

**A REGULAR MEETING OF THE PLAN COMMISSION  
OF THE VILLAGE OF BOLINGBROOK  
May 20, 2015**

**CALL TO ORDER**

Chairman Fletcher called the meeting to order at 8:01 p.m., Wednesday, May 20, 2015.

**ROLL CALL**

Present: Commissioners Terri Bethune, Talat Rashid, Lon Schank, J.D. Rhoades, Mary Alexander-Basta, Calvin Wright, Vice Chair Seymoure Pritikin, Chairman Fletcher

Absent: Commissioner Rick Campos

Staff: Planning & Zoning Administrator, Nicole Knapp; Village Engineer, Tom Pawlowicz

Press: Sarah Marchmont, Tribune

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**APPROVAL OF MINUTES**

Motion Rhoades, second Vice Chair Pritikin to approve Minutes of the April 15, 2015, meeting of the Plan Commission.

Voice Vote: Unanimous

Motion carried.

**PUBLIC HEARING**

**SPECIAL USE PERMIT FOR OUTDOOR DINING. BULLDOG ALE HOUSE, 157 S. WEBER ROAD. APPLICANT: WALTER HAINSFURTHER, DESIGN TEAM, LLC. PROJECT NO.: 402.15**

Motion Rashid, second Rhoades to open the public hearing.

AYES: Commissioners Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing opened at 8:04 p.m.

Planning and Zoning Administrator, Nicole Knapp, presented the request. The applicant Bulldog Ale House, is requesting a Special Use Permit for Outdoor Dining at 157 S. Weber Road. Per the Zoning Ordinance, outdoor dining requires a Special Use Permit and as such, the applicant is requesting this in order to construct an approximate 1,750 square foot outdoor dining area along the north wall of the building within an existing green space area. The restaurant is open 11:00 a.m. to midnight Sunday through Thursday and 11:00 a.m. to 2:00 a.m. on Friday and Saturday. The outdoor dining area would consist of approximately 23 tables and 72 seats to be used weather permitting, and the hours of operation would coincide with the indoor restaurant. As a safety concern to the customers using the outdoor seating area, the applicant is proposing to enclose the seating area with an approximate three foot high decorative fence.

**RECOMMENDATION**

Staff recommends approval of a Special Use Permit for an Outdoor Dining at Bulldog Ale House located at 157 S. Weber Road, subject to:

- 1. Hours of operation should coincide with the hours for the indoor restaurant.
- 2. Any umbrella features provided in connection with the outdoor dining patio area must be the same color as any awning features on the main building.
- 3. No signage and/or logos will be permitted on any portion of awning and/or umbrella features.

**DISCUSSION**

Chairman Fletcher questioned if there would be any structural items such as steel or concrete pillars in addition to the decorative fence.

Ms. Knapp stated that bollards would be part of the fence structure.

Motion Alexander-Basta, second Wright to close the public hearing.

AYES: Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing closed 8:09 p.m.

Motion Vice Chair Pritikin, second Alexander-Basta to accept the recommendation of Planning Staff.

AYES: Commissioners Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried.

**APPROVAL OF FINDINGS OF FACT**

PC 15.09 Approval of a Special Use Permit for Outdoor Dining and Adoption of Findings of Fact. Project No.: 402.15

Motion Vice Chair Pritikin, second Alexander Basta to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

**SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT TO ALLOW A GARDEN CENTER, GREENHOUSE, NURSERY SALES, INCLUDING APPROVAL OF A CONCEPT PLAN WITH VARIANCES. FIORE NURSERIES,LLC., 801 N. BOLINGBROOK DRIVE. APPLICANT: HELMUT PETER, PRD ASSOCIATES, INC. PROJECT NO.: 409.15**

Motion Rhoades, second Bethune to open the public hearing.

AYES: Commissioners Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing opened at 8:10 p.m.

Planning and Zoning Administrator, Nicole Knapp, presented the request. The applicant is requesting a Special Use Permit for a Planned Commercial Development to allow a garden center, greenhouse, and nursery sales, including approval of a Concept Plan with Variances and Final Plat of Resubdivision in order to allow a nursery and landscape supply company at 801 N. Bolingbrook Drive. The subject area comprises three lots of record totaling 7.25 acres of land and is currently zoned B-2 Community Retail. The applicant is proposing to construct a 1,500 square foot sales office building to be located at the southwest corner of Bolingbrook Drive and St. Andrews Drive extended, along with an adjoining parking lot to contain 20 parking spaces for employees. The majority of the property would be used for the outdoor display and sales of landscape materials, which include both plant material and hardscape materials. Fiore Nursery is a wholesale nursery and landscape supply company that does not grow any of the plant material on site; however, they purchase the material from growers and display it on their site for sale. A single point of access, 24 feet in width, would be provided from Bolingbrook Drive. Adequate detention is provided off site to the west. The existing berm along Bolingbrook Drive was not constructed with a welcoming street scape in mind and as such, the applicant plans to reshape the landscape berm and install landscape material to exceed the code. In 2007 the site was subdivided into three lots of record and commonly known as Links Industrial Park. The Plat of Subdivision included provision for the future extension of St. Andrews Drive in a westerly direction through the subject site and ultimately joining into Royce Road located west of Green Road; however, the right-of-way for the roadway extension was never dedicated to the Village. The applicant will dedicate the right-of-way for the future extension of St. Andrews Drive to the Village and has situated their sales office, parking lot and driveway access to accommodate the future roadway extension in the future. Given that there is no specific timetable for the construction of St. Andrews Drive extension, the applicant has requested that they be given the exclusive use of the right-of-way until such time that the roadway extensions is constructed. To develop the property in accordance the applicant is requesting five variances.

A Variance to waive the requirement for permanent landscape material. The applicant is not planning any permanent landscape material within the 10 foot dedicated rear yard setback given all the nursery stock that will be stored on site and the existing landscape material that exists on the opposite side of their west property line. Staff supports the variance as requested.

A Variance to waive the requirement to install an irrigation system. The applicant is proposing not to install said irrigation system as there is an existing berm along the entire frontage area where the irrigation system would be required. Staff supports the variance as requested.

A Variance to waive the requirement to bury all overhead utility lines upon development of a property. Per the Development Code, all overhead utility lines must be buried upon development of a site and the applicant is requesting to waive said requirement. Staff supports the variance due to the fact that the property expands almost 1,000 lineal feet, thereby requiring approximately 10 or more poles to be removed and a burden that is not faced by similar properties in the vicinity of the subject site.

A Variance to waive the requirement to install street lights. Street lights are required to be installed spanning across the entire length of Bolingbrook Drive upon development of the site. The applicant is requesting to waive said requirement. Staff supports the variance, subject to cash in lieu being provided.

A Variance to waive the requirement to install sidewalks. The applicant is requesting to waive the requirement due to the existing topography. Staff supports the variance as requested due to

steep grades that exceed 30% in some cases and fall off as much as eight feet below the curb elevation making it impossible to construct a sidewalk.

### **RECOMMENDATION**

Staff recommends approval of a Special Use Permit for a Planned Commercial Development in order to allow for a 1,500 square foot sales office building associated with a wholesale nursery and landscape supply company commonly known as Fiore Nursery to be located at 801 N. Bolingbrook Drive with the following:

1. A Variance to waive the requirement for permanent landscape material along the west property line.
2. A Variance to waive the requirement to install an irrigation system.
3. A Variance to waive the requirement to bury all overhead utility lines upon development of a property.
4. A Variance to waive the requirement to install street lights, subject to cash in lieu being provided.
5. A Variance to waive the requirement to install sidewalks.

Staff recommends approval of a Concept Plan, subject to:

- a) All Staff comments from the plans submitted April 23, 2015, being addressed.
- b) Final Development Plan approval from the Director of Public Services and Development.

Staff recommends approval of a Final Plat of Resubdivision for the 1st Resubdivision of the Links Industrial Park.

### **DISCUSSION**

Chairman Fletcher questioned if the street lights would eventually be installed and if there would also be cash in lieu for lights on St. Andrews Drive. Vice Chair Pritikin asked how soon after variance approval would Com Ed be required to bury electric lines. Commissioner Rhoades commented that she did not agree with the variance to waive the requirement to bury all overhead utility lines. Commissioner Wright questioned if the onsite lighting would meet all codes. Commissioner Rashid asked if this project would have to come back to the Plan Commission.

Tom Pawlowicz, Village Engineer, stated that Village policy is to eventually light up all arterial roadways with lighting on both sides of the street, but since this was an IDOT road the lighting could not just be installed. He said it is required that long stretches be installed on both sides of the street at the same time. He also said that there would be no cash in lieu for the lights on the future extension of St. Andrews Drive, and clarified that the variance requested is so the lines do not have to be buried. Mr. Pawlowicz explained that the plans submitted were only conceptual, and that at this moment the applicant was not requesting any variances for onsite lighting.

Ms. Knapp, explained that the only reason the applicant would have to come before the board again would be if they required additional variances.

Jim Bradley, Bolingbrook, IL, sworn. Mr. Bradley stated he has leased the property next to this one for over 44 years, and that he believes this property would be acceptable for the use of wholesale, but that the grades and elevations presented were very far off. He said he has the first approved FEMA plan from 1987 of the entire site, and that this area of town always flooded. He said the fill that was installed should not be removed.

Chairman Fletcher asked Mr. Bradley how he thought removing the fill would affect his property.

Mr. Bradley stated that he believed it would be more compensatory storage and it would be more likely to flood. He went on by stating that when he moved to this location in 1971 the flood elevation to build was 646, and that this year in the last flood the elevation was 652.

Carol Froeming, Bolingbrook, IL, sworn. Ms. Froeming stated that the letter she received from the Planning Department was very misleading, and that it did not state this would be a wholesale operation. She said that Route 53 on that part of town was already a danger zone, and that if this business would be approved having more commercial vehicles pulling in and out of that area it would cause more volume of traffic. She asked if once the St. Andrews Drive extension would be completed if a traffic signal would be installed. She said she believes having this business would diminish the value of her home. She also asked if this business would be open all year around and if the commercial vehicles would be allowed to have deliveries at night.

Chairman Fletcher explained that the advantage of this operation is that it would be wholesale rather than retail and there would be fewer cars coming and going. He said that at this time there were absolutely no plans to construct the extension of St. Andrews Drive, and that it could happen years from now, or it may never happen. He went on by stating this was a seasonal operation and that no greenhouses would be built since plants would not be grown onsite.

Ms. Froeming asked why the request was made for "greenhouse and garden center" if they were not building them.

Helmut Peter, Libertyville, IL, sworn. Mr. Peter stated that he was aware of the flood plan and that they understood and recognized this location was in a flood plain, and that he has been working with the Engineering Department regarding this matter and has also retained the services of a Civil Engineer who is familiar with the property and has done studies for FEMA on this site. He said he does not believe there would be any impacts on the existing flood plain and that they would comply with all ordinances.

Mr. Pawlowicz mentioned that new flood maps will be completed late this year.

Mr. Peter said that access to the links subdivision has always been very limited onto Route 53 across from St. Andrews Drive. He said they are proposing a second point of access off of Elmhurst Chicago Stone for truck use only. He stated they would not like trucks entering the property off of Route 53 and that that access would be for regular vehicles. He also explained this would be a seasonal operation and that materials would not be sold during the winter months. Hours of operation would be no earlier than 7:00 a.m. and no later than 6:00 p.m., and they would not be open on Sunday. He stated they would not be constructing greenhouses, he said they would be hoop houses which is a more low profile shelter used to protect plants not grow them. They would have a maximum of three, and they would be located inside the property.

Chairman Fletcher asked if they would be constructed on the north or south section of the property.

Mr. Peter responded that they would be located on the south side and they would be screened with landscape materials and that it would be hard to see them from Route 53.

Motion Vice Chair Pritikin, second Alexander-Basta to close the public hearing.

AYES: Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin,  
Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing closed 8:50 p.m.

Motion Vice Chair Pritikin, second Schank to accept the recommendation of Planning Staff.

AYES: Commissioners Bethune, Rashid, Schank, Wright, Alexander-Basta, Vice Chair  
Pritikin, Chairman Fletcher

NAYS: Commissioner Rhoades

ABSENT: Commissioner Campos

Motion carried.

### **APPROVAL OF FINDINGS OF FACT**

PC 15.10 Approval of a Special Use Permit for a Planned Commercial Development to allow a garden center, greenhouse, nursery sales, Concept Plan with Variances and Adoption of Findings of Fact. Project No.: 409.15

Motion Vice Chair Pritikin, second Alexander Basta to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

### **TEXT AMENDMENT TO THE ZONING ORDINANCE. ARTICLE 5, 6 AND 15 FOR THE PURPOSE OF ADDRESSING DESIGN STANDARDS FOR OFF-STREET PARKING AND THE USE OF PROHIBITED LIGHTING. APPLICANT: PUBLIC SERVICES AND DEVELOPMENT DEPARTMENT. PROJECT NO.: 411.15**

Motion Rashid, second Alexander-Basta to open the public hearing.

AYES: Commissioners Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta,  
Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing opened at 8:51 p.m.

Planning and Zoning Administrator, Nicole Knapp, presented the request. Staff is proposing amendments to the text of Articles 5, 6 and 15 of the Zoning Ordinance for the purpose of addressing design standards for off-street parking and the use of prohibited lighting. Staff is proposing to add language to letter 'A' within the existing list of prohibited signs in order to address prohibited lighting, as well as add letter 'N' in its entirety from Article 5 Section 5-404.

Prohibited signs.

(A) Flashing signs, including but not limited to flickering, blinking, scrolling, laser light source, rotating lights and any illumination that changes intensity, except electronic message boards which show temperature, time, business or public service messages for no less than five second intervals.

(N) The use of neon light or similar linear lighting to accent buildings, windows, or architectural features.

Staff is proposing to revise the definition of sign on Article 15 Section 15-201 Definitions. Any writing (including letter, words or numerals), pictorial representation (including illustrations or

decorations), emblem (including devices, symbols, or trademarks), flag, banner, streamer, pennant, string of lights (including other similar linear lighting), or display calculated to attract the attention of the public or any other figure of similar character which:

- (A) Is a structure or any part thereof, or a portable display, or is attached to, painted on, or in any other manner represented on a building, window or other structure or on the ground, and
- (B) Is used to announce, direct attention to, or advertise

### **RECOMMENDATION**

Staff recommends approval of the proposed amendments to the Zoning Ordinance.

Motion Vice Chair Pritikin, second Bethune to close the public hearing.

AYES: Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing closed 8:54 p.m.

Motion Schank, second Rashid to accept the recommendation of Planning Staff.

AYES: Commissioners Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried.

### **SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT, FINAL DEVELOPMENT PLAN AND FINAL PLAT OF SUBDIVISION. JET BRITE CAR WASH, 549 E. BOUGHTON ROAD. JET BRITE SERVICES OFFICE BUILDING, 590 KILDEER DRIVE. APPLICANT: DAVE DELASANDRO, JET BRITE CAR WASH, INC. PROJECT NO.: 427.14**

Motion Alexander-Basta, second Rashid to open the public hearing continued from April 15, 2015.

AYES: Commissioners Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing opened at 8:55 p.m.

Planning and Zoning Administrator, Nicole Knapp, stated the applicant was requesting a continuance once again due to the traffic issues and the three traffic studies that have been presented by applicant, neighboring properties, and Staff.

Motion Alexander-Basta, second Schank to continue the public hearing to the next regularly scheduled meeting.

AYES: Bethune, Rashid, Schank, Rhoades, Wright, Alexander-Basta, Vice Chair Pritikin, Chairman Fletcher

NAYS: None

ABSENT: Commissioner Campos

Motion carried, public hearing closed 8:56 p.m.

### **NEW BUSINESS**

None

**OLD BUSINESS**

None

**CITIZENS TO BE HEARD**

None

**CHAIR'S REPORT**

Chairman Fletcher wished all graduates luck with continued ventures. He also asked all residents to be watching for school children and to have an enjoyable summer. He also mentioned there would be Memorial Day ceremonies at the three different locations in town, Boardman Cemetery at 9:30 a.m., Hillcrest Cemetery at 10:00 a.m., and Village of Bolingbrook at 11:00 a.m. He added that he thanked all BCT volunteers for their time and dedication.

**COMMISSIONER'S REPORT**

Commissioner Rhoades wanted to congratulate Commissioner Schank for receiving the 2014 Auxiliary Deputy of the year recognition. He is a six year member of the Auxiliary and has proven himself to be reliable in handling difficult assignments. He takes pride in his work and has completed the special training to become a firearms instructor proving what an asset he is to the department.

**PLANNING DEPARTMENT REPORT**

None

**ADJOURNMENT**

Motion Vice Chair Pritikin, second Wright to adjourn.

Voice Vote: Unanimous

Motion carried.

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

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CHAIRMAN

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APPROVED

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SECRETARY