

**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*

**December 13, 2010**

Chairman David Michaelsen called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 p.m. and directed Community Development Director Bob Glee to call the roll. The results of the roll call vote were:

Present: Chairman Dave Michaelsen, Commissioners David Hennessey, Timothy McNally, Angelo Christopher, Dee Spink, Frank Petella, Ralph Smoot

Absent: None

Also Present: Bob Glee, Community Development Director, Don Bastian, Assistant Community Development Director, Linda Damron, Secretary

**MINUTES:**

Commissioner Spink moved and Commissioner McNally made the second to approve the minutes of the meeting of November 22, 2010, as presented. The results of the roll call vote were:

Ayes: 5 Commissioners Hennessey, Christopher, Spink, McNally and Petella  
Nays: 0  
Abstain: 2 Chairman Michaelsen and Commissioner Smoot  
Absent: 0

**PUBLIC HEARING:**

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

**Case #10314: Matt Ahmetti – 1021 Fountain View Drive  
*Special Use – Restaurant with Bar Area and Game Room***

Chairman Michaelsen swore in the witness, Matt Ahmetti.

Matt Ahmetti stated that they would like to open a restaurant with bar and game room (Bull Dog Ale House) at 1021 Fountain View.

Don Bastian briefly summarized the Special Use requests which are to allow for a restaurant with a bar area and for a game room accessory to the principal restaurant use. As indicated in the applicant's attached cover letter, the business operators hope to create a "neighborhood gathering place" that attracts "family and friends" while also targeting area business workers who need a "fast and affordable place to have lunch". As shown on the floor plans (Exhibits A and B), there would be a main dining room, a game room with two pool tables, a dart board and a ping pong table, and the main bar area with additional customer seating. The applicant intends to have 32 different beers on tap and plans to offer typical American. The hours of operations are from 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00

a.m. Friday and Saturday. There are no plans for outdoor seating at this time. The applicant is affiliated with the group that owns and operates another facility in Schaumburg called The Wild Bull Pub & Grill.

The main factors that the staff looked at when we reviewed this request was the parking and the compatibility with surrounding businesses and land uses. With respect to parking, we will note that the parking for the entire *Fountains at Town Center* was approved back in 2004 as part of the commercial and residential mixed use development. There are 149 spaces to the east of the building Bull Dog Ale House would go into and there are an additional 17 on-street parking spaces on the street immediately west of the building. It is true that when the PUD for the Fountains at Town Center was approved there was a modification to reduce the required parking from 252 to 236 spaces. One of the conditions of the PUD was that the Village would monitor parking in that area based on the uses that went into the commercial center and if parking became a problem the Village reserved the right to restrict certain types of business uses from going into the tenant spaces in the commercial development. We have had the opportunity to see two prior restaurants with bar areas in this same tenant space, first it was V'Angelo's and then Jade and we are not aware of any parking shortage ever having occurred. In fact when the Fountains Development was approved the Village encouraged and anticipated restaurant and bar type uses in this center. The Village was looking for business that would bring some activity to the area and have a good relationship with the activities at the Town Center. Restaurants with bars uses were considered from a parking demand standpoint when the PUD was approved back in 2004. We do not have any concerns related to the parking based on our experiences of the past five years and based on that parking has been adequate up to this point.

With the respect to compatibility, as we have already started to discuss when the Fountains at Town Center was approved we were hopeful that there would be business that would come in and create a synergy with the Town Center events. We are happy to have several restaurant type operations in place at the Fountains Development and we think it's a good use for the location. A liquor license would need to be applied for, and training has to be done for the servers and operators of the restaurant for people that serve alcohol. We have shared this application and plans with the Police Department; the Police Department has no concerns with this application. We are comfortable with the proposed operations for this tenant space.

The other Special Use is for a game room accessory to the restaurant use. The zoning code allows game rooms when operated as an accessory use to a restaurant, tavern, pub or hotel containing no more than one amusement device for each 400 square feet of total floor area occupied by the principal use. In no case shall such accessory game room contain more than 20 amusement devices. The proposed game room would in this application would measure 450 square feet in area and contain four amusement devices – two pool tables, a ping pong table and a dart board. We did talk to the Police Department about the game room to see if they have any concerns, they did not have any concerns, but they did appreciate the fact that the game room would be visible from outside the establishment. We have no concerns or objections in regards to the game room aspect and we can recommend approval of the special uses for a restaurant with a bar area and an accessory game room subject to the conditions noted in the staff report.

Chairman Michaelsen asked if anyone from the audience had any questions, there where no question from the audience. Chairman Michaelsen asked if any of his fellow Commissioners had any questions, Commissioner Hennessey had no questions. Commissioner Petella asked if the entrance to the game room is going to be through the restaurant and bar area or if you

could get into the game room from the parking lot directly. Petitioner Ahmetti answered no you can only get into the game room from the restaurant or bar area. Commissioner Petella asked if they would allow children, teenagers into the game if they were not patrons of the restaurant and not accompanied by a person over 21 years of age. Petitioner Ahmetti answered they would have to be patrons and accompanied by an adult. Commissioner Spink wanted clarification for the hours of operations. Petitioner Ahmetti stated the hours of operation would be Sunday-Thursday 11:00 am to 1:00 am and Friday-Saturday 11:00 am to 2:00 am. Commissioner Spink wanted to know how many people would be allowed in the game room and who would be monitoring the number of people. Petitioner Ahmetti stated that a maximum number of people allowed in the game room at one time would be 55 and it would be the responsibility of the managers to monitor the game room. Commissioner Smoot had no questions. Commissioner Christopher wanted to know if this was their first enterprise or if they had any affiliation with the one in Schaumburg. Petitioner Ahmetti stated that they are affiliated with the one in Schaumburg. Commissioner McNally wanted to know there was any long term plan to add Golden Tee or video poker. Petitioner Ahmetti answered Golden Tee yes, but not video poker. Chairman Michaelsen wanted to know how 55 people would fit in the game room and would there be chairs in the game room for people to sit. Petitioner Ahmetti stated that the wall would be built like a table for people sit with their beverage and food. Chairman Michaelsen directed his next question to Don Bastian, Assistant Community Development Director, would an eighteen year old be allowed to play pool while alcohol is being served. Mr. Bastian stated that anything related to serving alcohol would be subject to the liquor license and any rules or laws for serving alcohol beverages. It would be the responsibility of the operator of the facility to make sure that underage drinking is not going on in the game room. Mr. Bastian also stated that the Police, from time to time, check to see if underage drinking is going on in an establishment. Petitioner Ahmetti stated that ID's would be checked before serving alcohol. Commissioner Spink wanted to know if the game room would be rented out. Petitioner Ahmetti stated that it would not be rented out but you would be able to reserve the tables. Commissioner Petella asked if staff would go over the code for game rooms. Mr. Bastian stated the code reads no more than one amusement device for each 400 square feet of total floor area occupied by the principal use. The principal use here is the restaurant. Chairman Michaelsen asked Petitioner Ahmetti if he was familiar and agreed with the conditions of the Special Uses. Petitioner Ahmetti said yes.

Commissioner Petella moved and Commissioner Hennessey made the second to recommend approval of the requested Special Uses, subject to the conditions contained in the staff report, for the Bull Dog Ale House at 1021 Fountain View Drive. The results of the roll call vote were:

Ayes: 4 Chairman Michaelsen and Commissioners Hennessey, Spink and Petella  
 Nays: 2 Commissioner McNally, Christopher and Smoot  
 Absent: 0

Mr. Bastian reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on December 20, 2010, at which time the Board would take final action on the matter.

**Case #10316: David Henry – 795 Kimberly Drive  
Variation – Land Banked Parking**

Chairman Michaelsen swore in the witness, David Henry.

David Henry stated that the previous business in the building was K&K Screw which manufactured nut parts. NTN would be manufacturing the same type of product only on a larger scale for the automotive industry. NTN will have two additional operations one being forging and the other a heat treat operation. David Henry then referred to Exhibit B for the layout of the business. With the concerns of the scrap metal and garbage it would be in an enclosed area. In regards to the parking there will be 40 salaried employees in main office area and additional 10 salaried employees in the forging office, 100 employees in the machining operations and may have up to 10 guests at any given time. NTN will running 3 shifts per day. The number of parking spaces needed for the 1<sup>st</sup> shift would be 160 and the 2<sup>nd</sup> and 3<sup>rd</sup> shifts would only require 100 parking spaces. David Henry referred to Exhibit B for the layout of the parking spaces.

Bob Glees briefly summarized that NTN USA is requesting approval of a variation from the Carol Stream Zoning code to allow for the landbanking of required parking spaces. NTN USA has purchased and plans to use the facility to manufacture metal parts. As indicated in the letter from David Henry, NTN USA Corporation plans to operate its machining operation at 100% capacity and its forging operation at approximately 60%. Production would operate in three shifts, with 50 hourly employees per shift. In addition, the company would have 50 salaried employees and expects no more than 10 visitors at any given time. With these projections, NTN USA expects a maximum of 100 employees and 10 visitors during a given shift. While the existing parking facilities contain 125 spaces, which is greater than the 110 spaces required for a single shift, NTN USA wishes to provide for the additional parking demand that would occur during shift transitions, and also plan for future growth of the forging operation. Therefore, NTN USA proposes to provide an additional 50 spaces in order to accommodate two full shifts of employees, as well as 16 spaces to allow for future growth, for a total of 176 spaces. It should also be noted that NTN USA plans to expand the building to add pallet storage, scrap storage, and internal dock space. Mr. Glees noted that NTN USA has opted to provide an enclosed storage area for pallets and scrap material rather than an external, fenced area.

The required parking for NTN USA, and proposed parking conditions, are presented in the table as shown in the staff report. As shown on the table, a total of 357 parking spaces are required by the Zoning Code, based on the proposed use of space within the building. To meet this requirement, NTN USA proposes to expand the existing parking facilities from 125 spaces to a total of 176 spaces and landbank 181 spaces.

The landbanked parking provisions of the Zoning Code direct that landbanked parking must be provided on existing greenspace areas of the site. Exhibit B shows the proposed landbanked parking configuration. In this case, the landbanked parking arrangement is proposed to be accomplished by designating areas along the south and east perimeters of the property for future parking expansion as Mr. Henry illustrated in Exhibit B. Based upon the employee counts submitted by the applicant, staff does not foresee a problem with the installation of only a portion of the required parking spaces, based on actual employee usage. The applicant's estimate of actual usage is conservative in that it allows for future expansion of the forging operation and full parking for all employees during shift changes. The Village will, however, retain the right to require that all parking be installed at a future date if a

deficiency should occur. For these reasons Staff is recommending approval of the request for variation to landbank 181 required parking spaces, subject to the conditions in the staff report.

Chairman Michaelsen asked if anyone from the audience had any questions, there where no question from the audience. Chairman Michaelsen asked if any of his fellow Commissioners had any questions. Commissioner McNally, Chirstopher, Hennessey and Chairman Michaelson did not have any questions. Commissioner Spink asked if they hire any temporary workers, and Petitioner Henry answered no. Commissioner Petella wanted to know why this a recurring problem. Mr. Bastian responded that this property had a landbank variance approved in 1997. The zoning code requires a certain number of parking spaces, based on the use of space in the building. In 1992 the Village Board approved a text amendment to the Zoning Code that added the landbanked variance provisions to the Zoning Code. This process allows the applicant to request a variation which, if approved, allows them not to install all the parking required by the Zoning Code if they can demonstrate through their employee counts that they do not need it. The applicant needs to show that all of the required spaces can be installed on the property if in the future their business or a new tenant requires the additional parking spaces.

Commissioner Hennessey moved and Commissioner McNally made the second to recommend approval of the request for a variation for landbank parking, subject to the conditions contained in the staff report, for the 795 Kimberly Drive. The results of the roll call vote were:

Ayes: 7 Chairman Michaelsen, Commissioners Hennessey, Spink, Petella, McNally,  
Christopher and Smoot

Nays: 0

Absent: 0

Chairman Michaelsen reminded the petitioner the that Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on December 20, 2010, at which time the Board would take final action on the matter.

Chairman Michaelsen moved and Commissioner Spink made a second to close the Public Hearing. The Motion Passed by unanimous voice vote.

#### **NEW BUSINESS:**

Mr. Bastian stated that the Commission could cancel the December 27 meeting, since there were no items to bring to the Plan Commission on that date.

The results of the roll call vote were:

Ayes: 6 Chairman Michaelsen, Commissioners Hennessey, Spink, Petella, McNally  
and Christopher

Nays: 1 Smoot

Absent: 0

#### **ADJOURNMENT:**


At 8:15 p.m. Commissioner Pella moved and Commissioner Spink 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 28<sup>th</sup> day of February, 2011.

  
Chairman