

With regard to the Special Use Permit, staff has reviewed the operational and the aesthetic factors of the proposed outdoor use. From an operational standpoint, the liquid nitrogen would be used to raise and lower temperatures within a testing chamber located inside the building adjacent to the tank. The tank would be located along the east wall of the existing industrial building adjacent to existing truck docks in an area that is separated from automobile parking areas. This location will allow easy access for delivery trucks that would fill the tank. The petitioner has indicated that a six-foot tall fence will enclose the tank. Nitrogen is not flammable, and staff has no concerns regarding potential explosion of the tank. However, staff notes that the fence would not provide much protection if a truck were to accidentally back into the tank. If the Plan Commission were to recommend approval of the Special Use, staff would advise that the recommendation include the condition that bollards be installed to protect the tank from being hit by vehicles. With the condition of installing bollards, staff believes the proposed arrangement will function efficiently and safely. Therefore, staff has no objection to the proposed use from an operational standpoint.

Staff has evaluated the request from an aesthetic standpoint. The proposed tank is 15 feet, nine inches tall and six feet, six inches wide. The tank would be shorter than the adjacent two-story building wall, which would screen view of the tank from the east. The nearest adjacent building to the west is the Lighting Direct building. The majority of the east side of the Lighting Direct building includes truck docks, and is about 300 feet away. Therefore, staff has no concerns with the view from the west. The nearest adjacent building to the north is the A.J. Antunes building, which is about 650 feet away, and has existing outdoor tanks. Staff has no concern with the view from the north. As noted above, the tank would be located approximately 790 feet away from the nearest North Avenue right-of-way line. As such, the tank would have a minimal effect on the view from North Avenue. The proposed fence would screen the lower six feet of the tank. As shown on the attached color photographs, there is also a mature shade tree just south of the location of the proposed tank, which would completely screen the view of the upper portion of the tank from North Avenue. Because of the distance to North Avenue and the distance to the nearest buildings, the tank would have minimal impact on neighboring properties. Staff believes the screening is adequate, and, therefore, staff has no objection to the proposed use from an aesthetic standpoint.

Staff believes that the outdoor liquid nitrogen tank would cause no operational concerns, with the condition that bollards be installed to protect the tank from being hit by vehicles. Staff believes that the tank would have minimal impact on neighboring properties and believes that the screening from North Avenue is adequate. Therefore, staff has no objection to the proposed use from an aesthetic standpoint. Based upon the information discussed above, staff has determined that the Special Use Permit to allow an outdoor liquid nitrogen tank in the I Industrial District is reasonable.

Staff recommends approval of the Special Use Permit for *Outdoor Activities and Operations* in accordance with §16-10-2 (B)(14) of the Carol Stream Zoning Code to allow installation of an outdoor liquid nitrogen tank in the I Industrial District, subject to the following conditions:

1. That bollards be installed to protect the tank from being hit by vehicles; and,
2. That the operation of the facility and maintenance of the site will comply with all state, county and village codes and requirements.

Commissioner Christopher asked if the tank will be placed on the asphalt or on a concrete base and was told that it will be bolted through a concrete base.

Commissioner Hundhausen asked if they are willing to install bollards around the tank and was told that they will install them.

Commissioner Manzzullo asked if the proposed tank is designed just for liquid nitrogen or if it could be used for other gases.

Pablo Reyna, Airgase, W. Washington Street, West Chicago, IL was sworn in as a witness in this matter. In addressing the question by Commissioner Manzzullo, he stated that the tank and its valves can only be used with liquid nitrogen. He stated that the company will maintain the tank and equipment and that all items are inspected by a State Agency.

Commissioner Manzzullo asked if there were any future plans for the truck docks and Mr. Zingler replied that there were no plans to use those truck docks, he added that they will be protected from damage and also that the only truck to use that area will be the truck that fills the proposed tank.

Commissioner Vora asked for a schematic drawing of the tank and upon its' delivery he said that he did not have any questions.

Chairman Michaelsen asked if this would be a self-contained tank, and Mr. Reyna said that it is basically a tank within a tank. In response to a question from Chairman Michaelsen, it was determined that the fencing around the tank will be cyclone fencing, with slats and the tank will be painted white. Chairman Michaelsen said that he is concerned with the view from Gary Avenue looking east and said that he would like to see a couple of evergreen trees placed on the line of sight from Gary Avenue to the tank location. His suggestion was three evergreens spaced across the approximate 20-foot span that is visible from Gary Avenue. The petitioner agreed that they would put in three evergreen trees to screen the visibility from Gary Avenue.

Commissioner Hundhausen moved and Commissioner Vora made the second to recommend approval of a special use permit for Outdoor activities and operations at 191 E. North Avenue in accordance with staff recommendations and the added recommendation of three addition evergreen trees to screen visibility of the tank from Gary Avenue. The results of the roll call vote were:

Ayes:	6	Commissioners Manzzullo, Christopher, Smoot, Vora, Hundhausen and Michaelsen
Nays:	0	
Absent:	1	Commissioner Spink

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on Tuesday, September 4, 2007, 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:	6	Commissioners Manzzullo, Christopher, Smoot, Vora, Hundhausen and Michaelsen
Nays:	0	
Absent:	1	Commissioner Spink

At 7:50 p.m. Commissioner Smoot moved and Commissioner Vora made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD