

Village of Carol Stream

AGENDA

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS

MONDAY, JANUARY 09, 2023 AT 6:00 P.M.

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

- I. Roll Call: Present:
Absent:

- II. Approval of Minutes: December 12, 2022

- III. Public Hearing

22-0048– CEVA Logistics – 195 E. Elk Trail
Variation to Allow a Fence in the Front Yard

22-0057 – Village of Carol Stream - 500 N. Gary Avenue
Text Amendment to allow Adult Use Cannabis Dispensaries as a Special Use in the B-3 District

- IV. Presentation:

- V. Old Business:

- VI. New Business:

- VII. Report of Officers:

- VIII. Adjournment:

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

***All Matters on the Agenda may be Discussed, Amended and Acted Upon
December 12, 2022.***

Mr. Farace stated since Chairman Parisi was absent an Acting Chairman would need to be nominated. Commissioner Petella made a motion to nominate Commissioner Tucek and Commissioner Meneghini seconded the motion.

Acting Chairman Tucek called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 6:00 p.m. and directed Patty Battaglia, Planning and Permitting Assistant, to call the roll.

The results of the roll call vote were:

- Present: 5 Commissioners Christopher, Meneghini, Morris, Petella, and Acting Chairman Tucek
- Absent: 2 Commissioner Battisto and Chairman Parisi
- Also Present: Tom Farace, Planning and Economic Development Manager; Bravo Berisha, Assistant Planner; Patty Battaglia, Planning and Permitting Assistant; a representative from County Court Reporters

MINUTES:

Commissioner Petella moved and Commissioner Meneghini seconded the motion to approve the minutes of the Regular Meeting held on November 28, 2022.

The results of the roll call vote were:

- Ayes: 4 Commissioners Meneghini, Morris, Petella, and Acting Chairman Tucek
- Nays: 0
- Abstain: 1 Commissioner Christopher
- Absent: 2 Commissioners Battisto and Chairman Parisi

The motion passed by a majority vote.

PUBLIC HEARING:

Acting Chairman Tucek asked for a motion to open the Public Hearing. Commissioner Petella moved and Commissioner Christopher seconded the motion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Morris, Petella, and Acting Chairman Tucek

Nays: 0

Abstain: 0

Absent: 2 Commissioners Battisto and Chairman Parisi

The motion passed by unanimous vote.

Case #22-0049– White Castle – 110 W. North Avenue
*Amendment to a Special Use Permit for a Drive-Through
 Gary/North Avenue Corridor Review*

Acting Chairman Tucek swore in Mr. Todd Harkins and asked the petitioner to provide his presentation.

Mr. Todd Harkins stated he was an architect for DLZ Architecture Inc. and was requesting the expansion of an additional drive-through lane at the White Castle located at 110 W. North Avenue.

Acting Chairman Tucek asked if there were any questions from online and there were none so he then asked Mr. Farace to provide a Staff Report.

Mr. Farace stated Mr. Berisha, our Assistant Planner, will provide the Staff Report.

Mr. Berisha stated White Castle is seeking an Amendment to a Special Use Permit for an additional drive-through lane and menu board. The second lane will be located next to the existing lane and have a 4 foot fence with mesh screening separating the two lanes. New landscaping will be installed north of the building at the northeast corner of the property, along Gary Avenue to provide parking lot screening. There will also be landscaping along the two drive through lanes for screening purposes. The proposed landscaping will meet the Village's landscape requirements per the UDO. New wall signage with LED channel letters and new monument signage will be installed and both also meet the Village's UDO guidelines. The façade will be modified to include the roofline having a decorative EIFS cornice, and inclusion of stone veneer at the base of the building. The roofline modification will provide adequate screening of rooftop mechanical equipment. They are also installing new awnings over the windows and a hospitality door will be installed on the east side of the building to allow for the proposed order pickup window to open as a door to the drive through lane to better service customers. Due to the additional drive through lane, ten parking spaces will be eliminated bringing the total to 35 with two ADA spaces leaving a surplus of eight spaces. Staff supports the parking modification and reviewed the traffic flow and design of the proposed drive-through expansion, and deems it acceptable.

Acting Chairman Tucek asked for comments or questions from the audience and there were none.

Acting Chairman Tucek asked for comments or questions from the Commission.

Commissioner Meneghini asked Mr. Harkins if he was aware of the five conditions Staff is recommending and if he would comply.

Mr. Harkins stated he was aware of them and would comply.

Commissioner Morris asked what the purpose of the 4 foot fence served.

Mr. Harkins stated it will provide screening between the two drive-through lanes.

Commissioners Christopher, Petella and Acting Chairman Tucek had no questions.

Commissioner Meneghini moved and Commissioner Morris seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Morris, Petella, and Acting Chairman Tucek

Nays: 0

Abstain: 0

Absent: 2 Commissioners Battisto and Chairman Parisi

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, December 19, 2022, at 6:00 PM for review.

PUBLIC HEARING:

Acting Chairman Tucek asked for a motion to close the Public Hearing. Commissioner Petella moved and Commissioner Morris seconded the motion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Morris, Petella, and Acting Chairman Tucek

Nays: 0

Abstain: 0

Absent: 2 Commissioners Battisto and Chairman Parisi

The motion passed by unanimous vote.

NEW BUSINESS:

Mr. Farace gave a brief update regarding the status of previous cases.

OLD BUSINESS:

OTHER BUSINESS:

ADJOURNMENT:

At 6:15 p.m. Commissioner Christopher moved and Commissioner Petella seconded the motion to adjourn the meeting.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Morris, Petella, and Acting Chairman Tucek

Nays: 0

Abstain: 0

Absent: 2 Commissioners Battisto and Chairman Parisi

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Patty Battaglia
Planning and Permitting Assistant

Minutes approved by Plan Commission on this ____ day of _____, 20____.

Acting Chairman

**Village of Carol Stream
Plan Commission/Zoning Board of Appeals**

STAFF REPORT

January 9, 2023

TO:
Chairman and Plan
Commissioners

FROM:
Community Development
Department

CASE MANAGER:
Bravo Berisha, Assistant Planner

ACTION REQUESTED:
The applicant is requesting
approval of the following:

- A variation from Section 16-5-8 E (2) of the UDO to allow fencing in the front yard.

APPLICANT/ CONTACT:

Mr. Dylan Cash
Austin Outdoor Builders
15350 Vickery Drive
Houston, Texas 77032



CASE #: 22-0048
LOCATION: 195 E Elk Trail
PROJECT NAME: CEVA Logistics



LOCATION	ZONING DISTRICT	LAND USE	COMPREHENSIVE PLAN DESIGNATION
Subject Property	I Industrial District	Industrial (CEVA)	Industrial
North	I Industrial District	Detention basin	Industrial
South	I Industrial District	Industrial (American Litho)	Industrial
East	I Industrial District	Industrial (Essendant, Village of Carol Stream)	Industrial
West	I Industrial District	Industrial (Tyndale House Publishers, CEVA, Serac inc)	Industrial

The area highlighted above is located on the east end of the Elk Trail cul-de-sac.

Site Assessment

COMPREHENSIVE PLAN DESIGNATION:

The subject property is designated for industrial uses according to the Village's 2016 Comprehensive Plan. The proposed fence variation will serve a security purpose for CEVA Logistics and its customers and is compatible with this designation.

AERIAL PHOTOGRAPH:



Project Summary

ATTACHMENTS:

Attached for review is the Cover Letter, General Application Form, Fence Variation Form, Applicant's Public Notice, ALTA survey Markup (Exhibit A), and Gate and Fence Drawings (Exhibits B1, B2, B3).

BACKGROUND:

CEVA Logistics is a global logistics and supply chain company located in the northeast quadrant of Carol Stream. CEVA Logistics occupies the entire building at 195 E Elk Trail. Entrances to the building are located on E Elk Trail. CEVA Logistics is requesting a fence variation for increased building and trailer security. The proposed fence will be on the west, north, and east sides of the property.

Staff Analysis

FENCE CODE VARIATION

A six foot tall chain link security fence with 2 inch mesh is proposed along the front of the property, which is the west side of the building. The fence will extend past the front of the building and requires approval of a variation. Fencing will connect to an existing slotted fence on the 127 E Elk Trail property to the west, where CEVA is also located – the 127 E Elk Trail property owner has agreed to the connection. Fencing to the north and east of the building will be eight feet. Three strips of barbed wire is also proposed on the top portion of the fence, which is allowed in the industrial district. A gate with the same height and mesh dimensions as the western portion of the fence is also proposed in the front entrance. Section 16-5-8 E (2) of the Village's Unified Development Ordinance states the following:

E (2) Location. Fences on lots with business uses shall be limited to the rear yard and interior side yard only.

Since fencing is proposed in the front yard of the subject parcel, a fence variation is being requested. As depicted on the Gate and Fence Drawing Exhibits, the proposed fence will be a six foot and eight foot chain link fence with 2 inch mesh for screening purposes. The gate will be a six foot double swing gate with a two inch steel frame. Staff agrees that installing the fence and the gate along the frontage will provide an important security barrier and should not hinder circulation around the building. Staff can support a fence in the front yard of this specific location. Similar fence variations allowing fencing in the front yard were previously approved for Concorde Pointe Condo Association in May 2020 and for the Carol Stream Park District's Carolshire Park on Gary Avenue in November 2017, both for purposes of adding additional protective barriers.

It should also be noted that CEVA is also proposing to have an outdoor storage area at the northeast corner of the property. The outdoor storage area can be approved at the staff level. With the proposed fence and existing landscaping to the east, the outdoor storage should be adequately screened from view.

VARIATION FINDINGS OF FACT

With regard to any variation, the Zoning Board of Appeals shall not recommend a variation unless it shall make findings based upon the evidence presented to it in the following case, as per Section 16-8-4 (K) of the Carol Stream Code of Ordinances:

1. The requested variation arises from an exceptional situation related to topography, surroundings or conditions of a specific piece of property, or by reason of exceptional narrowness or shallowness.

While there is no topographic situation or condition specific to the property to give rise to grant the variation, staff does not believe the fence will produce a negative impact to surrounding properties and will provide security for CEVA and its customers.

2. There are difficulties or a particular hardship in the way of carrying out the strict letter of the fence standards.

The proposed fence would enclose the entire building, giving it added security to protect its assets.

3. The fence will not impair an adequate supply of light and air to adjacent property.

The proposed fence will not impair light or air to adjacent properties.

4. The fence will not endanger the public safety.

The proposed fence will not endanger the public safety.

5. The fence will not unreasonably diminish or impair established property values within the surrounding area.

Staff believes the proposed fence will not diminish or impair established property values within the surrounding area.

6. The fence will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the village.

Staff does not believe the fence will impair the public health, safety, comfort, morals or welfare of the inhabitants of the village.

Recommendation

Staff recommends approval of a fence variation for CEVA Logistics, Case No. 22-0048, subject to the following conditions:

1. That the applicant shall obtain the required permits prior to the installation of the fence and gate;
2. That all improvements concerning fencing upgrades must be built, installed, and maintained in accordance with the attached plans and exhibits;
3. That a Knox padlock shall be provided on any security gates, and the Carol Stream Fire Protection District and Village Police Department shall be provided keys to said padlock for access onto the property;
4. That should CEVA Logistics leave 195 E Elk Trail, the subsequent tenant(s) shall obtain approval from the owner of 127 E Elk Trail to maintain the connected fence; and
5. That the project shall otherwise comply with all state, county and Village codes and requirements.



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Planning Commission/Zoning Board of Appeals,

Austin Outdoor Builders has been contracted by CEVA Logistics to build a perimeter security fence. CEVA Logistics has expanded their footprint into an additional building located at 195 E Elk Trail.

The project is to provide a perimeter security chain link fence to secure the property. The fencing will be a combination of 6' and 8+1' Black Vinyl Coated Chain Link.

For the section requiring a variance in the front of property the fence height will be 6' and match the design of the adjacent neighbor's property. This section will also contain a double swing gate for entry and exit of the property. The gate will be same height and materials as the 6' Black Chain Link fence. The gates will be opened at the beginning of business hours and closed at the end of business hours. There will be no automation and will be manually operated and secured.

To maintain continuity in the business park between the locations sections of fence will be attached to the adjoining CEVA logistics fence location. Removing the need to have a landscaped strip of land between the facilities, and cutting down trees or removing existing landscaping features.

Additional details of remaining perimeter fence work outside of variance are located on the site plans. As well as drawings and material specifications provided as additional documentation.

Thank you for your consideration of this request.

Best regards,

Dylan Cash



Do Not Write in This Space
 Date Submitted: 10-11-22
 Fee Submitted: \$640.00
 File Number: 22-0048
 Meeting Date: 1/9/23
 Public Hearing Required: Y

Village of Carol Stream

500 N. Gary Avenue ▪ Carol Stream, IL 60188
 PHONE 630.871.6230 ▪ FAX 630.665.1064

www.carolstream.org

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FORM A

**GENERAL APPLICATION
 PUBLIC HEARINGS AND DEVELOPMENT APPROVAL REQUESTS**

1. Name of Applicant CEVA Logistics Phone 512 948 0612
 Address 15350 Vickery Drive Houston TX 77032 Fax _____
 E-Mail Address dylan@austinoutdoorbuilders.com
 (required)
 Name of Attorney _____ Phone _____
 (if represented)
 Address _____ Fax _____
 Name of Owner _____ Phone _____
 (required if other than applicant)
 Address _____ Fax _____
 Name of Architect _____ Phone _____
 (if applicable)
 Address _____ Fax _____

2. *Common Address/Location of Property 145 427 E Elk Trail, Carol Stream

3. Requested Action: (check all that apply)
- | | |
|--|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Subdivision – Minor/Major |
| <input type="checkbox"/> Courtesy Review | <input type="checkbox"/> Temporary Waiver/Code of Ordinances |
| <input type="checkbox"/> Development Staff Review | <input type="checkbox"/> Variation – Zoning (requires Form B-1) |
| <input type="checkbox"/> Gary/North Avenue Corridor Review | <input checked="" type="checkbox"/> Variation – Sign (requires Form B-2) |
| <input type="checkbox"/> Planned Development – Final | <input type="checkbox"/> Variation – Fence (requires Form B-3) |
| <input type="checkbox"/> Planned Development – Preliminary | <input type="checkbox"/> Special Use Permit (requires Form C) |
| <input type="checkbox"/> Shared Parking Facility | <input type="checkbox"/> Map Amendment (requires Form D-1) |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Text Amendment (requires Form D2) |
| | <input type="checkbox"/> Staff Adjustment (requires Form E) |

Describe requested action Perimeter Black Vinyl Coated Chain Link Fence and Gates

4. Fee Schedule: *(Check all that apply)*

Total Application Fee: \$ _____

	Annexation approvals:	
	New development	\$2,000
	Other	\$800
	Annexation Agreement Amendment	\$800
	Appearance fee for approvals required by the UDO but not listed herein	\$500
	Courtesy Review	\$240
	Development Staff Review	\$640
	Easement Encroachment	\$300
	Gary/North Avenue Corridor Review:	
	New or replacement monument sign	\$500
	One discipline (site design, architecture or landscaping)	\$500
	Two disciplines	\$1,000
	Three disciplines	\$1,500
	New development	\$1,500
	Outdoor Dining Permit	\$120
	Planned Development:	
	Existing Planned Development, minor change	\$500
	Existing Planned Development, major change	\$1,000
	New Planned Development	\$1,500
	Rezoning (Zoning Map Amendment)	\$640
	Shared Parking Facility Permit	\$500
X	Site Plan Review	\$640
	Special Use:	
	First	\$800
	Each additional	\$200
	Special Use Amendment	\$800
	Staff Adjustment	\$240
	Subdivision:	
	Major	\$700
	Minor	\$400
	Temporary Building, Structure or Use	\$120
	Temporary Waiver to the Code of Ordinances	\$120
	Text Amendment:	
	Building Codes	\$240
	Unified Development Ordinance	\$640
	Variation:	
X	First	\$640
	Each additional	\$200
	Zoning verification letter	\$80

5. Applicant Certification

*I authorize the Village of Carol Stream to install a temporary sign or signs on the property having the common address indicated in Item 2 on this form, for the purpose of notifying the public of the upcoming public hearing, once the hearing has been scheduled.

I have reviewed a copy of the informational handout(s) for the zoning process(es) for which I am making an application. I am familiar with the code requirements which relate to this application and I certify that this submittal is in conformance with such code(s).

I understand that incomplete or substandard submittals may increase the staff review time and delay scheduling of the public hearing. I also understand that, per § 6-13-6 of the Municipal Code, the Village's costs of legal reviews, structural engineering review, and other special reviews determined to be necessary by the Community Development Director, performed by means of consultant services, shall be paid at the billed rate to the Village by the applicant.

Dylan Cash

Print Name

Signature

9/25/20

Date

Revised 07/21



FORM B-3

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Village of Carol Stream

500 N. Gary Avenue • Carol Stream, IL 60188
630.871.6230 • FAX 630.665.1064

e-mail: communitydevelopment@carolstream.org • website: www.carolstream.org

FENCE VARIATION

Please see Section 16-8-4(K) of the Unified Development Ordinance (UDO) to learn more about Fence Variations.

In accordance with the applicable statutes of the State of Illinois, no variation shall be made by the Village Board except after a Public Hearing is held before the Zoning Board of Appeals.

Both the Zoning Board of Appeals and Village Board must decide if the requested variation is in harmony with the general purpose and intent of the UDO and if there is a practical difficulty of hardship in carrying out the strict letter of the regulations of the UDO.

The Zoning Board of Appeals may vary the provisions of the Fence Code after making findings based upon the evidence presented with regards to the following conditions: (Please respond to each of the following as it relates to your request.)

1. An exceptional situation related to topography, surroundings or conditions of a specific piece of property, or by reason of exceptional narrowness or shallowness.

Perimeter Fencing to secure the Front Side and Entry to Property and provide perimeter barrier to protect business interests and assets

2. Difficulties or particular hardship in the way of carrying out the strict letter of the Fence Standards.

Property requires a front of building fence and gate

3. The fence will not impair an adequate supply of light and air to adjacent property.

There will be no impact to adjacent property

4. The fence will not endanger the public safety.

The fence will not endanger public safety

5. The fence will not unreasonably diminish or impair established property values within the surrounding area.

The commercial park has existing fencing and this section of front fence will
match existing fencing on neighbors property

6. The fence will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the village.

The fence will have no impact

7. Other pertinent information or reason for the request.

CEVA Logistics is expanding operations and requires a secure facility and perimeter
around the facility to protect business interests and assets


Certificate of the Publisher

Examiner Publications, Inc. certifies that it is the publisher of The Examiner of Carol Stream. The Examiner of Carol Stream is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Carol Stream, township of Bloomingdale, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 times in The Examiner of Carol Stream, namely one time per week for 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on December 21, 2022 and the last publication of the notice was made in the newspaper dated and published on December 21, 2022. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

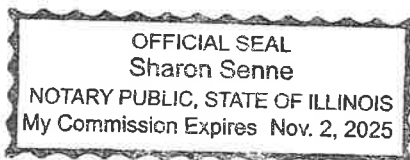
In witness, Examiner Publications, Inc. has signed this certificate by Randall Petrik, its publisher, at The Village of Carol Stream, Illinois, on December 21, 2022.

Examiner Publications, Inc.

By: Publisher 
Randall E. Petrik, Publisher, Examiner Publications, Inc.

Subscribed and sworn to before me this 21 day of December, A.D. 2022.

Notary Public



LEGAL NOTICE PUBLIC NOTICE FILE #22-0048

Notice is hereby given that the Carol Stream Plan Commission/Zoning Board of Appeals will hold a Public Hearing at the Carol Stream Gregory J. Bielawski Municipal Center, 500 N. Gary Avenue, Carol Stream, Illinois, on Monday, January 9, 2023 at 6:00 p.m. to consider an application from CEVA Logistics for the following actions:

A Variation from Section 16-5-8 (F)(2) of the Village of Carol Stream Code of Ordinances to allow a fence to be located in the front yard for the property located at 195 E. Elk Trail (PIN 02-29-200-012).

The hearing will be held in-person and via a web conference meeting. The web conference will allow the public to view the meeting online or listen to the meeting.

Join from a PC, Mac, iPad, iPhone or Android device by using the following URL:

<https://us02web.zoom.us/j/81492691456>

Or join by phone: Dial (for higher quality, dial a number based on your current location):

+1 312 626 6799 or +1 301 715 8592 or +1 646 558 8656

Webinar ID: 814 9269 1456

International numbers available:
<https://zoom.us/j/81492691456>

Those members of the public wishing to be heard with respect to this matter must attend in-person, or complete the public comment form at <http://carolstre.am/pc> by 4:00 p.m. the day of the public hearing.

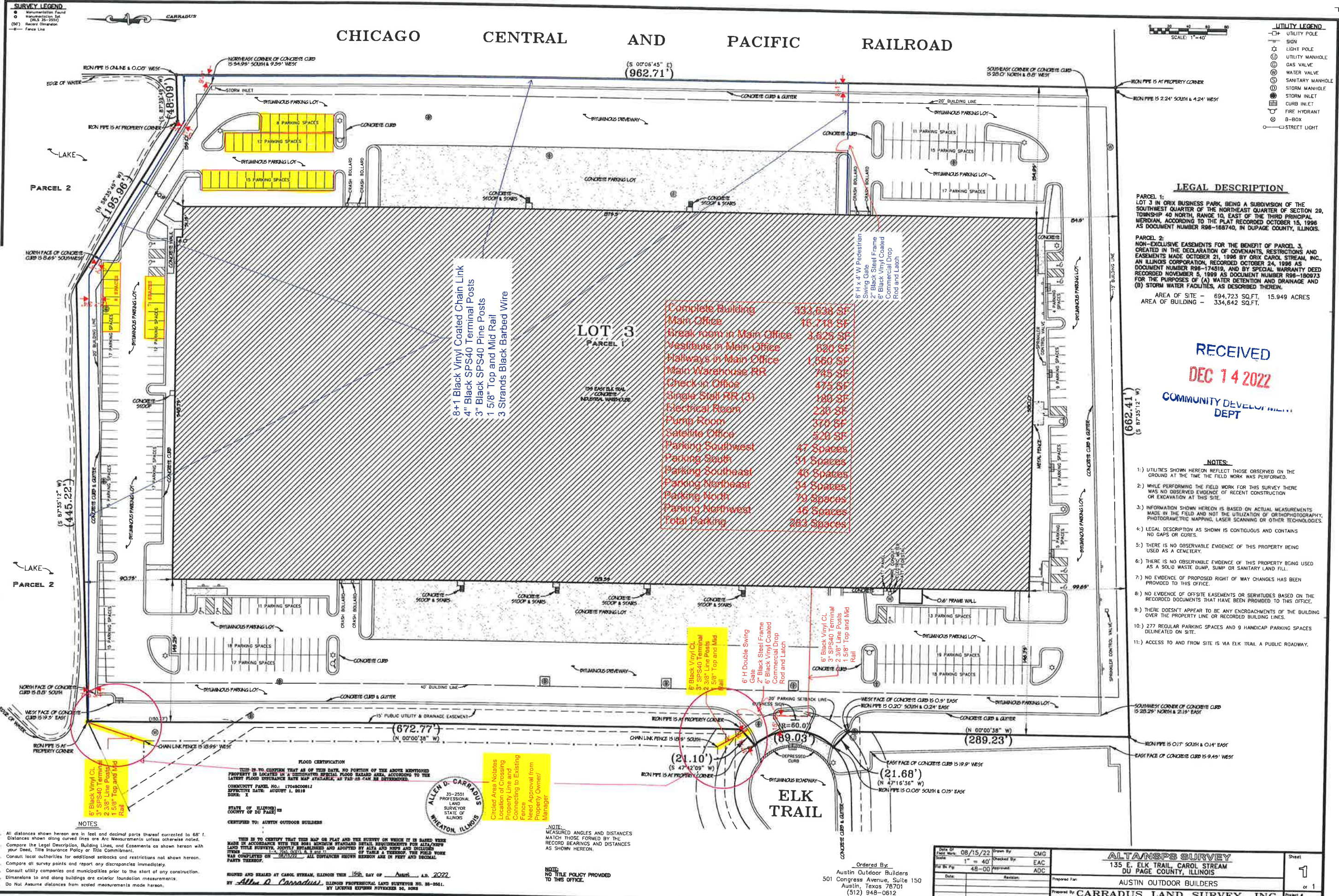
The application is available for public inspection on the Village's website at www.carolstream.org. The public may provide written comments prior to the public hearing by submitting them to Tom Farace, Planning & Economic Development Manager, 500 N. Gary Ave., Carol Stream, IL 60188, or may provide email comments by sending them to tfarace@carolstream.org by 4:00 p.m. the day of the public hearing.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting, are requested to contact the ADA Coordinator at 630-871-6250.

As published in *The Examiner* December 21, 2022 1221

EXHIBIT A

CHICAGO CENTRAL AND PACIFIC RAILROAD



Complete Building	333,638 SF
Main Office	16,718 SF
Break room in Main Office	3,625 SF
Vestibule in Main Office	620 SF
Hallways in Main Office	1,560 SF
Main Warehouse RR	745 SF
Check-in Office	475 SF
Single Stall RR (3)	180 SF
Electrical Room	230 SF
Pump Room	370 SF
Satellite Office	520 SF
Parking Southwest	47 Spaces
Parking South	31 Spaces
Parking Southeast	46 Spaces
Parking Northeast	34 Spaces
Parking North	79 Spaces
Parking Northwest	46 Spaces
Total Parking	283 Spaces

8+1 Black Vinyl Coated Chain Link
 4" Black SPS40 Terminal Posts
 3" Black SPS40 Pine Posts
 1 5/8" Top and Mid Rail
 3 Strands Black Barbed Wire

9' H x 4' W Pedestrian
 Swing Gate
 2" Black Steel Frame
 6" Black Vinyl Coated
 Commercial Drop
 Rod and Latch

LEGAL DESCRIPTION
 PARCEL 1:
 LOT 3 IN ORIX BUSINESS PARK, BEING A SUBDIVISION OF THE
 SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
 TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL
 MERIDIAN, ACCORDING TO THE PLAT RECORDED OCTOBER 15, 1996
 AS DOCUMENT NUMBER R98-168740, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:
 NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 3,
 CREATED IN THE DECLARATION OF COVENANTS, RESTRICTIONS AND
 EASEMENTS MADE OCTOBER 21, 1996 BY ORIX CAROL STREAM, INC.,
 AN ILLINOIS CORPORATION, RECORDED OCTOBER 24, 1996 AS
 DOCUMENT NUMBER R98-174519, AND BY SPECIAL WARRANTY DEED
 RECORDED NOVEMBER 5, 1999 AS DOCUMENT NUMBER R98-180073
 FOR THE PURPOSES OF (A) WATER DETENTION AND DRAINAGE AND
 (B) STORM WATER FACILITIES, AS DESCRIBED THEREIN.
 AREA OF SITE - 694,723 SQ.FT. 15.949 ACRES
 AREA OF BUILDING - 334,642 SQ.FT.

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- NOTES:**
- 1.) UTILITIES SHOWN HEREON REFLECT THOSE OBSERVED ON THE GROUND AT THE TIME THE FIELD WORK WAS PERFORMED.
 - 2.) WHILE PERFORMING THE FIELD WORK FOR THIS SURVEY THERE WAS NO OBSERVED EVIDENCE OF RECENT CONSTRUCTION OR EXCAVATION AT THIS SITE.
 - 3.) INFORMATION SHOWN HEREON IS BASED ON ACTUAL MEASUREMENTS MADE IN THE FIELD AND NOT THE UTILIZATION OF ORTHOPHOTOGRAPHY, PHOTOGRAMMETRIC MAPPING, LASER SCANNING OR OTHER TECHNOLOGIES.
 - 4.) LEGAL DESCRIPTION AS SHOWN IS CONTIGUOUS AND CONTAINS NO GAPS OR GORES.
 - 5.) THERE IS NO OBSERVABLE EVIDENCE OF THIS PROPERTY BEING USED AS A CEMETERY.
 - 6.) THERE IS NO OBSERVABLE EVIDENCE OF THIS PROPERTY BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LAND FILL.
 - 7.) NO EVIDENCE OF PROPOSED RIGHT OF WAY CHANGES HAS BEEN PROVIDED TO THIS OFFICE.
 - 8.) NO EVIDENCE OF OFF-SITE EASEMENTS OR SERVICUTES BASED ON THE RECORDED DOCUMENTS THAT HAVE BEEN PROVIDED TO THIS OFFICE.
 - 9.) THERE DOESN'T APPEAR TO BE ANY ENCROACHMENTS OF THE BUILDING OVER THE PROPERTY LINE OR RECORDED BUILDING LINES.
 - 10.) 277 REGULAR PARKING SPACES AND 9 HANDICAP PARKING SPACES DELINEATED ON SITE.
 - 11.) ACCESS TO AND FROM SITE IS VIA ELK TRAIL A PUBLIC ROADWAY.

FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT AS OF THE DATE, NO PORTION OF THE ABOVE MENTIONED PROPERTY IS LOCATED IN A DESIGNATED SPECIAL FLOOD HAZARD AREA, ACCORDING TO THE LATEST FLOOD INSURANCE RATE MAP AVAILABLE, AS FAR AS CAN BE DETERMINED.
 COMMUNITY PANEL NO.: 17048000812
 EFFECTIVE DATE: AUGUST 1, 2019
 ZONE: X
 STATE OF ILLINOIS
 COUNTY OF DU PAGE
 CERTIFIED TO: AUSTIN OUTDOOR BUILDERS

ALLEN D. CARRADUS
 35-2551
 PROFESSIONAL
 LAND
 SURVEYOR
 STATE OF
 ILLINOIS

Circled Area Notifies
 Location of Crossing
 Property Line and
 Connecting to Existing
 Fence
 Fenced Approval from
 Property Owner/
 Manager

NOTE:
 MEASURED ANGLES AND DISTANCES
 MATCH THOSE FORMED BY THE
 RECORD BEARINGS AND DISTANCES
 AS SHOWN HEREON.

NOTE:
 NO TITLE POLICY PROVIDED
 TO THIS OFFICE.

DRAWN AND REPAIRED BY CAROL STREAM, ILLINOIS THIS 15th DAY OF APRIL, A.D. 2022.
 BY Allen D. Carradus, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
 MY LICENSE EXPIRES NOVEMBER 30, 2024.

THIS IS AN ELECTRONICALLY TRANSMITTED DIGITAL REPRODUCTION OF AN ORIGINAL SIGNED AND SEALED PRINTED PLAT.

- NOTES**
1. All distances shown hereon are in feet and decimal parts thereof corrected to 68° F. Distances shown along curved lines are Arc Measurements unless otherwise noted.
 2. Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
 3. Consult local authorities for additional setbacks and restrictions not shown hereon.
 4. Compare all survey points and report any discrepancies immediately.
 5. Consult utility companies and municipalities prior to the start of any construction.
 6. Dimensions to and along buildings are exterior foundation measurements.
 7. Do Not Assume distances from scaled measurements made hereon.

Date of Field Work	08/15/22	Drawn By	CMG
Scale	1" = 40'	Checked By	EAC
Plot No.	48-00	Approved	ADC
Date		Revision	

Ordered By:
 Austin Outdoor Builders
 501 Congress Avenue, Suite 150
 Austin, Texas 78701
 (512) 948-0612

ALTANSPS SURVEY
 135 E. ELK TRAIL, CAROL STREAM
 DU PAGE COUNTY, ILLINOIS
 AUSTIN OUTDOOR BUILDERS

Prepared By:
CARRADUS LAND SURVEY, INC.
 1311 Gary Avenue, Suite 100 Carol Stream, Illinois 60188
 (630) 588-0416 (FAX) 630-583-7682 carradus-survey@yahoo.com

Sheet
 1
 of 1
 37499-AL

AOB CONSTRUCTION LLC

Doc:1486556, WO:0

QNTY: 1 BLK DD GATE 30Wx6 2" PP40 8ga2B KT NO BARB

Date: 8/4/2022

***Fab: BLK 2B 2x8 KT DIAG TRUSS EACH BAY**

Selvage: KT

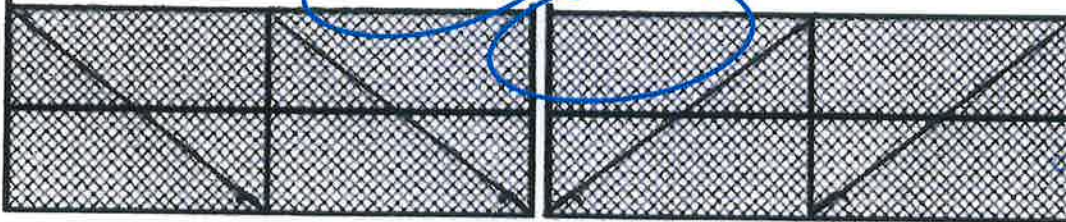
Creator: sammycooper

Part Code: GTI15523ED

Salesman: S.COOPER

Customer Approval Signature: _____

Date: 8/16/22



RECEIVED

OCT 11 2022

COMMUNITY DEVELOPMENT DEPT

EXHIBIT B1

Single Panel Build Instructions:

Industrial Standard Tip to Tip Height: 70-exact" Width: 29'4-5/8"

Fabric: BLK 8 Gauge VNL 2B 2in MESH KT

2pc(s) BLK TOP RAIL 2 in PP40 BLK Coped Length: 14'5-exact"

2pc(s) BLK BOTTOM RAIL 2 in PP40 BLK Coped Length: 14'5-exact"

2pc(s) BLK HINGE POST 2 in PP40 BLK Length: 70-exact"

2pc(s) BLK LATCH POST 2 in PP40 BLK Length: 70-exact"

**** Place INNER RAILS first, they span full inner width.**

2pc(s) BLK INNER RAIL 2 in PP40 BLK Coped Length: 14'5-exact"

4pc(s) BLK INNER UPRIGHT 2 in PP40 BLK Coped Length: CUT TO FIT

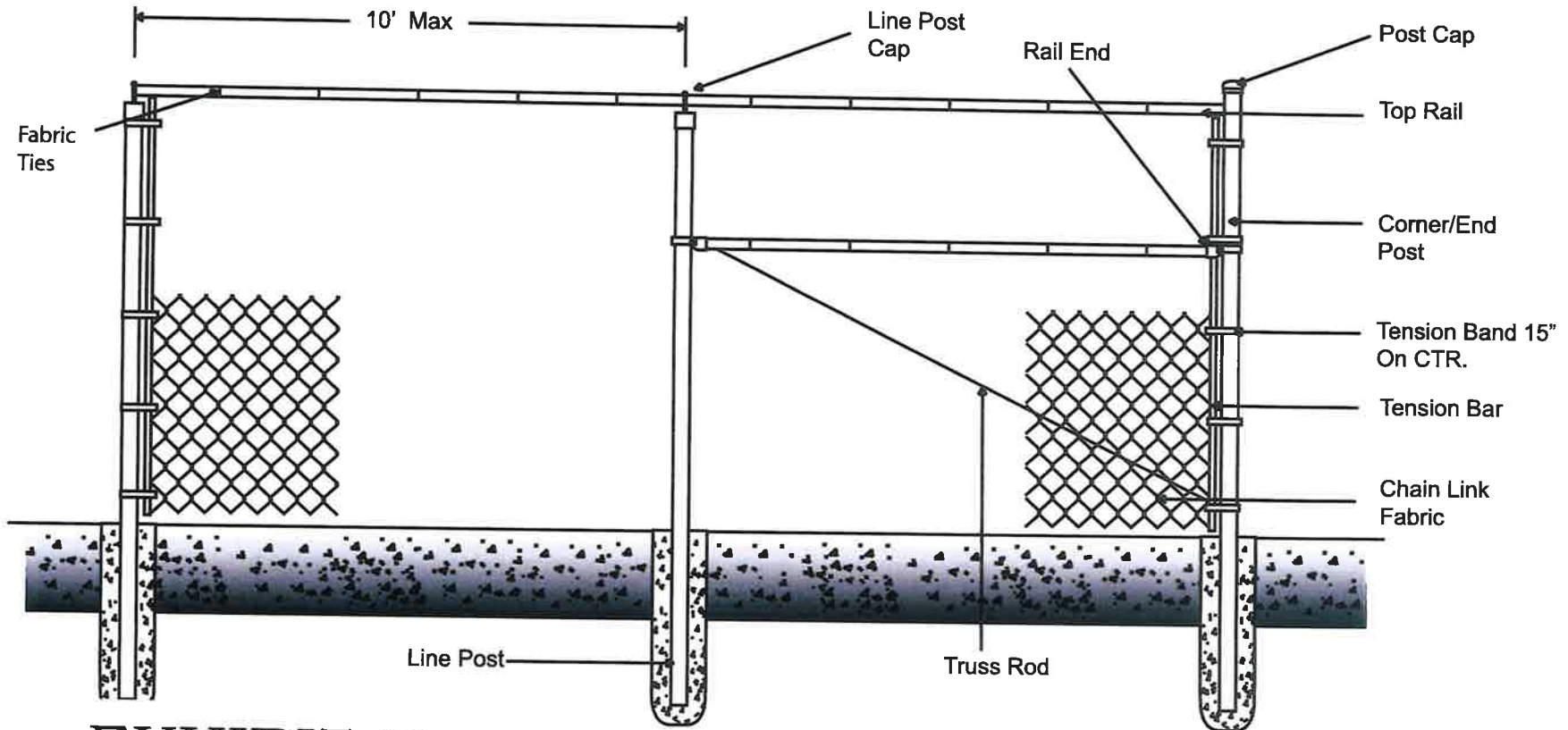


EXHIBIT B2

RECEIVED

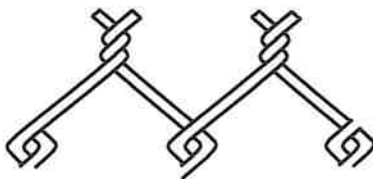
OCT 11 2022

COMMUNITY DEVELOPMENT DEPT

Fabric	Height	Mesh	Gage	Selvage	Finish
	6'	2"	8	KK	Black
Framework	O.D.	Wall	Wt. per ft.	Length	
End/Corner Post	3"				
Line Post	2 3/8"				
Rails	1 5/8"				
Gate Frame					
Gate Post					

- Gate Fabric to match fence
- For welded frames onit truss rods
- For more information please see <http://www.spsfence.com>

Twist or Barb Selvage



Knuckle Selvage



Last Revised: 10-02-06

Standard Chain Link Fencing

Standard ChainLink Fence W/Top Rail & Brace Assembly

Approved By/Date	Revision NO.
Drawn By: Joshua Stidham	Effective Date

Drawing NO. SPS-CL-06R2

COMMUNITY DEVELOPMENT
DEPT
OCT 11 2022
RECEIVED

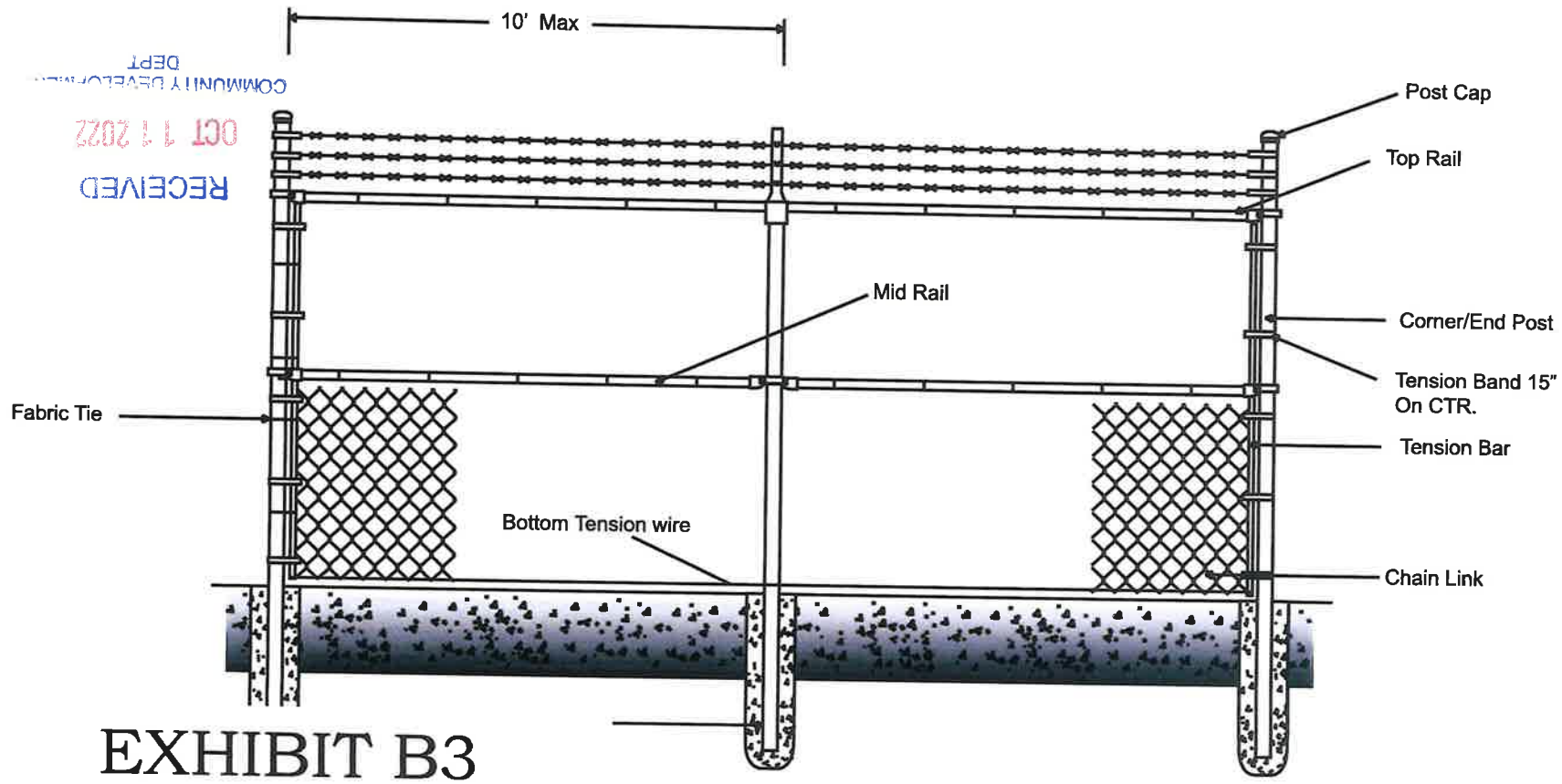
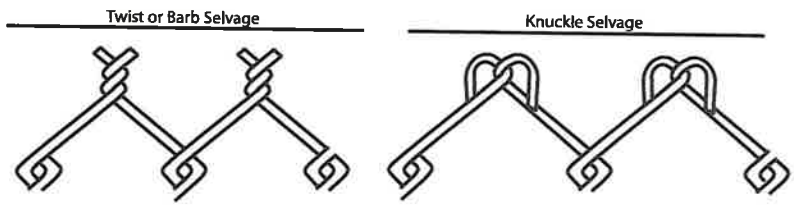


EXHIBIT B3

RECEIVED
OCT 11 2022
COMMUNITY DEVELOPMENT
DEPT

Fabric	Height	Mesh	Gage	Selvage	Finish
Framework		O.D.	Wall	Wt. per ft.	Length
End/Corner Post					
Line Post					
Rails					
Gate Frame					
Gate Post					

- Gate Fabric to match fence.
- For welded frames onit truss rods
- For more information please see <http://www.spsfence.com>



▲ - NTS



Standard Chain Link Fencing

Standard ChainLink Fence W/Top, Mid & Rail Bottom Tension & Barb

Approved By/Date	Revision NO.
Drawn By:	Effective Date

Drawing NO.
SPS-CL-11R2

Village of Carol Stream Plan Commission/Zoning Board of Appeals

STAFF REPORT

January 9, 2023

TO:
Chairman and Plan Commissioners

FROM:
Community Development
Department

CASE MANAGER:
Tom Farace, Planning & Economic
Development Manager

ACTION REQUESTED:
Staff is requesting the following:

- Text Amendments for modifications to Article 3 (District Specific Standards) and Article 4 (Use Specific Standards) of Chapter 16 (Unified Development Ordinance) of the Carol Stream Code of Ordinances, pertaining to adult use cannabis dispensaries, in accordance with Section 16-8-4 (M) of the UDO

APPLICANT/ CONTACT:
Village of Carol Stream
500 N. Gary Avenue
Carol Stream, IL 60188

CASE #: 22-0057

PROJECT NAME: Village of Carol Stream - Text Amendment
(Adult-Use Cannabis Dispensaries)

BACKGROUND:

On January 1, 2014, The Compassionate Use of Medical Cannabis Pilot Program, which went into effect in Illinois, allowed qualifying patients with a debilitating medical condition to obtain and use cannabis for medicinal purposes. In August 2014, the Plan Commission recommended, and the Village Board approved, zoning text amendments to allow medical cannabis dispensaries as a special use in the B-4 Office, Research, and Institutional Building District.

On January 1, 2020, The Cannabis Regulation and Tax Act (CRTA) went into effect, and legalized and regulated the production, consumption, and sale of cannabis in Illinois. In late 2019 and prior to the CRTA going into effect, the Plan Commission reviewed, and the Village Board approved, zoning text amendments to also allow adult use (recreational) cannabis dispensaries as a special use in the B-4 District.

In October 2022, the DuPage County Board approved zoning changes to allow adult use cannabis dispensaries as a permitted use in business, office, and industrial districts for unincorporated properties within the County. Given the recent changes in County zoning regulations for adult use cannabis dispensaries, there is now a greater likelihood that a cannabis dispensary could locate close to, but not within, Carol Stream, for example on an unincorporated property on North Avenue. As such, the Village Board discussed possible zoning changes for dispensaries in the Village at their November 7, 2022 and December 5, 2022 meetings. At the December 5th meeting, staff was given direction to prepare a text amendment to amend the UDO to allow adult cannabis dispensaries as a special use in the B-3 General Business District. A [link](#) to the video for the December 5th Village Board meeting is provided, with cannabis dispensary discussion occurring from the 20 minute, 33 second marker to the 1 hour, 24 minute marker.

The staff report provides proposed language for the text amendments regarding cannabis dispensaries.



ATTACHMENTS:

Attached for review is the General Application, Text Amendment Application, Public Notice, and Cannabis Dispensary Buffer Map (Exhibit A).

Staff Analysis

TEXT AMENDMENT

As indicated, staff was directed by the Village Board to prepare code language to allow adult use cannabis dispensaries as a special use in the B-3 District. The B-3 District was established to “provide and preserve areas along highly visible and accessible road corridors that provide for a broad range of retail, wholesale, and service uses.” As the PC/ZBA may recall during the formation of the UDO, commercial properties along Army Trail Road, North Avenue, County Farm Road, Schmale Road, and Geneva Road either maintained their B-3 zoning designation or were rezoned to B-3 to establish zoning consistency along these major commercial corridors. Smaller commercial properties along Gary Avenue and Elk Trail maintained the B-2 Neighborhood Business District.

With the formation of the UDO, the B-4 District was renamed to the O-S Office and Service District. Properties with the O-S District zoning designation are located primarily along portions of Schmale Road and Gundersen Drive, but also include Grace Plaza on North Avenue (property which contains Wheaton Christian Center Church) and the Covenant Living at Windsor Park senior housing development on North Avenue. With existing location restrictions in place for adult use cannabis dispensaries in the O-S District, only the Covenant Living at Windsor Park property is eligible as a dispensary location.

Below is a summary of the proposed text amendments regarding cannabis business establishments, and attached is a map illustrating B-3 and O-S zoned properties, along with a table illustrating conducted research on dispensary regulations in area municipalities and DuPage County.

- The proposed amendment would add “adult use cannabis dispensing organization” as a special use in the B-3 District. The existing definition in the UDO is provided below. Adult use cannabis dispensaries will continue to be a special use in the O-S District.

ADULT USE CANNABIS DISPENSING ORGANIZATION. *A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act.*

- Staff was directed to modify the existing distance requirements between a proposed dispensary and other uses such as schools, libraries, parks, daycare centers, and places of worship. The UDO currently states that a dispensary must be at least 1,000 feet away from such uses, but the Village Board directed staff to amend dispensary distance requirements to match requirements in place for businesses that sell alcohol (retail sales) in the Village. This distance requirement is stated as “not within 100 feet of any church, school, hospital, home for aged or indigent persons or for veterans, their spouses or children, or any military or naval station.” Please note that this modification will no longer provide the separation requirement between a proposed dispensary and parks, libraries, and daycare centers. In addition, it should be noted that the distance requirement between dispensaries would remain at 1,500 feet, as stipulated by State of Illinois regulations.
- Staff was also directed by the Village Board to amend the UDO so that the code requirements for adult use cannabis dispensaries are also applied to medical cannabis dispensaries. While the State of Illinois is not issuing additional medical cannabis dispensary licenses at this time, it does not mean that licenses will not be issued in the future. Per the direction of the Village Attorney, separate definitions and use categories for adult use and medical cannabis dispensaries should remain in the UDO. For reference, below is the definition of a medical cannabis dispensary in the UDO.

MEDICAL CANNABIS DISPENSARY. *A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a medical cannabis cultivation center registered by the Illinois Department of Agriculture for the purpose of dispensing cannabis to qualifying patients or caregivers registered by the Illinois Department of Public Health.*

The proposed text amendment language is illustrated below in red and underlined. Text to be removed is ~~struck through~~. It should be noted that the current use-specific provisions and plan submittal requirements for any special use permit application would remain unchanged with the exception of the change in the reduction in buffering distance.

§ 16-3-11 PERMITTED AND SPECIAL USES.

Proposed Use	Additional Regulations	R-1	R-2	R-3	R-4	B-1	B-2	B-3	O-S	I
Commercial Retail										
<i>Retail Sales, General</i>						P	P	P	S	
<i>Retail Sales, Accessory</i>	§ <u>16-4-7</u>									P
<i>Grocery Stores</i>						P	P	P		
<i>Specialty Food Stores</i>						P	P	P		

Multi-tenant Shopping Center						S	S	S		
Out Lot Retail Building	§ 16-4-8							P		
Medical Cannabis Dispensary									S	
Pawn Shop							P	P		
Gun Shop										
Adult Use Cannabis Dispensing Organization	§ 16-4-9							<u>S</u>	S	
Adult Oriented Uses	§ 16-4-10									P

§ 16-4-9 ADULT USE AND MEDICAL CANNABIS DISPENSING ORGANIZATION.

Adult use and medical cannabis dispensing organizations shall be permitted as special uses and shall meet the following provisions:

(A) *Submission Requirements and criteria.*

(1) An accurately dimensioned site plan indicating buildings, building entrances, parking, sidewalks, adjacent streets and immediately surrounding uses. The site plan shall include a statement that the location of the cannabis dispensing organization is not in violation of the distance requirements set forth in this section.

(2) A floor plan of the interior of the facility indicating the principal uses on the floor plan, including retail areas and storage areas.

(3) A plan for disposal of any cannabis or byproducts.

(4) A plan for ventilation of the dispensing organization that describes the ventilation systems that will be used to prevent any odor of cannabis off the premises of the business.

(5) A security plan that includes facility access controls, surveillance systems, on-site security personnel, and other security measures required by state or local regulations. Security arrangements must deter and prevent unauthorized entrance into areas containing cannabis or cannabis products and the theft of cannabis or cannabis products, and ensure the safety of employees and customers, as well as the surrounding area, and include no less than the minimum security and lighting measures required by state law. The security plan shall be reviewed and approved by the chief of police.

(6) A proposed plan of operations. The proposed plan of operations of the dispensing organization must demonstrate the intent of the organization to operate in full compliance with the Cannabis Regulation and Tax Act and/or Medical Cannabis Act, as applicable.

(7) A signage plan shall be submitted. The proposed signage plan shall comply with the following standards. No sign shall contain any logo, name, wording, statement or illustration that is:

- (a) False or misleading;
- (b) Promotes the overconsumption of cannabis;
- (c) Displays cannabis;

- (d) Shows someone under 21 consuming cannabis;
 - (e) Includes the image of the cannabis leaf or bud;
 - (f) Includes any image that is likely to appeal to minors; or
 - (g) Contains any slang or colloquial term for cannabis or cannabis paraphernalia.
- (8) A parking and/or traffic study may also be requested to determine parking adequacy or traffic circulation.
- (9) Exterior appearance: The exterior appearance of the building of a dispensing organization shall be compatible with commercial structures already constructed or under construction within the immediate neighborhood, to ensure against blight, deterioration, or substantial diminishment or impairment of property values in the vicinity.
- (10) Performance standards: All uses shall provide evidence of conformity to the performance standards for noise, vibration, smoke, dust, odor, heat, glare, fire hazard and other objectionable influences established by the State of Illinois and administered by the Illinois Environmental Protection Agency, the United States of America and administered by the federal environmental agency, and any ordinance of DuPage County or the Village of Carol Stream.
- (11) Location:
- (a) A dispensing organization shall not be located within a 1,500 foot radius of any other dispensing organization located within or outside the village, or be located within 100 feet of any place of worship, school, hospital, home for aged or indigent persons or for veterans, their spouses or children, or any military or naval station ~~1,000 feet of the property line of a preexisting public or private preschool or elementary or secondary school or day care center, park, place of worship, or public library~~ within or outside the village.
 - (b) A dispensing organization shall not contain a drive up service window.
- (12) Exterior lighting: Lighting shall illuminate the exterior of the building and all entrances and exits to the facility. Exterior lighting shall be one foot-candle and shall remain on until at least one hour after the closing of the dispensing organization. In addition, all exterior lighting shall be inwardly directed so that no direct lighting is cast off-premises.
- (13) Entrance: A dispensing organization may have more than one means of egress from the interior so as to meet building codes and public safety concerns; however, it shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis. The entrance shall be located and maintained clear of any barriers, landscaping and similar obstructions that may block the view so that the entrance and pedestrian access is clearly visible from the public street, sidewalk and parking area.
- (14) Cannabis paraphernalia and product display: No cannabis or paraphernalia shall be displayed or kept in a dispensing organization so as to be visible from outside the premises.
- (15) On-site use prohibited: No cannabis shall be smoked, eaten or otherwise consumed or ingested within any dispensing organization.
- (16) Other standards:
- (a) All dispensing organizations shall abide by all other applicable state and village regulations and requirements. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act, and shall obtain and maintain at all times valid licensing, certification, and/or accreditation by appropriate, local, state and national bodies charged with

the regulation of adult-use or medical cannabis business establishments and shall adhere to all governing local, state and national codes and regulations.

(b) Principal use. The cannabis dispensing organization is allowed as a principal use only and not allowed as an accessory use or temporary use as defined within the Unified Development Ordinance Zoning Code.

Community/County Research

Municipality	Zoning Districts Allowing Dispensaries	Setbacks Required	# of Existing Dispensaries	Limit on # of Dispensaries
Addison	M2 Manufacturing (P) M4 Manufacturing (P)	250 feet from a residential structure	2	Yes - 2
Glendale Heights	C2 Community Commercial (SU) C3 General Commercial (SU) BP Business Park (SU) I Light Industrial District (SU)	Only allowed on North Avenue and Army Trail Road; and must be 500 feet from public or private school, hospital, and home for the aged	0 (however, Glendale Heights approved a dispensary on 1/3/23)	Yes - 2
Lombard	O Office District (P) B1 Limited Neighborhood (SU) B2 General Neighborhood (SU) B3 Community Shopping (SU) B4 Corridor Commercial (SU) B4A Roosevelt Corridor (P) B5 Central Business (SU) B5A Downtown Perimeter (SU)	No setbacks from any uses	1	No
Naperville	B2 Community Shopping Center (P) B3 General Commercial (P) HS Health Service (P) I Industrial (P) ORI Office Research Industrial (P) RD Research and Development (P)	1,000 feet from public or private schools, learning centers, fitness facilities, daycares	3	Yes - 3
Roselle	B2 Convenience Shopping Center (SU) B5 Arterial Business (SU) B3 Town Center (SU) B4 General Business (SU) ORI HC High Cube (SU)	No setbacks from any uses	0 (however, Roselle approved a dispensary on 11/14/22)	No
Schaumburg	B2 General Business (SU) B3 Planned Office Business (SU)	1,000 feet from public or private	3	Yes - 5

	B4 Retail, Service and Motor Vehicle (SU) B5 Planned Regional Center (SU) Golf Road Corridor Overlay District (SU)	school, daycare or place of worship		
St. Charles	BC Community Business (SU) BR Regional Business (SU)	250 feet from public or private school, daycare, place of worship, or property zoned in single-family residential district	2	Yes - 2
Villa Park	C3 Service Business (SU)	1,000 feet from a school, playground, recreation center, daycare, library, park, or arcade	1	No
DuPage County	B1 Local Business (P) B1 General Business (P) O Office (P) O-R Office Research (P) I Light Industrial (P) General Industrial (P)	Property must be on a Principal Arterial Roadway, and must be 1,500 feet from public or private school, daycare, residential care home or group home	0	No

The Plan Commission should accept public testimony, and is encouraged to ask questions and provide comments and a recommendation regarding the proposed text amendments.

Recommendation

Staff recommends approval of text amendments to Articles 3 and 4 of the Unified Development Ordinance for the regulation of adult use cannabis dispensaries, Case No. 22-0057.



Do Not Write in This Space

Date Submitted: 12/6/22
Fee Submitted: -
File Number: 22-0057
Meeting Date: 1/9/23
Public Hearing Required: Y

Village of Carol Stream

500 N. Gary Avenue ▪ Carol Stream, IL 60188

PHONE 630.871.6230 ▪ FAX 630.665.1064

www.carolstream.org

FORM A

GENERAL APPLICATION PUBLIC HEARINGS AND DEVELOPMENT APPROVAL REQUESTS

1. Name of Applicant Village of Carol Stream Phone 630.871.6230
 Address 500 N. Gary Avenue, Carol Stream, IL 60018 Fax _____
 E-Mail Address communitydevelopment@carolstream.org
 (required)
 Name of Attorney _____ Phone _____
 (if represented)
 Address _____ Fax _____
 Name of Owner _____ Phone _____
 (required if other than applicant)
 Address _____ Fax _____
 Name of Architect _____ Phone _____
 (if applicable)
 Address _____ Fax _____

2. *Common Address/Location of Property 500 N. Gary Avenue, Carol Stream, IL 60018

3. Requested Action: *(check all that apply)*
- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Subdivision – Minor/Major |
| <input type="checkbox"/> Courtesy Review | <input type="checkbox"/> Temporary Waiver/Code of Ordinances |
| <input type="checkbox"/> Development Staff Review | <input type="checkbox"/> Variation – Zoning (requires Form B-1) |
| <input type="checkbox"/> Gary/North Avenue Corridor Review | <input type="checkbox"/> Variation – Sign (requires Form B-2) |
| <input type="checkbox"/> Planned Development – Final | <input type="checkbox"/> Variation – Fence (requires Form B-3) |
| <input type="checkbox"/> Planned Development – Preliminary | <input type="checkbox"/> Special Use Permit (requires Form C) |
| <input type="checkbox"/> Shared Parking Facility | <input checked="" type="checkbox"/> Map Amendment (requires Form D-1) |
| <input type="checkbox"/> Site Plan Review | <input checked="" type="checkbox"/> Text Amendment (requires Form D2) |
| | <input type="checkbox"/> Staff Adjustment (requires Form E) |

Describe requested action Proposed code amendment to allow adult use cannabis dispensaries as a special use in the B-3 District

4. Fee Schedule: (Check all that apply)

Total Application Fee: \$ n/a

Annexation approvals:		
New development		\$2,000
Other		\$800
Annexation Agreement Amendment		\$800
Appearance fee for approvals required by the UDO but not listed herein		\$500
Courtesy Review		\$240
Development Staff Review		\$640
Easement Encroachment		\$300
Gary/North Avenue Corridor Review:		
New or replacement monument sign		\$500
One discipline (site design, architecture or landscaping)		\$500
Two disciplines		\$1,000
Three disciplines		\$1,500
New development		\$1,500
Outdoor Dining Permit		\$120
Planned Development:		
Existing Planned Development, minor change		\$500
Existing Planned Development, major change		\$1,000
New Planned Development		\$1,500
Rezoning (Zoning Map Amendment)		\$640
Shared Parking Facility Permit		\$500
Site Plan Review		\$640
Special Use:		
First		\$800
Each additional		\$200
Special Use Amendment		\$800
Staff Adjustment		\$240
Subdivision:		
Major		\$700
Minor		\$400
Temporary Building, Structure or Use		\$120
Temporary Waiver to the Code of Ordinances		\$120
Text Amendment:		
Building Codes		\$240
Unified Development Ordinance		\$640
Variation:		
First		\$640
Each additional		\$200
Zoning verification letter		\$80

5. Applicant Certification

*I authorize the Village of Carol Stream to install a temporary sign or signs on the property having the common address indicated in Item 2 on this form, for notifying the public of the upcoming public hearing, once the hearing has been scheduled.

I have reviewed a copy of the informational handout(s) for the zoning process(es) for which I am making an application. I am familiar with the code requirements that relate to this application and I certify that this submittal is in conformance with such code(s).

I understand that incomplete or substandard submittals may increase the staff review time and delay scheduling of the public hearing. I also understand that, per § 6-13-6 of the Municipal Code, the Village's costs of legal reviews, structural engineering review, and other special reviews determined to be necessary by the Community Development Director, performed by means of consultant services, shall be paid at the billed rate to the Village by the applicant.

JOM FARACE

Print Name

JOM FARACE

Signature

12/6/22

Date

Revised 11/22



FORM D-2

Village of Carol Stream

500 N. Gary Avenue • Carol Stream, IL 60188

630.871.6230 • FAX 630.665.1064

e-mail: communitydevelopment@carolstream.org • website: www.carolstream.org

TEXT AMENDMENT

Please see Section 16-8-4(M) of the Unified Development Ordinance (UDO) to learn more about Text Amendments.

In accordance with the applicable statutes of the State of Illinois, an amendment shall be granted or denied by the Village Board only after a public hearing before the Plan Commission and a report of its findings and recommendations has thereafter been submitted to the Village Board.

Proposed Text Amendments that satisfy all of the review criteria may be approved. The Plan Commission and Village Board shall consider the following criteria in their review of Text Amendments: (Please respond to each of these standards in writing below as it relates to your request.)

1. The amendment must be consistent with the purpose of this UDO and the Village Comprehensive Plan.

The UDO and Comprehensive Plan call for special uses to be established in zoning districts that will not impede the normal and orderly flow of development, and allow for new uses to be established based on economic and land use criteria.

2. The amendment must not adversely affect the public health, safety, or general welfare.

The proposed amendment to allow adult use cannabis dispensaries as a special use in the B-3 District should not adversely affect public health, safety, or general welfare given the retail nature of the District.

3. The amendment is necessary because of changed or changing social values, new planning concepts, or other social, technological, or economic conditions in the areas affected.

As the State of Illinois, and DuPage County, approve dispensaries throughout the region, the Village of Carol Stream has directed staff to propose code changes that reflect said change in the region for the community.

Certificate of the Publisher

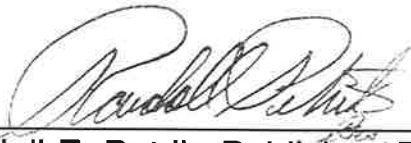
Examiner Publications, Inc. certifies that it is the publisher of The Examiner of Carol Stream. The Examiner of Carol Stream is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Carol Stream, township of Bloomingdale, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 times in The Examiner of Carol Stream, namely one time per week for 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on December 21, 2022 and the last publication of the notice was made in the newspaper dated and published on December 21, 2022. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Examiner Publications, Inc. has signed this certificate by Randall Petrik, its publisher, at The Village of Carol Stream, Illinois, on December 21, 2022.

Examiner Publications, Inc.

By: Publisher



Randall E. Petrik, Publisher, Examiner Publications, Inc.

Subscribed and sworn to before me this 21 day of December, A.D. 2022.

Notary Public



LEGAL NOTICE PUBLIC NOTICE FILE #22-0057

Notice is hereby given that the Carol Stream Plan Commission/Zoning Board of Appeals will hold a Public Hearing at the Carol Stream Gregory J. Bielawski Municipal Center, 500 N. Gary Avenue, Carol Stream, Illinois, on Monday, January 9, 2023 at 6:00 p.m. to consider an application from the Village of Carol Stream for the following actions:

Text Amendments for miscellaneous modifications to Article 3 (District Specific Standards) and Article 4 (Use Specific Standards) of Chapter 16 (Unified Development Ordinance) of the Village of Carol Stream Code of Ordinances, pertaining to cannabis dispensaries.

The hearing will be held in-person and via a web conference meeting. The web conference will allow the public to view the meeting online or listen to the meeting.

Join from a PC, Mac, iPad, iPhone or Android device by using the following URL:

https://us02web.zoom.us/j/zoom/register/WN_qWWpZoyxTmMubkKYFhKfg

Or join by phone: Dial (for higher quality, dial a number based on your current location):

+1 312 626 6799 or +1 301 715 8592 or +1 646 558 8656

Webinar ID: 814 9269 1456

International numbers available:
https://zoom.us/j/zoom/register/WN_qWWpZoyxTmMubkKYFhKfg

Those members of the public wishing to be heard with respect to this matter must attend in-person, or complete the public comment form at <http://carolstre.am/pc> by 4:00 p.m. the day of the public hearing.

The application is available for public inspection on the Village's website at www.carolstream.org. The public may provide written comments prior to the public hearing by submitting them to Tom Farace, Planning & Economic Development Manager, 500 N. Gary Ave., Carol Stream, IL 60188, or may provide email comments by sending them to tfarace@carolstream.org by 4:00 p.m. the day of the public hearing.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting, are requested to contact the ADA Coordinator at 630-871-6250.

As published in *The Examiner* December 21, 2022 1221



Village of Carol Stream

Adult-Use Cannabis Dispensaries 100-Foot Buffer

Schools,
Places of Worship,
Assisted Living Facilities/
Nursing Homes

- 100 ft Buffer
- Assisted Living/Nursing Home
- Place of Worship
- School
- O-S
- B-3
- Village Limits
- Neighboring Community Boundaries

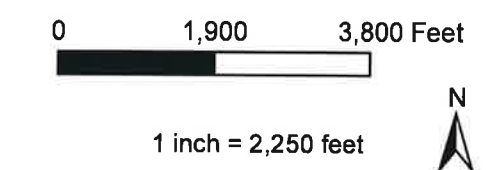


EXHIBIT A

