

STAFF REPORT

DATE: April 18, 2024
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2024-12
Applicant: Bays Motors, Inc.
Status of Applicant: Owner
Owner: Bays Investment Corp.
Location: 77 Republic Avenue
Request: A Special Use Permit for used auto sales, located at 77 Republic Avenue. (Council District #2)

Purpose

The petitioner is requesting a Special Use Permit to allow used auto sales, at a facility located at 77 Republic Avenue. The property has an I-1 (Light Industrial) zoning designation. Per Section 47-14.3(D) of the City's Zoning Ordinance, B-3 uses are permitted in the I-1 zoning district. Within the B-3 zoning district, automobile establishments for display, hire, sales, and minor repair, including outdoor sales lots, are permitted with a Special Use Permit, provided no part of a building where repairs are conducted shall have any openings other than permanently sealed windows or required fire exits within 100 feet of any residential zoning district. The petitioner has stated that the proposed used auto sales facility will not contain any auto repair uses.

Site Specific Information

The subject property is approximately 0.66 acres and contains the existing two-story car wash and office building. The property contains two full access points located to the north and south of the main building. Customers and employees would access the site from the south access point. Vehicles for sale would predominantly be stored inside the main building, along the north side of the building in the existing detailing bays, which are no longer in use. The attached site plan shows the proposed site layout. The Site Plan shows space for storage of approximately 11 vehicles inside the main building. If the proposed Special Use Permit is approved, the property would no longer be used as a commercial car wash.

Surrounding Zoning, Land Use and Character

- | | |
|----------------------------------|--|
| * North: I-1; Fencing Contractor | * East: R-4; Fraternal Organization Office |
| * South: I-1; Car Dealership | * West: I-1; Industrial/Warehouse |

Applicable Regulations

- Section 47-14.3(D) – Allowance of B-3 uses in an I-1 Zoning District

- Section 47-13.2A(G) – Special Uses – General Business Districts
- Section 47-3.6(B) – Definition of an Auto Repair Station
- Section 47-5.2(C) - Criteria for issuance of a Special Use Permit (see attached petition)

Discussion

Approval of the requested Special Use Permit would allow used auto sales at the existing car wash building at 77 Republic Avenue. The petitioner has stated that only high-end vehicles would be sold at the subject property and that all vehicles will be kept inside the main building, apart from temporarily showcasing certain cars east of the main building along the Republic Avenue frontage. The auto sales use would require a maximum of four employees and would operate between the hours of 8:00 A.M. and 6:00 P.M. Mondays through Fridays. Minor service operations such as tire changes and oil changes would still be done at the subject property, but only for vehicles purchased from the petitioner. Major repair work will be sent out to other repair dealers in the area.

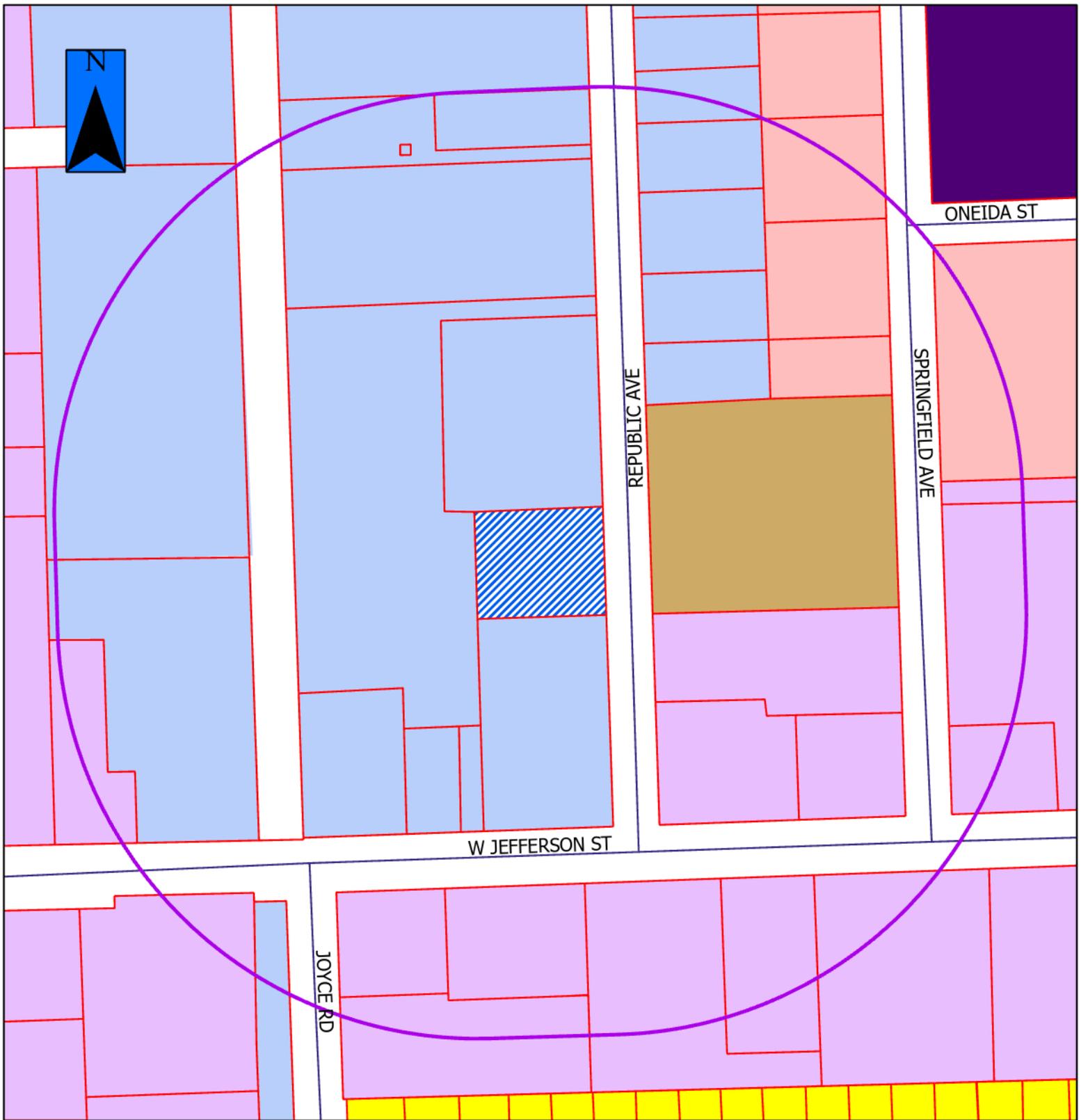
Staff finds that the petitioner has established with clear and convincing evidence that the criteria outlined in Section 47-5.2(C) of the Zoning Ordinance, which details the conditions that must be present for a special use permit to be issued, will be met with the proposed use and site plan. The site has adequate access and acreage to accommodate the small volume of vehicles that will be on site for sale. Vehicles will predominantly be located inside the existing main building and customer viewings will be conducted on an appointment only basis, thereby reducing the amount of traffic going to and coming from the site. The site contains adequate means of access for the proposed volume of activity. Furthermore, the proposed use would be situated within an I-1 (Light Industrial) zoning district, with industrial and warehouse uses to the north and west, and a larger car dealership use to the south.

Conditions

If the Zoning Board desires to approve the Special Use Permit, the following conditions would be included:

1. That the business shall be registered with the City Clerk's Office.
2. That any vehicles displayed along the Republic Avenue frontage, east of the main building, do not block cross access between the north and south parking areas and are not parked east of the existing sidewalk along Republic Avenue.
3. All vehicles that are to be serviced for maintenance work be parked inside the subject property's main building.

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.
5. That the Special Uses 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 Uses, 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.

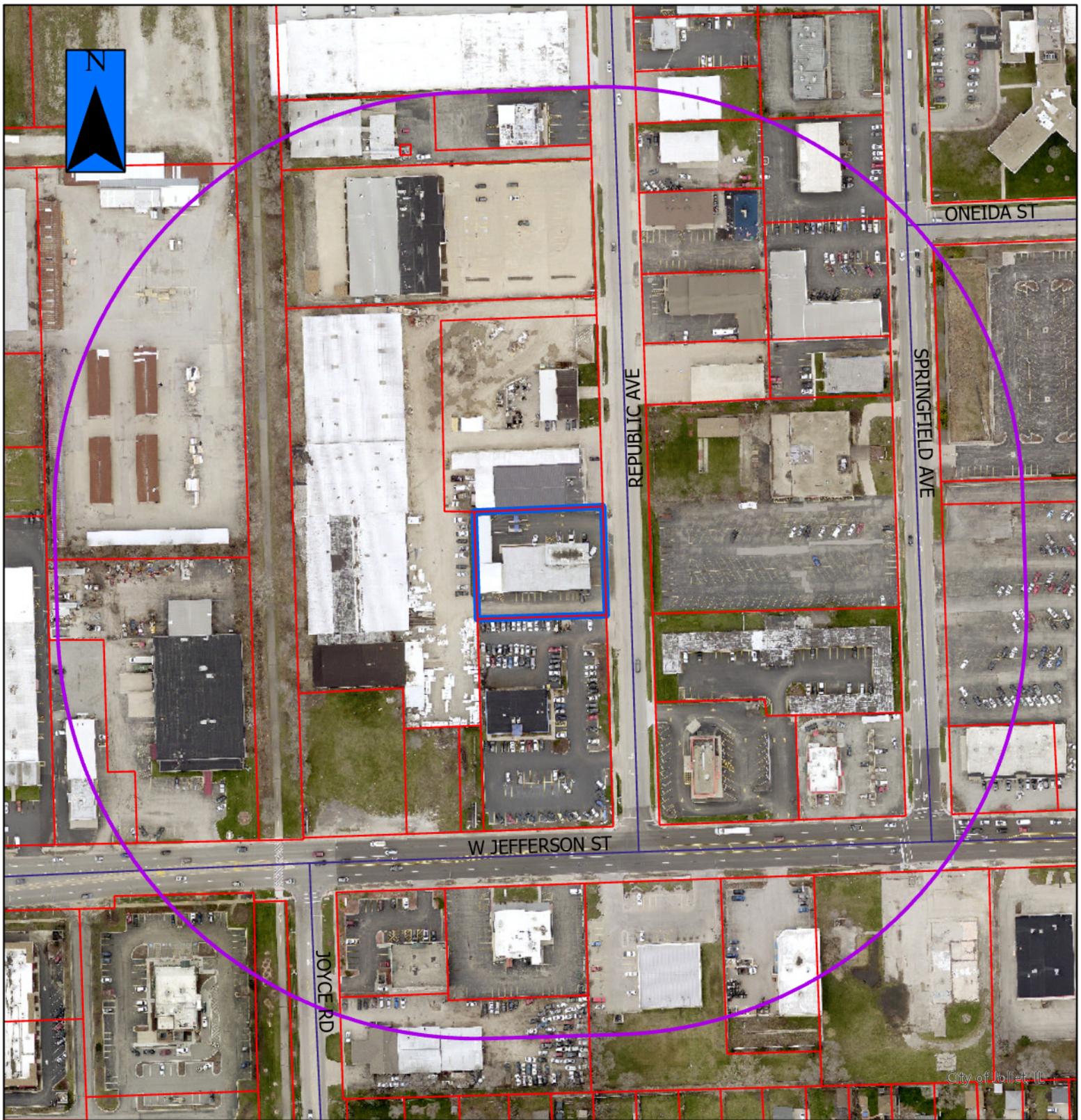


2024-12



 = 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



2024-12a



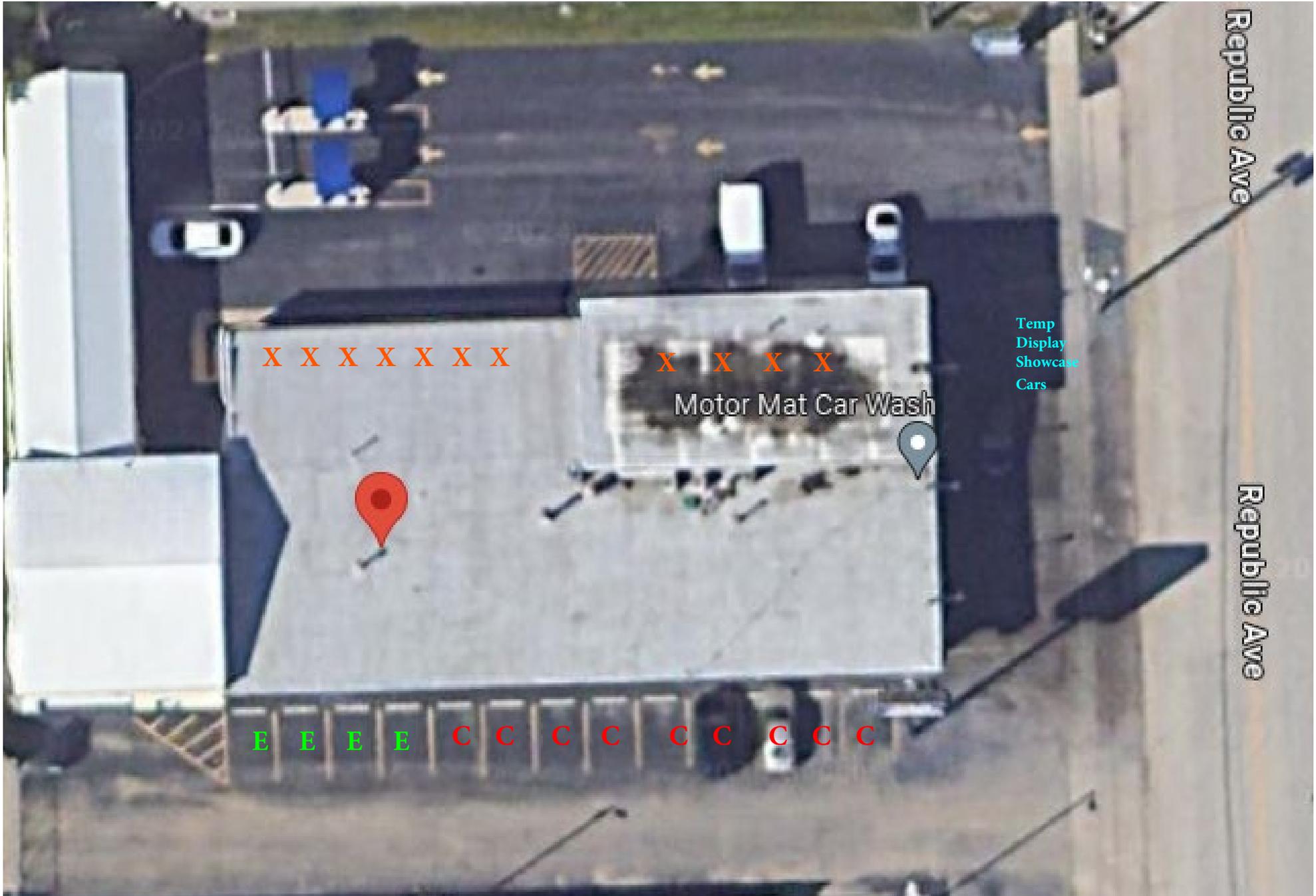
-  = Property in Question / Propiedad en cuestión
-  = 600' Public Notification Boundary / Límite de notificación pública de 600 ft (180 m)

X- High end vehicles only. All will be kept inside.

E- Employee parking (maximum of 3 Employees

C- Customer parking / By appointment only

Temp-On occasion I will display vehicles for sale



CAR WASH
SOFT TOUCH
OPEN

DETAIL SERVICES				
EXPRESS WAX \$40	EXPRESS INTERIOR \$30	EXPRESS CARPET SHAMPOO \$25	EXPRESS SEAT SHAMPOO \$20	EXPRESS COMBO \$45
ENGINE BREATHER & OIL \$45	FULL DETAIL \$160 COMBINES ALL SERVICES OF AN INTERIOR AND EXTERIOR DETAIL			RID ODOR \$20
EXTERIOR DETAIL \$85		INTERIOR DETAIL \$85		

Apr 5, 2024 at 12:26 PM

MOTOR-MAT
CAR
WASH
SOFT TOUCH

O'Reilly
AUTO PARTS

DETAIL SERVICES
FULL DETAIL
WAXING
POLISHING
WHEEL CLEANING
UNDERCOATING

Apr 5, 2024 at 12:26 PM



Apr 5, 2024 at 12:27 PM



Apr 5, 2024 at 12:27 PM



CEDAR RUSTIC
SINCE 1987
INDOOR SHOWROOM

Apr 5, 2024 at 12:27 PM



Apr 5, 2024 at 12:27 PM

FOR OFFICE USE ONLY

Verified by Planner (please initial): _____

Payment received from:

Bays Investment Corporation
3077 W. Jefferson St., Suite 100
Joliet, IL 60435

Petition #: 2024-

Common Address: 77 Republic Ave.

Date filed: 3/11/24

Meeting date requested: 4/18/24

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: 77 Republic Avenue

PETITIONER'S NAME: Bays Motors, Inc. (John Bays)

HOME ADDRESS: _____ ZIP CODE: _____

BUSINESS ADDRESS: 3077 W. Jefferson St., Suite 100 ZIP CODE: 60435

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

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

PROPERTY INTEREST OF PETITIONER: _____

OWNER OF PROPERTY: Bays Investment Corp. (John Bays)

HOME ADDRESS: _____ ZIP CODE: _____

BUSINESS ADDRESS: 3077 W. Jefferson St., Suite 100 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):

- A+V Auto Body 1840 Moen Avenue, Unit E, Rockdale, IL 60436
- Crase Auto Connection 25355 Eames St. Channahon, IL 60410
- Chignoli Auto Sales 1850 Essington Rd. Joliet IL 60436

OTHER PROJECTS AND/OR DEVELOPMENTS:

N/A.

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 30-07-07-300-017-0000;

_____; _____; _____.
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):

Attached on survey

LOT SIZE: WIDTH: 154' DEPTH: 183.5' AREA: _____

PRESENT USE(S) OF PROPERTY: Car Wash

PRESENT ZONING OF PROPERTY: I-1

SPECIAL USE REQUESTED: Auto Sales

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?

No significant negative impact.

2. How will the special use impact properties in the immediate area? To the immediate south is another auto lot, by rider. To the north and west is a fence manufacturer, Cedar Rustic.

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?

To the best of our knowledge the property conforms to all regulations, ordinances, and laws.

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)

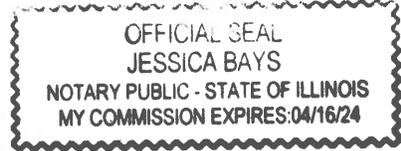
I, JOHN BAYS, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

John Bays
Petitioner's Signature

BAYS INVESTMENT CO CP John Bays
Owner's Signature
(If other than petitioner)

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

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:

7M Republic Avenue
 PIN(s): 30-07-07-300-017-0000

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

E-MAIL office@baysinvestmentcorp.com FAX: 815-741-2700

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

Bays Motors Inc.
c/o John Bays
3077 W. Jefferson St. Suite 100
Joliet IL 60435
E-MAIL: office@baysinvestmentcorp.com FAX: 815-741-2823

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: 3-8-24

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:
John Bays, President/Owner
815-953-2204

PRINT

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.		