

**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***

**June 13, 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, Timothy McNally, Angelo Christopher, Ralph Smoot, Frank Petella and David Hennessey

Absent:

Also Present: James A. Rhodes, Village Attorney, Robert Glees, Community Development Director, Linda Damron, Community Development Department Secretary and court reporter from DuPage County Court Reporters.

**MINUTES:**

Commissioner Smoot moved and Commissioner Spink made the second to approve the minutes of the meeting May 9, 2011. The results of the roll call vote were:

Ayes: 6 Commissioners Smoot, Christopher, McNally, Spink, Hennessey and Chairman Michaelsen

Nays: 1 Commissioner McNally

Abstain: 1 Commissioner Petella

Absent:

Chairman Michaelsen stated that he would like to start with the presentation before the Public Hearing.

**Case # 11122 Blue Rhino LLC for Dominick's Finer Foods – 560 S Schmale Road**

Chairman Michaelsen swore in Dom Pizzuto, Distribution Manager for Blue Rhino, 560 S. Schmale Road, Carol Stream, IL.

Mr. Pizzuto distributed a copy of the presentation to the Plan Commissioners. Mr. Pizzuto stated that the board packet had most direct details about the location and the proposed request. Mr. Pizzuto would like to take this time to talk about the safety, regulatory compliance of the product. Mr. Pizzuto stated that the cylinder itself meets or exceeds all standards from the US Department of Transportation for containing the material. The cylinder standards are 240 PSI and Blue Rhino cylinder operates at 1,000 PSI. There is also a safety relief valve that will release at 375 PSI. The cylinder also has an overfill protection device valve (OPD) which makes it safe to transport. The cylinder itself is a secure vessel. On page 5 of the presentation is a list of all the regulatory bodies that Blue Rhino is accountable to. Mr. Pizzuto went over the steps that Blue Rhino takes to ensure the safety of the product, visual inspection of each tank & valve before processing, precision equipment that fills tanks by weight (this ensures that the cylinder is never over filled), certified operators monitor the process, and each valve is checked. Mr. Pizzuto stated that in the history of his company there has not been any fire started by a Blue Rhino product.

Mr. Pizzuto also stated Blue Rhino provides consumer safety information on each of their cylinders in both English and Spanish.

Mr. Pizzuto also talked about the design safety of the BR display. The display cage is designed specifically with the National Fire Prevention Associations regulations in mind. The display cage absorbs a vehicular impact. The display cages are vented in case a cylinder is leaking. Signage on the display cages have a 24/7 emergency number, regulatory information and warning. The display cages will be painted the same color to match the existing Dominick's building, the cages are made of an aluminum material and they will not rust, Blue Rhino will maintain the cages on annual basis.

Chairman Michaelsen asked Robert Glees, Community Development Director, for the staff report. Mr. Glees stated that the applicant is requesting approval of a minor modification to a Planned Unit Development Plan, to allow for the installation of two outdoor propane tank storage cages in front of the Dominick's Finer Foods store at 560 S. Schmale Road

Dominick's Finer Foods is embarking on a program to offer the sale of 20-pound propane gas cylinders at many of their stores, including the Carol Stream store at 560 S. Schmale Road. Blue Rhino LLC is the proposed supplier of propane for Dominick's, and they have received permission from Dominick's and the property owner, Regency Centers Corporation, to seek the approvals necessary to allow for the placement of two propane tank storage cages beneath the building overhang. Because Geneva Crossing Shopping Center was approved with a Special Use for Planned Unit Development, and since the site is subject to an approved Final PUD Plan, a minor amendment to the approved PUD Plan must be approved before the outdoor display and storage of propane tanks can be allowed. The cages would be installed immediately adjacent to one another, in the configuration shown in the staff report. The cages are proposed to be installed beneath the canopy/overhang in front of the store.

As a point of information, the PUD Ordinance that approved the Geneva Crossing Shopping Center contained specific, limited approval for outdoor merchandise displays. The Ordinance allows plants and garden items to be displayed between April 15 and June 15 each year, and these items can be seen in photographs in the staff report. To allow for the permanent installation of the outdoor propane tank cages, a minor modification to the PUD is needed.

In review of the request, staff's primary concerns involve the appearance of the cages, the extent to which pedestrian facilities would be impacted, and safety considerations. With respect to the appearance of the cages, we note that the cages would be placed beneath the 10 foot deep building overhang. At this location beneath the overhang, the cages will have minimal impact from an appearance standpoint. Regarding pedestrian facilities, we note that the cages are less than three feet in depth. Based on the 10 foot width of the existing sidewalk in this area, the proposed cage installation would not unreasonably compromise pedestrian accessibility in the general vicinity. Finally, from a safety standpoint, the Carol Stream Fire Protection District has reviewed the request and does not object installation, subject to the conditions noted in the staff report.

Staff recommends approval of the applicant's request for a minor modification to the PUD Plan to allow for the outdoor installation of two, side-by-side propane cylinder cages at 560 S. Schmale Road, subject to the conditions listed in the staff report:

Chairman Michaelsen asked if the Plan Commissioners had any questions regarding the staff report.

Commissioners Hennessy, Spink, Christopher and McNally did not have any questions

Commissioner Petella wanted to know if anyone has ever taken one of these cages.

Mr. Pizzuto stated that it would be very difficult to do so since each cylinder weights 30 pounds, with eighteen in each cage and the cage itself weights about 100 pounds.

Commissioner Petella wanted to know if the cages are chained to the wall.

Mr. Pizzuto stated that they do not chain them to the wall. The cages are locked with a high security lock.

Commissioner Smoot wanted to know if the cylinders would be filled on site.

Mr. Pizzuto stated the cylinders would be filled at Blue Rhino's home facility.

Chairman Michaelsen wanted to know if they take exchange tanks.

Mr. Pizzuto said yes.

Chairman Michaelsen wanted to know who would be dispensing the cylinders, a Dominick's employee?

Mr. Pizzuto stated a properly trained employee of Dominick's would be dispensing the cylinders. Dominick's has also posted the training material on their website so employees can review it when needed.

Commissioner Spink moved and Commissioner Petella made the second to recommend approval of the request for Planned Unit Development – Minor Modification with staff recommendations.

The results of the roll call vote were:

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

**PUBLIC HEARING:**

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

**Case # 11084            Bulldog Ale House (Fekrije Limani) - 1021 Fountain View Drive  
Special Use - Outdoor Seating Ancillary to a Restaurant  
PUD Plan Amendment  
Gary Avenue Corridor Review**

Chairman Michaelsen swore in the witness, Paul Marrin, Manager of Bulldog Ale House, 1021 Fountain View Drive, Carol Stream, IL 60188.

Mr. Marrin stated he submitted a letter and parking study as requested by the Plan Commission at the Plan Commission meeting on May 9, 2011, to Bob Glees, Community Development Director and Don Bastian Assistant Community Development Director. The study included having the staff park off site and doing another month of a parking count. Mr. Marrin stated the report shows factual evidence that the loss of parking in regards to the patio that Bulldog Ale

House is trying to build at 1021 Fountain View Drive will not be detrimental to the amount of spaces allotted for all business in the Fountains of Town Center, and to also show that the noise level will not be an issue for the surrounding residential properties. Mr. Marrin said he collected extensive data on weekends for the months of May and June. As asked Mr. Marrin's count included the parking spaces on Bulldog Ale House side and the spaces on Flip Flop's Tiki Bar and Grill side. The study shows that the lowest available parking spaces was seventy parking spaces. A copy of the parking chart is included in the staff report. Mr. Marrin also submitted a capacity count; a copy of the capacity count is included in the staff report. Mr. Marrin stated the capacity for Bulldog Ale House is 359; they never reached capacity, but were close on a few occasions. Mr. Marrin stated if you see the numbers for the capacity and compare the number of open parking spaces that even if Bulldog Ale House was at capacity there would still be ample parking.

Mr. Marrin stated that he also spoke with an audio/video technician to consult on the possible disturbance to the residential area just north of the Bulldog Ale House; the consultant went through the installation of the speakers. The consultant had explained to Mr. Marrin that the tweeters are what carries the sound over water and the type of tweeters that would be used are dome tweeters. The dome tweeters would be able to be angled down, and that would help keep the sound levels down. Mr. Marrin stated that a sound check would be conducted before the opening of the patio to ensure that the noise level is below 54db.

Mr. Marrin stated that with the parking count study and capacity counts he believes there is ample amount of parking.

Chairman Michaelsen stated that this meeting is a continuation of the Plan Commission meeting on May 9, 2011 to consider the request for Bulldog Ale House 1021 Fountain View Drive for an amendment Special Use for a restaurant to allow outdoor dining. The public hearing was continued until today to allow additional evidence regarding the parking at the subject site.

Chairman Michaelsen asked if anyone in the audience had any comments. No one had a question at this time.

Chairman Michaelsen asked Robert Glees, Community Development Director for the staff report. Mr. Glees stated that this report serves as an addendum to the report that was presented to the Plan Commission/Zoning Board of Appeals (PC/ZBA) at the May 9, 2011, meeting. At the end of the May 9<sup>th</sup> public hearing, the Plan Commission approved a continuation of the case to June 13, 2011, and Mr. Marrin was asked to collect parking data for the entirety of the parking areas at The Fountains At Town Center on Wednesdays, Fridays and Saturdays from 5:00 p.m. until 1:00 a.m. during the five weeks before the hearing resumes on June 13<sup>th</sup>. In addition, Mr. Marrin was asked to arrange for employees to park at an offsite location, to provide counts of the number of persons in the establishment, and to provide information regarding the design of the sound system and its audibility at the nearest residential properties. Included in the packet is a letter dated June 6, 2011, from Paul Marrin in response to the Plan Commission's requests. In the staff report addendum, staff provides information to the Plan Commission in the following areas:

- Parking requirements as evaluated during approval of the Planned Unit Development
- Parking counts and occupant loads for the period between May 13<sup>th</sup> and June 8<sup>th</sup>.
- Information regarding the design of the audio system.

Mr. Glees stated that information for the 2004 parking analysis is included in the staff report for purpose of information. This is background information to show how the capacity and parking

requirements were determined at the time the Planned Unit Development was approved. With respect to the parking count as requested by the Plan Commission, the petitioner has conducted a second study of available parking. In addition, the petitioner has provided information regarding the maximum number of guests at the *Bulldog Alehouse* on the evenings when parking counts were being conducted. Listed in the staff report are the results of the study. As requested by the Plan Commission, Bulldog Alehouse staff parked offsite during the days when parking counts were being conducted. The fewest number of available spaces observed during the sample periods was 70, which occurred during the 6:00 pm to 7:00 pm hour on Friday May 20<sup>th</sup>. Seventy spaces represent approximately 30% of the total capacity of 228 spaces. This peak parking demand occurred at a time when the Bulldog Alehouse was heavily occupied, with 308 guests being counted at 8:00 pm. The rated capacity of the Bulldog Alehouse is 359 persons.

The data provided by the second set of counts appears to corroborate the first set of counts conducted in April. Based on this data, staff concludes that there is sufficient parking for the present commercial tenants, even with the addition of an outdoor patio at the Bulldog Alehouse. With respect to future occupation of the vacant tenant spaces, staff recommends the Village continue to monitor the number and location of parking intensive uses in the future. It is conceivable that, if a significant parking shortage were found to exist, a limit may need to be placed on the number of high-parking-generators that could locate in the commercial buildings. An alternative to limiting the types of uses in the existing buildings may be to consider revising the approved PUD Plan to eliminate the medical office building in order to construct additional parking.

Mr. Glees stated that staff recommends approval of the Special Use Permit to allow for an outdoor seating area ancillary to a restaurant, the Amendment to the Final PUD Plan, and Gary Avenue Corridor Review, subject to the conditions in the staff addendum.

Chairman Michaelsen asked if the petitioner had any question from staff. The petitioner did not have any questions.

Chairman Michaelsen asked if anyone from the audience had any questions, for the staff report. No one had any question on the staff report.

Chairman Michaelsen asked if the Plan Commissioners had any questions for the witness regarding his testimony.

Commissioners McNally, Christopher, Smoot, Petella and Hennessey did not have any questions at this time.

Commissioner Spink wanted to know if Bulldog Ale House was going to have employees park offsite.

Petitioner Marrin stated that would be determined by the Plan Commission.

Chairman Michaelsen asked how many cars did you have park offsite.

Petitioner Marrin stated about 18 to 25 cars

Chairman Michaelsen stated that it may be necessary to add something to the conditions regarding having the employees park off site for the next couple of months and if it is determined that parking is not a problem, your staff maybe able to return to parking at the center.

Petitioner Marrin stated that would be something that Bulldog Ale House is willing to work with.

Chairman Michaelsen asked the petitioner if he has seen the staff recommendations.

Petitioner Marrin answered yes

Chairman Michaelsen asked if the Plan Commissioners had any additional questions for the petitioner

Commissioner McNally wanted to know if the signage above the patio would be in accordance with the village sign code.

Petitioner Marrin answered yes

Commissioner Petella wanted to know if the employees parked offsite how would they get back and forth to their car and are there going to be any safety issues.

Petitioner Marrin stated that they have a staggered times when employees come to work. Bulldog Ale House will shuttle employees back and forth. Employees will be accompanied by another staff member to their cars.

Chairman Michaelsen asked where the Bulldog Ale House employees are parking.

Petitioner Marrin stated that they have worked out an agreement with Lowe's.

Chairman Michaelsen asked if anyone in the audience had any comments.

Chairman Michaelsen swore in Bob, Jim, and Christine Sabalasky, owners of Flip Flop's Tiki Bar and Grill, 1030 Fountain View Drive Carol Stream, IL 60188.

Mr. Bob Sabalasky thanked the Plan Commission for seeing them again. Mr. Bob Sabalasky stated that they are coming back tonight to ask that the Plan Commission stand by the parking requirements and regulations that the village has approved in the PUD. We were very open at the last meeting to having another study done. We still feel that this is being rushed into. We came here tonight and we are totally against this being approved. We are asking that you do not approve this as proposed. Back in 2004 as listed in the staff report are the parking requirements for this development. If you look at the chart the restaurant area is weak, you have only 7,000 sq. ft. We have more than 7,000 sq. ft. Things have changed since 2004. Back in 2004 you promised us 252 parking spaces. The developer come to you and somehow got the approval to reduce it to 228, and now we have another request to reduce it even further, against the wishes of the existing tenants.

Mr. Bob Sabalasky asked if this is approved tonight is the Plan Commission prepared to look at all the parking requirements in all of Carol Stream, new and old, because that is what you are doing. If you approved this you are taking our development and changing it.

Mr. Bob Sabalasky stated there is still over 30% square footage in this development that is still vacant. Everyone seems to not want to address that. To say that the Village is going to monitor the businesses that go in, I don't think that is going to happen. I just ask that you consider that there are still vacant units in this development when you vote tonight.

Mr. Bob Sabalasky wanted to know if this is approved tonight who will be monitoring the offsite parking for the employees at Bulldog Ale House. Mr. Sabalasky also asked who will be monitoring the new businesses coming in. As a Village can you restrict or monitor businesses from coming in as long they fit into the confines of the PUD.

Mr. Bob Sabalasky asked the Plan Commission to please take all of this information into consideration when voting. If you approve this request there is no turning back. Please take into consideration all this information and that the seven original tenants do not want this request approved.

Mr. Jim Sabalasky stated that on the night that there was a count of 70 open parking spaces, his wife and he did a count and they came up with only 13 vacant parking spaces.

Mrs. Christine Sabalasky stated that she had seen employees from Bulldog Ale House walk by themselves to their cars and to the establishment. Mrs. Sabalasky does not think the sidewalk should be eliminated and she believes the sidewalk is very important.

Chairman Michaelsen asked the petitioner if he would like to respond.

Petitioner Marrin stated that he is under oath, I'm very upset with the continuing questioning the validity of my numbers. It was said that parking doesn't matter, parking does matter that is why we are here tonight. Petitioner Marrin stated that he was counting the cars and that the night in question there were 70 vacant parking spaces. Petitioner Marrin never saw one single person from Flip Flop's Tiki Bar and Grill out there counting. If the owners of Flip Flop's Tiki Bar and Grill were that concerned with losing parking spaces they should been out counting parking spaces and presenting a written report just like he did for the Bulldog Ale House. If they would have their numbers there could be some validity to them.

Petitioner Marrin hopes that the Plan Commission looks at the data that was presented by Bulldog Ale House.

Chairman Michaelsen asked if anyone from the audience had any questions. No one had any questions.

Chairman Michaelsen asked if the Plan Commissioners had any additional questions for the petitioner

Commissioner Hennessey had a few comments, he said he had been pondering over this case for the last month, in his two years on the board this has been the most emotional case. He feels that this has turned into a battle between Bulldog Ale House and Flip Flop's Tiki Bar and Grill and that is not what this is about. It is about the code, and what our responsibilities are. He believes both parties made great claims; the sidewalk issue is a valid point. Commissioner Hennessey stated he does believe the numbers of the parking study.

Commissioner Petella wanted to know if it would help if a third party did a parking count study.

Petitioner Marrin stated that if that would have been asked, Bulldog Ale House would have a hired a third party do the parking count study.

Commissioner Petella wanted to know the number of parking spaces, 228 and the request is to reduce it by 4 parking spaces.

Petitioner Marrin answered yes.

Commissioner Spink stated that the Plan Commission has already brought the parking space requirement from 252 to 228 and at that time, I was even questioning the parking when Flip Flop's Tiki Bar went into the center. There are five vacant units in the center and we do not know what types of needs those businesses may have. I feel that 70 vacant parking spaces are too few. I also have concerns about not having a sidewalk in front of the facility; not having a sidewalk takes away the handicap accessibility to the other units. Commissioner Spink also

noted that she has concerns about people using the back door to enter into the establishment and how it is monitored and if the patio was allowed how it would be monitored.

Petitioner Marrin stated that at each side of the patio there would be gates that would have alarms. The only way to enter in the restaurant would be from the front entrance.

Commissioner Smoot stated that his biggest concern is the businesses that may come in and with only 70 available parking spaces. Commissioner Smoot also has concerns with the blocking off the sidewalk in front of the establishment

Petitioner Marrin stated that the time that the count was taken with 70 available parking spaces was on a Friday night at 7:00 pm.

Commissioner Christopher and McNally did not have any questions.

Chairman Michaelsen stated that he wanted to address the handicapped issue. Chairman Michaelsen stated there is a handicapped stall on the other side of the proposed patio. Chairman Michaelsen stated that the Village would not allow the patio to go in without looking at the accessibility for the handicapped patrons, he believes the handicapped issued is resolved if the proposed patio is allowed.

Chairman Michaelsen stated the he feels the data from Bulldog Ale House is reasonable. Chairman Michaelsen stated that when the center is totally occupied there could be a parking issue. Chairman Michaelsen wanted to know if the village could prevent the Medical Center from being built.

Mr. Glees stated that the staff recommendation is for the village to continue to monitor the number and location of intended uses in the future, not to propose constraints at this time. Mr. Glees stated that with the parking study staff does not believe there is a parking shortfall. Mr. Glees wanted to point out the 252 parking spaces is the number of parking space that would be required for a number of stand alone uses under the categories given in the 2004 analysis, however if you read on what the staff report says, is the Planned Unit Development which is a mixed unit development and various businesses, will experience their peak parking demands at different times of the day. Staff is generally comfortable with the proposed amount of parking.

Chairman Michaelsen stated that he feels that when the other businesses do come in they would probably be the types of businesses that customers come and go quickly. Chairman Michaelsen stated that he feels that there would be ample parking and staff has done a good job understanding what retail and restaurant would be in the center and how the parking is needed.

Commissioner Petella moved and Commissioner Hennessey made the second to recommend approval of the request for Special Use – Outdoor Seating Ancillary to a Restaurant and PUD Plan Amendment, subject to conditions contained in the staff report, for Bulldog Ale House (Fekrije Limani) - 1021 Fountain View Drive

The results of the roll call vote were:

Ayes: 3 Chairman Michaelsen and Commissioners Petella and Hennessey  
Nays: 4 Commissioner Spink, Smoot, Christopher and McNally  
Absent: 0



Mr. Glees reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on June 20, 2011, at which time the Board would take final action on the matter.

**Case #: 11143                      Village of Carol Stream – 500 N. Gary Ave  
Text Amendment – Zoning Code**

Chairman Michaelsen asked Bob Glees, Community Development Director for the staff report. Mr. Glees stated that staff is recommending a text amendment to Article 12 of the Zoning Code in order to add standards of approval regarding donation drop boxes. Village staff has been approached several times in recent years by companies seeking to place donation drop boxes in Carol Stream. Such boxes are typically placed in high-traffic areas for the convenience of people wishing to donate clothing, shoes and small household items. The boxes may be operated by charitable organizations, or by for-profit organizations. Currently, such structures are viewed as commercial accessory structures in Carol Stream, and they must meet the requirements for use and location of such structures as specified in the Carol Stream Zoning Code. The code requires that the boxes be located on properties in the B-1, B-2 or B-3 Zoning Districts and be set back at least 80 feet from front and corner side property lines. In the case of properties located in zoning districts that would not permit commercial accessory structures, such as residential districts, the boxes may be reviewed and approved on a temporary basis under the section regarding Temporary Buildings, Structures and Uses of Land, although no such approvals have been granted to date. Staff believes it would be beneficial to establish community standards for these boxes, and so we have researched the standards in other communities and developed the proposed text amendment for that purpose.

In researching the standards of other communities, we have learned that standards vary. Some communities have no standards specific to this sort of use. Similar to Carol Stream, these communities consider the boxes as accessory structures. A few communities have prohibited the boxes altogether. Other communities, such as Wheaton and Woodridge, have developed standards for location, size and appearance. The ordinances recently approved in those two communities, which are based on a model ordinance developed by *USAgain*, are attached for reference in the staff report. For the purpose of assisting the Plan Commission and Village Board in their review of the proposed text amendment, we have summarized the issues into categories with the first being zoning. It is staffs recommendation that donation drop box be permitted as accessory structure, on properties in the B-1, B-2 and B-3 Zoning Districts, that contain a existing and operating permitted or special use, and also on properties occupied by an educational, religious, governmental or charitable use. In addition staff recommends that that donation drop boxes be permitted with in the Gary/North Avenue Corridors, provided that the location and appearance criteria proposed here are met.

With respect to bulk standards staff is recommending that donation drop boxes be restricted as follows:

1. No more than two boxes are allowed on a zoning lot less than two acres in size.
2. No more than three boxes are allowed on a zoning lot equal to or greater than two acres in size.
3. Each box shall not exceed seven feet in height and twenty-five square feet in ground area.

With respect to the location of the boxes staff has a number of recommendations:

1. Boxes must be located on an asphalt or concrete paved surface, but must not be located in a driveway or drive aisle and must not reduce the width of paved clear space for the passage of pedestrians to less than five feet.
2. Multiple boxes on any given lot must be located adjacent to one another.
3. Boxes may be located adjacent to any building façade with the exception of the front façade of buildings located within the Gary Avenue and North Avenue Corridors.
4. Boxes must not be located nearer than 40 feet from an adjoining lot in a residential zoning district.
5. Boxes must not be located nearer than 20 feet from the right-of-way line of any street other than Gary Avenue or North Avenue.
6. Boxes must not be located nearer than 30 feet from the right-of-way line of Gary Avenue or North Avenue.
7. Boxes must not be located nearer than five feet from a fire hydrant or fire protection system connection.
8. Boxes must not occupy or otherwise inhibit the use of any parking spaces that are required for the uses on the property.
9. Boxes must not be located in such a way as to disrupt the flow of vehicular or pedestrian traffic.

With regards to appearance staff has the following recommendations:

1. The permit application for the donation drop box must include proof of ownership or authorization from the property owner or authorized representative of the property upon which the donation drop box is to be located.
2. All donation drop boxes must have the following permanently affixed to the surface and clearly visible: the name and phone number of the box owner/operator and language prohibiting the placement of items outside of the donation drop box.
3. The operator of the donation drop box must register the business with the Village in accordance with Chapter 10 of the Municipal Code.
4. Signage on a donation drop box must pertain only to the owner/operator of that box
5. Donation drop boxes located within the Gary Avenue or North Avenue Corridors must be located or otherwise screened so as not to be visible from any public ways.

Mr. Glees stated that included in the staff report is the proposed text amendment to add a new section §16-12-1(F) and also a handout that would be made available to persons wishing to place a donation box in Carol Stream providing information necessary to get a permit and a Property Owner Authorization Affidavit.

Chairman Michaelsen asked if the Plan Commissioners had any questions regarding the staff report.

Commissioner Hennessey stated that he hopes this is enforced strictly so it does not be come unsightly.

Commissioner Petella stated that three drop boxes maybe a lot for one location.

Mr. Glees stated he did not think three would be too many. Three was the standard for other communities that staff looked at, and only properties larger than 2 acres in size would be allowed to have three boxes, properties smaller in size would only be allowed to have two.

Commissioner Petella wanted to know if staff talked to the Fire Department regard the distance from the fire hydrant.

Mr. Glees stated that staff did speak with the Fire Department; Mr. Glees also stated that the Fire Code allows three feet, and staff is recommending five feet.

Commissioner Petella wanted to know if the businesses handling the boxes be restricted to businesses from the state of Illinois

Mr. James Rhodes, Village Attorney, stated that you could not have such a restriction, but could have a specific contact person that is located in the state.

Mr. Glees stated that is one of the staff recommendations.

Commissioner Spink wanted to know if a permit was required to place an asphalt/concrete pad for the donation drop boxes.

Mr. Glees answered yes

Commissioner Smoot wanted to know if the box becomes unsightly can we have the owner of the box come in and refurbish the box.

Mr. Glees stated the Village has a Property Maintenance Code that would address this situation.

Commissioner Christopher did not have any questions.

Commissioner McNally stated the he thought that three feet from the fire hydrant may be a little shallow.

Mr. Glees explained that three feet is the Fire Code and staff is recommendation is five feet from the fire hydrant.

Chairman Michaelsen did not have any questions.

Commissioner Hennessey moved and Commissioner Christopher made the second to recommend approval of the request Text Amendment – Zoning Code regarding donation drop boxes.

The results of the roll call vote were:

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

Nays: 0

Absent: 0

Chairman Michaelsen asked for a motion to close the Public Hearing.

Commissioner Dee moved and Commissioner Hennessey made the second to close the Public Hearing. The motion passed by unanimous voice vote.

**NEW BUSINESS:**

**ADJOURNMENT:**


At 9:15 p.m. Commissioner Hennessey moved and Commissioner Dee 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 27<sup>th</sup> day of June, 2011.

  
\_\_\_\_\_  
Chairman