

**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

June 9, 2014

Chairman Pro-Tem James Joseph called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:00 p.m. and directed Secretary Linda Damron to call the roll. The results of the roll call vote were:

Present: Chairman Pro-Tem James Joseph and Commissioners Dee Spink, John Meneghini, and David Creighton.

Absent: Chairman Christopher and Commissioners Frank Petella and David Hennessey

Also Present: Don Bastian, Assistant Community Development Director, Linda Damron, 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 April 14, 2014. The motion passed by unanimous voice vote.

PUBLIC HEARING:

Commissioner Spink moved and Commissioner Meneghini made the second to open the Public Hearing. The motion passed by unanimous voice vote.

**Case # 14099 – James Panopoulos/County Farm Square – 258 County Farm Road
Special Use Permits – Tavern and Outdoor Seating Area**

Chairman Christopher swore in the witness, James Panopoulos, 260 County Farm Road, West Chicago, IL 60185. Mr. Panopoulos stated that he developed and owns the shopping center located on County Farm Road just north of North Avenue. He stated that he entered into a Pre-Annexation agreement with the Village of Carol Stream in order to get the necessary utilities, (water and sanitary sewer). He stated the Pre-Annexation agreement stated that once the property became contiguous to the village he would annex the property to the Village. He stated that he is looking for a Special Use Permit for outdoor seating and for a tavern he would own and operate.

Chairman Pro-Tem Joseph asked Mr. Bastian for the staff report.

Assistant Community Development Director Don Bastian gave a summary of the staff report. Mr. Bastian stated in 1997, the petitioner entered into a Pre-Annexation agreement with the Village of Carol Stream that allowed the village to serve the property with water and sewer. Mr. Bastian stated the property was developed to the village's codes and standards. Mr. Bastian stated that per the Pre-Annexation agreement that once the property become contiguous with the village, it would need to be annexed into the Village of Carol Stream. Mr. Bastian stated the when the village annexed the property at 850 Vale Road last year that made this property contiguous to the village.

Mr. Bastian stated that the petitioner is requesting two Special Uses Permits. Mr. Bastian stated that the petitioner would like to operate a tavern in the unit that is currently Shanahan's Pub and expand into the Red Rooster store and have an outdoor seating area. Mr. Bastian stated the petitioner operates and owns Winner's Pub in South Elgin and he is planning to operate this facility

in a similar way with a sports bar type theme, it will have wide screen televisions and up to five video gaming terminals.

Mr. Bastian stated that the second request is for an outdoor seating area that would have four two-person tables. The area would be enclosed with a four foot decorative metal fence and wheel stops will be installed in the parking spaces adjacent to the seating area to provide an additional barrier. Mr. Bastian stated the petitioner has agreed that the accessible path around the seating area and ramp from the parking lot will comply with the Illinois Accessibility Code.

Mr. Bastian stated that staff looked at the impacts on surrounding properties, after checking with the police department staff found no history of complaints about the existing tavern on the property.

Mr. Bastian stated that staff recommends approval of the Special Uses Permits for the Tavern and Outdoor Seating Area subject to the conditions listed on page 5 of the staff report.

Chairman Pro-Tem Joseph asked if any of his fellow Commissioners had any questions.

Commissioner Spink wanted to know if the petitioner would be servicing snack type foods (peanuts, popcorn, etc.) Commissioner Spink wanted to know if the petitioner would have big events that would cause a parking problem.

Mr. Panopoulos stated yes they would have snack type items, but they will be working with Papa Saverio's to offer a bar type menu. Mr. Panopoulos stated that usually when there are sporting events on, some of the other business are closed and does not see a problem with the parking.

Commissioner Creighton did not have any questions.

Commissioner Meneghini wanted to know if the petitioner had an outside seating area in their South Elgin location. Commissioner Meneghini wanted to know if there would be signage on the fence in the outdoor seating area stating that alcohol is not permitted beyond this area. Commissioner Meneghini also wanted to know if there would be any type of special lighting in the outdoor seating area.

Mr. Panopoulos stated that they are in the process of requesting Special Use Permit from South Elgin for an outdoor seating area. Mr. Panopoulos stated that he could install signage on the fence regarding no alcohol beyond the outdoor seating area. Mr. Panopoulos stated that he will be working on the lighting.

Commissioner Meneghini asked Mr. Bastian if the area will be ADA compliant.

Mr. Bastian stated that yes; the area will be ADA compliant.

Chairman Pro-Tem Joseph wanted to know width of the sidewalk.

Mr. Panopoulos stated that the sidewalk is 10 feet wide and after the fence enclosure is installed there will be a 4'6" sidewalk.

Chairman Pro-Tem Joseph asked if anyone from the audience had any questions. There were no questions from the audience.

Commissioner Spink moved and Commissioner Creighton made the second to approve the request for Special Use Permits for Tavern and Outdoor Seating Area at 258 County Farm Road subject to the recommendations listed in the staff report.

The results of the roll call vote were:

Ayes: 4 Chairman Pro-Tem Joseph and Commissioner Spink, Meneghini, and Creighton
 Nays: 0
 Abstain: 0
 Absent: 3 Chairman Christopher and Commissioners Petella and Hennessey

Chairman Pro-Tem Joseph reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on June 16, 2014, at which time the Board would take final action on the matter.

**Case # 14119 – Lynn Ramsey/Railyard Strength & Conditioning – 330 Main Place
 Special Use Permit – Private Recreational Use**

Chairman Pro-Tem Joseph swore in the witness, Lynn Ramsey, 201 Reber Street #6, Wheaton, IL and Stefan Cox, 201 Reber Street # 6, Wheaton, IL. Ms. Ramsey stated that she was here to request a Special Use Permit to operate a strength and conditioning business. She stated that the business would focus on personal and semi-personal training; it would be a cross fit affiliate and this type of workout is based on functional movements and is not your standard gym, they will not have your typical machines like treadmills, ellipticals and universal machines. She stated that this type of training needs a lot of space and a warehouse space is ideal for this type of training.

Chairman Pro-Tem asked Mr. Bastian for the staff report.

Assistant Community Development Director Don Bastian gave a summary of the staff report. Mr. Bastian stated that the location is in a two tenant industrial building; the front part of the building is 407 Gundersen Drive that is occupied by Phoenix Cabinetry and the back portion of the building is where Railyard Strength & Conditioning would like to locate. Mr. Bastian stated that on page two of the staff report he summarized the seven Special Use Permits for Private Recreational Uses that the Plan Commission and Village Board as approved since 1998. Mr. Bastian stated that some of the things staff looks at when reviewing a request for a Special Use Permit for a Private Recreational Use is the compatibility with the neighborhood and the adequacy of parking. Mr. Bastian stated that a parking analysis of the property is listed on page 4 of the staff report, and staff has determined that there is sufficient parking. Mr. Bastian stated that when it comes to the compatibility this neighborhood has a mixture of uses and this would be a fine use for this property. Mr. Bastian stated that on the bottom of page 5 of the staff report is a list of items that needs to be cleaned up on the property and the items will be addressed by the property owner. Mr. Bastian stated that staff recommends approval for a Special Use Permit for Private Recreation Use subject the conditions listed on page 6 of the staff report.

Chairman Pro-Tem Joseph asked if the property owner of the building agreed to make the improvements that are listed in the staff report.

Mr. Bastian stated that the building owner is willing to make the improvements.

Chairman Pro-Tem Joseph asked if anyone from the audience had any questions. There were no questions from the audience.

Chairman Pro-Tem Joseph asked if any of his fellow Commissioners had any questions.

Commissioner Meneghini wanted to know how long the petitioner has been in business.

Ms. Ramsey stated that this is a new business.

Commissioner Creighton wanted to know how long the classes were and when would the next class start. Commissioner Creighton had concerns that there would be an overlap of classes causing a problem in the parking lot. Commissioner Creighton wanted to know where the main entrance of the building would be.

Ms. Ramsey stated that the classes were 45 minutes with a 15 minute cool down period and the next class would start at the top of the hour. Ms. Ramsey stated that there would be a little overlap with clients leaving and coming to a class.

Mr. Bastian stated that the entrance that faces Main Place on the east side of the building will be the accessible entrance.

Commissioner Spink wanted to know if the petitioner had a clientele roster. Commissioner Spink wanted to know how they would be building their business.

Ms. Ramsey stated that they do not have a clientele roster. Ms. Ramsey stated that they would get their clients by word of mouth.

Chairman Pro-Tem Joseph wanted know if the classes were for the novice or the advanced athlete. Chairman Pro-Tem Joseph wanted to know if classes would be an open gym type class. Chairman Pro-tem Joseph wanted to know if there will be any improvements in the lighting on the property.

Ms. Ramsey stated that the classes would be for all skill levels. Ms. Ramsey stated that it would not be an open gym type class. Ms. Ramsey stated that they will be working with the property owner regarding the lighting.

Commissioner Creighton moved and Commissioner Meneghini made the second to approve the request for Special Use Permit for Private Recreational Use at 330 Main Place subject to the recommendations listed in the staff report.

The results of the roll call vote were:

Ayes: 4	Chairman Pro-Tem Joseph and Commissioner Spink, Meneghini, and Creighton
Nays: 0	
Abstain: 0	
Absent: 3	Chairman Christopher and Commissioners Petella and Hennessey

Chairman Pro-Tem Joseph reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on June 16, 2014, at which time the Board would take final action on the matter.

Commissioner Spink moved and Commissioner Creighton made the second to close the Public Hearing. The motion passed by unanimous vote.

PRESENTATION:

NEW BUSINESS:

- A. The item under New Business was to discuss possible future Zoning Code Text Amendments

Mr. Bastian stated that staff is currently researching what other communities allow or require for outdoor seating area for restaurants, currently in Carol Stream in the B-District that is a Special Use. The question that staff has for the Plan Commission is would they consider a Zoning Code Text Amendment for a restaurant that does not serve alcohol and would like to have an outdoor dining area in front of their establishment to be permitted and approved by staff if there are standards for this type of use. Mr. Bastian stated that any restaurant that serves alcohol and would like to have an outdoor dining area would still need to go before the Plan Commission and the Village Board for a Special Use Permit.

After some discussion the Plan Commissioners stated that they would willing to consider a text amendment to the Zoning Code to allow a restaurant that does not serve alcohol to have an outdoor dining area with the approved standards.


Mr. Bastian mentioned that the Landscape Waste Transfer Station case will be coming before the Plan Commission later this summer and staff will also be bringing a Zoning Code Text Amendment regarding medical cannabis to the Plan Commission this summer.

ADJOURNMENT:

At 7:40 p.m. Commissioner Spink moved and Commissioner Meneghini made the second to adjourn the meeting. The motion passed by unanimous vote.

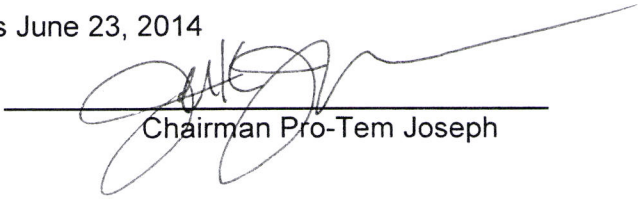
FOR THE COMBINED BOARD

Recorded and transcribed by,



Linda Damron
Community Development Secretary

Minutes approved by Plan Commission on this June 23, 2014



Chairman Pro-Tem Joseph