

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

CALL TO ORDER

Chairman Schank called the meeting to order at 7:59 p.m., Wednesday, July 19, 2017.

ROLL CALL

Present: Commissioners Terri Bethune, Margaret Hegber, Talat Rashid, Mary Alexander-Basta, Calvin Wright, Rick Campos, Chairman Schank

Absent: Commissioner J.D. Rhoades and Vice Chair Seymoure Pritikin

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

Press: None

APPROVAL OF MINUTES

Motion Rashid, second Bethune to approve Minutes of the April 19, 2017, May 17, 2017 and June 21, 2017 meetings of the Plan Commission.

Voice Vote: Unanimous
Motion carried.

PUBLIC HEARING

REZONING FROM R-3 TO O-1, SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN. FUTURE RETAIL, 108 LEE LANE. APPLICANT: SAM KHALIL, 108 LEE LANE, LLC. PROEJCT NO.: 402.17

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

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

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant is proposing a rezoning from R-3 to O1, a Special Use Permit for a Planned Development with Variances and a Final Development Plan in order to construct a commercial building at 108 Lee Lane. The subject area is comprised of two lots of record totaling approximately 0.88 acres of land and is currently zoned O-1 Limited Office and R-3 Single Family Residence. The applicant is proposing to develop a commercial building comprising 7,185 square feet in area. Per an agreement, a land swap recently took place between the applicant and the property owner of 112 Lee Lane, in which the applicant squared-off his property allowing for a viable commercial development. A full access drive would be provided off Lee Lane to the south, with cross access being provide to the north via New Life Lutheran Church. Per the Zoning Ordinance, the minimum number of required parking stalls for the proposed commercial building would be 36; however, the applicant has indicated the possibility of the entire building consisting of two, sit-down restaurants, which require approximately 72 parking stalls. Foundation plantings would be provided along the south wall of the building, but only a small portion of the east wall. An irrigation system and required plantings within the front and corner side yard, along Lee Lane

and Bolingbrook Drive, would be provided to satisfy the Zoning Ordinance; however, given the constraints of the site, a berm would not be provided along the entire length of both the front and corner side yards. 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 refurbish the existing pole sign on the property. Public improvements within the existing parkway area along Bolingbrook Drive would remain unaltered as part of any site improvements, while all required improvements along Lee Lane would be installed as required. Adequate detention would be provided via an underground detention vault. As part of the agreement between the applicant and neighboring property owner at 112 Lee Lane, the applicant is seeking approval to rezone the small portion (941 sq. ft.) of land acquired, as part of the previously mentioned land swap. The portion received by the applicant would be rezoned from R-3 Single Family Residence to O-1 Limited Office, in order to develop a commercial building comprising 7,185 square feet in area, while the land acquired by the property owner to the west, would subsequently be rezoned from O-1 Limited Office to R-3 Single Family Residence. Staff supports the request to rezone the properties from R-3 to O-1, and O-1 to R-3, which is consistent with the surrounding area, subject to all permitted uses within the O-1 Limited Industrial and B-2 Community Retail Zoning Districts being considered permissible.

To develop the property in accordance with the O-1 Zoning District, assuming the rezoning is approved the applicant is requesting the following:

A Special Use Permit for a Planned Development to allow any B-2 Permitted or Special Uses on the subject property. Staff support the request, subject to all the Special Uses listed in the B-2 section of the Zoning Ordinance being subject to the review and approval of the Plan Commission and Village Board of Trustees. Furthermore, since the underlying zoning classification is going to remain as O-1, all Permitted Uses within the O-1 Zoning District would be permitted by right.

The applicant is proposing two outdoor seating areas, located on the east side of the building, which would be enclosed by a four-foot high ornamental fence with gates. 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 any umbrellas matching the colors used on the building.

A variance to reduce the required corner side yard setback. The applicant is proposing reduce the corner side yard setback for the building wall that tapers from approximately 25 to 28 feet. Per the applicant, in order to provide the maximum number of parking stalls, while having a building footprint which is economically viable. Staff supports the variance as requested given the geometry of the site and subject to all the required landscaping material being installed per the approved Landscape Plan.

A variance to reduce the required front yard setback for pavement only. The applicant is proposing a front yard setback of 25 feet for pavement only. Staff supports the variance as requested given the geometry of the site and subject to all the required landscaping material being installed per the approved Landscape Plan.

A variance to reduce the rear yard setback. The applicant is proposing to reduce the rear yard setback to between 17 and 19 feet to the building. Per the applicant, this request is being made in an effort to have architecturally balanced facades and sufficient floor area for an economically viable development. Staff supports the variance as requested given the geometry of the site and subject to all the required landscaping material being installed per the approved Landscape Plan.

A variance to reduce the transitional yard setback. The applicant is proposing a transitional yard setback of 16 feet for pavement only. Staff supports the variances as requested given the geometry of the site and subject to all the required landscaping material being installed per the approved Landscape Plan as well as a six-foot privacy fence along the western property line.

A variance to reduce the minimum contiguous area for lot zoned O-1. The applicant is requesting to bring the legal non-conforming lot, which is approximately 0.88 acres, into compliance. Staff supports the variance as requested.

A variance to reduce the minimum number of parking spaces. The applicant is proposing 40 parking stalls onsite along with 15 parking stalls via a shared parking agreement with the church to the north; thus, a reduction from 72 to 55 parking stalls is being requested at this time. Staff supports the variance as requested, subject to no parking on public streets at any time.

A variance to reduce the minimum width of a drive aisle. The applicant is proposing to reduce the width of the two drive aisles, just north and south of the middle rows of parking stalls to 23 and 20 feet respectively, in an effort to maximize the number of parking stalls provided onsite. Staff supports the variances as requested given the geometry of the site and the fact there are no parking stalls perpendicular to these two drive aisles.

A variance to eliminate the curbed planting islands at the end of the parking row. The applicant is proposing to eliminate the two islands, which would be required just north and south of the middle rows of parking stalls, in an effort to maximize the number of parking stalls provided onsite. Staff supports the variance as requested given the geometry of the site, subject to the required landscaping material being installed per the approved Landscape Plan.

A variance to reduce the width of the foundation planting beds. The applicant is proposing to alter the required foundation planting beds to allow a 1.3-foot wide planting bed for 15% of the east wall and a 3-foot wide planting bed for 90% of the south wall. The applicant has installed additional landscaping around the outdoor seating areas in an effort to meet the intent of the code. Staff supports the variance as requested, subject to all the required landscaping material being 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 both berms. Staff supports the variance as requested given that there is no berm being provided along the west side of Bolingbrook Drive in the neighboring area, subject to all the required landscaping material, including an irrigation system, being installed per the approved Landscape Plan.

A variance to remove more than 50% of trees onsite. Per the applicant, as part of the proposed grading to accommodate for the development, all eight 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 (15) 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 rezoning from R-3 Single Family Residence to O-1 Limited Office, and from O-1 Limited Office to R-3 Single Family Residence, for those parts of Lot 2 and 3 in Cinnamon Creek Unit 1 commonly known as 108 & 112 Lee Lane.

Staff further recommends approval of a Special Use Permit for a Planned Development in order to allow for a 7,185 square foot commercial building located at 108 Lee Lane with the aforementioned Special Uses and variances.

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

- a) All Staff comments from memo dated July 13, 2017, being addressed.
- b) Final Development Plan approval from the Director of Public Services and Development.

DISCUSSION

Commissioner Alexander-Basta questioned why have two businesses in such a small area. Commissioner Hegber had concerns on traffic around residential area, the hours of operation, the lighting of the property and if there would be a liquor license. Commissioner Rashid asked what type of restaurant they anticipated getting. Commissioner Bethune questioned the size of the building. Commissioner Campos commented that this location would be good for only one sit down restaurant.

Mr. Eastman stated the site has been vacant for over 30 years and does not lend itself to much. He said there is a cross access thru the church, and the hours of operation would not be before 5:00 a.m. nor after 10:00 p.m. He explained that this building could potentially have four retail spaces, but wanted to show the worst-case scenario with two sit-down restaurants.

Tom Pawlowicz, Village Engineer stated the applicant would require a photometric plan, and that the code specifies the lights have to face down and since the site is adjacent to a residential area the foot-candle has to be 0.1.

Jim Healy, Burr Ridge, IL, sworn. Mr. Healy stated the building would be built with four small commercial tenant spaces, but could potentially be two sit-down restaurants. That they wanted to present the project to the Plan Commission as a worst case, and get all variances approved so they would not have to come back to the commission. He said they have received positive feedback from the neighbors.

Sam Joh, Hinsdale, IL, sworn. Mr. Joh stated that their vision is four small retail spaces or a small breakfast restaurant. He explained they have a yearly agreement with the church.

Rick Lukasik, Flossmoor, IL, sworn. Mr. Lukasik stated that by swapping land they create a buffer so the building would not be against the residential properties. He explained that they have done everything possible to accommodate everything. He stated if the building would be built with no variances the building would be closer to residential areas.

Commissioner Alexander-Basta asked how long it would take to start the project and how long the project would take to be completed.

Mr. Joh stated the planning process would be approximately 14 months, that they anticipate breaking ground in the fall if weather permits, if not than they would start early spring and that it would take 12 to 14 months to complete the project.

Commissioner Campos questioned if the commission would only approve one restaurant how bad it would impact the development. Commissioner Hegber questioned if a drive-thru would be allowed.

Mr. Joh stated not being able to have the ability to do two restaurants would make a significant impact on the development. He explained this location would never be one big stand alone restaurant only two small family owned restaurants.

Mr. Lukasik explained that the deliveries would be thru the entrance on the west side of the building.

Angela Wilson, Bolingbrook, IL, sworn. Ms. Wilson had concerns on the increase of noise levels. She commented that a breakfast restaurant would be a good idea.

Mr. Healy stated they would be installing significant planting material, which would help dampen the noise.

Mr. Lukasik said they would be creating a buffer that does not exist now, which would benefit the noise situation; he also said no drive-thru would be done.

Motion Wright, second Hegber to close the public hearing.

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

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

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.15 Approval of a Rezoning from R-3 to O-1, Special Use Permit for a Planned Development with Variances, Final Development Plan and Adoption of Findings of Fact. Project No.: 402.17

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

Voice Vote: Unanimous

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT. INDIAN OAKS PLAZA, 435-L N. BOLINGBROOK DRIVE. APPLICANT: SABIH QUADEER, IN REM PROPERTIES LLC. PROEJCT NO.: 416.17

Motion Wright, second Rashid to open the public hearing.

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing opened at 8:55 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 professional and/or medical office suites at 435-L N. Bolingbrook Drive. The subject property comprises approximately 2.94 acres, is currently zoned B-2 Community Retail and consists of a two-story multi-tenant retail plaza commonly known as Indian Oaks Shopping Plaza. There is adequate parking for the proposed use. Per the Zoning Ordinance, medical and/or professional office uses are not a permitted use within the B-2 Zoning District. As such, the applicant is requesting a Special Use Permit to allow a multi-tenant office suite comprising of approximately 10 professional and/or medical offices, ranging from 144 to 1,400 square feet located at 435-L N. Bolingbrook Drive. Per the applicant, due to the lack of visibility, retail uses in the lower

portion of this building are not a viable option; however, in an effort to maximize the use of the space and for the benefit of the business community, entry-level office space (200 to 500 square feet) is in high demand.

RECOMMENDATION

Staff recommends approval of a Special Use Permit to allow professional and/or medical office suites with the lower portion of the building located at 435-L N. Bolingbrook Drive.

DISCUSSION

Commissioner Campos questioned if actual doctors would be doing business in the suites and what is currently occupying this space. Commissioner Rashid commented that having office suites would be a great idea and that he believed parking would not be an issue.

Mr. Eastman stated no doctors onsite, only offices for medical billing and that the space is currently being used as storage.

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing closed 9:02 p.m.

Motion Alexander-Basta, second Bethune to accept the recommendation of Planning Staff.

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.16 Approval of a Special Use Permit for a Planned Development and Adoption of Findings of Fact. Project No.: 416.17

Motion Rashid, second Hegber to accept the Findings of Fact.

Voice Vote: Unanimous

Motion carried.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES. THE RANGE AT 355, 9003 MURPHY ROAD. APPLICANT: JAY WHITE, THE RANGE AT 355. PROJECT NO.: 417.17

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos, Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing opened at 9:04 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 for the construction of a larger development sign with a pole base at 9003 Murphy Road. In June 2014, the applicant received permission from the Village Board to construct an approximate

19,275 square foot shooting range facility, including a retail showroom, training rooms and associated offices, commonly known as The Range at 355. Access is provided to the subject property via Murphy Road off Woodward Avenue. Per the Zoning Ordinance, ground mounted development signs located within Sign Zone "B" shall not exceed 15 feet in height, 120 square feet in sign text area and shall be supported by a base that is both equal in width and depth to the frame of the sign itself. The applicant is proposing a pole sign that is 50 feet in height and approximately 176 square feet in area, which would remain a minimum of 10 feet from any drive aisle and/or property line. Per the applicant, the request is being made due to the ideal visibility and close proximity to I-355. Staff supports the variance as requested since the proposed sign is consistent with other similar pole signs located in view of I-355 within the surrounding area.

RECOMMENDATION

Staff recommends approval of a Special Use Permit to allow a 50-foot tall pole sign, not to exceed 200 square feet in area for The Range at 355 located at 9003 Murphy Road.

DISCUSSION

Commissioner Campos asked if the sign was illuminated and if the wording would change.

Mr. Eastman stated the sign would be backlit not an LED reader board.

Charles Howard, Woodridge, IL, sworn. Mr. Howard was concerned on light spillage and more animals in his yard.

Mr. Pawlowicz stated the sign would be backlit so there would be no spillage onto neighboring properties. Commissioner Bethune commented that with any construction the animals might be misplaced.

Motion Bethune, second Campos to close the public hearing.

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing closed 9:13 p.m.

Motion Bethune, second Hegber to accept the recommendation of Planning Staff.

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.17 Approval of a Special Use Permit for a Planned Development with Variances and Adoption of Findings of Fact. Project No.: 417.17

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

Voice Vote: Unanimous

Motion carried.

AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES. LOT 7, SHOPPES OF WEBER ROAD, 714 S. WEBER ROAD. APPLICANT: DIPA PATEL, SAI BOLINGBROOK LLC SERIES B. PROJECT NO.: 418.17

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing opened at 9:15 p.m.

Planning and Zoning Administrator, Matt Eastman, presented the request. The applicant requested to continue the meeting to August 16, due to the fact they could not be present at this time. Staff did not want to proceed without having a representative present, since concerns have been raised by neighboring properties.

Motion Bethune, second Rashid to continue the public hearing to August 16, 2017.

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing continued at 9:17 p.m.

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT. RELIABLE CAR SOURCE, 490 WOODCREEK DRIVE, SUITE B. APPLICANT: ABE ZABADNEH, RELIABLE CAR SOURCE. PROJECT NO.: 420.17.

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing opened at 9:18 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 an Internet-based auto sales service at 490 Woodcreek Drive, Suite B. The overall tenant space is 4,800 square feet and is surrounded by office/warehouses. The subject site comprises approximately 1.14 acres and is currently zoned I-1 Limited Industrial and is developed with an approximate 16,335 square foot building broken up into four tenant spaces. Access to the subject property is from two points, one off Remington Boulevard to the southeast and one off Woodcreek Drive to the northwest. The shopping center has adequate parking for the proposed use. Per the Zoning Ordinance, auto service, rental, sales and supplies are not a permitted use within the I-1 Zoning District. As such, the applicant is requesting a Special Use Permit to allow an Internet-based auto sales service commonly known as Reliable Car Source at 490 Woodcreek Drive, Suite B. Per the applicant, the hours of operation would be Monday through Friday from 10:00 a.m. until 4:00 p.m. by appointment only and 4:00 p.m. to 8:00 p.m. open to the public. All vehicles will arrive in showroom condition and no mechanic work or detailing will take place within the location. Per the applicant, there would be approximately two employees.

RECOMMENDATION

Staff recommends approval of a Special Use Permit for a Planned Development to allow Reliable Car Source at 490 Woodcreek Drive, Suite B subject to all vehicles for sale being stored inside the building at all times.

DISCUSSION

Commissioner Rashid asked if sales would be at this location or only online, if the cars would be picked up at this location, if they would finance and if they would offer extended warranty on the

cars. Commissioner Alexander-Basta questioned if a client is able to test-drive the vehicle. Commissioner Bethune questioned if the showroom would have windows and if they would search for a certain vehicle type for the customers. Commissioner Campos asked where the vehicles would be coming from and if they would be shipped out of the country. Chair Schank questioned on the signage. Commissioner Hegber asked if the cars would be transported on flatbeds, how many vehicles could be stored in the showroom and if all the vehicles would be luxury.

Mr. Eastman stated the customer would go online to view the cars and request to see them, that this would not be like a typical car dealer and no showroom windows would be installed. He said the applicant would buy cars from everywhere and then re-sell them. He also explained the applicant was not requesting any sign variances, that they are allowed a standard wall sign on the west of the building above the entrance.

Abe Zabadneh, Villa Park, IL, sworn. Mr. Zabadneh stated he has been in the luxury car business for approximately 10 years, that his business is mainly Internet-based. He said he buys cars from auctions and by private sellers. He explained his process before selling a car. He said it gets pre-inspected and detailed to get showroom ready. He indicated he would only have 20 to 25 cars in the showroom at one time, that the cars would range in price from \$20,000 to \$50,000, that he sells some domestic cars, but that mostly German or Japanese import cars. He explained they would offer financing, but not in-house and they do offer extended warranty. He went on to say the only time a vehicle would arrive on a stretch truck would be if it is a high-end vehicle from out of state, that normally he picks them up personally. He said in the past he has shipped cars out of the country, but it is not very common.

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried, public hearing closed 9:33 p.m.

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

AYES: Commissioners Bethune, Rashid, Hegber, Wright, Alexander-Basta, Campos,
Chair Schank

NAYS: None

ABSENT: Commissioners Rhoades and Vice Chair Pritikin

Motion carried.

APPROVAL OF FINDINGS OF FACT

PC 17.19 Approval of a Special Use Permit for a Planned Development and Adoption of Findings of Fact. Project No.: 420.17

Motion Alexander-Basta, second Hegber 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

None

PLANNING DEPARTMENT REPORT

None

ADJOURNMENT

Motion Alexander-Basta, second Wright to adjourn.

Voice Vote: Unanimous
Motion carried.

Chairman Schank adjourned the meeting at 9:35 p.m.

CHAIRMAN

APPROVED

SECRETARY