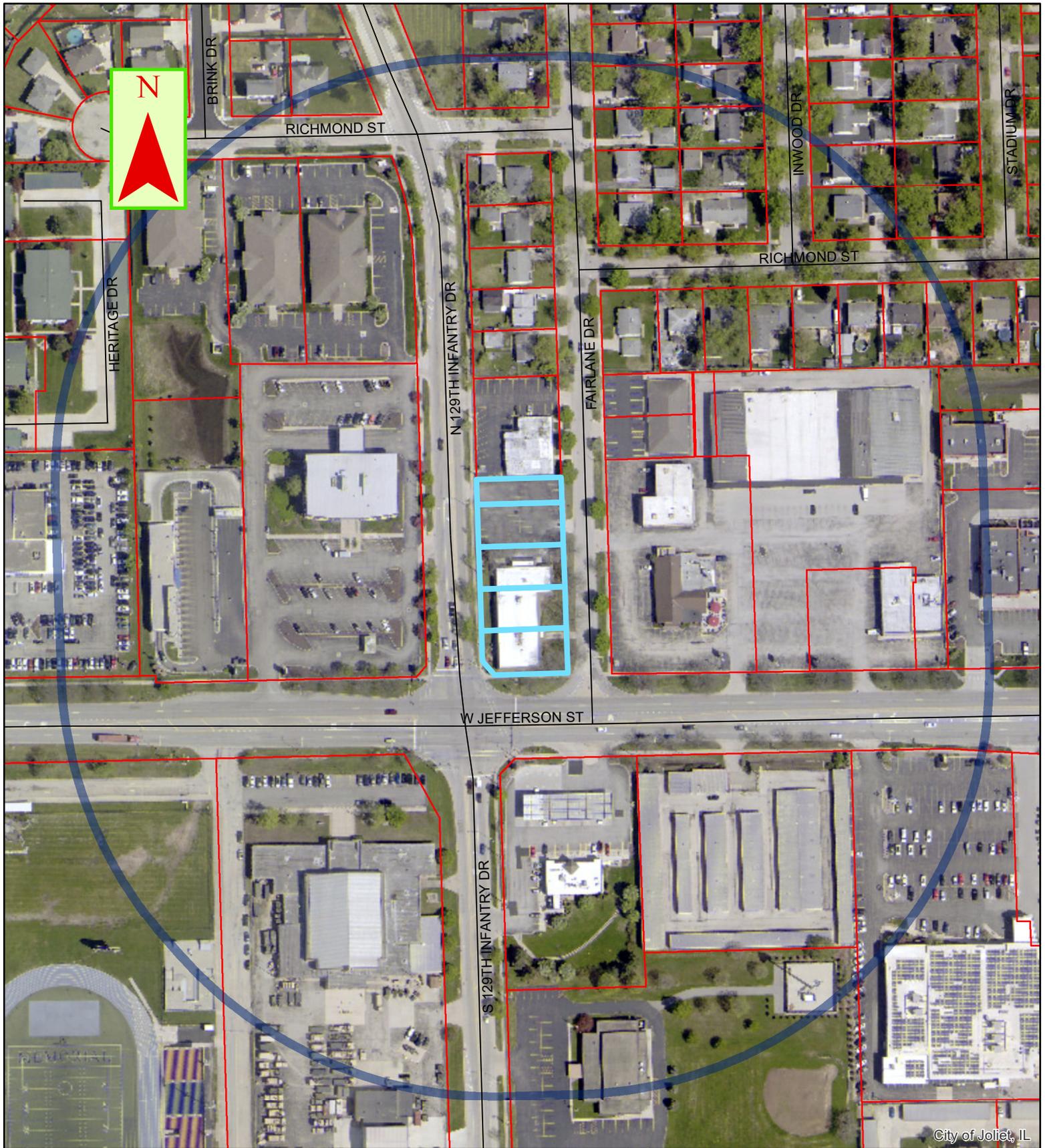




**2021-51**

 = Area in Question  
 = 600' Public Notification Boundary

Legend		
<b>Zoning</b>	I-TA	R-2
B-1	I-TB	R-2A
B-2	I-TC	R-3
B-3	R-1	R-4
I-1	R-1A	R-5
I-2	R-1B	R-B
I-T		



City of Joliet, IL

## 2021-51a



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