

**Regular Meeting – Plan Commission/Zoning Board of Appeals
Carol Stream Fire Protection Bureau Station 28, DuPage County,
Carol Stream, Illinois**

***All Matters on the Agenda may be Discussed, Amended and Acted Upon
July 24, 2017.***

Chairman Parisi called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:03 p.m. Chairman Parisi directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

Present: Chairman Frank Parisi, Commissioners Dave Creighton, Angelo Christopher, Frank Petella, Dee Spink, Charlie Tucek, John Meneghini

Absent:

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

MINUTES:

Commissioner Spink moved and Commissioner Creighton seconded the motion to approve the minutes of the meeting of June 26, 2017, with one correction.

The results of the roll call vote were:

Ayes: 6 Commissioners Creighton, Christopher, Petella, Spink, Tucek, Chairman Parisi.

Nays: 0

Abstain: 1 Commissioner Meneghini.

Absent: 0

PUBLIC HEARING

Chairman Parisi asked for a motion to open Public Hearing. Commissioner Creighton moved and Commissioner Spink seconded the motion.

**Case # 17-0022 – Recchia Residence – Dominick Recchia – 560 Creekwood Court.
A Zoning Code Variation for Lot Coverage (Patio).**

Chairman Parisi swore in the witness, Mr. Dominick Recchia, 560 Creekwood Court, Carol Stream, IL.

Mr. Recchia stated that he is requesting a variance to install an 8 foot by 20 foot concrete patio, which would put the lot coverage over 30% by about 2.8%.

Chairman Parisi asked for questions from the audience. There were none.

Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that applicant is seeking a lot coverage variation for a patio at 560 Creekwood Court, in the Park Unit 1 subdivision which has very small lots, that 560 Creekwood Court is just under 5500 sq. ft. He stated that the aerial view of the property shows a home on the lot, but that the home was demolished a couple of years ago.

Mr. Farace stated that the applicant is interested in building a new one story home of a little over 1600 sq. ft., and that a small patio that would extend off of the back of the house from the rear doors. He stated that lot coverage would include the house and any other impervious surface, including a patio, but would exclude sidewalks or driveways.

Mr. Farace stated that 30% lot coverage is what is allowed in the R-3 residential district. He stated that, given the house is right up to the 30%, that any addition impervious surface, including the patio, would increase the lot coverage percentage to just under 33%.

Mr. Farace stated that if the applicant were interested in installing a deck that the allowable lot coverage would increase to 35%, because the deck allows for stormwater run-off. Mr. Farace stated that the applicant prefers a patio to a deck for maintenance purposes and ease of use.

Mr. Farace stated that the Staff Report lists variations that have been approved by the Village Board in the past, some of which received positive recommendations from the Plan Commission and some did not. Mr. Farace believes that the request in this case is different from others that have been approved since 2000. He said that some of the other requests were approved for replacement of patios that were in existence, and a new patio was going where a patio was already existing due to flooding or seepage problems. Mr. Farace stated that, in some instances, it was looked at as a hardship if a new homeowner installed a patio to replace one that was installed without a permit by a previous owner, and so as not to penalize the new homeowner, a variation was granted.

Mr. Farace stated that this scenario was different because it is a brand new home, and there are alternatives, such as installing a deck or the house could be reduced in size by 160 sq. ft, but that the architect worked with the applicant to get the house to this size and didn't think it could be reduced any further.

Mr. Farace stated that Staff is sympathetic to the applicant, but recommends denial of the request.

Chairman Parisi asked for questions from the Commission.

Commissioner Tucek proposed to focus, not on the 3%, but on a resolution that fits all parties, and asked if there was any way to use a different material, such as a permeable brick.

Mr. Recchia said that he would probably go in that direction if he gets turned down for his request, but that he would rather have a concrete patio because of ease of shoveling, as pavers are not a flat surface and there would be ice. He said that a deck would require more maintenance.

Mr. Farace stated that a paver patio option would still fall within the 30% lot coverage requirement.

Chairman Parisi said that Commissioner Tucek was referring to permeable pavement as is installed elsewhere in the community, and the intent was to address the stormwater issues in the Staff Report and still accomplish the maintenance aspect that the petitioner is requesting. Chairman Parisi asked Mr. Farace if it would still fall under the 30% requirement.

Mr. Farace said that he thought it would, and the only other option had been discussed was some type of gravel or stone area where a patio table could be placed, but that any other type of surface would fall under the lot coverage percentage.

Commissioner Petella stated that he was confused because a deck would be ok because it would allow water run-off, but bricks, which also allow water run-off are not ok.

Mr. Farace stated that he did not know how many residents have permeable pavement patios.

Commissioner Creighton stated that it was a newer development and he didn't think the code addressed that.

Commissioner Petella asked what happened to the building that was originally on the property.

Mr. Recchia said that it was very old and was beyond repair, or it burned down.

Commissioner Petella asked to clarify that Mr. Recchia wasn't the original owner of the property, that he purchased it, and if there was a bike trail behind the property.

Mr. Recchia stated that he purchased the property and there was a bike trail behind it.

Commissioner Petella stated that it seems foolish to squabble over 3% when people who didn't ask for a permit were rewarded and granted a variation, and people who ask for permit are denied.

Commissioner Spink stated that she was looking for a unique reason for granting the variance, and asked if Mr. Recchia was building a ranch house because someone who may be living there was disabled and needed a flat area to get around, so they don't fall.

Mr. Recchia stated that he was partially disabled and that he was thinking ahead. He said that he was thinking if leaving it grass but that wasn't really an option, and that a deck, grass, or shrinking the house were his only options, and there was a lot shaved off of the house to make it work.

Commissioner Spink asked if he was able to shave any square footage off of the patio.

Mr. Recchia said that he had already shaved it down from 15 x 20, and that the engineer drew up the drainage with the patio.

Commissioner Meneghini asked if Mr. Recchia was going to live in this residence.

Mr. Recchia said yes.

Commissioner Creighton asked Mr. Farace if the 30% requirement is an industry standard.

Mr. Farace stated that, in most suburban areas 30% to 35%, is standard.

Mr. Recchia asked if R-3 a different standard compared than normal.

Mr. Farace stated that R-2 would have the same lot coverage.

Commissioner Christopher asked Mr. Farace to clarify that the percentage is 2½% to 3% over.

Mr. Farace said yes.

Commissioner Christopher suggested other creative ways of lowering the percentage, such as inserting landscaping or a fire pit on a gravel base, and that it was strange that a deck would be allowed, but pavers, which can drain about 20% of rain through the gravel and sand, are not allowed. He said that it was not right to hold Mr. Recchia accountable when there are materials that can get this done without run-off like a hard slab.

Mr. Farace said that was a valid point and that is likely a section of the code that hasn't been updated.

Commissioner Christopher suggested that the applicant look into materials that would accommodate the drainage issue, and then revisit the variance with Mr. Farace.

Commissioner Petella asked to clarify that, if the footprint of the house is already 30% of the property, then there is no room for a patio.

Mr. Farace stated that there was no room for a patio even with an alternate material, and that a variance would still be required, based upon how the code was written.

Chairman Parisi stated that he understands the intent of the code and the FAR with the size of the property. He said that the intent is really to accomplish stormwater run-off, that there are other materials that can be used, and that a permeable pavement with the right cross section will act as a pervious surface and water will go into the soil. Chairman Parisi said that permeable pavement is not typically used residentially, but that it could be an opportunity in this case.

Chairman Parisi suggested that if the Commission is receptive to allowing a paver patio, a recommendation for a motion to approve a certain type of material that would defer stormwater management/issues could be added if the variance is granted, and that Engineering could look at it for correctness.

Mr. Recchia stated that the engineer drew the plans so that there would be no problems with drainage.

Chairman Parisi said that the engineer is correct from a drainage perspective, but the issue, from a zoning perspective, is the coverage that the variance is asking for, and that if there was a permeable pavement there could be other options, as Commissioner Christopher stated, such as connecting sub-drains.

Mr. Recchia said the engineer included sub-drains called soak way pits.

Chairman Parisi stated that could be done with permeable pavement as well, and that there are 2 locations in town, Fountain View and Western Trails School, that the petitioner can view.

Commissioner Petella asked what the cost of concrete was in comparison to wood and pavers.

Mr. Recchia said that concrete would be most expensive because he would hire a contractor, but he would install pavers himself, which would make the cost lower.

Commissioner Tucek asked to clarify that, as it stands, there is no room for a patio.

Mr. Farace stated that was correct and that a variation would still be needed.

Chairman Parisi clarified that decks are allowed to exceed the limit because they provide stormwater management issue.

Commissioner Creighton made a motion with the condition that the petitioner use permeable pavers.

The motion did not carry.

Commissioner Meneghini made a motion and Commissioner Petella seconded to deny the request for the variance.

The motion failed.

The results of the roll call vote were:

Ayes: 3 Commissioners Creighton, Meneghini, Chairman Parisi.
 Nays: 4 Commissioners Christopher, Petella, Spink, Tucek.
 Abstain: 0
 Absent: 0

Commissioner Petella moved and Commissioner Spink seconded the motion to approve the request for variance.

The results of the roll call vote were:

Ayes: 2 Commissioners Petella, Spink.
 Nays: 5 Commissioners Creighton, Christopher, Meneghini, Tucek, Chairman Parisi
 Abstain: 0
 Absent: 0

This case will go before the Village Board of Trustees on Monday, August 7, 2017, at 7:30 PM for formal approval with a recommendation to deny the request from the Plan Commission.

Case #17-0023 – American Litho / Bruce Matuszak – 175 Mercedes Drive

A Special Use Permit to Allow for Outdoor Activities and Operations in the I Industrial District (Air Compressor)

Chairman Parisi swore in the witness, Bruce Matuszak, Maintenance Manager, 175 Mercedes Drive.

Mr. Matuszak stated that he was looking for a variance to put air compressors in the back of the building due to a catastrophic failure in the plant. He stated that in order to keep the plant open, they had to install the compressors immediately and he is now applying for the Special Use and permits.

Chairman Parisi asked for questions from the audience. There were none.

Chairman Parisi asked for the Staff Report.

Mr. Farace stated that American Litho, located at 175 Mercedes Drive, was seeking a Special Use permit for outdoor activities and operations for the installation of air compressors, which are pre-fabricated metal structures located at the southeast corner of the property and were installed due to an emergency situation. Mr. Farace stated the structures are 11 feet tall, 11 feet wide, and 32 feet long. He stated that there is other equipment/structures in the back of the property.

Mr. Farace stated that Staff feel comfortable with supporting the request with additional landscape screening in the greenspace area directly south of the compressors. He stated that this request is fairly common with other industrial properties in town, and that Staff is supportive with the additional landscaping condition for trees in the greenspace area.

Chairman asked for questions from the Commission.

Commissiner Christopher, Commissioner Meneghini had none.

Commissioner Creighton asked to clarify that no parking spaces were used and that the petitioner was agreeable to the Staff recommendation.

Mr. Matuszak stated that they weren't really in agreement with the recommendation, but would plant the trees if they must. He stated that the only people that see the compressors are the truck drivers that come behind the building, and the employees. He said that there were railroad tracks one side and an open lot that belongs to Mercedes Benz on the other, and that it is on the end of a cul de sac. He said that it was just an added expense and they would do whatever was decided, but they weren't happy about it.

Mr. Farace stated that they were requesting the additional landscaping for consistency.

Commissioner Spink asked for clarification saying that the application said two trees, but the recommendation was for three trees.

Mr. Matuszak said that landscaping company said three trees.

Mr. Farace stated the three trees would be spaced to the north and in between the two existing deciduous trees.

Commissioner Spink asked if there was enough space.

Mr. Farace stated that there was plenty of space.

Commissioner Petella asked when the air compressors were installed.

Mr. Matuszak stated that they were up and running around January, 2017.

Commissioner Tucek asked if they have been inspected by the Village.

Mr. Farace stated that the Fire District has reviewed them and permits have been applied for.

Commissioner Tucek asked what the liability was if they compressors were reviewed and failed.

Mr. Farace said that something would be done to make sure they were installed correctly.

Commissioner Tucek asked if waste water run-off was going outside.

Mr. Matuszak said that it goes into the building and into an oil/water separator where the oil is collected and the water goes down the drain.

Chairman Parisi had no questions.

Commissioner Meneghini moved and Commissioner Creighton seconded the motion to approve the request for a Special Use permit or outdoor activities and operations with Staff recommendations.

The motion passed.

The results of the roll call vote were:

Ayes: 7 Commissioners Creighton, Christopher, Petella, Spink, Meneghini, Tucek,
Chairman Parisi.

Nays: 0
 Abstain: 0
 Absent: 0

This case will go before the Village Board of Trustees on Monday, August 7, 2017, at 7:30 PM for formal approval.

Case #17-0024 – St. Charles Investments, LLC / Pre-owned of St. Charles – 27W301 North Avenue, West Chicago, IL.
 A Zoning Map Amendment (Rezoning) to B-3 Service District (upon annexation)

There were no witnesses to be sworn in. Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that there was no one in attendance from the car dealership, and that this case is a rezoning request to rezone a sales lot for Pre-Owned of St. Charles/St. Charles Investments to a B-3 service district. He referred to a slide that showed the location of the property located next to the AT&T property, along with the next property just to the west which is also owned by Pre-Owned of St. Charles/St. Charles Investments.

Mr. Farace stated that easternmost parcel is the main part of the dealership, and is party to a pre-annexation agreement from the mid-90s which states that the car dealership property was able to hook up to Village water and sewer, and would be required to annex into the Village when the property, along with the property just to the west, which has cars and a small storage building, became adjacent to the Village boundary. Mr. Farace stated that the property became adjacent when the AT&T property was annexed in earlier this year.

Mr. Farace stated that, typically, when a property is annexed in to the Village, it defaults to R-1 zoning, but that the property will be zoned to B-3, which is the zoning designation for the majority of properties along North Avenue.

Chairman Parisi asked for questions from the audience. There were none.

Chairman Parisi asked for questions form the Commission.

Commissioners Tucek, Spink, Meneghini, Christopher and Chairman Parisi had none.

Commissioner Petella, asked if all the businesses along that particular corridor to tie into the Village water and sewer supply with the contingency that when the property annexed in, and asked if DuPage Honda and Yamaha was included.

Mr. Farace said yes, that the contingency is correct, but that DuPage Honda/Yamaha did not tie into Village water and sewer, but that AT&T, Pre-Owned of St. Charles, Chicago Motor Cars, and John and Tony's are connected to Village water and sewer.

Commissioner Creighton asked if the two properties were going to be combined into one property.

Mr. Farace said that at this point the two properties were not going to be combined, but potentially in the future.

Commissioner Meneghini moved and Commissioner Tucek seconded the motion to rezone 27W301 North Avenue to a B-3 service district upon annexation into the Village of Carol Stream.

The motion was passed.

The results of the roll call vote were:

Ayes: 7 Commissioners Creighton, Christopher, Petella, Spink, Meneghini, Tucek, Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 0

Chairman Parisi asked for a motion to close Public Hearing. Commissioner Creighton moved and Commissioner Tucek seconded the motion.

The motion was passed by unanimous vote.

OLD BUSINESS:

NEW BUSINESS:

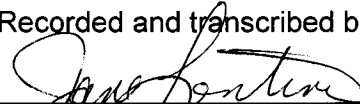
ADJOURNMENT:

At 7:41pm Commissioner Creighton moved and Commissioner Tucek seconded the motion to adjourn the meeting.

The motion passed by unanimous vote.

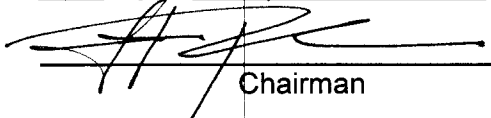
FOR THE COMBINED BOARD

Recorded and transcribed by,



Jane Lentino
Community Development Secretary

Minutes approved by Plan Commission on this 18 day of AUGUST, 2017.



Chairman