VILLAGE OF BOLINGBROOK
REGULAR MEETING
AGENDA FOR FEBRUARY 26, 2019

ROGER C. CLAAR
Mayor

CAROL. S. PENNING
Village Clerk

JAMES S. BOAN
Village Attorney

TRUSTEES
MICHAEL T. LAWLER
RICARDO MORALES
MARIA A. ZARATE
DERESA A. HOOGLELAND
ROBERT M. JASKIEWICZ
SHELDON L. WATTS

PLEDGE OF ALLEGIANCE:

A. ROLL CALL:

B. APPROVAL OF MINUTES:
   1. Regular Meeting of February 12, 2019

C. APPROVAL OF AGENDA:

D. APPROVAL OF APPOINTMENTS – BOARDS AND COMMISSIONS:

E. REPORTS OF OFFICERS:
   1. Mayor
      a. Proclamations
         1. Severe Weather Preparedness Week
         2. St. Baldrick’s “Bolingbrook 4 Kids”
b. Commission Appointment/Reappointments
   1. Plan Commission
      New Appointments:
      ■ Lon Schank

c. Presentations
   1. VFW Post 5917 Public Service Awards
      ■ Police Department
         Officer Anthony Gomez de la Casa
      ■ Fire Department
         Firefighter/Paramedic Ryan Klavohn
      ■ Public Services and Development
         Anthony Luna

2. Staff
   a. Bill Approval
      1. Bill Listing A - $1,112,858.98
      2. Bill Listing B - $299,894.69
      Total $1,412,753.67
F. RESOLUTIONS

   - Replaces 2006 unit
   - Cost $418,920.00 - $11,080.00 under budget
   - Used for cleaning sanitary and storm water line
   - Reviewed by Public Services Committee

2. Resolution (19R-005) for Maintenance of Streets and Highways by the Village of Bolingbrook Under the Illinois Highway Code with the Illinois Department of Transportation
   - 2019/2020 MFT fiscal budget
   - Total budget $2,649,362.00
   - Includes; salt, pavement, sidewalk and sign maintenance
   - MFT budget will be reviewed during Village budget process

3. Resolution (19R-006) Re Operation and Maintenance of Property Within the Village of Bolingbrook Which is Under IDOT Jurisdiction
   - In lieu of providing surety bond
   - States all work done in IDOT ROW will be done per approved plans
   - Includes hold harmless clause
   - Good for 2 years
G. ORDINANCES

1. PC 19.05 Approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan, Jet Brite Car Wash, 246 S. Weber Road, Dave Dalesandro, JB Development, Inc.; Applicant
   - Ordinance (19-010) Approving Special Use Permit for a Planned Development with Variances and Final Development Plan (Jet Brite Services) – 246 S. Weber Road

2. PC 19.06 Approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan, Jet Brite Services, 590 Kildeer Drive, Dave Dalesandro, JB Development, Inc.; Applicant
   - Ordinance (19-011) Approving Special Use Permit for a Planned Development with Variances and Final Development Plan (Jet Brite Services) – 590 Kildeer Drive

3. PC 19.07 Approval of a Special Use Permit for an Eating/Drinking Establishment with Live Entertainment and Extended Hours of Operation, CG’s Comedy Club, 619 E. Boughton Road, Suite 125, Glen Martino; Applicant
   - Ordinance (19-012) Approving Special Use Permit for a Planned Development for a Eating/Drinking Establishment with Live Entertainment and Extended Hours of Operation (CG’s Comedy Club) – 619 E. Boughton Road, Suite 125
4. PC 19.08 Approval of a Special Use Permit for Extended Hours of Operation, Perla Negra Mariscos, 235 S. Bolingbrook Drive, Adan Barrios; Applicant

- Ordinance (19-013) Approving Special Use Permit for a Planned Development for a Restaurant with Extended Hours of Operation (Perla Negra Mariscos) – 235 S. Bolingbrook Drive

5. Ordinance (19-014) Amending Article 13 of Chapter 17 of the Municipal Code Regarding Golf Cart Operation

6. Ordinance 19-015 Approving Plat of Detachment (I-55 and Veterans Parkway)

H. QUESTIONS FROM AUDIENCE/PRESS:**

I. TRUSTEES' COMMENTS AND REPORTS:

J. EXECUTIVE SESSION:

K. ADJOURNMENT:

Approval for Submission:

James S. Boan
Village Attorney
**CITIZEN'S GUIDE TO ADDRESSING THE VILLAGE BOARD**

Anyone wishing to speak under agenda "Section I—Public Comments" must adhere to the following guidelines:

1) Please announce your name and address before commenting -- all comments under PUBLIC COMMENTS are limited to three (3) minutes and each citizen will only be permitted to speak once.

2) Questions must be submitted in writing and responses will be provided prior to the next meeting.

3) At the Village Board meeting, all speakers must address their comments to the Mayor. The Mayor may request that the appropriate member of the Board or Staff respond to the comment.

4) Please do not repeat comments that have already been made by others.
MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK – FEBRUARY 12, 2019

CALL TO ORDER:
The Regular Meeting of the Mayor and Board of Trustees of the Village of Bolingbrook was called to order at the hour of 7:35 p.m., February 12, 2019, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE:
Mayor Roger C. Claar requested Daniella Gwin, 11-year old student from Brooks Middle School and Hector Molina who became a U.S. Citizen on January 10, 2019, to lead the Pledge to the Flag.

ROLL CALL:
Deputy Village Clerk, Crystal Tovar, called the roll:
Present were: Mayor Roger C. Claar, Trustees Maria A. Zarate, Michael T. Lawler, Sheldon L. Watts, Deresa A. Hoogland, Ricardo Morales and Robert M. Jaskiewicz

Also present were:
Deputy Village Clerk – Crystal Tovar, Village Attorney - James Boan, Public Safety Director – Ken Teppel, Finance Director – Rosa Cojulun and Director of Public Services & Development - Lucas Rickelman

Absent: Village Clerk, Carol S. Penning

Representing the press: No press was in attendance.

JOURNAL OF PROCEEDINGS:
Motion Jaskiewicz, second Zarate to approve the minutes of the regular meeting of January 8th, 2019, Village Board meeting as submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS:
Jim Boan, Village Attorney requested that under Presentations E.1.c. be removed from the agenda. It will be added to the February 26th Board Meeting agenda.

Presentations
VFW Post 5917 Public Service Awards
- Police Department
  Officer Anthony Gomez de la Casa
- Fire Department
  Firefighter/Paramedic Ryan Klavohn
- Public Services and Development
  Anthony Luna

Motion Lawler, second Hoogland to approve the agenda as amended.

Voice vote. Motion carried.
REPORTS OF OFFICERS:

PRESENTATION:

2018 SPIRIT OF CHRISTMAS AWARDS: Mayor Claar and Beautification Commission Secretary, Karen Smith, and commission members Mary Hoffman, Colin Jagiel, Sue Jagiel, Laura Teipe, Austin Cairy, Dorothy Kozak and Tim Wade presented the 2018 Spirit of Christmas Decoration Awards to the following residents:

<table>
<thead>
<tr>
<th>Name(s)</th>
<th>Address</th>
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<tbody>
<tr>
<td>Ayaz Ahmed</td>
<td>433 Wildflower Way</td>
</tr>
<tr>
<td>John &amp; Lori Anderson</td>
<td>3 Snead Court</td>
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<tr>
<td>Robert &amp; Maria Armea</td>
<td>1271 Twilight Way</td>
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<tr>
<td>Evelyn Ascano-Lauraya</td>
<td>859 Aberdeen Court</td>
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<tr>
<td>Cheryl &amp; Thad Avery</td>
<td>1682 Apple Valley Road</td>
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<td>Ronald &amp; Michelle Banda</td>
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<tr>
<td>Hythorn Nick Barbari</td>
<td>511 N. Ashbury Avenue</td>
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<tr>
<td>Leigh Barbeau</td>
<td>5 Bent Tree Court</td>
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<td>Brian &amp; Jen Bell</td>
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<td>Ronald &amp; June Bingham</td>
<td>420 Cardinal Lane</td>
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<td>Robert Biseck</td>
<td>439 Wildflower Way</td>
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<td>Melvin Biske</td>
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<td>Joseph Britvich &amp; Kayde Ries</td>
<td>653 Lakewood Farms Drive</td>
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<tr>
<td>Thomas &amp; Amy Brown</td>
<td>881 Jane Addams Road</td>
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<td>Michelle &amp; Jerry Burgess</td>
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<td>Michael &amp; Sandra Calcagno</td>
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<td>Dan &amp; Karen Carter</td>
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<td>Jesse &amp; Lisa Castleton</td>
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<td>Peter Chapman</td>
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<td>Steven &amp; Tracy Cole</td>
<td>3 Bosi Court</td>
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<tr>
<td>Michael Cushing</td>
<td>210 E. Briarcliff Road</td>
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<tr>
<td>Brandon &amp; Corinne David</td>
<td>2204 Misty Creek Trail</td>
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<tr>
<td>Margaret Davis McCoy</td>
<td>682 Rebecca Lane</td>
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<td>Donald Delaney &amp; Aaron Van Ostrand</td>
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<td>Vincent Devito</td>
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<td>Jeremy Dimond</td>
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<td>Ismael Flores &amp; Yolanda Mora</td>
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<td>Janet &amp; Craig Green</td>
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<td>Jaime, Denise &amp; Daniella Gwin</td>
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<td>Thomas Horn</td>
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<td>Jeffrey &amp; Vicki Hulsebus</td>
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<td>Sarah Hunn</td>
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<td>Tim &amp; Carolyn Jacobs</td>
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<td>Lorretta Jenkins</td>
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<td>Kevin Loney</td>
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<td>Mireya Lopez-Vanquez</td>
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<td>Barb Martinek</td>
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<td>Jorge &amp; Maria Martinez</td>
<td>344 Stonegate Road</td>
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<td>Ricardo Martinez</td>
<td>226 Pacific Drive</td>
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<td>Maria Martinez &amp; Valentin Popoca</td>
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<td>Hector Molina &amp; Elizabeth Stone</td>
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<td>Mary Jo &amp; Patrick Oriley</td>
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<td>Maamoun Osman</td>
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<td>Luis Pena</td>
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<td>Albert Pilinci &amp; Tori Albert</td>
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<td>Norbert &amp; Rosemary Przybylski</td>
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<td>Eddie &amp; Jacquelyn Randle</td>
<td>503 Monroe Road</td>
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<td>Sherine Rapheal</td>
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<td>Bruce &amp; Maryann Ruegger</td>
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<td>Jeff Schumitch</td>
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<td>Jennifer &amp; Joseph Shotts</td>
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<td>Jordan Siegel &amp; Karen Heger</td>
<td>1416 Canyon Court</td>
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<td>Alan &amp; Marilyn Smith</td>
<td>338 Fleetwood Avenue</td>
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<td>Lloyd &amp; Marta Smith</td>
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<td>Alfred Sondej</td>
<td>788 Bonnie Brae Court</td>
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<tr>
<td>Diana Tapia</td>
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<td>Richard &amp; Evelyn Timpe</td>
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<td>Kylea &amp; Zion Ulrich</td>
<td>825 Hardford Lane</td>
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<td>Michael &amp; April Vacik</td>
<td>211 Jonathan Way</td>
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<td>Margarita, Dario &amp; Fernando Valentin</td>
<td>1056 Churchill Drive</td>
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<td>Maria &amp; Tero Vargas</td>
<td>4 Brittany Court</td>
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<td>Steven &amp; Josephine Velino</td>
<td>236 Butte View Drive</td>
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<td>Brian Waeyaert</td>
<td>300 Scotts Court</td>
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<tr>
<td>Lawrence Watters</td>
<td>565 Emerson Circle</td>
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Following the presentation of the Spirit of Christmas Awards, the Village Board took a short break and reconvened to complete the agenda items.

APPROVAL OF APPOINTMENTS/REAPPOINTMENTS
Motion Lawler, second Watts to approve the new appointment to the Civic and Cultural Affairs and Parade Commission:
  • Tony Panella

Voice vote. Motion carried.

MAYOR CLAAR ADMINISTERED THE OATH OF OFFICE TO THE FOLLOWING INDIVIDUAL:
New Appointment: Tony Panella was sworn in by Mayor Claar as a Civic and Cultural Affairs and Parade Commissioner.

VILLAGE RECOGNITION:
Mayor Claar acknowledged Vanessa B. Kloepfer – Girl Scout Gold Award
The Gold Award represents the highest achievement in Girl Scouting, recognizing girls who demonstrate extraordinary leadership through remarkable Take Action projects that have sustainable impact in their communities-and beyond.
Mayor Claar presented Vanessa with a plaque from the Village of Bolingbrook for her outstanding achievement. Vanessa explained that she spent over 90 hours creating a garden for birds, bees and butterflies.

Mayor Claar gave an update and addressed the following two items:
  1) The garbage issue as it relates to recycling bins
  2) Ribfest – Public Safety Director Ken Teppel explained why this event would not be a good fit for Bolingbrook.

PROCLAMATIONS: None

PUBLIC HEARING: None

BILL APPROVAL:
Motion Morales, second Zarate to approve expenditures submitted as Bill Listing A - Payables in the amount of $1,062,061.50 and Bill Listing B - Pre-Paid in the amount of $1,597,205.47 totaling $2,659,266.97. (Copies were made available in the Finance Department and the Village Clerk’s Office.)

ROLL CALL:  Yea  5  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz
Nay  0  None
Absent  0  None

Motion carried.

TAX RECEIPTS:
- October 2018 State Income Tax - $417,762.63 (October 2017 State Income Tax - $382,552.79) – 9.2% Increase
- November 2018 Sales Tax - $2,686,329.78 (November 2017 Sales Tax - $2,576,863.61) – 4.2% Increase
- November 2018 Motor Fuel Tax - $159,348.47 (November 2017 Motor Fuel Tax - $162,113.02) – 1.7% Decrease
- November 2018 State Administrative Fee - $21,611.52

RESOLUTIONS:

RESOLUTION 19R-001
APPROVING ILLINOIS DEPARTMENT OF TRANSPORTATION LOCAL PUBLIC AGENCY AGREEMENT FOR FEDERAL PARTICIPATION - RODEO DRIVE AND KINGS ROAD ROUNDABOUT CONSTRUCTION:
Motion Lawler, second Jaskiewicz to adopt a resolution approving Illinois Department of Transportation Local Public Agency Agreement for Federal Participation – Rodeo Drive and Kings Road roundabout construction.

This Resolution approves a local agency agreement with IDOT for federal participation in the Rodeo Drive/Kings Road roundabout. The project cost is estimated at $2,261,000.00. Federal Surface Transportation Program (STP) funding will supply $764,000.00. The Village share is estimated at $1,497,000.00 which was budgeted for and is coming from MFT and Village funds. The project will be completed this year.

ROLL CALL:  Yea  8  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz
Nay  0  None
Absent  0  None

Motion carried.

RESOLUTION 19R-002
APPROVING ILLINOIS DEPARTMENT OF TRANSPORTATION CONSTRUCTION ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION – KINGS ROAD EXTENSION BETWEEN HASSERT BOULEVARD AND RODEO DRIVE:
Motion Morales, second Watts to adopt a resolution approving Illinois Department of Transportation Construction Engineering Services Agreement for federal participation – Kings Road extension between Hassert Boulevard and Rodeo Drive.
This Resolution approves a construction engineering service contract with Rempe Sharpe and Associates, Inc. for the Kings Road extension project. Rempe Sharpe did the Phase I (design) and Phase II (construction and bid documents). This project is required to have a construction engineering service agreement in place for federal participation in the project to extend Kings Road from Rodeo Drive north to Hassert Boulevard. Construction services are required by DOT for project inspections and management. The road cost is estimated at $7,565,000.00. The engineering services contract is for $567,512.58, which is part of the overall project cost.

ROLL CALL:  
Yea 6 Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz  
Nay 0 None  
Absent 0 None  

Motion carried.

RESOLUTION 19R-003  
APPROVING PARKING LAND BANKING AGREEMENT WITH VALLEY VIEW COMMUNITY SCHOOL DISTRICT 365U FOR PROPERTY LOCATED AT HUBERT H. HUMPHREY MIDDLE SCHOOL – 777 FALCON RIDGE WAY:  
Motion Jaskiewicz, second Hoogland to adopt a resolution approving Parking Land Banking Agreement with Valley View Community School District 365U for property located at Hubert H. Humphrey Middle School – 777 Falcon Ridge Way.

This Resolution approves a "land bank" agreement for parking with the Valley View School District (See Ordinance 19-004). The District is modifying the parking lot at Hubert H. Humphrey Middle School. The Village zoning code would require 152 parking spaces. The school is providing 118 and "land banking" space for 35 spots. If, in the future, the Village determines that additional spaces are needed the District would build them.

ROLL CALL:  
Yea 5 Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz  
Nay 0 None  
Absent 0 None  

Motion carried.

ORDINANCES:  
PC 19.01  
APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN, HUBERT H. HUMPHREY MIDDLE SCHOOL, 777 FALCON RIDGE WAY, MICHAEL LOPEZ, VALLEY VIEW SCHOOL DISTRICT 365U; APPLICANT  
Motion Watts, second Morales to accept a Plan Commission Report PC.19.01 for approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan, Hubert H. Humphrey Middle School, 777 Falconridge Way, Michael Lopez, Valley View School District 365U, Applicant.

Voice vote. Motion carried
ORDINANCE 19-004
APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN (HUBERT H. HUMPHREY MIDDLE SCHOOL) – 777 FALCON RIDGE WAY:
Motion Hoogland, second Lawler to pass an ordinance approving Special Use Permit for a Planned Development with Variances and Final Development Plan (Hubert H. Humphrey Middle School) – 777 Falconridge Way.

Valley View School District is seeking a Special Use Permit with Variances and a Final Development Plan for Hubert H. Humphrey Middle School. The District would like to modify the internal vehicle circulation and alter the parking lot. This Ordinance approves the SUP. The Plan Commission has reviewed and recommends approval.

ROLL CALL:  
Yea  6  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz  
Nay  0  None  
Absent  0  None  
Motion carried.

PC 19.02
APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN, OAK VIEW ELEMENTARY SCHOOL, 150 N. SCHMIDT ROAD, MICHAEL LOPEZ, VALLEY SCHOOL DISTRICT 365U; APPLICANT  
Motion Jaskiewicz, secong Zarate to accept a Plan Commission Report PC.19.02 for approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan, Oak View Elementary School, 150 N. Schmidt Road, Michael Lopez, Valley School District 365U, Applicant.

Voice vote. Motion carried.

ORDINANCE 19-005
APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN (OAK VIEW ELEMENTARY SCHOOL) – 150 N. SCHMIDT ROAD:
Motion Hoogland, secong Lawler to pass an ordinance approving Special Use Permit for a Planned Development with Variances and Final Development Plan (Oak View Elementary School) – 150 N. Schmidt Road.

Valley View School District is seeking approval of a Special Use Permit with Variances and Final Development Plan for Oak View Elementary School. The District would like to modify vehicular circulation and to alter and expand the parking lot by 29 spaces. The Plan Commission has reviewed and recommends approval.

ROLL CALL:  
Yea  6  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz  
Nay  0  None  
Absent  0  None  
Motion carried.
PC 19.03
APPROVAL OF A SPECIAL USE PERMIT FOR A GAME ROOM WITH EXTENDED HOURS OF OPERATION, PRINCE ARCADES, 639 E. BOUGHTON ROAD, SUITE 120, TOM CASTAGNOLI, THE PROMENADE BOLINGBROOK; APPLICANT
Motion Jaskiewicz, second Lawler to accept a Plan Commission Report PC. 19.03 for approval of a Special Use Permit for a game room with extended hours of operation, Prince Arcades, 639 E. Boughton Road, Suite 120. Tom Castagnoli, The Promenade Bolingbrook, Applicant.

Voice vote. Motion carried.

ORDINANCE 19-006
APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT FOR A GAME ROOM WITH EXTENDED HOURS OF OPERATION (PRINCE ARCADES) - 639 E. BOUGHTON ROAD, SUITE 120 SPECIAL USE PERMIT FOR A GAME ROOM WITH EXTENDED HOURS OF OPERATION (PRINCE ARCADES) 639 E. BOUGHTON ROAD;
Motion Jaskiewicz, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Development for a game with extended hours of operation (Prince Arcades) – 639 E. Boughton Road, Suite 120 Special Use Permit for a game room with extended hours of operation (Prince Arcades) 639 E. Boughton Road.

The Promenade is seeking approval of a Special Use Permit to allow a “Game Room’ with extended hours of operation. Price Arcades would like to occupy 2,022 sq. ft. of tenant space in Suite 120 located south of the roundabout. The arcade is a non-sales tax generating business but is subject to the Village’s amusement tax (3%). The arcade plans to have 50-60 games and would like to be open for business until 10:00 p.m. Sunday to Thursday, Friday and Saturday until 11:00 p.m. The Plan Commission has reviewed and recommends approval.

ROLL CALL:  Yea  6  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz
             Nay  0  None
             Absent  0  None

Motion carried.

PC 19.04
APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT, DIYA’S THREADING, 319 N. WEBER ROAD, SONAL SONI; APPLICANT
Motion Watts, second Zarate to accept a Plan Commission Report PC 19.04 for approval of a Special Use Permit for a Planned Development. Diya’s Threading, 319 N. Weber Road, Sonal Soni; Applicant.

Voice vote. Motion carried.

ORDINANCE 19-007
APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT TO ALLOW A BEAUTY SALON AND SPA ESTABLISHMENT (DIYA’S THREADING) - 319 N. WEBER ROAD;
Motion Lawler, second Zarate to pass an ordinance approving a Special Use Permit for a Planned Development to allow a Beauty Salon and Spa Establishment (Diya’s Threading) – 319 N. Weber Road.

11
Sonal Soni D/B/A Diya’s Threading is requesting a Special Use Permit to allow a beauty salon and spa establishment specializing in threading and waxing. The applicant would like to occupy 1,300 sq. ft. of tenant space in the Maple Park Plaza (Best Buy) retail center. The space is the end cap adjacent to Aldi and formerly occupied by Mail Boxes, Etc. The Plan Commission has reviewed and recommends approval.

ROLL CALL:  Yea  6  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz
            Nay  0  None
            Absent  0  None

Motion carried.

ORDINANCE 19-008
AMENDING CHAPTER 33 ARTICLE 10 OF THE MUNICIPAL CODE REGARDING FLOOD
PLAIN REGULATIONS:
Motion Morales, second Hoogland to pass and ordinance amending Chapter 33 Article 10 of the Municipal Code regarding flood plain regulations.

This ordinance amends chapter 33, article 10 of the municipal code regarding flood plain regulations. The village needs to adopt new flood plain study maps and the flood insurance rates to remain in the national flood insurance program. The maps were prepared by Federal Emergency Management Agency (FEMA). Note: the ordinance needs to be adopted by February 15, 2019 and the Will County Storm Water Plan has been delayed for several years by Joliet’s objections to the map designations.

ROLL CALL:  Yea  6  Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz
            Nay  0  None
            Absent  0  None

Motion carried.

ORDINANCE 19-009
AMENDING APPENDIX 1 (PROHIBITING THE USE OF GROUNDWATER AS A POTABLE
WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS
OR BY ANY OTHER METHOD) TO CHAPTER 23 OF THE MUNICIPAL CODE:
Motion Lawler, second Watts to pass an ordinance amending appendix 1 (prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method) to Chapter 23 of the Municipal Code.

This Ordinance Amends Ordinance (11-022) which prohibited the use of groundwater as a portable water source. The Ordinances focused on the area around 596 N. Pinecrest Road, which has been occupied by a dry cleaner. The revision to the 2011 Ordinance is being requested by the Illinois Environmental Protection Agency (IEPA). The revisions include an updated map of the area and some “housekeeping” revisions to the language of the Ordinance.

Note: The gist of the Ordinance is that a well, intended to provide drinkable water, cannot be placed in the general area around Pinecrest and Boughton because of potential contamination from the dry cleaning operation. The Village has Lake Michigan water and does not use well water so the Ordinance has no impact.
ROLL CALL: Yea 6 Zarate, Lawler, Watts, Hoogland, Morales, Jaskiewicz
Nay 0 None
Absent 0 None

Motion carried.

QUESTIONS FROM AUDIENCE/PRESS: None

TRUSTEE COMMENTS AND REPORTS:

Trustee Zarate
Shared information on the upcoming events sponsored by Theater on the Hill held at the Performing Arts Center and provided information on the Midwest Christian Montessori Academy “Reach for the Stars”.

Trustee Lawler
Congratulated the organizers of the 21st Annual Black History event that was held at the Bolingbrook High School, shared information on the Bolingbrook Lions Club events – the Meat Raffle and 26th Annual St. Patrick’s Day Dinner Dance.

Trustee Watts
Congratulated newly appointed commission member Tony Panella and Vanessa Kloepfer on her achievement as a recipient of the Gold Award. Shared event information on the Stem “Build A Plane” at Bolingbrook Clow Airport, St. Baldrick Foundation, 5K Run and Walk “Shake It Off”.

Mayor Claar asked Michael Carpanzano to share details on the AMITA Health Bolingbrook Hospital St. Paddy’s Half Marathon & 5K Run/Walk

Trustee Hoogland
Provided information on the following events: Great Chefs Tasting Party and Auction to benefit the Center for Disability Services, Rotary Mac and Cheese Cook-off, Groot Spring Clean-up in March. She congratulated new U.S. citizen Hector Molina and Vanessa Kloepfer – Girl Scout Gold Award.

Trustee Morales
Acknowledged the Christmas Award winners and shared information regarding the Will County Electronics and Hazardous waste drop off event.

Trustee Jaskiewicz
Provided information on the Relay for Life Event at the I-Pic theater in the Promenade, mentioned that chefs are needed for the Rotary Mac and Cheese event and encouraged residents to sign up for the Bolingbrook Alers.

Mayor Claar discussed the challenges that the Village has faced with the difficult weather this winter and the delays we experienced with garbage pick-up as a result of the winter’s icy and cold conditions.
EXECUTIVE SESSION: None

ADJOURNMENT:
Motion Hoogland, second Lawler to adjourn the meeting.
Voice vote. Motion carried and meeting adjourned at 9:29 p.m.

_________________________________________  
Roger C. Claar  
MAYOR

ATTEST:

_________________________________________  
Carol S. Penning, CMC  
VILLAGE CLERK
Proclamation

SEVERE WEATHER PREPAREDNESS WEEK
Sunday, March 3rd through Saturday, March 9th, 2019

WHEREAS, we all know how much destruction and devastation a tornado and other disasters can create, and how many lives are lost each year; and

WHEREAS, the Governor of the State of Illinois has requested all municipalities located in Illinois to declare March 3rd through March 9th, 2019, "SEVERE WEATHER PREPAREDNESS WEEK"; and

WHEREAS, it is advisable for the citizens of Bolingbrook to become familiar with tornado/disaster preparedness plans in order to promote and maintain community education and awareness.

NOW, THEREFORE, I, Roger C. Claar, Mayor of the Board of Trustees of the Village of Bolingbrook, Will and DuPage Counties, Illinois, do hereby declare the week of March 3rd through March 9th, 2019, "SEVERE WEATHER PREPAREDNESS WEEK," in the Village of Bolingbrook, and urge all our residents to learn as much as they can about preparing for any disaster to prevent loss of life.

Given under my hand and the Corporate Seal of the Village of Bolingbrook
this 26th day of February, 2019

[Signature]

ROGER C. CLAAR, Mayor
Proclamation

ST. BALDRICK’S “BOLINGBROOK 4 KIDS”
March 10, 2019

WHEREAS, St. Baldrick’s is the world’s largest volunteer-driven fundraising non-profit organization which coordinates worldwide head-shaving events that raise money to support childhood cancer research; and

WHEREAS, every three minutes another parent is told their child has cancer; and

WHEREAS, thousands of brave volunteers shave their heads in solidarity for children with cancer, while requesting donations of support from family, friends and local businesses; and

WHEREAS, at last year’s “Bolingbrook 4 Kids” event, approximately 205 brave men, women and children had their heads shaved to raise over $120,000.00; and

WHEREAS, a few of the St. Baldrick’s groups of shavees are police officers, firefighters, boy scouts/cub scouts and the local schools. This family-oriented event is supported by the Bolingbrook Golf Club, Bolingbrook Police and Fire Departments and The Promenade Bolingbrook. The “Bolingbrook 4 Kids” fundraising event will be held at the Bolingbrook Golf Club on Sunday, March 10th, starting at Noon.

NOW, THEREFORE, I, Roger C. Claar, Mayor of the Board of Trustees of the Village of Bolingbrook, Will and DuPage Counties, Illinois, do hereby proclaim Sunday, March 10, 2019 as ST. BALDRICK’S “BOLINGBROOK 4 KIDS” day and urge all Bolingbrook residents to stop by the Bolingbrook Golf Club and enjoy a great day out and support this very important cause.

Given under my hand and the Corporate Seal of the Village of Bolingbrook

this 26th day of February, 2019

ROGER C. CLAAR, Mayor
RESOLUTION NO. 19R-

RESOLUTION APPROVING PURCHASE OF ONE 2019 VACTOR MODEL 2100i SINGLE ENGINE, TANDEM AXLE COMBINATION SEWER CLEANER THROUGH SUBURBAN PURCHASING COOPERATIVE

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees have determined that it necessary and in the best interests of the Village and its residents to purchase one (1) 2019 Vactor Model 2100i, Peterbilt 348 tandem axle chassis to replace aging equipment through Suburban Purchasing Cooperative; and

WHEREAS, the contract for one (1) 2019 Vactor Model 2100i, Peterbilt 348 tandem axle chassis is attached hereto as Exhibit 1, was awarded to Standard Equipment Company; and

WHEREAS, the Mayor and Board of Trustees find that purchase of the vehicle, through Suburban Purchasing Cooperative, as authorized by the Governmental Joint Purchasing Act (30 ILCS 525/), is in the best interests of the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

-1-

Resolution No. 19R-
SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION TWO: The Mayor and Board of Trustees of the Village of Bolingbrook hereby approve the contract for one (1) 2019 Vactor Model 2100i, Peterbilt 348 tandem axle chassis is attached hereto as Exhibit 1, which is attached hereto as Exhibit 1, from Standard Equipment Company at a total cost not to exceed $418,920.00.

SECTION THREE: This resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019

______________________________
MAYOR

______________________________
VILLAGE CLERK

JM\831409\2/19/19
February 6, 2019

PRESENTS THE FOLLOWING PROPOSAL FOR A NEW

VACTOR

2100i SINGLE ENGINE, TANDEM AXLE COMBINATION SEWER CLEANER BUILT IN STREATOR, IL

For:
The Village of Bolingbrook
375 West Briarcliff Road
Bolingbrook, IL  60440
VACTOR 2100i STANDARD FEATURES:
- 12 yard debris body
- 1,300 gallon water capacity
- 80 gpm @ 2,500 psi Water System with Variable Flow
- Curb Side Aluminum Toolbox
- Aluminum Fenders
- Mud Flaps
- Electric/Hydraulic Four Way Boom
- Color Coded Sealed Electrical System
- Remote Pendant Control w/35' Cord
- Intuitouch Package
- Double Acting Dump Hoist Cylinder
- Ex-Ten Steel Cylindrical Debris Tank
- Flexible Hose Guide
- (3) Nozzles with Carbide Inserts
- Nozzle storage rack
- Suction Tube Storage – (2) Tube, Rear Door (2) Tube, Curbside
- 1" Nozzle Guide
- 1" x 10' Leader Hose
- Flat Rear Door w/Hydraulic Locks and Door Power-up/Down, Open/Close Feature
- Dual 10" Stainless Steel Float Shut Off System/Rear Mounted
- Debris Body Vacuum Relief System
- Debris Deflectr Plate
- 60° Dump Height
- Low water on screen indicator with alarm and water pump flow indicator
- 3” Y-Strainer at passenger side fill with 25’ fill hose
- Water Sight Gauge DS/PS
- Liquid Float Level Indicator
- Digital water pressure gauge
- Front joystick boom control
- Boom hose storage, post type
- Rodder System Accumulator – Jack Hammer on/off control with manual valve
- 3" Y-Strainer @ Water Pump w/3" Drain Valve
- Performance Package
- Midship Handgun Coupling
- Side Mounted Water Pump
- Digital Hose Fcotage Counter
VACTOR 2100i STANDARD FEATURES (Continued):

- Hydraulic Extending 15”, Rotating Hose Reel, 1” x 800’ Capacity
- Hydraulic Tank Shutoff Valves
- Tachometer/Chassis Engine W/ Hourmeter
- Water Pump Hour Meter
- PTO Hour Meters
- Circuit Breakers
- LED Lights, Clearance, Back-Up, Stop, Tail & Turn
- Tow Hooks, Front and Rear
- Electronic Back-Up Alarm
- Rear Mounted Safety Camera with In-Cab Monitor
- Vacuum Pipe Package includes 6 1/2’ catch basin tube, 3’, two 5’ extensions and clamps
- Emergency Flare Kit
- Fire Extinguisher, 5 lbs.

VACTOR 2100i ADDITIONAL PRODUCT ENHANCEMENTS:

- 1,300 Gallon Water Capacity
- Dual Stage Vactor Vacuum System
- Debris Body Wash Out System
- 6” Rear Door Mounted Knife Valve, 3:00 position
- Centrifugal Separators (Cyclones)
- Folding Pipe Rack, Curbside
- Folding Pipe Rack, Streetside
- Rear Door Splash Shield
- Lube Manifold (for Upper Boom and Upper rear door)
- Digital Water Level Indicator
- 10’ Hydraulic Telescoping / 15’ Extendable Rapid Deployment Boom with 180 Degree Rotation
- Wireless Remote Control Belly Pack with Hose Reel Controls, 2-way Communication and LCD Display
- Rotatable Boom Inlet Hose
- Cold Weather Recirculation System
- Hydro Excavation Kit with 50’ Retractable Reel, Lances, Nozzles, Storage Tray and Vacuum Tube
- Fan Flush Out System
- Water Heater, 400,000 BTU for Hydro Excavation
- 1” x 800’ Piranha Sewer Hose
- Automatic Hose Level Wind Guide, Adjustable with Pinch Roller
VACTOR 2100i ADDITIONAL PRODUCT ENHANCEMENTS (Continued):

- Rodder Pump Drain Valves
- Rear Directional Control, LED Arrow Board
- LED Safety Strobe Light System, 4 Boom Rack LED Strobe Lights (2 each side)
  - 2 Mid Ship LED Strobe Lights, 4 Upper Rear Door LED Strobe Lights
  - 4 LED Strobe Lights Above Rear Bumper
- Boom Mounted LED Work Lights (2)
- Auto Level Wind LED Work Light
- Curbside LED Work Light
- Street Side LED Work Light
- Safety Cone Storage Rack – Post Style
- Front Bumper Mounted Aluminum Toolboxes (2) 16” x 12” x 18” with LED Side Markers
- Long Handle Tool Storage
- 16W x 30H x 95D Behind Cab Aluminum Toolbox
- 24W x 24H x 24D Driver Side Chassis Frame Aluminum Toolbox
- 48W x 20H x 12D Driver Side Subframe Aluminum Toolbox
- Module paint: Dupont Imron Elite, Yellow

CHASSIS:
- Peterbilt 348 Tandem Axle Chassis, painted Yellow
- PACCAR 370 HP Diesel Engine
- Allison 3000 RDS Automatic Transmission
Village of Bolingbrook
375 West Briarcliff Road
Bolingbrook, IL 60440

February 6, 2019
Page 5

SUBURBAN PURCHASING COOPERATIVE CONTRACT #162 PRICING:

The VACTOR 2100i is available through the Suburban Purchasing Cooperative Program, a Joint Purchasing Program for Local Illinois Governments which includes the DuPage Mayors & Managers Conference and the Will County Governmental League. The Village of Bolingbrook is a member and eligible to purchase a New VACTOR 2100i utilizing contract #162 without incurring any fees or costs.

Total SPC Contract Price, Delivered to Bolingbrook, Illinois: $418,920.00

* Municipal License, Title and Doc Fees Are Included In Total Price
* Complete on-site operator and maintenance training is included in total price
* 3 day, Vactor factory training classes in Streator, IL are included in total price
* Price is good for 50 days
* Delivery is approximately 180 – 270 days after receipt of order
* Payment is due in full at time of delivery, no down payment is required

If you have any questions, or require additional information, please do not hesitate to call upon us. Standard Equipment Company looks forward to serving your equipment needs.

Sincerely,

Mike O'Connor
Account Manager
STANDARD EQUIPMENT COMPANY
Cellular: (312) 208-5012

February 6, 2019

Village of Bolingbrook
RESOLUTION NO. 19R-

RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY THE VILLAGE OF BOLINGBROOK UNDER THE ILLINOIS HIGHWAY CODE WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 and 5 ILCS 220/1 et seq. authorize a unit of local government to contract or otherwise associate with the State of Illinois or any agency of the State government to obtain or share services, to exercise, combine or transfer any power or function, in any manner not prohibited by law, to use their credit, revenues and other reserves to pay costs and to service debt related to intergovernmental activities; and

WHEREAS, the Mayor and Board of Trustees find that approval of the Resolution for Maintenance Under the Illinois Highway Code with the Illinois Department of Transportation, attached hereto and made a part hereof, is in the best interests of the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:
SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated as
findings of fact as if said recitals were fully set forth herein.

SECTION TWO: The Mayor and Board of Trustees of the Village of Bolingbrook hereby
authorize and approve the Resolution for Maintenance Under the Illinois Highway Code with the
Illinois Department of Transportation in an amount not to exceed $2,649,362.00, attached hereto
and made a part hereof.

SECTION THREE: The Village Clerk is hereby authorized and directed to execute said
Resolution and provide four certified originals thereof to the Illinois Department of
Transportation.

SECTION FOUR: This resolution shall be in full force and effect from and after its passage
and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:  
NAYS:  
ABSENT:  

APPROVED THIS 26th day of February, 2019.

ATTEST:  

_____________________________   MAYOR

VILLAGE CLERK

JM\831400\2/19/19
Resolution for Maintenance
Under the Illinois Highway Code

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<th>Resolution Number</th>
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<tr>
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<td>Original</td>
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BE IT RESOLVED, by the _______________ Board of the _______________ Village of

Bolingbrook

Name of Local Public Agency

Governing Body Type Local Public Agency Type

illinois that there is hereby appropriated the sum of two million six hundred forty nine thousand three hundred sixty two dollars ________ Dollars ( $2,649,362.00 )

of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from

05/01/19 Beginning Date 04/30/20 Ending Date

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that _______________ Village of _______________ Village

Bolingbrook

Name of Local Public Agency

Local Public Agency Type

shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

Carol S. Penning

Name of Clerk

Village of Bolingbrook

Clerk in and for said Village

provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the

Board of _______________ Bolingbrook

Governing Body Type

Name of Local Public Agency

at a meeting held on _______________ Date

02/26/19

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this __________ Day of _______________ Month, Year

27 February, 2019

(SEAL)

Clerk Signature

APPROVED

Regional Engineer

Department of Transportation

Date

Printed 02/12/19
## Local Public Agency General Maintenance

### Estimate of Maintenance Costs

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<td>20-00000-00-GM</td>
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#### Maintenance Items

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<th>Inspect. Req.</th>
<th>Material Categories/Point of Delivery or Work Performed by an Outside Contractor</th>
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<td>Ton</td>
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| 2. Drainage Maintenance | IIIB                | No            | Labor Sewer Village                                            | HR   | 900      | $31.52    | $28,368.00 |
|                       | IIIB                | No            | Labor Concrete Village                                         | HR   | 900      | $31.52    | $28,368.00 |
|                       | IIA                 | No            | Cement                                                         | BAG  | 750      | $10.00    | $7,500.00 |
|                       | III                 | No            | Stone                                                           | TON  | 500      | $20.00    | $10,000.00 |
|                       | III                 | No            | Sand                                                            | TON  | 100      | $10.00    | $1,000.00 |
|                       | III                 | No            | Stone CA-7                                                      | TON  | 350      | $20.00    | $7,000.00 |
|                       | IIA                 | No            | RCCP Sewer Pipe                                                | EA   | 1,000    | $20.00    | $20,000.00 |
|                       | IIA                 | No            | Frame and Grate                                                | EA   | 50       | $200.00   | $10,000.00 |
|                       | IIA                 | No            | Adjusting Ring                                                  | EA   | 25       | $100.00   | $2,500.00 |
|                       | III                 | Yes           | Concrete                                                        | CY   | 180      | $110.00   | $19,800.00 |

| 3. Pavement Maintenance | IIIB                | No            | Labor Asphalt Village                                          | HR   | 1,800    | $31.52    | $56,736.00 |
|                       | IIIB                | No            | Labor Sweeping Village                                         | HR   | 3,600    | $31.52    | $113,472.00 |
|                       | IIA                 | No            | Disposal of Material                                            | TON  | 2,500    | $50.00    | $125,000.00 |
|                       | III                 | No            | Stone CA-6                                                      | TON  | 1,000    | $10.00    | $10,000.00 |
|                       | III                 | Yes           | HMA Surface, Mix D                                             | TON  | 670      | $75.00    | $50,250.00 |
|                       | IIA                 | No            | Cold Patch                                                     | TON  | 150      | $100.00   | $16,000.00 |
|                       | IIA                 | No            | Bituminous Primer                                              | GAL  | 1,000    | $2.50     | $2,500.00 |

| 4. Sign Maintenance   | IIIB                | No            | Labor Village Force                                            | HR   | 3,200    | $31.25    | $100,000.00 |
|                       | IIA                 | No            | Sign Accessories                                              | LSU  | 1        | $10,000.00 | $10,000.00 |
|                       | IIA                 | No            | Sign Blanks                                                    | EA   | 500      | $20.00    | $10,000.00 |
|                       | IIA                 | No            | Sign Faces                                                     | EA   | 400      | $25.00    | $10,000.00 |
|                       | IIA                 | No            | Sign Material                                                  | LSU  | 1        | $10,000.00 | $10,000.00 |
|                       | IIA                 | No            | Sign Lettering                                                 | LSU  | 13       | $1,000.00 | $13,000.00 |

| 5. Electric Maintenance | IIIB                | No            | Labor Village Force                                            | HR   | 6,500    | $37.82    | $246,830.00 |
|                       | IIA                 | No            | Directional Boring                                             | LF   | 1,000    | $20.00    | $20,000.00 |
|                       | III                 | No            | Street Light Pole                                              | EA   | 50       | $1,000.00 | $50,000.00 |
|                       | IIA                 | No            | Repair Kit                                                     | LSU  | 1        | $2,000.00 | $2,000.00 |
|                       | III                 | No            | Luminaries                                                     | EA   | 50       | $400.00   | $20,000.00 |
|                       | IIB                 | No            | Street Lights Repair                                           | LSU  | 1        | $20,000.00 | $20,000.00 |
|                       | IIB                 | No            | Traffic Signal Repair                                          | LSU  | 1        | $82,000.00 | $82,000.00 |
|                       | IIB                 | No            | Signal Controller                                              | EA   | 8        | $2,500.00 | $20,000.00 |
|                       | IIB                 | No            | Loop Replacement                                               | EA   | 20       | $1,000.00 | $20,000.00 |

<table>
<thead>
<tr>
<th>Total Maintenance Operation Cost</th>
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<tr>
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Printed 02/12/19
# Estimate of Maintenance Costs

**Local Public Agency**: Village of Bolingbrook  
**County**: Will  
**Section**: 20-00000-00-GM  
**Maintenance Period**: 05/01/19 to 04/30/20

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<th>Item</th>
<th>Description</th>
<th>Hours</th>
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**Total Operation Cost**: $2,649,362.00

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## Maintenance Costs Summary

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<th>MFT Funds</th>
<th>Other Funds</th>
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## Estimated Maintenance Eng Costs Summary

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<td><strong>Total Estimated Maintenance</strong></td>
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**Remarks**

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**SUBMITTED**

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<th>Local Public Agency Official</th>
<th>Date</th>
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**Title**

<table>
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<th>County Engineer/Superintendent of Highways</th>
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**APPROVED**

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<table>
<thead>
<tr>
<th>Department of Transportation</th>
<th>Date</th>
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RESOLUTION NO. 19R-

RESOLUTION RE OPERATION AND MAINTENANCE OF PROPERTY WITHIN
THE VILLAGE OF BOLINGBROOK WHICH IS UNDER IDOT JURISDICTION

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Village of Bolingbrook, hereinafter referred to as MUNICIPALITY, located in the Counties of Will and DuPage, State of Illinois, desires to undertake, in the years 2019 and 2020, the location, construction, operation and maintenance of driveways and street returns, watermain, sanitary and storm sewers, street light, traffic signals, sidewalk, landscaping, etc., on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as DEPARTMENT; and,

WHEREAS, an individual working permit must be obtained from the DEPARTMENT prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:
SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION TWO: That MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the DEPARTMENT, and to hold State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accidents or otherwise by reason of the work which it to be performed under the provision of said permit.

SECTION THREE: Any policy or resolution of the Village of Bolingbrook that conflicts with the provisions of this Resolution shall be and is hereby repealed to the extent of such conflict.

SECTION FOUR: This resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019.

ATTEST: ____________________________________________

MAYOR

VILLAGE CLERK

JM\824191\2/1/19
VILLAGE OF BOLINGBROOK
PLANNING COMMISSION STAFF REPORT FROM
MATT EASTMAN
PLANNING & ZONING ADMINISTRATOR

PROJECT NO.:  426.18
DATE:      February 20, 2019

GENERAL INFORMATION:
OWNER/APPLICANT: Dave Dalesandro, JB Development, Inc.

REQUESTED ACTION:
Approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan

PURPOSE:
To allow for the construction of a drive-thru car wash with variances.

LOCATION:
246 S. Weber Road

SIZE OF PARCEL:
2.06 acres

CURRENT ZONING/LAND USE:
B-2 Community Retail / Vacant

ADJACENT ZONING & LAND USE:
NORTH:   B-2 Community Retail / Bank of America & Bulldog Ale House
SOUTH:   B-2 Community Retail / Vacant
EAST:    B-2 Community Retail / Vacant
WEST:    B-2 Community Retail / Red Lobster & Red Robin

ANALYSIS:
- The subject site, which is approximately 2.06 acres and zoned B-2 Community Retail, is currently vacant, and was originally developed as a Joe’s Crab Shack and most recently occupied by La Hacienda, a building that has since been demolished.
- Per the attached site plan, the applicant is proposing to develop a 6,358 square foot car wash building with four (4) stacking lanes and pay booths located on the south side of the building for vehicles to move through the 181-foot-long tunnel in an east to west direction. (See SUP #1)
- Access to the site would be provided via a two-way shared drive from the south, which can be accessed off both Weber Road and Veterans Parkway.
- Per the attached site plan, the applicant is proposing 31 vacuum spaces, which would be offered free of charge and covered by a decorative canopy, with each vacuum tunnel encased by a brick column.
- Public improvements (e.g. public sidewalk) within the existing parkway area would remain unaltered as part of any site improvements.
• Per the applicant, the car wash would remain open seven days a week from 7 a.m. to 9 p.m. and would employ approximately 10 employees with no more than three working per shift. The employees would be there to guide the customers onto the conveyor, continually clean and maintain the vacuum area as well as guide traffic and assist any customers who may have questions.
• Per the Zoning Ordinance, a car wash must provide a minimum of 20 stacking spaces for each washing rack. The applicant is proposing to provide well over 30 stacking spaces, in addition to handicap accessible parking spaces and 6 employee parking spaces.
• Based on the orientation and design of the building, wall signage would be permitted on the north and east elevations of the car wash building and a monument sign not to exceed 10 feet in height and 50 square feet in sign area would be permitted in either the front or corner side yard. (See Variance #2 and #3)
• Adequate detention would be provided offsite to the south.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES:
To develop the property in accordance with the attached site plan, the applicant is requesting the following Special Use Permits and Variances from the Zoning Ordinance and Development Code:

1. A Special Use Permit to allow a car wash.
   • Per the Zoning Ordinance, a car wash is listed as a permitted Special Use within the B-2 Zoning District.
   • The applicant is proposing to develop a 6,358 square foot car wash, which would include all required stacking spaces on the south and west sides of the building, visitor and staff parking spaces on the east side of the building, as well as 31 vacuums spaces.
   • Staff supports the use as requested.

2. A variance to allow the installation of a larger monument sign.
   • Per the Zoning Ordinance, one development sign not to exceed 10 feet in height and 50 square feet in area would be permitted.
   • Per the attached sign proposal, the applicant is requesting to install a monument sign, which would be approximately 15 feet in height and 120 square foot in area. The monument sign is being proposed at the northeast corner of the development, parallel to Weber Road.
   • Staff supports the variance as requested, as the proposed sign is consistent with other similar development signs located along Weber Road within the surrounding area.

3. A variance to allow the installation of a wall sign on the west and south walls of the building.
   • Per the Zoning Ordinance, wall signs may be displayed on building elevations, which are directly adjacent to a public right-of-way or provide a public entrance.
   • The applicant is requesting a variance to install a tenant identification signs on the west and south walls, as this is a key component to providing symmetry around the building.
   • Due to the orientation and proposed use of the building, Staff supports the variance as requested.

4. A variance to reduce the landscape material within the front and corner side yard.
   • Per the Zoning Ordinance, the front and corner side yards, along Weber Road and Veterans Parkway respectively, are required to provide 1 tree and 10 shrubs for every 35 linear feet of frontage.
   • The applicant is requesting to reduce the amount of landscape material, specifically the number of trees, required in both the front and corner side yard.
   • Staff support the variance as requested, subject to the approved Landscape Plan, noting the site sits a number of feet below the roadway, which inhibits the overall visibility to the site.
5. **A variance to reduce the width of the foundation planting bed.**
   - Per the Zoning Ordinance, a foundation planting bed that is 10 feet deep for 50% of the wall, which faces a public right-of-way, is required.
   - Per the attached plan, the applicant is proposing to reduce the depth of the planting bed along the east wall to 4 feet for the entire length of the façade.
   - Staff supports the variance as requested subject to the required number of plant units being provided.

6. **A variance to remove more than 50% of the trees on-site.**
   - Per the Development Code, no more than 50% of the trees on-site may be removed.
   - Per the proposed Demolition Plan, 26 of the existing trees on-site are located in or around the construction zone and would need to be removed.
   - Staff supports the variance as requested given the required number of replacement trees are provided per the approved Landscape Plan.

7. **A variance to allow an increase in the allowable lumens per acre and increased light levels.**
   - Per the Development Code section 30-149(E), during permitted hours of operation as previously mentioned, outdoor lighting on any non-residential lot must meet specific requirements for light levels as measured in the plane of the illuminated surface.
   - Per the attached plan, the applicant is proposing to have increased lighting underneath the vacuum canopies and the drive-up pay stations.
   - Staff supports the variance as requested in order to maintain adequate lighting under the vacuum canopies as well as the drive-up pay stations for both safety and security purposes.

**RECOMMENDATION:**
Staff recommends approval of a Special Use Permit for a Planned Development with the following:

1. A Special Use Permit to allow for Jet Brite Car Wash as depicted on the attached Final Development Plan, subject to the building being constructed to match the attached building elevations, including the decorative canopy over the vacuum spaces and each vacuum tunnel encased with a brick column base.
2. A variance to allow a monument sign, which is approximately 15 feet in height and 120 square feet in area.
3. A variance to allow wall signs on the north and west elevations of the building.
4. A variance to reduce the required landscape material within the front and corner side yards, along Weber Road and Veterans Parkway respectively, subject to the approved Landscape Plan.
5. A variance to reduce the width of the foundation planting bed to 4 feet along the east wall.
6. A variance to remove more than 50% of the trees on-site, subject to the required number of replacement trees being provided per the approved Landscape Plan.
7. A variance to allow an increase in the allowable lumens per acre in order to maintain adequate lighting under the vacuum canopies and drive-up pay stations for safety and security purposes.

Staff recommends approval of a Final Development Plan, subject to:

1. All comments from the memo dated February 8, 2019 being addressed.
2. The review and approval from the Director of Public Services and Development.
LOCATION MAP

PROJECT NO.: 426.18
PROJECT NAME: Jet Brite Car Wash
RECOMMENDATION OF THE BOLINGBROOK PLAN COMMISSION REGARDING A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN FOR A CAR WASH AT 246 S. WEBER ROAD

Meeting Date: February 20, 2019

Having duly noticed and held a public hearing on February 20, 2019, with respect to approval of the application by Dave Dalesandro, JB Development, Inc. for a SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT for Jet Brite Car Wash located at 246 S. Weber Road, Bolingbrook, Illinois, the Plan Commission finds that the proposed Planned Development MEETS the following standards set forth in the Zoning Ordinance:

1. The proposed plan is consistent with the stated purposes of the Planned Development regulations in the following respects:
   a) Environmental design in the development of land that is of a higher quality than is normally possible through the strict application of general zoning ordinance requirements; and
   b) Diversification in the uses permitted and variation in the relationship of uses, structures, open spaces and heights of structures in developments conceived as cohesive unified projects; and
   c) Provision for functional and beneficial use of open space; and
   d) Preservation of natural features of a development site; and
   e) Rational and economic development in relation to public services.

2. The proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, the density, dimension, area, bulk, use to the extent that variances and such departures are in the public interest because:
   a) The particular requirements of this Ordinance would prevent the proposed use or construction; and
   b) The characteristics of the subject property prevent compliance with said requirements of this Ordinance; and
   c) The reduction of the minimum requirements of the Ordinance is necessary to permit the proposed use or construction.

3. The proposed plan meets the requirements and standards of the Planned Development regulations, as follows:
   a) The proposed development will not injure or damage the use, value and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the Comprehensive Land Use Plan of the Village; and
   b) The proposed buildings or use will not have a substantial adverse economic effect upon existing businesses in the vicinity and will not have an adverse impact upon the tax bases of units of local government and school districts; and
c) The entire tract or parcel of land to be occupied by the proposed development will be held in a single ownership, or if there are two or more owners, the application for such proposed development shall be filed jointly by all such owners; and

d) The Development Plan will contain such proposed covenants, easements, and other provisions relating to the bulk and location of buildings, uses and structures and public facilities as are necessary or desirable for the welfare of Planned Development and are not inconsistent with the best interest of the Village; and

e) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities will be compatible with the surrounding land uses, and any part of a proposed development not used for structures, parking and loading areas, or access ways, shall be landscaped or otherwise improved.

4. The physical design of the proposed Planned Development and the manner in which said design does make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated planned open space and schools, and further the amenities of light and air, recreation and visual enjoyment.

5. The proposed Planned Development is compatible with the adjacent properties and neighborhood.

6. The proposed Planned Development is desirable to physical development and economic well-being of the entire community.

7. The proposed Planned Development is in conformance with the recommendations of the Comprehensive Plan.

The Plan Commission therefore recommends that a Special Use Permit for a Planned Development with Variances and Final Development Plan be APPROVED.

The Plan Commission recommends the following conditions be placed on approval of the Planned Development:

1) Staff’s comments from the memo dated February 8, 2019, shall be addressed.
2) The Final Development Plan is subject to the review and approval from the Director of Public Services and Development.

Approved by the Plan Commission February 20, 2019.

Ayes: 5
Nays: 0
Absent: 3
ORDINANCE NO. 19-

ORDINANCE APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN (JET BRITE SERVICES) – 246 S. WEBER ROAD

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, a petition for approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan has been filed by David Dalesandro, JB Development, Inc. (hereinafter referred to as the “Applicant”), in order to allow for the construction of a drive-thru car wash with variances, located at 246 S. Weber Road (hereinafter referred to as the “Subject Property”); and

WHEREAS, said petition was referred to the Bolingbrook Plan Commission, which duly called, noticed and held a public hearing and recommended approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan for the Subject Property as set forth hereinafter; and

WHEREAS, the Mayor and Board of Trustees believe it to be in the best interests of the residents of the Village to approve such a Special Use Permit for a Planned Development with Variances and Final Development Plan;

-1-
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE
VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS
HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The Mayor and Board of Trustees find as facts the recitals hereinabove set
forth.

SECTION TWO: A Special Use Permit for a Planned Development in a B-2 Community
Retail District, in order to allow for the construction of a drive-thru car wash with variances, on
the Subject Property, shall be and is hereby approved, subject to the following:

A. The following variances are hereby granted for the Subject Property, as shown on the
Final Development Plan approved herewith, provided that the Subject Property is
developed in substantial compliance with said Plan:

1. A variance to allow a monument sign, which is approximately 15 feet in height and
   120 square feet in area.
2. A variance to allow wall signs on the north and west elevations of the building.
3. A variance to reduce all required landscape material within the front and corner
   side yards, along Weber Road and Veterans Parkway respectively, subject to the
   approved Landscape Plan.
4. A variance to reduce the width of the foundation planting bed to 4 feet along the
   east wall.
5. A variance to remove more than 50% of the trees on-site, subject to the required
   number of replacement trees being provided per the approved Landscape Plan.
6. A variance to allow an increase in the allowable lumens per acre in order to
   maintain adequate lighting under the vacuum canopies and drive-up pay stations
   for safety and security purposes, subject to Village Staff review and approval of
   the lighting.

B. Failure of the Applicant to conform to the requirements of the special use granted hereby,
   including the Final Development Plan, shall render the special use null and void and of no
   further force and effect.

SECTION THREE: The Final Development Plan, attached hereto as Exhibit 1, shall be and
is hereby approved subject to:

-2-
Ordinance No. 19-
1. All Staff's comments from the memo dated February 8, 2019, being addressed.
2. The review and approval of the Final Development Plan from the Director of Public Services and Development.

SECTION FOUR: The Plan Commission findings with respect to the Planned Development for the Subject Property in their report of February 20, 2019, attached hereto, are hereby adopted.

SECTION FIVE: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019.

__________________________________
MAYOR

ATTEST:

__________________________________
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2019.

JM\832490\2/21/19
VILLAGE OF BOLINGBROOK
PLANNING COMMISSION STAFF REPORT
FROM MATT EASTMAN
PLANNING & ZONING ADMINISTRATOR

PROJECT NO.: 427.18
DATE: February 20, 2019

GENERAL INFORMATION
APPLICANT / OWNER: Dave Dalesandro, JB Development, Inc.

REQUESTED ACTION: Approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan

PURPOSE: To construct a building addition to the existing office and distribution center for Jet Brite Services.

LOCATION: 590 Kildeer Drive – Jet Brite Services

SIZE OF LOT(S): 2.29 acres

CURRENT ZONING/ LAND USE: O-1 Limited Office, undeveloped land

ADJACENT ZONING & LAND USE:
NORTH: O-1 Limited Office (PUD) / Vacant
EAST: R-7 Multi-Family Residential / Promenade Apartments (fka Innsbruck)
SOUTH: R-7 Multi-Family Residential / Greenleaf Apartments and O-1 Limited Office (PUD) / Heritage Woods Assisted Living
WEST: B-2 Community Retail / Boughton Plaza

PHYSICAL CHARACTERISTICS: A portion of the subject site is currently undeveloped and generally slopes to the south.

ANALYSIS:
- The overall subject area comprises approximately 2.29 acres of land, is currently zoned O-1 Limited Office and consists of an existing 14,880 square foot building, which is currently being used as a showroom, corporate office and distribution center for Jet Brite Services.
- The Village Board of Trustees approved the original request for a Special Use Permit for a Planned Development with Variances, Final Development Plan and Final Plat of Subdivision for the subject site in May 2016.
- Currently, vehicular access to the site is available via multiple access drives from Kildeer Drive to the north.
FINAL DEVELOPMENT PLAN:

- Per the attached site plan, the applicant is proposing to construct an approximately 16,185 square foot addition along the west side of the property.
- The proposed development includes an extension of the existing operation, which currently consists of an approximate 1,090 square foot showroom, a 2,445 square foot office and an 11,345 square foot warehouse as part of the distribution center. The proposed addition would provide an additional 3,000 square feet of office and 13,185 square feet of warehouse.
- Per the Zoning Ordinance, the minimum number of required parking stalls for the proposed office building would be 22. The applicant is requesting a reduction to 17 parking stalls seeing as the nature of the business would lend itself to a lot of overlap between the office, showroom and warehouse functions of the building. (See Variance #3)
- Based on the orientation of the building, wall signage would be permitted on the north and west walls and a monument sign not to exceed 10 feet in height and 50 square feet in sign area would be permitted in the front or corner side yard along Kildeer Drive.
- All required landscaping, including a berm and irrigation system along Kildeer Drive would be installed per the Zoning Ordinance requirements.
- Detention would be provided via an offsite pond, which would be owned and maintained by the applicant.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES:

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

1. **A variance to reduce the front yard setback.**
   - Per the O-1 Zoning Ordinance, a minimum building setback of 1.5 times the building height would be required along the north wall of the propose building facing Kildeer Drive.
   - Per the attached plan, the applicant is requesting to reduce the setback to approximately 30 feet for the building.
   - Staff supports the variance as requested, subject to the required landscape material being provided per the approved Landscape Plan and the proper precautions are taken in order to satisfy the Building Code.

2. **A variance to reduce the rear yard setback.**
   - Per the Zoning Ordinance, a minimum building setback of 20 feet would be required along the rear (south) property line.
   - Per the applicant, due to the nature of the building and constraints of the site, they are requesting to reduce the rear yard setback to 10 feet for the building.
   - Staff supports the variance as requested, subject to the required landscape material being provided per the approved Landscape Plan and the proper precautions are taken in order to satisfy the Building Code.

3. **A variance to reduce the required number of parking stalls.**
   - Per the Zoning Ordinance, a minimum of 22 parking spaces would be required onsite for the proposed use and the applicant is requesting to reduce the required number of parking spaces to 17.
   - Staff supports the variance as requested, due the nature of the business lending itself to a lot of overlap between the office, showroom and warehouse functions of the building.

4. **Variance to reduce the required foundation landscape material along the north and west building walls.**
   - Per the Zoning Ordinance, a foundation planting area that is 10 feet in depth must be provided across half of the north and west building walls.
- Per the applicant, in order to maximize the number of parking stalls provided, they are requesting to reduce the width of the required foundation planting bed to 5 feet.
- Staff supports the variance as requested subject to all the landscape material being installed per the attached Landscape Plan.

**RECOMMENDATION:**
Staff recommends approval of a Special Use Permit for a Planned Development with the following:

1. A variance to reduce the front yard setback to 30 feet for the building, subject to the installation of the all required plant material and irrigation system being installed per the approved Landscape Plan.
2. A variance to reduce the rear yard setback to 10 feet for the building, subject to the installation of the all required plant material being installed per the approved Landscape Plan.
3. A variance to reduce the required number of parking spaces to 17 for the building expansion at 590 Kildeer Drive.
4. A variance to reduce the width of the foundation planting bed to five feet along the west wall, subject to all the landscape material being installed per the approved Landscape Plan.

Staff recommends approval of a Final Development Plan, subject to:

1. All comments from the memo dated February 15, 2019 being addressed.
2. The review and approval from the Director of Public Services and Development.
LOCATION MAP

PROJECT NO.: 427.18
PROJECT NAME: Jet Brite Services (Expansion)
RECOMMENDATION OF THE BOLINGBROOK PLAN COMMISSION REGARDING A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN FOR JET BRITE SERVICES AT 590 KILDEER DRIVE

Meeting Date: February 20, 2019  Project No. 427.18

Having duly noticed and held a public hearing on February 20, 2019, with respect to approval of the application by Dave Delesandro, JB Development, Inc. for a SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT to allow for the construction of an addition to Jet Brite Services located at 590 Kildeer Drive, Bolingbrook, Illinois, the Plan Commission finds that the proposed Planned Development MEETS the following standards set forth in the Zoning Ordinance:

1. The proposed plan is consistent with the stated purposes of the Planned Development regulations in the following respects:
   a) Environmental design in the development of land that is of a higher quality than is normally possible through the strict application of general zoning ordinance requirements; and
   b) Diversification in the uses permitted and variation in the relationship of uses, structures, open spaces and heights of structures in developments conceived as cohesive unified projects; and
   c) Provision for functional and beneficial use of open space; and
   d) Preservation of natural features of a development site; and
   e) Rational and economic development in relation to public services.

2. The proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, the density, dimension, area, bulk, use to the extent that variances and such departures are in the public interest because:
   a) The particular requirements of this Ordinance would prevent the proposed use or construction; and
   b) The characteristics of the subject property prevent compliance with said requirements of this Ordinance; and
   c) The reduction of the minimum requirements of the Ordinance is necessary to permit the proposed use or construction.

3. The proposed plan MEETS the requirements and standards of the Planned Development regulations, as follows:
   a) The proposed development will not injure or damage the use, value and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the Comprehensive Land Use Plan of the Village; and
   b) The proposed buildings or use will not have a substantial adverse economic effect upon existing businesses in the vicinity and will not have an adverse impact upon the tax bases of units of local government and school districts; and
c) The entire tract or parcel of land to be occupied by the proposed development will be held in a single ownership, or if there are two or more owners, the application for such proposed development shall be filed jointly by all such owners; and

d) The Development Plan will contain such proposed covenants, easements, and other provisions relating to the bulk and location of buildings, uses and structures and public facilities as are necessary or desirable for the welfare of Planned Development and are not inconsistent with the best interest of the Village; and

e) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities will be compatible with the surrounding land uses, and any part of a proposed development not used for structures, parking and loading areas, or access ways, shall be landscaped or otherwise improved.

4. The physical design of the proposed Planned Development and the manner in which said design does make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated planned open space and schools, and further the amenities of light and air, recreation and visual enjoyment.

5. The proposed Planned Development is compatible with the adjacent properties and neighborhood.

6. The proposed Planned Development is desirable to physical development and economic well-being of the entire community.

7. The proposed Planned Development is in conformance with the recommendations of the Comprehensive Plan.

The Plan Commission therefore recommends that a Special Use Permit for a Planned Development with Variances and Final Development Plan be APPROVED.

The Plan Commission recommends the following conditions be placed on approval of the Planned Development:

1) Staff's comments from the memo dated February 15, 2019, shall be addressed.
2) The Final Development Plan is subject to the review and approval from the Director of Public Services and Development.

Approved by the Plan Commission February 20, 2019.

Ayes: 5
Nays: 0
Absent: 3
ORDINANCE NO. 19-

ORDINANCE APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN (JET BRITE SERVICES) – 590 KILDEER DRIVE

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, a petition for approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan has been filed by David Dalesandro, JB Development, Inc. (hereinafter referred to as the “Applicant”), in order to allow for the construction a building addition to the existing office and distribution center for Jet Brite Services, located at 590 Kildeer Drive (hereinafter referred to as the “Subject Property”); and

WHEREAS, said petition was referred to the Bolingbrook Plan Commission, which duly called, noticed and held a public hearing and recommended approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan for the Subject Property as set forth hereinafter; and

WHEREAS, the Mayor and Board of Trustees believe it to be in the best interests of the residents of the Village to approve such a Special Use Permit for a Planned Development with Variances and Final Development Plan;

-1-

Ordinance No. 19-
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE
VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS
HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The Mayor and Board of Trustees find as facts the recitals hereinabove set
forth.

SECTION TWO: A Special Use Permit for a Planned Development in an O-1 Limited Office
District, in order to allow for the construction of a building addition to the existing office and
distribution center for Jet Brite Services with variances on the Subject Property, shall be and is
hereby approved, subject to the following:

A. The following variances are hereby granted for the Subject Property, as shown on the
Final Development Plan approved herewith, provided that the Subject Property is
developed in substantial compliance with said Plan:

1. A variance to reduce the front yard setback to 30 feet for the building, subject to
the installation and maintenance of the required plant material and irrigation
system per the approved Landscape Plan.
2. A variance to reduce the rear yard setback to 10 feet for the building, subject to
the installation and maintenance of the required plant material per the approved
Landscape Plan.
3. A variance to reduce the required number of parking spaces to 17 for the building
expansion at 590 Kildeer Drive.
4. A variance to reduce the width of the foundation planting bed to five feet along
the west wall, subject to the landscape material being installed and maintained
per the approved Landscape Plan.

B. Failure of the Applicant to conform to the requirements of the special use granted hereby,
including the Final Development Plan, shall render the special use null and void and of no
further force and effect.

SECTION THREE: The Final Development Plan, attached hereto as Exhibit 1, shall be and
is hereby approved subject to:

1. All Staff’s comments from the memo dated February 15, 2019, being addressed.

Ordinance No. 19-
2. The review and approval of the Final Development Plan from the Director of Public Services and Development.

SECTION FOUR: The Plan Commission findings with respect to the Planned Development for the Subject Property in their report of February 20, 2019, attached hereto, are hereby adopted.

SECTION FIVE: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019.

___________________________________________
MAYOR

ATTEST:

___________________________________________
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2019.

JM\832473\2/21/19

-3-
VILLAGE OF BOLINGBROOK PLANNING COMMISSION
STAFF REPORT FROM MATT EASTMAN
PLANNING & ZONING ADMINISTRATOR

PROJECT NO.: 401.19
DATE: February 20, 2019

GENERAL INFORMATION:
APPLICANT: Glen Martino, CG’s Comedy Club LLC

REQUESTED ACTION:
Approval of a Special Use Permit for an Eating/Drinking Establishment with Live Entertainment and Extended Hours of Operation

PURPOSE:
To allow a comedy club with extended hours of operation.

LOCATION: 619 E. Boughton Road, Suite 125

SIZE OF PARCEL: 32.67 acres
SIZE OF TENANT SPACE: 2,381 square feet

ADJACENT ZONING & LAND USE:
North: B-2 Community Retail/West Suburban Bank
South: B-2 Community Retail/Bass Pro Shops
East: B-2 Community Retail/Macy’s
West: B-2 Community Retail/Public Storage

ANALYSIS:
- The subject site comprises approximately 32.67 acres, is currently zoned B-2 Community Retail and is part of a unified development commonly known as The Promenade Bolingbrook.
- There is adequate parking for the proposed use.
- Per the Zoning Ordinance, an eating/drinking establishment with live entertainment and hours beyond 10 p.m. is not a permitted use within the B-2 Zoning District. As such, the applicant is requesting a Special Use Permit to allow CG’s Comedy Club to occupy the tenant space located at 619 E. Boughton Road, Suite 125.
- Per the applicant, the comedy club would bring in the best local and national touring comedians, while offering four shows each weekend with a full-service bar.
- Per the applicant, the hours of operation would be Friday 7 p.m. to 12 a.m. and 6 p.m. to 12 a.m. on Saturday, with the potential to host open-mic on Wednesday and Thursday from 7 p.m. to 11 p.m. and staffed with six employees.

RECOMMENDATION:
Staff recommends approval of a Special Use Permit for a comedy club with extended hours of operation located at 619 E. Boughton Road, Suite 125.
EXHIBIT A1
SITE PLAN

THIS EXHIBIT IS DIAGRAMMATIC ONLY AND IS INTENDED ONLY TO SHOW A GENERAL DEPICTION OF THE DEVELOPMENT. FURTHER, REFERENCES TO TENANTS OR OCCUPANTS' NAMES ON THIS EXHIBIT SHALL IN NO MANNER CONSTITUTE ANY KIND OF REPRESENTATION AS TO PRESENT OR FUTURE OCCUPANCY OF SPACES AT THE DEVELOPMENT BY SUCH TENANTS OR OCCUPANTS. THIS EXHIBIT IS NOT A REPRESENTATION OR WARRANTY THAT THE DEVELOPMENT IS AS DEPICTED OR THAT IT WILL REMAIN AS DEPICTED, NOR AS TO ANY FUTURE OCCUPANCY OF SPACES AT THE DEVELOPMENT.
EXHIBIT A-2

LOCATION OF PREMISES

THIS EXHIBIT IS DIAGRAMMATIC ONLY AND IS INTENDED ONLY TO SHOW THE GENERAL LOCATION OF THE
PREMISES, AND NOT THE EXACT LEASING LINES OF THE PREMISES. FURTHER, REFERENCES TO TENANTS OR
OCCUPANTS' NAMES ON THIS EXHIBIT SHALL IN NO MANNER CONSTITUTE ANY KIND OF REPRESENTATION
AS TO PRESENT OR FUTURE OCCUPANCY OF SPACES AT THE DEVELOPMENT BY SUCH TENANTS OR
OCCUPANTS. THIS EXHIBIT IS NOT A REPRESENTATION OR WARRANTY THAT THE DEVELOPMENT IS AS
DEPICTED OR THAT IT WILL REMAIN AS DEPICTED, NOR AS TO ANY FUTURE OCCUPANCY OF SPACES AT
THE DEVELOPMENT.
CG’s Comedy Club

Hours of Operation:

- Core hours:
  - Friday 7pm – 12am
  - Saturday 6pm – 12am
- Possible additional hours:
  - Wednesday 7pm – 11pm
  - Thursday 7pm – 11pm

Employees: 6, not including comedians

CG’s Comedy Club will be bringing the best local and national touring comedians to its location in Bolingbrook at the Promenade Mall. With the owner’s extensive experience in the comedy business as being a comedian and booker, CG’s Comedy Club will bring a touch of class, style and entertainment back to stand up comedy. CG’s will be bringing 4 shows every weekend (2 shows on Friday and 2 shows on Saturday) with a full-service bar. On Thursdays, we will be hosting open-mic nights so comedy newcomers and seasoned veterans alike can try out new material.
[Addendum to staff report]
RECOMMENDATION OF THE BOLINGBROOK PLAN COMMISSION REGARDING A SPECIAL USE PERMIT FOR AN EATING/DRINKING ESTABLISHMENT WITH LIVE ENTERTAINMENT AND EXTENDED HOURS OF OPERATION FOR CG’S COMEDY CLUB AT 619 E. BOUGHTON ROAD, SUITE 125

Meeting Date: February 20, 2019

Having duly noticed and held a public hearing on February 20, 2019, with respect to approval of the application by Glen Martino, CG’s Comedy Club LLC, for a SPECIAL USE PERMIT for an EATING/DRINKING ESTABLISHMENT WITH LIVE ENTERTAINMENT AND EXTENDED HOURS OF OPERATION, at 619 E. Boughton Road, Suite 125, Bolingbrook, Illinois, the Plan Commission finds that the proposed special use MEETS the following standards set forth in the Zoning Ordinance:

(A) The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community; and

(B) The proposed use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and

(C) The proposed use will not have a substantial adverse economic effect upon existing businesses in the vicinity and will not have an adverse impact upon the tax bases of units of local government and school districts; and

(D) The proposed use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations; and

(E) The proposed use does not meet other standards and criteria that are established by the Zoning Ordinance for particular special uses as set forth in Section 8-104 and as applied to planned developments under Article 9 thereof.

The Plan Commission therefore recommends that the Special Use Permit for an Eating/Drinking Establishment with Live Entertainment and Extended Hours of Operation be APPROVED.

Approved by the Plan Commission February 20, 2019.

Ayes: 5
Nays: 0
Absent: 3
ORDINANCE NO. 19-

ORDINANCE APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT FOR A EATING/DRINKING ESTABLISHMENT WITH LIVE ENTERTAINMENT AND EXTENDED HOURS OF OPERATION (CG’S COMEDY CLUB) – 619 E. BOUGHTON ROAD, SUITE 125

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, a petition for approval of a Special Use Permit has been filed by Glen Martinc, (hereinafter referred to as the “Applicant”), in order to allow an eating/drinking establishment with live entertainment and extended hours of operation located at 619 E. Boughton Road, Suite 125 (hereinafter referred to as the “Subject Property”); and

WHEREAS, said petition was referred to the Bolingbrook Plan Commission, which duly called, noticed and held a public hearing and recommended approval of a Special Use Permit to allow an eating/drinking establishment with live entertainment and extended hours of operation (CG’s Comedy Club LLC) for the Subject Property as set forth hereinafter; and

WHEREAS, the Mayor and Board of Trustees believe it to be in the best interest of the residents of the Village to approve such a Special Use Permit;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The Mayor and Board of Trustees find as facts the recitals hereinabove set forth.

SECTION TWO: A Special Use Permit in a B-2 Community Retail District to allow an eating/drinking establishment with live entertainment and extended hours of operation on Friday from 7:00 p.m. to 12:00 a.m. and on Saturday from 6:00 p.m. to 12:00 a.m., with the potential to host open-mic on Wednesday and Thursday from 7:00 p.m. to 11:00 p.m., shall be and is hereby approved.

SECTION THREE: The Plan Commission findings with respect to the Planned Development for the Subject Property in their report of February 20, 2019, attached hereto, are hereby adopted and incorporated herein by reference. Failure to comply with the terms and conditions of this Ordinance shall render the special use null, void and of no further force or effect.

-1-

Ordinance No. 19-
SECTION FOUR: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019.

____________________________________
MAYOR

ATTEST:

____________________________________
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2019.

JM\832396\2/20/19
VILLAGE OF BOLINGBROOK
PLANNING COMMISSION STAFF REPORT
FROM MATT EASTMAN
PLANNING & ZONING ADMINISTRATOR

PROJECT NO.: 402.19
DATE: February 20, 2019

GENERAL INFORMATION:
APPLICANT: Adan Barrios
OWNER: Baldomero Barrios
REQUESTED ACTION: Special Use Permit for Extended Hours of Operation
PURPOSE: To allow a restaurant with hours beyond 10:00 p.m.
LOCATION: 235 S. Bolingbrook Drive

SIZE OF PROPERTY: 0.66 acres
SIZE OF RESTAURANT: 3,814 square feet
CURRENT ZONING/LAND USE: B-2 Community Retail / Vacant Restaurant

ADJACENT ZONING & LAND USE:
North: B-2 Community Retail / Pheasant Hill North Shopping Center
South: B-2 Community Retail / Pheasant Hill South Shopping Center
East: R-5 Single Family Residential / Beaconridge Subdivision
West: B-2 Community Retail / Pheasant Hill North Shopping Center

ANALYSIS:
- The subject site comprises approximately 0.66 acres, is currently zoned B-2 Community Retail and was formerly occupied by Bucio’s restaurant.
- Per the Village’s Zoning Ordinance, hours of operation beyond 10:00 p.m. require a Special Use Permit within the B-2 Community Retail Zoning District.
- Per the attached site plan, the applicant is proposing to construct an approximately 954 square foot addition to the existing 2,860 square foot sit-down restaurant offering high-quality Mexican seafood, which would be commonly known as Perla Negra Mariscos, with hours of operation of 10 a.m. to 11 p.m. seven days a week.
- Per the applicant, they would employ 30 employees depending on volume.
- Staff finds that the requested hours of operation would be consistent with a few other restaurants within the neighboring area.

RECOMMENDATION:
Staff recommends approval of a Special Use Permit for Perla Negra Mariscos, located at 235 S. Bolingbrook Drive, to remain open to 11:00 p.m. seven days a week.
[Addendum to staff report]
RECOMMENDATION OF THE BOLINGBROOK PLAN COMMISSION REGARDING A SPECIAL USE PERMIT FOR EXTENDED HOURS OF OPERATION AT 235 S. BOLINGBROOK DRIVE

Meeting Date: February 20, 2019

Having duly noticed and held a public hearing on February 20, 2019, with respect to approval of the application by Adan Barrios, Perla Negra Mariscos, for a SPECIAL USE PERMIT for EXTENDED HOURS OF OPERATION, to allow a sit down restaurant and bar at 235 S. Bolingbrook Drive, Bolingbrook, Illinois, the Plan Commission finds that the proposed special use MEETS the following standards set forth in the Zoning Ordinance:

(A) The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community; and

(B) The proposed use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and

(C) The proposed use will not have a substantial adverse economic effect upon existing businesses in the vicinity and will not have an adverse impact upon the tax bases of units of local government and school districts; and

(D) The proposed use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations; and

(E) The proposed use does not meet other standards and criteria that are established by the Zoning Ordinance for particular special uses as set forth in Section 8-104 and as applied to planned developments under Article 9 thereof.

The Plan Commission therefore recommends that the Special Use Permit for Extended Hours of Operation be APPROVED.

Approved by the Plan Commission February 20, 2019.

Ayes: 5
Nays: 0
Absent: 3
ORDINANCE NO. 19-

ORDINANCE APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT FOR A RESTAURANT WITH EXTENDED HOURS OF OPERATION (PERLA NEGRA MARISCOS) – 235 S. BOLINGBROOK DRIVE

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, a petition for approval of a Special Use Permit has been filed by Adan Barrios, (hereinafter referred to as the “Applicant”), in order to allow a restaurant with extended hours located at 235 S. Bolingbrook Drive (hereinafter referred to as the “Subject Property”); and

WHEREAS, said petition was referred to the Bolingbrook Plan Commission, which duly called, noticed and held a public hearing and recommended approval of a Special Use Permit to allow a restaurant with extended hours (Perla Negra Mariscos) for the Subject Property as set forth hereinafter; and

WHEREAS, the Mayor and Board of Trustees believe it to be in the best interest of the residents of the Village to approve such a Special Use Permit;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The Mayor and Board of Trustees find as facts the recitals hereinabove set forth.

SECTION TWO: A Special Use Permit in a B-2 Community Retail District to allow a restaurant with extended hours of operation until 10:00 a.m. to 11:00 p.m. seven days a week, shall be and is hereby approved.

SECTION THREE: The Plan Commission findings with respect to the Planned Development for the Subject Property in their report of February 20, 2019, attached hereto, are hereby adopted and incorporated herein by reference. Failure to comply with the terms and conditions of this Ordinance shall render the special use null, void and of no further force or effect.
SECTION FOUR  This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019.

_________________________________________
MAYOR

ATTEST:

_________________________________________
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2019.

JM\832285\2/20/19

-2-
ORDINANCE NO. 19-

ORDINANCE AMENDING ARTICLE 13 OF CHAPTER 17 OF THE MUNICIPAL CODE REGARDING GOLF CART OPERATION

WHEREAS, the Illinois Motor Vehicle Code (625 ILCS 5/11-1426.1) permits the operation of “non-highway vehicles” on municipal streets if said operation is approved by the municipality; and

WHEREAS, under the Motor Vehicle Code, golf carts are included within the definition of “non-highway vehicles”; and

WHEREAS, the Mayor and Board of Trustees believe, and hereby declare, that the operation of golf carts in certain subdivisions would not jeopardize the public safety;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: A new Section 17-1302 is hereby added to Article 13 of Chapter 17 of the Bolingbrook Municipal Code, which Section shall be and read as follows:

SECTION 17-1302. Golf Cart Operation

It shall be unlawful for any person to operate a golf cart on any public roadway or street within the Village except on the following streets within the designated subdivisions:

(A) Liberty Green Subdivision

- Liberty Drive
- Samantha Joy Lane
- Samantha Joy Court
- Trevor Drive
- Patricia Drive
- Bernice Drive

(B) Patriot Place Subdivision

- Francis Scott Key Boulevard
- John Paul Jones Lane
- John Hancock Drive

Ordinance No. 19-
• Patrick Henry Drive
• Betsy Ross Place

(C) Americana Estates Subdivision

• Harrison Lane
• Clinton Court
• Washington Street
• Jefferson Drive
• Kennedy Court
• Eisenhower Lane
• Bush Boulevard
• Lincoln Avenue

SECTION THREE: The Director of Public Works is authorized to post signage at his/her discretion with respect to the limited operation of golf carts on Village streets, as per this Ordinance.

SECTION FOUR: Those provisions of the Municipal Code which are not expressly amended herein are hereby ratified and affirmed and shall remain in full force and effect.

SECTION FIVE: All ordinances and resolutions or parts thereof that conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby expressly repealed.

SECTION SIX: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of February, 2019.
AYES:
NAYS:
ABSENT:
APPROVED THIS 26th day of February, 2019.

ATTEST: 
MAYOR

VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2019.
JM\828495\2/12/19

-2-
ORDINANCE NO. 19-

ORDINANCE APPROVING PLAT OF DETACHMENT (I-55 AND VETERANS PARKWAY)

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Village, as authorized pursuant to section 7-1-8 of the Illinois Municipal Code, annexed certain ComEd property into the boundaries of the Village by Ordinance 16-019 and thereafter, pursuant to section 7-1-13 of the Illinois Municipal Code, annexed certain additional contiguous property into the boundaries of the Village by Ordinance 16-047; and

WHEREAS, notwithstanding the Village’s clear authority to annex the above referenced property and notwithstanding that the Village complied will all laws and requirements for annexation of the above property, the Appellate Court of Illinois, Third District, issued an opinion (Judge Holdridge dissenting) on May 18, 2018 finding that the annexations were a nullity and reversing the decision of the Circuit Court of Will County, which had previously upheld the annexations; and

WHEREAS, the Illinois Municipal Code provides that upon judicial determination that an annexation is invalid, the municipality is required to prepare and record a plat with the county recorder detaching and disconnecting the property that was judicially determined to have been invalidly annexed; and

WHEREAS, though the Mayor and Board of Trustees disagree with the reasoning of the opinion of the Appellate Court of Illinois, Third District, they hereby declare that it is necessary to approve the Plat of Detachment, which is attached hereto and made a part hereof, in order to be in compliance with the directives of the courts of this state and with the requirements of the Illinois Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section as if said recitals were fully set forth herein.
SECTION TWO: The Plat of Detachment, which is attached hereto and made a part hereof as Exhibit A, shall be and is hereby approved, and the Village Clerk shall be and is hereby authorized and directed to record said Plat with the Recorder of Deeds of Will County.

SECTION THREE: The Village Clerk is hereby authorized and directed to notify the Will County Clerk of the Plat of Detachment and the recording of same.

SECTION FOUR: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

PASSED THIS 26th day of February, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 26th day of February, 2019.

________________________________________
MAYOR

ATTEST:

________________________________________
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2019.

JM\827269\2/7/19