

**A REGULAR MEETING OF THE PLAN COMMISSION
OF THE VILLAGE OF BOLINGBROOK
December 16, 2015**

CALL TO ORDER

Chairman Fletcher called the meeting to order at 8:00 p.m., Wednesday, December 16, 2015.

ROLL CALL

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

Absent: Commissioner Lon Schank

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

Press: None

APPROVAL OF MINUTES

Motion Vice Chair Pritikin, second Rhoades to approve Minutes of the October 21, 2015 and November 18, 2015 meetings of the Plan Commission.

Voice Vote: Unanimous
Motion carried.

PUBLIC HEARING

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 BUILDNG, 590 KILDEER DRIVE. APPLICANT: DAVE DALESANDRO, JET BRITE CAR WASH, INC. PROJECT NO.: 427.14

Motion Rhoades, second Vice Chair Pritikin to open meeting that was continued from the November 18, 2015 public hearing.

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

NAYS:

ABSENT: Commissioner Schank

Motion carried, public hearing opened at 8:01 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. Mr. Eastman stated that the applicant, Dave Dalesandro is once again requesting that the project be continued to the January 20, 2016 Plan Commission meeting.

Motion Rashid, second Bethune to continue the public hearing to January 20, 2016.

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

NAYS:

ABSENT: Commissioner Schank

Motion carried, public hearing continued 8:01 p.m.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. GAIN CLEAN FUEL CNG STATION, 550 STEVENSON DRIVE. APPLICANT: MARIE VENNE, ENDPOINT SOLUTIONS CORPORATION. PROJECT NO.: 426.15

Motion Rhoades, second Bethune to open the public hearing.

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

NAYS:

ABSENT: Commissioner Schank

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

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant Endpoint Solutions Corporation 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 compressed natural gas fueling station with associated variances at 550 Stevenson Drive. The subject site currently consists of an asphalt parking lot covering most of the property except for the required setback areas. The property is surrounded by either a six-foot-high chain link or an eight-foot-high aluminum fence, both of which contain an electric charged current. There are also existing wetlands in both the northeast and southwest corners of the overall site that would not be altered as a result of the proposed construction. The overall property comprises approximately 8.74 acres, is currently zoned B-2 Community Retail and is developed with a 3,864 square foot maintenance building and associated parking for Dart Transit Company. The applicant is proposing to enter into a lease agreement which would allow GAIN Clean Fuel to construct an unmanned compressed natural gas fueling station, which would include three pumps a canopy along with the associated equipment to store and compress the gas on the northeast corner of the overall site, including two new curb cuts off of Stevenson Drive on the east side of the property.

To develop the property in accordance the applicant is seeking a Special Use Permit for compressed natural gas fueling station. Per the Zoning Ordinance, a fueling station is not a Permitted or Special Use within the B-2 Zoning District; however, through a Planned Unit Development, the compressed natural gas fueling station could be allowed via a Special Use Permit. Given that the subject site is currently surrounded by truck storage to the north associated with the I-55 Truck Stop, further to the north by the storage of trucks and cranes associated with Stevenson Crane, to the south by storage of cars associated with Arena Auto Auction, and to the east by heavy truck use for the associated warehouse buildings, Staff feels the proposed use would not have an adverse effect or alter the essential character of the surrounding area.

A Special Use Permit for extended hours of operation. Per the applicant, the CNG fueling station would operate 24-hours a day, seven days a week. Staff supports the request as many of the neighboring industrial buildings, along with the I-55 Truck Stop, operate in the same fashion.

Given that many of the surrounding properties have similar existing legal non-conformities due to the fact they were developed prior to the corresponding codes being created and due to a large portion of the paved surface on the subject site remaining as is, Staff is not considering the proposed fueling station a redevelopment of the property; however, the following variances would be needed in order to make the site legal:

1. A Variance to reduce the setback between Lot(s) 1 and 2 to zero feet and waive all corresponding required landscaping material.

2. A Variance to waive the requirement to install a three-foot-high berm and irrigation system, subject to all required landscaping material being installed, within the front yard along Stevenson Drive.
3. A Variance to allow the installation of a six-foot-tall chain link fence, with barbed wire, in order to properly enclose the CNG compound for safety and security purposes.
4. A Variance to allow signage on the north, east and south elevations of the canopy in order to provide sufficient visibility for approaching truck traffic.
5. A Variance to waive the requirement to install a public sidewalk along Stevenson Drive.
6. A Variance to allow an increase in the allowable lumens per acre in order to maintain adequate lighting under the canopy for safety and security purposes.

RECOMMENDATION

Staff recommends approval of a Special Use Permit to allow a compressed natural gas fueling station for GAIN Clean Fuel CNG Station at 550 Stevenson Drive with the following:

1. A Special Use Permit to allow a compressed natural gas fueling station.
2. A Special Use Permit to operate 24-hours a day, seven days a week.
3. A Variance to reduce the setback between Lot(s) 1 and 2 to zero feet and waive all corresponding required landscaping material.
4. A Variance to waive the requirement to install a three-foot-high berm and irrigation system, subject to all required landscaping material being installed, within the front yard along Stevenson Drive.
5. A Variance to allow the installation of a six-foot-tall chain link fence, with barbed wire, in order to properly enclose the CNG compound for safety and security purposes.
6. A Variance to allow signage on the north, east and south elevations of the canopy in order to provide sufficient visibility for approaching truck traffic.
7. A Variance to waive the requirement to install a public sidewalk along Stevenson Drive.
8. A Variance to allow an increase in the allowable lumens per acre in order to maintain adequate lighting under the canopy for safety and security purposes.

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

1. All the comments from Staff's review letter dated December 2, 2015, being addressed.
2. The review and approval of the Director of Public Services & Development.

DISCUSSION

Vice Chair Pritikin questioned if the fueling station was only for CNG over the road trucks or also for portable tanks and distribution trucks. He asked how many stands would be constructed, if they would have a DEF pump, if this location would be open to all vehicles or only to contracted carriers, and what type of security this facility would have.

Mr. Eastman stated this location was designed for trucks, and that they would have three fueling stations.

Marie Venne, Franklin, IL, sworn. Ms. Venne stated this location was for fueling only and would only be serving compressed natural gas not gasoline nor diesel fuel. She said this location would be open to the public, but that the primary users would be contracted fleets with GAIN. She went on to explain that they would have a total of seven cameras, five on the canopy and two in the compound. They would also have three emergency stop buttons outside of the compound that would be available to drivers, as well as five emergency stop buttons in the compound that could completely shut off everything. She said they would also isolate the gas supply, and that the gas coming to the station would come from the actual gas main and would not be trucked in like regular gas stations. She explained that there would be signs posted on all canopy columns that list a phone number that is manned 24/7, which would be the same people who would be monitoring the cameras and would be able to remotely stop the station

and shut it down if anything were to look suspicious. The compound would have a Knox-box so it could easily be accessed by the Fire Department in case of a problem.

Bryan Nudelbacker, Appleton, WI, sworn. Mr. Nudelbacker stated that this location would be unmanned and only pay at the pump, but that it would be monitored 24/7 from the main office in Wisconsin.

Commissioner Rashid questioned how many total locations they had, what has been the biggest issue or problem that they have faced since it is unmanned, and if they have the ability to have an actual person at the location if needed.

Mr. Nudelbacker stated they have 46 locations throughout the United States including two in Canada, that the biggest issue they have faced has been operator error or a card not working. He explained they do have the ability of having someone at the location quickly because they have local contractors. Ms. Venne said if a stop button were to get pushed it is required to have someone physically come out and restart the system it could not be done remotely. She stated a local company would come out weekly and check the system, and if there were ever a problem the contractor could be at the compound within an hour.

Commissioner Bethune asked if natural gas was the same as liquefied natural gas.

Ms. Venne explained that liquid natural gas is the same source which is all coming from the same fuel from your home. Compressed natural gas is compressed to a pressure of 600 psi and that way it increases the density per volume so it can run farther on a tank of gas. Liquid natural gas lowers the temperature down to negative 275 degrees and that way it increases the energy density so a vehicle can run a little farther on a tank of gas.

Chairman Fletcher had a concern regarding the fire safety. He stated since this was the first facility of its type in our community, he wanted more information on safety. He explained that there is a refinery a few miles from this location, which had a very major explosion about 25 years ago, and his concern is if some kind of explosion onsite of the compressed tank in the compound could happen.

Ms. Venne stated that as far as safety precautions there would be a number of E-stops inside and outside of the compound which would be available to anyone in case of an emergency that would turn off the entire system at any time. She explained that when an e-stop is triggered it shuts the power off to all the equipment, she said there is also an isolation valve that isolates the gas supply from the force main to the system which is closed so that it prevents the source of more gas getting through it. She states all pressure valves would be outfitted with pressure release valves so if the pressure were to get too high they would release the pressure. She also said that the dispensers have common safety precautions as any other gas station would have, but if the dispenser was hit it would automatically shut the system down. Also, if a driver were to drive away with the nozzle attached to the vehicle there is a breakaway attachment on the nozzle so the gas would be sealed on both ends. If gasoline or diesel were to leak it would make a pool of liquid on the floor which would be a fire source, but if compressed natural gas would be released it would quickly rise to the air so it would not be a source for fueling a fire. She stated all the tanks were relatively small so they would only hold a small amount of fuel. She said they would only hold approximately 275 liquid gallons, whereas a standard propane tank holds 1,000 liquid gallons. She said this location would initially only have three tanks and a total of six if they were to expand in the future. She said these tanks are outfitted with pressure release valves which are set to relieve pressure at a set point so that they will not explode, and these valves are required to be replaced every three to five years.

Commissioner Alexander-Basta questioned the aesthetics of a chain link fence with barbed wire, and wanted to know if there was another option.

Ms. Venne stated this was a standard layout that was used, that there is an NFPA requirement in which the compound must be secured from unauthorized access. She said that the landscaping along Stevenson should be as tall or taller than the compound. Mr. Eastman commented that Dart Transportation currently has a six foot chain link fence, and GAIN would only be connecting to the existing. He said with the landscaping around Stevenson the fence will not be noticed as you are driving by.

Commissioner Bethune asked if special access would be required to pump and how many other locations were in this area.

Mr. Nudelbacker stated that this location would be open to everyone, that no special permission is required and that they were currently building in Joliet and that there is an existing location in Gary, Indiana.

Commissioner Campos questioned if they have ever experienced a fire or an explosion in the existing 46 stations, how often maintenance is done, if there is a pressurized system onsite, what is the percentage of vehicles utilizing natural gas, and if they would be installing signage to attract people from the highway.

Mr. Nudelbacker said they have never experienced an explosion or fire, that the station would be monitored daily from Wisconsin, but checked weekly by a local contractor. He said 8% of the Class A market is using compressed natural gas, which is what their main target is. He said the market is projected to grow 10 to 12% in the next three years. He stated that most of the customers are contracted so signs are not needed.

Ms. Venne explained the process of the pressurized system. She said it goes from the gas meter to gas dryer to get rid of any moisture, then to a series of compressors that compress the line pressure which is usually 60 psi to 3600 psi, then it goes to storage spheres for temperature storage until a vehicle dispenses. She said the whole process is done by pressure differential. She stated there would be no pump that would pump the gas to dispensers she said it would all be done by pressure difference.

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

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

NAYS:

ABSENT: Commissioner Schank

Motion carried, public hearing closed 8:31 p.m.

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

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

NAYS:

ABSENT: Commissioner Schank

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 15.24 Approval of a Special Use Permit for a Planned Development with Variances, Final Development Plan and Adoption of Findings of Fact. Project No.: 426.15

Motion Vice Chair Pritikin, second Rhoades to accept the Findings of Fact.
Voice Vote: Unanimous
Motion carried.

SPECIAL USE PERMIT FOR A EXTENDED HOURS OF OPERATION. CHECKERS, 439 N. BOLINGBROOK DRIVE. APPLICANT: HEMAL PUROHIT, PUROHIT ARCHITECTS, INC. PROJECT NO.: 427.15

Motion Rhoades, second Wright to open the public hearing.
AYES: Commissioners Bethune, Rashid, Rhoades, Wright, Alexander-Basta, Campos,
Vice Chair Pritikin, Chairman Fletcher
NAYS:
ABSENT: Commissioner Schank
Motion carried, public hearing opened at 8:33 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting a Special Use Permit for Extended Hours of Operation in order to allow a restaurant with hours beyond 10:00 p.m. at 439 N. Bolingbrook Drive. The subject parcel comprises approximately 0.402 acres, is currently zoned B-2 Community Retail and comprised of an approximate 1,830 square foot drive-thru restaurant, which was formerly known as Brown's Chicken & Pasta. Per the Zoning Ordinance, hours of operation beyond 10:00 p.m. require a Special Use Permit. The applicant is proposing to operate a carry-out restaurant, commonly known as Checkers, 24-hours a day, seven days a week. Access would be available off of Bolingbrook Drive to the east as well as cross access to the north via Aspen Drive. The shopping center has adequate parking for the proposed use. Per the applicant, the restaurant would employ between 40 to 50 employees to operate the carry-out facility.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for Checkers to operate a carry-out establishment located at 439 N. Bolingbrook Drive with extended hours of operation.

DISCUSSION

None

Motion Alexander-Basta, second Bethune to close the public hearing.
AYES: Commissioners Bethune, Rashid, Rhoades, Wright, Alexander-Basta, Campos,
Vice Chair Pritikin, Chairman Fletcher
NAYS:
ABSENT: Commissioner Schank
Motion carried, public hearing closed 8:35 p.m.

Motion Vice Chair Pritikin, second Rhoades to accept the recommendation of Planning Staff.
AYES: Commissioners Bethune, Rashid, Rhoades, Wright, Alexander-Basta, Campos,
Vice Chair Pritikin, Chairman Fletcher
NAYS:
ABSENT: Commissioner Schank
Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 15.25 Approval of a Special Use Permit for Extended Hours of Operation and Adoption of Findings of Fact. Project No.: 427.15

Motion Alexander-Basta, second Rhoades to accept the Findings of Fact.

Voice Vote: Unanimous
Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT. MATTE' NAIL SALON, 257 S. WEBER ROAD. APPLICANT: JIMMY TRAN. PROJECT NO.: 428.15

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

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

NAYS:

ABSENT: Commissioner Schank

Motion carried, public hearing opened at 8:37 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 in order to allow a nail salon establishment at 257 S. Weber Road. The subject site comprises approximately 1.76 acres, is currently zoned B-2 Community Retail and is part of a unified development commonly known as the Shops of Country Aire Market. Access to the subject property is via two common drive aisles off of Weber Road and Lily Cache Lane. The shopping center has adequate parking for the proposed use. Per the Zoning Ordinance, a nail salon is not permitted within the B-2 Zoning District. As such, the applicant is requesting a Special Use Permit to allow a nail salon establishment at 257 S. Weber Road. Per the applicant, the hours of operation would be 10:00 a.m. to 8:00 p.m. Monday through Friday, 10:00 a.m. to 7:00 p.m. on Saturday and 10:00 a.m. to 4:00 p.m. on Sunday. The proposed salon would have five to six employees.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Planned Development to allow a Nail Salon Establishment, commonly known as Matte' Nail Salon at 257 S. Weber Road.

DISCUSSION

Commissioner Campos questioned if the space was currently a salon.

Mr. Eastman stated that it was formerly occupied by Great Steak Company, and that this would be the last vacancy in this strip mall.

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

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

NAYS:

ABSENT: Commissioner Schank

Motion carried, public hearing closed 8:37 p.m.

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

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

NAYS:

ABSENT: Commissioner Schank

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 15.26 Approval of a Special Use Permit for Extended Hours of Operation and Adoption of Findings of Fact. Project No.: 428.15

Motion Alexander-Basta, second Rhoades to accept the Findings of Fact.
Voice Vote: Unanimous
Motion carried.

NEW BUSINESS

None

OLD BUSINESS

None

CITIZENS TO BE HEARD

None

CHAIR'S REPORT

Chairman Fletcher wanted to wish everyone a wonderful Holiday season and a Happy New Year. He asked everyone to be careful driving around, and to enjoy the holiday lights.

COMMISSIONER'S REPORT

Commissioners said Happy Holidays.

PLANNING DEPARTMENT REPORT

None

ADJOURNMENT

Motion Rhoades, second Wright to adjourn.

Voice Vote: Unanimous
Motion carried.

Chairman Fletcher adjourned the meeting at 8:42 p.m.

CHAIRMAN

APPROVED

SECRETARY