

**A REGULAR MEETING OF THE PLAN COMMISSION
OF THE VILLAGE OF BOLINGBROOK
April 19, 2017**

CALL TO ORDER

Chairman Schank called the meeting to order at 8:01 p.m., Wednesday, April 19, 2017.

ROLL CALL

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

Absent: Commissioner Margaret Hegber and Rick Campos

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 March 15, 2017 meetings of the Plan Commission.

Voice Vote: Unanimous
Motion carried.

PUBLIC HEARING

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. SLIM CHICKENS, 246 S. WEBER ROAD. FUTURE RETAIL, 248 S. WEBER ROAD. APPLICANT: WILLIAM TORCHIA, WCT PROPERTIES, INC. PROJECT NO.: 408.17

Motion Rhoades, second Bethune to open the public hearing.

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried, public hearing opened at 8:02 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 drive-thru Slim Chickens and future retail with associated variances at 246 and 248 S. Weber Road. The subject site is approximately 2.06 acres, is zoned B-2 Community Retail, and is currently developed with an approximate 6,235 square foot restaurant,

which was originally developed as a Joe's Crab Shack and most recently occupied by La Hacienda. The applicant is proposing to redevelop the property in order to allow for the construction of two buildings on the subject property. The northernmost building would be approximately 3,000 square feet and be designed for a drive-thru Slim Chicken restaurant with an outdoor dining area. The southernmost building would be approximately 5,000 square feet and be designed for future retail. 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.

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

A Special Use Permit to allow an outdoor dining area. The applicant is proposing an outdoor seating area located on the northwest side of the building, which would be separated from the parking lot by a four-foot high ornamental fence with gates. Staff supports the request, subject to a four-foot ornamental fence being installed, as well as the umbrellas matching the colors used on the building.

A Special Use Permit to allow a drive-thru lane. The applicant is proposing a drive-thru lane with a pick-up window on the east wall, which is a significant component of their business operation. Staff supports the request for a drive-thru lane, as this is an essential component to the restaurant and contributes a high percentage of the total sales volume.

A variance to allow multiple buildings on a single lot. The applicant is proposing to construct two buildings on the subject lot. Staff supports the variance as requested since the proposed buildings are part of a unified development for overall maintenance.

A variance to allow multiple monument signs on a single lot within 500 feet of one another. The applicant is proposing to construct two monument signs, approximately 150 feet apart, within the setback along Weber Road. Staff supports the variance as requested since the proposed buildings are part of a unified development.

A variance to eliminate the foundation planting bed. The applicant is proposing to eliminate the required foundation planting bed, along both the north and east walls of the Slim Chickens building, due to the location of the drive-thru window and outdoor dining area. Staff supports the variance as requested, subject to all the required plant material being installed per the approved Landscape Plan.

RECOMMENDATION

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

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

1. All of Staff's comments from the review dated April 11, 2017, being addressed.
2. Approval of the Director of Public Services and Development Department.

DISCUSSION

Commissioner Alexander-Basta asked for clarification on where the outdoor dining, main entrance and trash enclosure would be located. Vice Chair Pritikin questioned if there would be enough parking for both proposed buildings and when they anticipated beginning the demolishing of the existing building.

Mr. Eastman stated the outdoor dining area would be at the front of the building, the main entrance on the south wall and the trash would be in the back of the building stored inside. He also explained that per code, a 3,000 square foot restaurant only requires between 25-30 stalls, and a retail building of 5,000 square feet would also only require 25-30 stalls and that this development is proposing 95. He said the applicant mentioned they wanted to demolish the building within 30 days.

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

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

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

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

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.08 Approval of a Special Use Permit for a Planned Development with Variances, Final Development Plan and Adoption of Findings of Fact.
Project No.: 408.17

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

Voice Vote: Unanimous

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES, FINAL DEVELOPMENT PLAN AND FINAL PLAT OF SUBDIVISION. CHIPOTLE / FUTURE RETAIL, 740 AND 750 JANES AVENUE. APPLICANT: DAN ABDO, GLAZIER CORPORATION. PROJECT NO.: 409.17

Motion Vice Chair Pritikin, second Rashid to open the public hearing.

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

NAYS: None

ABSENT: Commissioners Hegber and Campos
Motion carried, public hearing opened at 8:14 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is requesting approval of a Final Plat of Subdivision, Final Development Plan and a Special Use Permit for a Planned Development with Variances in order to subdivide one lot of record into two lots and to allow the construction of two sit-down restaurants with extended hours of operation and future retail with associated variances at 740 and 750 Janes Avenue. The overall subject property comprises approximately 32.961 acres in size, is located at the southeast corner of Boughton Road and Janes Avenue and contains the existing Meijer Store and gas station. The proposed Final Plat of Subdivision would create two new lots of record. Lot 1 would be 31.435 acres and would be created for the existing Meijer Store and gas station. Lot 2 would be 1.526 acres and would be created for the proposed Chipotle Mexican Grill & Mod Pizza restaurants, along with a future retail building. The applicant is proposing to develop two buildings on the subject property. The northernmost building would contain two sit-down restaurants, an approximately 2,300 square foot Chipotle Mexican Grill and a 2,600 square foot Mod Pizza. As part of this development, there would be an outdoor dining area provided for each restaurant. The southernmost building would be approximately 4,215 square feet and be designed for future retail. Access to the site would be provided from cross access points to the north and east of the site through Meijer's parking lot as well as to the south off a shared drive aisle from Janes Avenue. The existing Meijer parking lot has 937 parking stalls. The proposed development would remove 131 of the existing parking stalls, leaving Meijer with 806 stalls, which would be adequate parking per code. The applicant is proposing to install 68 parking stalls, which requires a small deviation from the required number of 71 stalls. Public improvements within the existing parkway area would remain unaltered as part of any site improvements. One monument sign, not to exceed 50 square feet in sign text area and 10 feet in height, would be allowed. Per the applicant, they are proposing to install two monument signs within the front yard along Janes Avenue, which would be eight feet in height and approximately 43 square feet in sign text area, each. Per the applicant, while the hours of operation may vary slightly depending upon demand, both restaurants would anticipate operating between the hours of 10:00 a.m. and 12:00 a.m. (midnight) seven days a week. Each restaurant would have between 10 to 12 full and part time employees.

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 two outdoor dining areas. The applicant is proposing two outdoor seating areas, one for Chipotle Mexican Grill, located on the north side of the building, and one for Mod Pizza, located on the south side of the building. The outdoor dining areas would be separated from the parking lot by a four-foot high ornamental fence with gates, which would include security bollards spaced every 48 inches. The hours of operation for the outdoor dining would coincide with the hours of the inside service. Staff supports the request, subject to a four-foot ornamental fence being installed, as well as the umbrellas matching the colors used on the building

A special use to allow extended hours of operation. Hours beyond 10:00 p.m. require a Special Use Permit. The applicant is requesting both restaurants be allowed to remain open until midnight, seven days a week. Staff supports the request as both Meijer and IHOP currently function as 24-hour operations.

A variance to allow multiple buildings on a single lot. The applicant is proposing to construct two buildings on Lot 2 of the East Boughton Road Meijer Second Subdivision. Staff supports the variance as requested since the proposed buildings are part of a unified development for overall maintenance.

A variance to allow multiple monument signs on a single lot within 500 feet from one another. The applicant is proposing to construct two monument signs, approximately 100 feet apart, within the setback along Janes Avenue. Staff supports the variance as requested since the proposed buildings are part of a unified development.

A variance to reduce the required number of parking stalls from 71 to 68. Staff supports the variance as requested, as the proposed development would lend itself to opportunities for shared parking.

A variance to eliminate the foundation planting bed. The applicant is proposing to eliminate the required foundation planting bed, along west wall of both buildings, due to the restraints the grading placed on the property and location of the building. Staff supports the variance as requested, subject to all the required plant material being installed per the approved Landscape Plan.

RECOMMENDATION

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

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

1. All of Staff's comments from the review dated March 31, 2017, being addressed.
2. Approval of the Director of Public Services and Development Department.

DISCUSSION

Commissioner Rashid asked if the Chipotle on Weber Road would close. Vice Chair Pritikin asked if the outdoor dining area would have the ability to leave the restaurant from the outside, if they would be installing awnings and what the time line would be to break ground. Chairman Schank asked if anyone using the patio area would have trouble seeking medical attention due to it being fenced.

Mr. Eastman stated the two Chipotle restaurants would not have common ownership. He said that Chipotle had not proposed awnings. He stated normally the patrons would go through the restaurant to exit, and that they plan on breaking ground immediately after all the approvals. He explained that the fence would only be four feet high and have gates in case of an emergency.

Arthur Sutton, Bolingbrook, IL, sworn. Mr. Sutton has concerns regarding traffic and cars speeding through Meijer parking lot.

Vice Chair Pritikin stated, his concerns were more a public safety situation and would bring it up to others in the Village to help follow the required speeds.

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

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried, public hearing closed 8:35 p.m.

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

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.09 Approval of a Special Use Permit for a Planned Development with Variances, Final Development Plan, Final Plat of Subdivision and Adoption of Findings of Fact. Project No.: 409.17

Motion Rhoades, second Bethune to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. MCDONALD'S, 100 N. BOLINGBROOK DRIVE. APPLICANT: ANDREW UTTAN, V3 COMPANIES. PROJECT NO.: 410.17

Motion Rhoades, second Rashid to open the public hearing.

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried, public hearing opened at 8:36 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 demolish the existing restaurant in order to allow for the construction of a new McDonald's restaurant, with a dual drive-thru system, and associated parking with variances at 100 N. Bolingbrook Drive. The subject site, which is approximately 0.6 acres and zoned B-2 Community Retail, is

currently developed with an approximate 5,918 square foot McDonald's, which includes a one-lane drive-thru, open 24-hours, and associated parking stalls. The applicant is proposing to redevelop the property by demolishing the existing restaurant, in order to allow for the construction of an approximate 5,357 square foot McDonald's restaurant, along with their new side-by-side drive-thru configuration, which would increase the efficiency as well as its capacity. The applicant is proposing to eliminate the right-in, right-out currently located off Bolingbrook Drive to the west, replacing the asphalt with landscaping and a walkway to match what currently exists to the north and south. The main point of access would come via the existing full access drive off Briarcliff Road to the south and the shared access with the shopping center to the north. The existing parking lot would be altered in order to accommodate the new drive-thru configuration. As proposed, the circulation would become one-way around the entire property with 25 parking stalls being provided to the south and east. Public improvements 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 both Bolingbrook Drive and Briarcliff Road, 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.

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

A special use to allow a carry-out restaurant with a drive-thru lane. Staff supports the applicant's request recognizing this to be a significant component of their existing business.

A special use to allow extended hours of operation. Staff supports the applicant's request, recognizing this to be a significant component of their existing business.

A variance to reduce the required number of parking stalls. Per the Zoning Ordinance, a minimum of 45 parking spaces would be required on site for the proposed use and the applicant is requesting to reduce the required number of parking spaces to 25. Staff supports the variance as requested, due to the proposed restaurant being slightly smaller than the existing restaurant, which provided 25 parking stalls and the applicant providing the Village data, which illustrates the current percentage of sales is approximately 75% drive-thru.

A variance to reduce both the side and rear yard setbacks for pavement only. 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 to zero feet, for pavement only, in order to provide sufficient circulation along the north and east sides of the building. In general, the landscaped area between the proposed parking stalls for McDonald's and the shopping center to the east, is approximately 15 feet. 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 setback for pavement only. Per the applicant, when the property was originally developed, the restaurant was constructed with an approximately three-foot front yard setback along Bolingbrook Drive to the west and nine-foot setback along Briarcliff Road to the south. As part of the redevelopment, the applicant is requesting to increase the three-foot front yard setback to nine feet, and keep the existing nine-foot setback, along their corner side yard, to remain consistent with the existing curb line of the parking lot for the shopping center to the east. 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 the width of the foundation planting beds. The applicant is proposing to reduce the width of the required foundation planting bed along the south wall to just under six feet, while eliminating the bed along the west wall to accommodate the drive-thru pick-up windows. Staff supports the variance as requested, subject to all the required plant material installed per the approved Landscape Plan.

A variance to waive the required berm within both the front and corner side yards, due to site constraints, the applicant is requesting to waive the installation of the berm in an effort save the existing mature landscaping located within said yards. Staff supports the variance as requested given that there is no berm being provided in the surrounding area.

A variance to remove more than 50% of the trees onsite. As part of the proposed grading to accommodate for the development, 7 of the existing 11 trees (six inches or more of diameter) that currently exist onsite need to 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.

RECOMMENDATION

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

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

1. All of Staff's comments from the memo dated March 28, 2017 being addressed.
2. The review and approval from the Director of Public Services and Development Department.

DISCUSSION

Chairman Schank asked for clarification on all vehicle access points. Commissioner Alexander-Basta questioned if the 25 parking stalls included the shared parking agreement, how many employees, and where the parking spots for drive-thru waiting would be located. Vice Chair Pritikin asked when the build out would begin, and if there was a study on the drive-thru flow during peak times. He had concerns on back up and potential accidents. Commissioner Wright questioned if this design was similar to the Romeoville and Lemont locations. Commissioner Rhoades questioned the time table of

completing the job. Commissioner Bethune asked for clarification on where the drive-thru speakers would be located.

Mr. Eastman explained all the access points, and that the 25-parking stalls were only on the site not part of the land agreement. He said the employees would park in the leased spots not the patrons spots.

Andrew Uttan, V3 Development, Woodridge, IL, sworn. Mr. Uttan stated he was the Civil Engineer and site planner for this project. He explained that this location is owned by Corporate not a franchisee. That the restaurant would be 600 square feet smaller, and that the proposed plans were a better design than what is existing. He said the restaurant was built in 1977, drive-thru was added in 1982, and the play place in 1995. He stated that they have had studies and a single lane drive-thru normally takes 80 cars and hour and with the proposed dual drive-thru it would be 120-140 cars and hour. The concern being that the drive-thru would back up on the east of the building, the cars would get out of the drive-thru much faster so back up should not happen. He explained that the current layout of the building causes traffic to back up onto Briarcliff Road, and that with the new layout that would not occur. He went on to say that, the total turnaround time for the completion of the project would be approximately 95 to 110 days after the demolition of the building and that they anticipate starting in June.

Vice Chair Pritikin recommended they do an analysis of other McDonald's Restaurants with a similar situation to see how they have addressed the specific issue on drive-thru flow. He asked the Administrator how the Village could make sure traffic issues would not arise.

Mr. Eastman stated Staff was willing to work with the Developer in the analysis, but that Staff was not willing to put a condition on approval for this project.

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

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried, public hearing closed 9:07 p.m.

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

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

NAYS: None

ABSENT: Commissioners Hegber and Campos

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.10 Approval of a Special Use Permit for a Planned Development with Variances, Final Development Plan and Adoption of Findings of Fact.

Project No.: 410.17

Motion Rhoades, second Bethune 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

None

COMMISSIONER'S REPORT

Commissioner Alexander-Basta wanted to congratulate Reggie on achieving the Women and Business Community Leadership award. She also congratulated Mayor Claar, the re-elected Village Trustees, the new Trustees and Carol Penning.

PLANNING DEPARTMENT REPORT

None

ADJOURNMENT

Motion Rhoades, second Wright to adjourn.

Voice Vote: Unanimous
Motion carried.

Chairman Schank adjourned the meeting at 9:10 p.m.

CHAIRMAN

APPROVED

SECRETARY