

**A REGULAR MEETING OF THE PLAN COMMISSION
OF THE VILLAGE OF BOLINGBROOK
January 4, 2012**

CALL TO ORDER

Chairman Cawthon called the meeting to order at 8:01 p.m., Wednesday, January 4, 2012.

ROLL CALL

Present: Commissioners Greg Jacobs, Talat Rashid, Lon Schank, J.D. Rhoades, Calvin Wright, Rick Campos, Vice Chair Mary Rennels

Absent: Commissioner Libby Runge

Staff: Director of Community Development, Dennis Kowalczyk; Planner, Matt Eastman; Village Engineer, Tom Pawlowicz

Press: None

APPROVAL OF MINUTES

Motion Vice Chair Rennels, second Rhoades to approve Minutes of the December 7, 2011, meeting of the Plan Commission.

Voice Vote: Unanimous
Motion carried.

PUBLIC HEARING

SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT. MVP (MOST VALUABLE PERSONNEL), 461 W. BOUGHTON ROAD. APPLICANT: LISETTE ROBLES, MVP. PROJECT NO.: 419.11

Motion Rhoades, second Schank to open the public hearing.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried, public hearing opened at 8:03 p.m.

Planner Matt Eastman presented the request. The applicant Most Valuable Personnel is requesting approval of a Special Use Permit for a Planned Unit Development in order to allow a staffing agency at 461 W. Boughton Road. The subject property comprises approximately six and eleven hundredths (6.11) of an acre and is currently zoned B-2 Community Retail. The property contains a multi-tenant building with an access point off of Boughton Road and a cross access off of Schmidt Road. Per the applicant the hours of operation would be from 5:00 a.m. through 6:00 p.m., Monday through Friday.

They anticipate having approximately three (3) to four (4) employees. Per the Zoning Ordinance, professional offices are no longer permitted uses within the B-2 Zoning District. As such, the applicant is requesting a Special Use Permit to allow a one thousand two hundred forty (1,240) square foot staffing agency at 461 W. Boughton Road.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Planned Unit Development to allow a staffing agency to occupy 461 W. Boughton Road.

DISCUSSION

Commissioner Rashid asked if the agency would recruit office or warehouse personnel, and if they offered any benefits to the employees. Commissioner Campos questioned what type of staffing the company offered, if there would be any on-site training, and if they offered shuttle service.

Randy Giovannelli, Lockport, IL, sworn. Mr. Giovannelli responded that the majority of the staff they provide is for light-weight industrial with very minimal clerical. He stated there would be no on-site training provided, and that full-time temps are offered with some benefits such as sick time and paid holidays. He also said that there currently was no shuttle service being provided, but it would be something they may provide in the future if necessary.

Motion Vice Chair Rennels, second Schank to close the public hearing.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried, public hearing closed 8:13 p.m.

Motion Rhoades, second Campos to accept the recommendation of Planning Staff.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried.

SPECIAL USE PERMIT FOR A CARRY-OUT RESTAURANT. SUBWAY, 420 W. BOUGHTON ROAD. APPLICANT: ZJ GROUP, INC. PROJECT NO.: 420.11

Motion Jacobs, second Vice Chair Rennels to open the public hearing.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried, public hearing opened at 8:14 p.m.

Planner Matt Eastman presented the request. The applicant is requesting approval of a Special Use Permit for a Carry-Out Restaurant to allow for a carry-out restaurant at 520 W. Boughton Road. The subject property comprises approximately one and forty-one hundredths (1.41) of an acre and is currently zoned B-2 Community Retail. The subject property contains a multi-tenant building with two (2) points of access off of Schmidt Road to the east and cross access from Bolingbrook-McCauley Funeral Chapel to the west. Per the Village's Zoning Ordinance, carry-out restaurants require a Special Use Permit within the B-2 Community Retail Zoning District. The applicant is proposing a one thousand nine hundred (1,900) square foot carry-out Subway restaurant to occupy a tenant space within the Boughton and Schmidt Plaza. Per the applicant, the restaurant would have approximately ten (10) to twelve (12) employees and the hours of operation would be from 8:00 a.m. to 10:00 p.m. Monday through Sunday.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Carry-Out Restaurant commonly known as Subway located at 520 W. Boughton Road.

DISCUSSION

Commissioner Rashid raised concerns regarding the lack of parking. Commissioner Campos questioned the lack of access and if the restaurant was corporately owned.

Planner Eastman responded that the subject property has sufficient parking based on the code within the Zoning Ordinance for a carry-out restaurant, he mentioned there was also parking stalls in the back of the building. Mr. Eastman stated that there are two (2) direct means of ingress and egress which allows for sufficient access to and from the site. He also stated the proposed owner of the restaurant currently owns two (2) Subway's within Bolingbrook and upon completion of the new restaurant will close the location at the northwest corner of Boughton Road and Bolingbrook Drive.

Fred McCauley, Bolingbrook-McCauley Funeral Chapel, Bolingbrook, IL, sworn. Mr. McCauley raised concerns regarding the lack of parking in the strip mall, dumpsters not being property kept in the trash coral, and the amount of through traffic that he gets on a regular basis going through his site.

Director of Community Development, Dennis Kowalczyk, stated that the trash enclosure issue is an issue that had never been brought to staff's attention and would be looked into immediately. He also said that the cross access between the two (2) properties was requested in order to improve efficiency for vehicular traffic in and around the neighboring properties.

Motion Campos, second Schank to close the public hearing.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried, public hearing closed 8:43 p.m.

Motion Vice Chair Rennels, second Campos to accept the recommendation of Planning Staff.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried.

NEW BUSINESS

DEVELOPMENT CODE VARIANCES. JUBILEE BAPTIST CHURCH, 660 ROYCE ROAD. APPLICANT: JUBILEE BAPTIST CHURCH. PROJECT NO.: 436.92

Village Engineer, Thomas Pawlowicz presented the request. The applicant Jubilee Baptist Church is requesting two (2) Development Code Variances in order to install lighting within the main parking lot. The church is located on the Northwest corner of Royce Road and Celebration Way. It is a six and thirty-five hundredths (6.35) of an acre property, and is zoned R-3 Single Family Residence. To the north of the property is Heritage Creek Subdivision which is zoned R-3 Single Family Residence, on the south of the property is the Will County Forest Preserve which is zoned I-1 Limited Industrial, to the east is Heritage Knolls Subdivision which is zoned R-3 Single Family Residence, and to the west is the Commonwealth Edison ROW which is zoned R-3 Single Family Residence.

Jubilee Baptist Church, located immediately east of the Com Ed ROW, desires to install lighting in their main parking lot, located on the north side of the building. Currently the parking lot is unlit except from lights located on the walls of the building. This parking lot extends all the way to their east property line, which is adjacent to Heritage Knolls Subdivision.

This existing situation puts them in a position where no matter how they configure their new lights they would be in violation of a Village Code. One code says that the spillover of light into the adjacent subdivision cannot exceed 0.1 footcandles at the lot line; however, another says that the darkest spot in their parking lot must be at least 0.25 footcandles. In order to protect the residents to the east, staff has requested that the applicant meet the code regarding spillover of light, and seek a variance from the code that requires a minimum light level of 0.25 footcandles for the easterly portion of their parking lot. The minimum light level also affects the uniformity ratio; therefore two variances are needed as follows:

1. Section 30-419 (E) 1.2: the applicant seeks a variance from the minimum light level for the easterly third of their parking lot from 0.25 footcandles to 0.0 footcandles.
2. Section 30-419 (E) 1.2: the applicant seeks a variance to waive the maximum to minimum light level ratio for the easterly third of their lot.

RECOMMENDATION

Staff recommends approval as requested.

DISCUSSION

Chairman Cawthon asked for an explanation regarding what a footcandle and a uniformity ratio are.

Engineer Pawlowicz explained that a footcandle is a measurement of the amount of light. He said an example would be that a quarter (1/4) of a footcandle is the same amount of light at night when there is a full moon. He further explained about uniformity ratio and that a quality lighting installation will provide a fairly uniform level of lighting because the human eye cannot see items in a dark area if it is next to a lighted area.

Mr. Bradley from Jubilee Baptist Church gave testimony that they wanted the lighting for the night meetings. He stated that currently they have Bible Study on Wednesday and Choir practice on Thursday evenings. He explained that they currently just want to install two (2) lights on the south edge of the parking lot, and that in the future as money allows they may install the rest of the lights.

Motion Vice Chair Rennels, second Schank to accept the recommendation of Engineering staff.

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

NAYS: None

ABSENT: Commissioner Runge

Motion carried.

OLD BUSINESS

None

APPROVAL OF PLAN COMMISSION REPORTS

Motion Vice Chair Rennels, second Schank to accept Plan Commission reports:

PC 11.27 Approval of a Special Use Permit for a Planned Commercial Development with Variances and Final Development Plan – Circle K, 101 E. Boughton Road. Applicant: Design Group.
Project No.: 417.11

PC 11.28 Approval of a Special Use Permit for a Planned Commercial Development with Variances, Final Development Plan, and Final Plat of Subdivision – Home Depot Outlot, Northwest corner of Weber Road and Thackeray Drive. Applicant: GreenbergFarrow.
Project No.: 418.11

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 Wright to adjourn.

Voice Vote: Unanimous

Motion carried.

Chairman Cawthon adjourned the meeting at 8:55 p.m.

CHAIRMAN

APPROVED

SECRETARY