

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

March 26, 2007

All Matters on the Agenda may be discussed, amended and acted upon

Chairman Don Weiss 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 Christopher, Smoot, Vora, Spink, Michaelson,
 Hundhausen and Weiss
 Absent: None
 Also Present: Village Planner John Svalenka and Recording Secretary Progar

MINUTES

Commissioner Smoot moved and Commissioner Spink made the second to approve the Minutes of the Meeting of March 12, 2007 as presented. The results of the roll call vote were:

Ayes:	6	Commissioners Christopher, Smoot, Vora, Spink, Michaelson & Weiss
Nays:	0	
Abstain:	1	Commissioner Hundhausen

PUBLIC HEARING:

**#06117: Levato and Kotche – Northeast corner of Gary Avenue and Lies Road
 Special Use Permit – Planned Unit Development
 Preliminary/Final PUD Plan Approval
 Special Use Permits – Shopping Plaza, Drive-up Service Window, Bank
 Gary Avenue Corridor Review**

Keith Kotche, 1060 Lake Street, Hanover Park, IL, Mark Henderson, 19 S. Bothwell, Palatine, IL and Patrick Marzullo, 1020 W. Devon Ave., Elk Grove Village, IL were sworn in as witnesses in this matter.

Mr. Kotche explained this development is directly across from the Town Center and it is understood that this development requires a greater degree of building integrity and design criteria. A problem is that this proposed development is located on a corner within the Gary Avenue Corridor overlay district and requires certain setbacks as well as wet land, flood plain and detention areas all of which limits the way buildings can be built.

The staff has noted that they have no objection with regard to the business planned unit development as well as the shopping center PUD. Mr. Kotche noted that the planning of this development began with staff in January of 2006 and has been reconfigured over that time to what is being presented tonight. There are three different drive-up locations within the multi-building shopping center and the developer is in agreement with the suggested changes made by staff. In regard to the special use for the bank, this bank will be named the Carol Stream Bank & Trust and will be under the Win Trust organization. In regard to the preliminary/final PUD Plan is supported by staff with the exception that the drawing be labeled appropriately and which will be done prior to the Village Board Meeting as requested. In regard to the Gary Avenue Corridor Review, the 100-foot setback has been addressed as well as the multiple building setback requirements. Staff requests that all dumpster enclosures be of similar

materials to the buildings and the developer agrees. Internal pedestrian traffic is another concern under the GAC, and after much discussion, the developer feels that an internal walkway that goes along Gary Avenue and could be extended to meet a future walkway along the wetland area. Lastly, the landscape requirements under GAC review have all been met and exceeded as well as all of the other criteria. Mr. Kotche concluded with a request for a recommendation of approval of the five special uses in accordance with staff recommendations and approval of the Gary Avenue Corridor Review.

There were no comments or questions from those in attendance at the call for public hearing. Mr. Svalenka stated that Keith Kotche of Levato & Kotche has submitted an application for several zoning approvals to allow a multi-building commercial development at the northeast corner of Gary Avenue and Lies Road. The applicant is proposing to construct four buildings with common parking facilities as a Planned Unit Development. Three buildings are proposed as multi-tenant retail buildings, for which the petitioner has requested approval of a Special Use for a Shopping Plaza. The petitioner has requested approval of a Special Use for a bank for the fourth building. Two of the shopping plaza buildings and the bank are proposed to include drive-up service windows, for which the petitioner has requested approval of a Special Use. The petitioner has also requested Gary Avenue Corridor Review, as the site is within the Gary Avenue Corridor.

Levato and Kotche are requesting that a Special Use for Planned Unit Development be approved for the property. In consideration of the request for Planned Unit Development for this property, staff notes the following language contained in the Planned Unit Development section (Article 16) of the Zoning Code.

From the developer's perspective, obtaining approval of a Planned Unit Development will allow for four buildings to be located as a unified development, as well as the possibility for some flexibility in zoning standards, as will be discussed in detail later in this report. The petitioner intends to subdivide the lots in the future and has included proposed lot lines on the PUD plans for approval.

In review of the request for Planned Unit Development, staff notes that this property has several unique characteristics that have the potential to constrain its development. First and foremost, the property is located at Carol Stream's Town Center, and thus a high level of quality is called for in terms of architecture, landscaping, business uses and community enrichment. Second, because the property is a corner lot and is located within the Gary Avenue Corridor Overlay District, the buildings and parking areas have increased setbacks, which leave less land area available for development. Third, there are large flood plain and wetland areas along the Gary Avenue and Lies Road frontage that cause the building and parking areas to have increased setbacks. Finally, the storm water management area to the north has created an odd shape to the north end of the site, which constrains the shape of the building and parking area. Staff notes that storm water detention for the property is provided within the aforementioned facility to the north.

In view of these factors, and due to the high profile nature of this property in Carol Stream, staff does not object to the developers' request for a Special Use for Planned Unit Development for this property. The other special use requests, and specific details of the Preliminary/Final PUD Plan, will be discussed in detail in the remaining sections of this report. In addition, the developer is requesting several exemptions from the standards of the Zoning Code as part of the Planned Unit Development process. The requested exemptions will be discussed in detail later in the report.

The applicant is requesting a Special Use for a *Shopping Plaza*, which the Zoning Code defines as "a commercial development in excess of one acre of land, improved with a structure containing three or more distinct and separate retail businesses, also sharing common parking areas and access drives." The proposed shopping plaza would contain a total of 18,910 square feet of shopping plaza space in three buildings. While a bank has been identified for Building 4, no other commercial tenants have been identified at this time.

Access to the site would take place through a right-in/right-out access at Gary Avenue and a full access point at Lies Road. The full access at Lies Road would be located opposite the full access drive approved for CVS on the south side of Lies Road. Once on site, drivers would drive through parking lot drive aisles to access the various buildings and parking areas. The proposed drive aisles are situated in such a way that drivers may make a continuous loop around the development without leaving the site.

Regarding parking, the bank building requires parking at a ratio of one space per 400 square feet, which would result in a parking requirement of 16.4 spaces. The three shopping plaza buildings require parking at a ratio of one space per 250 square feet, which would result in a parking requirement of 75.6 spaces. A total of 92 parking spaces are required on site, which would allow 1,891 square feet (10%) of the shopping plaza buildings to be used for food service uses. However, the site plan includes 140 parking spaces, which would allow the petitioner to allocate greater than 10% of the shopping plaza buildings to food service use. The Zoning Code requires an additional 6 parking spaces per 1,000 square feet of food service uses above 10%. As shown in the table, the 48 extra spaces provided over the 92 required allow an additional 8,000 square feet to accommodate food services uses. Therefore, a total of 9,891 square feet may accommodate food service uses. From a practical standpoint, Building 2 is proposed as a 4,350 square foot single-tenant building with a drive-up service window, and is likely to contain a restaurant. Assuming Building 2 does accommodate a food service use, 5,541 square feet of Building 1 and Building 3 could accommodate additional food service uses. If the Plan Commission were to recommend approval of the Special Use for the Shopping Plaza, staff would advise that the recommendation include the condition that Building 1, Building 2, and Building 3 combined shall not be permitted to have more than 9,891 square feet allocated toward food service use.

Staff notes that there are a number of parking spaces behind Building 1 and Building 3 that would be of little use as customer spaces. The site plan does not indicate any employee parking areas, and staff questions whether these spaces would be dedicated as employee parking. Staff encourages Plan Commission discussion on the matter.

The applicant is requesting exemptions from the standards of the Zoning Code as part of the PUD process, and these are related to required setbacks for the shopping plaza. Based upon the Gary Avenue Corridor standards, the buildings are required to be set back no more than 100 feet from Gary Avenue. All four proposed buildings are set back more than 100 feet from Gary Avenue. The setbacks range from approximately 124 feet for Building 4 to approximately 272 feet for Building 3. The increased setbacks for Building 2 and Building 3 are simply because of the overall concept of a multi-building shopping center, where these two buildings are behind Building 1 and Building 4. Staff does not object to the concept of a multi-building shopping center, and therefore does not object to the increased setback for these two buildings. The increased setbacks for Building 1 and Building 4 are because of an approximately 60-foot wide flood plain and wetland area along Gary Avenue. The site plan is designed to avoid disturbing the wetlands and only minimally impact the flood plain areas. Staff notes that Building 1 and Building 4 are set back approximately 70 feet from the edge of the flood plain. If the floodplain did not exist and the site plan were shifted to the west over this area, Building 1 and Building 4 would meet the code regarding building setback. Therefore, staff does not object to the increased setbacks for Building 1 and Building 4.

The petitioner is requesting a Special Use Permit for Drive-up Window Service to accommodate drive-up windows on three of the proposed buildings. Two of the proposed drive-up windows are on retail buildings and the proposed bank also includes drive-up service. All three drive-ups are designed differently, and are described as follows.

The drive-through lane for Building 2 would wrap around the east, north and west sides of the building. Drivers would enter the drive-through lane at the southeast corner of the building, and would stop at an ordering station near the northeast corner of the building. After ordering, drivers would turn left and proceed along the north side of the building, then turn left again and head south to the pick-up window on the west side of the building. Drivers exiting the drive-through lane would have the option to turn right and drive west through the parking lot to exit northbound onto Gary Avenue, or to turn left and filter through the parking lot to the full access point at Lies Road. The plan shows more than two car-lengths between the pick-up window and the exit from the lane into the parking lot, and the plan includes landscape islands on both side of the exit from the drive-through lane, so there should be no visibility problems for drivers. A sidewalk crosses the exit from the drive-through about 10 feet west of the building, so there should be no visibility problem between pedestrians and drivers. The drive-through lane is 16 feet wide from back-of-curb to back-of-curb for most of its length, and widens out to 24 feet wide along the west side of the building adjacent to the pick-up window. The drive-through lane essentially would allow one lane of stacked cars, but would include sufficient space to allow a driver to pass a stalled vehicle or otherwise exit the lane in the rare event where this may be necessary. Staff believes that a second full lane for through traffic around the back of Building 2 is not necessary, because the development would allow full on-site circulation elsewhere. Staff notes that §16-13-3 of the Zoning Code requires restaurants with drive-up service to provide a minimum of 10 stacking spaces with a minimum of five of these stacking spaces designed for the ordering station. The stacking lane is shown on the plan to accommodate 11 cars, but the ordering station is located such that it would only accommodate three of the 11 cars. The ordering station could easily be moved two car lengths to the north, and if the Plan Commission were to recommend approval of the Special Use, staff would advise that the recommendation include the condition that the ordering station for the drive-through lane for Building 2 be relocated to accommodate five stacking spaces before the plan will be brought to the Village Board for final approval.

The drive-through lane for Building 3 would be located along the east side of the building. Drivers would reach the drive-through lane by traveling east through the parking lot in front of Building 3, and then turning left to head north through the lane. The drive-through lane is 16 feet wide from back-of-curb to back-of-curb and essentially would allow one lane of stacked cars, but would include sufficient space to allow a driver to pass a stalled vehicle or otherwise exit the lane in the rare event where this may be necessary. Staff believes that a second full lane for through traffic along the side of Building 3 is not necessary, because the development would allow full on-site circulation elsewhere. Drivers exiting the drive-through lanes would merge into the parking lot along the east property line, and could filter through the parking lots to either the northbound exit onto Gary Avenue, or to the full access point at Lies Road. The exit from the drive-through lane is over 100 feet away from any building and is not near any sidewalks, so there would be no visibility problem. The drive-through service window would be located near the center of the east wall of the building, and as such there would be stacking space for four cars. Because the proposed drive-through lane does not include 10 stacking spaces, it would not meet the stacking requirement for restaurants. However, staff notes that §16-13-3 of the Zoning Code requires four stacking spaces per teller or service window for banks or other similar drive-in facilities. Therefore, other similar facilities such as pharmacies, dry cleaning drop-off and pick-up stations, and the like would be allowed to use this drive-up window. If the Plan Commission were to recommend approval of the Special Use, staff would advise that the recommendation include the condition that the drive-up window for Building 3 shall not be used as part of any food service use.

The drive-through lane for the proposed bank in Building 4 would wrap around the east and north sides of the building. Drivers would enter the drive-through lane at the southeast corner of the building, and would choose from one of three bank teller lanes under a canopy attached to the building. The drive is 20 feet wide at the entrance, but widens out to 33 feet to

accommodate the three bank teller lanes. Each bank teller lane accommodates stacking space for four cars, in compliance with §16-13-3 of the Zoning Code. After completing their bank transactions, drivers would pull forward from underneath the canopy, and then turn left and head south to the end of the drive-through lane at the northwest corner of the building. Drivers exiting the drive-through lane would have the option to turn right and drive north through the parking lot to exit northbound onto Gary Avenue, or to turn left and drive through the parking lot to the full access point at Lies Road. At the exit from the drive-through lane, the plan shows a landscape island on the north side of the exit and there is a large sidewalk and landscape area with no parking spaces on the south side of the exit, so there would be no visibility problems for drivers. However, staff is concerned with pedestrian safety regarding a sidewalk that crosses the exit from the drive-through lane. The sidewalk is located only about four feet from the southwest corner of Building 1. The crosswalk is clearly marked on the pavement, but it is unclear from the drawings if any other signage is proposed to warn drivers. If the Plan Commission were to recommend approval of the Special Use, staff would advise that the recommendation include the condition that traffic control signage be provided at the crosswalk to the satisfaction of the Village Engineer.

The petitioner is requesting a Special Use Permit to provide a bank at the feature corner of this development. The bank would be constructed by the Bank of Wheaton and would operate as Carol Stream Bank & Trust. In the past, some members of the Village Board and Plan Commission have indicated that a bank was not desirable at this location; however, EDC review comments from 2005 indicated some softening of this position. Staff notes two major issues with locating a bank on this site. First, the Village of Carol Stream does not levy a local property tax, and is therefore more dependent on sales tax as a revenue source than surrounding communities. Banks typically do not produce any sales tax, and are less desirable than retail businesses from that standpoint. Therefore, if a developer proposed to simply construct the bank and sell the remaining land for future development, staff would not be in favor of the bank. In this case the bank is proposed as part of a larger retail development. The petitioner has indicated the intent to commence construction of Building 1 and Building 3 simultaneously with the bank. The proposed 6,550 square foot bank would only occupy ¼ of the total 25,460 square feet of proposed building space. Staff notes that the site includes large areas of flood plain and wetlands along the frontage of Gary Avenue and Lies Road, making the site more expensive to develop than other similarly sized parcels. Also due to the flood plain areas to the north, the lot is somewhat odd shaped in the northeast corner, further reducing the developability of the site. Banks typically are able to pay more than other users for prime corner locations, and thus allow the developer more financial flexibility. In this case, the bank is being proposed with an additional 18,910 square feet of commercial space for retail and food service uses. Staff notes that the additional retail space would lessen the impact of the bank.

Staff's second issue with locating a bank on this site deals with the fact that it is located at the Town Center. The Ross Ferraro Town Center Park hosts many evening and weekend events that attract many people. Therefore, staff expects surrounding developments to be pedestrian friendly and add to the growing vitality of the Town Center area. Banks typically close their lobbies at 5:00 or 6:00 in the evening. Therefore, if the petitioner were to construct only a bank, the site would be void of pedestrian activity during evening hours. However, in this case, the petitioner has proposed the bank as part of a unified development that includes other commercial space. Retail and restaurant uses would continue to generate activity at the site into the evening hours. Staff notes that the development includes unified higher-quality architecture that complements the Town Center architecture and includes sidewalks throughout the development. Staff also notes that the site includes unified adjacent parking areas, so more parking would be available to accommodate the retail and restaurant uses in the evening when the bank is closed. Therefore, staff is not opposed to the proposed Special Use Permit to allow a bank.

The applicant is requesting approval of a Preliminary/Final PUD Plan. Many aspects of the Preliminary/Final PUD Plan have already been discussed in this report, such as the building setbacks, access, parking, and the various Special Use requests. The remaining detailed review of the project will be discussed in the Gary Avenue Corridor section of this report. At this time, staff can generally support the Preliminary/Final PUD Plan, subject to any additional suggested conditions of approval related to the Plan, which will be included in the Recommendation section of this report.

Because the proposed development is located within the Gary Avenue Corridor (GAC), the Plan Commission must review and approve plans for the property to ensure that the proposal is in conformance with the corridor regulations. The Plan Commission has the authority to make the final determination of conformance with the GAC regulations, and Village Board consideration is not required. The sections of the GAC regulations that apply to this proposal include site design, architectural design and parking/landscape design.

Many aspects of the site design have already been discussed in this report; as such, the comments regarding site design in this section will only relate to specific GAC standards. The GAC site design standards require service areas to be out of sight from Gary Avenue. The petitioner proposes to provide separate trash dumpster enclosure areas for each building. The enclosure for Building 1 is proposed along the east side of the building, and is 100% screened from Gary Avenue by the building. The enclosure for Building 2 is proposed on the east side of the building, at a location that is over 250 feet away from Gary Avenue. The enclosure will not be seen from Gary Avenue. The enclosure for Building 3 is proposed along the north side of the building, and is screened from Gary Avenue by Building 1 and Building 4. Also, Building 3 screens the enclosure from Lies Road. The enclosure for Building 4 is located near the northeast corner of the building, across the drive-through lane from the building. If a driver were stopped on Gary Avenue it might be possible to see the enclosure between Building 1 and Building 4. However, the actual dumpster would not be visible because it would be screened by the enclosure, and the enclosure is proposed to be as distant from the intersection of Gary and Lies as possible while still being convenient to the bank. If the Plan Commission were to recommend approval of the Gary Avenue Corridor Review, staff would advise that the recommendation include the condition that all trash enclosures be constructed with masonry materials to match the masonry on the buildings.

Also with respect to site design, the GAC regulations require that pedestrian facilities should be considered within the site. The plan includes pedestrian walkways throughout the site. A walkway would run along the southern sides of Building 3 and Building 4 parallel to Lies Road and continue along the western sides of Building 1 and Building 4 parallel to Gary Avenue. This walkway would further continue north and run along the south side of Building 2. This walkway would provide a direct pedestrian route to the customer entrances of all four buildings. Additionally, a walkway would extend south from Building 3 to link to a public sidewalk proposed along Lies Road. The sidewalk along Lies Road would lead to the intersection of Gary Avenue and Lies Road, where eventually pedestrians will be able to cross between the subject development and the Ross Ferraro Town Center. Usually the Village requires sidewalk along the frontage of all lots. However, in this instance, the existing flood plain and wetland areas preclude locating sidewalk directly adjacent to the right-of-way. Therefore, the petitioner proposes to allow the walkway along the western side of Building 1 and Building 4 to replace the Gary Avenue sidewalk. The walkway is routed relatively parallel with Gary Avenue. It includes an extension south from the southwest corner of Building 4 to the Lies Road sidewalk to make the route to the intersection as direct as feasible. The walkway also includes an extension south towards the northwest corner of the lot that would allow future connection to any sidewalk that might be constructed in the future on the east side of Gary Avenue to the north of this site.

Staff can support the overall site design. However, we note three items that remain to be addressed:

1. Sheet C1.1 of the Architectural Environments plan set functions as the Preliminary/Final Planned Unit Development Plan, but is currently labeled as a Site Plan. The petitioner must change the title of sheet C1.1 from "Site Plan" to "Preliminary/Final Planned Unit Development Plan" before the matter will be brought to the Village Board for approval.
2. The drive-through exit from Building 3 seems awkward in that it conflicts with the intersection of two drive aisles. The drive-through exit must be revised to provide a more rectilinear design into the north-south drive aisle. The petitioner must make the necessary revision and submit a revised plan before the matter will be brought to the Village Board for approval.
3. The sidewalk crossing Lies Road should be at the stop bar and not in the traffic lanes of Lies Road. The petitioner must revise the plan to show crossing at the stop bar and submit a revised plan before the matter will be brought to the Village Board for approval.

The petitioner has provided black and white elevation drawings that show all sides of all four buildings. The elevations drawings include labels that indicate the color of the materials, and the petitioner has also provided color renderings of the buildings. The architecture of the buildings is intended to be comparable with that of other Town Center developments, while still maintaining a unique identity. Lannon Stone columns are provided on all sides of all four buildings. All of the buildings include towers with pitched roofs. The location of the towers varies on each building and the sizes of the towers vary on individual buildings. On the two multi-tenant buildings (Building 1 and Building 3), a combination of metal canopies and canvas awnings extend over all window and door areas along the street facing façades. A large canopy with a peaked roof covers the main entrance along the Gary Avenue side of Building 4. A clock is proposed on the wall above the canopy on Building 4. The petitioner proposes to construct the majority of the building façades with masonry materials, including tan brick, brown brick, and Lannon stone. Limited areas of EIFS are proposed, including some upper wall areas and for several of the decorative towers.

Section 16-5-6(K)(9) of the Gary Avenue Corridor regulations states that all utility hardware shall be screened from view from public ways with materials identical to or strongly similar to the building materials, or shall be located so as not to be visible from any public ways. All electrical transformers are proposed near the rear of the buildings in areas surrounded by landscaping. Staff has no issues with the proposed location of the transformers. However, if the Plan Commission were to recommend approval of the Gary Avenue Corridor Review, staff would advise that the recommendation include the condition that all ground mounted mechanical equipment shall be screened from view from surrounding public streets.

With respect to site landscape considerations, the Gary Avenue Corridor regulations were designed to allow flexibility in design but require a certain amount of landscape material on-site. Staff calculates the amount of landscape material required by granting a point value to the type of landscape material provided and then requiring a certain number of points for specific areas of the development. For example, shade trees are worth 225 points each and evergreen trees are worth 275 points each. It is the designer's choice as to how to combine landscape materials on the site in order to meet the criteria of the ordinance and achieve the intent or concept of the corridor. As can be seen on the Landscape Plan, landscape materials are shown within the parkways and adjacent to the parking spaces along Gary Avenue and Lies Road, within the parking lot landscape islands and other islands, and along the rear property line to the east.

The GAC regulations require a minimum of 10% of the area within all parking lot areas to be greenspace. These landscaped areas are to be in the form of landscape islands, and

landscape material is required within these landscape islands. The parking lot measures approximately 51,910 square feet. The 10% greenspace area standard requires 5,191 square feet of parking lot greenspace. The landscape islands depicted on the landscape plan within the parking lot measure about 4,367 square feet in area, which equals only 8.4% greenspace, so the standard is not met. However, the plan includes several landscape islands that are not within the parking lot according a strict application of the GAC regulations, but are surrounded by drive aisles and are adjacent to the parking areas. These include the landscape island east of the bank drive-through lanes, the triangular island north of Building 3, and a small island near the southeast corner of Building 2. The petitioner would not be required to landscape these islands to comply with code, but has chosen to do so. If these islands are included in the calculation of parking lot landscape area, the total area measures about 6,188 square feet in area, which would equal 11.9% greenspace. Based on the 10% standard for landscape area, the landscape islands are required to have 2,596 points of landscape material. As shown on the landscape plan, the 4,367 square foot of islands within the parking lot would have 7,945 points of material, which exceeds the required point value. If the points from the total 6,188 square feet of islands are included, the parking lot would have 12,775 points of material, which far exceeds the required point value. Staff believes that including these islands in this type of unified development follows the intent of the corridor regulations. Therefore, based on the fact that the petitioner has proposed to provide landscaping materials in the parking lot areas that far exceed the required point values, staff feels that counting the additional island space toward the 10% greenspace requirement is an acceptable exemption to the standards of the Zoning Code through the PUD.

The GAC landscape standards require a landscape screen within the first five feet immediately adjacent to the parking spaces along Gary Avenue and Lies Road. The landscape screen requires 6,960 points of landscape material, while the plan provides 7,350 points of material, and so the standard is met. Finally, the GAC standards require a landscape setback in the area between the landscape screen and the Gary Avenue and Lies Road right-of-way lines, with 10,140 points of material required in this area. The landscape plan depicts 5,340 points of proposed material within the landscape setback, but also lists a large area as an "emergent wetlands zone." The applicant proposes to enhance the existing wetland in this area, which would only support wetland type plantings. Assuming that about half of this area would be planted with bedding plants and ground covers, an additional 6,474 points of material would be provided, for a total of 11,814 points of material, meeting the code requirement. However, if the Plan Commission were to recommend approval of the Gary Avenue Corridor Review, staff would advise that the recommendation include the condition that the Emergent Wetlands Zone be planted with at least 50% wetland plants and groundcover to the satisfaction of the Village Engineer.

In evaluation of this project, staff finds that the request for a Special Use Permit for Planned Unit Development is reasonable. We find that the criteria for the Special Use Permit for the shopping plaza, the drive-up service windows, and the bank are met, subject to conditions. We further find the Preliminary/Final PUD Plan and Gary Avenue Corridor Review to be acceptable subject to the conditions noted in this report and the Recommendation section. We note that several of the conditions are standard Village conditions, while others are specific to these requests.

Based on the information submitted, and subject to the conditions listed below, staff recommends:

- Approval of a Special Use Permit for Planned Unit Development in accordance with Sections 16-9-2(C)(1) and 16-9-4(C)(1) of the Carol Stream Zoning Code and approval

of the Preliminary/Final PUD Plan, with an exemption to allow buildings in the Gary Avenue Corridor to be setback greater than 100 feet from the Gary Avenue right-of-way line and an exemption to allow internal landscape islands outside the actual parking lot to apply towards the required parking lot landscape areas;

- Approval of a Special Use Permit for a Shopping Plaza in accordance with Section 16-9-4(C)(13) of the Carol Stream Zoning Code;
- Approval of a Special Use Permit for Drive-up Window Service in accordance with Section 16-9-3(C)(12) of the Carol Stream Zoning Code;
- Approval of a Special Use Permit for a bank in accordance with Sections 16-9-3(C)(3) and 16-9-4(C)(1) of the Carol Stream Zoning Code; and,
- Approval of Gary Avenue Corridor Review.

The recommendations listed above are subject to the following conditions:

1. That the stormwater management areas shall require approval from the Engineering Services Department;
2. That the title of sheet C1.1 of the Architectural Environments plan set shall be changed from "Site Plan" to "Preliminary/Final Planned Unit Development Plan" before the plan will be brought to the Village Board for final approval;
3. That the drive-through exit from Building 3 shall be revised to provide a more rectilinear design into the north-south drive aisle before the plan will be brought to the Village Board for final approval;
4. That the sidewalk crossing Lies Road shall be revised to be at the stop bar and not in the traffic lanes of Lies Road before the plan will be brought to the Village Board for final approval;
5. That Building 1, Building 2, and Building 3 combined shall not be permitted to have more than 9,891 square feet allocated toward food service use. If more than 9,891 square feet of food service use is desired, then the food service user that would bring the food service use above 9,891 square feet must submit an application for a minor PUD amendment through which process staff and the Plan Commission would re-evaluate the adequacy of site parking;
6. That the ordering station for the drive-through lane for Building 2 be relocated to accommodate five stacking spaces before the plan will be brought to the Village Board for final approval;
7. That the drive-up window for Building 3 shall not be used as part of any food service use;
8. That traffic control signage be provided at the crosswalk between Building 1 and Building 4 to the satisfaction of the Village Engineer;
9. That the Emergent Wetlands Zone along the Gary Avenue and Lies Road frontages be planted with at least 50% wetland plants and groundcover to the satisfaction of the Village Engineer;
10. That the access drive to Gary Avenue shall require approval from the DuPage County Division of Transportation;
11. That separate approval of a Plat of Subdivision matching the lot lines shown on the Preliminary/Final Planned Unit Development Plan is required;

12. That the parking lot lighting shall match the *Fountains at Town Center* project;
13. That all retaining wall material shall complement the *Fountains at Town Center* project;
14. That the landscaping along Lies Road and Gary Avenue should be a hardy, salt tolerant variety to avoid winter die-off;
15. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis;
16. That the parking stalls shall be striped in accordance with the Village's looped striping requirements;
17. That all rooftop equipment shall be completely screened from view in all directions;
18. That all ground mounted mechanical equipment shall be screened from view from surrounding public streets;
19. That all trash enclosures shall be constructed with masonry materials to match the masonry on the buildings;
20. That separate building permits are required for all trash enclosures and signs; and
21. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

Commissioner Vora commented that he is in agreement with the staff recommendation. Commissioner Michaelsen asked if the bank is the hub of this development and Mr. Kotche said that the bank drives the rest of it. Once they sell out the parcel for the bank, that gives them the financial ability to build the rest of the center. Commissioner Michaelsen said that he has a concern with the traffic pattern coming from the entrance on Lies Road and having to cross over traffic to get to the drive aisle. Mr. Kotche said that this was discussed with staff, and it was not raised as an issue. He noted that in similar developments there isn't the amount of traffic within the development as if it were a roadway. There is an additional entrance farther down Lies Road. There was discussion regarding shifting the building sites and traffic patterns and it was noted that staff preferred to have the drive aisle hidden from Gary Avenue. Commissioner Michaelsen asked if the building would be lit or site lighting through out the parking lot. Mr. Kotche noted that the parking lot lights will be of the same type as what is used at the Town Center. Commissioner Michaelsen asked about the EIFS system and was told that it is spread around the buildings as trim or caps at the top, equal to about 5% and the rest will be brick. Commissioner Michaelsen asked if there will be a parapet wall to screen the mechanicals and was told that it will be a minimum of a four foot parapet wall. How much higher at Gary & Lies will the building pad be and it was stated that it will be approximately 6 feet higher than the road at the front and approximately seven feet higher at the back.

Commissioner Spink asked about the signage and was told that there will individual signs on each of the buildings and that currently there will not be a monument sign. It was noted that the will be channel lettering that has back lighting and colors will vary. Commissioner Spink commented that with the bank and a proposed dry cleaners both of which are not sales tax producing units she finds the proposal not acceptable and she would not approve it. Commissioner Spink asked if there are any proposed tenants and was told no. She asked if the back of the building would be specifically dedicated employee parking or would it be optional. It was stated that if there is no food service there are more parking spaces available than required, and if it develops that there will be certain types of food services, then there will

be provisions in those agreements that employee parking if mandatory at the back of the building. Commissioner Spink asked how the name Tall Grass Town Square was chosen, stating that it seems to be too confusing with Ross Ferraro Town Center, and The Fountains. Mr. Kotche said that the name was chosen to use other nomenclature in the area and if there is a different suggestion, they will consider it.

Commissioner Hundhausen asked what the opposite corner development is called and it was stated that currently it is referred to as Parkview Plaza. She asked if the subdivided lots will be for sale and Mr. Svalenka said that it would depend upon the developer. In regard to employee parking, the developer may record covenants on any of the properties designating use. Mr. Kotche said that there will cross access agreements between all of the lots allowing parking at any business as well as designating an employee parking area.

Commissioner Christopher questioned the traffic pattern for travel south on Gary having only the entrance on Lies Road. It was stated that the developer did approach DuPage County to get a full access entrance, but was turned down. Commissioner Christopher said that there should be a better system for the traffic. Staff has required that the entrances from Parkview and this development match up to each other.

Commissioner Smoot asked why staff wants the two driveways to line up and Mr. Svalenka said that if the driveways are off set, there would be the situation where cars stacked to turn left into one of the developments would block traffic action coming from the south, having overlapping left turns so dividing the driveways is always the best. If Tall Grass entrance is moved further to the east, cars turning into the site would overlap, if it was moved further to the west, cars exiting the site would overlap. When the driveways are aligned the turns do not overlap just like a regular street intersection. It was noted that the property to the north is declared wetland and nothing will ever be built there.

Commissioner Michaelsen asked Mr. Svalenka if there is any indication that there might be a dual turn lane there. He replied that currently there are no plans to change the Lies Road intersection.

Commissioner Smoot asked if there will be a U-turn viable at this location and was told that any changes to the Gary Avenue right-of-way would have to be according to DuPage County Standards.

Chairman Weiss asked who maintains the wetlands and Mr. Kotche said that is a part of this development. Chairman Weiss commented this is a very high profile area and it is important that the highest and best use be made of the property. There was concern about traffic congestion as the area continues to develop and if there could be any action that would avert that and Mr. Kotche said that there was little likelihood that a second traffic signal would be justified and that even if every parking space was filled for this development, it would be a total of 92 cars. He does not believe that there would be grid-lock traffic congestion regardless of the high end development.

Commissioner Spink said that she does believe it will be a problem because as a warehouse community, any food service will bring a lot of lunch time traffic. She said that any Town Center Event would bring a lot of traffic problems.

Mr. Svalenka pointed out that the site is zoned commercial and these are restrictions on the site no matter who develops it and it is zoned for this type of use so they have designed it based on what staff has requested.

In response to the question by Commissioner Hundhausen, Mr. Svalenka noted that it is a staff recommendation that drives line up to one another.

Mr. Kotche said that can understand the Commission's concerns about potential traffic problems with that entrance but this is safest configuration that could be designed.

Mr. Svalenka confirmed that Engineering Services has reviewed this plan.

Commissioner Hundhausen moved and Commissioner Christopher made the second to approve the Gary Avenue Corridor review in accordance with staff recommendations. The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Smoot, Vora, Michaelson,
Hundhausen and Weiss
Nays: 1 Commissioner Spink

Commissioner Hundhausen moved and Commissioner Smoot made the second to recommend approval of a special uses for shopping plaza, drive-up service window and bank in accordance with staff recommendations. The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Smoot, Vora, Michaelson,
Hundhausen and Weiss
Nays: 1 Commissioner Spink

Commissioner Hundhausen moved and Commissioner Christopher made the second to recommend approval of a special use for a Planned Unit Development in accordance with staff recommendations. The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Smoot, Vora, Michaelson,
Hundhausen and Weiss
Nays: 1 Commissioner Spink

Commissioner Hundhausen moved and Commissioner Vora made the second to recommend approval of a Preliminary/Final Planned Unit Development Plan in accordance with staff recommendations. The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Smoot, Vora, Michaelson,
Hundhausen and Weiss
Nays: 1 Commissioner Spink

The petitioner was reminded that these matters will be heard by the Village Board at their meeting on April 2, 2007 provided that the recommended changes have been made, and was advised to attend that meeting.

**#06242: Spina Commercial, east side of Schmale Road, south of St. Charles Road
Special Use Permit – Planned Unit Development
Special Use Permits – Shopping Plaza, Drive-up Service Window,
Auto Laundry
Preliminary/Final PUD Plan Approval
Rezoning – B-2 General Retail District to B-3 Service District
CONTINUED FROM 1/8/07 MEETING**

Mr. Svalenka stated that Mario Spina, Vice President of Angel Associates LP, has submitted an application requesting several zoning approvals that would allow for the development of a multi-tenant retail building and a car wash on the approximate 1.96-acre property located on the east side of Schmale Road, just south of St. Charles Road.

This matter was originally scheduled for Plan Commission review at the October 9, 2006, meeting and was continued to October 23, 2006, November 13, 2006, January 8, 2007, and March 26, 2007. The first continuance was requested by staff for administrative purposes to publish additional required public notices. The additional continuances were to accommodate the applicant, who has indicated that he is in negotiations to purchase the adjacent unincorporated property to the east. After the contract for purchase is signed, the applicant intends to redesign his site plan to incorporate the additional property. This matter has been

continued numerous times since the applicant first requested a continuance to allow purchase of the adjacent property, and over the past five months the Village has received no submittal of plans for the project.

Based on past practice as recommended by the Village Attorney with respect to a case that has been continued several times without action by the applicant, staff recommends that the Plan Commission continue this matter one more time, for a period of no less than 60 days, which corresponds with the May 28, 2007, Plan Commission agenda. Because May 28 is a holiday, staff recommends that this matter be continued to the June 11, 2007, Plan Commission agenda. The applicant will be notified that if his request is not ready for consideration by the Plan Commission at that time, the application will be considered "stale". The effect is that the Village will officially consider the application to no longer be active. In this way, the applicant will be required to file a new application with the Village, and staff will not publish a new notice for public hearing until such time as the plans are ready for consideration by the Plan Commission.

Staff recommends that this matter be continued one last time, to the June 11, 2007, agenda. Commissioner Hundhausen asked why this matter is still being continued and Mr. Svalenka said that staff requested one continuance and the petitioner has asked for the others since he is negotiating for additional property and while there will have to be additional publications for extended requests staff feels that if he cannot get this organized by June 11th then this application should be declared stale and the petitioner will have to re-apply for the entire project. Commissioner Michaelsen moved and Commissioner Spink made the second to continue this matter to the meeting of June 11, 2007 as recommended by staff. The results of the roll call vote were:

Ayes:	7	Commissioners Christopher, Smoot, Vora, Spink, Michaelsen, Hundhausen and Weiss
Nays:	0	

#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
CONTINUED FROM 2/26/07 MEETING

Mr. Svalenka reported that recent events have pointed to the need for an update to those sections of the Village Code that convey the community's standards with respect to utility structures. Historically, the community standard has been to require that utility structures be placed in rear yards only. However, utility companies and developers have been ignoring this standard of late – utility boxes have been placed in front and corner side yards, and the boxes themselves have grown larger.

In order to make the Village's requirements more clear in the Subdivision Code and the Zoning Code, a set of text amendments has been prepared. During the course of this work, staff learned that Wheaton and Roselle, both of whom recently placed a moratorium on new utility structures to allow time for the development of new standards, have brought proposed ordinances to their respective plan commissions. Wheaton and Roselle are still working out details regarding their proposed ordinances. Staff believes there is value in placing Carol Stream's work on pause until Wheaton and Roselle have finalized the adoption of their new standards. In this way, we will be able to achieve better consistency among neighboring communities, and also gain from the public review and comment that has taken place.

This matter was originally scheduled for Plan Commission review at their February 26, 2007, meeting, and was continued to March 26, 2007. Staff recommends that this case be continued to the May 14, 2007, Plan Commission meeting.

Commissioner Michaelsen moved and Commissioner Hundhausen made the second to continue this matter to May 14, 2007 as recommended by staff. The results of the roll call vote were:

Ayes:	7	Commissioners Christopher, Smoot, Vora, Spink, Michaelsen, Hundhausen and Weiss
Nays:	0	

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

At 9:00 pm, Commissioner Smoot moved and Commissioner Vora made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD