

**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
November 28, 2022.***

Chairman Parisi 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: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi

Absent: 1 Commissioner Christopher

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 Tucek seconded the motion to approve the minutes of the Regular Meeting held on October 10, 2022.

The results of the roll call vote were:

Ayes: 4 Commissioners Morris, Petella, Tucek and Chairman Parisi

Nays: 0

Abstain: 2 Commissioners Battisto and Meneghini

Absent: 1 Commissioner Christopher

The motion passed by a majority vote.

Case #22-0052– LiUNA – 1200 N. Gary Avenue
Plat of Consolidation

Chairman Parisi asked the petitioner to provide his presentation.

Mr. Steven Edwards, representative for LiUNA, stated part of the annexation agreement had a condition of approval to have the two subject properties consolidated.

Chairman Parisi asked Mr. Farace to provide a presentation.

Mr. Farace stated a component of their Rezoning and Special Use approval was to consolidate all lots. The main property is located on Old Gary and the smaller parcel has their training center. Now the lots will be consolidated.

Commissioner Petella moved and Commissioner Morris seconded the motion with no further discussion. The results of the roll call vote were:

Ayes: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi
 Nays: 0
 Abstain: 0
 Absent: 1 Commissioner Christopher

The motion passed by unanimous vote.

PUBLIC HEARING:

Chairman Parisi asked for a motion to open the Public Hearing. Commissioner Meneghini moved and Commissioner Tucek seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi
 Nays: 0
 Abstain: 0
 Absent: 1 Commissioner Christopher

The motion passed by unanimous vote.

Case #22-0020 – Revir Carol Stream – 400 Main Place

Amendment to a Special Use Permit for a Planned Development

Chairman Parisi swore in Mr. Eric Carlson from ECA Architects and asked him to give his presentation.

Mr. Carlson stated he is speaking on behalf of the applicant, Mr. Rushi Shah, who is present and the owner of the Mag Mile Capital. Mr. Shah is looking to redevelop the existing office building at 400 Main Place into 18 residential units with some studio, 1, 2 and 3 bedroom apartments. The building itself will stay the same but the site will be redeveloped. A realignment of the parking will allow for additional spaces and the area along the west end of the building will be converted to parking also. The other two buildings to the west are also part of the purchase and use a shared parking lot. Reconfiguring the parking will make it more cohesive and include the middle building. We are adding some sidewalks that connect the building with the other existing building along with a gazebo area to be utilized by all three buildings. The façade and entryway will remain the same but we are adding an elevator to meet ADA requirements. We are also enhancing the lobby, adding a formalized entry on the west side and replacing the gravel on the south side with some grass per Staff's recommendation.

Chairman Parisi asked for any comments or questions from the audience and there were none.

Mr. Farace stated Mag Mile Capital is the new owner of the three buildings located on Executive Drive and Main Place. They will be repurposing the existing office building to provide 18 additional apartment units. The parking lot will be reconfigured and expanded with an additional lot on the southern end, some parking islands will be added with landscaping as well as some additional landscaping around the

building. The parking meets the necessary requirements. Staff is supportive of this request, with conditions, and is recommending approval.

Chairman Parisi asked for comments or questions from the Commission.

Commissioner Meneghini had no questions at this time.

Commissioner Morris asked what the demographics will be and if they are going to install a playground.

Mr. Carlson stated there is an existing playground.

Chairman Parisi swore in Mr. Rushi Shah so he can answer that question.

Mr. Shah stated there would be mostly families with one or two kids.

Commissioner Petella asked about the trailers in the south parking lot and asked if he planned to put trailers there. He also asked if he read the eight recommendations from Staff and was willing to comply.

Mr. Shah stated that was an old picture and he does not plan to put any trailers in that lot. He also said he is aware of the eight conditions and is willing to comply.

Commissioner Tucek asked if the trash containers could be more centrally located and had a construction concern.

Mr. Shah stated each building has a trash container nearby.

Mr. Farace said if any construction takes place by the other businesses, they would be several feet on Mr. Shah's property and they will be installing a fence on that side.

Commissioner Battisto had no questions.

Commissioner Meneghini asked Mr. Shah if he would be able to comply with the eight conditions recommended by Staff.

Mr. Shah replied yes.

Chairman Parisi asked about the comment on the site plan reading 'concrete to remain' and inquired if that was pertaining to the service drive.

Mr. Carlson stated that area had some old sidewalk and will be replaced with grass.

Commissioner Petella moved and Commissioner Tucek seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 1 Commissioner Christopher

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, December 5, 2022, at 6:00 PM for review.

Case #22-0051 – Carol Stream Animal Hospital – 160 W. Elk Trail

Amendment to a Special Use Permit for a Boarding and Kennel Facility (Indoor)

Chairman Parisi swore in Dr. Mondrian Contreras from Carol Stream Animal Hospital and asked him to give his presentation.

Dr. Contreras stated original plan did not include the outdoor training areas and just reflected grass. The three fenced in areas, approximately 20 x 30, will be used for training purposes and used about 10 percent of the time.

Chairman Parisi asked for comments or questions from the audience and Mr. Farace stated a comment was received and it should be on record.

Mr. Farace stated the comment is from Michelle and Robert Kronam, 161 W. Elk Trail. The email was titled "Fence Change for Carol Stream Central Bark". The email read: We are opposed to the fence change and outdoor use for Central Bark. Our main concern is them not being able to abate barking dogs outside in the yard. There are THREE people in this building that work nights and SLEEP during the daylight hours so ANY barking will DISTURB their rest to be able to work and perform their overnight jobs! It also will interfere with quiet enjoyment that is guaranteed under village and Illinois state law! We as the village vote NO to the proposed change and have Central Bark stick with the original plan of a wooden privacy fence with soundproof panels. Thank You for this consideration!

Dr. Contreras replied that dogs will bark, but by having the outdoor, fenced in areas we will be able to control the barking. Also, all dogs have to pass a behavioral assessment. Any dog that continually barks inside will not be allowed to remain in our facility because that dog is in distress. In addition, the average decibel of a screaming child is 90 decibels. An average decibel rating of a barking dog is 80 decibels.

Mr. Farace stated Dr. Contreras is seeking an amendment for a Special Use Permit he received last year for a kennel and boarding facility indoors. Central Bark is a franchise with two other locations in Illinois. The training area kennels are outdoor. The Lakehaven Apartment Complex is located to the south; to the north are the Carolshire Condominiums (where the Kronam's live) across the street. To the west is Park District Property where the path and Mitchell Lake is located. Staff was under the impression the dogs would be limited to indoor activity, and a wood fence was proposed on the other sections that the Park District did not repair. Now Dr. Contreras is proposing to maintain the 6-foot chain link fence, add an angled extension at the top bringing the total height to 7 feet (allowed per code) and install mesh screening on the entire fence. Each 20 x 30 fenced, training area will have 12 dogs per one employee. The rear area would be used for agility training which is one dog and one employee. In general, Staff is supportive of the proposal but would like feedback from the Commission on the following: Amount of dogs inside was projected to be 70-80 dogs. If each training area has 12 dogs that would be about half of the dog population outside and are concerned that might be excessive. Staff thought maybe the dogs outside for training could be limited. Staff is also working with Dr. Contreras on the plans regarding the utility easement on the west side of the property. Staff recommends approval but questions if there should be a limit to the number of dogs outside.

Chairman Parisi asked what the intent of the slope or angle at the top of the fence.

Dr. Contreras replied that it would not be barbed wire, but to protect the dogs if they were able to get over the first two fences.

Chairman Parisi asked for comments or questions from the Commission.

Commissioner Battisto stated there are only close neighbors (approximately 40 feet) on the rear side of the property and because of that distance, he does not have a concern. Regarding limiting the number of dogs, I really do not have a number to suggest.

Commissioner Tucek stated he does not know a number for limiting dogs, but is concerned about a dog walking on the path might bark and then trigger all the other dogs outside to bark. He also asked what the purpose of the mesh is in the fencing.

Dr. Contreras replied the fenced areas are further away from the path. Dogs will bark but it will not be excessive.

Someone in the audience wanted to speak and Chairman Parisi received approval from the Commission to allow.

Mr. Bruce Keril, partner to Dr. Contreras, stated the first nine sections of the fence to the gate, along the pond, would have a see through mesh from the parking lot to the first gate so people can see coming out of the lot. It will be a solid mesh around the whole building so you cannot see through it.

Commissioner Petella stated with 12 dogs in each training area you will have 36 dogs outside which is a lot and you're going to have barking and there is no way to stop it. I am not sure how one person can train 12 dogs at a time, but people have a legitimate concern especially right behind you. Will you always have people outside with the dogs.

Dr. Contreras responded there would always be a person in each training area and the most dogs in each area will be twelve but could have less.

Chairman Parisi asked if the number 12 was determined by the amount of space.

Dr. Contreras stated that was instituted for three years because it used to be 20. This is a franchise decision because the training is more successful with no more than 12 dogs.

Chairman Petella asked what kind of surface will be inside the three fenced areas, what he plans to do if the dogs are territorial and constantly bark which might have screaming people on the phones, and what are the hours employees will be with the dogs.

Dr. Contreras said a synthetic turf will be used and the dogs cannot be territorial at all and will not be allowed at the facility. We do not want screaming people on the phones because it is not good for business. People will be with the dogs from 6:30 a.m. – 7:00 p.m. but nobody on the premises overnight.

Chairman Parisi asked what is commonplace and compare yourself to a different franchise or provide an industry norm.

Dr. Contreras stated the model for every franchise is to get as many dogs as you can and have the largest number of dogs per person as legally possible. I do not know what that number is. The difference between us is we are teachers, not lifeguards.

Commissioner Morris asked if dogs are left overnight because the owners are on vacation and if there is an area for them to go and how often is that area cleaned.

Dr. Contreras stated there is an area and it is cleaned up multiple times per day.

Commissioner Meneghini asked what the thinking was behind going from 25 dogs to 12.

Dr. Contreras stated the reasoning behind it was we are able to interact with them better, group them better and decrease the number of injuries and sicknesses for whole health purposes.

Chairman Parisi asked if there is excessive barking and there was a recommendation for an action plan, what would be your action plan or what would you do if a repeated caller complained about the barking.

Dr. Contreras stated my action would be to have less playgroups and less dogs running outside at one time.

Chairman Parisi reiterated stating you would reduce the frequency of the playgroups outside.

Dr. Contreras said he was correct.

Commissioner Battisto stated our role as Commissioners is to zero in on the noise issue because that is what our residents would want us to do a good job of. The 2-3 yard distance from the closest resident, should be enough distance for the noise to not be a major problem.

Chairman Parisi stated the acoustics will travel separately whether it is winter or summer but landscaping would affect the sound, but I'm not going to promote landscaping because that would provide a nightmare for you. I am also not concerned with the neighbor across the way. Most of the sound will travel to the west where the pond is located. A wooden fence might help a little more, but the sound will just bounce off the fence and go up. My recommendation would be to have an understanding with Dr. Contreras that if the barking sound becomes an issue, he will be able to abate it.

Commissioner Petella moved and Commissioner Battisto seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi
Nays: 0
Abstain: 0
Absent: 1 Commissioner Christopher

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, December 5, 2022, at 6:00 PM for review.

PUBLIC HEARING:

Chairman Parisi asked for a motion to close the Public Hearing. Commissioner Meneghini moved and Commissioner Morris seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi
Nays: 0
Abstain: 0

Absent: 1 Commissioner Christopher

The motion passed by unanimous vote.

Some Commissioners viewed last month's Village Board meeting online, so there was a brief discussion about the sale of cannabis in Carol Stream.

NEW BUSINESS:

Mr. Farace asked our new Assistant Planner, Bravo Berisha, to introduce himself.

OLD BUSINESS:

OTHER BUSINESS:

ADJOURNMENT:

At 7:17 p.m. Commissioner Morris moved and Commissioner Tucek seconded the motion to adjourn the meeting.

The results of the roll call vote were:

Ayes: 6 Commissioners Battisto, Meneghini, Morris, Petella, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 1 Commissioner Christopher

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Patty Battaglia
Patty Battaglia

Planning and Permitting Assistant

Minutes approved by Plan Commission on this 9 day of JANUARY, 2022.

[Signature]
Chairman