

**Regular Meeting – Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

All Matters on the Agenda may be Discussed, Amended and Acted Upon

January 24, 2017

Chairman Frank Parisi called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:00 p.m. Chairman Parisi directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

Present: Commissioners David Creighton, Angelo Christopher, Frank Petella, Dee Spink, John Meneghini, Charlie Tucek, and Chairman Frank Parisi.

Also Present: Joseph Breinig, Village Manager, Tom Farace, Planning and Economic Development Manager, Jim Knudsen, Director of Engineering Services, Jane Lentino, Community Development Secretary, and a representative from DuPage County Court Reporters.

MINUTES:

Commissioner Spink moved and Commissioner Creighton made the second to approve the minutes of the meeting of December 12, 2016, with corrections.

The results of the roll call vote were:

Ayes: 6 Commissioners Creighton, Christopher, Petella, Spink, Tucek and Chairman Parisi.

Nays: 0

Abstain: 1 Commissioner Meneghini

Absent: 0

PUBLIC HEARING:

Commissioner Spink moved and Commissioner Creighton made the second to open the Public Hearing.

The motion passed by unanimous vote.

Case # 16-2079 – Village of Carol Stream – 130 E St. Charles Road

Special Use Permit for a Public Service Use

Special Use Permit for Outdoor Activities and Operations

Amendment to a Special Use Permit for a Planned Unit Development

Chairman Parisi requested Mr. Farace's comments.

Mr. Farace requested that Case #16-2079 be withdrawn as another location for the temporary Municipal Center has been looked into.

Case # 16-2080 – Village of Carol Stream – 295 N. Kuhn Road

*Termination of Special Use Permit
Zoning Map Amendment (B-3 to R-1)*

Chairman Parisi asked Mr. Farace for an update.

Mr. Farace stated that in the interim between the December 12, 2016, meeting and tonight, the attorney representing Organic Soils said that, on behalf of his client, they are withdrawing their objection to the Special Use termination. Mr. Farace said that the lease agreement for the property had been terminated at the Village Board meeting last week. Mr. Farace stated that, according to Village Attorney, Jim Rhodes, no further discussion was required, and that tonight's meeting was to recommend approval of the Special Use termination and rezoning of the property from B-3 back to R-1.

Commissioner Petella made the motion and Commissioner Meneghini seconded the motion to terminate the Special Use and to rezone from B-3 back to R-1.

The motion was passed.

The results of the roll call vote were:

Ayes: 7 Commissioners Creighton, Christopher, Petella, Spink, Meneghini, Tucek and Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 0

This case will go before the Village Board on Monday, February 6, 2017, at 7:30 PM for final action.

Case #16-2084 - Village of Carol Stream – 505 E North Ave

*Special Use Permit for a Public Service Use
Special Use Permit for Outdoor Activities and Operations
Sign Code Variation for an Off-Premise Sign*

Chairman Parisi asked to be recused from this case and requested a motion to nominate an acting chairman.

Chairman Creighton moved to nominate Commissioner Christopher and Commissioner Tucek seconded the nomination.

The motion was passed unanimously.

Acting Chairman Christopher stated that if anyone in the audience had anything to say that they could be sworn in and speak, and then asked Mr. Farace for the Staff Report.

Mr. Farace stated that the Village will be relocating from the 500 N Gary Avenue building while it is being renovated beginning in the spring, and is proposing to occupy the former McDade and Company location at 505 E North Avenue, located on the north side of North Avenue and west of Schmale. Mr. Farace stated that the Village is proposing to occupy the southern half of the building, about 30,000 square feet of a 70,000 square foot building. Mr. Farace stated that there are tenants currently in the

building whose leases are about to expire and that the Village will be occupying their spaces, but that there will be two other tenants, Comcast and Property Insight, who will remain in the building.

Mr. Farace stated that main functions of the Village Hall; Administration Services, Community Development, Engineering Services, Human Resources, Information Technologies, will be relocated, along with several of the Police Operations, and that some of the Police Operations would be relocating to the Glendale Heights Police Department.

Mr. Farace stated that the main parking lot is on the west side of the property and consists of about 182 spaces. Mr. Farace stated that western most row of parking, which are furthest away from the building and entrance, would be allocated for Village fleet vehicles, i.e. Police, Engineering, Community Development vehicles, and that eastern most spaces will be used for customer/visitor parking as they are the closest spaces to the entrance. He stated that the middle row of parking would be used for Village employee parking, and referred to the analysis in the Staff report that showed how many spaces were needed, and that there should be enough spaces to meet our needs and the needs of anticipated customers/visitors.

Mr. Farace stated that the hours of operation would remain 8:00am until 5:00pm for everyone except the Police Department, which would be 24 hours of operation.

Mr. Farace stated that Special Use is required and being requested for Public Service Use, which includes governmental buildings, police stations, libraries, etc., as is required even for a temporary period of time, and that the Village anticipated being in the temporary location for approximately 22 months.

Mr. Farace stated that the temporary site is centrally located with two curb cuts along North Avenue and one access point along Schmale Road. He stated that the Schmale Road access point is part of the Western DuPage Special Recreation Association property, and that 505 E. North Avenue property has an access agreement for the driveway that is located south of the Association's building for additional access to the 505 E North Avenue location. Mr. Farace noted that only westbound traffic is able enter on North Avenue.

Mr. Farace stated that a second Special Use is being requested for outdoor operations and activities, for the fleet vehicles to be parked on the west side of the property, and to relocate the generator that is currently located in the back of 500 N. Gary Avenue to the back of the property at 505 E. North Avenue, in a fenced in parking area to the north of the building where Comcast employees and fleet trucks park. Mr. Farace noted that this would be a perfect area for the generator, as it is fully screened by a chain link fence with slats, and the building screens it on the fourth side, restricting visibility from adjacent roadways or properties.

Mr. Farace stated that the final request is for a sign variation to allow an off premise sign, and that the Village would be relocating an existing directional sign from the Gary Avenue location to the Schmale Road entrance, at the southeast corner of the Association's property. Mr. Farace stated that the sign would indicate to individuals traveling either northbound or southbound on Schmale Road of an additional access point to get to the 505 E North Avenue location. Mr. Farace stated that the Village is trying to work with the County to see if it would be possible to get some identification signs along the roadway as well, like they do to indicate the location of a library or other public buildings. Mr. Farace stated that, since the sign is not located on the 505 E. North Avenue property, a variation for an off premise sign is required, and that the Association finds it acceptable to have the directional sign on their property. Mr. Farace stated that the Village would work with the Association with any type of agreement that would be necessary, and noted the importance of having the directional sign there for residents and visitors who may not be familiar with that area.

Mr. Farace stated that Staff is looking for a positive recommendation on the Special Use permit for public use, outdoor storage and backup generator, and the sign code variation.

Acting Chairman Christopher asked for questions from the audience. There were none.

Acting Chairman Christopher asked for questions from the Commission.

Commissioner Tucek suggested that another directional sign be placed further down the North Avenue Access drive or on the building.

Mr. Farace stated that there are a couple of hundred feet before the actual 505 E North Avenue property, and that they were looking at the possibility of additional signage, possibly on a light pole, offering additional direction to the parking lot at the temporary location.

Commissioner Creighton expressed confusion with the parking chart showing 92 parking spaces, but the need is for 111 spaces.

Mr. Farace stated that one finding is based on the code, and the other is based on a personal analysis which is predicated by the need per employee, per department, number of fleet vehicles, contract employees, etc., and that both are within the scope of necessity.

Commissioner Creighton asked about the location of adequate handicapped parking spaces.

Mr. Farace stated that the Village is working with the property owner to restripe some of the spaces in front of the entrance designated for the temporary Village hall.

Mr. Breinig interjected that the handicapped parking status had been worked out the previous day during lease negotiation, and number of handicapped spaces, but that they did not meet the proper dimensions stated in the code, and they will be restriped.

Commissioner Spink asked if the digital marquee currently located on Gary Avenue in front of Village Hall would be relocated, and if not, would it be used to inform residents/visitors of the temporary location.

Mr. Breinig said that the marquee would remain in place on Gary Avenue, that the sign is fed from the current Village Hall and they are hopeful that the sign could remain active, however, it could not be guaranteed due to the amount of excavation anticipated.

Commissioner Spink asked if the mailbox and water billing payment box would stay in place.

Mr. Breinig stated that the site would be fenced during construction and discussed moving it with the Post Office. Mr. Breinig said that the proposed site for the drop box would be at Town Center, and that they are trying to encourage e-payment. Mr. Breinig said that between the Rec Center and the summer concerts they would be able to promote the temporary drop box location.

Commissioner Petella had no questions.

Commissioner Meneghini had no questions.

Acting Chairman Christopher had no questions.

Commissioner Creighton moved and Commissioner Tucek seconded the motion to approve Special Use Permit for a Public Service Use, Special Use Permit for Outdoor Activities and Operations, and Sign Code Variation for an Off-Premise Sign.

The motion passed.

The results of the roll call vote were:

Ayes: 6 Commissioners Creighton, Christopher, Petella, Spink, Meneghini, and Tucek.

Nays: 0

Abstain: 1 Chairman Parisi

Absent: 0

Acting Chairman Christopher turned the meeting back over to Chairman Parisi.

Chairman Parisi asked for a motion to close Public Hearing.

Commissioner Meneghini moved and Commissioner Petella seconded the motion to close Public Hearing.

The motion was passed unanimously.

This case will go before the Village Board on Monday, February 6, 2017, at 7:30 PM for final action.

NEW BUSINESS: StormWater Management Presentation, Village Engineer, Jim Knudsen

Chairman Parisi thanked Mr. Knudsen for his time.

Mr. Knudsen thanked the Commission for the invitation, and opportunity, and stated that stormwater management is one of the toughest issues dealt with by Engineering Services, and that when he came to the Village in 1988, there wasn't even soil erosion control being monitored. Mr. Knudsen stated that stormwater regulation has gotten drastic and that it is the most expensive program within Engineering Services.

Mr. Knudsen stated that the certification process starts with the Stormwater Management program, which is required by Federal law, and the he would be talking about how it relates to regulations and enforcement.

Mr. Knudsen stated that the regulation portion is through the DuPage County Stormwater Ordinance, which was adopted by the County in 1991, after the devastating impact the 1987 flood events had on the Village of Carol Stream. He said that the code was adopted by the Village in January of 1992.

Mr. Knudsen explained that the ordinance was set up with waiver community designations; non-waiver community having DuPage County administer all provisions of the ordinance; partial waiver community meaning the community administers all provisions of the ordinance except development sites which include regulatory flood plain or sites within 100 feet of wetlands or buffers, which are administered by DuPage County; full waiver community meaning the community administers all provisions of the DuPage County Stormwater Ordinance. Mr. Knudsen stated that he Village of Carol Stream is a full waiver community, and took that approach because the Village felt that it could administer the ordinance best due to a huge emphasis on customer service, among other benefits.

Mr. Knudsen stated the Stormwater Ordinance consists of 18 articles, and that his presentation would highlight seven main sections. Mr. Knudsen said that, as the stormwater administrator for the Village, it is his responsibility to comply with the stormwater ordinance, including submittals, construction and post development. He stated that stormwater submittals are reviewed and certified by the Village Stormwater Ordinance, and once provisions are met, the Village is able to issue building permits, land movement permits, accessory permits, etc.

Mr. Knudsen stated that the Village does not have the staff of specialists, such as wetlands specialists, soil scientists, hydrologic and hydraulic engineers, water resource engineers, which are required to create the review, and that hiring would be cost prohibitive, therefore, consultants are utilized.

Mr. Knudsen stated that the stormwater certification process fits into the permitting process. He said that a developer can request a pre-submittal meeting as a way to help them through the process as it can be difficult and time consuming. Mr. Knudsen stated that the applicant submits plans, drawings, calculations, models, justifications, and other information, then it is sent to the consultant to be reviewed and to provide comments, which are sent back to Engineering Services for review and comments, before transmittal back to the applicant's engineer. Mr. Knudsen stated that once it is certified, which can take several submittals, then permits can be issued.

Mr. Knudsen said that it is the same process as the Planning process, except for the determination that the submittal and site plan are feasible for planning and zoning approvals before being presented to the Plan Commission and Zoning Board of Appeals. He said that this avoids having the applicant come back to the Plan Commission multiple times.

Mr. Knudsen stated that one issue that came up regarding a recent development, Organic Soils, was a wetlands. He explained that there was a process to go through to determine if there is a wetland on a proposed site. He stated Organic Soils was advised in September of 2013 that a wetland may be present on the proposed on the site. Mr. Knudsen noted that they are not wetlands experts, but they know what types of wetland plants were visible on the proposed site, and they were in close proximity to Klein Creek. Mr. Knudsen stated that the first time plans were submitted to the Village delineating wetlands was not until June 15, 2016, which was almost three years later, at which point the Village consultant verified the delineation on July 7, 2016. Mr. Knudsen noted that it can take about a month or two to get it determined and delineated by the consultant.

Mr. Knudsen referred to a section directly out of the code that specifically states that the need to do a field investigation to verify the presence of wetlands on the site, and not to rely solely on maps.

Mr. Knudsen proceeded with a slide presentation showing the map following the location of Klein Creek, showing the proposed location of the site and the wetlands to the north of the site. Mr. Knudsen noted that the County is very clear stating on the map that "Wetlands identified on this map are not all inclusive. Note that the absence or presence of jurisdiction wetlands can only be determined by an onsite investigation conducted in accordance with the current federal wetland determination methodology."

Mr. Knudsen reiterated that the maps are not that accurate and referred to a slide showing a wetland north of Klein Creek, which goes across a roadway and through the residential area. Mr. Knudsen noted that the map was several hundred feet off from the actual location of the wetland.

Mr. Knudsen referred to two slides, one showing Elk Trail and Bluff Street showing acreage with no wetland taken in 1956, and one with a wetland forming taken in 1998. Mr. Knudsen, then, referred to a third picture taken in 2013 showing a full blown wetland. Mr. Knudsen noted that a wetland can propagate out of nowhere, and that wetland maps are usually done every 10-15 years.

Mr. Knudsen ended his presentation and offered to answer any questions.

Chairman Parisi asked the Commission for questions.

Commissioner Meneghini had none.

Commissioner Petella asked if it is the responsibility of the developer or builder to get an environmental scientist to look at all property.

Mr. Knudsen answered that most applicants automatically do that as part of their due diligence, checking not only for wetlands, but for anything environmental. He noted that they will have an environmental impact statement done, like the Village did when they purchased the property at Gary Avenue and Lies Road. Mr. Knudsen said that it is a common practice as wetlands are heavily regulated in DuPage County.

Commissioner Petella asked for clarification that, in six years, there could be a wetland where there is none today.

Mr. Knudsen said that was correct, referring to wetlands that have sprung up in a year's time that are delineated and as small as a table, and that they are regulatory wetlands in DuPage County.

Commissioner Petella asked to clarify that none of this information is collected in-house, by the Village.

Mr. Knudsen stated not 100%, that if a stormwater submittal is simple it can be done in-house, but that other information is required by DuPage County to be collected by certain people on staff, and it would be cost prohibitive to hire those people.

Commissioner Petella asked if when the property on McNees Drive in question was looked at, the vegetation was brought to the attention of the developers.

Mr. Knudsen stated that it was. Mr. Knudsen said that he and his staff have been trained in how to identify wetland plants and the other characteristics of a wetland, but they are not qualified to certify that it is a wetland.

Mr. Breinig stated that, being a full waiver community, Carol Stream is subject to audit, and the Village takes their full waiver status seriously as they could be fined. He stated that there are sites that are no longer prime sites, using the Dermody site on North Avenue as an example, which have a wetland running through the heart of it. Mr. Breinig said that it is the nature of properties, the good properties are taken and the ones that are in play are going to be undeveloped or under developed properties.

Commissioner Spink had no questions.

Commissioner Christopher had no questions.

Commissioner Creighton asked if the Village's stormwater regulations are identical to the County's.

Mr. Knudsen stated that the Village wholly adopted the County's ordinances without any revisions, however, the Village has regulations that pertain to the storm sewer system and few minor differences that are a little more restrictive.

Commissioner Creighton referred to the case asking if the request for wetlands delineation was a request or if it was a requirement, and if the Organic Soils was aware of the code.

Mr. Knudsen stated that if a stormwater submittal was presented without wetlands delineation, known as a tab 4 submittal, the Village would have sent it back saying they had to have it.

Commissioner Creighton asked if Organic Soils had ever gotten to that point.

Mr. Knudsen said that when they did, they were told that they had to go out to the site and determine if there was a wetland, and Organic Soils responded that they used the DuPage County map.

Mr. Breinig stated that if the foundation was the map, that it was flawed. Mr. Breinig suggested that they used to map to avoid incurring the cost of the initial assessment and delineation.

Mr. Knudsen stated that he was told that Organic Soils was following a very linear sequential process, and they were not going to spend any money on a stormwater submittal until they received the IEPA approval, which hampered their timeline. Mr. Knudsen noted that even though Organic Soils did some investigations, nothing was received until 2015. Mr. Knudsen stated that the Village highly encourages all developers and applicants to start on the stormwater first, and foremost, as it is a lengthy process. Mr. Knudsen noted that the Organic Soils project was much simpler to deal with than the Dermody property, which is very complex.

Commissioner Tucek asked, moving forward, what is required for existing residences or businesses, if a wetland should pop up, what is the role of the Village of Carol Stream, and what is the role of the owner to mitigate the wetland.

Mr. Knudsen stated that mitigation isn't required unless it is going to be impacted, and it is not just the wetland but there are buffers around the wetland that have to be protected. He stated that just because a wetland shows up on someone's property doesn't mean that it has to be maintained for the rest of its life, it means it can't be impacted to the point of destruction.

Mr. Breinig stated that if people would maintain their properties, especially the vacant properties. He said the property at Bluff and Elk Trail wasn't taken care of.

Mr. Knudsen stated that there was no wetland there, even after the development. He said that the grading had settled over time, water started ponding, soil changed, animals came into the area with seeds and droppings, windblown seeds settled, plants emerged and it became a wetland.

Mr. Breinig stated that in that case, it got to a point that, between the wetland and the buffer, the property was no longer buildable, and noted that it was donated to Lake Haven. Mr. Breinig stated that as a result it went from a developable piece of property to a non-developable piece of property because they let it go into disrepair. Mr. Breinig said that some of the overgrown parcels in the industrial park will be in the same situation, getting so out of control that it will no longer be buildable.

Commissioner Tucek asked if it would be in Carol Stream's best interest to keep ahead of that so they are not considered wetlands.

Mr. Breinig said that it depends on who you are, if you are an environmentalist or conservationist, it would be a different answer, but it is the property owner's responsibility.

Commissioner Tucek said that if we knowingly let the property fall into disrepair, it hurts us as a village.

Mr. Breinig stated that there is no violation of any law, ordinance or code, and they try to get people to cut unimproved properties, but that often the only attention the property gets is when the right of way is maintained by the Village.

Mr. Knudsen stated that property owners have been warned over the years, noting that the owner of the property at Elk Trail and Bluff was warned. He said that they don't go around investigating every property in Carol Stream for maintenance issues, but that if it is noticed the owner is notified.

Commissioner Tucek asked if there was anything that is totally unusable because it's undeveloped and a wetland, or is it portions of existing properties.

Mr. Knudsen stated that there were both, some are unusable, but some will subdivide or do an assessment plat so as not to get taxed for a wetland. He said some have a small amount of wetland or flood plain, and that it's not that you can't impact wetland, flood plains, or flood ways, but it has to be

mitigated. Mr. Knudsen noted that there were instances where it is almost impossible to impact a critical wetland an endangered species may reside.

Chairman Parisi thanked Mr. Knudsen for his presentation, and asked Mr. Farace if there was anything else to be addressed. Mr. Farace said there was not.

ADJOURNMENT:

At 7:55 pm Commissioner Tucek moved and Commissioner Creighton made the second to adjourn the meeting.

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,



Jane Lentino
Community Development Secretary

Minutes approved by Plan Commission on this 27 day of FEBRUARY, 2017.



Chairman

