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DES PLAINES PLANNING AND ZONING BOARD MEETING

November 24, 2020

MINUTES

The Des Plaines Planning and Zoning Board Meeting held its regularly-scheduled meeting on Tuesday, November 24, 2020, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

ZONING BOARD

Chairman Szabo called the meeting to order at 7:04 p.m. and read this evening's cases. Roll call was established.

PRESENT: Fowler (via phone), Hofherr, Saletnik, Veremis, Szabo

ABSENT: Bader, Catalano

ALSO PRESENT: Jonathan Stytz, Planner/Community & Economic Development
Wendy Bednarz/Recording Secretary

A quorum was present.

PUBLIC COMMENT

There was no Public Comment.

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Fowler, to approve the minutes of November 10, 2020, as corrected.

AYES: Hofherr, Fowler, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

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South: C-5, Central Business District
East: C-5, Central Business District
West: C-5, Central Business District

Surrounding Land Use: North: Railroad; Commercial (Dotombori restaurant)
South: Multi-family Residential (Library Courte)
East: Commercial (Village Bank & Trust)
West: Commercial (Shopping center)

Street Classification: Ellinwood Street and Pearson Street are classified as local streets.

Comprehensive Plan: The Comprehensive Plan designates the site as Higher Density Urban Mix with Residential.

Project Description: The petitioner, Dan Bourbon on behalf of Northshore University Health System, is requesting a major variation to allow for 166-square feet of wall signage for the existing immediate care and orthopedics clinic at 1535 Ellinwood Street. This address is located within a one-story, multi-unit commercial building off the southwest corner of Pearson Street and Ellinwood Street with access to shared surface parking lots located north and south of the building. The tenant space where Northshore operates is located at the far east end of the shopping center and fronts both Ellinwood Street and Pearson Street. The existing signage at this address includes window signage on the north and east elevations, a 61.36-square foot wall sign on the north and east elevations, and monument sign tenant panel. The subject property is part of the "Library Plaza Redevelopment" Planned Unit Development approved July 6, 1999 pursuant to Ordinance Z-11-99 for a mixed use retail, residential, and public use development, which included parking, a Plat of Subdivision, a Plat of Vacation, and multiple Variations. However, Ordinance Z-11-99 does not allow for additional sign area in excess of the maximum sign area permitted in Section 12-11-6(B) of the Des Plaines Zoning Ordinance.

Per Section 12-11-6(B), building facades that face a street are allowed two (2) wall signs and building facades that do not face a street are allowed one (1) wall sign provided that the total aggregate sign area for the entire building does not exceed 125-square feet. The total wall sign area at this address is currently 122.72-square feet. The petitioner's request to allow a wall sign area of 180-square feet where only 125-square feet is permitted constitutes the need for a major variation to Section 12-11-6(B) of the 1998 Des Plaines Zoning Ordinance.

The petitioner is requesting an addition onto the existing wall signs to identify various services that Northshore provides to the public, similar to the window signage installed on the building's street facing elevations. The proposed wall sign addition would be installed below the existing wall sign on a raceway which matches the color of the building and illuminated like the existing sign, as shown in the Sign Plan. The petitioner does not plan to alter or add any other signage to this address at this time.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

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- 1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty:**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot:**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title:**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision:**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot:**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan:**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.**

Comment: Please see the Petitioner's responses to Standards for Variations.

- 8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.**

Comment: Please see the Petitioner's responses to Standards for Variations.

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Recommendation: Staff does not recommend approval or disapproval of the requested aggregate wall sign area variation based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined within the City of Des Plaines Zoning Ordinance, as amended.

Planning and Zoning Board Procedure: Under Section 12-3-6(F) of the Zoning Ordinance (Major Variations), the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or disapprove the above-mentioned variance for aggregate wall sign area within the C-5 Zoning District at 1535 Ellinwood Street. The City Council has the final authority on the proposal.

Member Hofherr commented that the signage explains what the Northshore Healthsystem is offering and provides residents that information.

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to recommend approval requested aggregate wall sign area variation as presented.

AYES: Hofherr, Veremis, Fowler, Saletnik, Szabo

NAYES: None

*****MOTION CARRIES *****

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2. **Address:** 10 E. Golf Road

Case Number: 20-025-FPUD-LASR CU-V

The petitioner is requesting the following: (i) a Preliminary and Final Planned Unit Development under Section 12-3-5-1 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a new fuel station at the existing Mariano's grocery store; (ii) a Conditional Use for a Localized Alternative Sign Regulation (LASR) under Section 12-3-4 to allow a modified monument sign and new canopy signs with price readers; and (iii) approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-18-100-004-0000

Petitioner: Tim Kratz, 3025 Highland Parkway, Suite 850, Downers Grove, IL 60015

Owner: Realty Income Illinois Properties 2, LLC, 11995 El Camino Real
San Diego, CA 92130

Chairman Szabo swore in Tim Kratz, 3025 Highland Parkway, Suite 850, Downers Grove, IL 60015, representing the Petitioner.

Mr. Kratz began his presentation. Mariano's is requesting a preliminary and final planned unit development and a conditional use for a localized alternative sign regulation for a retail fuel center at the Mariano's located at 10 E Golf Rd. The fuel center is located on the current Mariano's property.

Mariano's is part of Kroger, the Kroger brand has approximately 1,600 fuel centers nation-wide and has a very successful fuel savings program. The fuel center at the existing location on Golf Road is intended to support the store investment and provide customers a convenient option for fuel. The fuel center would be open to the Mariano's customers and the public.

The fuel center will consist of dispensers, 10 fueling stations and a small kiosk. The sales kiosk is only open and available to the attendant. There would be one gender-neutral restroom that would be open to customers.

Mr. Kratz provided an overview of the Traffic Impact Study. Highlights include:

- Impact to intersection of Golf Road with Mt. Prospect Road is <2%
- Estimated ADT volume to be generated by the proposed fuel center is compared to the ADT along Golf Road and Mt. Prospect Road, the proposed development ADT is <1% of existing.
- Existing Access points are adequate
- Conclusion from Traffic Engineer: *Overall, the minimal increases in traffic along Golf Road and Mt. Prospect Road indicate that the traffic generated by the proposed fuel center will not have a significant impact on the operations of Golf Road with Mt. Prospect Road or on the overall operations of each roadway.*

The fuel center will generate very little "new" trips, much of the traffic will be existing from Mariano's shoppers.

Mr. Kratz provided an overview of the landscape and elevation plan. The intent is that the structures are cohesive and meet the original intent of the site.

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Mr. Kratz also went over the sign plan, including the monument sign with the price signs and the canopy mounted signs. The Applicant also proposes a price sign facing the store giving customers the information about that day's fuel pricing.

Chairman Szabo asked if the Board had any questions, the following questions were asked:

Member Hofherr inquired about the owner of the property, Realty Income Illinois Properties 2 LLC. Mr. Dan Ferrel, Real Estate Manager for Roundy's dba Mariano's, stated that Mariano's leases their properties. The lease gives Mariano's the option to development the properties.

Member Hofherr inquired about the height of the sign and if it would be visible after a snowstorm. Mr. Kratz was confident in the location of the sign, and low grow plants would be planted and the sign would be maintained appropriately in the snow.

Chairman Szabo inquired about the hours of operation. Mr. Kratz stated that they are proposing that the fuel center would be open 24 hours, with an employee specifically trained for fuel center operation during store hours (the employee would be managed by the store). After hours, the station would be un-manned fueling with credit card.

Chairman Szabo asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting the following: (i) a Preliminary and Final Planned Unit Development under Section 12-3-5 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a new fuel station at the existing Mariano's grocery store; (ii) a Conditional Use for a Localized Alternative Sign Regulation (LASR) under Section 12-3-4 to allow a modified monument sign and new canopy signs with price readers; and (iii) approval of any other such variations, waivers, and zoning relief as may be necessary.

Analysis:

Address: 10 E. Golf Road
Owner: Realty Income Illinois Properties 2, LLC, 11995 El Camino Real
San Diego, CA 92130
Petitioner: Tim Kratz, 3025 Highland Parkway, Suite 850, Downers Grove, IL 60018

Case Number: 20-025-PUD-LASR
PIN: 09-18-100-004-0000
Ward: #4, Alderman Artur Zadrozny

Existing Zoning: C-3, General Commercial Business District
Existing Land Use: Grocery Store (Mariano's)
Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial / R-1, Single Family Residential District
East: R-1, Single Family Residential District
West: R-1, Single Family Residential District

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Surrounding Land Use: North: Single Family Residences
South: Commercial (Animal Hospital) / Single Family Residences
East: Blackhawk Park
West: Single Family Residences

Street Classification: Golf Road and Mount Prospect Road are classified as arterial roads.

Comprehensive Plan: The Comprehensive Plan designates the site as Commercial.

Project Description: The petitioner, Tim Kratz on behalf of Roundy's Supermarkets, is requesting a Preliminary and Final Planned Unit Development (PUD) to allow the construction of a fueling station on the existing Mariano's property and a conditional use for a Localized Alternative Sign Regulation (LASR) to allow a modified monument sign and new canopy signs with price readers at 10 E. Golf Road. The existing 8.62-acre property consists of a 73,680-square foot building, 407-space surface parking lot, and the following signs listed below totaling 384.12-square feet and shown in the Sign Plan:

- Three wall signs, one on the south, east, and west building elevations;
- One monument sign along Mount Prospect Road;
- One monument sign along Golf Road in front of Blackhawk Park; and
- One monument sign located at the corner of the Golf Road/Mount Prospect Road intersection.

The Mariano's building consists of a 60,100-square foot grocery store, 1,680-square foot restaurant, and 265-square foot food preparation and storage area.

The petitioner is requesting the Preliminary and Final PUD in order to allow the proposed fueling station kiosk on the same lot as the existing Mariano's grocery store building without a Plat of Subdivision. Pursuant to Section 12-7-1 of the Zoning Ordinance, a PUD allows for more than one principle building to be located on a zoning lot. The subject property meets the location, ownership, and size prerequisites required for PUDs as specified in Section 12-3-5 as it: (i) is located within the C-3, General Commercial District, which allows PUDs through a conditional use permit; (ii) is under single ownership; and (iii) meets the minimum lot size requirement of two acres as required for PUDs located in the C-3 zoning district. The conditional use for the Preliminary and Final PUD is one of the two conditional uses included in this project.

Mariano's is a brand of Roundy's Supermarkets, Inc., which is a subsidiary of The Kroger Co. The Kroger Co. currently owns and operates approximately 1,500 retail fuel locations nationwide to provide Mariano's customers with loyalty discounts and one-stop conveniences as noted in the Project Narrative. The proposal includes the addition of a new passenger vehicle fueling station with a kiosk on the southwest portion of the property near the Golf Road/Mount Prospect Road intersection as shown on the Site Plan & Truck Turning Analysis Diagram. The proposed five pump fueling station will be an extension of the existing Mariano's grocery store and will be staffed by one grocery store employee at all times. The proposal will utilize the existing access points, approaches, and parking areas to access the proposed

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fueling center. In addition, the site will be modified accordingly to accommodate ingress/egress movements surrounding the fuel station for users and the fuel tanker truck, which will access the site from Mount Prospect Road.

The petitioner is also requesting a LASR to install six new signs to advertise the new fueling station. The petitioner is requesting the following exceptions to Section 12-11-6(B) of the Zoning Ordinance with the LASR request:

- For the three wall signs on the existing building totaling 299.37-square feet, which currently exceed the maximum sign area of 125-square feet permitted on an entire building (including all elevations).
- For the new 2.31-foot tall canopy signs to exceed 12-inches in height.
- To allow two electronic message board signs on the subject property where only one is permitted.

Existing Sign Area			
Sign Type	Qty	Location(s)	Area
Non-Illuminated Wall Sign	3	South, East, and West Store Elevations	99.79 each (299.37 total)
External Illuminated Monument sign	1	Corner of Golf Road/Mount Prospect Road	40.00
External Illuminated Monument sign	1	Along Golf Road in front of Blackhawk Park	30.75
External Illuminated Monument sign	1	Along Mount Prospect Road at west parking lot entrance	15.00
Total Area of Existing Signage on Site			384.12
Proposed Sign Area			
Sign Type	Qty	Location	Area
Non-Illuminated Wall Sign	3	One on South, East, and West Store Elevations	99.79 each (299.37 total)
External Illuminated Monument sign	1	Along Golf Road in front of Blackhawk Park	30.75
External Illuminated Monument sign	1	Along Mount Prospect Road at west parking lot entrance	15.00
<i>New Monument with LED Price Reader*</i>	<i>1</i>	<i>Corner of Golf Road/Mount Prospect Road</i>	<i>66.60</i>
New Wall LED Price Reader	1	Fuel station canopy	43.70
New "Mariano's" Wall	4	Fuel station canopy	14.8 each (59.2 total)
Total Area of New Signage Proposed			514.62

****Existing sign replaced by new monument sign with LED Price Reader***

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LASRs generally allow more signage and flexibility as compared to the Zoning Ordinance due to the size of the property, the configuration of buildings and the variety of uses. In this case, the existing Mariano's building is setback roughly 392-feet from Golf Road and 97-feet from Mount Prospect Road so any signage added to the building for the proposed fueling station would not be clearly visible to the street. Given the subject property's size and unique location near the Golf Road/Mount Prospect Road intersection, staff finds the request necessary to provide visibility for users coming from multiple directions. LASRs are permitted as a conditional use when the subject property is within a PUD. While this property is currently not in a PUD, the petitioner is requesting a PUD for this property as part of this project. The breakdown of the existing and proposed signage is shown below:

The design of the proposed fueling station is intended to utilize the existing impervious surfaces, add supplemental landscaping to address displaced landscaping on site, and utilize the general layout of the existing parking area as indicated on the Landscape Plan. The building materials for the proposed fuel station kiosk and canopy will be vintagewood cedar and ACM fascia to match the existing Mariano's Grocery Store. The addition of the proposed fueling station will decrease the available parking spaces on the subject property from 407 to 337 spaces, totaling a net loss of 70 parking spaces. The existing Mariano's grocery store and proposed fueling station kiosk are 73,680-square feet and 265-square feet, respectively according to the Architectural Plans. The following parking requirements apply pursuant to Section 12-9-7 of the Zoning Ordinance:

- For grocery stores, one space is required for every 300 square feet of gross floor area for grocery stores.
- For restaurants, one space is required for every 50-square feet of net floor area, or one space for every four seats, whichever is greater, plus one space for every three employees.
- For automotive fuel stations, two spaces required per pump, plus one space for every 200 square feet of accessory retail.

Furthermore, the grocery store portion of the Mariano's building will require 201 parking spaces (60,100-square feet / 300-square feet = 201), the restaurant area will require 37 parking spaces (1,680-square feet / 50-square feet plus three employees = 37), the food preparation and storage area is not counted, and the proposed fueling station will require 12 parking spaces (265-square feet / 200-square feet plus two spaces per pump = 12). Thus, staff concludes that a total of 250 parking spaces, including seven handicap accessible parking spaces, are required for the subject property as a whole. The proposal includes 337 parking spaces, which meets and exceeds this requirement.

Compliance with the Comprehensive Plan

There are several parts of the City of Des Plaines' 2019 Comprehensive Plan that align with the proposed project. Those portions are as follows:

- Under Future Land Use Map:
 - The property is marked for commercial. The proposed fueling center will take advantage of a well-located site at the corner of the Golf Road/Mount Prospect Road intersection and general proximity to established residential neighborhoods to improve the existing property and provide an additional service to the community.

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- The proposal would satisfy the goal to expand retail uses that primarily serve the day-to-day needs of local residents along major corridors in Des Plaines.
- Under Economic Development:
 - The Comprehensive Plan recognizes the economic vitality of the surrounding area and its importance to the broader region. The proposed fueling station would be in keeping with prior development efforts and further transform a standalone grocery store building with a restaurant into a multi-use commercial center.
 - This proposal would also further establish this property as a commercial hub for the City of Des Plaines and provide additional retail options for residents that are currently not available in the immediate vicinity of the area.

Conditional Use and PUD Findings: As required, the proposed development is reviewed below in terms of the findings contained in Section 12-3-5(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

A. The extent to which the Proposed Plan is or is not consistent with the stated purpose of the PUD regulations in Section 12-3.5-1 and is a stated Conditional Use in the subject zoning district:

Comment: A PUD is a listed conditional use in the C-3 zoning district. The proposed project meets the stated purpose of the PUD. Additionally, the redevelopment of the subject property will enhance the neighboring area, but also be cognizant of nearby land uses. Please also see the responses from the applicant.

B. The extent to which the proposed plan meets the prerequisites and standards of the planned unit development regulations:

Comment: The proposed development will be in keeping with the City's prerequisites and standards regarding planned unit development regulations. Please also see the responses from the applicant.

C. The extent to which the proposed plan departs from the applicable zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to the density, dimension, area, bulk, and use and the reasons why such departures are or are not deemed to be in the public interest:

Comment: The proposed project is in-line with the intent of a PUD as there is an exception being requested to accommodate a second principle structure on the subject property where the existing Mariano's grocery store and separate restaurant use currently exist. Additionally, the proposed exception would provide additional services and conveniences for Mariano's patrons. Please also see the responses from the applicant.

D. The extent to which the physical design of the proposed development does or does not make adequate provision for public services, provide adequate control of vehicular traffic, provide for, protect open space, and further the amenities of light and air, recreation and visual enjoyment:

Comment: All provisions for public services, adequate traffic control and the protection of open space are being accommodated in the proposed development. The proposed fueling station will be located within the existing paved parking area and will utilize the existing access points and approaches to the site. Please also see the responses from the applicant.

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E. The extent to which the relationship and compatibility of the proposed development is beneficial or adverse to adjacent properties and neighborhood:

Comment: The proposed development complements existing development to the west and extends the commercial land use, which is designated for this property. Additionally, considerations will be made to reduce any impact on the nearby residential uses from light and noise pollution. Please also see the responses from the applicant.

F. The extent to which the proposed plan is not desirable to physical development, tax base and economic well-being of the entire community:

Comment: The proposed project will contribute to an improved physical appearance within the City by constructing a new fueling station, which will contribute positively to the tax base and economic well-being of the community. Please also see the responses from the applicant.

G. The extent to which the proposed plan is in conformity with the recommendations of the 2019 Comprehensive Plan:

Comment: The proposed development meets the goals, objectives and recommendations of the 2019 Comprehensive Plan. Please also see the responses from the applicant.

Recommendation: Staff recommends approval of the requested Preliminary and Final Planned Unit Development and Conditional Use for a Localized Alternative Sign Regulation in the C-3 zoning district at 10 E. Golf Road.

Planning and Zoning Board Procedure: Under Section 12-3-5-1 of the Zoning Ordinance (Mixed-Use Planned Unit Developments) and Section 12-3-4(G) of the Zoning Ordinance (Conditional Uses), the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or disapprove the above-mentioned Preliminary & Final Planned Unit Development (PUD) and Conditional Use for a Localized Alternative Sign Regulation (LASR) within the C-3 Zoning District at 10 E. Golf Road. The City Council has the final authority on the proposal.

Chairman Szabo asked for clarification of the reduction of 70 parking spaces for the building of the fuel center. Planner Stytz stated that the parking requirements will still be met.

Chairman Szabo asked if anyone present was for or against the case.

Chairman Szabo swore in Mr. Ken Lewis of 120 Harvey. Mr. Lewis stated the following:

- Mr. Lewis had an objection to the building of the gas station. Mr. Harvey stated that he received a letter via certified mail last week and had learned at the meeting that the proposal is for a 24-hour gas station. Mr. Lewis believes that the building of the gas station will affect their property values and daily lives.
- Mr. Lewis stated that he agrees that the Mariano's is an asset to the community, but he will do everything possible to stop the building of the gas station.
- Mr. Lewis inquired whom he should address his concerns regarding this case.
- Mr. Lewis suggested that the vacant Marathon across the street would be a better option for the fuel center.

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- Mr. Lewis also raised concerns about the park and safety concerns involving the storage tanks and general environmental concerns.

Chairman Szabo stated that by attending the Planning & Zoning Board meeting was a good first start. Chairman Szabo stated that specific questions may be addressed to the Director of Community Development, Mike McMahon.

Mr. Lewis stated that he spoke with his Alderman Zadrozny, who did not receive a certified letter and was not in favor of the building of a gas station. Mr. Kratz stated that he received a public notice list from staff, Mariano's stated that approximately 70 letters were sent to property owners. Staff responded that letters are mailed to those within a 300-foot radius.

Mr. Lewis stated that he would like this case delayed for additional input from residents.

Chairman Szabo stated that the Planning & Zoning Board recommends an action to City Council. City Council makes the final decision. This case will be on the December 21st City Council meeting agenda.

Member Saletnik asked Mr. Lewis to point out his home on the map. Mr. Lewis pointed out his home adjacent to the animal hospital, with the back of the home facing Golf Road. Member Saletnik asked Mr. Lewis to address the specific issues of why he does not want the fuel center built. Mr. Lewis stated the following points: the gas station is 24 hours and will have an increase of lights, traffic and noise, concern over having a gas station and gas station odors and that the gas station is in his direct line of sight.

Member Saletnik asked if Mr. Lewis knew of any previous gasoline spills at the Marathon that had adversely affected his property values. Mr. Lewis had no knowledge of any information about the Marathon.

Member Saletnik inquired to staff about the concerns about noise and light due to the nature of the 24 hour operation. Planner Stytz stated that there are codes that need to be met, Member Saletnik reiterated that there are provisions on the code that limit adverse restrictions.

Mr. Lewis stated that his main concern over his property value, he questioned who would compensate him for the reduction in property value. Member Saletnik asked Mr. Lewis what year he purchased the home, he responded that he moved in at 1992. Member Saletnik stated that Golf Road is a major arterial street and that is pre-existing condition. Member Saletnik stated that the fuel station will be very well designed and landscaped and have better curb appeal than several of the surrounding businesses. Mr. Lewis did not have a problem with the design but the use and is objecting to the gas station.

Member Veremis inquired about the Marathon gas station and if homes backed up to that property. Mr. Lewis stated that yes, homes are behind the gas station. Member Veremis asked if it were more acceptable if it was not 24 hours. Mr. Lewis stated that the gas station is not acceptable period. Mr. Lewis stated that applicant, Mariano's, never presented this use at prior meetings.

Member Fowler asked Mr. Ferrel about overnight usage of the fuel center during the overnight hours. Mr. Ferrel responded that approximately a few dozen people use the station during the overnight hours and is mainly for customer convenience and to remain competitive with other fuel centers. The fuel center will not be manned 24-hours, after store hours it will only be on a card payment basis.

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Member Veremis asked that since there is a minimal amount of traffic, would they consider changing the hours of operation. Mr. Ferrel stated that they would be open minded based on the recommendation of the board.

Member Hofherr stated that the gas station on the west side of Golf Road has been vacant, and if Mariano's has looked at using that location as the location (Golf & Mt Prospect Rd) of their fuel center. Mr. Ferrel stated that they have been evaluating the current site, as that is the preference, due to the overlapping customer. Mr. Ferrel stated that there is a financial benefit to staying on the current property as well.

Member Hofherr commented on the former Jewel gas station at Thacker and Elmhurst Road, which has gone out of business and has since been torn down. Member Hofherr also mentioned Sam's Club at Oakton as a major competitor, which is always packed. Member Hofherr also had safety concerns over the pedestrian traffic in the parking lot.

Mr. Ferrel responded that the reason the fuel station is in the corner is to utilize the outside drive aisles and provides good separation of vehicle and pedestrian traffic. He also stated that they looked at the remainder of parking spots and they are comfortable with the remainder of parking spots and that it still meets the standard.

Member Hofherr also expressed concern over the gas station being opened 24/7, he suggested that a reasonable approach would have the gas station have similar hours to the grocery store.

Chairman Szabo asked about the number of parking spots as compared to the store in Arlington Heights. Mr. Ferrel stated that the number of spots would be comparable. Mr. Ferrel stated that the number of stalls they have today was based on the utilization of the site.

Member Veremis has a question about the delivery from the fuel trucks, Mr. Ferrel stated that the delivery can be scheduled for a specific period of time. At the store, you may see several delivery trucks throughout the day, fuel deliveries may happen one or two times per day.

Mr. Saletnik asked about the noise levels in relation to the current noise levels. Also, he asked about the volume of traffic, specifically about the gas price point. Mr. Fennel stated that the gas is not discounting, the discount rate is due to the rewards program. The benefit of the fuel station is having total control of the customer experience and rewarding the Mariano's customers.

Mr. Kratz addressed the noise comments and environmental issues. He stated that gas stations are not normally a noisy operation and not different from the parking lot. Generally, the sound coming from streets is louder than the gas station operation. There will be no gas station TV, music or a PA system; communication is available through a call button with the attendant.

Mr. Kratz also responded to the light concern, all the lights in the fuel center are in the canopy and downward facing which prevents light shining straight ahead. Also, the addition of landscaping provides some light shield as well.

As far as tanks/underground fuel system, Mariano's strictly follows the State and EPA regulations. Kroger does not want any environmental issues and are very cautious when moving forward with a fuel center.

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Mr. Lewis asked if the information would be available on the website. Planner Stytz stated that the plans are available on the City's website.

A motion was made by Board Member Saletnik , seconded by Board Member Veremis to approve with the additional condition that the fuel center is open no more than one hour prior to the opening of the store and closes no later than one hour after the store closing;

AYES: Saletnik, Veremis, Fowler, Hofherr, Szabo

NAYES: None

*****MOTION CARRIES *****

This item will be heard on the December 21, 2020 City Council meeting.

Case 20-047-V

1535 Ellinwood St

Major Variation

Case 20-025-FPUD-LASR-CU-V

10 E Golf Rd

Preliminary/Final PUD, Conditional Use

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ADJOURNMENT

The next meeting is scheduled for December 8, 2020.

Chairman Szabo adjourned the meeting by voice vote at 8:22 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

cc: City Officials, Aldermen, Zoning Board of Appeals, Petitioners