

REGULAR MEETING MINUTES OF THE
PLANNING AND ZONING COMMISSION MEETING
HELD AT THE ROBERT J. HOMOLA
MUNICIPAL BUILDING, DUPAGE COUNTY
201 SOUTH BLOOMINGDALE, ILLINOIS 60108 ON
MARCH 21, 2017 AT 7:00 P.M.

1. CALL TO ORDER

The Planning and Zoning Commission meeting was called to order by
Chairman Brice at 7:00 p.m.

2. ROLL CALL

Upon roll call by the recording secretary, the following Commissioners were:

Present: Commissioners Jaster, Flood, Coleman, Shannon, Smith and
Chairman Brice

Absent: Commissioner King

Quorum Present

Also Present: Mr. S. Gascoigne – Village Development & Planning
Mr. M. Castaldo – Village Attorney
Mr. B. Prohaska – Assistant Village Engineer

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES – MARCH 7, 2017

Moved by Commissioner Jaster, seconded by Commissioner Shannon to approve the
March 7, 2017 Planning and Zoning Commission meeting minutes.

Ayes: Commissioners Jaster, Shannon, Smith, Coleman and Flood

Nays: None

Absent: Commissioner King

Abstain: Chairman Brice

Motion Declared Carried

5. DUNKIN DONUTS/200 E. LAKE STREET – FINAL SITE PLAN, REZONING, SPECIAL USE PERMIT TO ALLOW PLANNED DEVELOPMENT WITH EXCEPTIONS - (FIRST HEARING) – 2017-109

The following exhibits were entered into the record.

Exhibit # 1 - Application for Hearing, dated February 17, 2017

Exhibit # 2 - Notice of Public Hearing, dated February 21, 2017

Exhibit # 3 - Affidavit of Compliance, dated February 17, 2017

Exhibit # 4 - Application Agreement, dated February 17, 2017

Exhibit # 5 - Affidavit of Disclosure, dated February 14, 2017

Exhibit # 6 - Notice to Surrounding Property Owners
Notices Received (22), Notices Not Received (5)
Affidavit of Mailing, dated March 6, 2017

Exhibit # 7 - ACM Metal Panel for Accent Band Above Windows

Exhibit # 8 - Slide # 9 – Color Board

The following people were sworn in for the hearing.

Mr. Eric Carlson - Architect, Represents Dunkin Donuts, 24 N. Bennett Street, Geneva, IL

Mr. Anthony Bonavolonta – Represents Dunkin Donuts, 845 Butternut Court, Roselle, IL

Mr. Asif Rajabali – Owner of Dunkin Donuts, 3315 Algonquin Road, #440, Rolling Meadows, IL

Exhibit # 1 was entered into the record, which is the Application for Hearing, dated February 17, 2017.

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Exhibit # 4 was entered into the record, which is the Application Agreement, dated February 17, 2017.

Exhibit # 5 was entered into the record, which is the Affidavit of Disclosure, dated February 14, 2017.

Exhibit # 6 was entered into the record, which are the Notices to Surrounding Property Owners. 22 Notices were received and 5 Notices were not received. The Affidavit of Mailing is dated March 6, 2017.

Mr. Eric Carlson introduced himself to the Planning and Zoning Commission. He is the architect and represents Dunkin Donuts. His address is 24 N. Bennett Street, Geneva, Illinois. The site at 200 E. Lake Street is currently the BP gas station at the corner of Circle and East Lake Street.

He refers to the existing site plan with a curb cut on Circle and two curb cuts on Lake Street.

He showed the Planning and Zoning Commission a photograph of the current gas station with the existing fence that is proposed to be changed to a solid fence.

He stated that the proposed site plan for a Dunkin Donuts drive-thru is tearing down the existing building and closing off one of the entrances on Lake Street and placing the building on the east side of the lot with the drive-thru on the south end and exiting out onto Lake Street.

He stated that the buildable area based on the setbacks is challenging. They are asking for relief for the setbacks because of the size of this lot.

The building that they are proposing is a brick and stone with Hardiboard siding, which is painted. There will be ACM panels for accents.

He showed the Commission the location of the fully enclosed trash enclosure.

The color scheme is typical to what they have for their other stores (Sherwin Williams paint and fabric awnings).

Exhibit # 7 is introduced into the record, which is the ACM Metal Panel for Accent Band above Windows.

Exhibit # 8 is introduced into the record, which is Slide #9, Color Board.

He showed the Commission the elevations. The signage is one of the areas that they are asking for some relief on. They exceed the signage on the side facing Circle by about 15 feet. They have signage on the Lake Street side and the Circle side.

Chairman Brice inquired to how big the proposed sign is and what is allowed for the sign.

Mr. Carlson stated that on the west façade the allowed signage is 70.9 square feet, and they provided 49.9 square feet. On the north side they are allowed 34.8 square feet, and they are proposing the same size, which is 49.9 square feet.

They have complied with the size requirement for the monument sign. However, the location, due to the smaller site, they are proposing to be closer to Lake Street than what is allowed. The required monument setback is 20 feet, and they are proposing 5 feet from the property line.

Chairman Brice inquired to the reason for this.

Mr. Carlson stated that in order for that sign to be visible, since they have a small chunk of land to deal with, they need to place it here.

Mr. Carlson stated that Dunking Donuts typically run anywhere from 60 to 80 percent of their morning business through the drive-thru with this time frame being from 5:00 a.m. to 10:00 a.m. and mostly between 7:00 a.m. and 9:00 a.m.

Chairman Brice confirmed that the building setback that the petitioner is speaking about is set back from the street. He inquired to how far it is set back currently and what the Ordinance Code is on the setback.

Mr. Carlson said that the front yard setback requirement is 75 feet; they are providing 30.5 feet and requesting a variation of 45.5 feet.

Chairman Brice inquired if there is any requirement on the side or on the back that they are requesting.

Mr. Carlson said on the interior side yard setback, the requirement is 30 feet, and they are proposing 23.2 feet. On the rear yard, the setback requirement is 40 feet, and they are proposing 31.5 feet.

Mr. Carlson said they have provided 23 parking spaces; the requirement is 38 spaces. The requirement of 13 spaces per 1,000 square feet is based on a sit-

down and take out restaurant. The Dunkin Donuts tends to have significantly less sit-down traffic and less traffic volume than some of the other fast food locations. He said that 23 parking spaces are adequate for this use based on the owner's other stores.

They are requesting a variation on the front yard parking setback and landscape setback.

They are also asking for a variation for corner side yard parking.

Dunkin Donuts have deliveries early in the morning from a Box Truck; once a week a full semi-truck will deliver during off hours, generally overnight hours so there are not many people visiting the store at that time.

They will comply with the Ordinance in regard to photometrics.

The mechanical equipment on the roof will be screened in accordance to the Ordinance.

In regard to tree replacement, Mr. Carlson stated that they need a replacement of 36 trees to comply with the Ordinance; they have room for 18 trees. He said they have done a good job with landscaping on the site.

Mr. Gascoigne said the request here is to Repeal or Amendment of Ordinance 95-22, which is actually to down zone the property; the current classification of B-4 is more of an intensive zoning classification than the B-3 as they are requesting. They require a special use permit for the Planned Development, final site plan approval, the rezoning of the subject property from B-4 Automotive to B-3 General Business, special use to allow for the operation of a drive-thru, and exceptions from the Zoning Ordinance.

One of the exceptions that the petitioner did not address is to have the downspouts visible from the façade. There needs to be clarity if there are downspouts proposed and whether they will be internal to the building as they are required to be.

The petitioner stated that typically the downspouts are on the outside, but they will comply with the Ordinance and put them inside of the building.

The petitioner confirmed that there will be no mounted transformers.

Mr. Gascoigne would like the Commission to consider the appropriateness of the proposed architecture and materials, the impact of the use on the surrounding properties, the shielding of the lights along the south lot line of

the property, the appropriateness of the proposed tree replacement plan, and the appropriateness of the various exceptions being requested. Many of these, as the applicant stated, are due to the constraint of the property; it is a very small property, and as he did indicated, the existing use that is there right now has the equivalent exceptions, if not more in some instances, in terms of the parking lot setbacks.

They are requesting a front yard setback of 30.9 feet in lieu of the 75 feet required; the interior side of 23.2 feet in lieu of the 40 feet required; and the rear of 29.3 feet in lieu of the 40 feet required.

He stated if he understood the applicant correctly there are a couple of discrepancies. The front yard pavement and parking setback is 9.1 feet in lieu of the 30 feet; the corner (west) side yard was 10 feet in lieu of the 30 feet; the interior was 10 feet in lieu of the 20 feet, and the rear is not compliant. They indicated that it was compliant but they are asking for 10 feet in lieu of the 40 feet required. There is also a deficiency in the number of replacement trees on the site. They are looking to not require the first 30 feet of both yards along Circle and Lake Street to be landscaped due to physical constraints of the property. They are looking at reductions in the required parking to allow 23 spaces in lieu of the 38 required. The applicant stated that this is due mainly to the fact that their business does more of the drive-thru component than it does as a sit-down. The wall sign they are looking to have is 49.84 square feet in lieu of the 35.1 square feet. They are looking to allow a free-standing sign to be 5 feet from the property line in lieu of the 15 feet required.

He stated that one item that he picked up on from the presentation that was not one of the original exceptions requested is in regard to the directional signage. All of their directional signage is reviewed and approved in-house as long as it meets the square footage requirements, but it does not allow logos and signage on it. All of the directional signage that the applicant identified on their directional signage had the Dunkin Donuts logo or branding on the sign. This would be an additional exception.

The applicant stated that they will not have logos or branding on their directional signage.

Chairman Brice inquired if the directional signs were too big or too wide.

Mr. Gascoigne stated that the signs are fine in terms of size, but directional signs cannot contain logos or branding.

Chairman Brice said that the site seems very congested and tight. He mentioned that Mr. Gascoigne mentioned earlier that the site was tight previously. He said he can envision the old building, but the new building seems to him to be very difficult for people to get in and around, and the parking spaces are considered shorter.

Mr. Gascoigne referred to the existing site plan as it sits today. He goes over this with the Planning and Zoning Commission. It is a plus by the applicant removing a curb cut so close to an intersection. He stated that by closing this off will actually improve traffic in his opinion.

Chairman Brice stated that he envisions the Dunkin Donuts being a larger building.

Mr. Gascoigne said that it does not look that much bigger than the existing building.

Mr. Prohaska said that he would think that the proposed building is going to read as a smallish building from Lake Street because the smallest façade of the building is closest to Lake Street. The bulk of the building will be a shadow of that behind it so they will not see the bulk of the building directly from Lake Street.

Chairman Brice inquired to what is east of the lot.

Mr. Gascoigne stated that the property on the northwest corner was actually sold to the applicant as well with this property. He believes there are discussions with the property south of that as well.

Mr. Anthony Bonavolonta introduced himself to the Planning and Zoning Commission. He resides at 845 Butternut Court, Roselle, Illinois. He represents Dunkin Donuts and was the real estate broker who sold the northwest corner property. He also has a signed contract with the people to the south of the house that is at the corner of Prairie. He stated that their development will actually be one whole retail area along Lake Street after this is approved and eliminate the need for a variance on the east property line at that time, but right now they are not proposing it.

Commissioner Smith inquired if there is a stacking for the drive-thru issue.

Mr. Gascoigne stated that they have plenty of room.

Commissioner Shannon stated that he loves Dunkin Donuts, and they are very busy. He inquired to how do they make sure that traffic does not back up onto Lake Street.

Mr. Gascoigne stated that the code requires six cars, and Lake Street does get busy; they do meet the code in terms of that. He mentioned that across the street is a Dunkin Donuts, and they do not even have a drive-thru with the parking lot being full, but the circulation of that parking lot manages to get the traffic out with no issues at the busiest times of the day during the week.

Chairman Brice inquired if the Dunkin Donuts down and across the street going to remain open.

Mr. Bonavolonta stated that the same owner owns both of them. He intends to keep both of them open.

Mr. Prohaska asked if there is an opinion on what they can supply to the Commission on the average service time for the drive-thru.

Mr. Asif Rajabali introduced himself to the Planning and Zoning Commission. He is the owner of the proposed Dunkin Donuts. His address is 3315 Algonquin Road, #440, Rolling Meadows, Illinois. He owns 30 Dunkin Donut restaurants between here in Chicago and Texas. They have been in the business for a long time; their service time during the peak hours of their business is 90 seconds. They are much faster than Starbuck's. He stated that if they ever see the drive-thru getting backed up, they usually have the cars park, and they bring out their order so they can keep that flow going.

Commissioner Coleman said he thinks the concerns on that backup is not so much on their service time but more of the traffic movement where the other location has a signalized light where here they are only getting that eastbound traffic onto Lake Street after the light at Circle and Lake Street.

Mr. Prohaska stated that there was not a traffic study requested for this project, and part of the reason why one was not requested is that the previous land use was a gas station, which has a higher intensity zoning classification associated with it. The traffic patterns are similar. The Dunkin Donuts queuing is showing 11 cars.

Commissioner Jaster stated that he thinks that there are going to be regular breaks where the traffic is going to clear and be able to get out.

Mr. Prohaska referred to his memorandum, dated March 6, 2017. He stated that they heard about the traffic. The applicant will have to get a permit for

work in the Lake Street right-of-way. There is some utility work associated with the new building for water and sewer, which will have to take place. The building will have to be fire sprinkled so they have to run a new water line underneath Circle Avenue and that pipe under Circle Avenue will have to be augured under the road. They also have to add a hydrant to comply with the Fire Department requirements between the pavement of Circle Avenue and the sidewalk of Circle Avenue on the west side of the building. Drainage for this proposed site has less impervious area than the Amoco so there is no storage or BMP's required for the project. Basically, the site is draining the same way it did before toward the southwest corner of the site.

There is one item that they should take a look at on the site lighting plan. The light nearest to the drive-thru lane on the south side of the lot has a little bit of light spillage to the south property, which is correctable by a combination of lowering the light pole and reducing the wattage of that lamp. They also could put in a house side shield on that fixture to direct the light toward the site and cut it off from the neighboring property to the south.

Chairman Brice stated that he is assuming whatever tanks were underneath the gas station are being removed.

Mr. Bonavolonta stated that when they purchased the property they put enough money aside and have all of the environmental reports as to what tanks have to be removed.

Chairman Brice said they have not talked about the trees, and Engineering gave them a nice list of items that they need to comply with. He asked the applicant if they are in agreement to comply with these requests.

The applicant stated that they are in agreement with these requests.

Chairman Brice said in regard to the trees, if the applicant wants to make a deposit in lieu of providing the remaining trees, he would be okay with this because he is not sure how they would be able to get all of these trees on the proposed location.

Commissioner Coleman agreed that the way the site is, there is no room for more trees. He agrees with Chairman Brice that if they allow the variance to not have that many trees there should be some kind of standard.

Mr. Gascoigne said the direction that they would be looking for from the Commission is either the exception to require the trees or the direction to provide a fee in lieu of for the trees that are deficient and then that becomes a

policy decision when they reach the Board since the Planning and Zoning Commission is a recommending body.

The Commission is in agreement that a contribution would be appropriate.

Commissioner Jaster inquired if there was any concern from engineering having any particular lights or noise that would interfere with any of the single-families with these cars queuing or going through the drive-thru.

Mr. Prohaska said the queuing would be similar but going the opposite direction in the drive-thru for what used to be a car wash. There is a six-foot high fence at the south property line, which is a board-on-board fence that you cannot really see through. Literally, there is a dense wall of landscaping on this site on their side of the fence. The property is pretty cut off from vehicles headlights. Noise is a little bit different because they will have a speaker where they place an order. There is potential of some noise generated from people talking into the speaker near that ordering point at the southeast corner of the building.

Mr. Carlson stated that they are proposing to put a solid fence up and not a board-on-board fence along that south line of the property. This would block out the lights as well as used as a sound block. The technology for the sound has increased significantly and is better in the last few years. The one that Dunkin Donuts currently uses has an adjustable volume that can be controlled from the inside. If there is a problem, it can be adjusted and lowered during the early morning hours. The apartment building is relatively close; he referred to the sound level chart and goes over it with the Commission. He also goes over the decibel range they would be in. He said if it does become an issue, they can adjust the volume.

Commissioner Jaster inquired if the Dunkin Donuts will be open 24 hours.

Mr. Carlson said it is proposed to be open 24 hours.

Commissioner Flood inquired to how tall the fence will be.

The fence will be 8 feet. Mr. Carlson showed the Commission where the fence will be located.

Moved by Commissioner Jaster, seconded by Commissioner Smith to open up the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

The following people were sworn in for the hearing.

Mr. Frank DeCarlo - 105 S. Prairie Avenue, Bloomingdale, IL

Mrs. Deborah DeCarlo - 105 S. Prairie Avenue, Bloomingdale, IL

Mr. Robert Grilli - 107 S. Prairie Avenue, Bloomingdale, IL

Mr. Robert Maras - 107 S. Circle, Bloomingdale, IL

Mr. Frank DeCarlo introduced himself to the Planning & Zoning Commission. He lives at 105 S. Prairie Avenue, Bloomingdale, Illinois. He lives at the first house on Prairie east of the proposed Dunkin Donuts. His concern is the sign that is going to be 5 feet from Lake Street; he does not want to see it from his living room in his house. He does not want it to be intrusive, and if it is going to be that close off of Lake Street, it is going to be impossible not to see it from the homes just off of Prairie.

Mr. Carlson showed the Commission where the gas station sign is located and where the Dunkin Donuts sign will be located. The Commission discussed the location of the sign. The size and height of the proposed sign is similar to what is there now.

Mr. Prohaska stated that the lighting will all be enclosed in the cabinet of the Dunkin Donuts' sign.

Chairman Brice confirmed that they will have screening that will help screen the sign that is going to be put in place; the sign that is going to be put in place is approximately the same size as the current size of the old gas station.

Mr. DeCarlo inquired to why they need a sign on both sides if they will not be able to turn in there going west.

Mr. Prohaska stated that the code allows for a two face sign.

Mr. Gascoigne said that everything with the exception of the setback is code compliant with the sign.

Mr. Gascoigne said that he is pretty sure that a lot of the signs along Lake Street are pretty close in proximity to the same location.

Mr. Prohaska said this is because when Lake Street got widened, the signage changed.

Mr. DeCarlo said if they are going 5 feet from Lake Street they cannot landscape all the way up to the sign because they have a sidewalk.

Mr. Prohaska stated that the setback does not start at the curb of Lake Street; it starts at the furthest edge from the sidewalk, and then there is a 5-foot green space and then the sign. The actual sign he thinks is more than 5 feet from the curb of Lake Street; it is 5 feet from the right-of-way of Lake Street, but the right-of-way is set back 6 to 8 feet from the curb.

Mr. DeCarlo inquired if the height of the sign is going to be taller than the gas station sign.

Mr. Prohaska said he is not sure, but it is probably similar.

Mr. DeCarlo inquired about the fence.

Mr. Gascoigne said there is going to be an 8-foot fence on the south side and they intend to have it run up to the sidewalk on Circle.

Mr. DeCarlo is concerned with this fence, and he thinks it is going to be dangerous.

The Commission discussed the fence and where it will be located.

Mr. DeCarlo is also concerned with people walking down the sidewalk and the traffic coming through the drive-thru.

The Planning and Zoning Commission continued to discuss the traffic exiting out of the drive-thru.

Ms. Deborah DeCarlo introduced herself to the Planning and Zoning Commission. She lives at 105 S. Prairie, Bloomingdale, Illinois. She is also concerned about pulling out of the drive-thru because there is a lot of

pedestrian traffic. Her other concern is that she did not know that the applicant purchased the house that is now vacant. She has concerns with the property that is currently east of the proposed property having the potential to give her a problem and thinks will affect her property value. Traffic on Prairie is bad. She is wondering what the single-family home property will be zoned.

Mr. Gascoigne stated that the property is already zoned B-3.

Chairman Brice said he understands her concern with the property that is east of the proposed project, but it does not affect this situation before them.

Ms. DeCarlo is also concerned with the height of the building.

Mr. Robert Grilli introduced himself to the Planning and Zoning Commission. He lives at 107 S. Prairie, Bloomingdale, Illinois. His biggest concern is the traffic; he disagrees without doing a traffic study. He said a drive-thru Dunkin Donuts is a fantastic idea but nobody is going to want to go to the Dunkin Donuts that does not have a drive-thru, which is on the north side of Lake Street, which also is a frontage road area with a light. He is fine with bringing business in, but his problem is that he is on Prairie. With the offset intersection of Circle and Lake, everybody turns onto Prairie in order to go south to Schick, west to Circle then head north. He is concerned about the traffic. He thinks that traffic will be stopped on Lake Street and be a mess. He also stated that they have a lot of pedestrians. He sees the other Dunkin Donuts closing because he cannot see another one right down the road and across the street from a Starbuck's.

Mr. Robert Maras introduced himself to the Planning and Zoning Commission. He owns the 6-flat apartment building at 107 S. Circle, Bloomingdale, Illinois immediately south of the proposed Dunkin Donuts. He is glad to see something done with that property. His biggest question is the fence. He inquired to what the Village Ordinance is as far as the finished side of the fence versus the unfinished side and which way will it be facing.

Mr. Gascoigne said it will be a stockade fence so it will look the same on both sides.

Mr. Maras inquired to where the main entrance door will be.

The applicant said it will face Circle but on the Lake Street side of the building.

Mr. Maras said some of the problems they had with Pauli's is with the underground water tank for the car wash. It was supposed to be removed.

The applicant stated that they will remove this.

A major concern of his is the speaker for the drive-thru. Will he have to keep telling Dunkin Donuts to turn the volume down? He would prefer the speaker be closer to the east backside of the lot.

Mr. Rajabali stated that they determine the placement of the speaker menu board to maximize efficiency. He said if it is available to set the volume at certain times, they will do it, but they do not know if this can be done.

Mr. Maras asked if they can maybe move the speaker. The Commission discussed this further.

The owner of Dunkin Donuts said that they can take a look at it.

Commissioner Jaster asked how far the sound carries from the drive-thru speaker.

Mr. Rajabali stated that he has a Northbrook location close to residences, and they do not seem to have a problem.

Mr. Maras asked for the address of the Dunkin Donuts in Northbrook so he can contact him regarding noise.

Moved by Commissioner Coleman, seconded by Commissioner Flood to close the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

Commissioner Coleman inquired to what other businesses in Bloomingdale are open 24 hours.

Mr. Gascoigne stated that Meijer's, Walmart, existing Dunkin Donuts, McDonald's, and most of the gas stations are open 24 hours.

Chairman Brice brought up that there are a few people worried about traffic studies. He would like to know if they can put something into their motion that a traffic study be done before it goes to the Village Board to alleviate some of the concerns that may be addressed by some of our citizens.

Commissioner Jaster does not see the necessity of a traffic study; he does not think that it is warranted in this case whatsoever. Most of the Commission does not seem to think they need a traffic study.

Mr. Prohaska stated that the previous use was similar to the Dunkin Donuts so the traffic will be similar.

Chairman Brice said that he will keep it as a minority report that he would be requesting a traffic study to be performed.

Moved by Commissioner Jaster, seconded by Commissioner Shannon to recommend approval of the following requests and relief relative to the request for the construction of a new, approximately 2,800 square foot Dunkin Donuts, with a drive-thru on the subject property at the property commonly known as 200 E. Lake Street: (1) repeal or Amendment of Ordinance No. 95-22, which rezoned the property from B-3 to B-4, to permit the construction of an automotive service station and retail convenience store; (2) rezoning of the subject property from B-4, Automotive Business District, to B-3 General Business District; (3) a special use permit to allow a Planned Development; (4) a special use to allow for the operation of a drive-thru associated with a restaurant; (5) final site plan approval; (6) exceptions from the Zoning Ordinance related to (a) front yard setback of 30.9 feet in lieu of the 75 feet required; (b) interior (east) side yard building setback of 23.2 feet in lieu of the 40 feet required; (c) a rear yard building setback of 29.3 feet in lieu of the 40 feet required; (d) a front yard parking/pavement setback of 9.1 feet in lieu of the 30 feet required; (e) a corner (west) side yard parking/pavement setback of 10 feet in lieu of the 30 feet required; (f) an interior (east) side parking/pavement setback of 10 feet in lieu of the 20 feet required; (g) a rear yard parking/pavement setback of 10 feet in lieu of the 40 feet required; (h) a deficiency in the number of replacement trees on the site; (i) to not require the first 30 feet of both yards along Circle Avenue and Lake Street to be landscaped; (j) reductions in the required parking to allow 23 spaces in lieu of the 38 required; (k) to allow a wall sign that is 49.84 square feet in lieu of the 35.1 square feet allowed; (l) to allow a free-standing ground sign to be 5 feet from the north (Lake Street) property line in lieu of the 15 feet required; and (m) to allow two additional free-standing ground signs as menu boards on the subject property. The recommendation of approval made hereby shall be, and is hereby, made subject to the following conditions: (1) the petitioner shall install an 8-foot solid privacy fence along the entire south property line; (2) any lights along the south property line shall be shielded, shortened or both, to achieve compliance with the cut-off and illumination

requirements of the Village Code; (3) the Commission recommends that the Board consider a fee in lieu of providing the deficient trees with an amount to be determined by the Village Board, to account for all or some of the required trees; and (4) applicant will look into automating of the menu board speaker to reduce the volume of the speaker during the earlier hours of the day.

Ayes: Commissioners Jaster, Shannon, Coleman, Flood and Smith

Nays: Chairman Brice

Absent: Commissioner King

Motion Carried

6. MASSAGE THERAPY – ONE TIFFANY POINTE – SPECIAL USE PERMIT FOR OPERATION OF A MASSAGE ESTABLISHMENT - (FIRST HEARING) – 2017-107

The following exhibits were entered into the record.

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Exhibit # 2 - Notice of Public Hearing, dated February 21, 2017

Exhibit # 3 - Affidavit of Compliance, dated January 19, 2017

Exhibit # 4 - Application Agreement, dated January 19, 2017

Exhibit # 5 - Affidavit of Disclosure, dated February 6, 2017

Exhibit # 6 - Notice to Surrounding Property Owners
(19) Notices Received, (29) Notices Not Received
Affidavit of Mailing dated March 2, 2017

The following people were sworn in for the hearing.

Ms. Virginia Russell – 1101 Camden Court, Glendale Heights, IL

Exhibit # 1 was entered into the record, which is the Application for Hearing, dated February 16, 2017.

Exhibit # 2 was entered into the record, which is the Notice of Public Hearing, dated February 21, 2017.

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Exhibit # 4 was entered into the record, which is the Application Agreement, dated January 19, 2017.

Exhibit # 5 was entered into the record, which is the Affidavit of Disclosure, dated February 6, 2017.

Exhibit # 6 was entered into the record, which are the Notices to Surrounding Property Owners. 19 Notices were received and 29 Notices were not received. The Affidavit of Mailing is dated March 2, 2017.

Ms. Virginia Russell introduced herself to the Planning and Zoning Commission. Her address is 1101 Camden Court, Glendale Heights, Illinois. She would like to have a massage establishment located at 1 Tiffany Pointe, Bloomingdale, Illinois. She is a licensed massage therapist. It will be a small business, and her first business. She stated that she knows in previous years there has been a stigma attached to massage therapy; she looks forward to that being erased and hope that her establishment will help the community. She wants to have a nice place and something that is up to code. She is asking for a few exceptions.

Chairman Brice inquired to why she just did not open up her business and what is it about her business that she is in front of the Commission.

Ms. Russell said that she needs a business license. She said there is something about the bathrooms; she does not have one in the room that she is renting, but there is a bathroom close by. She stated that she also worked for another establishment.

Mr. Gascoigne stated that all massage establishments require a special use so she needs the special use in order to operate the massage establishment. There are a number of exceptions that she is requesting, and this is due to the constraints of the tenant space within the building at Tiffany Pointe. It is designed for individual tenant spaces but all of the tenants use the same common areas in terms of the bathroom. There is no plumbing that exists within her tenant space. The description that she provided for them indicates the hours of operation being Monday through Friday 7:00 a.m. to 8:00 p.m. and Saturday 7:00 a.m. to 8:00 p.m. and 11:00 a.m. to 3:00 p.m. on Sundays. The business is going to have two employees, including the owner, who will both work as massage therapists. They will not have regularly scheduled deliveries but will have some retail to sell to her clients.

Her tenant space is 275 square feet, and she would be requesting a special use for that. One of the exceptions she needs is to require adequate bathing, dressing and locker room facilities. She needs an exception to provide separate restroom/toilet facilities for male and female patrons. She needs an exception for relief from the requirement to provide lavatories or washbasins in each room where massage therapy would be provided. She would need relief from the requirement to provide a drinking fountain and mop sink.

Mr. Gascoigne said the plan indicated that there are locker facilities but indicates that they are for employees; the petitioner should clarify that the lockers will also be available for clients. She has also identified a dressing room on the floor plan. In terms of the restrooms, the ordinance actually states that it has to be provided in an area and that all massage rooms shall contain sinks with hot and cold water.

Commissioner Jaster stated that they provided relief to another massage establishment on Glen Ellyn Road and wonders if there have been any issues there.

Mr. Gascoigne stated that they have not had any issues.

Mr. Gascoigne stated that staff is recommending that they include in the motion that any and all new employees shall provide to the Village of Bloomingdale's Building and Zoning Department proof of proper licensing, including a background check prior to performing any massage.

Moved by Commissioner Jaster, seconded by Commissioner Coleman to open up the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

No one came forward to address this hearing.

Moved by Commissioner Jaster, seconded by Commissioner Coleman to close the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

Moved by Commissioner Jaster, seconded by Commissioner Flood to recommend approval of the following zoning permission or relief in connection with a petition submitted by Virginia Russell, as operator of Gina's Dream House Massage, at 1 Tiffany Pointe (the subject property): (1) a special use permit for an approximately 275 square foot tenant space, in a building presently zoned B-2/SP/PD/OT, to permit the operation of Gina's Dream House Inc., a massage establishment, including full-body massage; (2) relief from the requirement contained in Ordinance No. 2005-12 to provide adequate bathing, dressing and locker room facilities; (3) relief from the requirement contained in Ordinance No. 2005-12 to provide separate restroom/toilet facilities for male and female patrons of the establishment; (4) relief from the requirement contained in Ordinance No. 2005-12 to provide lavatories or washbasins in each room where massage therapy would be provided; (5) relief from the requirement contained in Ordinance No. 2005-12 to provide high/low drinking fountains and a service/mop sink; and the recommendation of approval made hereby shall be and is hereby made subject to the following conditions (1) any and all new employees shall provide to the Village of Bloomingdale's Building and Zoning Department, proof of proper licensing and have completed a background check prior to performing any massage.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

7. HEALTHY AIR HEATING AND COOLING/ZONING RELIEF TO ALLOW THE OPERATION OF AN ORRICE FOR A HEATING AND AIR CONDITIONING BUSINESS ON THE FIRST FLOOR OF THE SUBJECT PROPERTY – (FIRST HEARING) – 2017-108

The following exhibits were entered into the record.

Exhibit # 1 - Application for Hearing, dated February 17, 2017

Exhibit # 2 - Notice of Public Hearing, dated February 21, 2017

Exhibit # 3 - Affidavit of Compliance, dated February 16, 2017

Exhibit # 4 - Application Agreement, dated February 16, 2017

Exhibit # 5 - Affidavit of Disclosure, dated February 16, 2017

Exhibit # 6 - Notice to Surrounding Property Owners
(5) Notices Received, (2) Notices Not Received
Affidavit of Mailing dated March 2, 2017

The following people were sworn in for the hearing.

Mr. Piotr Blaszczyk – 22W305 Broker Road, Medinah, IL

Exhibit # 1 was entered into the record, which is the Application for Hearing, dated February 17, 2017.

Exhibit # 2 was entered into the record, which is the Notice of Public Hearing, dated February 21, 2017.

Exhibit # 3 was entered into the record, which is the Affidavit of Compliance, dated February 16, 2017.

Exhibit # 4 was entered into the record, which is the Application Agreement, dated February 16, 2017.

Exhibit # 5 was entered into the record, which is the Affidavit of Disclosure, dated February 16, 2017.

Exhibit # 6 was entered into the record, which are the Notices to Surrounding Property Owners. 5 Notices were received and 2 Notices were not received. The Affidavit of Mailing is dated March 2, 2017.

Mr. Piotr Blaszczyk introduced himself to the Planning and Zoning Commission. He lives at 22W305 Broker Road, Medinah, Illinois. He stated that he is trying to get a special use for an Old Town piece of property, which is now a single-family home and zoned B3. They would use the building as an office to run an HVAC office.

Mr. Gascoigne stated that this is a straightforward request. The petitioner is looking to open up a HVAC office. The Old Town section of the code requires that any proposed use that is not consistent with the previous or existing use of the building requires a special use. In this case, the property was used for a single-family home most recently.

The petitioner indicated in his application that there is not going to be more than five employees and most of the time probably only three employees. His office hours will be Monday through Friday from 7:00 a.m. to 5:00 p.m.

Mr. Gascoigne said that even though the petitioner is not planning on doing any exterior work, the applicant should freshen up the outside with a coat of paint and provide a basic landscaping plan and freshen up the landscaping.

Mr. Blaszczyk stated that he is willing to put in landscaping and freshen up the property with some paint. He wants to make this property look nice.

There will be no customers going to this location. It is strictly an office. There will be no showrooms or displays. They are suggesting that the first floor be restricted to general office and the second floor to storage.

Moved by Commissioner Jaster, seconded by Commissioner Coleman to open up the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

No one came forward to address this hearing.

Moved by Commissioner Coleman, seconded by Commissioner Flood to close the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

Moved by Commissioner Smith, seconded by Commissioner Shannon to recommend approval of a special use to allow for the operation of an HVAC office at the property commonly known as 124 N. Bloomingdale Road, subject to the following conditions: (1) the first floor shall be restricted to general office and the second floor to storage. No portion of the structure or building shall be used to store, display or otherwise advertise/sell any products; (2) any accessory structures on the property shall be restricted to the storage of tools and no toxic chemicals or flammable materials shall be stored anywhere on the site; (3) no service vehicles shall be stored outside or parked overnight. All vehicles being left at the property for an extended period of time must be fully sheltered and shall not be visible from any portion of the property; (4) any parking of service vehicles shall be limited to daily operating functions of the business use and all service vehicles shall utilize any available parking furthest from Bloomingdale Road when at all possible; and (5) the petitioner will work with staff to submit a basic landscape plan and submit exterior improvements to be completed prior to occupancy.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Carried

8. OLD BUSINESS - None

9. NEW BUSINESS

Mr. Gascoigne stated that the Bloomingdale Park District and Urban Air will be before the Commission at the April 5, 2017 Planning & Zoning Commission. It will be on a Wednesday due to the election.

Commissioner Jaster will not be able to attend the April 5th hearing.

10. CITIZENS TO BE HEARD - None

11. ADJOURNMENT

Moved by Commissioner Smith, seconded by Commissioner Flood to adjourn the March 21, 2017 Planning and Zoning Commission meeting at 10:00 p.m.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner King

Motion Declared Carried

Respectfully Submitted,

Sandra Aronson, Recording Secretary
of the Planning and Zoning Commission