



**MINUTES OF THE REGULAR MEETING OF THE
PLAN COMMISSION, VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS**

October 1, 2020

The meeting of the Plan Commission, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 Oak Park Avenue, Tinley Park, IL on October 1, 2020.

At this time, CHAIRMAN GRAY, stated the meeting was being held remotely consistent with Governor Pritzker's Executive Order 2020-07, Executive Order 2020-10, Executive Order 2020-18, Executive Order 2020-32, Executive Order 2020-33, Executive Order 2020-39, and Executive Order 2020-44, which collectively suspends the Illinois Open Meetings Act requirements regarding in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, issued on June 26, 2020, the members of the Village Board will be participating in the meeting through teleconference.

A live stream of the electronic meeting will be broadcasted at Village Hall. Pursuant to Governor's Executive Order No. 2020-43 and CDC guidelines, no more than 50 people or 50% of the maximum capacity will be allowed in the Council Chambers at any one time, so long as attendees comply with social distancing guidelines. Anyone in excess of the maximum limit will be asked to wait in another room with a live feed to the meeting until the agenda item for which the person or persons would like to speak on is being discussed or until the open floor for public comments. CHAIRMAN GRAY confirmed Commissioners and Staff were able to communicate. All replied affirmatively. CHAIRMAN GRAY then addressed ground rules for the effective and clear conduct of Plan Commission business.

Secretary Bennett called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Kehla West (Participated electronically)
James Gaskill

Absent Plan Commissioners: Angela Gatto
Mary Aitchison

Village Officials and Staff: Paula Wallrich, Planning Manager (Participated electronically)
Barbara Bennett, Commission Secretary

CALL TO ORDER

PLAN COMMISSION CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for October 1, 2020 at 7:02 p.m.

COMMUNICATIONS

None

APPROVAL OF MINUTES

Minutes of the September 17, 2020 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER MANI to approve the minutes as presented.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE OCTOBER 1, 2020 REGULAR MEETING

ITEM #1 Workshop/Public Hearing – Lenny’s Food N Fuel – 18421 West Creek Drive – Special Use Permit for a Substantial Deviation with exceptions

Consider recommending that the Village Board grant Leonard McEnery on behalf of Lenny’s Food N Fuel 183rd Street, LLC (Contract Purchaser) an amendment to the North Creek Business Park Planned Unit Development Ordinance (Ord. 91-O-083) to permit an automobile car wash to be a Special Use on the subject property. Additionally, to grant a Special Use Permit for a Substantial Deviation with exceptions from the Zoning Ordinance for the property located at 18421 West Creek Drive in the ORI PUD (Office and Restricted Industrial, North Creek Business Park PUD) zoning district. The requests will include Site Plan Approval and Final Plat Approvals to allow for the addition of a car wash to the previously approved automobile service (gas) station and convenience store site.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Kehla West (Participated electronically)
James Gaskill

Absent Plan Commissioners: Angela Gatto
Mary Aitchison

Village Officials and Staff: Paula Wallrich, Planning Manager (Participated electronically)
Barbara Bennett, Commission Secretary

Guests: Len McEnery, Applicant
Lyman Tieman, Attorney
Brian Hertz, MG2A - Civil Engineer

Paula Wallrich, Planning Manager, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.

CHAIRMAN GRAY asked the Applicant to comment.

Lyman Tieman, Attorney for the Applicant introduced himself, Mr. McEnery and Mr. Hertz and noted he believes they are in tune with the findings of staff on this development and also agree to the conditions indicated in the staff report. He will answer any questions. Mr. McEnery also noted staff did an excellent job of presenting the staff report.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER ENGEL noted he supported the Gas Station and the Car Wash will be a great addition. The Petitioner has agreed to resolve any issues the staff has and he is happy moving forward with this. It will be a great addition to the Village.

COMMISSIONER MANI asked for clarification on the landscape waivers. He questioned which trees will be omitted.

Ms. Wallrich noted the bird’s eye view looking east is accurate. Per the landscape plan there are street trees and 5 or 6 interiors in

the parking lot. There are 4 other trees required, but at that point you would not be able to see the car wash with these 4 trees planted.

COMMISSIONER MANI noted he is wavering with the integrity of the PUD. He does not want to see the integrity fade away. He drives past this property several times a day and he does not want to see a hole and it is not up to the standards/charm/character of the code.

Ms. Wallrich replied this will be a heavier landscaped property than most of the others. Landscaping is one of the things Mr. McEnery does best on all of his properties, not only in terms of installing, but also in maintaining. If you tried to install 4 more canopy trees in there, you would not be able to see the building at all. Staff is comfortable with what is being proposed.

COMMISSIONER MANI noted the petitioner is requesting a substantial deviation regarding the sign on the west side. He thinks this is too much and is above and beyond.

COMMISSIONER WEST agreed with COMMISSIONER MANI regarding the degree of deviation and the stated intent of the area. She agrees with staff that the deviation makes sense, given the business and also given what else is in the area. She thanks staff for a very thorough report.

COMMISSIONER GASKILL is satisfied with everything.

CHAIRMAN GRAY noted he agrees with staff's recommendation. He is okay with the setback exception and the parking in the front yard. It is screened well from West Creek Drive and based on the other Food N Fuel's with car washes, the sites look generally clean and well maintained.

He agrees with staff's recommendation of the canopy columns matching the canopy. He likes the fact that the lots are being consolidated. The extra curb cut is okay. He agrees with COMMISSIONER MANI and wonders if there is a need for a car wash sign. From the conceptual view it looked like the trees obscured most of building and this is great for most of the surrounding businesses across from the pond. This is not a deal breaker, but he does not feel a sign is necessary in this area. There is a good buffer to the east of the building and will not disturb the charm of the area. It will fit very tastefully.

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER WEST to open the Public Hearing for Lenny's Gas N Fuel (Car Wash Addition)

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing be published in the local newspaper as required by state law.

Anyone wishing to speak on this matter will be sworn in after staff's presentation.

Ms. Wallrich noted she had nothing more to add except the trees on the west of the building are deciduous trees and there is a good point that in the summer you would not see the car was sign but in the winter you would.

CHAIRMAN GRAY asked the Applicant for comments.

Mr. Tieman noted he had nothing more to add and they have heard the report that was prepared and want to make it part of the public record. He noted they have no comments or changes to that report to add. They are fine with any conditions that are placed upon them as indicated in the report.

CHAIRMAN GRAY asked for comments from the public.

Ms. Wallrich noted an email was sent in by Mr. Vivek Iyengar, MD, owner of Dermatology Associates at 18425 West Creek Drive. He did not find any opposition to the car wash. He had questions as to the traffic flow and asked for all traffic to enter and exit from 183rd Street and to add a traffic light. He also commented on signage, because he has signage issues on his own building.

Ms. Wallrich tried to reach him by phone and was unable to do so prior to the meeting.

A Motion was made by COMMISSIONER GASKIL, seconded by COMMISSIONER ENGEL to close the Public Hearing for Lenny's Gas N Fuel (Car Wash Addition)

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

Ms. Wallrich presented the Standards for Special Use, Site Plan and Architectural Approvals as noted in the Staff Report.

MOTION 1 (Site Plan)

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER ENGEL to grant the Petitioner, Lenny's Food N Fuel 183rd Street LLC, Site Plan Approval to construct a car wash in addition to the previously approved gas station and convenience store building at 18421 West Creek Drive and 7451 183rd Street in the ORI PD (Office & Restricted Industrial, North Creek Business Park PUD) Zoning District, in accordance with the plans submitted and listed in the October 1, 2020 Staff Report and subject to the following conditions:

1. Any changes in drive-thru or parking demand from what was presented would require a new traffic/drive-thru analysis and prior approval to ensure the on-site drive-thru stacking and parking is sufficient.
2. Site Plan approval is subject to final engineering review and approval.
3. Columns used on the canopies of the car wash site shall match the material and design utilized on the primary gas station canopy.
4. Site Plan approval is subject to approval of the PUD Ordinance Amendment, Special Use for a Substantial Deviation with the PUD, and Final Plat approval."

AYE: COMMISSIONERS ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: COMMISSIONER MANI

CHAIRMAN GRAY declared the Motion approved by roll call.

MOTION 2 (PUD/Special Use Ordinance Amendment):

A Motion was made by COMMISSIONER WEST, seconded by COMMISSIONER GASKILL to recommend that the Village Board amend Section 4-A. in Ordinance 91-O-083 (Special Use for North Creek Business Park PUD) at the request of Lenny's Food N Fuel, 183rd Street LLC to permit an "car wash" as a permitted use on Lot 1 of the North Creek Gas N Wash Resubdivision.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: NONE

CHAIRMAN GRAY declared the Motion approved by roll call.

MOTION 3 (Special Use for Substantial Deviation):

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER MANI to recommend that the Village Board grant a Special Use Permit for a Substantial Deviation from the North Creek Business Park PUD and Exceptions from the Zoning Ordinance as listed in the staff report to the Petitioner, Lenny's Food N Fuel 183rd Street LLC, to permit a car wash to be added to the previously approved gas station and convenience store at 18421 West Creek Drive and 7451 183rd Street in the ORI PD (Office & Restricted Industrial, North Creek Business Park PUD) zoning district, in accordance with the plans submitted and listed herein and adopt Findings of Fact as proposed by Village Staff in the October 1, 2020 Staff Report."

AYE: COMMISSIONERS ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: MANI

CHAIRMAN GRAY declared the Motion approved by roll call.

MOTION 4 (Final Plat):

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER WEST to recommend that the Village Board grant approval to the Petitioner, Lenny's Food N Fuel, 183rd Street LLC Final Plat Approval for North Creek Gas N Wash Resubdivision in accordance with the Final Plat submitted and listed herein, subject to the following condition:

1. The Final Plat approval is subject to Final Engineering approval by the Village Engineer."

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: NONE

CHAIRMAN GRAY declared the Motion approved by roll call.

The staff report was presented at the meeting and is hereby entered into the record.

This item will be heard at the Village Board on Tuesday, October 20, 2020 AND November 3, 2020.

Lyman Tieman and Len McEnery both thanked the Plan Commission for their support and look forward to opening in Tinley Park.



PLAN COMMISSION STAFF REPORT

October 1, 2020 – Workshop/Public Hearing

Petitioner

Leonard McEnergy on behalf of Lenny's Food N Fuel 183rd Street, LLC (Contract Purchaser/Property Owner)

Property Location

18421 West Creek Drive & 7451 183rd Street

PIN

19-09-01-201-025-0000,
19-09-01-201-015-0000,
19-09-01-201-016-0000

Zoning

ORI PD (Office & Restricted Industrial, North Creek PUD)

Approvals Sought

- PUD Ordinance Amendment
- Special Use Permit
- Site Plan Approval
- Final Plat Approval

Project Planner

Daniel Ritter, AICP
Senior Planner

Gas N Wash (Formally Food N Fuel) – Car Wash Addition

18421 West Creek Drive & 7451 183rd Street



EXECUTIVE SUMMARY

The Petitioner, Leonard McEnergy, on behalf of Lenny's Food N Fuel 183rd Street LLC (Contract Purchaser), is seeking an amendment to the existing North Creek Business Park Planned Unit Development (PUD) Ordinance (Ord. 91-O-083), a Special Use Permit for a Substantial Deviation with Exceptions, Site Plan Approval, and Final Plat of Consolidation Approval. The requests allow for the construction of a car wash addition at 18421 West Creek Drive. The car wash would be on a consolidated lot with the previously approved Food N Fuel gas station and convenience store at 7451 183rd Street. The new site would be branded as a Gas N Wash instead of the originally proposed Food N Fuel.

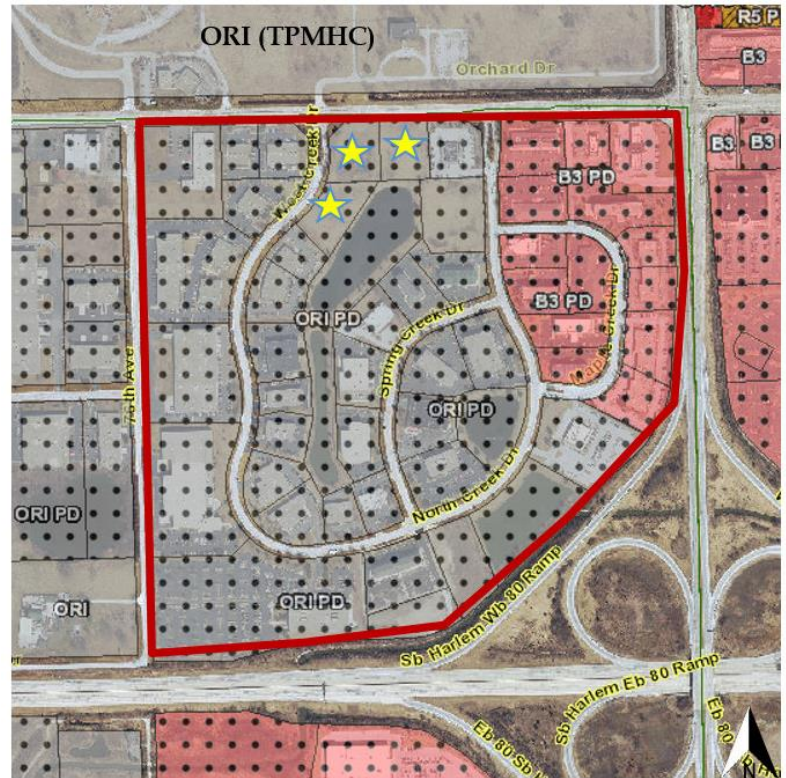
The location of this site was chosen due to high existing traffic counts, I-80 access, and the need to supply additional gas station services in the area to meet demand. The area is home to many hotels, restaurants, stores, and other commercial uses compatible with a gas station, convenience store, and car wash. Since the original approval in 2019, the Petitioner came to an agreement on the land to the south of their gas station site to add the proposed car wash. The car wash is expected to bring more convenience to customers and generates additional fuel, food, and retail sales at the site.

In addition to the car wash proposal, the Petitioner requests a change to their signage on the primary gas station canopy. The Petitioner is requesting some additional square footage be permitted on the main canopy facing 183rd Street, so that they can place a sign for their interior tenant, Do-Rite Donuts & Chicken, who will be utilizing both interior tenant spaces. The additional signage will help with the brand recognition of the interior business. The Gas

N Wash canopies are among the largest gas canopies in the Village, and the signage is designed so that it does not appear overcrowded.

EXISTING SITE & ZONING

The subject property consists of three parcels on the southeast corner of West Creek Drive and 183rd Street. The two lots located to the west of the existing Hamada of Japan Restaurant (18310 North Creek Drive) were approved for the Food N Fuel convenience store and gas station in late 2019. The site has a permit issued and is currently under construction. The third lot is vacant and to the southwest of the site. The properties are zoned Office and Restricted Industrial (ORI) and part of the North Creek Business Park PUD. The PUD was originally approved and subdivided in 1991 (Ord. 91-O-083) with the ORI base zoning covering the full area, but permitting some specific uses more typical of the B-3 zoning district. In 1995, a portion of the area included in the PUD that was most adjacent to Harlem Avenue, was rezoned from the ORI base zoning to a B-3 (General Business) base zoning (Ord. 95-O-055).



Above: Zoning Map around subject property (indicated with stars) in the North Creek Business Park PUD (outlined in Red).



Most of the PUD has been developed and includes a mixture of office, light industrial, educational, and commercial uses. The area is a destination for many travelers due to its proximity to I-80, Hollywood Casino Amphitheater, Convention Center, hotels, and many shopping/service establishments. There is only one gas station (Speedway) in the immediate area and does not have a car wash. All properties surrounding the subject site are in the same North Creek PUD.

The site is also located within the Urban Design Overlay District (UDOD), which promotes walkability, lesser front yard setbacks, and a more urbanized look. Due to the inconsistencies between the intent of the UDOD and the



development pattern of the existing development within the North Creek Business Park PUD, staff relied primarily on the PUD regulations to guide the review of the original Food N Fuel project, and that view has continued here with the car wash addition to the site. Staff has worked with the Petitioner to ensure that the spirit of the UDOD is met where possible. However, a gas station and car wash are heavily auto-oriented uses that are difficult to fit into the intent of the UDOD regulations. Despite a lack of pedestrian connectivity in the subdivision and general area, the Petitioner has done their part to plan for pedestrian connections throughout and around the subject site.

PROPOSED USE & PUD SPECIAL USE AMENDMENT

The PUD regulations were amended in 2019 (Ord. 2019-O-075) to allow automobile service (gas) station with a convenience store as a permitted use on this subject site. However, that approval did not mention a car wash, which is a separate use outlined in the zoning code, and also not listed as a permitted use in the underlying ORI zoning district. Car washes are only permitted uses in the B-5 (Automobile Service Business) and M-1 (General Manufacturing) zoning districts; it is a special use in the B-3 (General Business and Commercial) zoning district when “attached to an automobile service station”. The subject site is near to the portion of the PUD that has an underlying B-3 use and is immediately adjacent to a restaurant and a heavily traveled section of 183rd Street.

Additionally, it should be noted that the car wash will not be physically attached to the automobile service station, but will be on a consolidated lot, so they cannot be owned separately without further Village approval.

The proposed car wash site will include a 4,905 sq. ft. automatic car wash building and a canopy with 20 free vacuum stations. The car wash site will have three lanes that consolidate to one at the entrance to the car wash. Each lane takes a card payment, prepaid car wash codes purchased from the fuel pumps/c-store, and prepaid monthly memberships. The site will function the same as other Gas N Wash Locations, including the nearby locations at 19420 Harlem Avenue in Tinley Park and 8810 191st Street in Mokena. The car wash will only be used by personal vehicles; no large semi-trailer or box trucks can use the car wash.

Car washes have been traditionally limited to certain auto-oriented districts because they can be unsightly, noisy, and create traffic congestion with a limited positive impact to the economy. However, car washes are a service with strong demand and helps to drive additional fuel and retail sales when attached to the other uses on gas station sites. Additionally, many of the concerns about the car washes can be solved by good site design and landscaping; the concerns about the appearance can be solved by applying the same architectural standards that would be applied to other commercial buildings.

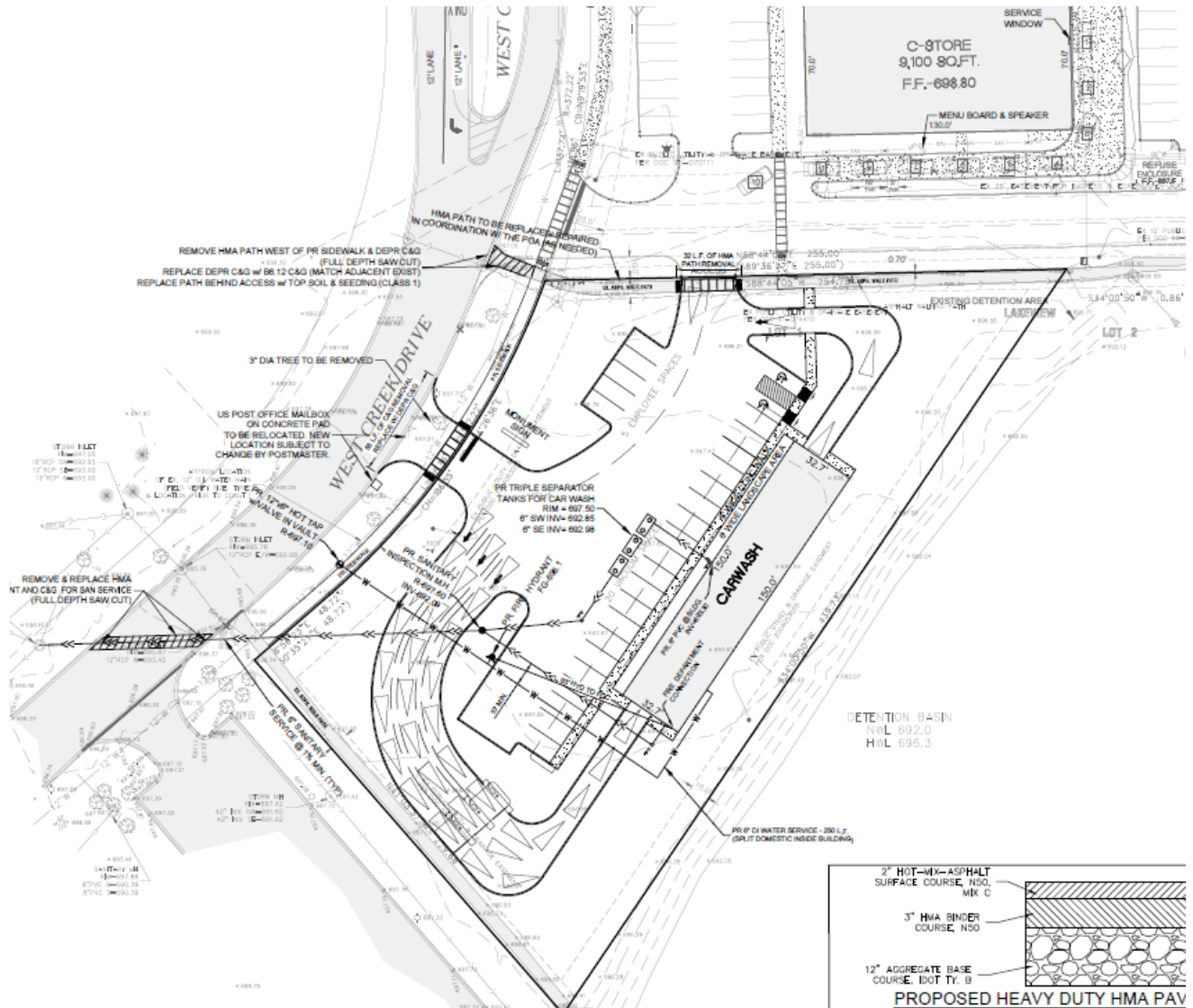
Open Item #1: Discuss the request to amend the PUD ordinance to permit a “car wash” as permitted use on the subject site.

SITE PLAN

The proposed site plan indicates how the subject site will function on its own as a car wash, and how it connects with the previously approved gas station site, which will share customers and traffic with the car wash. The car wash site will include the automatic car wash building, payment area/canopy, vacuum area/canopy, vehicle parking, walkways, and landscaping. Additionally, new utilities will be provided to the building, such as watermain, sewer lines, and lighting. Access to the site will be through one curb cut onto West Creek Drive, as well as a connection point on the north site with the gas station site. While the car wash will not wash large trucks, the site has been designed with approximate spacing and turning radii to accommodate semi-trailer and fire trucks through the site.

The Subdivision Code requires that any new development or redevelopment install a public sidewalk on all public frontages. While the existing sidewalk network in the area is limited, there is a sidewalk running west of the site along 183rd Street, and a sidewalk is being installed along the gas station frontages to connect to that walkway. The gas station sidewalk is 6 feet wide and will run along the West Creek Drive frontage, connecting to the car wash and convenience store sidewalks. The sidewalk will also connect to the existing pathways around the detention pond that are owned by the North Creek Property Owner Association. The walkways also connect to the public sidewalk on the north and south sides of the subject site. It should be noted since this will become one lot and one site plan, that the conditions of approval on the gas station/c-store site have been included on this approval, to avoid any confusion or miscommunication of those conditions in the future.

Open Item #2: Discuss overall site plan layout, walkways, and circulation.



LANDSCAPE

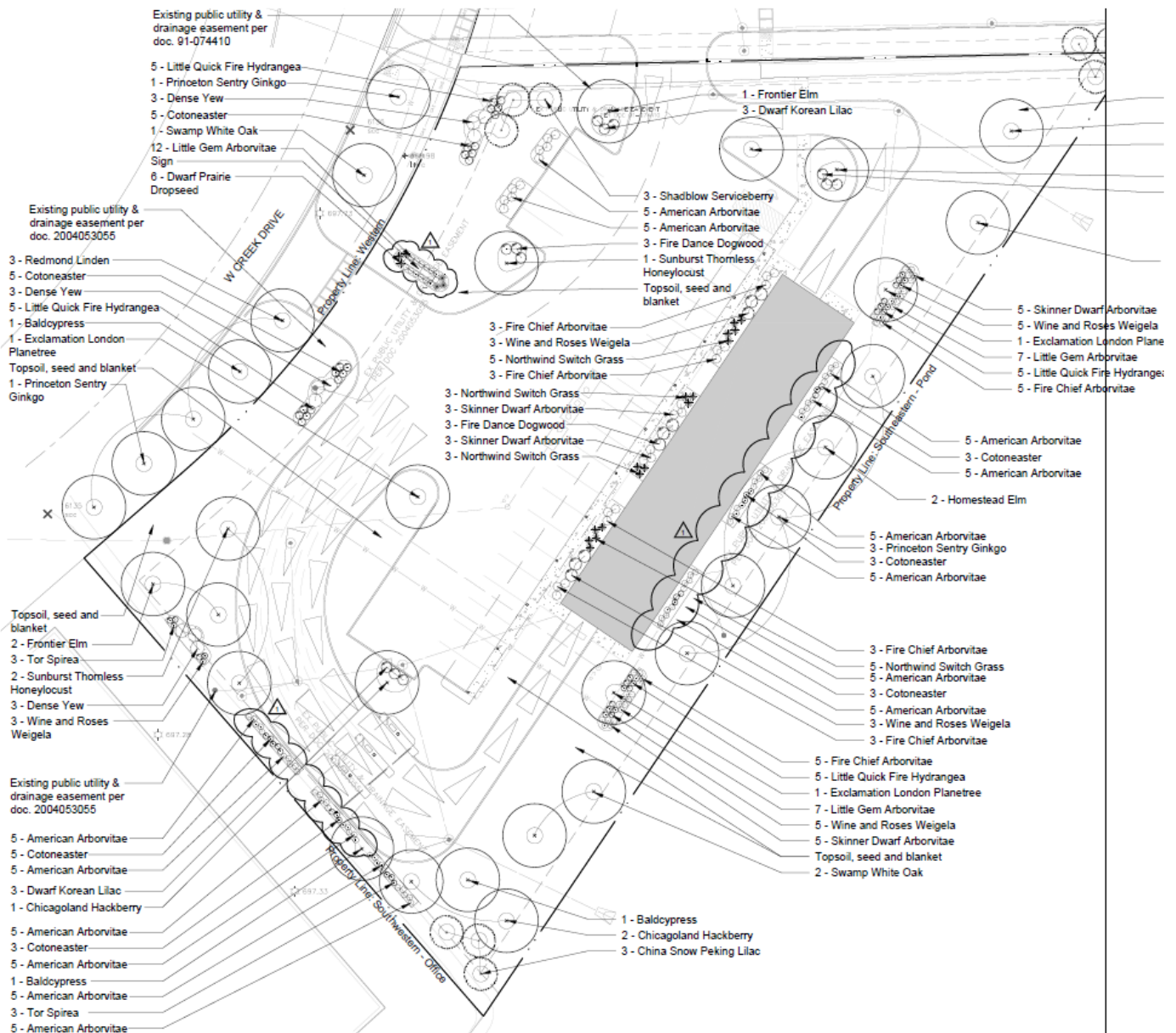
The proposed Landscape Plan has been reviewed by Village Staff and finds it to be in general conformance with the Village's Landscape Ordinance, with a few exceptions. The proposal meets the most of the landscape requirements, yet a few deficiencies remain due to site constraints. The proposed landscaping is similar in style and design with surrounding area properties, such as Hamada, Comfort Inn & Suites, Sleep Inn, and the recently approved Holiday Inn. The species and variety of plantings are expected to increase the appeal of the property and overall area. Below is a list of the landscaping deficiencies in the proposed plan.

- The proposal requests a waiver from the west bufferyard landscaping canopy tree total due to a substantial number of parkway trees already proposed to be installed. There is a shortage of four canopy trees in the private bufferyard. The under-story trees and shrub totals comply with their respective bufferyard requirements. The Petitioner has indicated that additional landscaping along the West Creek Drive frontage will block most visibility to the site, including signage, which is required to successfully run the business and for wayfinding purposes. A similar bufferyard canopy tree request was approved for

the northern 183rd Street frontage for the gas station portion of the site. The frontage landscaping will be substantial and exceeds most of the existing development surrounding the site.

- The second waiver being requested is in regards to the interior parking lot landscaping. The Petitioner has worked to offset these deficiencies by meeting the high density and size of landscaping required throughout the site perimeter. The landscape code is not particularly easy to comply with on a gas station property in regards to interior parking lot landscaping. The car wash stacking and vacuum areas need to remain free from obstructions and allow room for vehicle and truck movements. Landscaping pots can be added to the area, but these are often hard to maintain hearty landscaping in throughout the year.

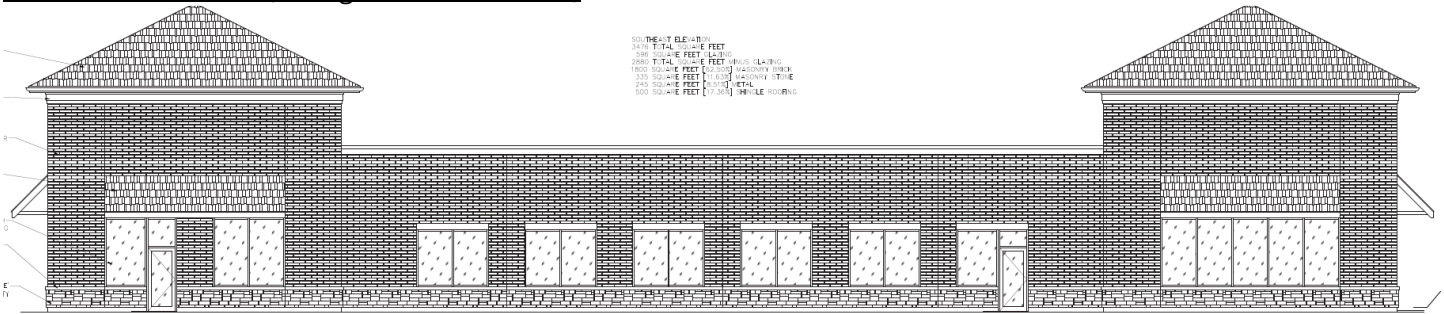
Open Item #3: Discuss the proposed Landscape Plan and requested Landscape Ordinance waivers.



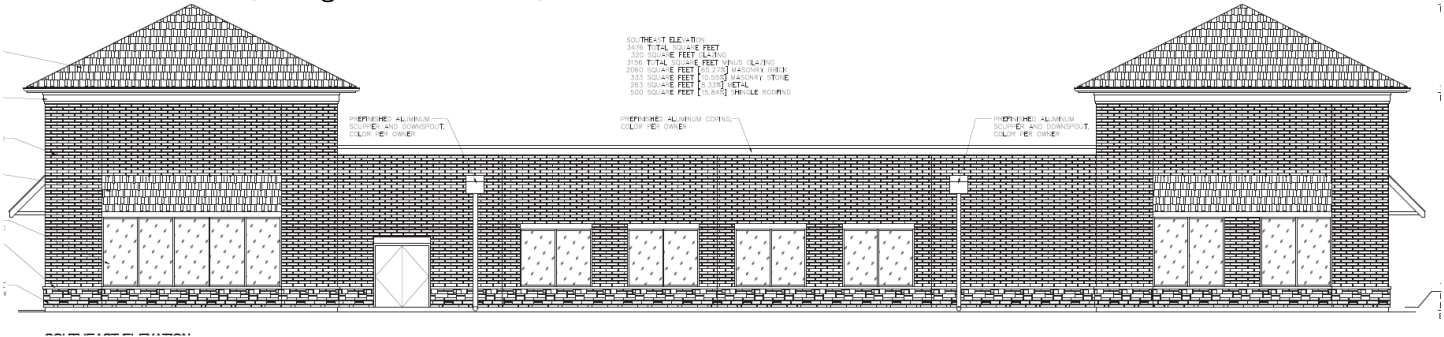
ARCHITECTURE

The building's exterior architecture will be similar to their other locations and will also tie into the convenience store building currently under construction. The same brick and stone materials will be used with the same layout and color. The goal is to utilize a common high-quality architectural theme throughout the property. The car wash building will feature windows on the long western and eastern sides of the building. The use of these windows creates an attractive commercial appearance to the structure. The use of windows on the east side was included at the request of staff, to avoid a large brick wall that will be visible from the businesses on the east side of the pond. The building complies with the masonry requirements by using a plethora of brick and stone where glazing isn't proposed.

West/Front Elevation (Facing West Creek Drive)

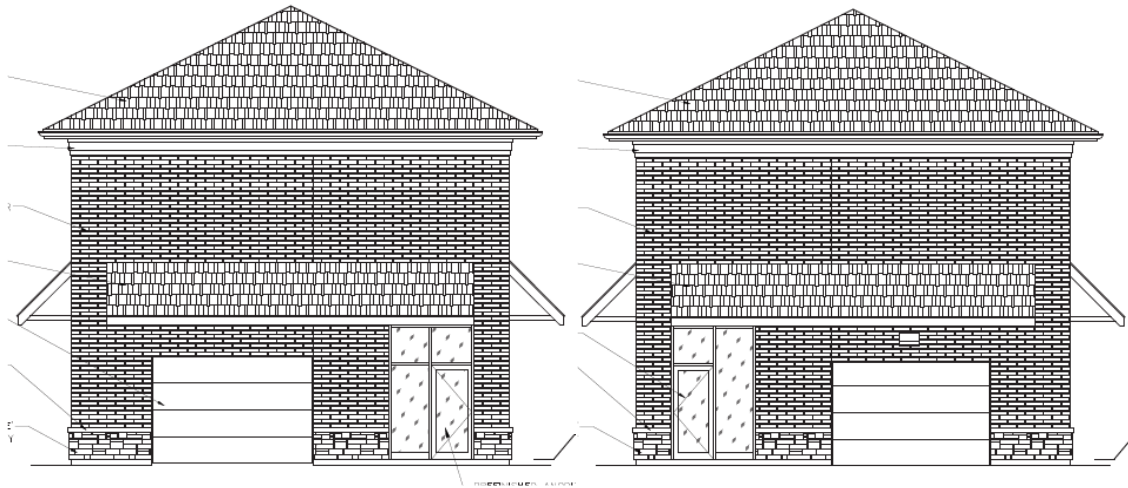


East/Rear Elevation (Facing Detention Pond)



South Elevation (Car Wash Entrance)

North Elevation (Car Wash Exit/Facing Gas Station)



Canopy

The details of the column design on the two canopies are not shown on the architectural plans and are shown as red on the renderings. Staff recommended that these canopy columns be wrapped in brick and stone to match the gas station and truck canopies. The Petitioner has agreed to this request and submitted a detail sheet of the work. However, staff has recommended a condition be included with the approval for clarification purposes.

Open Item #4: Review the overall proposed architecture and the condition of approval in regards to the canopy columns matching the gas station canopy's design.

Renderings





SIGNAGE

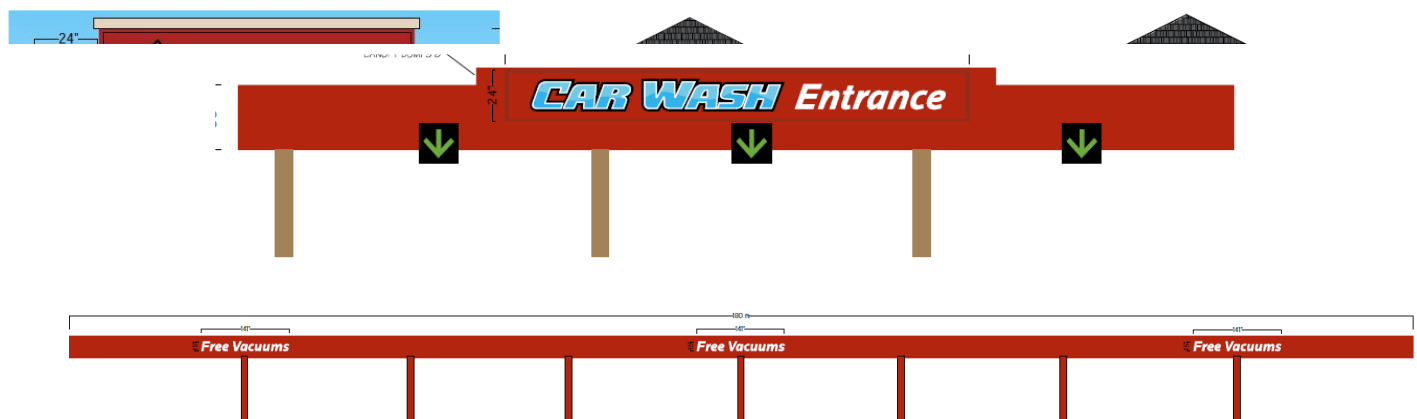
The petitioner has proposed the following signs on the car wash site:

- Three wall signs at 41 sq. ft (north) and 68 sq. ft. sq. ft. on the car wash towers (west and east). The sign on the east elevation is not permitted by the zoning code because it is not a formal “frontage” that is adjacent to a roadway, parking lot or drive aisle; this requires an exception. However, it will be visible from the commercial properties east of the detention pond.
- One “Car Wash Entrance” directional sign at 35.7 sq. ft. (exception required - max size permitted is 6 sq. ft.)

- Three “Free Vacuums” canopy directional signs at 14.7sq. ft. each (exception required - max size permitted is 6 sq. ft.)
- One monument sign – 60 sq. ft. total, 12 sq. ft. LED message center, 8 ft. high.
- 3 car wash menu board signs. These signs were requested but not submitted. They will need to meet the code requirements (max: 45 sq. ft. and 7 ft. height).

The proposed signs require a few exceptions, most notably with the size of the directional signage. The additional size on these signs is needed to increase their visibility to help direct vehicles from different areas on the site and from the roadway before they enter the site. The canopies are uniquely used as directional signage and the sizes were chosen to be visible and the best appearance. The other exception is to allow a wall sign on the east façade. While this is not a formal “frontage” visible from the roadway, they would like to have some visibility from the commercial properties and hotels on the other side of the detention pond.

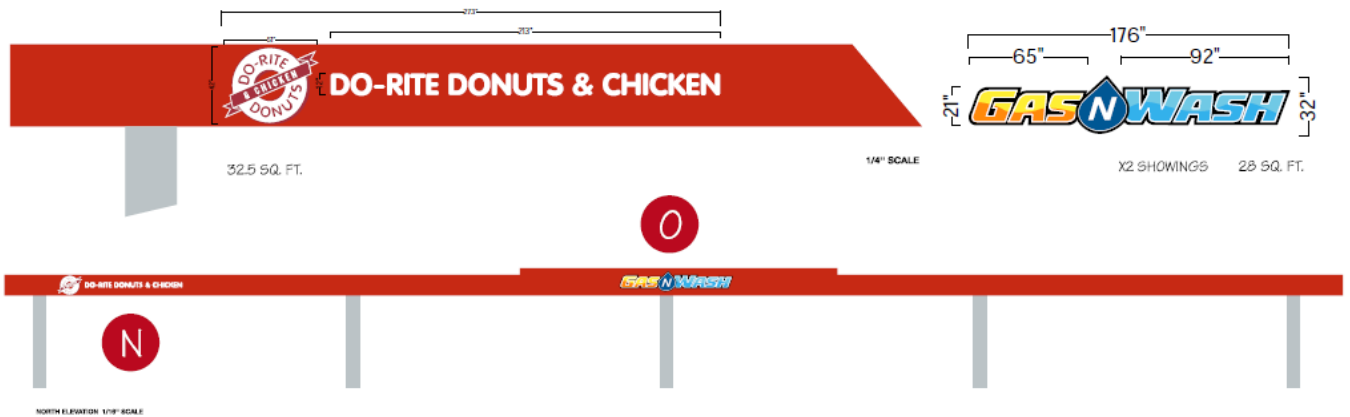
Open Item #5: Review proposed signage and required Exceptions to the Zoning Ordinance for the car wash site.



Gas Station Canopy Change

The Petitioner now has a specific tenant for the convenience store restaurant spaces and are able to better understand the tenant’s signage needs. The tenant is Do-Rite Donuts & Chicken, which will be taking the space originally thought would be utilized by two different food tenants. Instead of having two wall signs on the convenience store building, the Petitioner is requesting some additional signage on the gas station canopy instead. As a high-quality food tenant, Do-Rite Donuts & Chicken is hoping the canopy signage helps give them additional visibility to potential customers, who may not be aware of their brand. The code permits 1 sq. ft. of signage for each 1 ft. of canopy length. With a 240 ft. long canopy, the total signage is limited to a maximum of 120 sq. ft. The original proposal with “Gas N Wash” signs total 113.5 sq. ft. the new “Do-Rite Donuts & Chicken” sign will be located only along the north side of the canopy and is an additional 32.5 sq. ft. for a total of 146 sq. ft. The total exception required is to permit an additional 26 sq. ft. of gas station canopy signage.

Open Item #6: Discuss the Exception to the Zoning Ordinance to allow 26 sq. ft. of additional canopy signage.



PARKING

The car wash portion of the site will have 20 free vacuum stations which function similarly to parking stalls. Customers must exit their vehicles to utilize the vacuums. The free vacuums can be used by someone before or after their car wash, and they can also be used by people who haven't purchased a car wash. There will be an additional seven traditional parking stalls (two are ADA compliant stalls). The car wash will not have any customer traffic that will park and leave their vehicles, so it is expected that those stalls will be primarily used by employees of the car wash and gas station.

LIGHTING

The lighting/photometric plan has been designed to minimize light spillage and any visible glare offsite. The plan is in conformance with the Village's lighting standards by limiting the maximum light spillage to 2fc at the property lines adjacent to a commercial use or public right-of-way. All lights are LED light sources that are downcast and full cutoff to avoid off-site glare.



SPECIAL USE PERMIT FOR A SUBSTANTIAL DEVIATION

The Petitioner is requesting a Special Use Permit for a Substantial Deviation from the PUD. Deviations from Village's Zoning Ordinance are considered Exceptions rather than Variations when located within a PUD and do

not require the standard Findings of Fact, as required with a Variation. Alternatively, Exceptions are looked at in terms of their conformance to their overall PUD's design and goals.

The Urban Design Overlay District standards help promote a more urban and walkable environment by influencing things like building placement, parking placement, pedestrian connections, limited curb cuts, and cross-access. However, the auto-oriented nature of a Gas Station makes meeting many of the requirements difficult. The North Creek PUD was designed prior to the approval of the Urban Design Overlay District. Due to the unique nature of the site and the existing development patterns within the PUD, the exceptions retain the character and previously set design of the PUD.

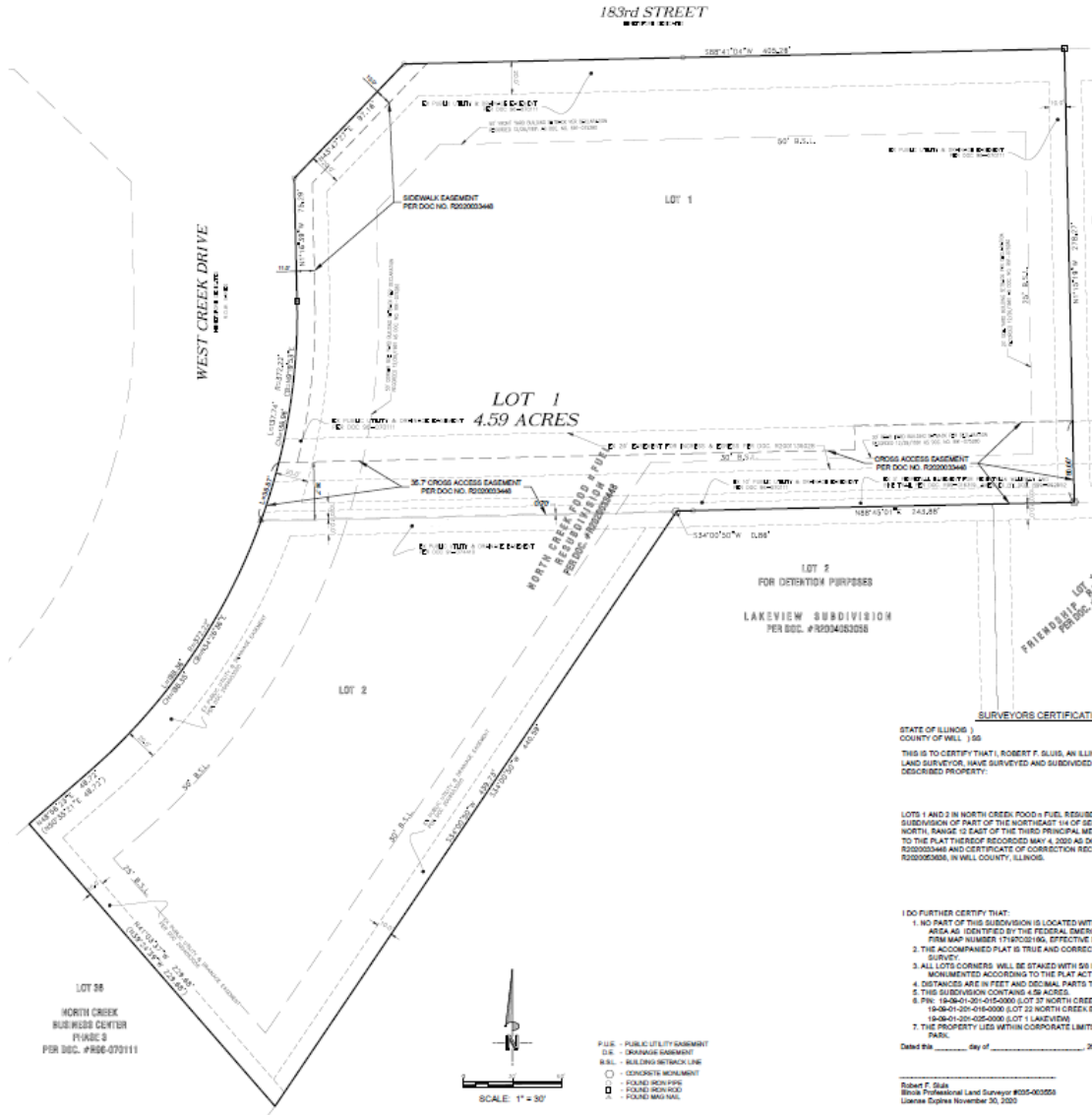
Below are the specific Exceptions and Deviations being requested as part of the Special Use Permit:

1. Exceptions from the Urban Design Overlay District (Section V)
 - a. Increased front yard setback (140.5' proposed)
 - b. Allow parking in the front yard
 - c. Maximum of one curb cut per site (two proposed)
2. Deviations from the PUD Requirements and Sign Regulations (Section IX)
 - a. Allow parking in the front yard
 - b. Changes to the approved lots as indicated in the Final Plat of Subdivision
 - c. Permit wall sign to be placed on the east elevation that does not have immediate frontage to a roadway, parking lot, or drive aisle
 - d. Permit one car wash entrance directional sign to be 35.7 sq. ft. and three free vacuum directional signs to be 14.7 sq. ft. instead of the maximum size of 6 sq. ft.
 - e. Permit total canopy signage to be 146 sq. ft. where the maximum permitted is 120 sq. ft.

Open Item #7: Review requested Exceptions to the Zoning Ordinance and Deviations from the PUD.

FINAL PLAT APPROVAL

The gas station and car wash parcel are being proposed and designed to be integrated together. The uses compliment each other in regards to their customers and traffic generation. Additionally, the site has been integrated with cross connections, landscaping, easements, and signage. To avoid the two uses and sites being sold off separately, the parcels will be consolidated into one lot, and the PUD will be amended to reflect the newly proposed lot. which consolidates three of the original PUD lots.



STANDARDS FOR A SPECIAL USE

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. Staff's draft Findings of Fact are provided below for the Commission's review and approval.

X.J.5. Standards: No Special Use shall be recommended by the Plan Commission unless said Commission shall find:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - *The Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because the proposed project will encompass the development of a car wash that will service for visitors and residents of the community and compliment the previously approved automobile service (gas) station and convenience store. The project will be constructed meeting current Village building codes and compliment surrounding businesses and properties.*
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - *The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood because the proposed project will develop land that is currently vacant and provide services for visitors and residents of the community. The site will be well-landscaped and the building will be constructed with quality materials. This proposed use is similar and compatible with existing nearby uses.*
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - *The Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district because the majority of the property within this area is already developed or approved to be developed. Landscape buffers and cross-access has been supplied to surrounding properties, where possible.*
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - *The proposed plans provide evidence of existing utilities, access roads, and drainage and show proposed plans for necessary modifications to existing utilities, access roads, and drainage to be accommodated on the Gas N Wash site. Drainage has been accounted for within the existing subdivision pond to the east of the proposed site.*
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
 - *The proposed plans include site access by a curb cut on West Creek Drive and a cross-connection to the gas station/convenience store portion of the site. These access points allow for ingress/egress to the site and efficient site circulation. The site incorporates proposed public and private walkways for safe pedestrian travel to and from the site.*

- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.
- *The Special Use conforms to all other applicable regulations of the Planned Unit Development and the Village's ordinances and codes. This Special Use Permit is necessary to allow the deviation from the North Creek Business Park Planned Unit Development and allowing for exceptions from the Urban Design Overlay District to the front yard setback, location of parking, and the maximum number of curb cuts. Additionally, exceptions to the signage are specific to the unique layout and characteristics of this property and use. These exceptions are consistent with other properties in the North Creek Business Park and the intent of the regulations are met where possible.*
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
- *The proposed car wash will benefit the entire Gas N Wash development that will contribute directly to the economic development of the community by providing fuel, retail, car wash, and food services to visitors; providing additional jobs, and providing additional property and sales tax revenue where the existing vacant property is generating minimal tax revenue.*

STANDARDS FOR SITE PLAN AND ARCHITECTURAL APPROVALS

Section III.T.2. of the Zoning Ordinance requires that the conditions listed below must be met and reviewed for Site Plan approval. Specific responses are not required but each shall be met and considered for approval.

Architectural

- a. Building Materials: The size of the structure will dictate the required building materials (Section V.C. Supplementary District Regulations). Where tilt-up or pre-cast masonry walls (with face or thin brick inlay) are allowed vertical articulation features are encouraged to mask the joint lines. Concrete panels must incorporate architectural finishes that comply with "Building Articulation" (Section III.U.5.h.) standards. Cast in place concrete may be used as an accent alternate building material (no greater than 15% per façade) provided there is sufficient articulation and detail to diminish it's the appearance if used on large, blank walls.
- b. Cohesive Building Design: Buildings must be built with approved materials and provide architectural interest on all sides of the structure. Whatever an architectural style is chosen, a consistent style of architectural composition and building materials are to be applied on all building facades.
- c. Compatible Architecture: All construction, whether it be new or part of an addition or renovation of an existing structure, must be compatible with the character of the site, adjacent structures and streetscape. Avoid architecture or building materials that significantly diverge from adjacent architecture. Maintain

the rhythm of the block in terms of scale, massing and setback. Where a development includes outlots they shall be designed with compatible consistent architecture with the primary building(s). Site lighting, landscaping and architecture shall reflect a consistent design statement throughout the development.

- d. Color: Color choices shall consider the context of the surrounding area and shall not be used for purposes of “attention getting” or branding of the proposed use. Color choices shall be harmonious with the surrounding buildings; excessively bright or brilliant colors are to be avoided except to be used on a minor scale for accents.
- e. Sustainable architectural design: The overall design must meet the needs of the current use without compromising the ability of future uses. Do not let the current use dictate an architecture so unique that it limits its potential for other uses (i.e. Medieval Times).
- f. Defined Entry: Entrance shall be readily identifiable from public right-of-way or parking fields. The entry can be clearly defined by using unique architecture, a canopy, overhang or some other type of weather protection, some form of roof element or enhanced landscaping.
- g. Roof: For buildings 10,000 sf or less a pitched roof is required or a parapet that extends the full exterior of the building. For buildings with a continuous roof line of 100 feet or more, a change of at least five feet in height must be made for every 75 feet.
- h. Building Articulation: Large expanses of walls void of color, material or texture variation are to be avoided. The use of material and color changes, articulation of details around doors, windows, plate lines, the provision of architectural details such as “belly-bands” (decorative cladding that runs horizontally around the building), the use of recessed design elements, exposed expansion joints, reveals, change in texture, or other methods of visual relief are encouraged as a means to minimize the oppressiveness of large expanses of walls and break down the overall scale of the building into intermediate scaled parts. On commercial buildings, facades greater than 100 feet must include some form of articulation of the façade through the use of recesses or projections of at least 6 inches for at least 20% of the length of the façade. For industrial buildings efforts to break up the long façade shall be accomplished through a change in building material, color or vertical breaks of three feet or more every 250 feet.
- i. Screen Mechanicals: All mechanical devices shall be screened from all public views.
- j. Trash Enclosures: Trash enclosures must be screened on three sides by a masonry wall consistent with the architecture and building material of the building it serves. Gates must be kept closed at all times and constructed of a durable material such as wood or steel. They shall not be located in the front or corner side yard and shall be set behind the front building façade.

Site Design

- a. Building/parking location: Buildings shall be located in a position of prominence with parking located to the rear or side of the main structure when possible. Parking areas shall be designed so as to provide continuous circulation avoiding dead-end parking aisles. Drive-through facilities shall be located to the rear or side of the structure and not dominate the aesthetics of the building. Architecture for canopies of drive-through areas shall be consistent with the architecture of the main structure.

- b. Loading Areas: Loading docks shall be located at the rear or side of buildings whenever possible and screened from view from public rights-of-way.
- c. Outdoor Storage: Outdoor storage areas shall be located at the rear of the site in accordance with Section III.O.1. (Open Storage). No open storage is allowed in front or corner side yards and are not permitted to occupy areas designated for parking, driveways or walkways.
- d. Interior Circulation: Shared parking and cross access easements are encouraged with adjacent properties of similar use. Where possible visitor/employee traffic shall be separate from truck or equipment traffic.
- e. Pedestrian Access: Public and interior sidewalks shall be provided to encourage pedestrian traffic. Bicycle use shall be encouraged by providing dedicated bikeways and parking. Where pedestrians or bicycles must cross vehicle pathways a cross walk shall be provided that is distinguished by a different pavement material or color.

MOTION TO CONSIDER

If the Plan Commission wishes to take action on the Petitioner's requests, the appropriate wording of the motions are listed below. The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan.

Motion 1 (Site Plan):

"...make a motion to grant the Petitioner, Lenny's Food N Fuel 183rd Street LLC, Site Plan Approval to construct a car wash in addition to the previously approved gas station and convenience store building at 18421 West Creek Drive and 7451 183rd Street in the ORI PD (Office & Restricted Industrial, North Creek Business Park PUD) Zoning District, in accordance with the plans submitted and listed in the October 1, 2020 Staff Report and subject to the following conditions:

- 5. *Any changes in drive-thru or parking demand from what was presented would require a new traffic/drive-thru analysis and prior approval to ensure the on-site drive-thru stacking and parking is sufficient.*
- 6. *Site Plan approval is subject to final engineering review and approval.*
- 7. *Columns used on the canopies of the car wash site shall match the material and design utilized on the primary gas station canopy.*
- 8. *Site Plan approval is subject to approval of the PUD Ordinance Amendment, Special Use for a Substantial Deviation with the PUD, and Final Plat approval."*

[any conditions that the Commission would like to add]

Motion 2 (PUD/Special Use Ordinance Amendment):

"...make a motion to recommend that the Village Board amend Section 4-A. in Ordinance 91-O-083 (Special Use for North Creek Business Park PUD) at the request of Lenny's Food N Fuel 183rd Street LLC to permit an "car wash" as a permitted use on Lot 1 of the North Creek Gas N Wash Resubdivision."

[any conditions that the Commissioners would like to add]

Motion 3 (Special Use for Substantial Deviation):

"...make a motion to recommend that the Village Board grant a Special Use Permit for a Substantial Deviation from the North Creek Business Park PUD and Exceptions from the Zoning Ordinance as listed in the staff report to the Petitioner, Lenny's Food N Fuel 183rd Street LLC, to permit a car wash to be added to the previously approved gas station and convenience store at 18421 West Creek Drive and 7451 183rd Street in the ORI PD (Office & Restricted Industrial, North Creek Business Park PUD) zoning district, in accordance with the plans submitted and listed herein and adopt Findings of Fact as proposed by Village Staff in the October 1, 2020 Staff Report."

[any conditions that the Commission would like to add]

Motion 4 (Final Plat):

"...make a motion to recommend that the Village Board grant approval to the Petitioner, Lenny's Food N Fuel 183rd Street LLC Final Plat Approval for North Creek Gas n Wash Resubdivision in accordance with the Final Plat submitted and listed herein, subject to the following condition:

2. The Final Plat approval is subject to Final Engineering approval by the Village Engineer."

[any conditions that the Commissioners would like to add]

LIST OF REVIEWED PLANS

Submitted Sheet Name	Prepared By	Date On Sheet
Final Plat of North Creek Food n Fuel Resubdivision (Recorded)	MGA	11-11-19
Final Plat of North Creek Gas n Wash Resubdivision (Proposed)	MGA	9-1-20
Preliminary Site Plan	MGA	9-14-20
Preliminary Engineering/Utility Plan	MGA	9-14-20
Building Elevations	ARSA	9-17-20
Color/3D Renderings	ARSA	9-17-20
Canopy Columns Cut Sheet	ARSA	9-17-20
Landscape Plan	Upland	9-17-20
Car Wash Exterior and Main Canopy Signage Plans	VB	9-18-20
Lighting Plan and Fixture Specs	LSI	9-18-20
Truck, Fueling, and Fire Engine Turning Templates	MGA	9-14-20

MGA = M Gingerich Gereaux & Associates (Civil Engineering & Surveying)

ARSA = Alan R Schneider Architects P.C. (Architect)

Upland = Upland Design (Landscape Architects)

VB = VanBruggen Signs (Sign Contractor)

LSI = LSI Industries Inc (Lighting)

GOOD OF THE ORDER

1. Pete's Fresh Market was approved at the last Village Board Meeting and staff is working with them to move on to Phase 2.
2. Staff is working on the Magnuson Development review on 191st Street. The first round of comments is in. Staff is hoping something will go vertical this year.

COMMENTS FROM THE PUBLIC

There were none.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to adjourn the October 1, 2020 Plan Commission Meeting.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, WEST and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice call.

CHAIRMAN GRAY declared the Plan Commission Meeting adjourned at 7:55 pm.