

**VILLAGE OF ALGONQUIN
PLANNING AND ZONING COMMISSION
Meeting Minutes
William J. Ganek Municipal Center-Board Room
October 13, 2014**

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson Patrician; Commissioners Hoferle, Sturznickel, Szpekowski, and Zaplatynsky.

Absent: Neuhalfen and Sabatine.

Staff Members Present: Katie Parkhurst, Senior Planner, Ben Mason, Senior Planner and Kelly Cahill, Village Attorney.

AGENDA ITEM 2: Approval of Minutes from the September 8, 2014 Meeting.

A motion by Commissioner Hoferle to approve the September 8, 2014 minutes as presented, was seconded by Commissioner Szpekowski and a voice vote noted all ayes. The motion carried.

Chairperson Patrician noted that the following items would be brought before the Planning and Zoning Commission for consideration this evening.

- Consideration of a Request for a Final PUD and Special Use Permit
Case No. 2014-09. Thorntons Gas Station

AGENDA ITEM 3: Consideration of a Request for a Final PUD and Special Use Permit
Case No. 2014-09. Thorntons Gas Station

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Mr. Mason called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Sturznickel, Szpekowski, and Zaplatynsky. Absent: Neuhalfen and Sabatine.

PETITIONER COMMENTS

Ms. Cahill swore in the petitioner and verified that proper notice of the meeting had been posted. The petitioner representatives included Jode Ballard, Thorntons Senior Management of Development, Tony Rubino, Thorntons Real Estate Manager, Drew Zazofsky, Thorntons Development Project Manager, Steve Schwartz, Pearl Street Commercial, Ryan Swanson, ARC Design Resources, and Thomas Zanck, attorney.

Mr. Ballard gave an overview of the Thorntons company history, as well as proposed location, site plan, architecture and signage. He noted a correction to the plans and clarified that the proposed building footprint would be 4,400 square feet, not 4,260 square feet.

Mr. Ballard also indicated Thorntons is requesting a few modifications to Staff's recommendation, to include: 1) canopy lighting at modestly higher level than village standard 2)

small ad displays on the fuel pump dispensers 3) an outdoor sales area on the east side of the building and 4) an LED color light band around the top of the canopy.

STAFF AND COMMISSION QUESTIONS/COMMENTS

Ms. Parkhurst gave a brief overview of her memorandum of October 13, 2014. She noted the building exterior will have full dimensional brick and stone. There will be a sidewalk connection from the site to Compton Drive, and the petitioner will also be installing a bike rack. The signage proposed by the petitioner meets village standards; however, Thorntons new request for an LED band around the canopy roof would not be permitted under the Sign Code. The photometric plan is acceptable and staff will work with the petitioner on their requested light levels under the canopy. Staff does not support the request for outdoor sales and storage for this or other new gas stations and convenient stores, with the exception of propane tanks which must be stored outside. This particular location is proposed to be open 24 hours.

Chairperson Patrician inquired if there were any Commissioner questions or comments.

Commissioner Hoferle asked if a landscape berm could be added along the frontage of Algonquin Road and Compton Drive, to which Mr. Ballard stated a mix of trees and shrubs are proposed around the perimeter of the site, however Thorntons would prefer to keep some exterior line of sight open to the property for security purposes. *Commissioner Hoferle* asked if the black aluminum louvers on the building might pose a problem with collecting debris or birds' nests, to which Mr. Ballard explained the louvers have limited depth and are set at an angle so Thorntons has not had any such issues. *Commissioner Hoferle* asked about proximity of the site to the Glenloch residential subdivision to the south, to which Ms. Parkhurst stated the subdivision will be at a considerably lower grade due to the slope of the land, and the first parcel to the south of the gas station will consist of the subdivision's common clubhouse, rather than an individual residential lot. *Commissioner Hoferle* asked if the detention basin could be converted to a wet bottom to serve as an attractive pond feature for the site, to which Mr. Swanson stated such wet detention basins require much more maintenance and the developer's preference is for a dry bottom.

Commissioner Sturznickel commented that he would support the petitioner's request for an outdoor sales area, provided it is properly screened. He also stated the petitioner's request for a red LED light band on the canopy roof looks nice, and would serve to accent the gas station.

Commissioner Szpekowski asked if the petitioner's request for ad displays on the fuel pump dispensers would meet code, to which Ms. Parkhurst explained they would simply be small paper signs – not LED screens – and yes would be permitted under the Sign Code. *Commissioner Szpekowski* stated that she would be in favor of the petitioner's request for a red LED light band on the canopy as it would add some color, to which Ms. Parkhurst stated that such LED bands are not permitted by the Sign Code and if the Village were to allow for one business, the LED bands would likely proliferate throughout town. *Commissioner Szpekowski* stated she would support the petitioner's request for an outdoor sales area as customers expect that at a gas station.

Commissioner Zaplatynsky stated that she would be okay with outdoor sales.

Chairperson Patrician inquired as to how the gas station's underground tanks would be permitted, to which Ms. Parkhurst stated the tanks will be required to comply with all applicable federal/state regulatory codes. *Chairperson Patrician* indicated he does not support the petitioner's proposed LED light band on the canopy; he stated it is not what the village wants from an aesthetic perspective and the property will stand out and be recognized as a gas station anyways. *Chairperson Patrician* asked if a defined space for outdoor sales is calculated based on a percent of the overall building square footage, to which Ms. Parkhurst stated that there is no such formula in the Zoning Code, rather, outdoor sales are only considered as part of a PUD or Special Use Permit application and are not allowed by right. *Chairperson Patrician* questioned the petitioner's proposed landscape screening for the outdoor sales area, and whether the plantings would die off and be ineffective for screening purposes in the winter. He suggested consideration of some form of permanent fencing around the outdoor sales in addition, to which Ms. Parkhurst stated there is not sufficient space on the side of the building for both landscaping and a fence. Ms. Parkhurst clarified that older, existing gas stations in the Village that have outdoor sales were developed prior to the current zoning regulations, and are considered to be existing, non-conforming; such gas stations with outdoor sales have frequently been an attractive nuisance when the outdoor items spill out across sidewalks and are not kept in an orderly manner.

Mr. Mason asked for clarification as to whether the commission considered the petitioner's request for outdoor sales to be a particular hardship specific to this property, to which *Chairperson Patrician* expressed support for the petitioner's proposed outdoor sales so that Thorntons could be competitive with other neighboring gas stations that offer items for sale outside their convenient store buildings.

PUBLIC COMMENT

Chairperson Patrician called for public comments.

Charles Bennett Jr., 3521 Wintergreen Terrace, Algonquin stated he was in support of the petition. He thought the location on the south side of Algonquin Road would be convenient for motorists, and he also found the design of the building to be attractive.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Patrician entertained a motion to approve the request for Final PUD and Special Use Permit for the Thornton's Gas Station.

Commissioner Hoferle moved and Commissioner Sturznickel seconded a motion to recommend approval of a Final PUD and Special Use Permit for Thorntons, consistent with the findings of fact and conditions listed in the October 13, 2014 Community Development memorandum, and also including the developer's requests for the proposed light level under the canopy be permitted and proposed outdoor sales area with appropriate screening.

The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Hoferle, Sturznickel, Szpekowski, and Zaplatynsky. Nays: None. Absent: Neuhalfen and Sabatine. Motioned carried.

CLOSE PUBLIC HEARING

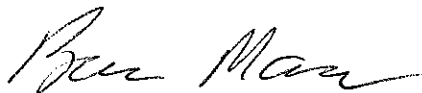
AGENDA ITEM 4: New/Old Business

There were no other items discussed.

AGENDA ITEM 5: Adjournment

A motion to adjourn the meeting by Commissioner Szpekowski received a second by Commissioner Sturznickel, and a voice vote noted all ayes. The motion carried and the meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ben Mason". The signature is fluid and cursive, with the first name "Ben" and last name "Mason" clearly distinguishable.

Ben Mason

Senior Planner/Recording Secretary