

**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

December 12, 2011

Chairman David Michaelsen called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 p.m. and directed Secretary Linda Damron to call the roll. The results of the roll call vote were:

Present: Chairman Dave Michaelsen and Commissioners Dee Spink, Frank Petella, James Joseph, David Creighton, Angelo Christopher, and Ralph Smoot

Absent:

Also Present: Don Bastian, Assistant Community Development Director, and Linda Damron, Secretary.

MINUTES:

Commissioner Spink moved and Commissioner Petella made the second to approve the minutes of the meeting of September 26, 2011. The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Spink, Petella, Joseph, and Creighton
Nays: 0
Abstain: 2 Commissioner Smoot and Chairman Michaelsen
Absent: 0

PUBLIC HEARING:

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

**Case # 11305 Ray H.C. Fang / Windfall Group – 1175 N. Gary Avenue
Gary Avenue Corridor Review
Minor Amendments to Planned Unit Development Plan
Variations – Sign Code**

Chairman Michaelsen swore in the witnesses, Ray Fang, Architect for the Windfall Group, 1175 N. Gary Avenue, Carol Stream, IL. and Eric Cheung, Vice President of Windfall Group, 1175 N. Gary Avenue, Carol Stream, IL. Mr. Ray Fang explained that all the existing landscaping was in poor condition and is proposing to replace it with five oak and maple trees, and bushes planted in curved rings. The Windfall Group believes the new landscaping will improve the entire location. Mr. Fang stated the elevation changes are due to the Windfall Group accommodating Savers thrift store needs, with Savers occupying the north side of the building an additional canopy is needed. The canopy is needed for the donation drop-off area. Savers would like to have the existing siding material above the entryway replaced with dryvit and have a sign with the Savers logo sign. The Windfall Group would also like to build a six foot retaining wall to block the view of Savers compactor.

Mr. Eric Cheung stated that the Windfall Group is proposing to install a sign that is 25 feet in height, and fifteen feet from the property line. The sign will show all the business located in the

center. The new height and location would make the sign visible to traffic traveling south on Gary Avenue.

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

Chairman Michaelsen asked Mr. Bastian for the staff report.

Assistant Community Development Director Don Bastian, stated as the Plan Commission may recall, the Village Board did approve an ordinance which approved Special Uses for Planned Unit Development, Shopping Center, and Retail and Whole Sales Display Room and Distribution Facility and a Preliminary/Final Planned Unit Development for the property located at 1175 N. Gary Ave, and the Plan Commission approved the Gary Avenue Corridor review. Since the approval the property owner has been working on the construction of the interior and exterior work. The owners of the property have also been looking to secure tenants for this building; they are very close to signing up Savers thrift store to occupy the largest retail space on the north side of the building. To accommodate Savers needs the Windfall Group needs to make some changes to the approved PUD plan and landscaping plan, and they are also requesting sign code variations. For some of you that may not be familiar with Savers, it is a chain thrift store with over 270 stores and 15,000 employees in the United States, Canada and Australia. Local Stores are located in Naperville, Downers Grove and Crystal Lake. Savers will sell donated items as well as new, closeout merchandise, and partners with local charities. Savers donates a portion of their sales to local charities.

Mr. Bastian stated the proposed changes to the PUD plan is to add truck docks at the far northeast corner of the building, a drop off canopy, and changes to the landscaping islands in front of the area to help channelize traffic, there will be arrows painted on the pavement and directional signage will be installed. As shown on the PUD plan and as the petitioner mentioned, they are proposing a six-foot tall masonry wall that will extend out 80 feet north of the building, the function of this wall is to both screen all of the service equipment and loading activities and separate the public area from the non-public area. Staff believes the wall will be effective for screening purposes and to keep customers out of the area that is intended for truck traffic. The petitioner has made modifications to the plan with the removal of some parking spaces and one landscape island to help facilitate the movements that an eighteen wheeler would have to make to get into the dock area. With respect to parking, I mentioned that the petitioner will need to eliminate some parking spaces, on the plan that was approved this summer based on the use of space they would need to have 361 for the entire site, and they had 431 spaces. The petitioner is requesting a 35 parking space reduction in the north parking lot area to accommodate the new truck docks and the canopy for the donation drop off area. With the elimination of 35 parking spaces in the north parking lot; the north parking lot would go from 198 spaces to 163 spaces. Based on the 35,000 square foot floor area that Savers would be occupying by code they are required to have 141 parking spaces. They would still have 163 parking spaces after the reduction of 35 parking spaces. Staff recommends approval of the changes to the Planned Unit Development plan.

In regards to the Gary Avenue Corridor review, the petitioner is asking for a trash compactor and garbage area at the far northeast corner of the building, these items would be recessed from the front of the building or behind the masonry wall. One of the primary objectives of the GAC regulations is screening, with these items recessed in or behind the masonry wall and the additional landscaping the screening requirement will be met. Staff recommends approval of the minor changes to the Site Design.

The petitioner is also asking for a change in the architectural design as shown on exhibit H-3, they would like to have the dock doors as far away from Gary Avenue as possible, they will be screening the doors. Staff finds those proposed changes to be consistent with the GAC regulations.

In regards to the landscape plan that was approved this summer it was based on the petitioner keeping the existing landscaping materials. Through the GAC review process we are able to grant points for the existing landscape materials that going to be kept. In September staff noticed that all existing trees and bushes had been removed, at that time staff contacted the property owner and that is when they shared their plans with us for Savers. Staff notified the property owner they would have to bring a new landscaping plan back to the Plan Commission for approval at the same time that they submitted the revised plans for Savers. In the interest of having the new landscape materials installed yet this season before weather conditions would prohibit such installation, the applicant asked staff if they could install the new materials before receiving Plan Commission approval of the revised plan. After having completed an initial review of the revised plan, staff found the plan to be in general conformance with the point value requirements of the GAC regulations. Based on the general conformance of the revised plan, staff advised the applicant that they could proceed with installation of the new plant materials at their own risk; with the understanding that if the plan changed as a result of either continued staff review or changes required by the Plan Commission, they would need to comply with the revisions. As staff we are comfortable with the landscape changes, our only comment is that some of the shrubs that were installed are only moderately salt tolerant, and so if the shrubs die or fail to thrive, staff would suggest that they be replaced with species that are more salt tolerant.

In regards to signage as shown on exhibit D-1, the proposal is to install a Shopping Center Identification Sign which is a type of sign that is allowed for this property in our sign code based on the size of the property and the size of the building. It is a type of sign that is permitted for this property. The Plan Commission does have the responsibility of approving the new ground sign as part of the GAC plans. The sign will be constructed of mostly of stone veneers and limestone, with the top of the sign will feature a modern, curved metal design element. The petitioner is also proposing a Windfall Development identification sign at the south end of the site as shown in exhibit G-1. Both signs are consistent with the GAC regulations.

The petitioner is asking for three sign code variations, the first one is to reduce the setback for this new sign from 40 feet as required to 15 feet. The petitioner explained the factors that would support this request; they want to maximize the visibility of this sign so motorists know who is in this center. The second sign code request is a small increase in the area, to allow the sign to go from 160 square feet to 180 square feet in area. The panel portion of the sign that will have the tenant names in it is 160 square feet; the WP logo and "Windfall Plaza" text at the top of the sign would add about 20 square feet to the total sign area. Staff thinks that this is a minor change and the logo is not commercial advertising, and we are comfortable with the request for the small variance for the area of the sign.

In regards to the setback staff acknowledges the significant investment being made to this property. We also note that in the past this was a single tenant building (formerly Home Base and then Value City) so you pretty much knew who was at this location. The whole idea here is to convert this into a multi unit shopping center and have the individual tenants have the ability to advertise their location, with the need for the individual tenants to advertise their location that would support the need for a highly visible sign. Also as the petitioner discussed, if you are heading southbound on Gary Avenue, there is only one entrance into the shopping center. That is unusual as most shopping centers have multiple ways to get into them; again in this case if

you are a south bound motorist, you have only one change to enter into the shopping center. Staff is comfortable with the variation to reduce the sign setback.

The third variation is to allow a second ground sign to be installed on the property just north of the right-in/right-out entrance at the southern end of the property that would say "Windfall Plaza". Staff initially deliberated as to whether this would even be a sign, or if it could simply be considered a landscape feature. However, per the definitions of the Sign Code, this structure is considered a sign. We note that the sign would be constructed of high quality materials that would tie in with the new design concept for the overall property. Based on the condition that this sign not be allowed to advertise any specific retail tenant, staff can support the variation to allow a second ground sign on the property.

Staff recommends approval of the minor modifications to the Planned Unit Development Plan, the revisions to the Gary Avenue Corridor Plan, and the Sign Code Variations, subject to the conditions listed in Page 9 of the staff report.

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

Commissioner Joseph wanted to know if semi-trucks and passenger vehicles would be using the same entrance into the shopping center. Commissioner Joseph wanted to know if the new dock area on the north side of center would be only for Savers. Commissioner Joseph wanted to make sure that the height of the new wall would be able to buffer any noise coming from the new dock area.

Mr. Bastian stated that the Engineering Services Department has reviewed the plans, and the curb radius is set up for semi-truck traffic. The petitioner at staff's recommendation did eliminate some landscape islands to improve the maneuvering of semi-truck traffic. Mr. Bastian stated that the new dock area on the north side would be for Savers only and the dock area on the south would be for the small shops and there is also an internal corridor for their use. Mr. Bastian stated that the wall should serve both esthetic purposes and should also reduce the noise level.

Commissioner Petella asked with the sign being fifteen feet off the road, is the village planning to prohibit right turns out of the center on a red light. Commissioner Petella wanted to make sure that the sign would not be an obstruction to traffic. Commissioner Petella asked the petitioner why they choose trees that would grow to sixty feet tall. Commissioner Petella wanted to remind the petitioner that being on the GAC you can not just remove the landscaping, you first need to talk to someone at the village.

Mr. Bastian wanted to clarify that the sign is not fifteen feet from the road; the sign would be fifteen feet from the property line, and the village is not planning making it a no right turn on a red light. Mr. Bastian stated he did do a site visit to the property and does not believe the sign would be a visibility problem with the sign being set back fifteen feet from the property line.

Mr. Ray Fang stated that they wanted a tree that would have a large trunk and limbs higher up. Mr. Ray Fang did give his apologies to the Plan Commission for removing the existing landscaping.

Commissioner Spink stated with the sign being fifteen feet back from the property line it may hinder the traffic coming from the north due to truck traffic. Commissioner Spink wanted to know what color the building was going to be. Commissioner Spink commended the Windfall Group for coming to Carol Stream and all their hard work on the shopping center.

Mr. Ray Fang stated the building would be painted a beige color.

Mr. Bastian stated the each tenant would have wall signs, and that would help motorists coming north bound see what types of business are in the center.

Commissioner Smoot wanted to know if all the landscaping on the west side of the property was already planted. Commissioner Smoot wanted to know if the petitioner could look into lighting that would not emit lighting into the atmosphere.

Mr. Cheung stated that the landscaping has been completed. Mr. Cheung stated that the building would have sconce lighting.

Commissioner Christopher did not have any questions for the petitioner.

Commissioner Creighton wanted to know if there was any thought of putting the sign on the other side of the driveway. Commissioner Creighton wanted to know if there would be a curb between the two pillars under the donation drop off canopy.

Mr. Cheung stated that the area on the other side of the driveway is an outlot and when it is developed that business would need a sign. Mr. Cheung stated that they would comply with the village requirements for the area under the canopy.

Chairman Michaelsen stated that with Gary Avenue being a very heavily traveled and salted road, the most important thing is that the plants need to be salt tolerant, and you will need to agree to replace the plant material as needed, but you may be replacing them on an annual basis. Chairman Michaelsen wanted to remind the petitioner that according to landscape drawing they would be planting three foot bushes, if the bushes need to be replaced you have to replace them with three foot bushes. Chairman Michaelsen stated that he likes the way the landscaping looks. Chairman Michaelsen wanted to know if Home Décor was still going to be in the building.

Mr. Cheung stated that Home Décor would still be in the center.

Commissioner Spink moved and Commissioner Petella made the second to recommend approval of the request for the Gary Avenue Corridor review / minor amendments to the Planned Unit Development Plan and recommended approval for the variation to the sign code subject to staff recommendations.

The results of the roll call vote were:

Ayes: 7 Chairman Michaelsen and Commissioners Spink, Smoot, Christopher, Petella,
Joseph and Creighton

Nays: 0

Absent: 0

Chairman Michaelsen reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on December 19, 2011, at which time the Board would take final action on the matter.

**Case # 11251 Village of Carol Stream – 500 N. Gary Avenue
Text Amendments – Zoning Code**

Chairman Michaelsen swore in the witness, Assistant Community Development Director Don Bastian, 500 N. Gary Avenue, Carol Stream, IL 60188.

Mr. Bastian stated that as you may recall that a whole host of text amendments were brought to the Plan Commission at the last meeting on September 26th. Twenty of the text amendments were recommended for approval and then went on to be approved by the Village Board. Two of the text amendment were tabled, so staff could do a little more homework and try to address some concerns that were raised by the Plan Commission. Here is some background on what staff was trying to achieve with the text amendments; to provide consistency, improve clarity and enhance the responsiveness of the code to meet customer needs. The proposed text amendment #2 would authorize staff to administratively approve improvements to properties in the Gary and North Avenue Corridors for which there is no significant correlation to the purpose and intent of the corridor regulations, and proposed amendment #21 would authorize staff to administratively approve minor changes to an approved Planned Unit Development Plan. What staff was hoping to accomplish with these text amendments, staff would be authorized to approve building permits for improvements involving exceedingly minor items without needing to require that the property owner obtain approval through the zoning hearing process. Staff heard the concerns on where you draw the line or what is the judgment criteria. Staff wanted to give you some background on cases that we think would fit into this category. The following are examples of minor property improvements or alterations, which exemplify the sorts of requests that could be handled administratively:

Case No. 03357, Premium Products Plus, Inc. – 505 E. North Avenue

The applicant wished to add windows to the front and side of the existing building. North Avenue Corridor Review was required, and was approved unanimously by the Plan Commission.

Case No. 04159, County Farm Plaza – SW Corner County Farm and Army Trail Roads

The owner of the shopping center wished to renovate and rehabilitate the façade of the approximate 110,000 square foot shopping center, which required approval of a minor modification to an approved Planned Unit Development Plan. Approved unanimously by the Plan Commission.

Case No. 07088, Tempo Graphics – 455 E. North Avenue

Tempo Graphics needed to install an overhead door and three rooftop mechanical units on the existing building. The door was to be located over 328 feet away from the North Avenue right-of-way line along the east side of the building, and would be fully screened from view by the building and dense existing landscaping. The rooftop equipment was to be screened in the conventional manner by fluted metal panels painted to match the building. North Avenue Corridor Review was required, and was approved unanimously by the Plan Commission.

Case No. 09300, Mr. Car Wash – 848 Army Trail Road

The business owner wished to construct a small canopy addition to the south side of the existing car wash building to provide a sheltered area for vehicles exiting the car wash. A minor amendment to the approved Planned Unit Development Plan for Heritage Plaza was required, and was approved unanimously by the Plan Commission.

Case No. 10321, Carol's Court – 293-317 S. Schmale Road

The developer had neglected to show on the approved PUD Plan the proposed vacuum stations for the car wash in the Carol's Court commercial development. Because the proposed vacuum stations were to be located within a required corner side yard, Plan Commission approval was required; however, had the vacuum stations been located beyond the setback and properly screened, staff would have been

inclined to view them as a minor modification to the approved PUD Plan, and Plan Commission approval would still have been required. The request was approved unanimously by the Plan Commission.

Staff has had a meeting with an architect about a month ago, the aerial photo that I just distributed shows you Colony Park Apartments located at 530-570 Gundersen Drive. Colony Park Apartments is a 14.44-acre property with 284 apartment units and a 2,558 square foot clubhouse. Colony Park would like to add about a 2,023 square foot addition to the existing clubhouse. The reason I brought this to the Plan Commission is to show an example of what staff would be able to approve without having to have the applicant come before the Plan Commission if the amendment to the text is approved. The current wording of the code requires a minor extension of an existing building would need to come before the Plan Commission for review and approval. Staff feels that this would be a minor project, not that staff does not value the input of the Plan Commission has, but this seems so minor, that having a project like this wait four to six weeks to go through a review process, staff feels that they can't justify that process with something as minor as this. Again this was an example of what staff would like to be able to approve with a building permit only.

Mr. Bastian state that staff did some research on what code requirements other communities had; using the Illinois APA Online forum staff asked the following question: "We are interested in how other communities handle minor changes to approved PUD Plans. Does anyone allow administrative approval of minor changes?" As shown on pages two and three of the staff report some communities said yes we do and some said no we don't. One of the communities that staff focused on was the response from Lombard. Lombard allows staff to approve minor change that do not include deviations for either the underlying zoning district or any adopted development agreement. One example of this would be the Carol's Court project located at 293-317 S. Schmale Road. In that case the zoning code said that the vacuum stations are not allowed to be located in the front yard, so the property owner needed to come before the Plan Commission. What staff likes about how Lombard's code reads is petitioners requesting minor changes to approved planned developments which do not include deviations from either the underlying zoning district or any adopted development agreements shall not be required to submit revised preliminary plan materials, but shall submit revised final plan documents to the Director of Community Development. Staff thought that was a good way to bring clarity or certainty into the code.

The two text amendment that we are working on is to allow staff to approve changes to Gary Avenue / North Avenue Corridor review that are not significant. When making that determination if the text amendment is approved we are going to look at the purpose and intent of the Gary and North Avenue Corridor Regulations. That is what staff is going to use to guide them in making a decision, we have already talked about some of the minor changes that we would consider not significant in the staff report. One of the ones we did not talk about was the case at 505 E. North Avenue in which a single roll-up dock door was added at a location with the roll-up mechanism visible from North Avenue. This work required North Avenue Corridor approval under the current code, and even though the alteration consisted of only a single door, staff would view this sort of work to require Plan Commission approval under the proposed text amendment, as the proposed change was a "significant" one, also a case like #11305 - 1175 N. Gary Ave were the petitioner removed / replaced all the landscaping would, this type of work would also still need to come the Plan Commission for approval. One example of the type of work that would not need to come before the Plan Commission would be if someone wanted to add or replace a roof top unit, staff would like to have the authority to authorize them to do that as long as they screened the equipment. What staff is proposing with respect to the Gary and North Avenue Corridor regulations are the text in blue:

(4) Application of these standards to existing development shall be initiated upon exterior additions to structures or upon significant changes to buildings or property as follows. Whether a change is significant shall be determined by the Community Development Director on the basis of the purpose and intent of the Gary and North Avenue Corridor regulations. as follows

This is where staff will get its guidance; staff will review the purpose and intent of the Gary North Avenue Corridor regulations, if the applicant is trying to do something that goes against that, they will have to bring it to the Plan Commission for approval. Also any new development will have to come before the Plan Commission.

The other text amendment we proposing is #21 what we are proposing are the text in blue:

Minor changes. Minor changes in the location, siting, and height of buildings and structures, and in the location of streets and ways of public access and in the size and location of open space, may be authorized by the ~~Plan Commission~~ Community Development Director as required by engineering or other circumstances not foreseen at the time that the final plan was approved. Whether an alteration constitutes a minor change to an approved planned development plan shall be determined by the Community Development Director in accordance with the following criteria:

1. Does not alter the concept or intent of the planned unit development;
2. Does not violate an adopted development agreement;
3. Does not increase the density of the development;
4. Does not result in any deviations from village standards for the underlying zoning district;
5. Does not result in a significant change in the size or location of any building;
6. Does not change the use of the site;
7. Does not result in a significant increase in building height;
8. Does not reduce open space by more than ten percent from the original planned unit development plan;
9. Does not change the proportion of housing types by more than 15%; or
10. Does not result in a significant change in road standards or locations.

The above list is to address some of the concerns that the Plan Commission had at the September 26th meeting.

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

Commissioner Creighton stated that he was still uncomfortable with the changes because he does not have the experience to know what is minor and what is not minor.

Mr. Bastian asked if Commissioner Creighton thought that after looking at the example of the Colony Park Apartment with the clubhouse addition would need to be a minor change.

Commissioner Creighton stated that he could not say. Commissioner Creighton referred to tonight's case where it stated a minor change to the PUD and applicant needed to come before the Plan Commission. Commissioner Creighton asked if the signage and the landscaping would be considered a minor change.

Mr. Bastian explained that there were a lot of aspects to the request of Case #11305, 1175 N. Gary Avenue tonight, sign code variations, minor change to the PUD and a complete new landscape plan, with the way the code is currently worded those are minor changes and the Plan Commission would still need see the project at 1175 N. Gary Avenue, because of the sign code variances and the need for GAC review for the new signs and the new landscape plan, this case would have had to come to the Plan Commission regardless, even if the proposed text amendments are approved exactly as they are written. Mr. Bastian stated that the signage and landscaping would not be considered a minor change. Mr. Bastian stated that if all the petitioner wanted to do was move the dumpster that would have been a minor change under the new text amendment.

Commissioner Joseph asked if a minor change would be if someone wanted to paint the façade signage.

Mr. Bastian stated that some requests would be a judgment call and staff will have to look at the purpose and intent of the corridor regulations and on the PUD's we are proposing to follow the ten judgment factors listed in the staff report to help guide us in determining if something is minor or not.

Commissioner Christopher agreed with the proposed text amendments.

Commissioner Petella agreed with the text amendment, but thought that if someone wanted to increase the size of a commercial building it should have to come before the Plan Commission.

Commissioner Spink stated that again it's an opinion and that's a problem it's not clarified. Commissioner Spink stated that an applicant may not understand what is minor and what is not.

After extensive discussion the Plan Commission recommended approval of the text amendment with the following revised wording.

Whether an alteration constitutes a minor change to an approved planned development plan shall be determined by the Community Development Director in accordance with all of the following criteria:

Commissioner Christopher moved and Commissioner Petella made the second to recommend approval of the request for Text Amendments #2 and #21 to the Zoning Code subject to revised wording recommended by the Plan Commission.

The results of the roll call vote were:

Ayes: 6 Chairman Michaelsen and Commissioners Spink, Smoot, Christopher, Petella, Joseph and Creighton
Nays: 1 Commissioner Creighton
Absent: 0

Chairman Michaelsen reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on December 19, 2011, at which time the Board would take final action on the matter.

**Case # 11312 Stantec Architecture / McDonalds Corporation –
1335 County Farm Road
Special Use – Amendment (Dual – Lane Drive – Through Service)
Variation – Off-site Parking**

McDonalds Corporation has asked for a continuance until the January 23, 2012 Plan Commission meeting to respond to the staff recommendation on the site design. Staff recommends that this item be continued until the January 23rd meeting, if the Plan Commission would take that step.

Commissioner Spink moved and Commissioner Petella made the second to continue Case # 11312 until the January 23, 2012, Plan Commission meeting.

The results of the roll call vote were:

Ayes: 7 Chairman Michaelsen and Commissioners Spink, Smoot, Christopher, Petella, Joseph and Creighton
Nays: 0
Absent: 0

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

Ayes: 6 Chairman Michaelsen and Commissioners Spink, Christopher, Petella, Joseph and Creighton
Nays: 1 Commissioner Smoot
Absent: 0

ADJOURNMENT:


At 9:00 p.m. Commissioner Spink moved and Commissioner Petella made the second to adjourn the meeting. The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,


Linda Damron
Community Development Secretary

Minutes approved by Plan Commission on this February 13, 2012.


Chairman