

**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 11, 2019, 2019.***

Chairman Parisi called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:00pm and directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

Present: Commissioners Angelo Christopher, John Meneghini, Charlie Tucek, Michael Battisto, Daniel Morris, and Chairman Parisi.

Absent: Frank Petella

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

MINUTES:

Commissioner Meneghini moved and Commissioner Tucek seconded the motion to approve the minutes of the Regular Meeting held on October 28, 2019.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Battisto, Tucek, Acting Chairman Creighton.

Nays: 0

Abstain: 1 Chairman Parisi

Absent: 1 Commissioner Petella

PUBLIC HEARING:

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

The motion was passed by unanimous vote.

Case #19-0024 – In the Presence of Jesus Ministries-393 S. Schmale Road

Chairman Parisi swore in Mark Sargis, Attorney, Wheaton, IL; Nelly Jean Caleb, 253 Allegro Drive, Carol Stream, IL; Tony Stefancic, real estate broker, 961 Royal Glen Lane, Carol Stream, IL; Lee Peesch, Attorney, Wheaton, IL; Warren Prescott, attorney, 2625 Butterfield Road, Oak Brook, IL; Christina Morrison, Attorney, 300 East 5th Avenue, Suite 365, Naperville, IL; Jim

Nader, Executive Director of the Central DuPage Pastoral Counseling Center and Mona Kea board president, 1607 Shoreline Drive, St. Charles, IL.

Mr. Sargis stated that he is representing In the Presence of Jesus Ministries which is a small ethnic based Christian Church that has met in a rented room at the Holiday Inn in Carol Stream for several years. He stated that they are requesting the approval of a Text amendment to add a place of worship as a Special Use, and a Special Use Permit for a place of worship. He stated that the proposed location is in Mona Kea West located at 393 S. Schmale Road.

Mr. Sargis stated that the church is biblically based and provides counselling, bible study, and classes. He introduced Jean Calub.

Ms. Calub stated that the average bible group size is 20 to 25 people and, because they don't have a home base where they can congregate, evening meetings are held at members' homes and they congregate at the Holiday Inn for service on Sundays. She stated that Sunday services average from 50 to 70 people. She stated that last Sunday they had 55 adults and 10 children in attendance. She stated that there were 17 cars.

Ms. Calub stated that their regular Sunday service is attended by 50 to 70 people, and that they hope to have add a second service in the future. She stated that if they big group, such as healing services, they will be on a Friday night after 7PM. She stated that for our other activities, such as their Worship Team, they have about 10 people in the band and they practice on Thursday or Saturday nights at around 8PM.

Ms. Calub stated that they offer several tutoring, mentoring, and counselling programs for children, students and adults. She stated that they are after hours or on weekends as most of the congregation works.

Mr. Sargis stated that they no not currently have a church office, but the office will be administrative and open during regular business hours, and that there is one paid staff member and the pastor.

Mr. Sargis showed slides of the existing space and the proposed space. He stated that there would be 80 moveable seats in the main sanctuary hall, a children's room and a youth room, for a total of 111 moveable seats. He stated that the two rooms are included in the number of seats in the total assembly, but will be used as overflow.

Mr. Sargis stated that daycare and preschool are not included in the Church's current proposed programming.

Mr. Sargis stated that because Mona Kea is primarily a professional park during business hours, the Church's primary activities during that time will be office related and may include some one-on-one counseling or training.

Mr. Sargis stated that Mona Kea was developed as a medical office, and that use has declined. He stated that the West complex has the most vacancies. He stated that there are several non-medical uses within the South and East complexes, such as massage therapists, a financial planner, an accounting service, and a Christian counseling center.

Mr. Sargis stated that the Church will have a positive effect on the restaurants and retail in the area. He stated that the religious use will be an appropriate buffer between the residential area to the east and the commercial area to the west.

Mr. Sargis introduced Mr. Stefancic and stated that he is not the real estate broker for the Church, but represents several other units in the complex.

Mr. Stefancic stated that there has been a high vacancy rate in office space in general. He stated the purchases of large office complexes by hospitals and having doctors lease them in exchange for working in the hospitals has had an impact on smaller office complexes like Mona Kea.

Mr. Stefancic stated that 32% to 37% of offices in the Carol Stream area are vacant, and that allowing additional uses would be beneficial to the community.

Mr. Sargis stated that the church is next to residential uses to the east, and access to the subject property will be from Schmale Road and not through any residential neighborhood, so it would not cause any noise or traffic congestion, especially during the peak hours during the week. He stated that there are no existing uses in the immediate neighborhood that would be incompatible with this small Church use.

Mr. Sargis stated that outdoor lighting will be as it is in the complex.

Mr. Sargis stated that Mona Kea is a condominium-based complex consisting of three condominium associations, West, South and East; and there is a Master Association. He stated that each of the three individual associations, according to their bylaws, have jurisdiction over the use within each complex. He stated that the Master Association has jurisdiction over common elements, such as parking. He stated that the West association amended their declaration to allow for certain non-medical uses, including specifically religious assembly, counseling, and non-for-profit organizations, as long as the uses are permitted by Carol Stream zoning.

Mr. Sargis stated that there have been some questions about parking. He stated that they offered to discuss concerns with people concerned with the proposed use and parking problems and they were unresponsive. He showed pictures of the parking lot on different days, at different times, to show that the parking resources are not being taxed. He stated that the total number of spaces in Mona Kea West is 132, and that with 111 seats in the auditorium and the overflow spaces, there are 28 parking spaces required per the Zoning Code. He stated that the congregation averages 17 to 25 cars. He stated that, per Staff, no parking study would be required.

Mr. Sargis stated that the proposed unit is 2200 square feet.

Mr. Sargis introduced Mr. Peesch.

Mr. Peesch stated that the West Association has eight units that are all about 2,200 square feet, and five of the eight units are vacant. He stated that the owner has maintained the unit as well as she could for the last six years, paying taxes, special assessments, and condominium association fees, and there has been little demand due to large medical groups taking small doctor's offices, which has decreased the demand in Mona Kea. He stated that there are 21 spaces to the south of the unit plus about 40 spaces to the east which is adequate. He stated that there have been no other offers to buy this unit other than the church.

Mr. Sargis asked Mr. Peesch if there has been any deterioration of the physical facilities.

Mr. Peesch stated that this particular unit has been kept up to the highest possible standards, but some of the others have deteriorated due to lack of occupancy.

Mr. Sargis introduced the Church's transaction attorney, Mr. Prescott.

Mr. Prescott stated that there are few cars on Sundays and weekdays, and that the other complexes do not have any cars at that time. He stated that the association documents allow use of all the parking spots by each unit, and there is no restriction to the number of spots one unit can use.

Mr. Sargis stated that since the complex was approved as an office facility and not a PUD, there are no particular conditions or restrictions on parking within the development or per unit.

Chairman Parisi asked for questions from the audience.

Ms. Morrison, an attorney, stated that there are parking issues and expressed concern over voting for such a different land use in Mona Kea without a parking study. She stated that Mona Kea was planned for 178 feet of floor area per parking space in the 1970s. She stated that Carol Stream code hasn't changed since then for medical or professional office space. She stated that the applicant's parking count is one space per 78 square feet, which doubles the parking intensity. She stated that it might work for now but expressed concern for whether it will work in the future when future tenants want to use their units in the evenings and on weekends.

Ms. Morrison stated that she represents a property owner in Mona Kea South and expressed concern about parking spilling over into Mona Kea South, which is almost at capacity.

Ms. Morrison expressed concern over the possible growth of the Church over time and limiting programming to Staff recommendations. She stated that her client is concerned about parking and not about what will go on inside the unit, and asked for a condition on the Special Use that limits the number of people who can be in the space during the day when the other office tenants need to be using parking spaces which, according to her math, is no more than 60 people during the weekday.

Ms. Morrison expressed concern over what will happen if more and more users want to come in and use their spaces during this applicant's peak times, specifically if another church wants to lease a space at Mona Kea, and requested a parking study.

Mr. Sargis stated that the Mona Kea association has parking resources, and that the practical impact, use and unloading factors for this complex are a matter of internal jurisdiction. He stated that the village has standards for uses. He stated that the Master Association can put restrictions in place that are suitable and appropriate.

Mr. Sargis stated that future uses of Mona Kea West are speculative, and that the land uses are governed by the West Association and that the common elements are governed by the Master Association. He stated that those two jurisdictional entities have full authority to address any problems that might occur in the future. He stated that a parking study and restrictions on the church's attendance, hours of operation, or the types of ancillary uses is not necessary.

Mr. Sargis stated that his calculations are as such; the eight units that make up Mona Kea West add up to approximately 17,600 square feet; there are 132 parking spaces, which is 1 space for every 133 square of space. He stated that the remaining seven units total approximately 15,400 square feet, and if you take 132 spaces minus the 25 spaces that the church would use at maximum capacity, and divide 15,400 by the remainder of 107 spaces equals approximately 143 square feet per space. He stated that if the use became problematic then it would be an internal regulation, and significant growth would trigger the need for a special use amendment.

Dr. Nader, Executive Director of the Central DuPage Pastoral Counseling Center and Mona Kea board president, stated he approves of the Church considering a space in Carol Stream, but that Mona Kea is not the best location. He stated that the entire Mona Kea board agrees that a professional center is not a good place for a church. He stated that he has been Mona Kea Master Association president for two years, and that many of the owners in the West building have not kept up their property. He stated that there have been liens, including liens on unpaid association dues, and special assessments put on the property to force the owners to take care of the property.

Dr. Nader stated that the Master Association did not approve the Church, and that six of the eight unit owners who either do not work there because their spaces are empty, or are leaving, voted to approve the Church, while the two doctors who occupy their units voted against it. He stated he is appalled by the process and that it will be difficult for the two remaining tenants to conduct their businesses. He also stated that it will be difficult to find other property owners to buy the other units that are for sale.

Mr. Stefancic stated that early in the process, when the church had a contract to buy this unit, there were discussions with various unit owners in other buildings as well as with Dr. Nader, Dr. Clancy, who is represented by Ms. Morrison represents through the LLC, to talk about any concerns that they might have, and were refused a meeting. He also states that he was at the Master Association meeting and the Association did not say that this was not a good place for a Church or what the Village would allow.

Mr. Stefancic stated that, while there may be problems with deterioration in the West complex, there is a buyer who is willing to renovate a unit. He stated that he represents another seller, who lives in Texas who has been identified as one who has not taken care of their properties. He stated that there is an offer on another property by a doctor who is in the Western District, and that they are not afraid of the Church purchasing the unit and another doctor is retiring, which will result in another vacant space. He stated that he feels that even though he does not represent this unit, but that he feels that the Church would work out extremely well.

Dr. Nader reiterated that he is all for the Church, just not at Mona Kea as it is a professional office park. He stated that the Church was not approved by the Mona Kea Master Association.

Mr. Sargis stated that the religious counseling center that Dr. Nader runs is not technically a medical use under the use categories of Village's zoning ordinance, and there was never any change in the prohibition against non-medical uses in Mona Kea South.

Mr. Prescott stated that he was at Mona Kea South the previous Sunday and there was no one there, and that it is a perfect shared use.

Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that the applicant is requesting a zoning code text amendment along with a Special Use request. He stated that the request is for the Mona Professional Park development in Mona Kea West. He stated that it has been discussed that Mona Kea is divided into three associations; West, East and South.

Mr. Farace stated that the specific property is located at 393 S Schmale, which is a 2200 square foot office condo that is proposed for the Church use. He stated that the floor plan consists of a centrally located main worship hall that will be flanked by the youth room and the children's room.

Mr. Farace stated that parking was discussed, and for a church or religious use, parking is looked at as one parking space for every four seats. He stated that Staff looked at the worship space and potential use of the side rooms for an overall parking requirement of 28 parking spaces for the use.

Mr. Farace states that there will be additional storage space and office space, along with bathroom space and snack bar space.

Mr. Farace stated that Mona Kea is zoned B-4, which does not allow a religious institution except for a regional religious institution, which is a much larger church or place of worship than what is being

proposed by the applicant. He states that the applicant is applying for a text amendment to allow for a place of worship as a Special Use within the B-4 district.

Mr. Farace stated that there is information from the Village Attorney, and Staff, looking at whether or not the use should be allowed as a Special Use in the district. He stated that given the fact that there are other assembly type uses that are allowed as a Special Use in the B-4 District, the Village Attorney felt that it is important to look at the use similarly as other assembly uses and review the request based on the findings of fact.

Mr. Farace read the provisions that the Village Attorney looked at based on a specific act that was passed federally in 2000 known as the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) which requires that "all similar uses must be treated the same and in a non-discriminatory manner without regard to religion. Therefore, if the zoning code allows other assembly uses in the B-4 District as described, it would be considered discriminatory to not allow a religious assembly use as a Special Use in this district. However, Special Use findings of fact must still be met as would be the case for any special use request."

Mr. Farace stated that the request still has to be reviewed based on the merits of the request. He stated that Staff felt comfortable that those provisions were being met.

Mr. Farace stated that the space is a 2200 square foot space that can accommodate up to 80 people. He stated that 28 parking spaces that would be required per zoning code requirements should be met by spaces in the in the east parking field which has about 40 space. He stated that the majority of the time the larger number of occupants will be on weekends, specifically on Sunday mornings.

Mr. Farace stated that Staff feels comfortable supporting the fact that parking should be more than adequate for the specific use. He stated that there are over 130 spaces in all of Mona Kea West, and there is the shared parking concept. He stated that there are not individualized parking spaces, therefore anyone can basically park where they want based on the description of the activities that are proposed in late afternoon or evening hours. He stated that Staff felt comfortable with supporting the Special Use request.

Mr. Farace addressed concerns about parking and stated that this use has opposite peak hours which differ from any other use that would probably come to this location. He stated that staff still feels comfortable and doesn't feel the need for any type of parking or traffic study to be conducted. He states that Staff still continues to support the Special Use request. He stated that if another religious use wanted to come in to another one of the office condos, it would be reviewed just like this special use is being reviewed. He stated that, if in the future the Church was interested in adding another ancillary use, such as a daycare or a preschool, or a soup kitchen, or something that's not listed as an allowable use in the zoning code at this time, the Special Use would have to be amended. He stated that if that were to occur, Staff would look at parking or other aspects of the complex, but that as it currently stands, Staff feels comfortable with supporting the Zoning Code Text amendment and Special Use based on the size of the unit and the size of the congregation.

Chairman Parisi asked for questions from the Commission. Commissioner Meneghini had none.

Commissioner Christopher asked Mr. Farace if the village has jurisdiction to supersede association bylaws.

Mr. Farace stated Mona Kea West amended their bylaws to allow religious or non-medical office uses to be an allowable use in one of those eight office condos.

Commissioner Tucek asked if there were vehicle or buses and if they will be parked at the site.

Mr. Sargis stated that the Church doesn't have any buses or large vehicles and it doesn't intend to have any.

Mr. Farace stated that as he understands, the Master Association has the rules and regulations for the common elements of all of Mona Kea, but that each separate Association governs the uses that are allowed or not allowed in that specific building.

Commissioner Battisto asked Mr. Farace if there is any reason to believe that one space per four seats has ever been known to cause concern from a zoning perspective, and that 28 spaces isn't a significant burden based on the spaces available.

Mr. Farace stated that this is somewhat different because other churches in town are their own separate properties, but that in general it is a good measure.

Commissioner Battisto stated that he works in an office space that shares a parking lot with a church in the city of Wheaton, and has never seen the church use an abundance of spaces that would indicate that there would be a problem. He stated that as long as the Church doesn't exceed the parameters of the Fire District requirement of the number of people who can be in the space at one time, the Church doesn't seem to be exceeding any of any codes.

Commissioner Morris stated that there is a conflict within the Associations that need to be resolved, but had no questions.

Chairman Parisi directed a statement to Ms. Morrison and stated that he has been involved in parking studies and the design of assembly buildings, and that use and the tenants inside of a building are taken into consideration. He stated that a majority of the spaces are empty, the spaces are shared use spaces, and that peak hours and operations are also taken into consideration. Chairman Parisi stated that he supports the Staff's recommendation not to do a parking study for this particular property, and also supports Staff if future tenants come in and have a similar assembly use which would start conflicting with the remainder of the tenants in the facility, or in the complex, to conduct a parking studying at that time.

Chairman Parisi asked for a motion to recommend approval of case #19-0024.

Commissioner Battisto moved and Commissioner Tucek seconded the motion to recommend approval with Staff Recommendations.

The results of the roll call vote were:

Ayes:	4	Commissioners Tucek, Battisto, Morris and Chairman Parisi.
Nays:	1	Commissioner Christopher
Abstain:	1	Commissioner Meneghini
Absent:	1	Commissioner Petella

The motion was approved.

This case will go before the Village Board of Trustees on Monday, November 18, 2019, at 7:30 PM for formal approval.

Case #19-0031 – Rental Max-558 Randy Road

*Special Use for Outdoor Storage and Operations-Storage of Equipment
Special Use Permit for Equipment and Machinery Rental Operations*

Chairman Parisi swore in John Jeanguenet, 1480 Wood Avenue, Downers Grove, IL.

Mr. Jeanguenet stated that he is the president of Rental Max and is requesting a Special Use Permit for outdoor activities and operations of the storage of equipment and a Special Use Permit for equipment and machinery rental operations at the 558 Randy Road property. He stated that Rental Max is the largest general equipment rental company in the Chicagoland area and is currently headquartered in Wheaton, with both a rental store operation as well as administrative offices located at 908 East Roosevelt Road.

Mr. Jeanguenet stated that they are under contract and have a purchase agreement in place for the purchase of 558 Randy Road, as well as 124 North Schmale Road, pending due diligence including the Special Use requests. He states that their plan is to move their Wheaton rental operation, as well as administration office, from Wheaton to the two properties, and Carol Stream will be the new headquarters for Rental Max. He stated that all eight of their locations are based in the Chicagoland area that they are a growing business. He stated that they have outgrown their existing property in Wheaton, and the two Carol Stream properties provide the perfect opportunity for continued growth.

Chairman Parisi stated that the Commission was given one report for two cases, but will vote on each case individually.

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

Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that the Staff Reports for both cases are identical.

Mr. Farace stated that Rental Max is seeking approval of two Special Use permits, one for outdoor activities and operations for storage of equipment, and one for just overall equipment and machinery rental sales at both 558 Randy Road and 124 North Schmale Road. He stated that Rental Max provides a variety of construction and miscellaneous equipment which can be rented by both businesses and residents.

Mr. Farace stated that this property, along with the other property are the former Ditch Witch locations which have been recently vacated. He stated that both properties work together.

Mr. Farace stated that the hours of operation will be 6AM to 5PM during the week, and then 7AM to 2PM Saturdays. He stated that there are about 15 employees and employee parking is proposed on the 124 North Schmale property, with some employee parking on the east side of the 558 Randy building. He stated that customer parking is proposed on the 124 North Schmale building.

Mr. Farace stated that the majority of the customer traffic and interaction will going to occur on the 124 North Schmale property, which will have more of the administrative office area and the customer service counter. He stated that there will be a maintenance shop and a showroom space for some of the equipment.

Mr. Farace stated that the Randy Road building will contain some additional office space, sales space, a training center for staff, a conference room, and some indoor storage equipment area as well. He stated that applicant did a great job of summarizing some of the equipment pieces that they'll have in the outdoor storage areas that are proposed on the south side of both properties.

Mr. Farace stated that there is an illustration of how traffic lanes are going to be set up on the property. He stated a lot of this will be done on the 124 North Schmale property, and it will direct traffic so as to make sure that things are done efficiently and safely, and traffic flow is done properly.

Mr. Farace stated that Staff is comfortable with supporting both Special Use requests and that the business is similar to what was previously located on the properties. He stated that there are property maintenance issues that will be addressed in the springtime.

Chairman Paris asked for questions from the Commission. Commissioner Meneghini, Christopher, Tucek, Battisto, and Chairman Parisi.

Commissioner Morris asked if the heavy equipment was tested in the yard and if the noise would affect other businesses at 6AM.

Mr. Jeanguenet stated the equipment is started but that the machinery is not heavy equipment. He stated that there have never been any issues from a noise standpoint at any of their locations, including the Roosevelt Road location, where there are neighbors.

Chairman Parisi asked for a motion to recommend approval Case #19-0031.

Commissioner Meneghini moved and Commissioner Battisto seconded the motion.

The results of the roll call vote were:

Ayes:	6	Commissioners Christopher, Meneghini, Tucek, Battisto, Morris and Chairman Parisi.
Nays:	0	
Abstain:	0	
Absent:	1	Commissioner Petella

The motion was unanimously approved.

This case will go before the Village Board of Trustees on Monday, November 18, 2019, at 7:30 PM for formal approval.

Case #19-0032 – Rental Max-124 S. Schmale Road

*Special Use for Outdoor Storage and Operations-Storage of Equipment and Installation of a Propane Tank
Special Use Permit for Equipment and Machinery Rental Operations*

The Petitioner was sworn in for the previous case.

Mr. Farace stated that this case is essentially the same as Case #19-0031, with the exception of the installation of a propane tank that is proposed to be installed on the back half of the property that will need to meet all building and fire code provisions, which the applicant is aware of.

Mr. Jeanguenet stated that they have propane tanks at the other locations.

Chairman Parisi asked for a motion for Case #19-0032.

Commissioner Meneghini moved and Commissioner Tucek seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Tucek, Battisto, Morris and
Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 1 Commissioner Petella

The motion was unanimously approved.

This case will go before the Village Board of Trustees on Monday, November 18, 2019, at 7:30 PM for formal approval.

Case #19-0033 – Fiber Node Services-525 Randy Road

Special Use for Outdoor Storage and Operations-Storage of Vehicles and Equipment

Chairman Parisi swore in Shawn Larson, 525 Randy Road, Carol Stream, IL.

Mr. Larson stated that they are requesting to build a 7-foot privacy fence to store their outdoor vehicles and a storage container. He stated that the storage container will house power supplies because they do all of the CAT equipment for the entire United States. He stated that they get an overload of power supplies that produce AC/DC voltage for cable, cell phone service. He stated that they help in hurricane and major storm relief, and build storage ahead of time so when they get the call, they can go right away.

Mr. Larson stated that they have delivery vehicles and on-site repair vehicles that use to the repairs on-site.

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

Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that the applicant is seeking Special Use Permit for outdoor activities and operations for storage of vehicles and equipment. He stated that they are looking to have a fenced in area in the northeast corner of their parking lot. He stated that they have a lot of parking and that most of the time their parking needs are met in the westernmost parking field. He stated that they occupy the entire building. He stated that, based on the zoning code, they have a surplus of parking of 92 parking spaces, which is rare.

Mr. Farace stated that they are proposing to fence off an area in the northeast quadrant that would store vehicles and trailers that are affiliated with their business, along with a cargo container that would store the materials that the applicant indicated. He stated that the container issue is for the Commission to discuss because other locations within the industrial park have cargo containers on a temporary basis, and this would be more permanent.

Mr. Farace stated that cargo containers haven't been allowed in the past, and Staff would like to see what the Plan Commission's thoughts are on the request. He states that they have allowed other vehicles or other types of equipment to be within fenced in storage areas. He stated that the size of the fenced-in area seemed to a little larger than necessary.

Mr. Farace stated that may have training on the property where the majority of the parking is utilized. He suggested that the size of the fenced in area could be scaled back to accommodate a few extra spaces that can be during training sessions.

Mr. Farace stated that Staff is supportive of the request and would like to see how the Commission feels about allowing the cargo container.

Chairman Parisi asked from questions from the Commission. Commissioners Meneghini, Christopher, Tucek, Battisto, and Morris had none.

Chairman Parisi asked Mr. Farace if the container would be considered an accessory structure, and asked if an accessory structure is allowed on that property.

Mr. Farace stated that the code states that in the industrial and business districts, all items are to be stored inside a building unless Special Use is approved for outdoor storage. He stated that, generally speaking, outdoor storage is required to be within a fenced-in area or within an enclosure. He stated that the equipment would be physically enclosed within a container and within a fenced in area, but that cargo containers are not normally seen for permanent use.

Chairman Parisi stated that a cargo container is cheap storage and he can see it becoming more and more prevalent. He stated that if it is approved, it opens up a precedent for others.

Mr. Farace stated that a shed that meets certain requirements could be constructed.

Commissioner Battisto asked if the fenced-in storage area is the Special Use or is the Special Use being able to utilize the storage container within the fenced in area.

Mr. Farace stated that it is both.

Chairman Parisi asked Mr. Farace if a shed would be allowed.

Mr. Farace stated that it would.

Chairman Parisi if the petitioner can clad the structure to look like a shed.

Mr. Farace stated he could.

Chairman Parisi asked for a motion to recommend approval of Case #19-0034.

Commissioner Meneghini moved and Commissioner Christopher seconded the motion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Tucek, Battisto, Morris.

Nays: 1 Chairman Parisi

Abstain: 0

Absent: 1 Commissioner Petella

The motion was unanimously approved.

This case will go before the Village Board of Trustees on Monday, November 18, 2019, at 7:30 PM for formal approval.

Case #19-0034 – Armbrust Plumbing-381 Main Place
Fence Code Variation

Chairman Parisi swore in Rich Armbrust, 1203 Aurora Way, Wheaton, IL.

Mr. Armbrust stated that he is requesting a fence variation due to the unique layout of the lot. He stated that, as part of a comprehensive plan that began in 2015 when the property was purchased, the requirement was to put a fence at the rear of the rear part of the property to store all vehicles as part of the rezoning of the property. He stated that it is his goal to be able to continue the drive through around the building and back out into the parking lot and exit the property.

Mr. Armbrust stated that they are looking to move to the next phase which would be to encompass the property to the north and build storage on the property to the north, as well as continue the drive through.

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

Chairman Parisi asked for the Staff Report.

Mr. Farace stated that Armbrust Plumbing is seeking approval of a fence code variation to allow a fence that will go past the front of the building. He stated that his property is a unique property in that it is L-shaped and the front of the north portion is technically in front of the building. He stated that the fence code says a fence cannot be located past the front of the building.

Mr. Farace stated that the applicant is seeking approval to fence in the northern part of the property that's currently vacant, where there might be opportunities in the future for additions on the property. He stated that for now it's for more security purposes. He stated that it will match the wood fence that's along the south and the east, but that fence is wood and this fence is vinyl with wood texture. He stated that there are other locations where fences have been allowed to go past the front of the building as stated in the staff report.

Mr. Farace stated that this is a unique situation because there is another building just to the north and west of this property that will virtually screen the fence. Therefore, the fence will not look or feel as if it is in front of the building.

Mr. Farace stated that Staff felt comfortable supporting the request, and is recommending approval given the uniqueness of the property and the location of the fence. He stated that Staff would like to work with the applicant on the sign in the front of the property to make a more permanent looking sign.

Chairman Parisi asked for questions from the Commission, There were none.

Chairman Parisi asked for a motion to approve Case 19-0034.

Commissioner Battisto moved and Commissioner Christopher seconded the motion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Tucek, Battisto, and Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 1 Commissioner Petella

The motion was unanimously approved.

Chairman Parisi asked for a motion to close Public Hearing.

Commissioner Battisto moved and Commissioner Christopher seconded the motion.

The motion was unanimously approved.

PRESENTATION:

NEW BUSINESS:

Mr. Farace stated that there would be a meeting on November 25, 2019.

OLD BUSINESS:

OTHER BUSINESS:

ADJOURNMENT:

At 8:47pm Commissioner Meneghini moved and Commissioner Morris 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 25 day of NOVEMBER, 2019.



Chairman