

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

OCTOBER 9, 2006

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

Chairman Pro-Tem Don Weiss 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 Smoot, Spink Michaelsen and Weiss
Absent: Commissioners Vora and Hundhausen
Also Present: Village Planner John Svalenka, Recording Secretary Progar

MINUTES:

Commissioner Spink moved and Commissioner Smoot made the second to approve the Minutes of the Meeting of September 11, 2006 as presented. The results of the roll call vote were:

Ayes: 4 Commissioners Smoot, Spink, Michaelsen and Weiss
Nays: 0
Absent: 2 Commissioners Vora and Hundhausen

Public Hearing:

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

Ayes: 4 Commissioners Smoot, Spink, Michaelsen and Weiss
Nays: 0
Absent: 2 Commissioners Vora and Hundhausen

**#06242: Spina Commercial, east side of Schmale Road, south of St. Charles Road
*Special Use – Planned Unit Development
Special Use – Shopping Plaza
Special Use – Drive-Up Window
Preliminary/Final PUD Plan Approval***

Mario Spina, Angel Associates, LP 381 E. St. Charles Road, Carol Stream was sworn in as a witness in this matter. He explained that they are proposing to develop a retail strip center with a drive through and a 125-foot lane car wash behind the building. They are asking for Special Uses for a shopping plaza, a drive-up window and a PUD on a vacant lot, flag shaped, located slightly south of the Village Tavern. He presented a rendering of the proposed building and the landscape plan. Mr. Spina noted that they have a letter of commitment for a Dunkin Donuts for the drive-up store at the end. He described the building components and explained the parking and landscaping plans, noting that the stormwater retention will be partially above ground and partially underground. There were no comments or questions from those in attendance at the call for public hearing.

Mr. Svalenka reported that Mario Spina, Vice President of Angel Associates LP, is requesting several zoning approvals that would allow for the development of a 7,200 square foot multi-

tenant retail building and a 2,720 square foot car wash on the approximate 1.96-acre property located on the east side of Schmale Road, just south of St. Charles Road. The applicant has been in discussions with Dunkin Donuts as a likely tenant, and has therefore requested drive-up window service for the northernmost tenant space. To accommodate the proposed commercial development, the applicant is requesting a Special Use Permit for Planned Unit Development, approval of the Preliminary/Final PUD Plan for the entire site, and Special Use Permits for a shopping plaza and drive-up window service.

Special Use – Planned Unit Development

The applicant is requesting that a Special Use Permit 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:

Based upon the submission of an acceptable site plan or exceptionally meritorious nature and other required documents, permission may be granted for the construction of a planned unit development which may be constructed such that more than one principal building may be constructed on a single subdivided lot.

In review of the request for Planned Unit Development, staff notes that the applicant has proposed higher quality architecture that would meet the standards of the Gary/North Avenue Corridor Regulations if those standards were required. The façades of the multi-tenant building visible from the street include a material and color change from sand-colored split-faced block to red/orange brick. The façades include visual relief in the form of brick soldier courses, stone accent bands, accent moldings and cornices. The corners of the building incorporate wall height changes capped by hipped roofs. Each unit of the building includes a canopy along the Schmale Road side of the building. The multi-tenant building and car wash building incorporate the same building materials and a similar design theme.

In view of these factors, staff does not object to the developer's request for a Special Use Permit for Planned Unit Development for this property. The other Special Use Permit requests, and specific details of the plans will be discussed in detail in the remaining sections of this report. In addition, the developer is requesting several deviations from Zoning Code standards as part of the Planned Unit Development process. The requested deviations will be discussed in detail later in the report.

Special Use – Shopping Plaza

The applicant is requesting a Special Use Permit 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 7,200 square feet of space.

Access and Parking:

The subject lot is a flag lot, with the bulk of the lot along Schmale Road and an approximate 30-foot wide "flag pole" section extending north to St. Charles Road. As seen on the Site Plan (Exhibit A), access to the site would take place through either a full access point at Schmale Road or a full access point on the "flag pole" portion of the lot at St. Charles Road. A right-out only driveway is proposed from the car wash to Schmale Road. Cross access to the neighboring Village Tavern site is also available from the "flag pole" portion of the lot. The full access at Schmale Road provides a right-out lane, a left-out lane, and one entrance lane. The painted median in the center of Schmale Road would permit southbound traffic to enter and

leave the site using the Schmale Road access, or traffic could also access the site via the St. Charles Road full access.

Regarding parking, the shopping plaza requires parking at a ratio of one stall per 250 square feet, which would result in a parking requirement of 29 spaces. However, the applicant is proposing that greater than 10% of the building would be allocated to food service use, and so an additional 6 spaces per 1,000 square feet above 10% are required. Assuming Dunkin Donuts or some other food user occupies one of the 1200 square foot units, an additional 3 spaces are required, for a total of 32 spaces required for the shopping plaza. One parking space is required per each employee at the car wash. The applicant anticipates not more than two employees at any one time working at the car wash. The two spaces required for the car wash plus the 32 spaces required for the shopping plaza equal a total of 34 spaces required. The plan provides 44 parking spaces. A maximum of two of the 1200 square foot tenant spaces could be dedicated to food service uses based on the 44 parking spaces.

The existing Village Tavern business to the north currently utilizes 96 parking spaces, 40 of which are either completely or partially on the "flag pole" portion of the subject lot. An easement is in place to allow cross access, and the applicant has agreed to allow 19 of the 40 spaces to remain, but 21 spaces will be removed as part of the proposed new construction. The Village Tavern only requires 54 spaces to meet code and would meet code with the remaining 75 spaces. As a practical matter, the Village Tavern has occasion to use more than 75 spaces, and the owners of the Village Tavern are currently in the process of designing a restriping plan to accommodate the 21 spaces on site. To ensure that the proposed improvements do not hinder the parking arrangements of the Village Tavern, staff would request that the applicant provide more details regarding the paving and curbing adjacent to the Village Tavern lot.

The applicant is requesting two exemptions from parking standards as part of the PUD process. First, the applicant requests relief to reduce the front yard parking setback from 20 feet to 10.43 feet. The reason for this decrease is that the applicant wishes to provide enough parking to have the flexibility to accommodate a second food service user. Second, the schedule of parking requirements in the Zoning Code requires 30 stacking spaces for each wash rack at a car wash, and the applicant has proposed to provide only 14 stacking spaces. This design stems from the thought that it is highly unlikely that a driver would wait in a line of 30 cars for an automatic car wash. Staff generally does not object to the requested setback reduction with regard to the desire to provide leasing flexibility, but would view the exemption more favorably if a significant landscape treatment were to be provided. Staff does not object to the requested stacking reduction, as staff believes that 14 stacking spaces for one car wash rack is adequate for this site. Staff encourages the Plan Commission to provide feedback and a recommendation regarding the requested deviations.

Special Use – Drive-Up Window

The applicant is requesting a Special Use Permit for a *Drive-Up Service Window*. The schedule of parking requirements for fast-food restaurants in the Zoning Code requires a minimum of ten stacking spaces for drive-through windows with a minimum of five of these spaces designed for the ordering station. The plan shows ten stacking spaces, with six designed for the ordering station. Staff does not object to the requested drive-up window.

Rezoning and Special Use for Carwash

The site is currently zoned B-2 General Retail District. Carwash operations are only allowed with a Special Use Permit in the B-3 Service District. Based on an oversight by staff, the original public hearing for this case did not include the requests for rezoning to B-3 or the request for a Special Use to allow the carwash. Therefore staff has published a second public notice specifically for these two items to be considered at a public

hearing on October 23, 2006. We would recommend that the public hearing for this case be opened at the October 9 meeting and continued to the October 23 meeting in order to make recommendations on the full complement of requests from the applicant.

Preliminary/Final PUD Plan

The applicant is requesting approval of the Preliminary/Final PUD Plan. Many aspects of the Preliminary/Final PUD Plan have already been discussed in this report, such as the size of the buildings, access, parking, and several Special Use requests. The following discusses additional items specific to the PUD Plan.

As noted above, in the future the Plan Commission/Zoning Board of Appeals will consider a request to rezone the property from B-2 General Retail District to B-3 Service District to accommodate the carwash. However, the applicant has designed the site to meet the bulk requirements of the B-2 district as much as possible. Therefore, the applicant requests a third exemption as part of the PUD process, specifically to allow the buildings to meet the 80-foot front yard requirement of the B-2 district rather than the 100-foot front yard requirement of the B-3 district. The carwash is proposed to be set back 80.81 feet from the front property line. Staff has no objection to this reduction.

Sections 16-9-3(G)(2)(a) and 16-9-4-(G)(2)(a) of the Zoning Code require that a side yard not less than 25 feet in width be provided along any side lot line which adjoins a residence district. The eastern 132 feet of the southern property line is adjacent to property in the R-4 General Residence District improved with the West haven Apartments complex. Therefore, the applicant has requested a fourth exemption from standards to reduce the side yard from 25 feet to 10.76 feet. If not for the adjacent residential property, the Zoning Code would have no side yard requirement. The plans include fencing and landscape screening between the carwash stacking and the adjacent parking lot for the apartment complex. Staff has no objection to the exemption regarding the side yard setback.

The sign details for the proposed monument sign show dimensions well in excess of the Sign Code's limitations. Since no variations are being requested, if the Plan Commission/Zoning Board of Appeals were to recommend approval of the PUD plan, staff would advise that the recommendation be conditional upon all signage being designed to meet the Sign Code.

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 of the need for a second public hearing regarding the rezoning and Special Use for the carwash, staff cannot recommend approval of the Special Use Permit for Planned Unit Development or the Preliminary/Final PUD Plan until the required public hearing takes place. **We therefore recommend that the public hearing for this project be opened, but continued to October 23, 2006, to allow time to hold the additional public hearing and act on all of the applicant's requests at one time.**

Assuming all of the requested actions are to be considered together, we would recommend approval of the Special Use Permits for Planned Unit Development, a shopping plaza, a drive-up window, and the Preliminary/Final Planned Unit Development Plan, subject to the following conditions:

1. That not more than two of the 1200 square foot units in the shopping plaza may be occupied by food service users;
2. That a significant landscape treatment be provided between the westernmost row of parking and the Schmale Road right-of-way;
3. That finalized details regarding the paving and curbing on the "flag pole" portion of the lot adjacent to the Village Tavern lot be provided to the satisfaction of the Director of Community Development;
4. That all signage details be revised to meet the requirements of the Sign Code;
5. 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;
6. That the parking stalls shall be striped in accordance with the Village's looped striping requirements;
7. That separate building permits are required for all trash enclosures, fences and signs; and
8. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

Commissioner Spink asked where the trash enclosure would be located and it was determined that the enclosed area would be behind the shopping plaza. In response to the question, the hours of operation will be 7 a.m. to 9 p.m., Mon. thru Fri. and 8 a.m. to 8 p.m. Sat./Sun. This is a gated system with security cameras and there will be an attendant on duty during the hours of operation. It was noted that another food use is anticipated in the development.

Commissioner Michaelsen asked if there would be new curb and pavement on the St. Charles entrance and it was stated that curb and pavement already exists. Commissioner Michaelsen also suggested that the top of the buildings have color accent added on the front of the soldier course. The petitioner agreed to do that and also noted that parking lot lights would be in accordance with the Code.

Chairman Pro-Tem Weiss suggested that in regard to the wall signs for each individual use, that only channel letters be permitted and that he would like to see that added as a condition of approval. It was the consensus of the Commissioners to agree to such a condition. Chairman Weiss noted that staff had asked for feed back and recommendation regarding the requested deviations in relation to the PUD, the parking setback, additional landscaping, stacking spaces for the car wash and he noted that the Commissioners are in agreement with the staff report.

Commissioner Michaelsen asked that Condition # 5 be changed to read that any landscape material that may need to be replaced, be replaced with the same size, or larger.

Commissioner Spink moved and Commissioner Smoot made the second to continue this matter to October 23, 2006. The results of the roll call vote were:

Ayes:	4	Commissioners Smoot, Spink, Michaelsen and Weiss
Nays:	0	
Absent:	2	Commissioners Vora and Hundhausen

**B. #06256: DuPage Training Academy, 115 Alexandra Way
Special Use – Privately Owned Recreation Building**

Jeff Kramer, 25W075 North Avenue, Carol Stream, IL was sworn in as a witness in this matter. He explained that the request is for a special use for a privately owned recreation building use at 115 Alexandra Way. He said that the business caters to youth ages 8 to 18, doing instruction, batting cages, private lessons and instructional clinics. The primary sports are baseball and softball, basketball and volleyball. The building will contain batting cages, volleyball courts, astro turf flooring for baseball and softball. The building contains locker rooms, rest rooms and locker space and will be used as a practice facility only. There will not be any spectator sports. There is ample parking as shown on an analysis of other similar uses and he noted that this type of special use has been approved in the past.

Mr. Svalenka stated that Jeff Kramer of DuPage Training Academy (DTA) currently operates a sports training facility inside the Glen Ayre Club at the southeast corner of North Avenue and President Street. The lease at the Glen Ayre Club expires on November 1, 2006. The DTA will be relocating to a new facility at the intersection of County Farm Road and St. Charles Road in Winfield that is expected by Mr. Kramer be completed sometime in Spring 2007. Therefore, the applicant requests a Special Use Permit for a *Privately Owned Recreation Building* to allow the DTA to operate during the interim at the existing 30,000 square foot building at the southeast corner of North Avenue and Alexandra Way.

Special Use:

The DuPage Training Academy is requesting approval of a Special Use Permit for a *Privately Owned Recreation Building* in accordance with §16-10-2 (B)(13) of the Carol Stream Zoning Code. The 30,000 square foot building is proposed to contain four volleyball courts, an Astroturf practice infield, four batting cages, two bullpen cages, a hitting lesson cage, along with associated administration, restroom & locker room facilities.

Staff has evaluated the request from an operational standpoint. The site plan shows 72 existing parking spaces. The parking requirement for a recreational center per Section 16-13-3(G) of the Zoning Code is one space per every two employees, plus additional spaces for use by the public as determined by the Plan Commission. The applicant has provided data listing the maximum number of players, parents and coaches expected to occupy the facility at any one time, and the maximum number of people expected to be waiting if all facilities were in use, and the maximum number of employees. Based on the data provided by the applicant, the maximum number of cars expected would be 71 cars. The applicant has indicated that there will not be tournaments or any other spectator events. Therefore, staff believes that the existing 72 parking spaces are more than adequate. Access to the site is from Alexandra Way, and there is no direct access from North Avenue, so site traffic will not cause interference with North Avenue traffic.

Staff notes that the proposed use of an existing industrial building for a training academy is a Use Group Change per the Building Code, which requires a new Certificate of Occupancy, and may require some interior alterations. If the Plan Commission/Zoning Board of Appeals were to recommend approval of the Special Use Permit, staff would advise that the recommendation be conditional upon receipt of a new Certificate of Occupancy.

The Village Board has approved Special Use Permits for similar uses in the past, such as America's Past Time on Tubeway Drive in 1996, and Gymnasti on Della Court in 2002.

Staff recommends approval of the Special Use Permit for *Privately Owned Recreation Building* subject to the following conditions:

1. That no organized meets or tournaments be permitted to be held at the gymnastics facility;

2. That the Special Use Permit be conditional upon receipt of a new Certificate of Occupancy from the Village of Carol Stream Building Division; and,
3. That the use shall comply with all state, county and Village Codes and requirements.

Commissioner Michaelsen asked if the volleyball areas would be fenced and was told that there will be floor markings only. It was noted that the Astroturf will be attached with Velcro and that there will not be any interior alterations that will block any of the exits. Commissioner Michaelsen asked if there were two access to the batting cages and Mr. Kramer noted that they can be accessed from the court floor and from the office area of the building. It was stated that while there are showers available, most of the students do not use them and are picked up by parents right after the instructional period.

Commissioner Spink asked if this facility will only be there until the Spring and Mr. Kramer said that his new facility is to be finished by May, 2007

Chairman Pro-Tem Weiss asked for a review of the operation and Mr. Kramer demonstrated the entry on a floor plan. He noted that there will not be any events at the building, although there have been the occasional small birthday parties. In regards to security, the staff at the reception area oversee all who enter and it is mandatory that parents must come into the building to pickup their children and all areas are supervised at all times.

Commissioner Michaelsen asked if there would be any overflow parking on Alexandra Way and Mr. Kramer said that the parking availability in the lots was adequate for this use.

Commissioner Spink asked if there is a first aid room and was told that there is no specific room, but that there are several first aid kits around the facility and it was noted that there is also a defibrillator available as well.

Commissioner Michaelsen moved and Commissioner Spink made the second to recommend approval of a Special Use Permit for a privately owned recreation building at 115 Alexandra Way, in accordance with staff recommendations. The results of the roll call vote were:

Ayes:	4	Commissioners Smoot, Spink, Michaelsen and Weiss
Nays:	0	
Absent:	2	Commissioners Vora and Hundhausen

FOR THE COMBINED BOARD