



## Memo

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**File #:** 430-22

**Agenda Date:** 8/16/2022

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**TO:** Mayor and City Council

**FROM:** James V. Capparelli, City Manager

**SUBJECT:**

Ordinance Approving a Special Use Permit to Allow a Trucking Facility and a Warehouse in an I-2 (General Industrial) Zoning District, Located at 212 Page Avenue, 220 Maple Street, and 300 Maple Street (ZBA 2022-43)

**BACKGROUND:**

The petitioner and contract purchaser, American Property Investments LLC, seeks approval of a special use permit in order to redevelop the site currently occupied by Berlinsky Scrap Corp. as a truck parking facility with an associated warehouse. The company plans to use the site as parking for semi-trucks and trailers, as well as the transient storage of dry goods in the existing warehouse at 220 Maple Street. According to the applicant, all trucks and trailers are owned by the applicant through their affiliate entities. The business will consist of “over the road” trucking operations, which the applicant defines as trucks being dispatched for multi-state travel for days at a time. The applicant estimates that approximately one truck will enter or leave the site per hour, and a total of 10 trucks may enter and 10 may exit the facility in any 24-hour period. Trucks would access the property from Maple Street via Cass Street, using the existing entrance at the vacated portion of Benton Street. The redevelopment of the site will be phased in over a period of three years, beginning with the northern part of the property.

Carting, express, and hauling facilities are allowed as special uses in the I-2 Zoning District, but not within 300 feet of a residential zoning district. The petitioner requested a Variation to locate a trucking facility closer than 300 feet to a residential zoning district, as the site is nearer than 300 feet to residential zoning across Maple Street to the west, Wenberg Street to the south, and at the southeastern corner of the site along Stevens Avenue. The Zoning Board of Appeals reviewed and approved this Variation request at their meeting on July 21, 2022.

The petitioner has submitted a conceptual site plan and landscaping plan, included as attachments. The two existing warehouses at 220 Maple Street and 205 Page Avenue will remain; all other structures will be removed. Stormwater detention will be provided in the northwest corner of the site. The site will be screened with a twelve-foot fence along the south and east sides adjacent to residential properties. The petitioner intends to use the existing site entrance off of Maple Street at Benton Street; there will be no access from Page Avenue. As a condition of approval, City staff is requesting that the applicant vacate the portion of Page Avenue adjacent to Tract 3 of their property at the south end of the site (see attached vacation map).

The petitioner held a neighborhood meeting on August 5, 2022. Approximately 10 residents were in attendance according to the petitioner. The developer feels that they addressed the residents’

concerns regarding the Berlinsky Scrap Yard vacating the property, noise, and the current trucking activity. New improvements to the site, landscaping, and screening were also discussed and seemed appreciated.

All site and public improvements will be required per the Public Works and Utilities Departments, the Subdivision Regulations, and the Joliet Zoning Ordinance. Development impact fees will be required. A landscape plan that complies with the Zoning Ordinance must be submitted with future development plans. A Payment In Lieu Of Taxes (PILOT) will be required as per the terms of the approved ordinance. The funds collected from the PILOT will be used for adjacent city street maintenance. It should be noted that City staff did not require a traffic impact analysis for this proposal.

#### **ZONING BOARD OF APPEALS PUBLIC HEARING:**

The Zoning Board of Appeals held a public hearing on this matter on July 21, 2022. David Sweis, attorney, represented the petition. Kenneth Glassman, current property owner (Berlinsky Scrap Corp.), also appeared to address questions about the current use of the site. Two members of the public, both nearby residents, appeared in opposition to the petition. One public comment was received in opposition to the petition. Meeting minutes are attached.

#### **RECOMMENDATION OF THE ZONING BOARD OF APPEALS:**

Jim Riggs moved that the Zoning Board of Appeals recommend approval of the Special Use Permit request to allow a trucking facility and a warehouse in an I-2 (General Industrial) zoning district at 212 Page Avenue, 220 Maple Street, and 300 Maple Street, subject to the following conditions:

1. That a petition to vacate the portion of Page Avenue adjacent to Tract 3 (north of the east-west alley south of Wenberg Street) shall be applied for within 30 days of approval of the Special Use Permit;
2. That all public improvements required by the Public Works Department shall be installed prior to the issuance of a Certificate of Occupancy;
3. That the truck and trailer parking area shall be required to make a Payment In Lieu Of Taxes (PILOT) as per the terms of the Ordinance;
4. That a landscape plan shall be submitted as part of the building permit plan set that meets City Ordinance;
5. 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
6. That the business shall be registered with the City Clerk's Office.

Pat McShane seconded the motion, which passed with four (4) aye votes and one (1) nay vote. Voting aye were: Hennessy, Alessio, Riggs, and McShane. Voting nay were: Safford.

**RECOMMENDATION:**

The Administration concurs with the recommendation of the Zoning Board of Appeals and recommends the Mayor and City Council adopt an Ordinance approving the Special Use Permit to allow a trucking facility and a warehouse in an I-2 (General Industrial) zoning district at 212 Page Avenue, 220 Maple Street, and 300 Maple Street, subject to the same conditions approved by the Zoning Board of Appeals above.