

**A REGULAR MEETING OF THE PLAN COMMISSION
OF THE VILLAGE OF BOLINGBROOK
October 18, 2023**

CALL TO ORDER

Chairman Ali called the meeting to order at 7:06 p.m., Wednesday, October 18, 2023.

ROLL CALL

Present: Commissioners Barrington Tucker, Lon Schank, Inez Flores, Michael Shay, Calvin Wright, Bhavini Patel, Chairman Ali

Absent: Vice Chair Lawrence Cooper

Staff: Director of Community Development, Matt Eastman; Village Engineer, Tom Pawlowicz;
Village Attorney, Ross Secler

Press: None

Attendees: Mark Heinle, Gary Marschke, Pastor Paul Carlson, Barbara Parker, Senator Rachel Ventura, Karolina Strade, Linda Ellis, Pat Ronna, Yolanda Monarrez, Mario Monarrez, Joe Giamanco, James Grzenia, Diane Kloepper, Bernadette Floyd, Charlotte Droogan, Carol S. Penning, Sue Harvey, Mark Heinle, Ruth Moreno, Jackie Traynere, Lynn Meana, Jeffrey Braun, Judy Bredeweg, Linda Ellis, Andre Motin, Patty Droogan, Anne Murray, Reem Townsend, Freye Knarr, Vicente Fernandez, Jay Kolder

APPROVAL OF MINUTES

Motion Schank, second Tucker to approve Minutes of the July 19, 2023 and August 16, 2023 meetings of the Plan Commission.

Voice Vote: Unanimous
Motion carried.

PUBLIC HEARING

SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND CONCEPT PLAN. DUPAGE TOWNSHIP RESOURCE CENTER & FOOD PANTRY, NEC OF LILY CACHE LANE AND CANTERBURY LANE. APPLICANT: GARY MARSCHKE, DUPAGE TOWNSHIP. PROJECT NO.: 403.23

Motion Schank, second Tucker to open the public hearing, continued from August 16, 2023.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Patel, Chair Ali

NAYS: None

ABSENT: Vice Chair Cooper

Motion carried, public hearing opened at 7:07 p.m.

Director of Community Development, Matt Eastman, presented the applicant is requesting approval of a Special Use Permit for a Planned Development with Variances and Concept Plan in order to allow for the construction of a resource center and food pantry located at the northeast corner of Canterbury Lane and Lily Cache Lane. The subject property comprises approximately 1.46 acres in size, is currently zoned B-1 Local Retail, and is currently vacant. The subject property would have full access off Canterbury Lane, to the west, and a right-in right-out off Lily Cache Lane, to the south. Detention would be provided onsite via a combination of aboveground and underground system. At the Applicant's request, the initial hearing on this matter was continued from June 21, 2023, to August 16, 2023. The primary purpose of the continuance was to allow the Applicant further time to respond to Village Staff questions and requests for clarifications or additional information, including conducting a traffic study and submitting a security plan. On August 3, 2023, the Village received a Traffic Impact Study for DuPage Township, prepared by BLA, Inc. Due to time constraints faced by the Staff, Staff was unable to fully review and analyze the study's findings. This limitation affected Staff's capacity to offer well-considered comments and engage in meaningful discussions about the study. Additionally, upon a cursory examination of the site plan and floor plan used in the study, differences were observed compared to the Village's records from the previous formal submission dated April 14, 2023; therefore, at the Applicant's request, the public hearing was continued once again from August 16, 2023, to October 18, 2023. On August 4, 2023, the Village hired KLOA, Inc. to conduct an independent review of the Traffic Impact Study prepared by

BLA, Inc. The Village shared the results of this review with the Applicant on September 1, 2023, and requested that the comments be addressed as part of the Applicant's resubmittal. On September 13, 2023, the Village received a revised Traffic Impact Study, along with supplementary materials, which included an updated Site Plan, Floor Plan, and Security Plan, as well as an explanation of the proposed "wrap-around services" to be offered at the facility. On October 3, 2023, the Village provided the Applicant with Staff's responses pertaining to comments that either went unaddressed or required further clarification. At that time, no further, additional information, clarification, responses, or materials have been received.

For the Concept Plan. The applicant is proposing an approximate 11,000 square foot building on the subject property. The proposed resource center would include an approximately 2,000 square foot food pantry, a 3,000 square foot area designated for office, and a 6,000 square foot warehouse. The Applicant is proposing 28 parking stalls, noting that all employees would be required to park at the existing DuPage Township building located at 241 Canterbury Lane. In the Township's recently published newsletter states that the current Food Pantry "has grown from serving approximately 60 families a month to now serving over 1,000 families a month." The Village, as well as KLOA, have previously requested figures or estimates about patrons currently using the Township's Food Pantry and ancillary services but have not received response. According to the Township's publications and based upon the prior representation that the new facility would keep the same hours as the current Food Pantry, the amount of traffic would greatly exceed the number of available parking stalls. For example, if the facility is open five hours on Tuesday, five hours on Thursday, and two hours on Saturday, then that is 12 hours per week or 48 hours per month. If the 1,000 families are able to access the Food Pantry twice a month, that is over 2,000 site visits, which equates to roughly 42 visitors per hour. This is further reasoning as to why the traffic study should incorporate and analyze traffic from the Township's existing Food Pantry; which has been requested. The Applicant is proposing to allow for two deliveries via semi-truck per month. KLOA has requested that the traffic study show the proposed semi-truck path turning from Lily Cache Lane to Canterbury Lane, and vice versa, to determine if any geometric modifications are needed at the intersection in order to accommodate the turning path of the delivery vehicles. If such modifications are required, it would be the responsibility of the Applicant. Public improvements such as, public sidewalk, street lights, etc. within the existing parkway area, along Lily Cache Lane and Canterbury Lane, would remain unaltered as part of any site improvements. The proposed plan does call for the removal of two existing parkway trees in order to install the access drive off Canterbury Lane. Per the Applicant, the proposed hours of operation for the resource center are Monday through Friday 8:00 a.m. to 4:30 p.m., Saturday 9:00 a.m. to 11:00 a.m., and closed on Sunday. The services associated with the food pantry would be offered between 9:00 a.m. to 2:00 p.m. on Tuesday and Thursday, and 9:00 a.m. through 11:00 a.m. on Saturday. In addition, there would be 15 employees, 12 of whom are part-time, at this proposed location.

To develop the property in accordance, the Applicant is requesting the following Special Use Permit and Variances from the Zoning Ordinance and Development Code.

A Special Use Permit to allow a Resource Center and Food Pantry. Per the Village's Zoning Ordinance, neither Resource Center nor Food Pantry are listed as permitted uses; thus, the proposed DuPage Township Resource Center and Food Pantry would require a Special Use Permit within the B-1 Zoning District. The applicant is proposing the construction of an approximately 11,000-square-foot resource center and food pantry facility. At this time, Staff has not received sufficient information to make a formal recommendation in support of the proposed use. The security plan, traffic study, and the description of the services, offered insufficient and, in some instances, conflicting.

A Variance to waive the required curbed planting island. Per the Zoning Ordinance, a curbed planting island, which is a minimum of nine feet wide, back-of-curb to back-of-curb, is required at the end of a parking row. The Applicant is requesting to eliminate the curbed planting island, located just south of the proposed access point off Canterbury Lane, as shown on the site plan. Staff supports the variance as requested in order to allow for greater automobile maneuverability throughout the site in an effort to avoid damaging the curbs and landscape beds, while maximizing the number of parking stalls provided, subject to the Applicant providing any of the necessary geometric modifications to either the site and/or existing intersection to accommodate the necessary semi-truck deliveries.

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

A Variance to remove more than 50% of the trees onsite. Per the Development Code, no more than 50% of the existing trees onsite can be removed. Per the Applicant, as part of the proposed grading to accommodate for the

development, both of the two existing trees that currently exist onsite need to be removed. Staff supports the variance as requested, subject to the required number of replacement trees being provided.

RECOMMENDATION

At this time, Staff has several concerns regarding the lack of sufficient information made available to make a positive recommendation. These concerns have not been alleviated since the originally scheduled hearing on June 21, 2023, which was continued to August 16, 2023, and subsequently continued to October 18, 2023, at the applicant's request. Staff is responsible for evaluating proposals and providing recommendations, and it is essential to have access to comprehensive and accurate data to ensure an informed decision is made. While certain aspects of the proposed project can meet the standards to receive Staff approval subject to certain conditions, despite numerous requests to obtain needed information from the Applicant or to clarify certain aspects of the proposal, the Applicant has refused to provide sufficient responses that would enable Staff to recommend approval for the requested Special Use.

As such, there are still significant gaps in the information necessary for a thorough evaluation of the proposal, currently before the Plan Commission, that prevents Staff from recommending approval at this time. The gaps in information include, but are not limited to:

1. Conflicting details regarding the description of services. In order to understand the scope, impact, and feasibility, clarifications on the proposed new services being offered as part of the "wrap-around services" were requested. Within the explanation of said services, the Applicant stated that the services "in supplementation of the food pantry operation" would be "substantially identical" to the services provided at DuPage Township's Administrative Office; however, the materials also state the new services of showers and laundry facilities will be provided onsite, which are not currently administered. In addition, the Applicant has not explained the procedure for scheduling or maintain appointments for any "wrap-around services," Despite the Village's request, no responses, materials, or clarifications were provided by the Applicant following Staff's comments, which were released on October 3, 2023.
2. Insufficient analysis of the potential traffic impacts on the existing intersection. Without a thorough assessment of the potential impacts at this location, it is challenging to determine the project's potential effects on traffic congestion, accessibility, and public safety. While the Applicant has provided a traffic study, several of the comments made by KLOA remain unanswered, or how the Township intends to address excess parking needs. Regarding the semi-truck maneuvering proposal, the Applicant has not provided sufficient information, responses, or modifications to the proposal to adequately respond to the comments and requests from Staff and KLOA. KLOA requested that the traffic study show the proposed semi-truck path turning from Lily Cache Lane to Canterbury Lane, and vice versa, to determine if any geometric modifications are needed at the intersection in order to accommodate the turning path of the delivery vehicles. No response or proposed modification was provided by the Applicant. Finally, the Applicant's Firetruck Access Plan fireladder.
3. Inadequate analysis of impacts to public safety. Security and safety information is critical for understanding the project's overall sustainability and its compatibility at this location. The Security Plan is dependent on the assumption that the Township would be providing "substantially identical services" at the new facility compared to what is currently offers; however, the materials also state the new services of shower and laundry facilities will be provided onsite, which are not currently administered. Similar to the first point, no responses, materials, or clarifications were provided by the Applicant following Staff's comments, which were released on October 3, 2023.

Staff's written comments and the Applicant's written responses are available to the Plan Commission for reference.

Based on the above, Staff cannot recommend that the Plan Commission approve the Special Use Permit for a Planned Development with Variances and Concept Plan.

DISCUSSION

Followed

Motion Schank, second Tucker to close the public hearing.

AYES: Commissioners Tucker, Schank, Shay, Flores, Wright, Patel, Chair Ali

NAYS: None

ABSENT: Vice Chair Cooper

Motion carried, public hearing closed 10:42 p.m.

APPROVAL OF FINDINGS OF FACT

PC 23.03 Denial of a Special Use Permit for a Planned Development with Variances Concept Plan and Adoption of Findings of Fact. Project No.: 403.23

Motion Schank, second Tucker to accept the Findings of Fact.
Voice Vote: Unanimous
Motion carried.

Motion Schank, second Flores to accept the recommendation of Planning Staff.
AYES: Commissioners Schank, Shay, Flores, Wright, Patel, Chair Ali
NAYS: Commissioner Tucker
ABSENT: Vice Chair Cooper
Motion denied.

NEW BUSINESS

None

OLD BUSINESS

None

CITIZENS TO BE HEARD

None

CHAIR'S REPORT

Chair Ali, voiced his displeasure at threats made by Senator Ventura towards the Village regarding litigation.

COMMISSIONER'S REPORT

Commissioner Shay voiced his displeasure at comments made by audience containing false accusations of Village Staff.

PLANNING DEPARTMENT REPORT

None

ADJOURNMENT

Motion Schank, second Wright to adjourn.

Voice Vote: Unanimous
Motion carried.

Chairman Ali adjourned the meeting at 10:50 p.m.

CHAIRMAN

APPROVED

SECRETARY