

**Regular Meeting-Combined Plan Commission/Zoning Board Of Appeals  
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois**

**January 14, 2008**

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

Chairman David Michaelson called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 PM and directed Recording Secretary Wynne Progar to call the roll.

- Present: Commissioners Anthony Manzzullo, Angelo Christopher, Ralph Smoot, Lateef Vora, Dee Spink, Joyce Hundhausen and David Michaelson
- Absent: None
- Also Present: Village Planner John Svalenka and Recording Secretary Wynne Progar

**Minutes:**

Commissioner Smoot moved and Commissioner Spink made the second to approve the Minutes of the meeting of December 10, 2007 as presented. The results of the roll call vote were:

- Ayes: 5 Commissioners Manzzullo, Christopher, Smoot, Spink & Michaelson
- Nays: 0
- Abstain: 2 Commissioners Vora and Hundhausen
- Absent: 0

**Public Hearing:**

Commissioner Smoot moved and Commissioner Spink made the second to open the public hearing. The motion passed by unanimous voice vote.

**A. #06362: *Village of Carol Stream – 500 N. Gary Avenue  
Text Amendment – Subdivision Code Articles 2 and 3;  
Zoning Code Articles 12, 16 and 18 – Regarding Utility Structures***

Mr. Svalenka briefly summarized this case, stating that this is in regard to a utility structures text amendment to the Zoning Code and the Subdivision Code and it has been continued several times since February, 2007. Staff has been waiting on Roselle and Wheaton to finalize their similar ordinance and Roselle has finally approved their ordinance and Wheaton is almost done. Staff has revised text amendments based on those two communities and anticipates having the final documents ready for approval on February 11<sup>th</sup>. He noted that staff has added extra conditions that were not originally advertised in the initial public hearing notice, so a new public hearing notice will be published for February 11<sup>th</sup>. Staff is requesting a continuance to February 11, 2008. Commissioner Manzzullo asked if this will actually be ready for public hearing on the 11<sup>th</sup> and Mr. Svalenka said that the revised text amendment was submitted to staff for review and the comments are due this Friday 1/18. Commissioner Manzzullo asked if more time should be given at this point just to be sure the proposed amendment will be ready and Mr. Svalenka said that he foresees everything coming into place this week. Commissioner Spink asked if Wheaton has finalized their ordinance and Mr. Svalenka replied that the ordinance for both communities is being done by the same attorney, and Roselle has approved it and Wheaton has received the final draft.

Commissioner Hundhausen moved and Commissioner Vora made the second to continue this matter to the meeting of February 11, 2008 as recommended by staff. The results of the roll call vote were:

Ayes:	7	Commissioners Manzzullo, Christopher, Smoot, Vora, Spink, Hundhausen and Michaelson
Nays:	0	

**B. # 07319: WAS Central Park II, LLC – 476 – 496 W. Army Trail Road  
Planned Unit Development – Final Plan Amendment**

Christopher Dix, Shiner Group, 3100 N. Dundee Road, Northbrook, IL was sworn in as a witness in this matter. He explained that the original PUD adopted for the property at 476 – 496 W. Army Trail Road did include an end unit with drive-up service. A contract for that tenant did not materialize, but currently Einstein Bagels is interested in leasing two units for a bagel store, but there is a short fall of three parking spaces for the use. After discussing the options with Mr. Svalenka, The Shiner Group has decided to request an amendment to the Final Plan for this development to not require three additional parking spaces in the original PUD. Mr. Dix explained that the other tenants, Sherwin Williams has approximately 3 customers per hour in the early morning and Tres Jolie Nails has intermittent daily customers. Einstein Bagels largest amount of traffic will be from 6:30 am to 9:00 am, another spurt of traffic at the lunch hour and then they close at 5:00 pm., so it does not appear to be critical for the three additional parking spaces for any of the businesses. Mr. Dix explained that there are cross access agreements with AmCor Bank to the east and 7-Eleven gas station to the west.

Mr. Svalenka stated that the Village Board approved a Final Planned Unit Development Plan for the shopping plaza and for a drive-up service window on the lot at 476-496 Army Trail Road. Currently there is a Sherwin Williams Paint Store and Tres Jolie Nail Spa that occupy the building. The proposed 2,743 sq. ft. Einstein Bagel restaurant requires more parking than currently available on the lot. The Zoning Code allows up to 10% of a shopping plaza to be used for restaurant use and this use would require three more parking spaces than are on the lot. Staff reviewed the request based on the parking demand of the other tenants in the plaza. Einstein Bagels would have peak hours between 6:00 am and 9:00 am and a smaller peak during the lunch hour of 11 am to 1 pm. Sherwin Williams is open from 7am to 7 pm and does not have a noticeable peak hour, only about 1 to 2 cars per hour. The Tres Jolie Nail Spa does not have a large peak hour, therefore staff believes that there is plenty of parking available for the other businesses in the plaza during Einstein's' peak in the morning and plenty of parking available during the lunch hour rush, and since Einstein closes at 5 pm, evening parking is not a problem. Mr. Svalenka noted that the previously approved drive-up service window anticipated a coffee shop so there was an exemption from the Code to allow eight stacking spaces instead of ten on the premise that it would be something of a coffee shop type use, and while Einstein is not a coffee shop staff believes that it will operate similar to that with quick service through the drive-up window. Staff also believes that the drive-up window will reduce the need for parking spaces in the lot. Similar PUD parking exemptions have been approved in the past, specifically at the Shoppes at Carol Stream, North Avenue and Schmale Road and at the Fountains at Town Center at Lies and Gary Avenue.

Mr. Svalenka said staff finds that plenty of parking should be available during the major morning peak for Einstein Bros Bagels because most of the other businesses in the shopping plaza will not yet be open. Staff finds that plenty of parking should be available during the minor lunch peak for Einstein Bros Bagels because the other businesses in the shopping plaza will not be busy. Staff finds that plenty of parking should be available

during the evening hours because Einstein Bros Bagels closes at 5:00 p.m. Staff finds that the drive-up queue will move faster than that of the average fast food restaurant, similar to a coffee shop use, and that this faster-moving drive-up will reduce the parking demand by providing a quicker alternative to parking and walking into the building. Staff notes that the Village has approved similar exemptions from the Zoning Code through a PUD to allow reduced parking, and that the proposal involves a lesser exemption than previous approvals. In view of these factors, staff supports the petitioner's request.

Staff recommends approval of the requested amendment to the approved Final Planned Unit Development Plan in accordance with Section 16-16-5 of the Carol Stream Zoning Code to allow an exemption from the Off-Street Parking requirements of the Zoning Code for a reduction in the required parking from 52 spaces to 49 spaces to allow a 2,743 square foot Einstein Bros Bagels restaurant at 476-496 Army Trail Road, subject to the following conditions:

1. That the Village will monitor the uses in the shopping plaza, and if a significant recurring parking shortage comes to exist, parking intensive uses may need to be limited or restricted; and
2. That the facilities must comply with all state, county, and village codes and requirements.

There were no comments or questions from those in attendance at the call for public hearing.

Commissioner Hundhausen asked what other businesses are planned for the other spaces that are available and Mr. Dix said that given market conditions these days, they would probably take any tenant they could get. He said that it would be a small shop use and would not require that many parking spaces.

Commissioner Spink asked how big the Einstein menu is and do they have a separate breakfast and lunch menu? Mr. Dix said that he does not represent Eisenstein Bagels, but the developer. Commissioner Spink asked how many seats will be available in the building and Mr. Dix said that he does not have that information. In response to the question about hours of operation, Mr. Dix said that they have fewer hours on Saturday and Sunday than on the weekdays. Commissioner Spink asked Mr. Svalenka who will decide on the number of parking spaces when the original tenants leave and John said that the Zoning Code has specific standards that allow only 10% of food service use in a shopping plaza unless additional parking spaces are provided. Commissioner Spink said that she is concerned because of the change in marketing, a certain business might be ok today, but tomorrow they will get more creative in the type of menu or hours of operation to attract additional business and the parking will be more critical.

Mr. Svalenka said that the parking requirements for a restaurant are based on the entire square footage of the unit, so it could be a very small kitchen and a large eating area or a large kitchen and small eating area and the parking requirements will be the same. Commissioner Spink asked where the employees will park and was told that it would be at the rear of the building. She asked if the employee parking spaces are included in requirements. Mr. Svalenka said that the Zoning Code does not stipulate where the employee parking is provided, but there are enough spaces on this zoning lot to provide parking except for being short by three spaces.

Commissioner Manzzullo asked if there was going to be another ingress/egress available besides the 7-Eleven and Mr. Svalenka said that the site will not change and rather than construct three new spaces, the site will remain the same and request an exemption to not construct the three spaces.

Chairman Michaelsen asked what the term of the lease is and was told that it is for 5 years. In response to the question regarding location, it was explained that Sherman

Williams is the largest space, the nail salon is east of the Sherman Williams and Einstein is two spaces on the east end and that there are two spaces available at the west side of the building.

Commissioner Hundhausen commented that the access road that is behind this property has a lot of foliage that now seems to be obstructing traffic view rather than screen and Mr. Svalenka noted that he recently inspected the landscaping and it is according to the landscape plan that was approved.

Commissioner Hundhausen moved and Commissioner Manzzullo made the second to recommend approval of the request for an amendment to a Final Planned Unit Development Plan to allow an exemption from the Off-Street Parking requirements of the Zoning Code for a reduction in the required parking from 52 spaces to 49 spaces to allow a 2,743 square foot Einstein Bros. Bagels restaurant at 476-496 Army Trail Road in accordance with staff recommendations. The results of the roll call vote were:

Ayes:	6	Commissioners Manzzullo, Christopher, Smoot, Vora, Hundhausen
		& Michaelson
Nays:	1	Commissioner Spink

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on Tuesday, January 22<sup>nd</sup> and was advised to attend that meeting.

Commissioner Manzzullo moved and Commissioner Smoot made the second to close the public hearing. The results of the roll call vote were:

Ayes:	7	Commissioners Manzzullo, Christopher, Smoot, Vora, Spink, Hundhausen and Michaelson
Nays:	0	

**New Business:**

Commissioner Hundhausen moved and Commissioner Christopher made the second to cancel the Regular Meeting on January 28, 2008 because there are no scheduled cases for that meeting. The results of the roll call vote were:

Ayes:	7	Commissioners Manzzullo, Christopher, Smoot, Vora, Spink, Hundhausen and Michaelson
Nays:	0	

**Report of Officers:**

Chairman Michaelson wished everyone a Happy New Year and said that he is pleased that everyone is in attendance and that he hopes that there will be full participation at every meeting throughout the year.

**Adjournment:**

At 7:50 pm, Commissioner Manzzullo moved and Commissioner Spink made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD

