

**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
March 27, 2023.***

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: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi

Absent: 2 Commissioners Christopher and Petella

Also Present: Tom Farace, Planning and Economic Development Manager; Bravo Berisha, Assistant Planner; Patty Battaglia, Planning and Permitting Assistant

MINUTES:

Commissioner Tucek moved and Commissioner Morris seconded the motion to approve the minutes of the Regular Meeting held on March 13, 2023.

The results of the roll call vote were:

Ayes: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 2 Commissioners Christopher and Petella

The motion passed by a 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: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 2 Commissioners Christopher and Petella

The motion passed by unanimous vote.

Case #22-0056– SBA Monarch Towers III, LLC/T-Mobile-877-901 E. Geneva Rd.

Height Variation for a Stealth Antenna Tower (continued from the February 13 and March 13, 2023 meetings)

Chairman Parisi swore in Mr. Mark Iacopetti, from SBA Monarch Towers III, LLC.

Mr. Iacopetti stated we would like to upgrade the equipment to 5G connectivity in order to enhance the data structures for the Carol Stream residents. The 5G antennas and equipment run a little bit larger but since it is a stealth tower, the antennas are concealed within the canister. In order to facilitate this installation we need to expand the canister somewhat.

Chairman Parisi asked for questions or comments from the audience and there were none so he asked Mr. Farace to provide a Staff Report.

Mr. Farace stated Monarch Towers, on behalf of T-Mobile, are seeking approval of a new height variation for the stealth antenna. The antenna was installed about 10-12 years ago, and at that time, a variation was granted to increase the height of the tower itself from the allowable height of 55 feet to 100 feet. New antennas are proposed in the top 40 feet of the structure, increasing the diameter from 30 inches to 60 inches. Staff believes it is meeting the intent of a stealth design with the antennas located internally and staff is recommending approval with the stipulation that if other modifications are proposed to this tower, it would have to come back before Plan Commission and Village Board for review.

Chairman Parisi asked for questions or comments from the Commission.

Commissioners Meneghini, Tucek and Chairman Parisi had no questions. Commissioner Morris asked Mr. Farace asked what if you need another 20 or 30 feet needed going down. Will they have to come back.

Mr. Farace stated it is his understanding that once you get to a certain height, maybe it is not prudent to have the panel antennas in a location like this.

Mr. Iacopetti stated that is correct.

Mr. Battisto asked Mr. Iacopetti to confirm for the record that the height of the actual antenna is not changing at all. It's just the total diameter.

Mr. Iacopetti stated that is correct. We are not increasing the total height.

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

The results of the roll call vote were:

Ayes: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 2 Commissioners Christopher and Petella

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, April 3, 2023, at 6:00 PM for review.

23-0002 – New Asian Spa – 383 N. Gary Avenue
Special Use Permit for a Massage Establishment

Chairman Parisi swore in Mr. Lionel Hu.

Mr. Hu stated his mom would like to open a foot and body massage business. She would have three licensed employees with four types of massages.

Chairman Parisi asked if there were any questions from the audience and there were none so he asked Mr. Berisha to provide a Staff Report.

Mr. Berisha stated in 2018 the Village created a massage establishment licensing program developed to regulate massage businesses due to recurring issues with illegal activities which prompted the Village to revoke their licenses including the previous massage business, Luna Spa, located at 383 N. Gary Avenue. In order to curb future revocations and encourage legitimate massage establishments, Village Board approval of a Special Use Permit is now required. The owners will use the existing interior floor plan with three massage therapist employees and one other employee working the front desk. The hours of operation will be 11 a.m. – 9 p.m., seven days a week. The applicant has been presented with the massage establishment regulations and has acknowledged them. The parking study revealed there will be a surplus of 39 parking spaces which meets code requirements. Staff has reviewed the applicant's submittal and supports this Special Use request.

Chairman Parisi asked for questions or comments from the Commission.

Commissioner Battisto asked if they have any relationship at all with the prior ownership and asked if he was aware as to why that location lost their ability to operate in Carol Stream.

Mr. Hu stated no and they don't know anything about it. We passed by, looked at the empty space and called the landlord.

Commissioner Battisto stated they engaged in activities that were not allowed in Carol Stream and stated since you are not changing the location or look at all, are you concerned at all about some prior customers showing up and creating other issues for the Village.

Mr. Hu stated we are going to follow the law and the regulations. We are not going to do anything illegal here. No matter which customer walks in, we will provide them our services.

Commissioners Morris, Tucek and Chairman Parisi had no questions.

Commissioner Meneghini asked if they have any other massage establishments and how long they have been in business.

Mr. Hu stated yes, and my mom has another spa, not in this area, and she closed it because of COVID. She has been in business over six years. She would like to open maybe two more in Cook County and DuPage County.

Commissioner Battisto asked if they were aware of the stipulations or certain requirements if the Commission approves.

Mr. Hu stated yeah, we are going to follow all the requirements.

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

The results of the roll call vote were:

Ayes: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi
 Nays: 0
 Abstain: 0
 Absent: 2 Commissioners Christopher and Petella

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, April 3, 2023, at 6:00 PM for review.

22-0032– Casey’s Retail Company – 1025 N. Gary Avenue

Amendment of a Special Use Permit for a Planned Development; Text Amendment to Allow Fuel Sales as a Special Use in the B-1 District; Special Use Permit for Fuel Sales; Gary Avenue Corridor Review; Plat of Consolidation

Chairman Parisi swore in Mr. Tom Szafranski, Civil Engineer with Kimley Horn.

Mr. Szafranski stated Casey’s Retail is proposing to develop a modern, 4,319 square foot convenience store with fuel sales. The building will have a full kitchen, freshly made pizza, sandwiches and other related items as well as a large variety of coffees, fountain items and packaged goods. We believe this facility will have a positive impact and look forward to being part of the community. Casey’s was founded in 1958 in Iowa. They have distribution centers in Iowa, Indiana and Missouri and have more than 2,200 stores. They are corporately owned and operated to ensure consistency and quality throughout all their sites. Casey’s is known for their pizza and other fresh prepared items and are the fifth largest pizza chain in the United States and in the top ten of largest bakeries in the U.S. as well. There is a Casey’s rewards program, cash fuel discounts and donations to local schools. So far in March, they’ve donated \$50,000 across communities. They are reducing their CO2 gas emissions by over 54,000 pounds annually by converting to LED lighting throughout their sites and have contributed 4.5 million to communities and charitable organizations and events throughout the sixteen states. Casey’s, and their customers, also support several national organizations such as Special Olympics, MBA, Hope for the Warriors and Children’s Miracle Network. The investment for this location will be between 3 and 5 million which will generate great tax revenues and will create 25-35 full and part-time positions including 401K and insurance options.

Chairman Parisi asked for questions from the audience and there were none so he asked Mr. Farace to provide a Staff Report.

Mr. Farace stated Casey’s is seeking multiple approvals for the northeast corner of Gary Avenue and Lies Road. About 15 or so years ago, a planned development was approved for this property which is a little over 4 acres. There was going to be several multi-tenant like commercial buildings and a bank, but this project did not move forward. The property was rezoned B-1 in conjunction with the Unified Development Project. Currently, the B-1 District does not allow fuel sales or gas stations so a Text Amendment is requested. Staff looked at the intent and purpose of the B-1 District pertaining to current retail and commercial activity that is taking place in and around Carol Stream and across the country, and determined that we could support the request to allow the fuel sales as a Special Use in the B-1 District. We are supportive of the Text Amendment request.

The Development is going to consist of about 4,300 square foot convenience store with a 12 pump, fuel station under the canopy in the central portion of the property. There will be two driveway locations or two curb cuts, and a full access curb cut off Lies Road which is under the Village’s jurisdiction. There will

also be a porkchop intersection, or right in, right out, on Gary Avenue which is under the jurisdiction of DuPage County who have indicated they reviewed the geometry of this driveway location and dimensions and are supportive of the layout.

Parking is proposed to the west of the building with some notched out areas along the front of the building façade for the sale of some products like firewood and a packaged ice cabinet. We support the location of these products only in front of the building and not located near the pumps as stated as a condition of approval.

They are proposing a sidewalk connection along Lies Road, and this year, the Village has received some funds to construct a multi-use path along the north side of Lies going all the way to Schmale Road.

There will be a corner site amenity that will have some benches and a stone seating wall with some landscaping proposed to soften the appearance of it, and there is a bike rack on the north side of the building. There is a flood plain area along the Gary Avenue frontage which limits what can and cannot be done, and a detention area on the north side of the property and that will allow for storm water drainage to occur efficiently on the property as well.

There are a few exemptions, or allowances, being requested which are allowed since it is a Planned Development. A foundation landscaping allowance. The UDO states that landscaping, at least 5 feet in width, needs to be provided along the foundation of the building where it has roadway frontage. This would be on the west side of the building facing Gary Avenue and on the south side facing Lies Road. The majority of the south side does have that foundation landscaping, but a smaller percentage has it along the west side. Staff is supportive of the allowance in this instance because there is a little bit of landscaping at the northwest and southwest corners of the building which anchors the building overall. There is also some additional landscaping to the east of the flood plain area that will provide a combination of screening and softening of the front of the property. There was an allowance requested for the east side of the property, but it was short based on the UDO standards are for a transition area between a property for commercial use and the property to the east which is an industrial use. This would require a ten-foot wide landscaped area with trees, shrubs and native grasses or plantings based on the linear frontage of that area. The plan did not meet the numbers listed in the UDO so Staff will be working with Casey's to modify the landscaping as it goes through the permit process. There is also a right-of-way landscaping allowance request in regards to parkway trees along Lies Road requesting some smaller shrub groupings, including trees, instead of all trees. Staff is comfortable supporting this allowance. Since the flood plain area along Gary Avenue restricts landscaping, Staff is also comfortable supporting the allowance for the location of the landscaping along the west side. Also, there is a building setback allowance being requested of about 195 feet (normal setback range is 60-100 feet). Keep in mind you have the flood plain area and the location of the pumps. Staff is comfortable granting this allowance which was also granted to the Wood Spring Suites Hotel which is about 150 feet setback from Gary Avenue for similar restrictions on their site as well. The exterior building will be constructed of masonry with the stone material at the base of the building on all four sides along with some stone material column features as well as decorative cornices proposed on top of the building. Staff commented that the ACM or Aluminum Composite Material, proposed for a good portion of the front façade facing Gary Avenue should be just around the signage for Casey's for aesthetic purposes would look a little more appropriate. Casey's is okay with modifying that section. The canopy will have a reddish color and the columns supporting the canopy will be covered with masonry material as well. Two ground signs, one proposed close to the corner of Gary and Lies, and one further east near the full access driveway on Lies, will have landscaping around the base of both. The Plat of Consolidation is requested because the parcel was previously divided into four different lots. In total, Staff is supportive of their requests and are recommending approval.

Chairman Parisi stated he would first like to discuss the actual Special Use to the B-1 District which requires modification to the text amendment and the approval of the Special Use. So, before I proceed to the Gary Avenue Corridor Review, any discussion with regards to those first two requests and the Plat of Consolidation.

Commissioner Meneghini had no questions.

Commissioner Morris asked if there would be alcohol sales and if it is beer and wine.

Chairman Parisi swore in Mr. Richard McMahon from Casey's.

Mr. McMahon replied Casey's will be selling the same as the Army Trail Road location which is wine, beer and liquor.

Commissioner Morris asked if the signs will follow the new text amendments recently established in the UDO.

Mr. Farace stated the signs will meet those requirements.

Commissioner Meneghini asked if Casey's is familiar with the ten conditions by our Staff and if they will be able to comply.

Mr. Szafranski stated yes.

Commissioner Tucek had no questions.

Commissioner Battisto stated his primary concern is adding fuel storage tanks on a marshy, wetland area as well as a portion of it being part of a flood plain. I believe the ground water connects across the west side of the street, but also can feed into the lake in our Village center. So, has an environmental study been done. I'm concerned with the ground water contaminating our Town Center. Or is there a special study that needs to be done when dealing with a marshy area like that.

Mr. Farace stated that there has been a thorough discussion with our Engineering Department on detention, drainage, and storm water run off which will also be reviewed during the permit process.

Commissioner Battisto asked if someone were to overflow gas, would that go to the retention pond.

Mr. McMahon replied the storm water that washes on the driveway is collected and goes into a devise before that storm water continues down stream. What drips from a car or if someone were to spill gas, we have barrels with absorbent materials on site if that happens. The tanks used now are called double walled tanks that have either a liquid or nothing in between the walls. These walls have sensors. When those sensors go off, it will shut the whole system down. Per the manufacturer, there has never been an incident of these double wall tanks failing. And the pipes going from the tanks to the pumps are double walled with sensors as well as lining under them. In the back room, they're checking the tanks every couple minutes.

Chairman Parisi asked Mr. Szafranski if a Wetland Delineation was done on the site and is the remainder of the site in a wetland and only the portion along Gary Avenue is in the flood plain.

Mr. Szafranski stated yes they conducted a Wetland Delineation and there actually are no wetlands on site.

Chairman Parisi asked if the remainder of the site is in a flood plain, or just the area along Gary Avenue in a flood plain.

Mr. Szafranski replied just the area along Gary Avenue with maybe part of the northern portion, but none of which would be developed like the store.

Chairman Parisi stated based on DuPage Counties record, you're actually building the entire development out of the flood plain.

Mr. Szafranski stated that was correct.

Chairman Parisi asked him to explain where is your BMP (Best Management Practices) according to DuPage County or where is that being assigned.

Mr. Szafranski stated it is the northern basin that will be planted completely with native plantings. Per the DuPage County ordinance there are multiple ways which you can satisfy the water quality measures that they uphold. One of the ways of doing that is creating a wetland style basin which utilizes native plants to suck up and treat the water that is tributary to that basin.

Chairman Parisi asked how does it flow on the site.

Mr. Szafranski stated it flows from storm water in the parking lot and then collected throughout the site in inlets and directed to the storm sewer to that northern basin.

Chairman Parisi asked where it goes after that.

Mr. Szafranski stated then it goes out to Klein Creek under Gary Avenue.

Chairman Parisi stated then it goes into the water shed which basically goes from the northern portion of Carol Stream through Armstrong Park and then feeds all the way through. So the BMP is actually a sustainable approach to removing the solids that are off pavement which is a requirement by DuPage County. In the flood plain itself, are you actually planting natives.

Mr. Szafranski replied yes, we have a wetlands mix that we are planting there.

Chairman Parisi stated the reason for asking all those questions for the Commission is I want to ask Mr. Farace to reiterate. So when we did the comprehensive master plan for Carol Stream, it went round and round and round. Now we are asking for a Special Use to the B-1. Originally in the B-1, the reason you're asking for the text amendment is because the fueling station is not part of that.

Mr. Farace stated as of now, a fuel or gas station or fuel sales facility is just allowed as a Special Use in the B-3 District.

Chairman Parisi asked if this would be the B-1 District.

Mr. Farace stated correct.

Chairman Parisi asked what was originally in the Comprehensive Plan. Like what would be an example of what would be in a B-1.

Mr. Farace stated it is geared more towards commercial and service type uses. The permitted uses in B-1 District were retail uses, commercial service uses, restaurants, grocery stores, office uses. Currently, allowable special uses in the B-1 District are hotels, shopping centers, micro breweries and drive through uses.

Chairman Parisi asked the Commission if there were any other questions with regards to the Amendment to the Special Use, Text Amendment for the Fuel Sales or Special Use Permit for Fuel Sales.

There were no further questions or comments from the Commission.

Chairman Parisi stated the next two items to discuss would be the Gary Avenue Corridor Review and the Plat of Consolidation. He then asked the Commission if it was okay to assume that everyone is all okay with the Plat of Consolidation and it was agreed.

Chairman Parisi stated on the Gary Avenue Corridor Review in regards to the landscaping, the aesthetics of the building as well as the allowances, asked if there any questions or comments from the Commission.

Commissioners Meneghini and Morris had no questions.

Commissioner Tucek commented that putting the bike rack on the far corner of the building is probably not the wisest location because they have to cross every scenario of vehicle traffic to get to it. Also, the ACM that you said was modified, is that backlit.

Mr. Szafranski stated that portion is not.

Commissioner Tucek asked about the photo metrics of the lights and a concern about the residents to the west. While your photo metrics shows the light vertically, it doesn't show it horizontally. Are there any light blocking capabilities even when the trees are in full bloom. These residents are actually closer to your location then some other residents at a prior gas station. If you can control the light in a horizontal plain better than what you're doing, and/or, is there technology available to lower the lumens of the light.

Mr. Szafranski stated he is not a lighting engineer, but I do know there are some ways to achieve what you are looking for and I believe they are being implemented here just based on the plans which show shields to project it where we don't want it.

Mr. Farace said the Unified Development Ordinance has lighting or photo metric requirements such as cut off shielding elements or other lighting standards that are required.

Commissioner Battisto stated he lives behind the high school football field with the big lights on every Friday night. I'm closer to the field than those houses are to the Casey's. It dissipates quickly. I can see the lights, but they are not beaming into my house.

Commissioner Tucek asked if the red stripe on the header of the canopy is backlit.

Mr. McMahon stated no, it is not. Only the Casey's on the storefront is lit.

Commissioner Battisto commented on the landscaping on the east of the property should be sufficient as proposed because I don't think the employees of the factory will say anything about there not being enough. And I do appreciate Casey's understanding of what we are trying to do with our fountain in the Fountain View area and them putting in a park bench and seating wall will look cohesive to the rest of the area.

Mr. Farace stated Staff was looking at it as since this is a new development, technically there is room or space for the plant materials which do not all have to be placed on the east side, but maybe in other green space areas. Also, a fence is normally required between a commercial and an industrial property. A fence is not being proposed for this location and Staff thought it was most appropriate within our corridor to have that landscaping requirement.

Chairman Parisi stated he agrees with Mr. Farace and Commissioner Battisto that Staff will appropriately handle the landscaping. I agree with the setback because it is defining a more aesthetically pleasing corner. Although the berm to the east would be nice, I would like to see some of it moved to the north side where the detention pond is and possibly along the flood plain.

Mr. Farace stated there is a provision where they can either plant shrubs or native grasses. Maybe the folks from Kimley Horn can work with our Storm Water Administrator, Greg Ulreich, to see what plant material can also be around the detention areas.

Chairman Parisi then asked what the hours of operation will be because the lighting will help from a safety perspective. He said you are far enough back so you might be okay but it will definitely change the aesthetics of that corner when you pull up to it.

Mr. Szafranski stated 24/7 which is similar to the one on County Farm and Army Trail.

Chairman Parisi asked what the alternate material would be on the ACM.

Mr. Szafranski stated they would be willing to do brick like the rest of the building.

Chairman Parisi stated because it does stick out, aesthetically it will look a little odd that you have brick up where the Casey's sign is and it will look very heavy. From an architectural perspective, I would be okay with the ACM and it balancing the elevation much better. It also ties into a little bit of the aesthetics at the Town Center across the way with the fascia and the bands around the top.

Chairman Parisi asked for any further discussion from the Commission and there was none.

Chairman Parisi asked for a motion for the Gary Avenue Corridor Review. Commissioner Meneghini moved and Commissioner Morris seconded the motion with no further discussion.

The results of the roll call vote were:

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

The motion passed by majority vote.

Chairman Parisi asked for a motion for the Amendment for Special Use, Text Amendment to allow Fuel Sales as a Special Use in the B-1 District and Special Use Permit for Fuel Sales and Plat of Consolidation.

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

The results of the roll call vote were:

Ayes:	5	Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi
Nays:	0	
Abstain:	0	
Absent:	2	Commissioners Christopher and Petella

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, April 3, 2023, at 6:00 PM for review.

PUBLIC HEARING:

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

The results of the roll call vote were:

Ayes: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 2 Commissioners Christopher and Petella

The motion passed by unanimous vote.

NEW BUSINESS:

OLD BUSINESS:

OTHER BUSINESS:

ADJOURNMENT:

At 7:10 p.m. Commissioner Meneghini moved and Commissioner Tuvcek seconded the motion to adjourn the meeting.

The results of the roll call vote were:

Ayes: 5 Commissioners Battisto, Meneghini, Morris, Tucek and Chairman Parisi

Nays: 0


Abstain: 0

Absent: 2 Commissioners Christopher and Petella

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 10 day of APRIL, 2023.


Chairman