

**A REGULAR MEETING OF THE PLAN COMMISSION
OF THE VILLAGE OF BOLINGBROOK
November 16, 2022**

CALL TO ORDER

Chairman Ali called the meeting to order at 7:00 p.m., Wednesday, November 16, 2022.

ROLL CALL

Present: Commissioners Barrington Tucker, Lon Schank, Inez Flores, Michael Shay, Calvin Wright, Rick Campos, Vice Chair Lawrence Cooper, Chairman Ali

Absent: None

Staff: Planning & Zoning Administrator, Matt Eastman; Village Engineer, Tom Pawlowicz

Press: None

Attendees: Dave Dalesandro, Dan Abdo, Michael Raiz

APPROVAL OF MINUTES

None

PUBLIC HEARING

AMENDMENT TO A SPECIAL USE PERMIT OR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. JET BRITE SERVICES, 590 KILDEER DRIVE. APPLICANT: CLAY SHIPLEY, VEENSTRA & KIMM, INC. PROJECT NO.: 420.22

Motion Wright, second Flores to open the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing opened at 7:00 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting approval of an Amendment to a Special Use Permit for a Planned Development with Variances and Final Development Plan in order to construct a building addition to the existing office and distribution facility for Jet Brite Services at 590 Kildeer Drive. The overall subject area, which includes 580-590 Kildeer Drive, comprises approximately 2.29 acres of land, is currently zoned O-1 Limited Office and consists of an existing 31,065 square foot building, which is currently being used as a showroom, corporate office and distribution center for Jet Brite Services. In 2016, 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 to allow for the construction of an approximate 14,880 square foot office and distribution building, which would serve as the corporate headquarters for Jet Brite Services. In 2019, the Village Board of Trustees approved an Amendment to a Special Use Permit for a Planned Development with Variances and Final Development Plan to allow for the construction of an approximate 16,185 square foot addition to the building. Currently, vehicular access to the site is available via multiple access drives from Kildeer Drive to the north.

The applicant is proposing to construct an approximately 11,044 square foot addition along the south side of the property. The proposed development includes an extension of the existing operation, which currently consists of an approximate 3,000 square foot office / showroom, and

a 28,065 square foot warehouse as part of the distribution center. The proposed addition would provide an additional 11,044 square feet of warehouse. Per the Zoning Ordinance, the minimum number of required parking stalls for the office building, including the proposed expansion, would be 40. The applicant is requesting to maintain the existing 33 parking stalls onsite; thus, reducing the required number of parking stalls by seven, 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. Detention would be provided via an offsite pond, which would be owned and maintained by the applicant.

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

A variance to reduce the required number of parking stalls. Per the Zoning Ordinance, a minimum of 40 parking spaces would be required onsite for the proposed use and the applicant is requesting to reduce the required number of parking spaces to 33. 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.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Planned Development with aforementioned variance.

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

1. All comments from the memo dated October 3, 2022 being addressed.
2. The review and approval from the Co-Administrator for Public Services & Development

DISCUSSION

Followed

Motion Wright, second Vice Chair Cooper to close the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing closed 7:11 p.m.

APPROVAL OF FINDINGS OF FACT

PC 22.18 Approval of an Amendment to a Special Use Permit for a Planned Development with Variances, Final Development Plan, and Adoption of Findings of Fact. Project No.: 420.22

Motion Vice Chair Cooper, second Shay to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

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

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. STARBUCKS, 115 W. BOUGHTON ROAD. APPLICANT: DAN ABDO, GLAIZER DEVELOPMENT, LLC. PROJECT NO.: 421.22

Motion Flores, second Wright to open the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing opened at 7:13 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan in order to allow for the construction of a Starbucks restaurant, with a drive-thru and outdoor dining at 115 W. Boughton Road. The subject site, which is approximately 0.86 acres and zoned B-2 Community Retail, is currently vacant. The applicant is proposing the construction of an approximate 2,218 square foot drive-thru Starbucks restaurant, along with an outdoor dining area, which would be enclosed with a decorative wall or fence for the safety of the customers. Per the applicant, access to the site would be provided via a two-way shared drive off Aspen Drive to the west. The applicant is proposing to provide 17 parking stalls, which is sufficient per code. Public improvements including a public walk within the existing parkway area, along Boughton Road, would remain unaltered as part of any site improvements. Per the applicant, all required landscaping, including an irrigation system, along both Boughton Road and Aspen Drive, would be installed per the Zoning Ordinance requirements; however, due to the site constraints, a berm cannot be achieved along either the front or corner side yard. Adequate detention is being provided via an underground storage vault. Per the applicant, the hours of operation would be from 6:00 a.m. to 11:00 p.m., seven days a week.

To develop the property in accordance, the applicant is requesting the following Special Use Permits and Variances from the Zoning Ordinance:

A Special Use to allow a carry-out restaurant with a drive-thru lane. Per the Zoning Ordinance, carry-out restaurants, as well as a drive-thru window/lane, require a Special Use Permit within the B-2 Zoning District. The applicant is proposing a 2,218 square foot Starbucks restaurant, with a drive-thru lane and pick-up window on the east wall. Per the applicant, the ever-growing need for a drive-thru facility has quickly become the single most important factor in opening a Starbucks. Staff supports the applicant's request, recognizing this to be a significant component of their business.

A Special Use to allow an outdoor dining area. Per the Village's Zoning Ordinance, outdoor seating areas require a Special Use Permit. The applicant is proposing an outdoor seating area located on the south side of the building, which would be separated from the parking lot by a wall or an ornamental fence. The hours of operation for the outdoor dining would coincide with the hours of the inside service. Staff supports the request.

A Special Use to allow extended hours of operation. Per the Zoning Ordinance, no business shall be open to the public between the hours of 10:00 p.m. and 5:00 a.m. The applicant is requesting that the restaurant remain open until 11:00 p.m. seven days a week. Staff supports the applicant's request, recognizing this to be a significant component of their existing business and finding this to be consistent with a few other restaurants in the area.

A Variance to reduce both the side and rear yard setbacks for pavement only. Per the Zoning Ordinance, a minimum setback of 10 feet would be required along both the side (east) and rear (south) property lines. Per the applicant, due to the nature of the building and constraints of the

site, they are requesting to reduce both the side and rear yard setback, for pavement only, in order to provide sufficient circulation along the south and east sides of the building, while maximizing the number of parking stalls provided. The applicant is requesting to reduce the side yard setback to nine feet, and the rear yard setback to one foot. Staff supports the variance as requested, given that, the reduced setback would be for pavement only and all the required landscape material would be installed per the approved Landscape Plan.

A Variance to reduce both the front and corner side yard setbacks for pavement only. Per the Zoning Ordinance, a minimum setback of 30 feet would be required along the entire length of Boughton Road and Aspen Drive. Per the applicant, due to the nature of the building and constraints of the site, they are requesting to reduce both the front and corner side, for pavement only, in order to provide sufficient circulation, while maximizing the number of parking stalls provided. The applicant is requesting to reduce the front yard setback to 19 feet and the corner side yard setback to seven feet. Staff support the variance as requested, given that, the reduced setback would be for pavement only and all the required landscape material would be installed per the approved Landscape Plan.

A Variance to waive the required berm within both the front and corner side yards. Per the Zoning Ordinance, a 2.5 to 3-foot high berm, with an irrigation system and required plant material, is required within both the front and corner side yards along Boughton Road and Aspen Drive, respectively. Per the applicant, due to site constraints, the applicant is requesting to waive the installation of the berm within said yards. Staff supports the variance as requested given that there is no berm being provided in the surrounding area.

A Variance to allow dead-end parking. Per the Zoning Ordinance, drive aisles within a parking lot must allow for constant forward motion, without the need to perform a three-point turn to change direction, and dead-end parking is prohibited. The applicant is proposing a layout that in some instances may not allow for constant forward motion for those customers utilizing the designated parking stalls on the west side of the building. Staff supports the variance as requested, subject to the applicant providing the necessary signage onsite to properly notify customers, while maintaining one-way circulation around the entire site at all times.

A Variance to waive the landscape island adjacent to a drive-thru lane. Per the Zoning Ordinance, a landscaped island that is a minimum three feet in width is required to separate the drive-thru lane from the by-pass lane. The applicant is proposing to eliminate the required landscape island due to the constraints of the site. Staff supports the variance as request, subject to all the required plant material installed per the approved Landscape Plan.

A Variance to remove more than 50% of the trees onsite. Per the Development Code, no more than 50% of the existing trees onsite can be removed. Staff supports the variance as requested, subject to the required number of replacement trees being provided either within the Village parkway or at an offsite location approved by the Village.

A Variance to waive the required public improvements within the right-of-way along Aspen Drive. The applicant is requesting to waive these requirements due to the nature of the proposed development, along with the existing conditions along this stretch of Aspen Drive. Staff supports the variance as requested, as there are no sidewalks or streetlights along Aspen Drive in the surrounding area and the demand does not justify said public improvements.

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. The applicant is requesting that the one existing pole, located at the northwest corner of the property, remain. Staff supports the variance as requested noting there are a large number of overhead utility poles remaining to the west of the proposed development.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Planned Development with the aforementioned Variances.

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

1. All of Staff's comments from the memo dated October 11, 2022, being addressed.
2. The review and approval from the Co-Administrator for Public Services & Development.

DISCUSSION

Followed

Motion Flores, second Vice Chair Cooper to close the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing closed 7:55 p.m.

APPROVAL OF FINDINGS OF FACT

PC 22.19 Approval of a Special Use Permit for a Planned Development with Variances, Final Development Plan and Adoption of Findings of Fact. Project No.: 421.22

Motion Schank, second Flores to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

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

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. CHIPOTLE, 256 S. WEBER ROAD. APPLICANT: DUSTY AUSTIN, WILKUS ARCHITECTS. PROJECT NO.: 426.22

Motion Flores, second Shay to open the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing opened at 7:56 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting approval of a Special Use Permit for a Planned Development with Variances and Final Development Plan in order to allow for the construction of a Chipotle restaurant, with a drive-thru and outdoor dining at 256 S. Weber Road. The subject site, which is approximately 0.77 acres and zoned B-2 Community Retail, is currently vacant. The applicant is proposing the construction of an approximate 2,364 square foot Chipotle restaurant, along with a drive-thru to serve as a pick-up window, which is known as a 'Chipotlane'. Unlike traditional fast-food restaurants, the Chipotlane does not function as a typical drive-thru lane as customers cannot

place an order at a menu board or the pick-up window. This pick-up window is only available to those customers who have placed a prior order via the Chipotle mobile application or via Chipotle's website. The relatively new design has proven to drastically reduce service times, while increasing the efficiency and shorter vehicle queues. In addition, the applicant is proposing an outdoor dining area, which would be enclosed with a decorative fence for the safety of the customers. Per the applicant, access to the site would be provided via a two-way shared drive from the south, which can be accessed off Weber Road, Veterans Parkway and Lily Cache Lane. The applicant is proposing to provide 30 parking stalls, which is sufficient per code. Public improvements including the public sidewalk within the existing parkway area would remain unaltered as part of any site improvements. Per the applicant, all required landscaping, including an irrigation system, along Weber Road, would be installed per the Zoning Ordinance requirements. One monument sign, not to exceed 50 square feet in sign text area and 10 feet in height, would be allowed. Adequate detention is being provided offsite to the south. Per the applicant, the hours of operation would be from 10:45 a.m. to 10:00 p.m., seven days a week.

To develop the property in accordance, the applicant is requesting the following Special Use Permits and Variances from the Zoning Ordinance:

A Special Use to allow a carry-out restaurant with a drive-thru lane. Per the applicant, Chipotle Mexican Grill, due to an increase in demand for a pick-up window, the Chipotlane is now being implemented in various locations nationwide. A fast food restaurant drive-thru lane has three points of delay; placing the order, paying for the order and then receiving the order. The Chipotlane derives its efficiency by eliminating two of the three actions, placing the order and making payment. Lastly, when picking up the order, the customer does not have to wait for the food to be made like they do a traditional fast food restaurant, which helps to reduce the overall time spent in the drive-thru. Staff supports the applicant's request, recognizing this to be a significant component of their business.

A Special Use to allow an outdoor dining area. Per the Village's Zoning Ordinance, outdoor seating areas require a Special Use Permit. The applicant is proposing an outdoor seating area located on the southeast side of the building, which would be separated from the parking lot by an ornamental fence. The hours of operation for the outdoor dining would coincide with the hours of the inside service. Staff supports the request, subject to an ornamental fence being installed, as well as the umbrellas matching the colors used on the building.

A Variance to waive the landscape island adjacent to a drive-thru lane. The applicant is proposing to eliminate the required landscape island due to their own queuing, stacking and order processing requirements, which is integral to the design of the Chipotlane. Staff supports the variance as requested, subject to all the required plant material installed per the approved Landscape Plan.

A Variance to reduce the width of the foundation planting beds. Per the Zoning Ordinance, a foundation planting bed that is a minimum of 10 feet wide and covers 50% of the overall wall, which faces a public right-of-way is required. Staff supports the variance as requested, subject to all the required plant material installed per the approved Landscape Plan.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Planned Development with the aforementioned variances.

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

1. All of Staff's comments from the memo dated October 20, 2022, being addressed.
2. The review and approval from the Co-Administrator for Public Services & Development.

DISCUSSION

Followed

Motion Vice Chair Cooper, second Campos to close the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing closed 8:07 p.m.

APPROVAL OF FINDINGS OF FACT

PC 22.20 Approval of a Special Use Permit for a Planned Development with Variances, Final Development Plan and Adoption of Findings of Fact. Project No.: 426.22

Motion Flores, second Vice Chair Cooper to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

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

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried.

SPECIAL USE PERMIT FOR A COMMERCIAL RECREATION FACILITY. SUNDO MARTIAL ARTS, 1343 LILY CACHE LANE. APPLICANT: MICHAEL RAIZ, SUNDO MA HOLDINGS, INC. PROJECT NO.: 428.22

Motion Schank, second Wright to open the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing opened at 8:09 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting approval of a Special Use Permit for a Commercial Recreation Facility in order to allow a martial arts studio at 1343 Lily Cache Lane. The subject site comprises approximately 1.56 acres, is developed with an approximate 14,160 square foot commercial building and is currently zoned B-2 Community Retail. Access to the subject property is available via a single two-way entrance off Lily Cache Lane to the north as well as Weber Road via a cross-access easement shared with the property developed by Buona Beef to the east. The shopping center has adequate parking for the proposed use. Per the Zoning Ordinance, a Commercial Recreational Facility is not a permitted use within the B-2 Zoning District. As such, the applicant is requesting a Special Use Permit to allow a martial arts studio, commonly known as Sundo Martial Arts, at 1343 Lily Cache Lane. Per the applicant, Sundo Martial Arts is a service based business offering family based traditional martial arts training generally to children from the ages of four through 18, with a smaller offering to young adults and even seniors. While there are some instances of light contact, the majority of training in the traditional instruction of Taekwondo is non-contact. The hours of operation would be Monday through Friday 4:00 p.m. to 9:00 p.m. for private and semi-private lessons, from 10:00 a.m. to 3:00 p.m. on Saturday for testing and special instruction sessions and closed on Sunday. Per the applicant, there would be three managers and three to four employee instructors.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Commercial Recreation Facility, commonly known as Sundo Martial Arts, to be located at 1343 Lily Cache Lane.

DISCUSSION

Followed

Motion Flores, second Shay to close the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing closed 8:15 p.m.

APPROVAL OF FINDINGS OF FACT

PC 22.21 Approval of a Special Use Permit for a Commercial Recreation Facility and Adoption of Findings of Fact. Project No.: 428.22

Motion Schank, second Flores to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

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

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT. FAMILY REFLEXOLOGY, 1709 W. BOUGHTON ROAD. APPLICANT: STEVEN SPIECKER. PROJECT NO.: 429.22

Motion Wright, second Flores to open the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing opened at 8:16 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting approval of a Special Use Permit for a Planned Development to allow a reflexology and spa establishment. The subject site comprises approximately 1.62 acres, currently developed with a 9,851 square foot multi-tenant commercial building and is zoned B-2 Community Retail. Access to the subject property is provided via a two-way entrance off Boughton Road, as well as two points of cross access with CVS to the west. The shopping center has adequate parking for the proposed use. Per the Zoning Ordinance, a reflexology and spa establishment is not a permitted use within the B-2 Zoning District. As such, the applicant is requesting a Special Use Permit to allow a reflexology and spa establishment, commonly known as Family Reflexology, at 1709 W. Boughton Road. Per the applicant, the spa would focus on reflexology, as well as Swedish, Shiatsu, deep tissue, and hot stone massage. Per the applicant, the hours of operation would be Monday through Sunday 10:00 a.m. to 9:00 p.m. with two to three employees.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for Family Reflexology to operate a reflexology and spa establishment at 1709 W. Boughton Road.

DISCUSSION

None

Motion Wright, second Flores to close the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried, public hearing closed 8:19 p.m.

APPROVAL OF FINDINGS OF FACT

PC 22.22 Approval of a Special Use Permit for a Planned Development and Adoption of Findings of Fact. Project No.: 429.22

Motion Schank, second Campos to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

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

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Campos, Vice Chair Cooper, Chair Ali

NAYS: None

ABSENT: None

Motion carried.

NEW BUSINESS

None

OLD BUSINESS

None

CITIZENS TO BE HEARD

None

CHAIR'S REPORT

Chair Ali wished everyone a Happy and Safe Thanksgiving. He added that he hopes everyone enjoys their Holidays and wishes them the best. He went on to mention that Popeye's a local business started a new blackened chicken sandwich and wanted everyone to support the business and give it a try. He went on to congratulate Mr. Eastman on his 16 years of service with the Village of Bolingbrook.

COMMISSIONER'S REPORT

Commissioner Wright asked everyone to shop locally.

PLANNING DEPARTMENT REPORT

Mr. Eastman wished everyone a Happy Thanksgiving. He said he appreciated the Plan Commission Members for their time, dedication and good discussions. He hoped everyone had a good Holiday now that things were back to normal.

ADJOURNMENT

Motion Wright, second Flores to adjourn.

Voice Vote: Unanimous
Motion carried.

Chairman Ali adjourned the meeting at 8:21 p.m.

CHAIRMAN

APPROVED

SECRETARY