

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

April 12, 2010

All Matters on the Agenda may be discussed, amended and acted upon

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 the Recording Secretary Wynne Progar to call the roll.

Present: 7 Chairman David Michaelsen, Commissioners David Hennessey, Timothy McNally, Frank Petella, Angelo Christopher, Ralph Smoot, and Dee Spink

Absent: 0

Also Present: Bob Glees, Community Development Director, Wynne Progar, Recording Secretary

MINUTES:

Commissioner Smoot moved and Commissioner Spink made the second to approve the Minutes of the Meeting on March 8, 2010 as presented. The results of the roll call vote were:

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

Nays: 0

PUBLIC HEARING:

Commissioner McNally moved and Commissioner Spink made the second to open the public hearing. The Motion passed by unanimous voice.

**10061: Beltmann Group Incorporated - 225 Westgate Drive
Special Use Permit – Outdoor Activities and Operations**

Carl Canale, 225 Westgate Drive, Carol Stream was sworn in as a witness in this matter,

He explained that the request is for a Special Use Permit for activities and operations to allow outdoor storage and activities to permit the parking on this site. He noted that there will be 4 units on the east side and 4 units on the south side.

There were no comments or questions from those in attendance at the call for public hearing.

Chairman Michaelsen asked if the stored trailers will be empty and was told that most of them will be empty except for the few times that they will be loaded in the afternoon and then a driver will take them out first thing on the evening shift. Chairman Michaelsen commented that this area is an original parking area for cars; the surface may not hold up as well as a lot built for the weight of loaded semis.

Commissioner Spink recommended approval of a special use for Outdoor Activities and operations at 225 Westgate Drive, in accordance with staff recommendations. Commissioner Petella made the second. The results of the roll call vote were:

Ayes: 7 Commissioners Hennessey, McNally, Petella,
Christopher, Smoot, Spink and Michaelsen
Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on Monday, April 19th and was advised to attend that meeting.

**10078: Schmolz + Bickenbach USA Holdings, Inc.- 365 Village Drive
*Amendment to Special Use Permit – Outdoor Activities and Operations***

David Grandt, 365 Village Drive, Carol Stream was sworn in as a witness in this matter. He explained that the request is to have an amendment to a Special Use Permit for Outdoor Activities and Operations to allow the company to reinstall a vaporizer and liquid nitrogen tank and to add three additional nitrogen gases at the back of the building to again be able to heat treat equipment. Mr. Grandt said that there will be three additional employees hired as well.

Mr. Glees said that in December of 2001, the Village Board approved Ordinance 2001-12-57, which granted a Special Use Permit to the property at 365 Village Drive to allow for the outdoor installation of one nitrogen storage tank and four vaporizing units behind the 97,284 square foot building. The equipment was a component of the steel heat treating process of the business in the building, then operating under the name of Thyssen Specialty Steels. Due to multiple mergers and acquisitions, the name of the business has changed over the years, and is now Schmolz + Bickenbach USA Holdings, Inc. As explained in David Grandt's cover letter, in mid 2004, the heat treatment equipment was transferred to a Canadian location, which resulted in the removal of the nitrogen tank and vaporizers that were allowed through the 2001 Special Use approval.

To better serve their customers, Schmolz + Bickenbach has decided to bring the heat treatment process back to their Carol Stream facility on Village Drive. To accommodate this process, Mr. Grandt has filed an application for an amendment to the existing Special Use to reinstall a vaporizer and liquid nitrogen tank, and to also install three new gas nitrogen tanks, all behind the building. The configuration of the proposed equipment is shown on Exhibits A and C. As shown on the exhibits, all of the equipment would be installed within a new six-foot tall chain link security fence. The reinstalled liquid nitrogen tank is proposed to measure 26 feet, 10 inches in height, the nitrogen vaporizer unit is proposed to measure 23 feet, 9 inches in height, and the three nitrogen gas storage tanks are proposed to measure 24 feet, 6 inches in height. Since the building measures 29 feet, 9 inches in height, none of the equipment proposed for outdoor installation should be visible from Village Drive. To allow for a modification in the size and location in the equipment that is being reinstalled outdoors, as well as for the three additional gas nitrogen tanks that would be installed outdoors, an amendment to the Special Use is necessary in accordance with §16-10-2(B)(14) of the Carol Stream Zoning Code.

With regard to the amendment to the Special Use Permit, staff has reviewed the proposal from both operational and aesthetic standpoints. From an operational standpoint, the proposed nitrogen tanks and vaporizing unit are critical components of the heat treating process that Schmolz + Bickenbach wishes to bring back to their facility at 365 Village Drive. The Village has granted numerous Special Use Permits for businesses in the Industrial District for similar outdoor equipment installations where it has been demonstrated that there will be no negative impacts of such installations. From an aesthetic standpoint, staff's concern with outdoor equipment installation typically involves the potential for negative visual impacts. In this case, we would note that all of the equipment will be behind the building, and that the building, at 29 feet, 9 inches, is taller in height than all of the equipment. Since the equipment will not be visible from Village Drive, staff believes the potential for negative visual impacts will be minimal.

Staff recommends approval of the amendment to the Special Use Permit to allow for the outdoor installation of a 23-foot, 9-inch tall nitrogen vaporizer unit, a 26-foot, 10-inch tall liquid nitrogen tank, and three 24-foot, 6-inch tall gas nitrogen tanks, subject to the following conditions:

1. That no parking spaces shall be eliminated through the installation of the outdoor equipment;
2. That all necessary permits shall be obtained prior to the installation of the outdoor equipment; and

3. That the facility shall comply with all state, county and Village codes and requirements.

There were no comments or questions from those in attendance at the call for public hearing.

Commissioner Petella asked if the pipes for the new tanks will be put underground or go through the wall and Mr. Grandt described the piping process. In answer to Commissioner McNally's question, said that the Fire Protection District approved the plans before construction.

Chairman Michaelsen said that he does not see any problems since the 29 foot tall building hides the tanks as well as possible.

Commissioner Hennessey moved and Commissioner Spink made the second to recommend approval of the request for an amendment to a Special Use Permit in accordance with staff recommendations. The results of the roll call vote were:

Ayes: 7 Commissioners Hennessey, McNally, Petella,
Christopher, Smoot, Spink and Michaelsen
Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on Monday, April 19th and was advised to attend that meeting.

09338: Angel Associates, LP – 293-317 S. Schmale Road
Special Use Permit – Drive-up Service Window
Special Use Permit – Outdoor Seating
PUD Plan – Major Modifications

Mario Spina, 381 E. St. Charles Road, Carol Stream, IL was sworn in as a witness in this matter. He explained that he is asking for a major modification to the approved PUD Plan by adding a second drive-up window Drive-through and an outdoor seating for a Kentucky Fried Chicken that is interested in leasing this property.

There were no comments or questions from those in attendance at the call for public hearing.

Mr. Glees reported that In August of 2008, the Village Board adopted Ordinance 2008-08-42, which approved the Final Planned Unit Development Plan for Angel Associates' three-building commercial development on the 3.4-acre property located within the southeast quadrant of Schmale Road and St. Charles Road. The approved Final PUD Plan (Exhibit F) contained a car wash, a 10,000 square foot inline commercial center, and a 3,081 square foot stand alone commercial building. The plan had a large amount of impervious surfaces, which resulted in a storm water management system that primarily featured storm water storage in an underground vault system. These systems

are expensive in comparison to conventional above-ground storm water management facilities.

In January 2009, due to economic issues, difficulty in securing tenants, and the cost of the underground storm water vault system, Mario Spina submitted an application for amendments to the approved Final PUD Plan for the *Carol's Court Commercial Center*. The primary change involved the deletion of the 3,081 square foot building from the plan. This modification allowed the site to be somewhat reconfigured to accommodate a larger above-ground storm water detention facility, thereby reducing the size of the underground storm water vault and lowering project costs. The Village Board approved the revised Final PUD Plan (Exhibit G) through Ordinance 2009-02-06 in February of 2009.

While working to secure tenants for the 10,000 square foot inline commercial building, two national chain restaurants – Kentucky Fried Chicken (KFC) and Dunkin' Donuts – expressed interest in the property. Each restaurant has specific requirements for the space they wish to occupy. KFC wishes to occupy the west end unit of the inline commercial center and have use of the drive-up window service lane already approved for that building, and Dunkin' Donuts wishes to have their own stand alone building with drive-up window service. The modified PUD Plan approved in February 2009 (Exhibit G) would not accommodate the specific needs of both users, and so Mario Spina is seeking further revisions to the approved Final PUD Plan.

STAFF ANALYSIS

As stated, Mario Spina has filed an application to modify the approved Final PUD Plan for the *Carol's Court Commercial Center*. The primary modifications to the PUD Plan involve the introduction of a third stand alone building on the property and a reduction in the size of the inline commercial building from 10,000 square feet to 7,500 square feet. The new stand alone building is proposed to be occupied by Dunkin' Donuts and would measure 1,870 square feet. Dunkin' Donuts would like to offer both outdoor seating and drive-up window service to their customers, both of which require Special Use approval. As such, Mr. Spina has filed the necessary applications and information to allow for review of the Special Use requests.

Modifications to the Final Planned Unit Development Plan

In order to make changes (other than minor changes) to a Planned Unit Development after approval of the Final Plan, §16-16-5(B)(1)(b) of the Zoning Code directs that the Village Board must approve the changes under the procedures authorized by the Code for an amendment to the Zoning Map, which includes a public hearing by the Plan Commission.

The proposed Final PUD Plan showing the revised development configuration is attached as Exhibit A, and the current approved PUD Plan showing the two building

configuration is attached as Exhibit G. The principal changes proposed on the revised plan are as follows:

The inline commercial building (the north building) would be reduced in size from 10,000 square feet to 7,500 square feet;

A third building, measuring 1,870 square feet in area and proposed to be occupied by Dunkin' Donuts, would be added to the site;

A second drive-up window service lane (for Dunkin' Donuts) and an outdoor seating area would be added for Dunkin' Donuts;

The quantity and location of parking spaces would be revised; and

The trash dumpster enclosures would be relocated.

With the proposed food service uses, the Zoning Code requires 63 parking spaces to serve the overall development. The PUD Plan provides 82 spaces, which should be sufficient to meet the anticipated parking demand. In further review of the food service uses, which can sometimes generate high peak parking demand levels, we note that KFC and Dunkin' Donuts would have different peak business hours. As noted in the letter from Diane Duncan of Gleason Architects, Dunkin' Donuts peak customer traffic occurs between the hours of 6:00 am and 9:00 am. In contrast, as noted in the letter from KC Franchisee Afzal Lokhandwala, KFC's peak customer traffic occurs between 12:00 pm and 2:00 pm for lunch, and then again between 5:00 pm to 7:00 pm for dinner, with approximately 50% of KFC customers utilizing the drive-up service window. Based on the differing peak hour demand of the two restaurants, and the high percentage of customers who would use the drive-through, staff is comfortable that there will be adequate parking on the property. We would note, however, that 20 parking spaces are located immediately west of the car wash, and it is unlikely that many of these spaces would be used by car wash customers. Staff recommends that employees of the KFC and Dunkin' Donuts should be required to park near the car wash so that the parking spaces closest to the restaurants would be available for customers. The applicant should be prepared to elaborate as to how this requirement can be enforced to ensure adequate availability of parking spaces in close proximity to the restaurants for customers. There are instances in which the dimensions shown on the Final PUD Plan and the Site Engineering Plan do not match; for example, the width of the sidewalk in front of the Dunkin' Donuts building. All plan dimensions need to match. The handicapped-accessible parking space on the north side of Dunkin' Donuts should be moved to the west end of the row of spaces so that it is closest to the building entrance. A back-up area for the southernmost parking spaces in the parking lot immediately east of Dunkin' Donuts needs to be provided. This could have impacts on the retention basin, retaining wall and guardrail. Supports. However, the sidewalk has an unnecessary jog near the southwest corner of the parking lot. The jog should be eliminated so the sidewalk can be straightened. Second, staff believes that several benefits would result from providing additional space on the Dunkin' Donuts side of the site, which is somewhat tight. We note that the sidewalk/service area on the north side of the inline commercial building is 6.6 feet wide, and the sidewalk on the south side of the building is 10 feet wide. By contrast, the sidewalk in front of Dunkin' Donuts is only six feet wide, and we have already identified the need to add a vehicle back out area

for the parking lot on the east side of the Dunkin' Donuts building. Since there is not sufficient room for the required back out area to extend into the detention area, and since the islands at the north end of this small parking lot are already narrow, the development would benefit by several feet of space (in a north to south dimension) being added to the Dunkin' Donuts portion of the site. To accommodate this change, staff recommends that a total of four feet be taken from the service area north of the inline building and from the sidewalk on the south side of the inline building, and that this space be added to the Dunkin' Donuts portion of the site.

Special Use – Second Drive-Up Window Service

As stated, Dunkin' Donuts wishes to offer drive-up window service to its customers. In review of this request, staff has evaluated the operational and aesthetic aspects of the proposed drive-up window service. From an operational standpoint, the vehicle stacking spaces required by the Zoning Code are provided. The 10 total stacking spaces provided should be adequate, particularly in view of the fact that in her letter, Diane Duncan of Gleason Architects states that Dunkin' Donuts is able to process orders much more quickly than other fast food restaurants due to the type of product offered. From an aesthetic standpoint, the drive-up service lane would be screened from the properties to the south by a solid six foot wooden fence. Staff's only suggestion regarding the drive-up service lane, as mentioned, is for the lane to maintain a minimum width of 12 feet for the entire length of the lane.

Special Use – Outdoor Seating Area

As stated, Dunkin' Donuts wishes to offer an outdoor dining area for its customers. In review of this request, staff has evaluated the operational and aesthetic aspects of the proposed outdoor seating area. The Final PUD Plan depicts three tables located on a patio area located immediately west of the building, near the main entrance. The perimeter of the seating area would be enclosed with a 42-inch tall decorative aluminum fence. With the fence and raised curb that surrounds the patio, staff believes that the patio area would be adequately protected from motor vehicles, but we note that in the past, the Village has sometimes requested that a barrier be provided between the dining area and the parking lot. Should this be desired in this case, staff would suggest that heavy masonry planters be used to create the barrier. From an aesthetic standpoint, we have noted that a decorative fence would surround the dining area, and we also note that numerous trees and shrubs are proposed in the lawn area between.

Staff finds the proposed revisions to the approved Final PUD Plan and the requested Special Uses to be geared toward the full commercial development of the site, which staff supports. As stated, there are some minor adjustments that need to be made to the plans, and staff is comfortable working with the applicant to ensure that the revisions are made prior to the requests being forwarded to the Village Board for final action, provided that the Plan Commission also endorses this approach.

Staff recommends approval of the modifications to the Final Planned Unit Development Plan and of the Special Uses for a second drive-up service window and an outdoor seating area, subject to the following conditions:

1. That the employees of all businesses in the development shall be required to park in the spaces near the car wash to keep the spaces closest to the restaurants available for customers;
2. That a decorative window be added to the steel door on the north side of the Dunkin' Donuts building to improve the appearance of this highly visible building elevation;
3. That building permits shall be required for all wall and ground signage on the property;
4. That the three Colorado Spruce trees at the northwest corner of the site be replaced with an evergreen tree that will fit within the available space in this area of the site;
5. That all landscape materials shall be maintained in a healthy, neat condition, with dead or dying materials being replaced in accordance with the approved plan on an annual basis;
6. That, consistent with the attached building elevation plans, no roof top mechanical units shall be visible from within the site or by motorists on Schmale Road;
7. That there shall be no regular outdoor display of merchandise for any future tenant within this commercial development;
8. That the gates to the trash enclosures shall be kept closed at all times except for when trash is being deposited in the enclosure or when the dumpsters are being emptied;
9. That all plans shall be revised so that base information and dimensions are consistent;
10. That the handicapped-accessible parking space on the north side of Dunkin' Donuts shall be moved to the west end of the row of spaces so that it is closest to the building entrance;
11. That the entrance lane into the Dunkin' Donuts drive-through shall be widened to a minimum of 12 feet in width;
12. That a back-up area for the southernmost parking spaces in the parking lot immediately east of Dunkin' Donuts shall be provided;

13. That the sidewalk link between Schmale Road and Dunkin' Donuts shall be straightened to eliminate the unnecessary jog;
14. That the 'Table of Exemptions' on the PUD Plan be revised to reflect the correct parking setback from the adjacent residential property;
15. That the vehicle access to the KFC drive-through lane through the parking lot on the east side of the inline commercial building shall be closed off by connecting the landscape islands on either side of the drive aisle;
16. That the plans shall be revised to provide approximately four more feet of space (north to south) to the Dunkin' Donuts portion of the site;
17. The business and property shall be operated and maintained in accordance with all applicable state, county and village codes and requirements.

Commissioner Hennessey asked if Mr. Spina was still trying to lock in tenants and he said that he has talked to several interested businesses, but there has not been anything definite.

Chairman Michaelsen asked if Mr. Spina agrees with all of Staff recommendations and He said that he did agree. Chairman Michaelsen asked if there was enough stacking for the Dunkin Donuts drive-up window and it was determined that there were ten spaces which would agree with the Code requirements. He said that even if there were 11 cars waiting in line, they would probably not cause a problem for the other businesses, since there would not be the amount of traffic for Kentucky Fried Chicken at 6 a.m. then there would be for Dunkin Donuts. Mr. Spina noted that KFC opens at 10 a.m. Chairman Michaelsen asked Mr. Glees about whether there will be an island in the main entrance and Mr. Glees said that right now there are two access points and additional landscaping at those points, so there should not be a problem. Commissioner McNally commented that the original PUD had a Subway store in the mix and he asked if there had been consideration of the traffic flow if that store is also open for breakfast. Mr. Spina said that most of early morning traffic is at the drive-up, since most drivers do not want to go into a location to get their coffee and whatever, so he is not concerned that this will become a traffic problem. Chairman Michaelsen asked if there was going to a decorative fence around the seating area and was answered that it would be a wrought iron fence as well as a curb. Commissioner Petella asked if the KFC would be a company store and Mr. Spina said it will be a franchise operation.

Commissioner Petella moved to recommend approval of the special use permits for drive-up service window and outdoor seating as well as recommending approval of major modifications to an approved PUD Plan, in accordance with staff recommendations. Commissioner Hennessey made the second. The results of the roll call vote were:

Ayes: 7 Commissioners Hennessey, McNally, Petella,
Christopher, Smoot, Spink and Michaelsen
Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their next meeting on April 19, 2010 at 8:00 p.m. and was advised to attend that meeting.

#10036: Bismarck Real Estate Partners, - 500 S. Schmale Road
Rezoning – B-3 Service District (upon annexation)
Special Use Permit – Planned Unit Development
Special Use Permit – Automobile Service Station
Preliminary/Final PUD Plan
Subdivision – Final Plat

Kelly Kilboy, 200 East Randolph Drive, Chicago, IL was sworn in as a witness in this matter. Ms. Kilboy said that they agree with the staff report and recommendations regarding the rezoning upon annexation, the special use permit for the PUD and Automobile Service Station, as well as the Preliminary/ Final PUD Plan and Final Plat of Subdivision.

Mr. Glees said that Bismarck there is full staff review regarding this proposed development. This proposed development has gone through the whole process and customary public hearing just as if the property were in the Village of Carol Stream. Once the Plan Commission gives its recommendation at the public hearing, the matter is brought to the Village Board as an informational item and the request for staff direction to proceed to negotiating the annexation agreement. Staff and the petitioner have been working on the annexation agreement for the past few months. At this time we are having the Public Hearing for the Zoning approval and changes that might be made will automatically be incorporated into the annexation agreement. Commissioner Patella asked if the four parcels are where the Code restaurant is and commented that he did not know that it was actually on four parcels. He asked what jurisdiction are those parcels under and was told they are under DuPage County. Mr. Glees noted that the owner of the property has requested annexation to the Village of Carol Stream. Commissioner Petella asked if there is any advantage to the business owner by becoming a part of Carol Stream and Mr. Glees responded that the advantage to the owner is Village water and sewer as well as Police and Fire protection. Mr. Glees said that Bismarck Real Estate Partners has submitted applications for the various development approvals needed to operate a *Firestone Complete Auto Care* facility on the unincorporated property located on the west side of Schmale Road, immediately north of the entrance drive into the Geneva Crossing Shopping Center. The 0.88-acre property currently contains a vacant 5,000 square foot building that was most recently occupied by *Code Restaurant and Bar*. Firestone intends to demolish the existing building and construct a 7,575 square foot auto service facility having 10 service bays. To accommodate the redevelopment of the property, the applicant is seeking rezoning to B-3 Service District, a Special Use for *Planned Unit Development*, a Special Use for

an *Automobile Service Station*, approval of a Preliminary/Final Planned Unit Development Plan, and Final Plat of Subdivision. As mentioned, the property is unincorporated, and the applicant wishes to annex the property to the Village of Carol Stream. A petition for annexation and draft annexation agreement are under review, but the Plan Commission need not review or take action on the annexation-related aspects of the project. As the requests are for zoning approvals upon annexation, the Plan Commission should review the plans and information as though the property were already within the Village's corporate limits.

Rezoning

The applicant is requesting that the property be zoned B-3 Service District upon annexation to the Village. Both *Planned unit development* and *Auto service stations* are listed as allowable special uses in the B-3 Service District, so the zoning classification requested by the applicant is appropriate for the proposed use. (The degree, to which the development plan complies with the B-3 District bulk regulations, as well as the relief being requested through the Planned Unit Development process, will be discussed later in this report.) We note that the Geneva Crossing (Dominick's) Shopping Center property is zoned B-3 Service District, as is the Northland Mall (Home Depot) property on the east side of Schmale Road. As such, the requested zoning classification is consistent with the zoning classification of commercial properties in the area.

Future Land Use Plan:

The Future Land Use Plan (FLUP) recommends a commercial use for the subject property. The property is located in a commercial corridor that extends along both sides of Schmale Road between Geneva Road and St. Charles Road. The requested B-3 Service District zoning classification is consistent with the zoning of surrounding properties and would be consistent with the recommendation of the FLUP. Since the requested zoning classification and the proposed land use are consistent with the commercial land use recommendation of the FLUP, staff has no objection to the requested rezoning to B-3 Service District.

Special Use – Planned Unit Development

The applicant is requesting approval of a Special Use Permit for *Planned unit development* (PUD) for the property. In evaluation of this request, we note that the property is nearly surrounded by the Geneva Crossing Shopping Center, for which a Special Use for *Planned unit development* was approved in 1997. Although the property owner opted not to annex the property to Carol Stream at the time of approval of the Geneva Crossing PUD in 1997, the property essentially serves as an out lot to the Geneva Crossing Shopping Center, as it is surrounded on three sides by shopping center property. With the proposed redevelopment plan calling for the demolition of the vacant, deteriorating building and construction of a modern, service-oriented business use, the function of the property as an out lot to Geneva Crossing would be

strengthened. The proposed building has been designed to blend in, architecturally, with the existing Geneva Crossing buildings, and the development would have access to existing private shopping center drive aisles. Due to the integrated nature of the property with the Geneva Crossing PUD, staff believes that the applicant's request for a Special Use Permit for *Planned unit development* is appropriate. However, we note that §16-16-8(E)(9) (a) of the Zoning Code requires a minimum area for commercial planned unit developments of one acre. At 0.88 acres, the property falls under the minimum area requirement for a commercial PUD. The applicant is requesting a deviation from the minimum area requirement through the PUD process. For the reasons noted above, primarily the highly integrated nature of the proposed *Firestone* redevelopment with the Geneva Crossing Shopping Center, staff supports the deviation to allow a Special Use to be granted for a commercial PUD of less than one acre in area.

Special Use – Auto Service Station

The applicant is requesting a Special Use for an *Auto service station* to operate a *Firestone Complete Auto Care* automobile service facility. Firestone intends to provide a wide range of automotive products and services at this facility, including tires, brakes, tune-ups, oil changes, routine maintenance, and repair of steering, suspension, heating and cooling, and starting and electrical systems. Major engine repair or body work would not be offered. The hours of operation are expected to be 7 am to 9 pm Monday through Friday, 7 am to 7 pm on Saturday, and 7 am to 5 pm on Sunday. Following is an analysis of the development plan for the property.

Site Layout:

As shown on the attached plans, the proposed 7,575 square foot building would have 10 service bays accessed by individual overhead doors on the south side of the building. A small customer showroom and waiting area is proposed to be located at the east end of the building. Customer parking would be located immediately east of the building, between the building and Schmale Road, with a larger customer and employee parking area proposed on the west side of the building. A masonry trash enclosure is shown to be located just west of the building near the north property line. The building is proposed to be set back 78.3 feet from the front (Schmale Road) property line; however, in the requested B-3 Service District, the required front building setback is 100 feet. As such, the applicant is requesting a deviation from the front setback requirement through the PUD process. In support of their request, the applicant notes that the reduced setback is necessary due to the long and narrow configuration of both the property and building, and also to accommodate truck and automobile traffic circulation on the property. Staff agrees that the long and narrow configuration of the site presents constraints for the redevelopment of the property, and we would also note that nearly all of the commercial out lots along South Schmale Road have front setbacks less than the 78 foot setback proposed by *Firestone*. Based on the site constraints and the developed character of existing out lot uses, staff can support the deviation to allow a 78.3 foot front setback as opposed to 100 feet, as required.

Vehicular and Pedestrian Access:

The Site Plan and Preliminary/Final Planned Unit Development Plan show three vehicular access points into the *Firestone* property. The first access point, which staff believes will receive the most traffic, is located on the south side of the property along the main east-west drive leading into the Geneva Crossing Shopping Center from the signalized intersection at Schmale Road. A cross access easement benefiting the proposed *Firestone* property exists over the main entrance drive. A second access point is located near the northeast corner of the site, at the southern terminus of Main Place. A third access point is shown on the west side of the property, connecting to the private drive that leads from the terminus of Main Place into the shopping center. Staff has not found record of a cross access easement over this portion of the private shopping center drive, and we have encouraged the applicant to contact Regency Centers to address this issue. We note that the existing right-in/right-out access at Schmale Road would be removed with the proposed redevelopment plan, which staff supports. Overall, staff finds that vehicular access will be appropriate for the proposed use and should represent an improvement in traffic circulation in the immediate area. With respect to pedestrian access, the plans show the construction of a new sidewalk across the Schmale Road frontage of the property, and also shows a sidewalk link extending into the parking lot at the east end of the property. With the possibility that customers will drop their vehicles off for service and then walk to the shops and restaurants in the area, we find the improvements in pedestrian facilities to be appropriate and beneficial.

Parking:

With respect to parking, the Zoning Code requires two parking spaces per service bay. With 10 proposed service bays, 20 parking spaces are required. The plans show 39 parking spaces, two of which are handicapped accessible. During our initial review of the plans, staff questioned the need to provide nearly double the number of spaces required by the Zoning Code. As seen in the attached letter from Scott Douglass, Development Manager for Bridgestone Retail Operations, LLC, and *Firestone* prefers to design its new facilities with 40 parking spaces, to ensure adequate parking for employees and customers during peak business times. Although we initially felt the proposed number of parking spaces could be excessive, staff is always willing to consider the specific parking needs of individual businesses when reviewing development proposals. In this case, it would seem that *Firestone* has a demonstrated need for 39 parking spaces as proposed.

The Zoning Code requires parking spaces to be set back 20 feet from a street right-of-way line. For this property, there are two street rights-of-way abutting the property – Schmale Road and Main Place. With respect to Schmale Road, the parking stalls in the easternmost row of parking would have setbacks ranging from 35 feet on the north down to about 10 feet on the south, due to the curve in Schmale Road. The applicant is requesting a deviation from the 20 foot parking setback through the PUD process. In support of the request, the applicant notes the need to provide as many total parking spaces as possible, the need to locate as many spaces as close to the customer

entrance into the building as possible, and the need to accommodate truck and automobile traffic on the property. Staff notes that the proposed condition, which will include a new landscape area between the east parking lot and Schmale Road, and at least a 10-foot parking setback, will be a significant improvement over the current condition, which has no greenspace between the parking lot and Schmale Road and parking lot asphalt immediately abutting Schmale Road. Based on these factors, staff can support the deviation to reduce the parking setback from the Schmale Road right-of-way from 20 feet to 10 feet.

The Main Place right-of-way terminates at the north property line of the subject property. The drive aisle to the west of the Main Place cul-de-sac bulb is a private drive aisle within the Geneva Crossing Shopping Center. The Main Place right-of-way is unusual in its relationship to the subject property in that it abuts only the eastern 87 feet of the north property line. Regardless, the 20 foot parking setback requirement applies, and the applicant is seeking a deviation through the PUD process to reduce the parking setback to only six inches for the northernmost parking spaces on the east side of the building. In review of this site design aspect, we note that in the business zoning districts, no parking setback is required from an interior side lot line. This is noteworthy because Village staff has discussed the possibility of vacating the Main Place right-of-way in the future and adding it to the undeveloped 8.5-acre phase II property of the Geneva Crossing Shopping Center. If the Main Place right-of-way were to be vacated, the referenced 20 foot parking setback would drop to zero. Under such a scenario, the Main Place right-of-way could be converted for use as a private drive aisle or parking lot. The vacation of Main Place, assembly of that land to the phase II property, and the acquisition and assembly of the unincorporated triangular parcel along Schmale Road, would create a larger phase II parcel with better access and visibility, and more desirable and conventional development characteristics. Although the six-inch parking setback from the Main Place right-of-way is not optimal, we view this configuration to be temporary. As such, we do not object to the requested deviation to reduce the parking setback from the Main Place right-of-way from 20 feet to six inches.

Landscape Plan:

The landscape plan (Exhibit C) provides a variety of plant materials that should meet the goals of creating an attractive site and screening appropriate areas of the building. Very little greenspace or quality landscape materials currently exist on the site and the proposed landscape plan would represent a significant enhancement of the property. The plan proposes the installation of a variety of shade and ornamental trees, as well as deciduous and evergreen shrubs. Planting beds are proposed around the majority of the parking lot perimeter, foundation landscape materials are proposed on the north side of the building, and the plan would provide screening around the air conditioning condenser unit that would be located on the north side of the building. We have no suggested revisions to the landscape plan. We would suggest, however, that staff have the authority to approve modifications to the specific landscape materials to be planted, to ensure that salt tolerant plant materials be installed, particularly adjacent to Schmale Road, where salt spray could be an issue.

Building Elevations:

The building elevation plan (Exhibit D) shows that the building will be constructed primarily of painted split-face masonry units, with smooth-face masonry bands of a contrasting color provided toward the top of the building. A residential-style asphalt shingle roof is proposed. Ten overhead doors leading to each service bay are located on the south elevation, as is the storefront glass associated with the main customer entrance near the east end of the building. To improve the appearance of the building from Schmale Road, staff requested, and the applicant agreed to provide, additional storefront glass on the east building elevation. The elevations do not show any roof mounted mechanical units, and the applicant has confirmed that mechanical units will not be installed on the roof of the building.

During preliminary meetings with the applicant team, we suggested that efforts be made to design the building appearance to reflect the architectural design themes established within the Geneva Crossing Shopping Center. The predominant reddish-brown masonry color should match the color of the existing masonry of the Geneva Crossings buildings. Staff has suggested that, if possible, one additional common design element should be incorporated to more clearly tie this building in with the architectural themes established in the Geneva Crossing Shopping Center. Options include utilizing the same color and type of decorative light fixtures, utilizing green metal accents as found on the Geneva Crossing buildings on the Firestone building, or any other appropriate design element. The applicant has stated that they would prefer to maintain the tan color shown for the metal canopy over the customer entrance, but that they will work to incorporate some additional matching design element.

The applicant is not requesting a Sign Code variation for wall sign area, and so staff is comfortable working with the applicant to help them achieve compliance with the 10% façade area allowance at the time of permitting for the signs. The Preliminary/Final PUD Plan (Exhibit B) shows the proposed six-foot tall ground sign that would measure about 60 square feet in area. This sign, which would be mounted atop a masonry base, appears to comply with the Sign Code requirements for height and area.

In review of the request for a Special Use for an *Automobile service station*, staff has considered both aesthetic and operational factors. In our consideration of these factors, staff has worked to develop conditions of approval that are agreeable to the applicant and consistent with the Village's typical conditions for automotive service uses. For example, the applicant has agreed that there will be no regular outdoor display of merchandise, that inoperable vehicles will not regularly be parked or stored outdoors on the property, and that vehicles for which repairs are incomplete will be kept indoors in a service bay as opposed to being parked outdoors. The applicant also agrees to properly dispose of used solvents, fluids and car parts, and that these items will not collect outdoors on the property. Staff would also recommend a condition requiring that vehicles may only be repaired or serviced inside the building, and that repair and servicing not be permitted outdoors. From an aesthetic standpoint, we recommend that, consistent with the plans, no roof top mounted mechanical units be installed, that the gates to the trash enclosure be kept closed at all times except for when trash is being

deposited in the enclosure or when the dumpsters are being emptied, and that all landscape materials be maintained in a healthy, neat condition, with dead or dying materials being replaced in accordance with the approved plan on an annual basis. Subject to these conditions, the proposed business should not generate negative impacts on surrounding properties.

The applicant is requesting approval of a combined Preliminary/Final Planned Unit Development Plan for the property, set forth on Exhibit B. The PUD Plan has been discussed in detail herein and so that discussion will not be repeated; however, we offer a summary of deviations for which the applicant is seeking approval through the PUD process:

Minimum lot area for a commercial Planned Unit Development – The Zoning Code requires a one-acre minimum area for commercial PUDs; staff supports the deviation to allow a Planned Unit Development for this 0.88-acre property due to the integrated nature of this development with the surrounding Geneva Crossing PUD;

Front building setback – The Zoning Code requires a 100-foot front building setback; staff supports the deviation to allow a 78-foot front building setback due to the development constraints presented by the long narrow configuration of the property and due to the developed character of commercial out lots along South Schmale Road;

Parking setback from street rights-of-way – The Zoning Code requires a 20-foot parking setback from street rights-of-way; staff supports the deviations to allow a 10-foot parking setback from the Schmale Road right-of-way and a six-inch setback from the Main Place right-of-way due to the site constraints and the improvements that will be made to the property as compared to the current condition of the property;

Final Plat of Subdivision

As reflected on various exhibits, the overall site currently consists of four distinct parcels. The applicant is seeking approval of the *Final Plat of Subdivision of Bismarck Real Estate Partners, Inc.*, in accordance with §7-2-6 of the Carol Stream Subdivision Code, to consolidate the four parcels into a single lot. The required easements for storm water management and conveyance, utilities, and public sidewalk along Schmale Road can also be dedicated through the Final Plat of Subdivision.

The proposed lot conforms to the lot area requirement of the B-3 Service District. The Village Engineer has reviewed the Final Plat of Subdivision and recommends approval of the Plat, subject to some adjustments in the location of easements, easement language and certificate language. Staff will work with the applicant on the necessary adjustments to easements, easement language and certificate language. Subject to the necessary adjustments to the plat, staff recommends approval of the Final Plat of Subdivision.

Summary:

Staff is supportive of the various zoning approvals necessary to allow for the redevelopment of the subject property with a new *Firestone Complete Auto Care* facility. The annexation and redevelopment of this property in accordance with Village codes

and standards would be convenient for the general public and would be a positive development in one of the Village's most important commercial corridors. As noted in the Recommendation section of this report, staff is suggesting some minor revisions to the various plans. If the Plan Commission concurs, staff is comfortable working with the applicant to ensure that the remaining plan revisions are made in accordance with the staff recommendations and any additional recommendations as approved by the Plan Commission.

Staff recommends approval of the rezoning of the property to B-3 Service District upon annexation to the Village of Carol Stream. Staff recommends approval of the Special Uses for *Planned unit development* and *Automobile service station*, the combined Preliminary/Final Planned Unit Development Plan, and of the Final Plat of Subdivision, subject to the following conditions:

1. That the applicant shall work with the owner of the Geneva Crossing Shopping Center (Regency Centers) to ensure that proper cross access easements are established to accommodate motor vehicle access from the west side of the Firestone property to the adjacent shopping center drive;
2. That the landscape materials shall be installed in accordance with the approved landscape plan, with the exception that Village staff may authorize alternative plant materials as needed to ensure that salt tolerant plants will be planted;
3. That all landscape materials shall be maintained in a healthy, neat condition, with dead or dying materials being replaced in accordance with the approved plan on an annual basis;
4. That, consistent with the approved building elevation plans, no roof top mechanical units shall be installed on the building;
5. That the applicant shall work with staff to implement, on the Firestone building or property, an additional design element found on the existing Geneva Crossing Shopping Center buildings or property, to further strengthen the connection between the shopping center and the Firestone development. Options for satisfying this condition would include, but not be limited to, using green metal design accents to match those found on the shopping center buildings, using the similar decorative lighting fixtures on the building or in the parking lot, or implementing some other masonry design element found on the shopping center buildings;
6. That the applicant shall work with staff at the time of building permit review for the wall signs to ensure that all signs will comply with the 10% façade area allowance for wall sign area;

That there shall be no regular outdoor display of merchandise on the property;

7. That inoperable vehicles shall not regularly be parked or stored outdoors on the property, and that vehicles for which repairs are incomplete shall be kept indoors in a service bay as opposed to being parked outside the building;
8. That used solvents, fluids and car parts shall be properly disposed of, and that these items will not be stored or be permitted to accumulate outdoors on the property;
9. That vehicles shall only be repaired or serviced inside the building, and that repair or servicing vehicles outside in the parking lot shall not be permitted;
10. That the gates to the trash enclosure shall be kept closed at all times except for when trash is being deposited in the enclosure or when the dumpsters are being emptied;
11. That the parking setback requirement from the Main Place right-of-way shall be added to the table of deviations from the Zoning Code listed on the Preliminary/Final PUD Plan;
12. Final Plat of Subdivision shall be revised correct the location of easements, easement language and certificate language to the satisfaction of the Village Engineer, and that once corrected and approved by the Village Engineer, the applicant shall provide the Village with a Mylar copy of the plat with all required signatures, except for those of Village of Carol Stream officials and staff; and
13. The business and property shall be operated and maintained in accordance with all applicable state, county and village codes and requirements.

There were no comments or questions from those in attendance at the call for public hearing.

Commissioner Hennessey asked what the cost of providing water service to this property would be and Mr. Glees replied that the water main already exists so the cost would be just to tie into the existing water main and that would not be very much. Commissioner Hennessey said that since he has lived here there has always been a restaurant there and none of those places has been very successful and he is concerned about the property bringing benefits to the Village. It seems that there are several locations that provide the same services and is Firestone assured that this is going to be a profitable addition to the Village. He said that he is concerned that if this business does not perform to expectations, then we are going to be stuck with a rather large building and its only purpose for one or two uses. Ms. Kilboy

said that Firestone believes that they can be successful because there will be 10 bays available that can service many cars efficiently. She added that the building could be used for many other uses. Commissioner Petella asked if all of the mechanicals would be at ground level and not on the roof and Ms. Kilboy said that they will not be on the roof.

Commissioner Petella is if there will be a gate installed to secure the cars in the back that are being held overnight and Ms. Kilboy said that there will not be any overnight parking outdoors.

Commissioner Spink asked how many employees there will be and was told 8 to 10. Commissioner Spink stated that there are 39 parking spaces and if there was not going to be any outdoor parking. Ms. K said that the other spaces would be customers who are coming to get tires and have to wait.

Chairman Michaelsen said that you made a good point by saying that Firestone wants to come into Carol Stream and in this economic time they are probably going to give some competition to the two places close to Stratford Square. It is good that they have decided to come here. Chairman Michaelsen said that one of the things he likes are the corners of the building that give an accent to the building, if they are going to be painted, just do the service bay side of the building as well. Mr. Glees made a comment about "salt tolerant" plantings, on Schmale Road and Chairman Michaelsen suggested the landscaping on Main Place should also be of that same variety. Chairman Michaelsen said that there are illuminated light fixtures in the parking lot and asked if they will be the same as the lights in the Geneva Crossing area and Ms. K said that that is the plan.

Commissioner Smoot asked this type of lighting will directional in the down area and won't spill out past the property and Ms. K said that they will be following the lighting studies required by the Village.

Commissioner Petella moved to recommend approval of the rezoning of the property on 500 S. Schmale upon the annexation of the property in accordance with the staff recommendations. Commissioner McNally made the second. The results of the roll call vote were:

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

Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on Monday, April 19th and was advised to attend that meeting.

Commissioner McNally moved to recommend approval of a Special Use Permit for a Planned Unit Development, a Special Use Permit for an Automobile Service Station and a Preliminary/Final Final Plat in accordance with staff recommendations. Commissioner Christopher made the second. The results of the roll call vote were:

Ayes: 7 Commissioners Hennessey, McNally, Petella,
Christopher, Smoot, Spink and Michaelson
Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on Monday, April 19th and was advised to attend that meeting.

Commissioner Smoot moved and Commissioner Spink made the second to close the public hearing. The results of the roll call vote were:

Ayes: 7 Commissioners Hennessey, McNally, Petella,
Christopher, Smoot, Spink and Michaelson
Nays: 0

NEW BUSINESS:

Mr. Glee reported that there are no cases that are ready for the Commission to hear at the regular meeting of April 26th and suggested that the Commission cancel that meeting.

Commissioner Spink moved and Commissioner Christopher made the second to cancel the meeting of April 26, 2010. The results of the roll call vote were:

Ayes: 6 Commissioners McNally, Petella, Christopher, Smoot,
Spink and Michaelson
Nays: 1 Commissioner Hennessey

ADJOURNMENT:

At 8:35 p.m. Commissioner Spink moved and Commissioner McNally made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD