

**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

August 22, 2011

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 Secretary Linda Damron to call the roll. The results of the roll call vote were:

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

Absent:

Also Present: Don Bastian, Assistant Community Development Director, Linda Damron, Secretary and court reporter from DuPage County Court Reporters.

MINUTES:

Commissioner Spink moved and Commissioner Christopher made the second to approve the minutes of the meeting of July 25, 2011. The results of the roll call vote were:

Ayes: 5 Chairman Michaelsen and Commissioners Spink, Smoot, Christopher and McNally

Nays: 0

Abstain 1 Commissioner Petella

Absent: 0

PUBLIC HEARING:

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

**Case # 11201 148 N. Gary LLC - 148-186 Gary Avenue
Variation - Sign Code
Gary Avenue Corridor Review**

Chairman Michaelsen swore in the witness. Sheila Gross, 148 N. Gary, LLC, stated that 148 N. Gary LLC is requesting a variation to the sign code to allow a 12 foot sign and to ask permission to up grade the façade of the building, from a fiberboard to a heavy duty metal siding type of material. Shelia Gross asked the Plan Commission what color they would prefer the material to be evergreen or ivory. Shelia Gross stated that they are requesting a variation to the sign code because the current sign is about thirty years old and does not show any of the tenant names. The new sign they are requesting would be 12 feet in height and have all the tenant's names on the sign. All tenant names would be in the same font. The sign will also have the address of the center on it. The sign would also have a changeable message display to advertise specials that the tenants may have. Shelia Gross also stated that with the sign being 12 feet in height would help with the exposure on Gary Avenue.

Chairman Michaelsen asked Mr. Bastian for the staff report.

Assistant Community Development Director Don Bastian stated the applicant is requesting a Sign Code variation for height and Gary Avenue Corridor Review for the new ground sign and the proposed change in the building façade material. The height variance is to allow a 12 foot tall directory sign as opposed to the six feet sign that is allowed in the sign code. As shown in a picture in the staff report the current sign is small and does not advertise the tenants in the shopping center. They are allowed to have a ground directory sign of 96 square feet in area and six feet in height. The current sign is about 30 square feet and six feet in height. With respect to the sign height variation the Plan Commission has taken a pretty hard look at the sign height variation requests in the past and only has approved cases in which a clear hardship or unique situation has been demonstrated. Some examples of this are the ground signs at the Town Center, Holiday Inn and Direct Import Home Décor. In those cases the length of the property frontage, vehicular access and visibility limitations were all identified as being unique factors that resulted in those variations being approved by the Plan Commission. Staff believes the same conditions apply here. Staff does recommend approval of the sign code variance, with suggested conditions that are listed in the staff report. The applicant has agreed to all of the conditions listed. With respect to the Gary Avenue Corridor review for the sign one of the things staff tries to do when bringing ground signs to the Plan Commission is to identify some ways the applicant tries to adhere to the Corridor Regulations for material and appearance. Staff suggested that a masonry material be added to the sign base. The applicant expressed a limited budget and that adding masonry would not be feasible around the sign. Staff then suggested that new landscape material could be installed around the sign. With the addition of the landscaping staff supports the Gary Avenue Corridor Review of the sign. Staff will be working with the applicant on the final landscape plan. With regard to the Gary Avenue Corridor Review for the building façade, there is a photo in the staff report that shows the deteriorating fiberboard. The type of material the applicant would like to replace it with is a metal panel system similar to what is on the concession building at the Town Center. The specific color of the material is not addressed in the Gary Avenue Corridor regulations, the initial color specified in the application is evergreen, and Mr. Bastian stated that he would leave it up to the Plan Commission to decide on the color. Staff recommends approval for the Gary Avenue Corridor Review subject to conditions listed in the staff report.

Chairman Michaelsen asked if anyone from the audience had any questions, there were no questions from the audience.

Chairman Michaelsen asked if any of his fellow Commissioners had any questions.

Commissioner McNally stated the color evergreen would be fine and it will be a nice looking sign.

Commissioner Christopher wanted to know if the footings for the sign would be handled under permit.

Assistant Community Development Director Don Bastian stated that the footing would be handled under the permit.

Commissioner Smoot stated that he likes the color red.

Commissioner Spink wanted to know if the full address would be on the sign, Commissioner Spink also stated that the evergreen color would be fine.

Sheila Gross stated that the full address would be on the sign.

Commissioner Petella had no questions and stated that whatever color the applicant decided would be fine.

Commissioners Spink, Smoot, McNally and Christopher did not have any questions.

Chairman Michaelsen wanted to know who would be responsible for dispensing the propane tanks to the consumer.

William Cates stated that a member of management or a trained employee would be dispensing the propane tanks.

Commissioner Smoot moved and Commissioner Christopher made the second to recommend approval of the request for variation to allow a Display of Outdoor Merchandise subject to staff recommendations.

The results of the roll call vote were:

Ayes: 6 Chairman Michaelsen and Commissioners Spink, Smoot, Christopher, Petella and McNally
Nays: 0
Absent: 0

Chairman Michaelsen reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on September 6, 2011, at which time the Board would take final action on the matter.

**Case # 11215 Northern Builders/Temple Inland Corporation - 139 Fullerton Avenue
Amendment to Special Use - Outdoor Activities and Operations
Amendment to Variation - Land Banked Parking
Gary Avenue Corridor Review**

Chairman Michaelsen swore in the witness, Bradley Wood of Northern Builders.

Bradley Wood of Northern Builders stated that regarding the special use Temple Inland Corporation is back to make some changes to the plan that was previously approved by the Plan Commission, one of the changes is to take out the two story expansion of the building; Temple-Inland will still be remodeling the building and they will still be keeping the substantial number of employees that were originally planned for this facility. The trailer storage which is part of the special use will still be maintained on the east side of the property. The trailer storage that was to be against the east side of the building has been eliminated and is being converted back into car parking. There will be an addition of three truck docks and a compactor that will be screened with island and a landscape buffer. Under the land banked variance Temple-Inland has made a reduction in the car stalls, meeting the current code requirement for office, manufacturing and warehouse. Trying to utilize as much of the car parking that is currently there, we are eliminating some truck docks from the east side of the building and adding more parking spaces on the south side of the building in front of the office area. We have at the request of the Engineering Department widened the drives coming into the facility to comply with the current code. The Engineering Department is also asking that islands be added with landscaping to buffer the trailer stalls from the car parking. The need for a detention pond is still being determined by the Engineering Department and their consultants. The landscape plans comply with the Gary Avenue Corridor. Bradley Wood went over the interior plan for the building. Bradley Wood stated the exterior colors of the building would be the same as previously discussed. We feel once this project in complete it will have a fresh architectural feel to it.

Chairman Michaelsen asked Mr. Bastian for the staff report.

Assistant Community Development Director Don Bastian stated that the petitioner is asking for amendments to the approvals that were granted by the Plan Commission on June 27, 2011 and the Village Board on July 5, 2011. When Ordinance 2011-07-21 was approved it was for the special use for the trailer parking and the variation for the landbanked parking and the Gary Avenue Corridor review for the two story office addition. With ordinance being very specific to the exhibits and conditions, that is why Temple-Inland needs to come back to amend the ordinances. As stated in the petitioner presentation they are reducing the outdoor trailer parking from 48 to 34. They will still be screening the trailer parking with landscaping. Staff has no objections to the outdoor use for trailer parking. Regarding the landbanked parking Temple-Inland would provide 120 actual parking spaces and landbank 82, they have shown where they can provide all of spaces required by the zoning code if they would ever need them in the future. Staff recommends approval the amended landbanked parking variance. Regarding the Gary Avenue Corridor Review a lot of the improvements have been moved out of the 400 foot Corridor zone. The remodeled one story office is just outside the Corridor zone. Temple-Inland be doing high-end upgrades to the building, installing new landscaping and painting. Staff recommends approval of the amended to the Special Use, amended Landbanked and the revived Gary Avenue Corridor Review subject to the conditions in the staff report.

Chairman Michaelsen asked if anyone from the audience had any questions, there were no questions from the audience.

Chairman Michaelsen asked if any of his fellow Commissioners had any questions.

Commissioners Christopher, McNally, Petella, Spink and Smoot did not have any questions.

Chairman Michaelsen wanted to know if the existing parking would be replaced, would there be any storm water drainage for the parking lot or would it be sheet drained. Mr. Michaelsen also wanted to know if there had ever been any problem with water at the facility.

Mr. Bradley Wood said yes the parking lot would be replaced and it is sheet drained. Mr. Wood stated the only water problem they had was from the roof.

Commissioner Spink moved and Commissioner Smoot made the second to recommend approval of the request for Amendment to the Special Use Permit for Outdoor Activities and Operations, Amendment to the variation for Landbanked Parking and Gary Avenue Corridor Review subject to the staff recommendations.

The results of the roll call vote were:

Ayes: 5 Chairman Michaelsen, Commissioners Spink, Smoot, McNally and Petella
 Nays: 0
 Abstain 1 Commissioner Christopher
 Absent: 0

Chairman Michaelsen reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on September 6, 2011, at which time the Board would take final action on the matter.

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

Ayes: 6 Chairman Michaelsen and Commissioners Spink, Smoot, Christopher, Petella and McNally
 Nays: 0
 Absent: 0

NEW BUSINESS:

Discussion to cancel the September 12, 2011, Plan Commission meeting.

Commissioner Smoot moved and Commissioner Spink made the second to recommend approval to cancel the September 12, 2011, Plan Commission meeting.

The results of the roll call vote were:

Ayes: 5 Chairman Michaelsen, Commissioners Spink, Christopher, Smoot and Petella

Nays:

Abstain 1 Commissioner McNally

Absent: 0

Commissioner McNally stated he had a matter of new business with respect to the Bull Dog Ale House petition for adding a patio and increasing the number of customers by 42. The Staffs recommendation was denied by the Plan Commission and the petitioner appealed to the Village Board. The Village Board overrode the Plan Commission's recommendation with a comment made by the Village Attorney saying that because the fact that the original plan did not change therefore the case did not need to go back to the Plan Commission. I find that wrong because our objections was the insufficient parking and the increased customer parking demand by 42 customers. In my opinion this action has neutralized the scope, function and the total purpose of the Plan Commission and gives a bad, cloudy issue over the transparency of the Plan Commission and the village business in general. This was compounded further by the Village Attorney attending the Plan Commission meeting the two times the Bull Dog case was on the agenda. I found that to be reprehensible and it looks to me that it was a fix and I did not like it. The proof in the pudding is that we denied it and they got it through with a presentation by Pam Fenner, and the Village Attorney decision that the increase of 42 people customer base with an already overcrowded parking area had no significant change and did not require the Zoning Board / Plan Commission review. In the previous four years the Village Attorney never attended any of our meetings. I submit my resignation effective at the end of this meeting. I don't like being back-doored.

ADJOURNMENT:

At 8:15 p.m. Commissioner Spink moved and Commissioner Christopher made the second to adjourn the meeting. The motion passed by unanimous vote.

FOR THE COMBINED BOARD

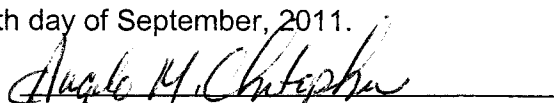
Recorded and transcribed by,



Linda Damron

Community Development Secretary

Minutes approved by Plan Commission on this 26th day of September, 2011.



Chairman Pro Tem