

**REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois**

**MAY 11, 2009**

***ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON***

Chairman Pro-Tem Angelo Christopher called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 p.m. and directed Recording Secretary Wynne Progar to call the roll.

Present: Commissioners Frank Petella, Timothy McNally, Angelo Christopher, Ralph Smoot, and Dee Spink (Commissioner Anthony Manzzullo resigned)  
 Absent: Commissioner David Michaelson  
 Also Present: Assistant Community Development Director Don Bastian and Wynne Progar, Recording Secretary

**MINUTES:**

Commissioner Smoot moved and Commissioner Spink made the second to approve the Minutes of the Meeting of April 13, 2009 as presented. The results of the roll call vote were:

Ayes: 5 Commissioners Petella, McNally, Smoot, Spink and Christopher  
 Nays: 0  
 Absent: 1 Chairman Michaelson

**PUBLIC HEARING:**

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

**#09097: Time Savers Inc. – 725 Kimberly Drive**  
***Special Use – Outdoor Activities and Operations***  
***Special Use – Equipment and Machinery Rental Operations***  
***Variations – Landbanked Parking***

David Malinowski, 311 S. Wacker Drive, Chicago, IL 60606 and Matt Lyons, General Mgr. Time Savers, Inc. St. Charles, IL were sworn in as witnesses in this matter. Mr. Malinowski explained that Time Savers, Inc. have a five year lease at 725 Kimberly Drive and would like to move their operations from Elmhurst to this location. This building has been empty for several years and formerly was used as a paint manufacturing process. He displayed elevations of both the front of the building and the back. Time Savers is a lift storage company that stores lift for interior and exterior job sites and they have snorkel lifts, fork lifts, and other specialized equipment. In order to move to the Kimberly location they will need a Special Use for Outdoor Activities and Operations to store some of their equipment in the parking lot. The front half of the warehouse as a repair facility and the back half will be storage area. The back half was built as an explosion proof area and it is still certified as such. Time Savers will store vehicles inside through a drive-in door in the back and a drive-out door at the front of the building and will be used for the lifts as well as the parking area. They plan on moving the existing fence closer to the road at the front of the facility and store the vehicles behind the fence, which request for additional parking spaces, Mr. Lyons noted that there are a total of 29 employees, many of which are not in the building on a regular basis. Those not at the building daily are 2 owners, 6 sales representatives and 5 on site repairmen. Those at the building daily are 2 mechanics, 1 Manager, 2 Executives, 2 dispatchers and

3 clerical staff. The balance of employees are union drivers who deliver the equipment. They are seeking to landbank a total of 38 parking spaces, 4 on the grass area at the corner of the building and the other 34 at various locations on blacktop and concrete around the building. The parking lot will then be re-striped in loop striping for the 28 parking spaces. They plan to put in a truck wash bay to clean the lifts on their return. This will have a triple bay basin and separator. It was noted that there are both water sprinkler and foam suppression systems and they will add a carbon detection system and a smoke evacuation system, per the Fire Department.

There were no comments or questions from those in attendance at the call for public hearing. Mr. Bastian stated that Time Savers, Inc. (TSI), an aerial lift dealer currently operating in Elmhurst, Illinois, would like to relocate their business to the property at 725 Kimberly Drive in Carol Stream, as their current site no longer meets their space needs. TSI's primary business is the rental of aerial work platforms, which are commonly referred to as scissor lifts or boom lifts. As they do in their current location, TSI wishes to store some of their equipment outdoors. As the Zoning Code lists *equipment and machinery rental operations* and *outdoor activities and operations* as special uses in the Industrial District, the applicant is requesting the necessary special use approval. The applicant is also requesting variations to landbank required parking spaces, and for many of the spaces to be landbanked on existing asphalt areas as opposed to within greenspace areas. The applicant is requesting a special use approval for an *equipment and machinery rental operation* and for *outdoor activities and operations*. The site plan and company narrative provide information as to how TSI would utilize the site. As seen in some of the site photos included on the site plan, the rear portion of the site is already enclosed with a seven foot tall chain link fence with screening slats. The fence currently extends across the parking lot and has a gate to provide vehicle access to the rear of the property. The applicant is proposing to extend the fence approximately 135 feet further to the west and install a new gate, which will increase the area available for screened outdoor storage on the property. The gray rectangles on the site plan show the configuration in which trucks and equipment could be stored on the property. Through the variation process, the Zoning Code allows parking spaces to be landbanked if a business can demonstrate that the number of parking spaces required by the Code is excessive in comparison to the anticipated parking demand, provided that the number of spaces required by the Code can be accommodated on the property. Staff can support the variations to allow landbanked parking, and for 34 of the 38 spaces to be landbanked on asphalt or concrete areas of the site, subject to the following suggested conditions:

- That the site should be re-striped to clearly indicate the 28 actual parking spaces that will be available for employee parking;
- That the parking lot striping should be done in accordance with the Village's looped striping detail;
- That the parking stalls should meet the minimum stall dimensions of 9 by 18 feet, as allowed in the Industrial District (the current spaces along the south property line are less than 17 feet in width);
- That if additional employee parking spaces are needed in the future, Village staff will be able assist the business owner in determining the quantity and location of spaces to be added.

Staff recommends approval of the special uses to allow an *equipment and machinery rental operations* and *outdoor activities and operations*, and also recommends approval of the variations to landbank 38 required parking spaces and for 34 of the landbanked spaces to be landbanked on existing asphalt as opposed to within greenspace areas, subject to the following conditions:

1. That the lift equipment shall be stored in the "down" position to minimize the visibility of the equipment from the street and adjacent properties;

2. That all equipment stored outdoors shall be stored within the fenced area of the site;
3. That the screening slats shall be maintained in good condition so as to provide effective screening of the storage area;
4. That no trucks shall be stored or parked overnight in the loading dock area in front of the building immediately adjacent to Kimberly Drive;
5. That the site shall be re-stripped to clearly define the 28 actual parking spaces that will be available for employee parking. The parking lot shall be re-stripped by September 1, 2009;
6. That the parking lot striping should be done in accordance with the Village's looped striping detail;
7. That the parking stalls should meet the minimum stall dimensions of 9 by 18 feet, as allowed in the Industrial District;
8. That if additional employee parking spaces are needed in the future, Village staff shall have the ability to assist the business owner in determining the quantity and location of spaces to be added;
9. That the applicant shall be responsible for maintaining at least 28 actual parking spaces on the site at all times, unless and until the Village requires the installation of all or a portion of the landbanked stalls;
10. That if installed, the landbanked parking spaces shall meet the greenspace and striping requirements at the time of installation, and shall also meet the other Village Code requirements, such as maximum allowable slopes for parking lots;
11. That at the time that a new tenant enters the building, the property owner shall either apply for a reaffirmation of the landbank variation, which will require review by the Plan Commission/Zoning Board of Appeals and final approval by the Village Board, or they shall provide the number of parking spaces required by the Zoning Code based upon the use of space of the building tenant(s); and
12. That the facility shall comply with all state, county, and village codes and requirements.

Commissioner McNally asked how many pieces of equipment they own and it was stated that Time Savers, Inc. has 700 pieces of equipment that are rotated through the area locations depending on use. The equipment is rented from Spring through Fall and any item that does not move are sold.

Commissioner Smoot asked if they would be putting a piece of equipment in front of the building to identify the business and was told absolutely not.

Commissioner Spink asked why they were moving away from Elmhurst and was told that the lease is done and they now have more equipment and needed a larger storage area. She asked if employees are permitted to store their personal items, such as camping trailers or boats and Mr. Lyons said that they are not permitted. Commissioner Spink asked if the fence will be moved or replaced and it was determined that it will be new fencing for the extension, but they will replace the posts and slats from the old into the new and there will be new gates as well. In response to the question of security cameras or motion sensors, it was noted that there are timers on the exterior lights that will turn off lights some and Pet had different hours. Commissioner Spink asked how many spaces will there be outside of the fence and it was stated that there will be 17 spaces for the driver's cars. The rest of the parking areas will be upgraded by re-striping using the loop system.

Chairman Pro-Tem Christopher asked questions about the air quality safety and it was noted that the scrubbers meet OSHA requirements. In regard to the wash facilities, a separator will be installed along with a triple basin as well as an ejector pit. All employees are certified for the work done.

Commissioner Smoot asked if there are plans to use "dark sky" lighting and it was said that they will ask about retro fitting the current installations.

Commissioner Smoot moved and Commissioner Petella made the second to recommend approval of a Special Use for Outdoor Activities and Operations and Equipment and Machinery Rental Operations in accordance with staff recommendation. The results of the roll call vote were:

Ayes: 5 Commissioners Petella, McNally, Smoot, Spink and Christopher  
Nays: 0  
Absent: 1 Chairman Michaelsen

Commissioner Smoot moved and Commissioner Spink made the second to recommend approval of a variance for landbanked parking spaces in accordance with staff recommendations. The results of the roll call vote were:

Ayes: 5 Commissioners Petella, McNally, Smoot, Spink and Christopher  
Nays: 0  
Absent: 1 Chairman Michaelsen

The petitioner was reminded that these matters will be heard by the Village Board at their meeting on May 18, 2009 and was advised to attend that meeting.

**#0098: Dupage Center for Spiritual Living – 150 E. St. Charles Road  
Planned Unit Development – Amendment**

Michael Speer, 150 E. St. Charles Road was sworn in as a witness in this matter. He explained that the request is for an amendment to an existing PUD on St. Charles Road. The Dupage Center for Spiritual Living has been in existence for 30 years and has been in Glen Ellyn for about 15 years. It's a spiritual, motivational teaching center, with offices, classrooms, meeting rooms and a Book Store.

There were no questions or comments from those in attendance at the call for Public Hearing. Mr. Bastian stated that The DuPage Center for Spiritual Living (DCSL), which is currently located at 1200 Roosevelt Road in Glen Ellyn, would like to move their operation to a tenant space within the building at 150 E. St. Charles Road in Carol Stream. The DCSL is a spiritual and motivational teaching center that includes offices, meeting and classroom space, and a bookstore. When the overall 40-acre tract that includes the property at 150 E. St. Charles Road was annexed in 1978, it was zoned I Industrial District. A Special Use for Planned Unit Development was also approved for the entire tract through Ordinance 78-06-25. As a point of information, as set forth in §16-16-9 (Industrial Planned Unit Developments) of the Zoning Code, Industrial Planned Unit Developments allow the uses listed in the Industrial District as well as the permitted uses of the B-3 Service District.

When representatives from the DCSL contacted the Village about relocating their operation to 150 E. St. Charles Road, staff advised them that their proposed use was not listed as an allowable use in either the I Industrial District or the B-3 Service District. As such, the use is not currently allowed on this property. For the DCSL to operate at the proposed location, either the Zoning Code text would need to be amended to list DCSL's use as an allowable use in the I Industrial District or B-3 Service District, or the Planned Unit Development for this property would need to be amended to specifically allow the use. After discussions with Village staff, DCSL Co-Director Michael Speer filed an application seeking to amend the Planned Unit Development to allow the spiritual and

motivational teaching use in the building at 150 E. St. Charles Road. Based on the nature of the DCSL use, staff supports the option that the petitioner is pursuing in hopes of obtaining the zoning approval needed to operate their facility at 150 E. St. Charles Road. The use is best described as a spiritual and motivational teaching center, which will consist of classrooms, meeting space, offices, and a bookstore. While the anticipated operational characteristics of the use will be discussed in more detail below, staff does not have any particular objections or concerns with the use. However, staff does not believe that it would be appropriate for this type of use to proliferate within the Village's I Industrial or B-3 Service Districts. Since the applicant's request is to amend the existing Planned Unit Development for this property only, if the request is approved, the use would not be allowed on other properties zoned I Industrial District or B-3 Service District. Instead, the use would only be allowed at 150 E. St. Charles Road.

### **Operational Characteristics**

As set forth in the cover letter from DCSL Spiritual Director Mary Beth Speer, DCSL would occupy about 6,800 square feet within the existing 32,977 square foot building. A copy of the activities schedule from April 2009 (obtained from DCSL's website – [www.dupagecenter.org](http://www.dupagecenter.org)) is attached. The typical activities at the DCSL include the following:

- Office facilities, open at least four days a week;
- Classes and study groups for between 4 and 20 people, conducted between 7:00 am and 10:00 pm (usually only one class or study group is conducted during a single time slot);
- Workshops, usually serving between 15 and 30 people, conducted at various times throughout the year;
- A bookstore, open all hours when the DCSL is open to members and visitors;
- Two larger teaching services on Sunday mornings at 9:00 am and 10:30 am;
- Small meetings of special groups and committees at various times during the day and evenings; and
- Counseling and coaching sessions, as required.

The property is improved with 97 parking spaces. Based on this number of spaces, there is enough parking to accommodate a 60%/40% office/warehouse use of space in the entire building, which would be an unusually high percentage of office space for an industrial building. It should be noted that with DCSL's use, the peak parking demand would occur on Sunday mornings, which is a time period when future building tenants would likely be closed. Also, in their cover letter, Ms. Speer indicates that many of the Sunday session attendees would carpool, thereby reducing the overall parking demand. Based on this analysis, staff does not believe that there will be any problems related to parking associated with the DCSL use.

As a point of information, the applicant should be aware that the proposed use will represent a change of use within the building tenant space, as defined by the various applicable building codes. As such, the proposed tenant space may require modifications and upgrades in order to comply with the building codes prior to the Village granting occupancy for the use in the space. Also, during our site inspections, staff noted that the parking lot striping is faded to the extent that it is difficult to clearly see the existing spaces. As such, we are recommending that the parking lot be re-stripped by the property owner.

Staff recommends approval of the amendment to the Planned Unit Development to allow for the operation of a spiritual and motivational teaching center use at 150 E. St. Charles Road, subject to the following conditions:

1. That the necessary building permits will be obtained and the required work will be completed in the tenant space to address the change of use, prior to the Village issuing a Certificate of Occupancy;
2. That the property owner must re-stripe the parking lot prior to occupancy by the DCSL or July 31, 2009, whichever is sooner; and
3. That the business use and maintenance of the property shall comply with all state, county and Village codes and requirements.

Commissioner Spink asked if units A – F remain as they are or be changed and it was stated that the current offices will be expanded to add a bathroom and kitchen, as well as 2 entrances at the main entrance and 1 fire exit at the northeast corner of the building. There will be a receptionist at the main entrance and interior directional signage to different areas.

Commissioner Smoot commented that with services held on Sunday morning this sounds more like a church. Mr. Speer said that this is a 200 member organization around the world that sponsor meetings and retreats. He said that the number of attendees range between 45 and 90, and participants are counseled in savings, and conservation and many of them do car-pool to meetings and events.

Commissioner McNally asked what the tax status is and was told that it is a 501 ( c ) ( 3 ) tax exempt group.

Commissioner McNally moved and Commissioner Petella made the second to recommend approval of the amendment to a Planned Unit Development at 150 E. St. Charles Road in accordance with staff recommendations. The results of the roll call vote were:

Ayes:	4	Commissioners Petella, McNally, Spink and Christopher
Nays:	1	Commissioner Smoot
Absent:	1	Chairman Michaelson

The petitioner was reminded that these matters will be heard by the Village Board at their meeting on May 18, 2009 and was advised to attend that meeting.

Commissioner Smoot moved and Commissioner Spink made the second to close the Public Hearing. The results of the roll call vote were:

Ayes:	5	Commissioners Petella, McNally, Smoot, Spink and Christopher
Nays:	0	
Absent:	1	Chairman Michaelson

Under New Business, Mr. Bastian suggested that a motion be made to cancel the meeting to be held on May 25, 2009 since that is Memorial Day. Commissioner Spink moved and Commissioner Petella made the second to cancel that meeting. The results of the roll call vote were:

Ayes:	5	Commissioners Petella, McNally, Smoot, Spink and Christopher
Nays:	0	
Absent:	1	Chairman Michaelson

At 8:15 p.m. Commissioner Spink moved and Commissioner McNally made the second to adjourn. The motion passed by unanimous voice vote.