

Village of Carol Stream

AGENDA

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS

MONDAY, FEBRUARY 12, 2024 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: January 8, 2024

III. Public Hearing

24-0004– Oppidan Holdings LLC – 245 Kehoe Blvd.
Fence and Foundation Landcaping Variations

IV. Presentation:

24-0005 – Village of Carol Stream – 1348 and 1351 Charger Ct. (Charger Park)
Plat of Subdivision

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
January 8, 2024.***

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

The results of the roll call vote were:

Present: 6 Commissioners Christopher, Petella, Battisto, Tucek, Morris, and Chairman Parisi

Absent: 1 Commissioner Meneghini

Also Present: William Holmer, Village Manager; Don Bastian Community Development Director; Tom Farace, Planning and Economic Development Manager; Bravo Berisha, Assistant Planner; Sara Van Winkle, Planning and Permitting Assistant; Jim Rhodes, Village Attorney; a representative from County Court Reporters

MINUTES:

Commissioner Christopher moved and Commissioner Morris seconded the motion to approve the minutes of the Regular Meeting held on November 27, 2023.

The results of the roll call vote were:

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

Nays: 0

Abstain: 0

Absent: 1 Commissioner Meneghini

The motion passed by a unanimous vote.

PUBLIC HEARING:

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

The results of the roll call vote were:

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

Nays: 0

Abstain: 0

Absent: 1 Commissioner Meneghini

The motion passed by unanimous vote.

Before the cases started presenting, Chairman Parisi read the following and stated this will be the procedure used in every case heard at tonight's meeting. Because of all the cases being similar in context, he read the following:

The purpose of this hearing is to hear testimony and to receive evidence with respect to the proposed Adult Use Cannabis Dispensary to determine whether the application satisfies the criteria for Special Use Permits as set forth in section 16-8-4(L)(3) of the Carol Stream Unified Development Ordinance

The hearing will proceed in the following manner.

1. The Petitioner will be allowed to provide testimony and introduce any evidence in support of the Special Use Permit application. Interested parties will then be given the opportunity to ask any questions of those witnesses. Questions asked of the witnesses must relate to the testimony that the witness has given. After each of Petitioner's witnesses, members of the Plan Commission may ask questions of the witness regarding the testimony presented.
2. After the Petitioner has completed his case, any interested party may provide testimony and evidence with respect to the Special Use Permit application. The Petitioner will then be given the opportunity to ask questions of any witness. Again, questions asked of any witness must relate to the testimony that witness has given. Any individuals who wish to offer testimony should sign the sign in sheet located on the table near the entrance to the room. Members of the Plan Commission will be allowed to ask questions regarding the evidence or testimony provided by any interested party.
3. After any interested parties have presented their case, staff will provide their report to the Plan Commission. Interested parties will then be given the opportunity to ask any questions of staff with respect to the matters in the report. Members of the Plan Commission may then ask questions of staff with respect to the report.
4. After the Staff has completed its report, The Petitioner will have an opportunity to provide rebuttal or any additional information.
5. The Plan Commission will then deliberate its decision based only upon the evidence that has been presented and the criteria of section 16-8-4(L)(3). A recommendation will then be made to the Village Board and a written decision will be prepared which includes the findings of fact and the Plan Commission's recommendation.
6. The Chairperson may impose reasonable limitations on evidence and testimony presented by persons such as time limits and barring repetitious, irrelevant or immaterial testimony. The chair will rule on all questions of the admissibility of evidence which ruling may be overruled by a majority of the Plan Commission.
7. Individuals attending the public hearing are requested to maintain an orderly and civil hearing. Please refrain from making comments during witness testimony or questioning, and no clapping, cheering, booing or similar statements are allowed during the hearing.

Chairman Parisi then asked if anyone had any questions from the audience about the statements he had read. He proceeded then to give directions on swearing in any speakers from the audience for the remainder of the meeting.

Case #23-0040– Green & Bransford LLC DBA Altius-506 S. Schmale Rd
Special Use Permit for an Adult-Use Cannabis Dispensary

This is a public hearing to consider an application from Green and Bransford, LLC (dba Altius Dispensary) for a Special Use Permit to operate an Adult Use Cannabis Dispensary on the property at 506 S. Schmale Road. The application is designated as Case No. 23-0040.

The purpose of this hearing is to hear testimony and to receive evidence with respect to the proposed Adult Use Cannabis Dispensary to determine whether the application satisfies the criteria for Special Use Permits as set forth in section 16-8-4(L)(3) of the Carol Stream Unified Development Ordinance.

The representatives from Altius are sworn in. The first speaker is attorney representing Altius, Mr. Dan Shapiro, Shapiro and Associates Law, 618 Academy Drive Unit B, Northbrook, IL 60062. Mr. Shapiro gives a description on plans for the old Bank of America building located at 506 S. Schmale to be converted into the location for Altius. He describes the environment, zoning, and surrounding businesses. He continues to describe the purpose of the business, how many employees the business is planning on having, and hours of operation. He mentions briefly the concerns that the public has brought up about distance from the surrounding businesses including the Goddard School and continues to explain that they meet all necessary requirements. Mr. Shapiro is there seeking recommendation on behalf of Altius to move forward with the special use permit.

The next speaker called up is Jeff Gasner, 11220 Fitzgerald, Huntley, IL 60142, CEO Altius Dispensary, 993 E Rollins Rd, Round Lake Beach, IL 60073. Mr. Gasner describes the day to day operations of the dispensary. He also includes a step by step process from entering through the door to leaving with information and buying products.

Chairman Parisi calls to audience for any questions.

Martin Gjini approaches the podium, Chairman Parisi swears him in and has him state his name.

Martin Gjini is the owner of the Goddard School, 502 S Schmale Road, Carol Stream, IL 60188, Mr Gihi asks what benefit to the community of Carol Stream will the dispensary have?

Chairman Parisi reminded Mr. Gjini that his questions need to pertain to what Mr. Gasner spoke about. He will have time for comments and general questions later in the meeting.

Chairman Parisi calls to the board members with any questions about Mr. Gasner's presentation.

Commissioner Battisto has no further questions.

Commissioner Tucek asks if the 100 feet from a daycare or school is accurate when measuring the building to the Goodard School.

Bravo Berisha, Assistant Planner answered yes it is not an issue and is measuring more than 100 feet.

Commissioner Petella asks how does someone measure from one business to another business.

Mr. Berisha answered it is measured from boundary to boundary; this particular plan is measuring over 225 feet from the Goddard School.

Commissioner Christopher had no further questions.

Commissioner Morris asks what kind of security will be in place when employees are in the restricted area or even in the vault area when counting money.

Mr. Gasner answered that there will be another segment about security and the questions about can be answered then.

John Bradshaw- Architect Camburas & Theodore, 2454 E. Dempster # 202, Des Plaines, IL 60016, he speaks briefly about the plans to remodel the inside and update the outside of the building. He continues to describe building materials that will be used, color scheme and concepts for the interior, landscaping and parking.

No questions from the audience. Chairman Parisi asks the board members if they have any further questions for Mr. Bradshaw.

Commissioner Battisto is saving the rest of his questions until after the Staff Report.

Commissioner Tucek asks if the entire building will be painted white?

Mr. Bradshaw confirms it is unpainted now and the entire building will be painted white including the trash enclosure.

Commissioner Christopher had no further questions.

Commissioner Morris had no further questions.

Mr. Bradshaw would like to continue with the elevations of the building prior to Mr. Gasner approaching the podium again. Mr. Bradshaw briefly explains the slides of the elevations of the building describing each slide including signage, extra masonry added, and lighting for the signage.

Chairman Parisi asks if the audience has any further questions about the elevations. There was not any so he moved to the commission members if they had any about the same subject.

Commissioner Battisto had a question about if bollards were going to be installed for additional safety measures.

Mr. Bradshaw answered stating that on the elevations the bollards shown are for lighting purposes and not safety. Since the building is brick on brick the reason to install bollards will be extra safety measures they have not considered, but open to the idea if needed.

There were no further questions from the rest of the commission members.

Called to the podium is Dan Farrell, security and owner of Silver Star Protection, 3601 West Algonquin Rd, Suite 730, Rolling Meadows, IL 60008. Mr. Farrell gives a brief history of the company and goes into detail about number of employees, flow of the building and what happens from beginning to end when a consumer comes in to purchase product to the end of the sale. Mr. Farrell continues to explain the training process of all security guards employed by the facility and mandatory state of Illinois training in addition to Silver Star Protection training is required.

Chairman Parisi asks the audience if there are any questions about Mr. Farrell's presentation. There are no audience questions.

Chairman Parisi asks if the commission has any questions. No further questions from the board of commissioners.

Attorney Dan Shapiro approaches the podium for his closing remarks. Mr. Shapiro wanted to add how successful the Altius location in Round Lake Beach has been for the community but how it will positively affect Carol Stream. He also remarked about the age demographic is not teens and young adults but middle age men and especially women. He believes this is a positive for the community also. Lastly, he wanted to remark on the staff recommendation and conditions that Altius has no issues complying.

Chairman Parisi turns the meeting over to any public comments. Mr. Berisha will read comments that he received via e-mail.

Mr. Berisha reads the e-mails in order he has received them.

The first e-mail is from Melissa Harris who could not attend the meeting but wrote in her concerns and reasons to oppose the business at 506 S. Schmale. She gives examples why and where the business should be located, and reasons this will negatively affect the surrounding businesses and town.

The second e-mail is from Anne Kelly grandmother to children who attend the Goddard School. She writes in the concern she has about the business in very close proximity to the school and the negative effect it could have on the children attending. She is opposed to the project and hopes the board rejects the request.

The third e-mail is from Ann Favia a parent of children who currently attend the Goddard School. A parent who has moved recently from the city to the suburbs and have seen what a dispensary can do to a neighborhood. She is concerned about the impression it leaves with the community and the negative effect it could have on the children over time. She opposes the proposed business.

The fourth e-mail is from Sarah Dickinson a resident from a surrounding town and currently has a child attending the Goddard School. She writes in to express her concerns about a potential cannabis business residing so close to a school. She gives several examples of what type of businesses that could elevate the town and bring a more positive cliental to the area. She is opposed to the proposed zoning project.

Chairman Parisi opens up any comments or discussion to the audience attending in person at the meeting. He swears all speakers at the same time and welcomes the first speaker to the podium.

Mr. Martin Gini, owner of the Goddard School, 502 S. Schmale Rd, Carol Stream, IL 60188. Mr. Gini comments about the negative impact this may have on his business. He welcomes new businesses but a business of this manner he believes should be further from a school. He comments about families sending in e-mails also voicing concerns about this type of business and the negative impact it will have on children. He states that if there are other locations to consider moving the location further away. By that, it will have a positive effect on his business and the town.

Chairman Parisi reminds audience members that the same comments may have been made and to keep the concerns and comments not repetitious.

Rachael Knudson, 809 Prairie Court, Carol Stream, IL 60188 approaches the podium and was at the meeting to voice concern and frustration about the negative direction Carol Stream is taking when deciding what businesses are coming into town. She commented about how close the dispensary will be from the Goddard School and not sure what policies are in Carol Stream but knows on google maps it states the two buildings are a one-minute walking distance from each other. She stated that this would have a negative effect on what type of population and the example that it may set to the children.

Chairman Parisi asks Tom Farace Economic and Development Manager at the Village of Carol Stream to clarify what the village of Carol Stream ordinance is for the distance between a school and dispensary since numerous audience comments included it in their questions and comments.

Mr. Farace then reads the provisions for the distance between dispensary to dispensary and the provision for a dispensary to a specific use such as a school, church, or a senior living development. He continues to let the commission and audience know that the Village mirrored the same provisions that the state requires.

Karl Camillucci- Attorney, Taft Law, 111 East Wacker Drive Suite 2600, Chicago, IL 60601. Mr. Camillucci is there to represent Veltiste and to make a few remarks about why they are there again to speak about the text amendment, but also to state to the board to consider Altius location and how close it is to a school.

Dev Patel – Principal at Veltiste, IL, 419 Parkview Pl, Burr Ridge, IL 60527. Mr. Patel states he would like the board to take into consideration how close the school is to the proposed dispensary and to look at the neutral party that could be effected by this. He gives a few statistics of other dispensaries locally and nationally and gives information regarding how close these type of businesses are to daycare or schools. He urged to take a conservative and practical approach when considering the community and when voting.

Chairman Parisi has Dan Shapiro, Attorney approach the podium to speak on behalf of Altius and to provide comments to the public questions and comments portion of the meeting. After summarizing what the public had spoken about he states and facts and reasoning on why the dispensary will be a positive business for the Village.

Chairman Parisi asks the board if they have any questions for the public and audience part of the meeting.

Commissioner Petella asks Mr. Shapiro if he is opposed to the text amendment of a limit on how many dispensaries to have in Carol Stream. Mr. Shapiro starts to answer the questions and Chairman Parisi questions Commissioner Petella if that statement has relevance to the special use permit being presented.

Chairman Parisi asks the rest of the commission members if they had any further questions, no one from the audience has any at this time.

Bravo Berisha, Assistant Planner read the staff report. Mr. Berisha gave a brief description about Altius and their request for a special use permit for an Adult Use Cannabis Dispensary. Mr. Berisha gave a brief description and background of Altius. He mentioned a timeline since they started the process and regulations that have gone into effect since they have started the

process. He gave a brief description on such items as location, site and landscape plan, operations, and security plan. Mr. Berisha continues to talk about information that pertains to the staff analysis and recommendations from the board regarding the request special use permit. Concluding the staff report Mr. Berisha reiterates the Village's code for how many feet a dispensary can be from a daycare and reinstates that the dispensary meets code for how many feet they are away from the Goddard School.

There are no further questions from the audience regarding the staff report.

There are no further questions from the petitioner regarding the staff report.

Chairman Parisi opens up questions only to the board members. Commissioners Morris, Christopher, and Petella have no further questions.

Commissioner Tueck asks if the mechanicals on the roof will be shielded.

Mr. Berisha states one of the stipulations of approval is to have the rooftop mechanicals screened or shielded per the UDO.

Commissioner Battisto asks if the police department have been notified and informed of the security plans for both internal and external of the building.

Mr. Berisha confirms the police have been notified.

Commissioner Parisi asks for comments from the Plan Commission members regarding criteria for Special Use.

Commissioner Morris makes a comment to consider and support current businesses especially ones that have been a part of the Village for many years. He states it is their duty as a board to consider all new businesses but with this particular case to take into consideration the type of business and how close their establishment will be near a school.

Commissioner Christopher and Petella have no further comments.

Commissioner Tucek makes a general statement thanking the presenters and making it noted this is a hard decision as a planning board member and has a lot to think about and taking all information into consideration.

Commissioner Battisto makes a comment about how this is a recommending board and does not make the final decision but in fact, it is left to the village board for any decision.

Chairman Parisi makes a statement that he would like all the cases heard on their own merit. The board is there to make recommendations only.

Commissioner Petella moves to motion and Commissioner Tucek seconded the motion to recommend approval of the special use request with no further discussion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Petella, Battisto, Tucek, and Chairman Parisi

Nays: 0 Commissioner Morris

Abstain: 0

Absent: 1 Commissioners Meneghini

The motion passed by majority vote.

This case will go before the Village Board on Monday, January 15, 2023, at 6:00 PM for review.

A short recess was requested.

Case #23-0041– CannCloud LLC – 27W261 & 27W301 North Ave

This is a public hearing to consider an application from CannaCloud Inc for a Special Use Permit to operate an Adult Use Cannabis Dispensary on the property at 27W261 and 27W301 North Avenue. The application is designated as Case No. 23-0041.

The purpose of this hearing is to hear testimony and to receive evidence with respect to the proposed Adult Use Cannabis Dispensary to determine whether the application satisfies the criteria for Special Use Permits as set forth in section 16-8-4(L)(3) of the Carol Stream Unified Development Ordinance.

Chairman Parisi swears all audience members who will be speaking on behalf of the petitioner.

Anthony Adamo VP of Operations for CannaCloud, 27W261 & 27W301 North Ave, Carol Stream, IL 60188. Mr Adamo gives a brief background on why they have chosen the location, other municipalities they are marketing to, plans for the location and size of the building. Mr. Adamo also gives some information on location for CannaCloud and how many feet and miles they will be from schools, churches, and residential homes. He also includes distance from another petitioner at 720 E. North Ave. Mr. Adamo includes information about security and day-to-day operations. He notes that while some residents may have reservations about their particular new business he assures the audience that when the product is handled in a safe and efficient manner, a new business like theirs can be an asset to the community.

Mr. Adamo invites Architect Joe Pascolla, JTS Architects, 450 Higgins Rd, Elk Grove, IL 60007 to the podium. Mr. Pascolla describes the exterior of building and lets the audience know that no structural modifications just improvements to the building. Mr. Pascolla continues with details about a few changes to the exterior of the building such as a new sign, and paint scheme but will remain compliant with existing features. He also proposes a fence between the two businesses that are located on the two lots to define each business.

No questions from the audience regarding the presentation.

Chairman Parisi asks the board for any questions regarding the presentation.

Commissioner Tucek asks what type of material will the fence that separates the two business be made from.

Mr. Pascolla answers wood.

Commissioner Tucek then asks Tom Farace if that is compliant with the North Avenue Corridor Review.

Mr. Farace answers yes and that the North Avenue Corridor does not have specifications on materials used.

Commissioner Tucek asks what type of paint will be used on the exterior metal parts of the building.

Mr. Pascolla answers Alucobond paint or metal PAC-CLAD material.

Commissioner Battisto questions the two businesses and needs clarification about where one business starts on the property and the other business begins. Also, he asks will both business meet requirements for parking spots. A final question he has is how ingress and egress will work since both businesses are so different.

Mr. Pascolla answers the ingress and egress question for the businesses stating the trucking business has so many infrequent customers that it will not interrupt day-to-day operations of the dispensary business. As for meeting all criteria both business will. The truck cab business is already an existing business on the property.

Anthony Adamo approaches the podium to give a brief description of the two businesses to give clarification to Commissioner Battisto.

Commissioner Christopher has no further questions.

Commissioner Morris asks on the map provided in the packet and on the screens where exactly on the map both businesses will be located.

Commissioner Parisi states there are no further questions from the board so he calls the next witness Dan Farrell, Silver Star Protection, 3601 West Algonquin Road Suite 730, Rolling Meadows, IL 60008.

Mr. Farrell gives a brief description how security will be handled at CannaCloud. He has spoken earlier for the Altius case so will keep it brief on exact plans for security for this particular facility. Chairman Parisi asks the board if there are any questions regarding the security plan.

Chairman Parisi asks how the security will differ since this building will have a shared wall between two different businesses.

Mr. Farrell stated that this is not the first time his company has seen or secured a business of this nature sharing a common wall with another business. He can provide additional cameras and motion detection lights to help boost safety protocols.

Mr. John Rhodes, Village Attorney, asked Mr. Farrell when they met with the police there were recommendations and suggestions made on particular security measures, a witness had mentioned that they went with most recommendations, which ones did they not.

Mr. Adamo answered since it was he that made the statement, and had met with police, and corrected his statement by stating they have taken all recommendations and requirements into consideration and will comply with whatever is stated to them.

Mr. David Berger, COO of Ivy Hall, 213 Bloomingdale Rd Unit B, Glendale Heights, IL 60139, witness for CannaCloud, states he is in the process of setting up a meeting with Carol Stream Police Chief to go over all security plans.

M. Farace states that everyone who has a case go for staff review is also reviewed by police for safety standards and measures.

Mr. Parisi asks if there are any further questions, he will call the next witness to the podium.

John Zemenak, Attorney, Rathje Woodward LLC, 300 Roosevelt Rd Suite 220, Wheaton, IL 60187. Mr. Zemenak is representing CannaCloud and gives a few concluding remarks. He reiterates the nature of the second business on the property and goes into detail of volume of trucks per week in addition to how they will perform sales and repairs on a day to day basis. Mr. Zemenak also discusses more information about other dispensaries locations and has information to share with the board on statistics and success rates on locations of dispensaries in shopping centers versus zoned industrial areas. He concludes with information to support adding a cap to how many dispensaries should be allowed in the village.

Chairman Parisi asks if there are any questions from the audience regarding Mr. Zemanak's closing remarks. There are none, Chairman Parisi moves to the Plan Commission for any questions.

Commissioner Battisto asks about a shared entrance and exit for both businesses if that will stay that way or will they add an additional entrance and or exit.

Attorney Zemenak states that the trucking company does a low volume of business it should not affect the entrance and exit with traffic.

Commissioner Tucek comments about the fence that divides the two businesses if there is any way to consider a pvc material instead of wood.

Chairman Parisi answers that can comment can be discussed during a discussion period before the vote.

Commissioner Christopher has no questions or comments.

Commissioner Morris asks if the land is part of Carol Stream or unincorporated.

Mr. Farace answers that it has been annexed into the Village.

Chairman Parisi asks if there are any public comments for the case. There are none at this time. Chairman Parisi asks Tom Farace to read the staff report.

Mr. Farace, Planning and Economic Development manager gives the staff report. Mr. Farace briefly highlights the action requested by the applicant seeking a special use permit for an adult use cannabis dispensary in addition to the North Avenue Corridor Review. Mr. Farace describes the site assessment and gives a project summary. He gives a history and background of the company. In addition, he gives a description of the two businesses on the site, floor plan, security, exterior appearance, and dispensary operations. Mr. Farace also discusses North Avenue Corridor regulations and recommendations from the staff. Mr Farace concludes that the staff does recommend approval of the special use permit.

Chairman Parisi asks if there are any further questions from the audience or petitioner regarding the staff report. Since there are none, he would like to move to the board and any questions they have in regards to the staff report.

Commissioner Morris, Petella, Christopher did not have any further questions.

Commissioner Tucek had one question regarding the fence and the property and possibly have a UDO look where every business on the corridor has a consistent look.

Mr. Farace asked what color Commissioner Tucek is suggesting.

Commissioner Tucek answers it should mimic the Pilot gas station and every business should be white PVC material.

Commissioner Battisto still has questions about the entrance and exits of the two businesses. After a brief description and scenarios that could happen. He questions if the North Avenue Corridor will have additional exits and entrances that are required. Mr. Farace answers that the Illinois Department of Transportation would be involved in that particular proposal. Mr. Zemenak clarifies the trucking business is at a low volume that the entrance and exit should not have any issues for patrons.

Commissioner Tucek makes an additional comment about stand-alone dispensaries can be something of the past and sees the future of the businesses blending in with a busy retail area.

Commissioner Petella moves to motion and Commissioner Tucek seconded the motion to recommend approval of the special use request with no further discussion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Pettella, Tucek, and Chairman Parisi

Nays: 1 Commissioner Battisto

Abstain: 0

Absent: 1 Commissioners Meneghini

The motion passed by majority vote.

Commissioner Patella moved and Commissioner Christopher seconded the motion to recommend approval to the North Avenue Corridor with staff recommendations revisions.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Pettella, Battisto, Tucek, Morris, and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 1 Commissioners Meneghini

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, January 15, 2024, at 6:00 PM for review.

Case #23-0045 –Veltiste IL – 720 E. North Ave

Text Amendment – Cannabis Dispensaries (Limit number of dispensaries and increase distance between dispensaries.)

This is a public hearing to consider an application from Veltiste, Illinois, for Text Amendments to the Unified Development Ordinance of the Village of Carol Stream, to amend Section 16-4-9 to limit the number of adult use cannabis dispensaries that can operate in Carol Stream to two, and to require a minimum distance of 2.5 miles between dispensaries in Carol Stream. Currently, there is no limit on the number of dispensaries that can operate in Carol Stream, and the minimum required distance between dispensaries is 1,500 feet.

Chairman Parisi swore in Dev Patel, Veltiste IL 414 Parkview Place, Burr Ridge, IL. Mr. Patel along with attorney Karl Camillucci started the presentation by giving a brief background on himself and Mr. Patel. has listed several reasons on his presentation slide show on why Carol Stream should put a cap on how many dispensaries should be allowed in the village. Mr. Patel discusses different examples of towns that do not have a cap and the outcomes of those cannabis businesses. He continues by letting the board know statistics, models, and examples of local dispensaries in the area. He concluded his presentation with this information.

Chairman Parisi interrupts Mr. Patel by reminding him that his presentation needs to state and stay to the facts of what the agenda item is listed as and to not add personal and malicious items towards the other listed agenda items.

Chairman Parisi asks if there are any audience comments. All audience members are sworn in.

Larry Kling, Managing Director, Newmark, 500 West Monroe St. Suite 2900, Chicago, IL 60661. Mr Kling approaches the podium and states he is there to represent Altius at 506 S. Schmale, Carol Stream, IL. He gives a brief introduction on himself and his business. He gives a presentation on statistics on businesses near the location of the presented case. He continues to provide information, and radius of other businesses and nearby towns to show why the buffer on the amendment should not be passed.

No one on the Commission board has any further questions for the petitioner.

Chairman Parisi calls on any other audience comments. Peter Hill, Dispensary Manager, 11 S. Lagrange Rd, Hodgkins, IL 60525. He states that adding a cap would benefit all the dispensaries being presented to lower the competition so all businesses have a fair shot on being successful.

Chairman Parisi is asking any questions form the Petitioner or Commission.

Kevin Schultz, Newmark, 500 West Monroe St. Suite 2900, Chicago, IL 60661. He is there representing Altius and would like to clarify some remarks Mr.Dev Patel had stated during his presentation. He gives some more information about different cannabis dispensaries in the state and points out a location of one that is near a school and daycare. He wanted the board to know that particular location has been welcomed in town and successful.

Tom Farace then reads his staff report and gives a brief history on Veltiste. He continues to give information on the Zoning Text Amendment and facts. Mr. Farace gives examples of surrounding towns and new dispensaries opening that do not meet that 2.5 Mile buffer from other cannabis dispensaries. He concludes that the staff has reviewed the proposed request and does not believe that a limit and increased distance requirement for dispensaries in town is warranted. The staff recommends denial of a zoning text amendment to limit the number of adult-use dispensaries to two and to increase the distance between dispensaries from 1,500 feet to 2.5 miles for Veltiste.

Chairman Parisi asks the commission for any questions or comments. The commission continues to have a more in depth discussion and presents different examples about adding a cap or removing the distance between any dispensaries. He asks the commission to comment on the amendment for the text.

Commissioner Battisto makes the motion and states to limit the amount of dispensaries to only 2 with a 2.5 mile buffer.

Chairman Parisi asks the commission to second the motion, the motion failed

Commissioner Morris makes the motion and states to limit the amount of dispensaries to 3 with no buffer.

Chairman Parisi asks the commission to second the motion. Before the commission can second the motion, the village attorney makes a suggestion to have all members of the commission discuss a motion and come to one conclusion, then vote on it.

The motion is to limit the amount of dispensaries to 3 with no buffer. The motion failed.

The commission decides to go with staff recommendations.

Acting Chairman Christopher moved and Commissioner Morris seconded the motion to deny with a limit of 2 dispensaries and a buffer of 2.5 miles between dispensaries.

The results of the roll call vote were:

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

Nays: 2 Commissioner Battisto, and Morris

Abstain: 0

Absent: 1 Commissioner Meneghini

The motion passed by majority vote

This case will go before the Village Board on Monday, January 8, 2024 at 6:00 PM for review.

PUBLIC HEARING:

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

NEW BUSINESS:

PRESENTATION:

OLD BUSINESS:

OTHER BUSINESS: Commissioner Christopher moved and Chairman Parisi second the motion to cancel the January 22, 2024 meeting.

ADJOURNMENT:

At 10:02 p.m., Commissioner Morris moved and Commissioner Petella seconded the motion to adjourn the meeting.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Sara Van Winkle
Planning and Permitting Assistant

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

Chairman

Village of Carol Stream Plan Commission/Zoning Board of Appeals

STAFF REPORT

February 12, 2024

TO:
Chairperson and Plan
Commissioners

FROM:
Community Development
Department

CASE MANAGER:
Tom Farace, AICP
Planning & Economic Development
Manager

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

- A Variation to allow a fence in the front yard, in accordance with Section 16-5-8 (F)(2) of the UDO
- A Foundation Landscaping Variation, in accordance with Section 16-5-6 (B)(3) of the UDO

APPLICANT/ CONTACT:

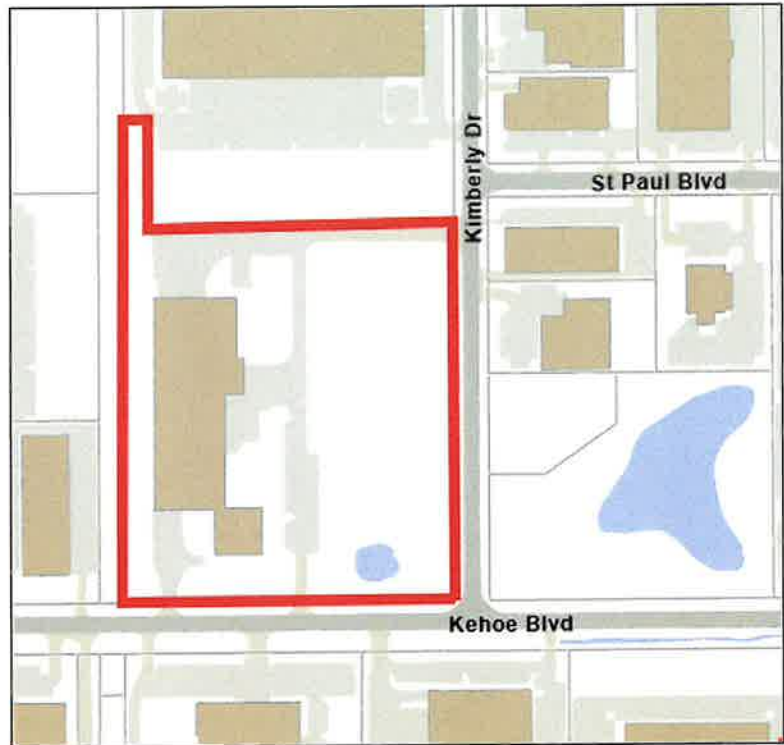
Mr. Drew Johnson
Oppidan Holdings, LLC
400 Water Street
Excelsior, MN 55331



CASE #: 24-0004

LOCATION: 245 Kehoe Boulevard

PROJECT NAME: Oppidan Holdings, LLC



LOCATION	ZONING DISTRICT	LAND USE	COMPREHENSIVE PLAN DESIGNATION
Subject Property	I Industrial District	Industrial (former Henkel Development)	Industrial
North	I Industrial District	Industrial (SFS Distribution)	Industrial
South	I Industrial District	Industrial (Packaging Personified)	Industrial
East	I Industrial District	Industrial (Multi-Tenant Building)	Industrial
West	I Industrial District	Industrial (Swiss Steel, Multi-Tenant Building)	Industrial

The 11.41-acre property highlighted above is located at the northwest corner of Kehoe Boulevard.

Site Assessment

COMPREHENSIVE PLAN DESIGNATION:

The subject property is designated for industrial uses according to the Village's 2016 Comprehensive Plan.

AERIAL PHOTOGRAPH:



Project Summary

ATTACHMENTS:

Attached for review is the General Zoning Application, General Variation Application, Fence Variation Application, Cover Letter from Oppidan Holdings received January 22, 2024, Public Notice, Overall Site Plan and Enlarged North and South Site Plans (Exhibits A-1, A-2, and A-3), Overall Landscape Plan and Enlarged North and South Landscape Plans (Exhibits B-1, B-2, and B-3), and Fence Detail (Exhibit C).

BACKGROUND:

Drew Johnson, Senior Vice President of Development for Oppidan Holdings, LLC, requests approval of two variations associated with a proposed data center at the northwest corner of Kehoe Boulevard and Kimberly Drive. The 11.41-acre property was the previous home of the Henkel manufacturing facility that produced paints, coatings, and adhesives. The Henkel building was demolished in 2022, and Oppidan proposes to construct a 90,301 square foot data center. The subject property is zoned Industrial, and the proposed data center is a permitted use in the Industrial District. In conjunction with the proposed use, variations are requested to install a security fence in the front yard of the property and to eliminate foundation landscaping along the south side of the building.

Staff Analysis

VARIATIONS – FENCING AND LANDSCAPING

The applicant is requesting variations from the following provisions in the UDO:

Fence in the Front Yard

Continuous security is required for the proposed data center, which includes the installation of a security fence around the entire perimeter of the property. The proposed steel fence will be eight feet in height and painted black. Section 16-5-8 (F)(2) of the Unified Development Ordinance (UDO) states that fences on lots with industrial uses are limited to the rear yard, interior side yard, and exterior side yard. The security fence is proposed along the east side of the property facing Kimberly Drive, which is considered the front yard of the property. Therefore, a variation is required to allow the fence within the front yard on the east side of the property.

Staff supports the variation request, given the need for a secured data center property. Likewise, the proposed fence has been attractively designed, and landscaping will be provided between the fence and east property line, allowing for both an additional parking lot screening mechanism and an aesthetically pleasing front yard for the subject property.

FENCE 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)(7) of the UDO:

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 the proposed data center.

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 property, giving it added security to protect equipment within the data center.

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

Staff does not believe the proposed fence will not impair light or air to adjacent properties, based on the design of the fence.

4. The fence will not endanger the public safety.

Staff does not believe the proposed fence will endanger the public safety, but instead provide added security to the subject property and data center use.

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

Staff does not believe the proposed fence will 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.

Foundation Landscaping Variation

Section 16-5-6 (B)(3) of the UDO states that all multiunit residential, non-residential, or mixed use developments are required to maintain a building foundation landscaped area at the front and exterior side yards of at least five feet in width, with a combination of shrubs, grasses, groundcover, and trees. For the proposed building, foundation plantings are required on the east and south sides of the building. The applicant proposes foundation plantings on the east side of the building facing Kimberly Drive, but requests a variation to eliminate plantings along the south side of the building facing Kehoe Boulevard.

According to the applicant's cover letter, the proposed data center will have air intake louvers for cooling purposes along the south side of the building, and the installation of plantings in this area could impair the cooling process and impact facility operations. Rather than installing plantings along the south side of the building, additional plantings in the form of shrubs (Yews, Boxwood, and Holly) are proposed along the perimeter of the security fence to the south of the building. Said plantings will compensate for the loss of foundation plantings on the south side of

the building, and provide enhanced screening of the building from Kimberly Drive. As such, staff supports the request.

LANDSCAPING 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)(5) of the UDO:

1. The requested variation arises from conditions that are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action.

Given the proposed air intake louvers on the south side of the building, it is not practical to install foundation plantings that might infringe upon the cooling process for the data center. Rather, plantings installed along the south fence line will provide appropriate screening and meet the intent of the foundation landscaping provision in the UDO.

2. The variation to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property.

Staff does not believe the relocation of plantings from the south side of the building to the south fence line will alter the essential character of the neighborhood nor substantially or permanently impair use or development of adjacent property.

3. The strict application of the applicable standards will constitute an unnecessary physical hardship (not economic hardship) because the property cannot be used for an otherwise allowed use without coming into conflict with applicable site development standards.

If plantings were installed along the south side of the building, proposed air intake and cooling processes for the data center could be negatively impacted.

4. The variation is the minimum action necessary to alleviate the hardship and observes the spirit of this UDO.

The applicant proposes to meet the intent of the UDO by installing additional plantings along the south fence line rather than the south side of the building.

5. The variation desired will not adversely affect the public health, safety, or general welfare or impair the purposes or intent of this UDO or the comprehensive plan.

It is not believed that the requested variation will have an adverse effect on public health, safety, or general welfare, and will meet the intent of the UDO and Village Comprehensive Plan by bringing a high quality and attractively designed development into the community.

Staff wishes to point out two other items to the PC/ZBA regarding the data center project:

- The submitted plans denote gravel around all sides of the building, including in areas on the north side of the building where generators will be located and the south side of the building where water tanks will be located. The proposed gravel is less prone to dust/debris than sod, and staff can support the use of gravel in this instance.
- It should be noted that all other zoning provisions for the proposed data center, including building and parking setbacks, building height, equipment screening, and on-site parking, have been reviewed by Village staff through the site plan review process, and meet UDO regulations.

RECOMMENDATION

Staff has reviewed the proposed requests, and is supportive of the fence and landscaping variations for the proposed data center project. Therefore, Staff recommends approval of a fence variation and foundation landscaping variation for Oppidan Holdings, LLC, at 245 Kehoe Boulevard, Case No. 24-0004, subject to the following conditions:

1. That proposed fencing and landscaping improvements must be built, installed, and maintained in accordance with the attached plans and exhibits;
2. That the landscape materials must be installed as shown on the attached landscape plan, and that all materials shall be maintained in a healthy condition, with dead or dying materials being replaced in accordance with the approved plan on an annual basis;
3. That the applicant acknowledges that revisions to the plans may be necessary as determined during final engineering review, which may result in additional design and construction costs; and
4. That the site and business must be maintained and operated in accordance with all State, County and Village codes and regulations.

T:\Planning New\Planning\Plan Commission\Staff Reports\2024 Staff Reports\24-0004 Oppidan Holdings VAR 245 Kehoe.docx



RECEIVED

JAN 19 2024

Community Development Department

Village of Carol Stream

500 N. Gary Avenue • Carol Stream, IL 60188

PHONE 630.871.6230 • FAX 630.665.1064

www.carolstream.org

Do Not Write in This Space	
Date Submitted:	1/19/24
Fee Submitted:	\$ 840
File Number:	24-0004
Meeting Date:	2/12/24
Public Hearing Required:	<input checked="" type="checkbox"/>

FORM A

GENERAL APPLICATION PUBLIC HEARINGS AND DEVELOPMENT APPROVAL REQUESTS

1. Name of Applicant Oppidan Holdings, LLC Attn: Drew Johnson Phone 612-554-1897
 Address 400 Water Street, Excelsior, MN 55331 Fax _____
 E-Mail Address drew@oppidan.com
 (required)
 Name of Attorney _____ Phone _____
 (if represented)
 Address _____ Fax _____
 Name of Owner _____ Phone _____
 (required if other than applicant)
 Address _____ Fax _____
 Name of Architect Salas O'Brien Attn: Mark Knoke Phone 206-294-7513
 (if applicable)
 Address 10202 5th Ave NE, Ste 300, Seattle, WA 98125 Fax _____

2. *Common Address/Location of Property 245 Kehoe Blvd, Carol Stream, IL 60188

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 checked="" 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 checked="" 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 checked="" type="checkbox"/> Site Plan Review	<input type="checkbox"/> Text Amendment (requires Form D2)
	<input type="checkbox"/> Staff Adjustment (requires Form E)

Describe requested action Development Staff Review of proposed Data Center project

4. Fee Schedule: (Check all that apply)

Total Application Fee: \$ 840

	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
X	Variation:	
X	First	\$640
X	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.

In recognition of the time and expense involved in the preparation of final engineering design documents for projects involving new construction and/or land development, and in view of the uncertainty of ultimate project approval by the Village Board, the Village does not require final engineering design drawings to be submitted with most applications for public hearings and development approval requests. However, it is the applicant's responsibility to provide sufficient plan detail to demonstrate the overall feasibility of the project design, to include preliminary grading, stormwater management calculations and utility configuration, prior to the application being scheduled for a public hearing before the Plan Commission. Following project approval by the Village Board, the applicant accepts that during final engineering review, it may be determined that revisions to the overall project design are necessary, which may require plan revisions and additional costs to the applicant.

Oppidan Holdings, LLC, Attn: Drew Johnson

Print Name

Signature

1/19/2024

Date

Revised 11/23



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

GENERAL VARIATIONS

Please see Section 16-8-4(K) of the Unified Development Ordinance (UDO) to learn more about 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 Unified Development Ordinance (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 shall make findings based upon evidence presented on the following conditions: (Please respond to each of these standards in writing below as it relates to your request.)

1. The requested Variation arises from conditions that are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional actions.

The requested Variation is to provide the code required foundation
 plantings around the perimeter of the security fence for the facility on _____
 the south side of the site. The Data Center has intake air louvers for _____
 cooling along the southern elevation for evaporative cooling process. _____
 Any potential plant debris that might get sucked into the cooling _____
 system inadvertently could potentially damage the system and _____
 negatively impact facility operations. _____

2. That the Variation to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property.

The relocation of the southern foundation plantings will provide the _____
 intent of the landscaping code from an aesthetic perspective for sight _____
 lines to the southern fence line. The location will not alter _____
 neighborhood characteristics or impact the development of adjacent _____
 property. _____

3. That the conditions of a Variation will constitute of an unnecessary physical hardship (not economic hardship), in which the property cannot be used for an otherwise allowed use without coming into conflict with applicable site development standards.

If foundation plantings were required along the southern elevation, the proposed Data Center use would be unable to operate as intended due to the increased risk of potential damage to the cooling system.

The Variation will not impose a hardship to other potential uses.

4. The Variation is the minimum action necessary to alleviate the hardship and observes the spirit of this UDO

Rather than removing foundation plantings entirely, the requested Variation proposes to relocate the plantings to the outer edge of the southern security fence in an effort to meet the intent of the code and maintain the spirit of the UDO.

5. The Variation desired will not adversely affect the public health, safety, or general welfare or impair the purposes or intent of this UDO or the Comprehensive Plan.

There are no anticipated adverse affects to public health, safety, or general welfare with the requested Variation. Nor does the request impair the purposes or intent of the UDO or Comprehensive Plan.

6. Other pertinent information or reason for the request.

The relocated plantings provided at the perimeter of the security fence are designed according to code requirements for width, species, and planting needs.



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.

The requested fence Variation is to provide a palisade-style security
 _____ fence within the front yard of the property facing Kimberly Drive. The _____
 _____ proposed facility requires complete 24/7 security due to the Data _____
 _____ Center use, which necessitates a security fence completely _____
 _____ surrounding the building. _____

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

Without the fence located facing Kimberly Drive, complete perimeter _____
 _____ security could not be provided and the facility security requirements _____
 _____ would not be met. This would effectively impact the feasibility of the _____
 _____ proposed use on this particular parcel and force reconsideration of the _____
 _____ overall project. _____

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

The proposed security fence is an 8' tall black painted steel fence with _____
 _____ vertical bars. The spacing between the bars is small enough to _____
 _____ prevent intrusion but large enough to provide air and light supply with _____
 _____ no anticipated impairments. A cut sheet of the proposed fencing has _____
 _____ been provided for review. _____

4. The fence will not endanger the public safety.

_____ The proposed security fence does not have barbed wire, spikes, or _____
similar features that would pose a danger to public safety. _____
_____ _____
_____ _____

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

_____ The proposed security fence is one of high quality looks and material. _____
Similar fences within the district on neighboring parcels vary in style, _____
_____ with chain link fences predominantly throughout the district. It is _____
anticipated that the proposed fence will be viewed as a higher quality _____
_____ than chain link, therefore it will not diminish or impair established _____
property values. _____

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

_____ It is not anticipated that the proposed fence will impair the public _____
health, safety, comfort, morals, or welfare of the Village inhabitants. _____
_____ _____
_____ _____

7. Other pertinent information or reason for the request.



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JAN 22 2024

Community Development
Department

January 19th, 2024

Don Bastian, AICP, Community Development Director
Tom Farace, AICP, Planning & Economic Development Manager
Village of Carol Stream, IL

RE: Cover Letter – Request for Variations

Oppidan Holdings, LLC is proposing a single-story, data center on the 11.41-acre parcel at 245 Kehoe Blvd, Carol Stream, IL. The site is bounded by Kehoe Boulevard (south), railway (west), an existing industrial use (north) and Kimberly Drive (east). The site is zoned I – Industrial and is seeking to maintain the current zoning for the proposed use. The project is requesting two Variations: one for fencing in the front yard facing Kimberly Drive and one for the relocation of southern foundation plantings away from the building foundation to the outer perimeter of the southern security fence.

The first requested fence Variation is to provide a security fence within the front yard of the facility facing Kimberly Drive. The proposed Data Center use is required to provide 24/7 security which includes the need for a perimeter security fence. Due to the critical nature of the Data Center, without perimeter security the facility would potentially be at risk to intrusions that may impact facility operations. Therefore, without the requested Variation, the Data Center would not be able to function as required and would not be feasible at this location. The proposed security fence will be of high-quality material and aesthetics. The fence will be 8' tall, palisade-style fence.

The second requested Variation is to relocate the required foundation plantings on the southern elevation of the building to the outer perimeter of the security fence. The proposed Data Center use has air intake louvers along the southern elevation for the cooling process. Potential intrusion of plant debris into the system may lead to damage of the cooling process and impact the facility operations. Proposing the plantings on the outer perimeter of the security fence will relocate plants away from the intake louvers while still meeting the intent of the code. The proposed location of the plantings will provide the intended aesthetics of foundation plantings for sightlines to the Data Center building from the south along Kehoe Boulevard. Plantings on the outer perimeter of the security fence will provide an additional benefit of breaking up the southern view of the security fence.

We appreciate the Village's consideration of the requested Variations and look forward to a successful project.

Please do not hesitate to contact me with any questions.

Sincerely,

Drew Johnson
drew@oppidan.com
612-554-1897
SVP – Development
Oppidan Holdings, LLC

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 January 24, 2024 and the last publication of the notice was made in the newspaper dated and published on January 24, 2024. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

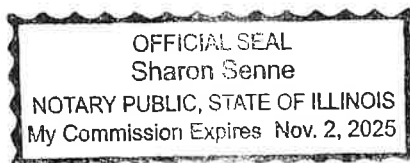
In witness, Examiner Publications, Inc. has signed this certificate by Randall Petrik, its publisher, at The Village of Carol Stream, Illinois, on January 24, 2024.

Examiner Publications, Inc.

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

Subscribed and sworn to before me this 24 day of January, A.D. 2024.

Notary Public





LEGAL NOTICE PUBLIC NOTICE FILE #24-0004

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, February 12, 2024 at 6:00 p.m. to consider an application from Oppliden Holdings LLC for the following actions:

A Variation to allow a fence in the front yard, in accordance with Section 16-5-8 (F)(2) of the Carol Stream Unified Development Ordinance, and

A Foundation Landscaping Variation, in accordance with Section 16-5-6 (B)(3) of the Carol Stream Unified Development Ordinance

For the property located at 245 Kehoe Boulevard (PIN 02-32-202-006)

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/join/register?wn_id=C1mXT0ubMGB4P0-Atw

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: 856 5349 9431
International numbers available:
<https://zoom.us/j/85653499431>

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://carolstream.org/pdby>

4:00 p.m. the day of the public hearing. The public may also provide written comments prior to the public hearing by submitting them to Tom Faraca, AICP, Planning & Economic Development Manager, 500 N. Gary Ave., Carol Stream, IL 60188, or may provide email comments by sending them to tfaraca@carolstream.org. Comments must be provided 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, and under the "Development Projects" button. 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 630-871-8250.

As published in *The Examiner* January 24, 2024. 0124

1/19/2024 11:07:58 AM

EXHIBIT A-1

CLIENT:



VILLAGE OF CAROL STREAM
10MW DATA CENTER
 245 KEHOE BLVD
 CAROL STREAM, ILLINOIS

PROJECT TITLE:

ISSUE NO.:

DESCRIPTION:
CITY SUBMITTAL

CERTIFICATION:

PROJECT NO.:

DWN BY: HKK CHKD BY: JRA APPD BY: MC

ISSUE DATE: 01/19/2024

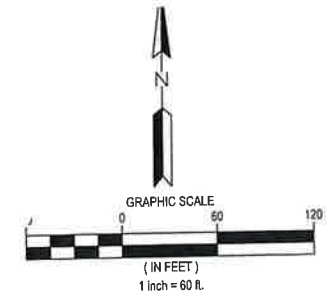
ISSUE NO.:

SHEET TITLE:

OVERALL SITE PLAN

SHEET NO.:

C-101



LEGEND

- PROPERTY BOUNDARY
- LOT LINE
- EASEMENT LINE
- SETBACK LINE
- RIGHT OF WAY LINE
- EXISTING EASEMENT LINE
- CURB AND GUTTER
- STANDARD DUTY ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- PATCH ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT
- GRAVEL SURFACING/SHOULDERING
- SCREEN WALL
- PERIMETER FENCE
- CONSTRUCTION LIMITS
- RETAINING WALL

NOTES

- SEE SHEET C-002 FOR ADDITIONAL PROJECT NOTES.
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- DESIGNED BY OTHERS ITEMS SHOWN FOR REFERENCE ONLY. EXACT LOCATION, DETAIL, AND DESIGN BY OTHERS. COORDINATE WITH PROJECT PARTNERS TO OBTAIN RELATED CONSTRUCTION DOCUMENTS/DRAWINGS.

SITE ANALYSIS TABLE			
ADDRESS	245 KEHOE BLVD, CAROL STREAM, ILLINOIS		
EXISTING ZONING	INDUSTRIAL		
PROPOSED ZONING	INDUSTRIAL		
PROPOSED USE	OFFICE / DATA CENTER		
LOT AREA SUMMARY			
LOT NUMBER	TOTAL AREA (AC)	IMPERVIOUS AREA (AC)	PERVIOUS AREA (AC)
EXISTING PARCEL SUMMARY	11.40	1.06	10.34
PROPOSED USE	11.40	4.82	6.58
BUILDING SUMMARY			
LOT NUMBER	BUILDING FOOTPRINT (SF)	GROSS FLOOR AREA (SF)	# OF STORIES
PROPOSED USE	90,301	90,301	1
PARKING SUMMARY			
TOTAL PARKING	REQUIRED	PROPOSED	
STANDARD	26	26	
ACCESSIBLE PARKING	2	2	
PROPOSED ACCESSIBLE PARKING	2	2	
TOTAL PARKING	28	28	
BUILDING SETBACK SUMMARY			
	REQUIRED	PROPOSED	
FRONT (EAST)	60'	117'	
EXTERIOR SIDE (SOUTH)	60'	411.2'	
INTERIOR SIDE (NORTH)	10'	140.1'	
REAR (WEST)	20'	78.7'	
PARKING SETBACK SUMMARY			
	REQUIRED	PROPOSED	
ROW (EAST)	20'	33'	
ROW (SOUTH)	20'	337.5'	
INTERIOR SIDE (NORTH)	0'	28.8'	
REAR (WEST)	0'	31'	
NOTES: * IF ADJACENT RIGHT OF WAY IS LESS THAN 60 FEET WIDE, THE MINIMUM SETBACK SHALL BE 40 FEET. KIMBERLY DRIVE RIGHT OF WAY IS 60 FEET WIDE AND KEHOE BLVD RIGHT OF WAY IS 100 FEET WIDE.			

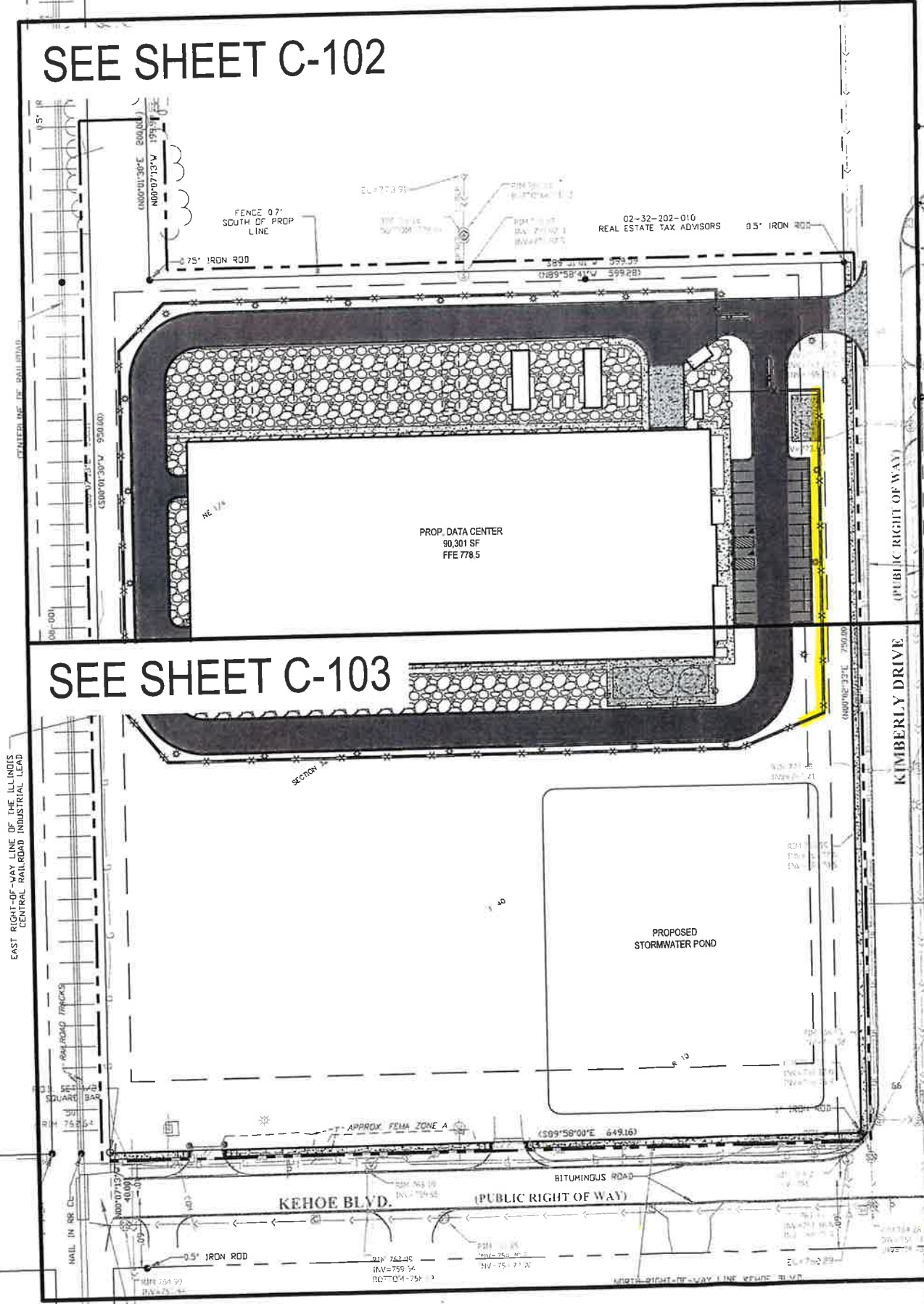
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JULIE

TOLL FREE 1-800-892-0123



SEE SHEET C-102

SEE SHEET C-103

RECEIVED

JAN 22 2024

Community Development
 Department

Z:\193065633\DESIGN\CA000 PLANS\NETSC-101 SITE PLAN.dwg

1/19/2024 11:08:00 AM

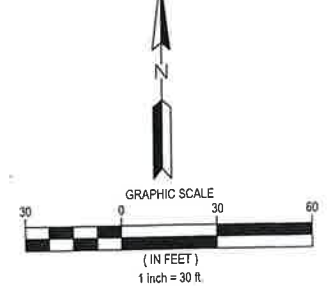
EXHIBIT A-2

Stantec
 733 MARQUETTE AVE
 SUITE 1000
 MINNEAPOLIS, MN 55402
 WWW.STANTEC.COM


















CLIENT:

OPPIDAN

VILLAGE OF CAROL STREAM
10MW DATA CENTER
 245 KEHOE BLVD
 CAROL STREAM, ILLINOIS



LEGEND

-  PROPERTY BOUNDARY
-  LOT LINE
-  EASEMENT LINE
-  SETBACK LINE
-  RIGHT OF WAY LINE
-  EXISTING EASEMENT LINE
-  CURB AND GUTTER
-  STANDARD DUTY ASPHALT PAVEMENT
-  HEAVY DUTY ASPHALT PAVEMENT
-  PATCH ASPHALT PAVEMENT
-  CONCRETE SIDEWALK
-  CONCRETE PAVEMENT
-  GRAVEL SURFACING/SHOULDERING
-  SCREEN WALL
-  PERIMETER FENCE
-  CONSTRUCTION LIMITS
-  RETAINING WALL

NOTES

1. SEE SHEET C-002 FOR ADDITIONAL PROJECT NOTES.
2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. DESIGNED BY OTHERS ITEMS SHOWN FOR REFERENCE ONLY. EXACT LOCATION, DETAIL, AND DESIGN BY OTHERS. COORDINATE WITH PROJECT PARTNERS TO OBTAIN RELATED CONSTRUCTION DOCUMENTS/DRAWINGS.

KEYNOTES

1. STANTEC DESIGN ITEMS
 - 1.1. MATCH EXISTING
 - 1.2. CONCRETE SIDEWALK - SEE DETAIL 2/C-806
 - 1.3. CONCRETE PAVEMENT - SEE DETAIL 3/C-806
 - 1.4. STANDARD DUTY ASPHALT PAVEMENT - SEE DETAIL 4/C-806
 - 1.5. HEAVY DUTY ASPHALT PAVEMENT - SEE DETAIL 5/C-806
 - 1.6. B-6.12 CURB AND GUTTER - SEE STANDARD 606001-08/C-805
 - 1.7. CONCRETE DRIVEWAY APRON - SEE DETAIL 6/C-806
 - 1.8. TRENCH DRAIN - SEE SHEET C-501, DETAIL 8/C-806
 - 1.9. ADA ACCESSIBLE AISLE W/ SIGN - SEE DETAIL 1.2.4/C-805
 - 1.10. ADA VAN ACCESSIBLE STALL W/ SIGN - SEE DETAIL 1.2.4.5/C-805
 - 1.11. PARKING STALL STRIPING (TYP.) - SEE DETAIL 2/C-803
 - 1.12. GRAVEL SURFACING - SEE DETAIL 1/C-806
 - 1.13. BOLLARD - SEE DETAIL 6/C-806
 - 1.14. PATCH ASPHALT PAVEMENT - MATCH EXISTING SECTION
 - 1.15. SURMOUNTABLE CURB AND GUTTER - SEE DETAIL 606001-08/C-805
 - 1.16. 5' CURB TRANSITION
 - 1.17. CURB CUT
 - 1.18. CURB RAMP WITH DETECTABLE WARNING - SEE DETAILS ON SHEET C-805
2. DESIGN BY OTHERS - SEE NOTE 3
 - 2.1. DOOR LOCATION WITH STOOP - SEE ARCHITECTURAL/STRUCTURAL PLANS
 - 2.2. TRASH/RECYCLING ENCLOSURE - SEE ARCHITECTURAL PLANS
 - 2.3. SCREEN WALL - SEE ARCHITECTURAL PLANS
 - 2.4. 30' ROLLING GATE - SEE ARCHITECTURAL PLANS
 - 2.5. STRUCTURAL PAD FOR WATER TANKS - SEE ARCHITECTURAL/STRUCTURAL PLANS
 - 2.6. CANOPY LOCATION - SEE ARCHITECTURAL/STRUCTURAL PLANS
 - 2.7. PERIMETER FENCE - SEE ARCHITECTURAL PLANS
 - 2.8. LIGHT POLE - SEE ARCHITECTURAL/ELECTRICAL PLANS
 - 2.9. UTILITY EQUIPMENT PAD - SEE ELECTRICAL PLANS
 - 2.10. CARD READER PEDESTAL - SEE ELECTRICAL PLANS
 - 2.11. COLUMN - SEE ARCHITECTURAL/STRUCTURAL PLANS
 - 2.12. RETAINING WALL - SEE ARCHITECTURAL/STRUCTURAL PLANS
 - 2.13. PROPOSED GENERATOR - SEE ELECTRICAL PLANS
 - 2.14. FUTURE GENERATOR - SEE ELECTRICAL PLANS
 - 2.15. PROPOSED WATER TANK - SEE ARCHITECTURAL/STRUCTURAL PLANS
 - 2.16. FUTURE WATER TANK - SEE ARCHITECTURAL/STRUCTURAL PLANS

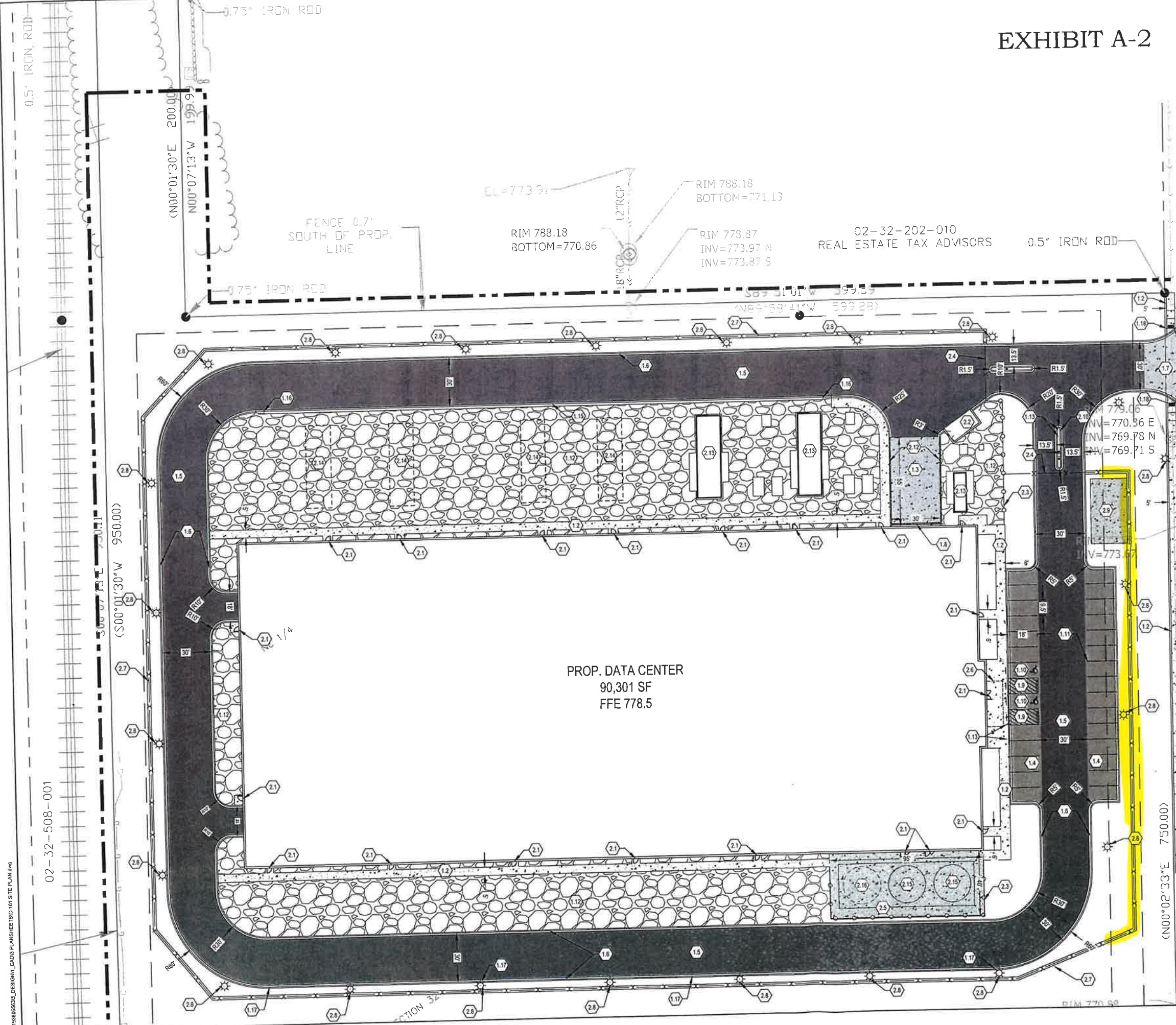
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JULIE
 TOLL FREE 1-800-892-0123

RIVE (PUBLIC RIGHT OF WAY)



PROP. DATA CENTER
 90,301 SF
 FFE 778.5

02-32-202-010
 REAL ESTATE TAX ADVISORS

02-32-508-001

Z:\193006505_DESIGN\1003_PLANSHEET\101_SITE_PLAN.dwg

PROJECT TITLE

ISSUE NO.:

DESCRIPTION:

DATE:

CERTIFICATION:

PROJECT NO.:

OWN BY:

CHKD BY:

APP'D BY:

ISSUE DATE:

ISSUE NO.:

SHEET TITLE:

NORTH SITE PLAN

SHEET NO.:

C-102

NOT FOR CONSTRUCTION

02-32-508-001

RAILROAD TRACKS

50' SET 1/2" SQUARE BAR

NAIL IN RR CL

SECTION 32

EXHIBIT A-3

KEHOE BLVD.

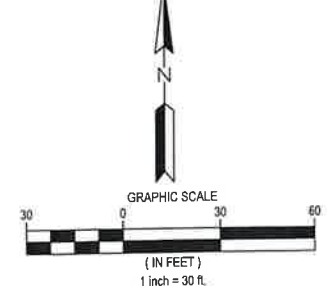
(PUBLIC RIGHT OF WAY)

NORTH-RIGHT-OF-WAY LINE KEHOE BLVD.

PROPOSED STORMWATER POND

KIMBERLY DRIVE (PUBLIC)

(N00°02'33"E 750.00')



LEGEND

- PROPERTY BOUNDARY
- LOT LINE
- EASEMENT LINE
- SETBACK LINE
- RIGHT OF WAY LINE
- EXISTING EASEMENT LINE
- CURB AND GUTTER
- STANDARD DUTY ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- PATCH ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT
- GRAVEL SURFACING/SHOULDERING
- SCREEN WALL
- PERIMETER FENCE
- CONSTRUCTION LIMITS
- RETAINING WALL

NOTES

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KEYNOTES

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JULIE
TOLL FREE 1-800-892-0123

Stantec
 733 MARQUETTE AVE
 SUITE 1000
 MINNEAPOLIS, MN 55402
 WWW.STANTEC.COM

CLIENT:

OPPIDAN

VILLAGE OF CAROL STREAM
 10MW DATA CENTER
 245 KEHOE BLVD
 CAROL STREAM, ILLINOIS

DATE	DESCRIPTION	ISSUE NO.	PROJECT TITLE
12/18/2023	CITY SUBMITTAL	1	VILLAGE OF CAROL STREAM 10MW DATA CENTER 245 KEHOE BLVD CAROL STREAM, ILLINOIS

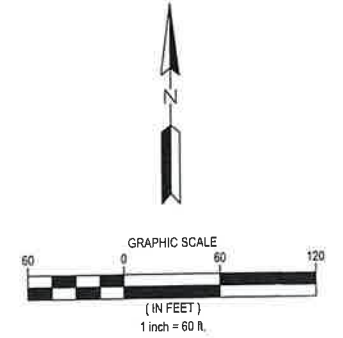
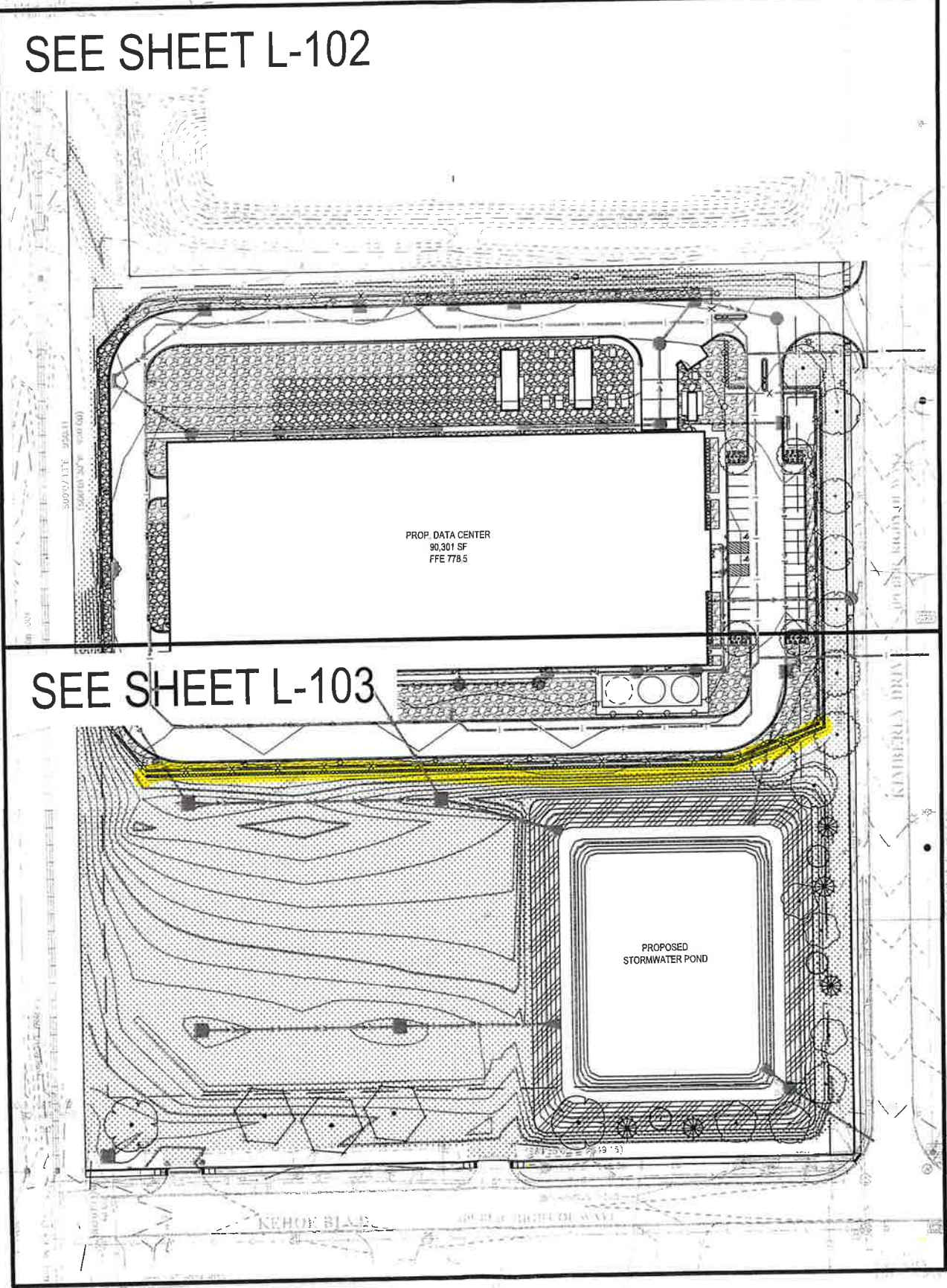
CERTIFICATION

PROJECT NO.:	DWN BY: HKK	CHKD BY: JRA	APPD BY: MC
ISSUE DATE: 01/19/2023			
ISSUE NO.: 1			
SHEET TITLE: SOUTH SITE PLAN			
SHEET NO.: C-103			

11/19/2023 9:37:09 AM

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT
TREES					
	AX	3	ACER X FREEMANII	FREEMAN MAPLE	24" BOX
	CO	3	CELTIS OCCIDENTALIS	COMMON HACKBERRY	24" BOX
	GK	3	GYMNOCLADUS DIOICA	KENTUCKY COFFEETREE	24" BOX
	JE	5	JUNIPERUS VIRGINIANA	EASTERN REDCEDAR	24" BOX
	OV	3	OSTRYA VIRGINIANA	AMERICAN HOPHORNBEAM	24" BOX
	PB	3	PINUS BANKSIANA	JACK PINE	24" BOX
	PM	2	PLATANUS X ACERIFOLIA 'MORTON CIRCLE'	EXCLAMATION!™ LONDON PLANE TREE	24" BOX
	PT	3	POPULUS TREMULOIDES	QUAKING ASPEN	24" BOX
	QV	3	QUERCUS VELUTINA	BLACK OAK	24" BOX
	UC	4	ULMUS X 'FRONTIER'	FRONTIER ELM	24" BOX
SHRUBS					
	BG	77	BUXUS X 'GREEN VELVET'	GREEN VELVET BOXWOOD	1 GAL
	IM	137	ILEX X MESERVEAE 'MONNIEVES'	SCALLYWAG™ HOLLY	1 GAL
	JB	48	JUNIPERUS HORIZONTALIS 'BLUE RUG'	BLUE RUG JUNIPER	1 GAL
	TT	88	TAXUS X MEDIA 'TAUNTONII'	TAUNTON'S ANGLO-JAPANESE YEW	1 GAL
	TT2	54	THUJA OCCIDENTALIS 'LINESVILLE'	LINESVILLE ARBORVITAE	1 GAL



LEGEND

	PROPERTY BOUNDARY
	LOT LINE
	EASEMENT LINE
	SETBACK LINE
	RIGHT OF WAY LINE
	SECTION LINE
	QUARTER LINE
	EXISTING EASEMENT LINE
	EXISTING PROPERTY LINE
	ROCK MULCH, SEE LANDSCAPE NOTES SHEET L-801
	SEED TYPE I, SEE LANDSCAPE NOTES SHEET L-801
	SEED TYPE II, SEE LANDSCAPE NOTES SHEET L-801

- NOTES**
- SEE SHEET C-002 FOR ADDITIONAL PROJECT NOTES.
 - SEE SHEET L-801 FOR LANDSCAPE NOTES AND DETAILS.

EXHIBIT B-1

TREE AND LANDSCAPE SUMMARY

THE CITY OF CAROL STREAM REQUIRED ON-SITE LANDSCAPE AREAS	
PARKING LOT PERIMETER PLANTING	1 SHRUB PER 3' LENGTH = (285) 1 GAL. SHRUBS.
PARKING LOT INTERIOR PLANTING	1 PARKING LOT ISLAND PER 15 SPACES WITH 75% LANDSCAPE COVERAGE = (48) 1 GAL. SHRUBS. 1 PARKING LOT ISLAND PER 15 SPACES WITH 1 CANOPY TREE = (4) 2.5" CAL. CANOPY TREES.
BUILDING FOUNDATION PLANTING	1 SHRUB PER 3' LENGTH ACROSS 80% FACADE = (53) 1 GAL. SHRUBS
TRANSITION AREA PLANTING	N/A
RIGHT-OF-WAY PLANTING	1 CANOPY TREE PER 40' LOT FRONTAGE = (28) 2.5" CAL. CANOPY TREES.

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JULIE
TOLL FREE 1-800-892-0123

Stantec
733 MARQUETTE AVE
SUITE 1000
MINNEAPOLIS, MN 55402
WWW.STANTEC.COM

CLIENT:
OPPIDAN

PROJECT TITLE:
**VILLAGE OF CAROL STREAM
10MW DATA CENTER**
245 KEHOE BLVD
CAROL STREAM, ILLINOIS

ISSUE NO.	DESCRIPTION	DATE
1	CITY SUBMITTAL	12/19/2023

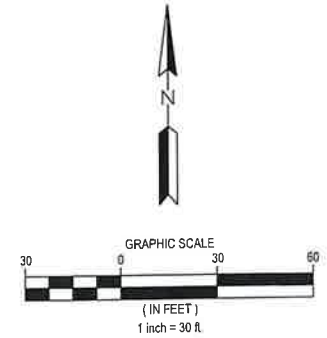
CERTIFICATION:
NOT FOR CONSTRUCTION

PROJECT NO.:	DWN BY: HKK	CHKD BY: JRA	APP'D BY: MC
ISSUE DATE:	01/19/2023		
ISSUE NO.:			
SHEET TITLE:	OVERALL LANDSCAPE PLAN		
SHEET NO.:	L-101		

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1/16/2024 9:37:12 AM

EXHIBIT B-2



Stantec
 733 MARQUETTE AVE
 SUITE 1000
 MINNEAPOLIS, MN 55402
 WWW.STANTEC.COM

CLIENT:

OPPIDAN

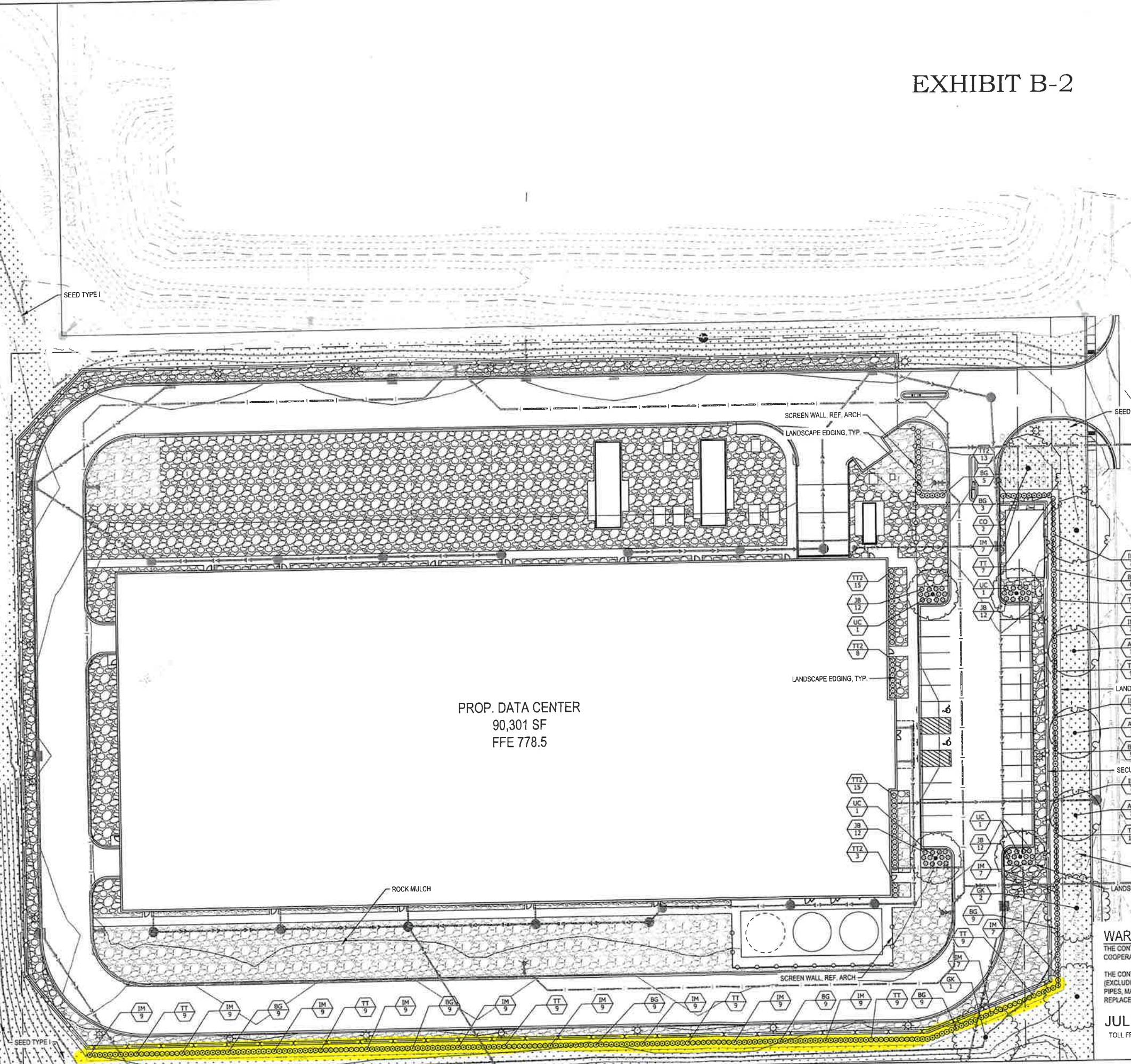
**VILLAGE OF CAROL STREAM
 10MW DATA CENTER**
 245 KEHOE BLVD
 CAROL STREAM, ILLINOIS

LEGEND

- PROPERTY BOUNDARY
- LOT LINE
- EASEMENT LINE
- SETBACK LINE
- RIGHT OF WAY LINE
- SECTION LINE
- QUARTER LINE
- EXISTING EASEMENT LINE
- EXISTING PROPERTY LINE
- ROCK MULCH, SEE LANDSCAPE NOTES SHEET L-801
- SEED TYPE I, SEE LANDSCAPE NOTES SHEET L-801
- SEED TYPE II, SEE LANDSCAPE NOTES SHEET L-801

NOTES

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JULIE
 TOLL FREE 1-800-892-0123

PROJECT TITLE	VILLAGE OF CAROL STREAM 10MW DATA CENTER		
ISSUE NO.	1	DESCRIPTION	CITY SUBMITTAL
DATE:	12/16/2023	CERTIFICATION:	NOT FOR CONSTRUCTION
PROJECT NO.:		DWN BY:	CHKD BY:
		HKK	JRA
		APPD BY:	MC
		ISSUE DATE:	01/19/2023
ISSUE NO.:	1	SHEET TITLE:	NORTH LANDSCAPE PLAN
SHEET NO.:	L-102		

21100069633X_DESIGN1_CAD33_PLANSHEETSL-101_LANDSCAPE_PLAN.dwg

02 52 505 001

S0010713TL 950.11
(S0010713TW 950.00)

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

REV	DESCRIPTION	DATE	ENGINEER
-----	-------------	------	----------

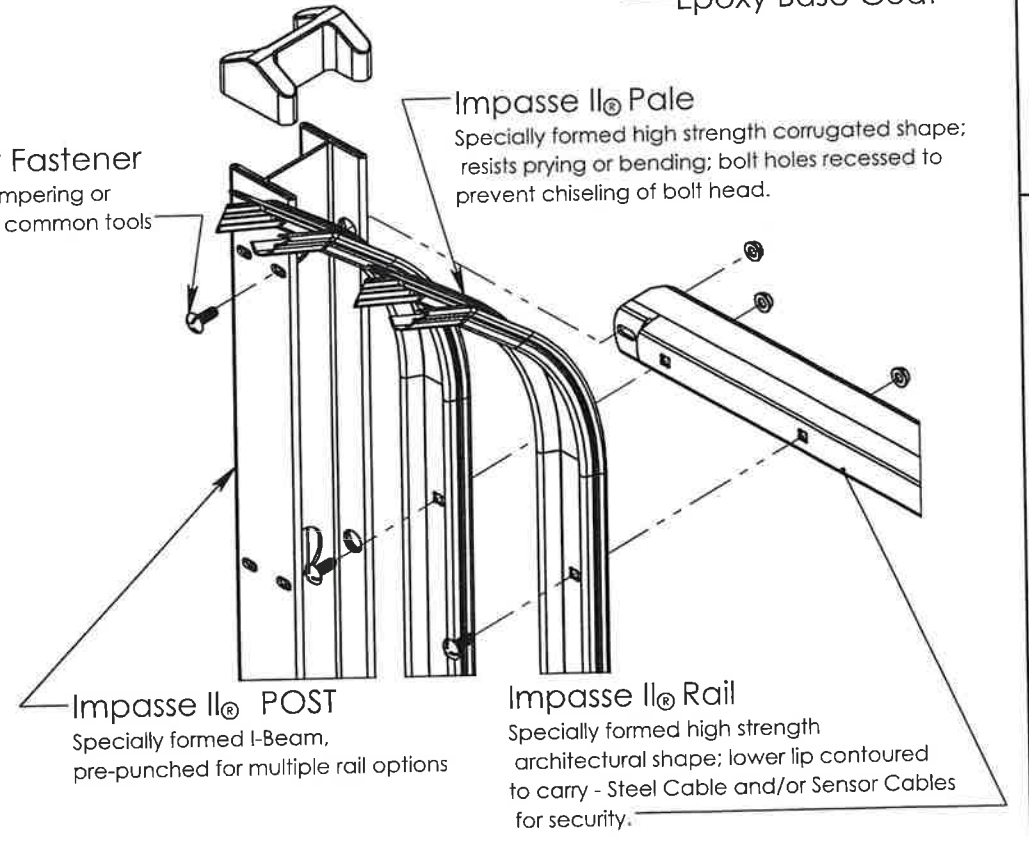
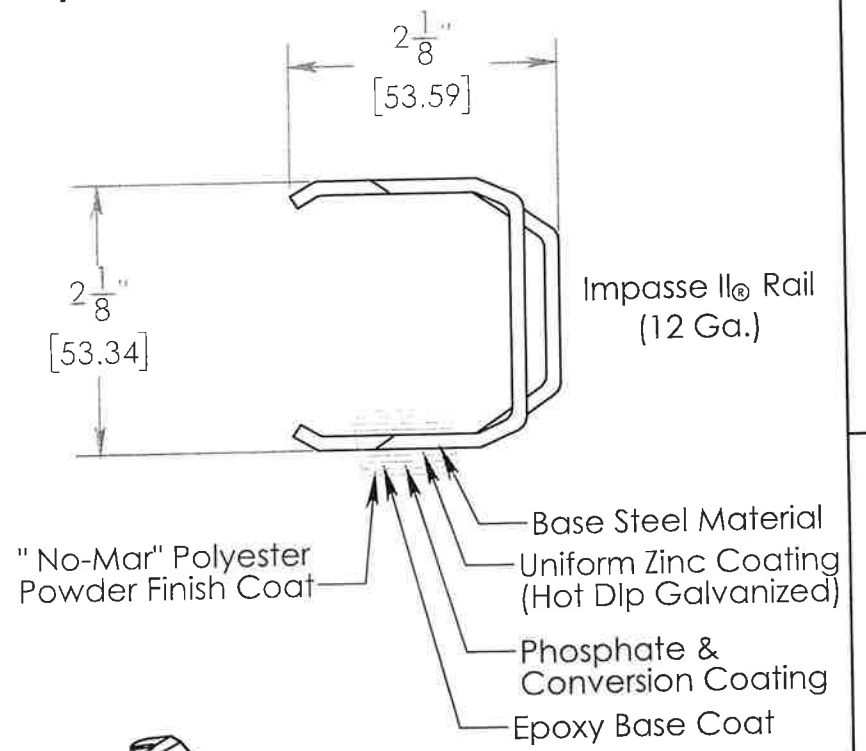
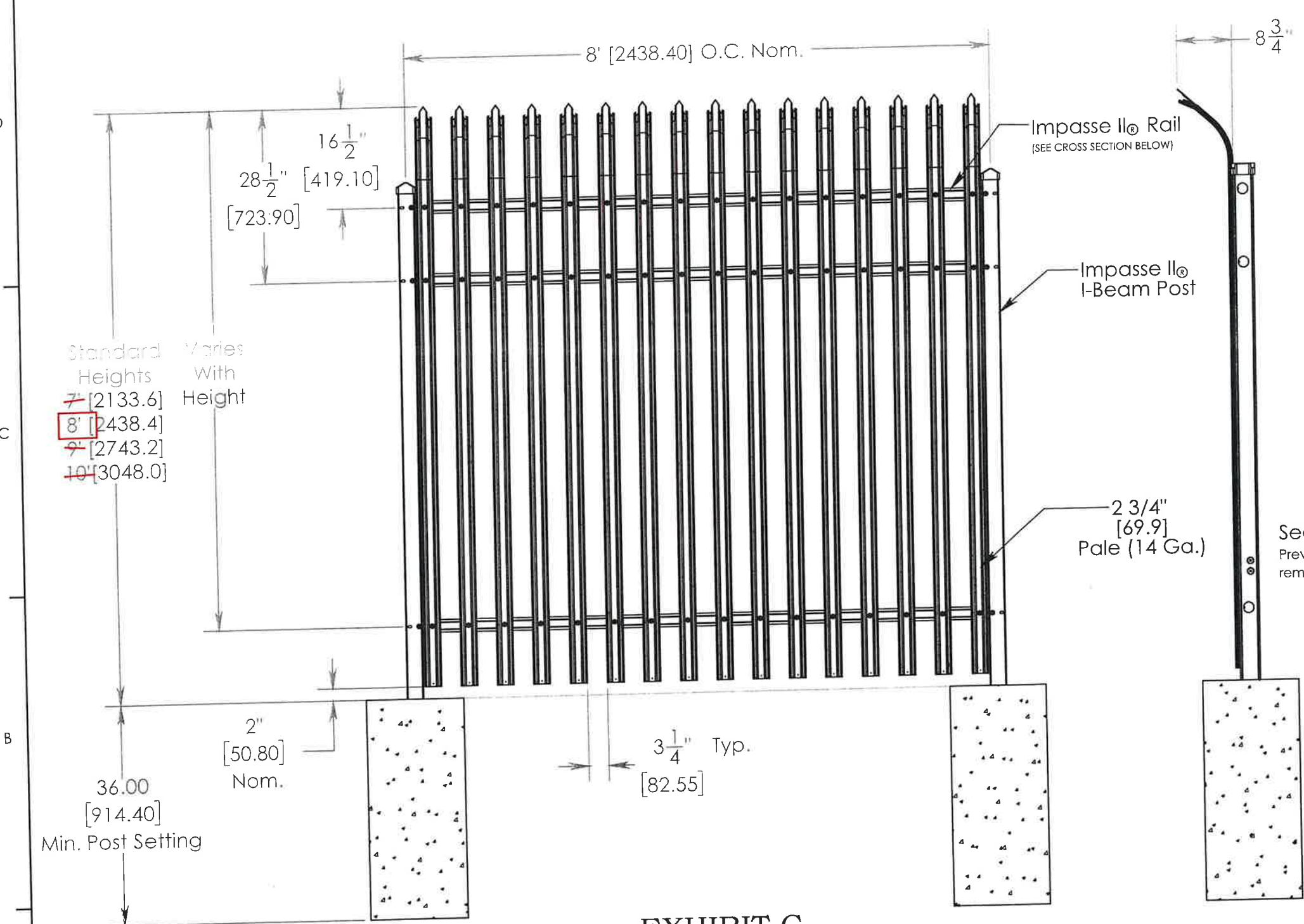


EXHIBIT C

RECEIVED
JAN 22 2024
 Community Development
 Department

Note:
 1.) Additional heights available on request.
 2.) Third rail optional. (some heights noted require the third rail.)
 3.) 3" [76.2] x 12 Ga. I-Beam recommended for 7' [2133.6] & 8' [2438.4] heights.
 4.) 4" [101.6] x 11 Ga. I-Beam recommended for 9' [2743.2] & 10' [3048.0] heights.

NOTICE TO PERSONS RECEIVING THIS DRAWING AND/OR TECHNICAL INFORMATION Ameristar Perimeter Security USA Inc claims proprietary rights to the material disclosed herein. This drawing and/or technical information is issued in confidence for engineering information only and may not be reproduced or used to manufacture anything shown or referred to herein without direct written permission from Ameristar Perimeter Security USA Inc to the user. This drawing and/or technical information is the property of Ameristar Perimeter Security USA Inc and is loaned for mutual assistance to be returned when its purpose has been served.	UNLESS OTHERWISE SPECIFIED TOLERANCES X.X ± .06 X.XX ± .03 X.XXX ± .02 ANGLES ± 0.5° FRACTIONS ± 1/8 SURFACE FINISH $\sqrt{3}$	DRAWING COMPLIES WITH ASME Y14.5M - 1994 INCH MM	MATERIAL SEE BOM	IMPASSE II GAUNTLET 2 OR 3 RAIL		
	ASSA ABLOY Ameristar Perimeter Security USA Inc Tulsa	HEAT TREATMENT	DATE CREATED 1/2/2019	DRAWN BY trasmi	DESIGNED BY trasmi	SCALE 1:32
SURFACE/FINISH			MASS 814.80 lb	VOLUME 15519.63 in ³	SURFACE AREA 29155.11 in ²	DRAWING NUMBER (ALT ID) 3GISO

CONFIGURATION Un-Exploded

LEGACY ID

Village of Carol Stream Plan Commission/Zoning Board of Appeals

STAFF REPORT

February 12, 2024

TO:
Chairman and Plan
Commissioners

FROM:
Community Development
Department

CASE MANAGER:
Tom Farace, Planning &
Economic Development
Manager

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

- Plat of Subdivision in accordance with Section 16-8-4 (O) of the Unified Development Ordinance

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



CASE #: 24-0005
LOCATION: 1348 and 1351 Charger Court
PROJECT NAME: Charger Park Subdivision



LOCATION	ZONING DISTRICT	LAND USE	COMPREHENSIVE PLAN DESIGNATION
Subject Property	R-1 Estate Residence and Community Facilities District	Park / Open Space (Charger Park)	Open Space
North	R-4 MultiUnit Residence District	Single-Unit Residential (Spring Valley Unit 2)	Single-Unit Residential
South	R-3 Suburban Residence District	Single-Unit Residential (Maplewood Estates)	Single-Unit Residential
East	R-4 MultiUnit Residence District	Single-Unit Residential (Spring Valley Unit 2)	Single-Unit Residential
West	Unincorporated DuPage County R-2 Single-Family Residence District	Single-Family Residential (Riviera Court)	Single-Family Residential

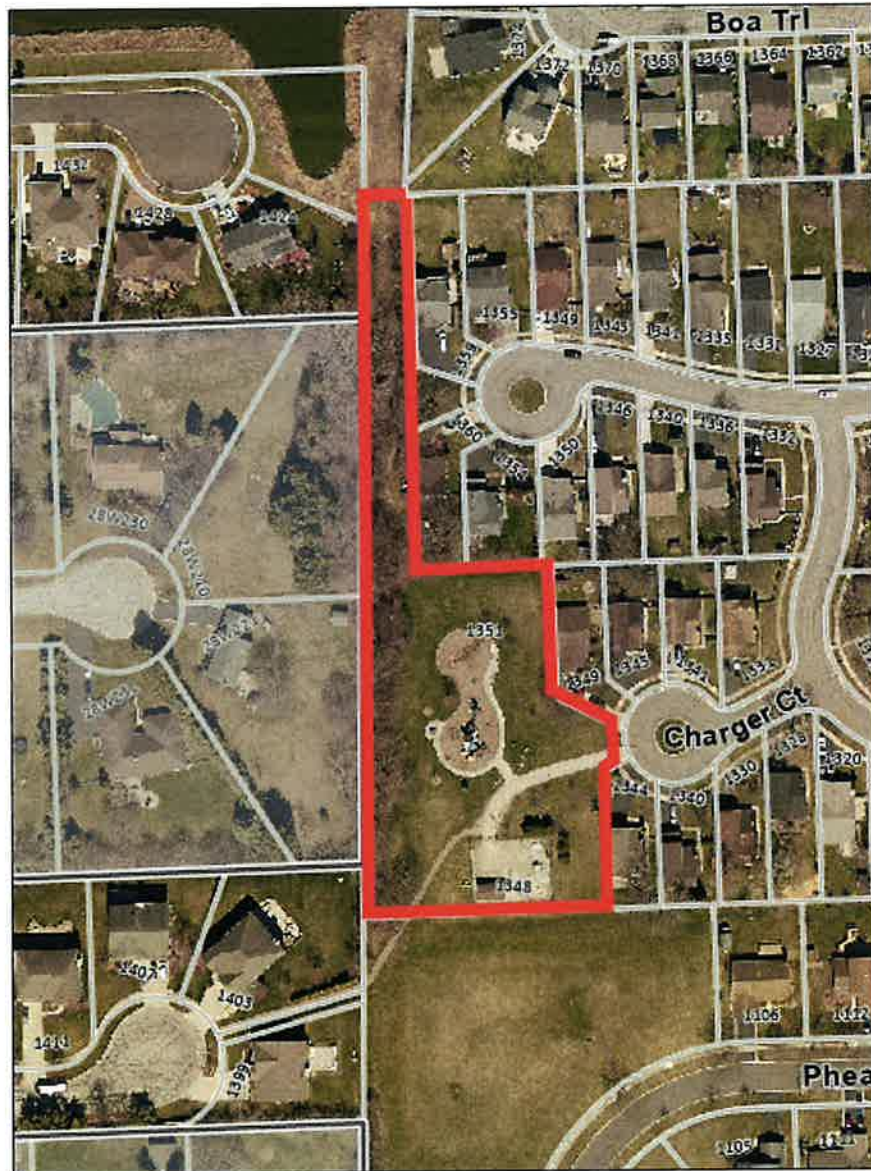
The property, outlined in red in the above map, is located west of Spring Valley Drive and north of Lies Road.

Site Assessment

COMPREHENSIVE PLAN DESIGNATION:

The subject property is designated for park and open space according to the Village's 2016 Comprehensive Plan.

AERIAL PHOTOGRAPH:



Project Summary

ATTACHMENTS:

Attached for review is the General Application and Plat of Subdivision (Exhibit A).

BACKGROUND:

The Village of Carol Stream, in partnership with the Carol Stream Park District, has submitted a plat of subdivision for Charger Park, located at the west end of Charger Court.

Staff Analysis

PLAT OF SUBDIVISION

The subject property is owned by the Village, but the Park District has used this property for a number of years. A small Park District playground is centrally located on the property, and a Village-owned sanitary sewer lift station is located on the south end of the subject property. The Park District has recently approached the Village regarding a subdivision of the property. In order to meet the needs of the Village and Park District, a two-lot subdivision is proposed. The Village will retain Lot 1, which will include the lift station and contain approximately 0.531 acres of land. The Village will deed Lot 2 of the subdivision to the Park District, which will include the existing playground and contain approximately 1.279 acres of land.

Staff from the Community Development, Engineering, and Administration Departments have reviewed the submitted plat and deem it acceptable.

Recommendation

Staff recommends approval of the plat of subdivision for the Charger Park Subdivision, Case No. 24-0005.



RECEIVED

JAN 23 2024

Community Development Department

Do Not Write in This Space	
Date Submitted:	<u>1.23.24</u>
Fee Submitted:	<u>0</u>
File Number:	<u>24-0005</u>
Meeting Date:	<u>2.12.24</u>
Public Hearing Required:	<u>NO</u>

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 60188 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 1348 and 1351 Charger Court (Charger Park)

3. Requested Action: (check all that apply)

<input type="checkbox"/> Annexation	<input checked="" 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 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 Plat of Subdivision for Charger Park, between the Village of Carol Stream and the Carol Stream Park 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.

In recognition of the time and expense involved in the preparation of final engineering design documents for projects involving new construction and/or land development, and in view of the uncertainty of ultimate project approval by the Village Board, the Village does not require final engineering design drawings to be submitted with most applications for public hearings and development approval requests. However, it is the applicant's responsibility to provide sufficient plan detail to demonstrate the overall feasibility of the project design, to include preliminary grading, stormwater management calculations and utility configuration, prior to the application being scheduled for a public hearing before the Plan Commission. Following project approval by the Village Board, the applicant accepts that during final engineering review, it may be determined that revisions to the overall project design are necessary, which may require plan revisions and additional costs to the applicant.

TOM Farace

Print Name



Signature

1/23/24

Date

Revised 11/23

FINAL PLAT OF SUBDIVISION CHARGER PARK

BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 23, TOWNSHIP 40 NORTH,
RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN.

RECEIVED

JAN 24 2024

Community Development
Department

OWNER'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE OWNER/OWNERS OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS/HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO/DOES/DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED. THE UNDERSIGNED HEREBY DEDICATES/DEDICATE FOR PUBLIC USE THE LAND SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS, EASEMENTS, DRAINAGE AND PUBLIC SERVICES, AND HEREBY ALSO RESERVES/RESERVE AND GRANTS/GRANT TO THE VILLAGE OF CAROL STREAM, AND TO THE UTILITY COMPANIES OPERATING NOW OR IN THE FUTURE UNDER A FRANCHISE FROM THE VILLAGE, THE UTILITY EASEMENTS WHICH ARE SHOWN ON THE PLAT OR STATED ON THEIR STANDARD FORM WHICH IS ATTACHED HERETO.

DATED THIS _____ DAY OF _____, A.D. 20____

NAME/TITLE ADDRESS

NOTARY CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE

OF SAID COUNTY, DO HEREBY CERTIFY THAT _____, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON/PERSONS WHOSE NAME/NAMES IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER/OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT SHE/HE/THEY SIGNED THE ANNEXED PLAT AS HER/HIS/THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

BY _____
NOTARY PUBLIC

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

I, _____, CLERK OF THE VILLAGE OF CAROL STREAM, HEREBY

CERTIFY THAT THIS PLAT WAS PRESENTED TO AND BY RESOLUTION _____, DULY APPROVED BY THE BOARD OF TRUSTEES OF THE VILLAGE AT ITS MEETING HELD ON _____, 20____, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS EITHER BEEN POSTED OR ADEQUATE PROVISION HAS BEEN MADE FOR SUCH BOND TO BE POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF THE VILLAGE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF THE VILLAGE OF CAROL STREAM, ILLINOIS THIS _____ DAY OF _____, A.D. 20____

MAYOR VILLAGE CLERK

VILLAGE ENGINEER'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

I, _____, VILLAGE ENGINEER OF THE VILLAGE OF CAROL STREAM, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF THE VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

I DO FURTHER CERTIFY THAT THERE HAS BEEN FILED WITH ME AND I HAVE REVIEWED TOPOGRAPHICAL AND PROFILE STUDIES FILED WITH THIS PLAT.

DATED AT CAROL STREAM, DUPAGE COUNTY, ILLINOIS THIS _____ DAY OF _____, A.D. 20____

BY _____
VILLAGE ENGINEER

FINANCE DIRECTOR CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

I, _____, FINANCE DIRECTOR OF CAROL STREAM, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT CAROL STREAM, DUPAGE COUNTY, ILLINOIS THIS _____ DAY OF _____, A.D. 20____

BY _____
FINANCE DIRECTOR

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

THIS INSTRUMENT NUMBER _____ RECORDED IN THE

RECORDER'S OFFICE IN DUPAGE COUNTY, ILLINOIS ON THE _____ DAY OF _____, A.D. 20____, AT _____ O'CLOCK _____ M. AND WAS

RECORDED IN BOOK _____ OF PLATS ON PAGE _____

BY _____
RECORDER OF DEEDS

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

APPROVED THIS _____ DAY OF _____, A.D. 20____

BY _____
CHAIRPERSON

STORMWATER MANAGEMENT AND CONVEYANCE EASEMENT

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM OVER ALL OF THE AREAS INDICATED AS "STORMWATER MANAGEMENT AND CONVEYANCE EASEMENT OR "S.M.C.E." FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, GRADE, REGRADE, CLEAN, REPAIR, INSPECT, OPERATE AND OTHERWISE MAINTAIN IN AN UNOBSTRUCTED CONDITION A SYSTEM OF STORM DRAINS, MANHOLES, INLETS, OVERLAND DRAINAGE SWALES, AND A STORMWATER MANAGEMENT BASIN FOR THE CONVEYANCE AND TEMPORARY STORAGE OF STORMWATER RUNOFF TRIBUTARY THERETO TOGETHER WITH THE RIGHT OF ACCESS OVER, UPON AND THROUGH SAID EASEMENT FOR THE NECESSARY INDIVIDUALS AND EQUIPMENT TO PERFORM SAID FUNCTIONS. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM, OR REMOVE TREES, BUSHES, VEGETATION AND DEBRIS WITHIN SAID EASEMENT AREA THAT CAN REASONABLY BE SHOWN TO OBSTRUCT OR OTHERWISE HINDER THE OPERATION OF SAID EASEMENT AREA FOR THE USES AND PURPOSES HEREIN SET FORTH. NO BUILDINGS, SHEDS, SWIMMING POOLS, FENCES OR OBJECTS AND EQUIPMENT SUBJECT TO DAMAGE DUE TO PERIODIC INUNDATION SHALL BE PLACED ON SAID EASEMENT AND NO EARTH FILL OR EXTRANEOUS MATERIALS SHALL BE DEPOSITED OR EXTENSIVE REGRADING WORK UNDERTAKING THAT WOULD HINDER OR OBSTRUCT THE CONVEYANCE OF STORM DRAINAGE OR DISPLACE ANY STORMWATER STORAGE VOLUME POTENTIALLY AVAILABLE DURING TIMES OF PEAK RUNOFF. SAID EASEMENT AREAS MAY BE USED, HOWEVER, FOR PAVED AREAS, GARDENS, TREES, PLANTS, LAWNS AND OTHER LANDSCAPING IMPROVEMENTS AND FOR OTHER USES AND PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID EASEMENT USES AND RIGHTS.

UTILITY EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN, ON, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "UTILITY EASEMENT" ON THIS PLAT OF SUBDIVISION, SUCH EASEMENTS GRANTING AND RESERVING FOR THE VILLAGE UTILITIES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, INSPECT, OPERATE, REPLACE, RENEW, ALTER, ENLARGE, REMOVE, REPAIR, CLEAN AND MAINTAIN VARIOUS UTILITY AND SIMILAR TRANSMISSION, RECEIVING AND DISTRIBUTION SYSTEMS, INCLUDING, BUT NOT LIMITED TO, CABLES, LINES, TRANSFORMERS, COMPUTER DEVICES, SANITARY SEWERS, STORM SEWERS, WATER MAINS, AND ANY AND ALL NECESSARY MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BOXES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH UTILITY AND SIMILAR SERVICE TO THE ATTACHED AREA AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE MAY DEEM NECESSARY, USEFUL OR CONVENIENT, TOGETHER WITH A PERMANENT RIGHT OF ACCESS ACROSS THE LOTS AND REAL ESTATE SHOWN ON THIS PLAT OF SUBDIVISION FOR THE NECESSARY PERSONS AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE, TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH INSTALLATIONS, IN, ON, UPON, ACROSS, OVER, UNDER OR THROUGH SUCH EASEMENTS. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR MUNICIPAL-OWNED UTILITIES, SHALL BE SUBJECT TO THE PRIOR APPROVAL, AS TO LOCATION AND DESIGN, OF THE VILLAGE SO AS NOT TO INTERFERE WITH THE MUNICIPAL UTILITIES.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF OGLE) SS

I, RUDY P. DIXON, HEREBY CERTIFY THAT I AM AN ILLINOIS REGISTERED LAND SURVEYOR IN COMPLIANCE WITH THE LAWS OF THE STATE OF ILLINOIS AND THAT THIS PLAT OF THE FOLLOWING DESCRIBED PROPERTY REPRESENTS A SURVEY COMPLETED BY ME ON OCTOBER 10, 2023

OUTLOT 3 IN BLOCK K IN SPRING VALLEY UNIT NO. 2, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 18, 1977 AS DOCUMENT NO. R77-94548, IN DUPAGE COUNTY, ILLINOIS.

AND THE HEREON DRAWN PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME, AND THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AND MATERIALS ARE ACCURATELY SHOWN. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT AND ARE CORRECT AT A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

I FURTHER CERTIFY THAT THE PROPERTY SHOWN HEREON IS NOT SITUATED IN "ZONE X" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS PER FLOOD INSURANCE RATE MAP, PANEL NUMBER 17043C0041J WITH AN EFFECTIVE DATE AUGUST 1, 2019.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND CONSOLIDATION AND THAT THE PROPERTY SHOWN HEREON IS SITUATED WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF CAROL STREAM, ILLINOIS.

DATED THIS _____ DAY OF _____, A.D., 2024, AT ROCHELLE, OGLE COUNTY, ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003832
MY LICENSE EXPIRES NOVEMBER 30, 2024.
ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 007858-0010



NO. 10181818 1/2024		REGIONAL LAND SERVICES 9512 FOWLER ROAD ROCHELLE, ILLINOIS 61068 PHONE: (618) 559-2260	CLIENT CAROL STREAM PARK DISTRICT 849 W LIES ROAD, CAROL STREAM, IL 60188 (630) 784-6100	SURVEYOR'S NOTES: 1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. 2. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 3. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 4. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 5. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 6. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 7. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 8. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 9. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED. 10. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.	PROJECT NO. 230244 DATE 10/10/23 BY RUDY P. DIXON CHECKED BY _____ DATE _____	PROJECT ADDRESS 230244	ISSUED BY RUDY P. DIXON