CALL TO ORDER
Chairman Cawthon called the meeting to order at 8:00 p.m., Wednesday, January 19, 2011.

ROLL CALL

Present: Commissioners Greg Jacobs, J.D. Rhoades, Lon Schank, Libby Runge, Rick Campos, Vice Chair Mary Rennels

Absent: Commissioners Talat Rashid, Calvin Wright

Staff: Director of Community Development, Dennis Kowalczyk; Planning & Zoning Administrator, Nicole Knapp; Planner, Matt Eastman; Village Engineer, Tom Pawlowicz

Press: None

PUBLIC HEARING

AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH VARIANCES, FINAL DEVELOPMENT PLAN, AND FINAL PLAT OF SUBDIVISION / HERRINGTON ESTATES SUBDIVISION / APPLICANT: MATT PAGORIA, RYLAND HOMES. PROJECT NO.: 406.05

Motion Rhoades, second Runge to open the public hearing.

AYES: Commissioners Jacobs, Rhoades, Schank, Runge, Campos, Vice Chair Rennels, Chairman Cawthon

NAYS: None

ABSENT: Commissioners Rashid, Wright

Motion carried, public hearing opened at 8:02 p.m.

Planning and Zoning Administrator, Nicole Knapp presented the request. Ryland Homes is requesting an Amendment to a Special Use Permit for a Planned Residential Development with Variances in order to allow for the construction of single family detached homes. Herrington Estates is on the southwest corner of Kings Road and Hassert Boulevard. It was previously approved for an eighty (80) acre subdivision and the construction of two hundred four (204) homes of which seventy-five (75) are currently built and occupied. Previously Kirk Homes offered homes that ranged in size from two thousand five hundred (2,500) square feet to four thousand (4,000) square feet and the minimum base price was four hundred fifty thousand dollars ($450,000). According to the applicant, they are planning to build the same model homes that Kirk Homes previously offered and built; however, the homes would now range in size from two thousand two hundred (2,200) square feet to three thousand six hundred (3,600) square feet and the minimum starting sale price would range from two hundred seventy thousand dollars ($270,000) to three hundred seventy-eight thousand dollars ($378,000). Existing access to the subdivision from Hassert Boulevard and future access from Kings Road would not change. The berm along Hassert Boulevard would not be altered. Per applicant given the current real estate market of residential development, they feel the following variances are necessary in order to assist with the home sales.
The first variance would be to allow two (2) car garages. Per the Zoning Ordinance, each single family home must be built with a minimum garage size of five hundred thirty (530) square feet. The applicant is requesting a variance to allow for the construction of forty-nine (49) single family homes with two (2) car garages that would range in size from four hundred twenty-five (425) to five hundred thirteen (513) square feet. If approved, forty-nine (49) homes or fifty percent (50%) of the remaining lots would be built with a two (2) car garage. Per the applicant, the housing market is under duress and Ryland Homes believes it is important to have the option to sell both two (2) and three (3) car garages within the community. Ryland Homes believes that this will provide future residents alternatives on the overall design and function of their new home. Also, if the variance is approved the applicant will position each of the homes on the lot to allow for a future three (3) car garage to be built.

The second variance requested would allow two (2) enlarged real estate signs. Per the Zoning Ordinance, real estate signs within residential districts cannot exceed one (1) sign that is fifty (50) square feet in area and ten (10) feet in height. The applicant is proposing two (2) real estate signs that are each ninety-six (96) square feet in area and eleven (11) feet in height. Per the applicant, the signs would be installed approximately fifty (50) feet on either side of the main entrance at Hassert Boulevard and Jonathan Way. According to the applicant, the landscape median within the center of Hassert Boulevard would block site lines for smaller signs and possibly cause sudden vehicular movements increasing the risk of accidents at the main entrance. The location, size and number of proposed signs would allow the passer by (from either direction) ample time to notice the community and make necessary traffic movements to enter the site in a safe manner. Staff supports the variance as requested, since the proposed signs are either similar or smaller in size and quantity than other residential real estate signs nearby.

The third variance requested is regarding stormwater fees. Per Chapter 33, Section 1414 of the Municipal Code, regional stormwater fees must be paid in full at the time the Final Plat is recorded for each phase or unit of a subdivision. The applicant is requesting the ability to pay the regional stormwater fees on a per lot basis at the time of issuance for each building permit instead of a onetime payment due at time of recording the Final Plat of each specific phase or unit. Staff recommends approval of the variance as requested.

RECOMMENDATION
Staff recommends approval of an Amendment to a Special Use Permit for a Planned Residential Development with a variance to allow Ryland Homes the following:

1. A variance to construct a total of forty-nine (49) single family homes within phases 1B, 1C and 2 of Herrington Estates Subdivision with two (2) car garages that have a minimum area of four hundred twenty-five (425) square feet, subject to a three (3) car garage being an option on all models as shown on the attached exhibits and subject to fifty percent (50%) of the models being built on site being constructed with a three (3) car garage.
2. A variance to allow two (2) real estates signs within the outlot along Hassert Boulevard that do not exceed ninety-six (96) square feet in area and eleven (11) feet in height.
3. A variance to allow regional stormwater fees to be paid on a per lot basis at the time of issuance for each building permit and not when the plat is being recorded.

DISCUSSION
Commissioner Campos asked for clarification between the percentage of homes with a two (2) car and three (3) car garages. Director of Community Development, Dennis Kowalczyk
responded that fifty percent (50%) of the homes would offer two (2) car garages, but they would have to be built or located on a lot such that a three (3) car option could be added on at a future date.

Teresa Grissom, Bolingbrook, IL sworn. Ms. Grissom questioned if only the garages would be smaller or the footprint of the homes as well, and if the brick detail and window trims would be the same. Planning and Zoning administrator, Nicole Knapp, responded that when developers quote square footage of homes that typically does not include garages or basements and that the homes would range from two thousand two hundred (2,200) to three thousand six hundred (3,600) square feet, which means the home would be slightly smaller and the variance for the garages means the garages would also be slightly smaller.

Matt Pagoria, East Dundee, IL, sworn. Mr. Pagoria responded that Ryland Homes plans to offer all the model homes that Kirk Homes did, plus introduce two (2) new models that would be smaller. The Glen Eagle and the Wild Meadow will be the names of the two (2) new smaller models and all the homes would have all the first floor brick wrap. He said the two (2) smaller models would not be built on any of the vacant lots within the Phase 1A.

Ekta Ramji, Bolingbrook, IL, sworn. Ms. Ramji raised concerns on the limited access to west bound Hassert Boulevard. Village Engineer, Tom Pawlowicz responded that the construction of Hassert Boulevard was one hundred (100%) complete and providing additional access where Hassert Boulevard meets Sonoma Drive would be expensive given the median would have to be cut, a left turn lane would need to be installed, and parkway trees and street lights would have to be removed.

Sharon Williams, Bolingbrook, IL, sworn. Ms. Williams question the phases of construction. Mr. Pagoria stated that they would build on the twenty-seven (27) vacant lots in Phase 1A prior to building in Phases 1B, 1C, and 2.

Rikhav Patel, Bolingbrook, IL, sworn. Mr. Patel was concerned about property taxes, the number of homes with two (2) car garage within Unit 1A, and the ability to revoke previously approved variances. Ms. Knapp explained that previous variances granted to Kirk Homes cannot be revoked after the fact. She said the current plan was approved in 2005 and that the previously approved variances once approved stay with the land forever. Mr. Pagoria stated that a maximum of ten (10) lots within phase 1A could be built with a two (2) car garage per a previously approved variance.

Haibin Cao, Bolingbrook, IL, sworn. Mr. Cao questioned the size of the homes to be built on the remaining vacant lots within Phase 1A. Mr. Pagoria stated that the two (2) smaller models would not be built in the existing twenty-seven (27) vacant lots of Phase 1A.

Chris Genardini, Bolingbrook, IL, sworn. Mr. Genardini questioned the quality of the homes, the upgrades being offered for within the homes, and the value of the product between the previous base price and the new base price. Mr. Pagoria stated that the prices of the homes were based on what the current market would bear. He said Ryland Homes did market studies and came up with pricing. The upgrades for the homes would be similar from the ones Kirk Homes offered. He said Ryland Homes also has base floor plan price of homes and the future buyer would have the option to add upgrades to the plan.

Steve Felbinger, Bolingbrook, IL, sworn. Mr. Felbinger raised concerns regarding dead parkway trees and the condition of the streets. Mr. Pawlowicz stated that previous bond money held from Kirk Homes would be used to complete the improvements within the subdivision such as
parkway trees, streets, and curbs; however, those improvements are typically left until eighty percent (80%) of the subdivision is completed.

Motion Jacobs, second Schank to close the public hearing.
AYES: Commissioners Jacobs, Rhoades, Schank, Runge, Campos, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried, public hearing closed 8:34 p.m.

Motion Vice Chair Rennels, second Rhoades to accept the recommendation of Planning Staff.
AYES: Commissioners Campos, Runge, Schank, Rhoades, Jacobs, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried.

AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH VARIANCES, FINAL DEVELOPMENT PLAN, AND FINAL PLAT OF SUBDIVISION / BOUGHTON WOODWARD COMMERCIAL CENTER / NORTHEAST CORNER OF BOUGHTON ROAD AND I-355 / APPLICANT: TERRY WOOLUMS, GALLAGHER & HENRY. PROJECT NO.: 439.07

Motion Runge, second Jacobs to open the public hearing.
AYES: Commissioners Jacobs, Rhoades, Schank, Runge, Campos, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried, public hearing opened at 8:35 p.m.

Planner Matt Eastman presented the request. The applicant is requesting an Amendment to a Special Use Permit for a Planned Commercial Development with Variances, Final Development Plan and Final Plat of Subdivision in order to allow for the resubdivision of the Boughton Woodward Commercial Center, which is located at the northeast corner of Boughton Road and I-355. The proposed development comprises approximately thirty-three and three tenths (33.3) acres, of which approximately fourteen (14) acres are located within the Village of Woodridge and is currently zoned I-1 Limited Industrial. In February 2010, the Village Board of Trustees approved a Special Use Permit for a Planned Commercial Development, Final Development Plan and Final Plat of Subdivision, which allowed Boughton Woodward Commercial Center to create seven (7) lots of record. Lot 5 was recently developed with a one hundred forty-one thousand five hundred seven (141,507) square foot Costco Wholesale and gasoline service station. The applicant is proposing a Final Plat of Subdivision that would resubdivide existing Lots 2 and 3 and create Lot 6A of the Boughton Woodward Commercial Center. The proposed Plat of Subdivision would shift the property line between existing Lots 2 and 3 approximately thirty-five (35) feet to the west and create Lot 6A from excess right of way land. Lot 2A would become approximately one and one-half (1.50) acres and Lot 3A would become approximately one and twenty-seven tenths (1.27) acres. Lot 2A would be created for a future McDonald’s restaurant and Lot 3A would be created for future commercial development. Lot 6A would be approximately twenty-seven tenths (0.27) acres and be maintained by the same association as the storm water detention area. Per the Zoning Ordinance, the minimum lot area is twenty thousand (20,000) square feet. The applicant is proposing to create Lot 6A, which is approximately eleven thousand eight hundred seventy-five (11,875) square feet. Newly
dedicated easements for utilities and access would be included. Staff supports the variance as requested because the lot would not be developed in the future and would be maintained by the association of the overall development.

RECOMMENDATION
Staff recommends approval of an Amendment to a Special Use Permit for a Planned Commercial Development to allow the resubdivision of Boughton Woodward Commercial Center with a Variance to reduce the minimum lot area of Lot 6A to eleven thousand eight hundred seventy-five (11,875) square feet.

Staff recommends approval of a Final Plat of Subdivision, subject to:
1. All of staff’s comments from the plans submitted on December 8, 2010, being addressed.
2. Approval from the Director of Public Works and Engineering and the Director of Community Development.

DISCUSSION
None

Motion Schank, second Jacobs to close the public hearing.
AYES: Commissioners Jacobs, Rhoades, Schank, Runge, Campos, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried, public hearing closed 8:39 p.m.

Motion Vice Chair Rennels, second Jacobs accept the recommendation of Planning Staff.
AYES: Commissioners Jacobs, Rhoades, Schank, Runge, Campos, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried.

SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN / MCDONALD’S, 840 E. BOUGHTON ROAD / APPLICANT: HENRY STILLWELL, III, RATHJE & WOODWARD, LLC. PROJECT NO.: 429.10

Planner Matt Eastman presented the request. The applicant is requesting approval of a Special Use Permit for a Planned Commercial Development with Variances and Final Development Plan in order to construct a McDonald’s restaurant at 840 E. Boughton Road. Per the attached site plan, the applicant is proposing to construct a three thousand nine hundred (3,900) square foot sit-down McDonald’s located at 840 E. Boughton Road on Lot 2A of the overall development commonly known as Boughton Woodward Commercial Center. The applicant is proposing a dual drive-thru lane with one pick-up window along the east and north walls of the building, in addition to an outdoor dining area located on the west side of the building. Access to the site would be from two (2) points off of the shared drive aisle of the Boughton Woodward Commercial Center to the north. A McDonald’s restaurant of this size would require thirty-three (33) parking stalls and the applicant is proposing forty-three (43) parking stalls. Detention would be provided off-site on Lot 6 of the development to the west. Per the applicant, the hours of operation for the inside service would be 5:00 a.m. to 10:00 p.m. seven (7) days a week, while the drive-thru facility would remain open twenty-four (24) hours per day, seven (7) days a week.
In February 2010, a Special Use Permit for a Planned Commercial Development with Variances, Final Development Plan and Final Plat of Subdivision was approved and as part of that approval, which included a landscape plan for the entire front yard of both outlots adjacent to Boughton Road. Since the landscape plan was proposed by the overall developer prior to McDonald’s making a formal application to Staff, McDonald’s has not shown the front yard landscape material on the attached site plan, as it is the responsibility of the developer to install said landscape material. A berm, irrigation system and all required plant material would be provided within the front yard.

To develop the property in accordance with the attached site plan, the applicant is requesting the following from the Zoning Ordinance:

To allow an outdoor dining area. Per the Village’s Zoning Ordinance, outdoor seating areas require a Special Use Permit. The applicant is proposing an outdoor seating area located on the west side of the building consisting of approximately three (3) tables and twelve (12) seats. The hours of operation for the outdoor dining would coincide with the hours of the inside service. Staff supports the request, subject to the umbrellas matching the colors used on the building and subject to no sign text being displayed on the umbrellas.

To allow a dual drive-thru lane. Per the Village’s Zoning Ordinance, a drive-thru window/lane requires a Special Use Permit. The applicant is proposing a dual drive-thru lane with one pick-up window, which is a significant component of their business operation. Staff supports the request for a dual drive-thru lane with one pick-up window, as this is an essential component to the restaurant and contributes a high percentage of the total sales volume.

To allow extended hours of operation. Per the Zoning Ordinance, hours of operation beyond 10:00 p.m. require a Special Use Permit. The applicant is requesting that the drive-thru be able to remain open twenty-four (24) hours, seven (7) days a week. Staff supports the applicant’s request to allow for a twenty-four (24) hour drive-thru given the close proximity to I-355 and since the subject site it not adjacent to a residential area.

A variance to increase the size and number of drive-thru menu board signs. Per the Zoning Ordinance, one (1) drive-thru menu board sign not to exceed thirty-six (36) square feet is permitted. Per the attached plan, the applicant is proposing two (2) menu board signs both of which would be forty-seven and four-tenths (47.4) square feet in area. Staff supports the variance as requested because the menu board signs are a necessary component of the effective operation of the drive-thru facility which is an essential component of the restaurant. Per the applicant, the dual side-by-side ordering system is now utilized by McDonald’s routinely in order to address the growing volumes of drive-thru traffic and to avoid traffic conflict resulting from excessively long queuing in the drive-thru system.

A variance to reduce the foundation planting bed and material. Per the Zoning Ordinance, a foundation planting bed that is ten (10) feet wide that covers fifty percent (50%) of the wall that faces a public right-of-way is required. Per the attached plan, the applicant is proposing to reduce the minimum width of the planting bed from ten (10) feet to approximately four (4) feet for a lineal distance of approximately fifty (50) feet. Staff supports the variance for the foundation planting area to be reduced in width since the planting area would cover more than half of the south elevation wall, subject to a total of twelve (12) large shrubs being installed in the foundation area.

A variance to allow more than one development sign. Per the Zoning Ordinance, one (1) development sign is permitted per property. Per the attached plan, the applicant is proposing
two (2) development signs; one (1) monument style ground sign proposed within the front yard along Boughton Road and one (1) pole sign in the northwest corner of the subject site due to the ideal visibility of the sign from Boughton Road and close proximity to I-355. Staff supports the variance as requested.

A variance to allow a seventy-five (75) foot high pole sign. Per the Zoning Ordinance, pole signs are only permitted on properties located in Sign Zone “A”. (Sign Zone “A” includes properties south of Remington Boulevard and north of Crossroads Parkway, along the I-55 corridor.) At the time that the two different sign zones were created, I-355 did not exist in Bolingbrook. Since the development of I-355 the Ordinance has not been amended to include the I-355 corridor properties into Sign Zone “A”. In addition to the monument style ground sign proposed within the front yard along Boughton Road, the applicant is proposing a three hundred (300) square foot, seventy-five (75) foot high pole sign in the northwest corner of the subject site due to the ideal visibility of the sign from Boughton Road and close proximity to I-355. Staff supports the variance as requested since the sign is consistent with the height ad size of similar pole signs located in view of I-355 within the surrounding area.

**RECOMMENDATION**

Staff recommends approval of a Special Use Permit for a Planned Commercial Development to allow the construction of sit-down restaurant commonly known as McDonald’s located at 840 E. Boughton Road with the following:

1. A Special Use Permit to allow for outdoor dining area, subject to a three (3) foot ornamental fence being installed and subject to the umbrellas matching the colors used on the building and no sign text being displayed on the umbrellas.
2. A Special Use Permit to allow a dual drive-thru lane.
3. A Special Use Permit to allow the drive-thru operation to remain open twenty-four (24) hours, seven (7) days a week.
4. A variance to allow for two (2) drive-thru menu boards not to exceed forty-eight (48) square feet in area.
5. A variance to reduce the minimum width of the foundation planting bed to four (4) feet, subject to a total of twelve (12) large shrubs being installed in the foundation area.
6. A variance to allow two (2) development signs on one property.
7. A variance to allow a second development sign on site that is constructed as a pole sign that does not exceed seventy-five (75) feet in height or three hundred (300) square feet in area.

Staff recommends approval of a Final Development Plan subject to:

1. All of Staff’s comments from the plans submitted on December 23, 2010, being addressed.
2. The Final Plat of Boughton Woodward Commercial Center First Resubdivision being recorded, which creates lot 2A.
3. Approval from the Director of Public Works and Engineering and the Director of Community Development.

**DISCUSSION**

Chairman Cawthon question whether this location would be a franchise or if it would be a corporately owned restaurant. Henry Stillwell, Wheaton, IL, sworn. Mr. Stillwell stated that this location would be a corporately owned and operated restaurant.

Motion Runge, second Vice Chair Rennels to close the public hearing.
AYES: Commissioners Jacobs, Rhoades, Schank, Runge, Campos, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried, public hearing closed 8:50 p.m.

Motion Rhoades, second Schank accept the recommendation of Planning Staff.
AYES: Commissioners Campos, Runge, Schank, Rhoades, Jacobs, Vice Chair Rennels, Chairman Cawthon
NAYS: None
ABSENT: Commissioners Rashid, Wright
Motion carried

NEW BUSINESS

FINAL PLAT OF RESUBDIVISION / WEBER ROAD PROPERTY NO. 3 / BOLINGBROOK CORPORATE CENTER WEST / APPLICANT: JEFF SMITH, IDI. PROJECT NO.: 428.05

Planning and Zoning Administrator Nicole Knapp presented the request. The applicant is requesting an approval of Final Plat of Resubdivision to subdivide two (2) lots of record into three (3) lots. The subject site is at the northeast corner of 115th Street and Weber Road, is zoned I-1 Limited Industrial and is vacant land. The Plat of Resubdivision would subdivide two existing lots in order to create three (3) lots of record. Lot 1 would be approximately eighteen and three hundred and sixteen tenths (18.316) acres and would be for future Industrial access, Lot 2 would be approximately twelve and one hundred eighty tenths (12.180) acres in size and would be used for future Commercial or Industrial development, and Lot 3 would be approximately twenty-one and five hundred forty-one tenths (21.541) acres which currently houses an Industrial building. Access to Lots 1, 2 and 3 would be provided from 115th Street, in addition to access from Weber Road to Lot 1. Additional cross access easements, would be created as necessary. Newly dedicated easements for utilities and access would be included.

RECOMMENDATION
Staff recommends approval of a Final Plat of Resubdivision for Weber Road Properties Resubdivision No. 3.

DISCUSSION
None

Voice Vote: Unanimous. Motion carried.

OLD BUSINESS
None

APPROVAL OF PLAN COMMISSION REPORTS

Motion Jacobs, second Schank to accept Plan Commission reports:

PC 11.01 Approval of a Text Amendment to the Zoning Ordinance Article 4 Part 3. Applicant: Bolingbrook Community Development Department. Project No.: 428.10
PC 11.02 Approval of a Final Development Plat of Subdivision with a Variance – Marmon/Keystone Subdivision, 10700 Marmon Drive. Applicant: Dan Shapiro, Thompson Coburn, LLP. Project No.: 430.10

PC 11.03 Approval of a Special Use Permit for Outdoor Dining – Smashburger, 149 N. Weber Road. Applicant: Kourtnie Airheart, GHA Architects. Project No.: 431.10

PC 11.04 Approval of a Special Use Permit for a Planned Commercial Development with a Variance. Osaka Grill & Supreme Buffet, 121 S. Weber Road. Applicant: Chumto Wong, Osaka Grill & Supreme Buffet. Project No.: 432.10

Voice Vote: Unanimous.
Motion carried.

CITIZENS TO BE HEARD
None

CHAIR’S REPORT
None

COMMISSIONER’S REPORT
None

PLANNING DEPARTMENT REPORT
None

ADJOURNMENT

Motion Vice Chair Rennels, second Runge to adjourn.

Voice Vote: Unanimous
Motion carried.

Chairman Cawthon adjourned the meeting at 8:58 p.m.

________________________________________
CHAIRMAN

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APPROVED

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SECRETARY