

**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

November 14, 2016

Tom Farace, Planning and Economic Development Manager, called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:00 p.m. and requested a nomination for acting chairman. Commissioner Spink motioned to nominate Commissioner Creighton which was seconded by Commissioner Meneghini, which was unanimously approved. Acting Chairman Creighton directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

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

Absent: Chairman Frank Parisi.

Also Present: Don Bastian, Director of Community Development, Tom Farace, Planning and Economic Development Manager, Jane Lentino, Community Development Secretary, and a representative from DuPage County Court Reporters.

MINUTES:

Commissioner Petella moved and Commissioner Christopher made the second to approve the minutes of the meeting of October 10, 2016.

The results of the roll call vote were:

Ayes: 4 Acting Chairman Creighton, Commissioners Christopher, Petella, and Tucek.

Nays: 0

Abstain: 2 Commissioners Spink and Meneghini.

Absent: 1 Chairman Parisi.

PUBLIC HEARING:

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

The motion passed by unanimous vote.

**Case # 16-2074, Kyle Johnson – American Flange & Manufacturing – 290 E. Fullerton
*Special Use Permit for Outdoor Activities and Operations***

Acting Chairman Creighton swore in the witness, Mr. Kyle Johnson, American Flange & Manufacturing, 290 E. Fullerton, Carol, Stream, IL, 60188.

Mr. Johnson, maintenance manager for the facility, gave a brief description of the site, which has three 28 foot tall silos and two 47 foot tall silos, explaining that the new 47 foot tall silo would help decrease truck traffic to the property and increase efficiency by allowing resin to be brought in by rail car. The silo

would be painted white, like the others, is 400 feet from Fullerton Avenue, in line with the others, close to the building and more than 100 feet from surrounding the adjacent properties.

Acting Chairman Creighton asks for any questions from the audience.

There were no questions from the audience.

Acting Chairman Creighton asked for the staff report.

Mr. Farace stated that the petitioner was requesting approval of a special use amendment for outdoor activities and operations in the form of a sixth silo on the west side of the American Flange property. There are three existing 28 foot tall silos, and two existing 47 foot tall silos, and referred to the picture showing the placement of all existing silos, as well as the proposed 47 foot tall silo. Mr. Farace stated that staff sees no issue and has no objection to the addition as it is in line with the other silos and partially screened by the building and landscaping along Fullerton, and recommends approval.

Acting Chairman Creighton asked for questions from the board. Commissioners Tucek, Christopher, Meneghini, Spink, and Creighton had none.

Commissioner Petella asked Mr. Johnson if he agreed with the color and maintenance recommendations, as well as no signage being allowed on the silo. Mr. Johnson agreed. Commissioner Petella then asked about approval of the State Fire Marshal. Mr. Farace stated that the Fire Protection District would review the plans when the permit is applied for.

The motion was passed by unanimous vote.

The results of the roll call vote were:

Ayes:	6	Acting Chairman Creighton, Commissioners Christopher, Petella, Spink, Meneghini, and Tucek
Nays:	0	
Abstain:	0	
Absent:	1	Chairman Parisi.

Acting Chairman Creighton reminded the applicant that the request for the Special Use Permit will go before the Village Board on Monday, November 21, 2016, at 7:30 PM for final action.

Case # 16-200, T. Steele – 195 Kehoe Boulevard, Units 7 & 8
Special Use Permit for Outdoor Activities and Operations.

Acting Chairman Creighton swore in the witness, Mr. William Steele, T. Steele Construction, 195 Kehoe Boulevard Units 7 & 8.

Mr. Steele explained that T. Steele builds cell towers and manufactures parts for them, and is applying for permit for outside storage of 8x9 or 8x12 steel platforms which are too heavy to move in any other way but flat. He stated that he has agreed to staff recommendations

Acting Chairman Creighton asked for questions from the audience.

There were no questions from the audience.

Acting Chairman Creighton asked Mr. Farace for the staff report.

Mr. Farace stated that the petitioner is requesting approval of a special use for outdoor activities and operations in the form of outdoor storage, as is another business at that property (Kowalski Memorials Case #16-2072). Mr. Farace showed a picture of the eight unit building that houses four businesses, some of which use multiple spaces. T. Steele leases the two rear units and is proposing to have steel platforms along the west side of the building past the dock area. They are seeking a 312 square foot area. Mr. Farace stated that staff is comfortable with allowing the outdoor storage provided that the platforms stay in the proposed area, that there would be no platforms that would encroach upon the building and impede maneuverability, and that the platforms are three feet away from the building, providing adequate distance from the utility meters and heat. Staff also recommends landscaping on southwest corner of drive aisle to provide screening, as is also recommended for the other business requesting special use at the same location. The units are several hundred feet away from the road. Applicant has also agreed to store the platforms in two stacks no taller than 6 feet. Mr. Farace stated that staff recommends approval as long as provisions are being met.

Acting Chairman Creighton asks Commissioners for any questions. Commissioner Meneghini had no questions.

Commissioner Petella asked if there was going to be a storage facility or if it will be piled up as it is now, and if there were cameras monitoring the area. Commissioner Petella also asked if the petitioner agreed with staff recommendations.

Mr. Steele explained that the area is monitored by cameras, and that he agreed with staff recommendations.

Commissioner Spink asked if the dock door where the stacks will be located was in use, and if there will be any indications not to park in the requested storage area.

Mr. Steele stated that there are two doors, but it is one large unit and only one door is used.

Commissioner Spink wanted to confirm that Mr. Steele's truck drivers knew that there was only one door in use, and which one it was. Mr. Steele stated that his drivers knew what door to use.

Commissioner Tucek expressed concerns about traffic driving around grey steel in a dimly lit area.

Mr. Steele explained that the loading dock door extends out as far as the storage space, and that he has lighting in the corner where trucks turn around.

Commissioner Christopher asked who would maintain liability, and could the platforms be marked with reflective tape or paint. Mr. Steele said that he would be receptive to the idea.

Commissioner Christopher expressed concern about snow conditions, and suggested bollards. Mr. Steele stated that the stacks are no more than four to five feet tall and agreed to mark the area with reflective device. Commissioner Christopher asked to make a reflective device a condition of approval.

Commissioner Meneghini asked how high the reflective devices should be. Commissioner Christopher suggested six feet since the stacks can be six feet high. Mr. Steele stated that a standard bollard would not be 6 feet, and that it was not necessary to have a bollard more than three and a half feet high.

Acting Chairman Creighton suggested a bollard for protection and said that it was better to see a bollard.

Commissioner Tucek asked if there were any other lights behind the building. Commissioner Christopher stated that he was behind the building and that it was well lit.

Commissioner Meneghini moved to add an amendment for a three and a half foot tall reflective device/bollard that would be installed close to where the platforms are being stored.

Mr. Steele suggested a reflective steel frame, and asked if the suggested device/bollard could be temporary, stating the landlord might not approve of something that is permanent.

Commissioner Meghenini expressed concern about snow, snow plows, and visibility of the platforms.

Mr. Farace suggested nothing too large so as not to protrude into the drive aisle.

Acting Chairman Creighton suggested something mobile that won't impede Mr. Steele's drivers.

Commissioner Meneghini and Commissioner Petella suggested adding an amendment to provide 2 temporary reflective bollards to indicate the location of the platforms in order to avoid a potential hazard.

Mr. Steele agreed.

Acting Chairman Creighton asked if the area to be used will be marked with paint, and if there will be a chance of anyone parking there. He also asked if they regularly rotate the inventory and how often.

Mr. Steele stated that he had no intention of marking the area with paint because the platforms are already there. He also stated that the inventory is rotated every three to four weeks, more often when busy, and the platforms are delivered approximately once a month. He also said that he is the only full-time staff, has regular drivers, and there are no random deliveries. He stated that his business has flatbed trucks and his neighbors have concrete mixers.

Acting Chairman Creighton asked if there was enough room to maneuver the trucks even with the steel platforms.

Mr. Steele stated that there was.

Commissioner Meneghini motioned to approve and Commissioner Tucek seconded with amendment for protective devices and staff recommendations.

The motion was passed by unanimous vote.

The results of the roll call vote were:

Ayes:	6	Acting Chairman Creighton, Commissioners Christopher, Petella, Spink, Meneghini and Tucek.
Nays:	0	
Abstain:	0	
Absent:	1	Chairman Parisi.

Acting Chairman Creighton reminded the applicant that the request for the Special Use Permit will go before the Village Board on Monday, November 21, 2016, at 7:30 PM for final action.

Case #16-2072, Peter Kowalski – Kowalski Memorials – 195 Kehoe Boulevard
Amendment to Special Use Permit for Outdoor Activities and Operations

Acting Chairman Creighton swore in the witness, Mr. Peter Kowalski, 195 Kehoe Boulevard, Units 1, 2 & 4, Carol Stream, IL, 60188

Mr. Kowalski gave a brief history of Kowalski Memorials stating that they have been there since 1991 and was given a special use for outside storage at that time. Since then, they have gone from one unit to three units, business has grown, and the need for outside storage has grown as well.

Acting Chairman Creighton asked for questions from the audience.

There were no questions.

Acting Chairman Creighton asked for the staff report.

Mr. Farace stated that similar to Case #16-200, T. Steele Construction, Kowalski Memorials is requesting permission for outdoor storage. Mr. Farace stated that Kowalski Memorials was granted approval for outdoor storage in the early 90's in the southwest corner of the property, where it was fenced in and there was some landscaping required to screen it from the road. Mr. Farace stated that, as indicated by Mr. Kowalski, business has grown and outdoor storage has expanded, and that staff has been working with the applicant ensure that he comes in and amends his special use request to make sure that the outdoor storage is properly screened. Mr. Farace showed expansion of the existing outdoor storage space several feet to the north, ending at the dumpster enclosure. Mr. Farace stated that staff also recommends that the existing landscaping be removed, due to its condition, and replaced with at least three evergreens to provide screening along the roadway. There will also be a second, new storage area proposed directly across from unit #4, which is one of the units utilized by Kowalski Memorials, fenced in with a solid fence. Mr. Farace stated that staff is supportive of the request, and recommends approval, as long as fencing and landscaping is properly installed and maintained. Staff recommends that the fence be installed within approximately 30 days from Village Board approval which would be December 21, 2016, and the landscaping could be installed by June 1, 2017. Mr. Farace also noted that the east side of the building, the parking lot, is in decent shape, but that the west side is in poor condition. Staff recommends that, as a condition of approval, the west side of the property be repaired and seal coated by June 1, 2017, and is working with the property owner to get that done, as it is the property owner's responsibility.

Acting Chairman Creighton asked for questions.

Commissioners Tucek, Christopher, and Meneghini had no questions.

Comissioner Petella asked about bollards and cameras.

Mr. Kowalski stated that there is fencing that the materials don't go past, and there are no cameras.

Commissioner Spink asked if it was possible to add to the landscaping, instead of removing it, as the large existing pine tree is still in good shape.

Mr. Farace stated that the landscaping hasn't been maintained, and that the screening is partially there, but that the tree is in declining condition, but it could be looked into.

Commissioner Spink stated that it was the big tree that she was referring to, and if landscaping were put around it, it would be screened better.

Mr. Bastian stated that the other plants are dead, but that it may be possible to salvage the one that's still green.

Acting Chairman Creighton asked if all the stuff out there will fit in the two outdoor storage areas.

Mr. Kowalski stated that it will fit when it is organized.

Commissioner Spink moved to approve and Commissioner Petella seconded approval with conditions recommended by staff.

The motion was passed by unanimous vote.

The results of the roll call were:

Ayes:	6	Acting Chairman Creighton, Commissioners Christopher, Petella, Spink, Meneghini and Tucek.
Nays:	0	
Abstain:	0	
Absent:	1	Chairman Parisi

Acting Chairman Creighton reminded the applicant that the request for the Special Use Permit will go before the Village Board on Monday, November 21, 2016, at 7:30 PM for final action.

Case #16-2073, Robert McNees – 25W245 North Avenue, LLC – 27W245 North Avenue
 Rezoning (Upon Annexation)
 Variations (Building Setback, Outdoor Storage, and Fence Height)

Acting Chairman Creighton swore in the witness, Mr. Robert McNees, attorney at law. Lou Labuda, owner of 24W245 North Avenue was present as well.

Mr. McNees stated that the property is adjacent to Carol Stream in unincorporated DuPage County to the west of County Farm Road. This is all part of the property owner's request to come into Carol Stream and, in an attempt to preserve their existing long standing uses and rezone to B-3 to preserve the commercial use as there is an existing AT&T retail location on the property. He stated that there are variances necessary to be able to preserve the existing building, which is 41 feet off of North Avenue, as opposed to 100 feet, and also screen the back of the property, where there is open storage of licensed trailers and vehicles used by the tenant in the back, which is a mulch operation. Mr. McNees stated that in addition to outdoor storage, there is also a request for a variance to screen the outdoor storage with an eight foot high fence as opposed to a seven foot high fence, and that given the nature of what's being stored there, an eight foot solid fence would be better than seven.

Mr. McNees stated that to the east and west of the property is retail sales of vehicles, farther west is John & Tony's Restaurant, across the street is a car wash. He stated that the property is about 2 acres, the building was constructed in 1979 and contains approximately 9000 square feet, that the front is retail and inside the back of the building is storage of trade fixtures from the AT&T owner's other retail locations. He stated that there is an AT&T pedestal sign in the front, on the front façade and on the west side of the building.

Mr. McNees stated that there is ample parking in the parking lot, and in the rear is a cell tower, which is on a long term lease expiring in 2046, and a small one story equipment building associated with the cell tower. He stated that the cell tower has a fence around it with barbed wire on the top. He stated that there is a septic field to the south of the cell tower, there is a retention pond in the back which is maintained by Dave Cooper's mulch business, and that mulch that had previously been stored behind the facility's parking area near the pond has been removed, that all that is stored there now is the licensed trucks and trailers, and they are asking permission to continue that use.

Mr. McNees also stated, as a second component to the fence request, that there is very dense vegetation along County Farm Road and the open storage cannot be seen from there, and that if, in the

future, the property is developed or the vegetation is removed, that the Village would come to the property owner and he would agree to install a screening fence from the south edge of the property to the eastern edge, if, at that time, the back is still being used as open storage. He stated that the mulch business is on a month to month lease and is not committed to a long term commitment. He also stated that the interior of the building has been remodeled recently.

Mr. Labuda had nothing to add.

Acting Chairman Creighton asked for questions from the audience.

There were no questions from the audience.

Acting Chairman Creighton asked for the staff report.

Mr. Bastian stated that the items requested to review and recommend include the zoning classification of the property once it is annexed by the Village to B-3 Service District, setback variation for the building as the location exists today, variance for outdoor storage for vehicles and trailers, and a variation to allow an eight foot tall fence, as opposed to a seven foot tall fence, as is allowed by the fence code.

Mr. Bastian stated as far as the zoning classification, factors to consider would be the future land use map recommendation in the new comprehensive plan, the current and future use of the property, the zoning and use of properties in the surrounding area, and the Village's development objectives for the area. He stated that the comprehensive plan recommends corridor commercial use and the retail cell phone use is consistent with the recommendation of the future land plan. He stated that the B-3 Service District zoning classification is intended to provide sites for more diversified business types, which impacts land and surrounding uses. He stated that properties along North Avenue, particularly west of County Farm Road have a variety of uses, and that a retail component in front, and an existing outdoor storage in the rear of the property, is not uncommon for a corridor commercial area such as this. Therefore, the use is consistent with the B-3 zoning district, and as far as development objectives, the Village identifies this area as a key development area, and is interested in annexing properties in this area, establishing boundaries to the west. Mr. Bastian noted that the Village installed sewer and water along both sides of North Avenue, all the way out to Morton Road, giving the Village the ability to serve properties in this area for annexation and redevelopment, and that the B-3 Service District zoning classification is appropriate and recommends approval.

Mr. Bastian stated that, regarding the zoning code variations, the building was built in 1979 and presumably the 41 foot building setback complied with the DuPage County zoning ordinance at that time, and that since then North Avenue has been widened and that setback has been reduced. He stated that other buildings, such as DuPage Honda/Yamaha, has a 19 foot setback, that other buildings are in the 40 to 60 foot setback range, that the setback of this building is consistent with other buildings in the area, and that there is no objection to that as an existing condition.

Mr. Bastian stated, regarding outdoor storage of licensed vehicles and trailers in the rear of the property, that Mr. McNeese covered the arrangement with property owner and business owner to the south and that activity would take place at least 300 feet back from North Avenue, and based on the position of the building on this property and the properties to the east and west, plus the fence, that the screening of storage and vehicles would be adequate, and staff has no objection to the variation to allow outdoor storage and recommend approval.

Mr. Bastian stated, regarding the fence variation, that the fence code allows maximum height of seven feet, and agrees that an eight foot fence would be more effective in screening the activities in the rear of the property, however, a variation is needed. He stated that staff supports and recommends the rezoning to B-3. Mr. Bastian also recommends the variation for the building setback, and the outdoor storage and fence code variation, subject to conditions in the report.

Acting Chairman Creighton asked for questions. Commissioners Tucek and Christopher had none.

Commissioner Meneghini asked the about type of vehicles that will be stored at 300 feet back.

Mr. McNees stated that it was the mulch operator's trucks and trailers that would be stored in the rear of the property.

Acting Chairman Creighton asked if the storage in the rear would be within the fence.

Mr. McNees stated that it would be on the south side of the fence where they are currently stored.

Commissioner Petella asked if the fence would go all the way across the back of the property.

Mr. McNees stated that access to the cell tower needed to be preserved, and that no fence is necessary across the entire back because of dense vegetation.

Commissioner Petella asked if fence 'B', as illustrated on the plat of survey, was provisional only if the vegetation was to be removed.

Mr. McNees stated yes it was only if the vegetation was removed.

Commissioner Spink asked Mr. Bastian if the building changed hands, would the 41 foot setback be null and void.

Mr. Bastian stated that the setback would remain as is.

Commissioner Spink asked if the setback would change if the building were to be torn down.

Mr. Bastian stated that they would work with the next developer or operator, but the variance is requested and processed to create a 41 foot setback for this property.

Acting Chairman Creighton asked about plans to remove the temporary, changeable copy sign, and suggested that the sooner it is changed, the better.

Acting Chairman Creighton stated that he had previously asked Mr. Bastian about the cell tower, and that Mr. Bastian said that it is an existing structure, but didn't ask about the pylon sign in front of the building.

Mr. Bastian stated that both cell tower and the pylon sign would be addressed in the annexation agreement, that the cell tower has been there, and that the existing sign is allowed to remain in its current condition, but if they want to change or modify it then they would need permits.

Acting Chairman Creighton stated that a more permanent sign would look better.

Mr. McNees stated that they would not be changing the structure of the big pylon sign, but that AT&T keeps changing its logo and they could change the face of the sign, and the temporary sign is going to be removed.

Commissioner Petella moved and Commissioner Tucek made the second to approve the rezoning map amendment to B-3 Service District.

The motion passed by unanimous vote.

The results of the roll call were:

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

Nays: 0

Abstain: 0

Absent: 1 Chairman Parisi

Commissioner Petella moved and Commissioner Meneghini moved to approve the variation for the setback, the eight foot fence and outdoor storage, subject to the conditions noted in the staff report.

The motion passed by unanimous vote.

The results of the roll call were:

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

Nays: 0

Abstain: 0

Absent: 1 Chairman Parisi

Commissioner Meneghini moved and Commissioner Spink seconded the move to close the Public Hearing.

The motion was passed by unanimous vote.

Acting Chairman Creighton reminded the applicant that the request for the Special Use Permit will go before the Village Board on Monday, November 21, 2016, at 7:30 PM for final action.

OLD BUSINESS:

Mr. Farace discussed that there would be a meeting on November 28, 2016.


ADJOURNMENT:

At 7:50 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,



 Jane Lentino
 Community Development Secretary

Minutes approved by Plan Commission on this 12 day of December, 2016.



 Chairman