

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ZONING, PLANNING AND APPEALS**

CASE NUMBER: 18-ZPA-11-001

HEARING DATE: February 14, 2019

PROPERTY ADDRESS: 65 Northwest Highway

PETITIONER: Nebojsa B. Dupor (Contract Purchaser)

PROPERTY OWNER: Home State Bank

PIN NUMBER: 20-18-177-026, 20-18-177-027 and 20-18-177-028

REQUEST:

1. Map Amendment (Rezone B-3 to B-2)
2. Conditional Use for a Car Wash Facility (Sec. 17.20.030)

MEMBERS PRESENT: O’Laughlin, Khoury, Jasper, Williams, Graziano

MEMBERS ABSENT: Pippen, Kretschmer

STAFF MEMBERS PRESENT: Brian Simmons
Director of Community Development

Chairman Khoury called the meeting to order at 6:05 PM. Chairman Khoury called Village Case No. 18-ZPA-11-001. Member Jasper arrived at 6:09 PM.

Director Simmons stated the Petitioner, Nebojsa B. Dupor, is proposing to develop an Auto Kleen car wash facility on the vacant property located to the east of the intersection of Route 14 and Main Street adjacent to the existing CVS retail building. The Petitioner is seeking approval of a map amendment to rezone the subject property from B-3 Fringe Business District to B-2 Shopping Center Business District and a conditional use for the car wash. The ZPA hearing was properly noticed in the November 28, 2018 edition of the Northwest Herald. In addition, the Petitioner has completed the required notice to property owners within 250 feet and Staff posted public hearing signs on the subject property.

The petition was continued from the December 13, 2018 ZPA meeting to allow the petitioner additional time to respond to neighboring property owner concerns. Since the hearing, the petitioner has met with the neighboring owner and has drafted a preliminary engineering plan and revised the site plan to attempt to address those concerns. Director Simmons stated the petitioner has also submitted all applicable MSDS sheets and a completed noise study. Director Simmons updated Board members of the revisions to the petition.

Mr. Alan Jacob was present on behalf of the petitioner to answer questions from the Board. Mr. Jacob stated materials used for the car wash operation are a marine grade to prevent any potential contamination to surrounding areas. He also stated the wall and berm to be constructed around the facility will aid as a barrier to prevent any potential leaking.

Member O'Laughlin asked if any materials stored on the premises could leak into the Village storm system. Mr. Jacob stated all material is stored in metal drums and would be released into the sewer system only after filtering and would not be released into any storm sewers.

Chairman Khoury asked the Petitioner how many express car wash facilities the company has built. Mr. Jacob and the company's design associate, Mr. Nick of Pro Designers, Chicago, stated the company has built fifteen express wash facilities and has had no flooding issues.

Chairman Khoury opened the floor to Public Comment.

Mr. Dave Miller and Ms. Kristina Anderson of Lake Julian Trout Farm, Northwest Highway, Cary. Ms. Anderson stated that she continues to have concerns over the possibility of potential contamination to the Trout Farm. Mr. Miller asked if stormwater retention is designed as a contained unit.

Mr. Mike Elliot, Terra Consulting, Park Ridge answered on behalf of the petitioner that the retention area would be sealed. The storm trap size is based on 100-year flood calculations.

Mr. Miller is concerned that some information received from the petitioner is not accurate. Mr. Miller does not support a positive recommendation on the petition.

Mr. Charles Kraft, Old Hideaway Road stated he does not believe the Village needs another car wash facility or that it improves the quality of life in the Village.

Ms. Kathleen Park, Carlisle Ct., was concerned the stormwater retention is adequate. Ms. Park stated if the project is built to code, she has no objection to the proposed project.

Mr. Mark Huber, E. Main St., asked what visibility barriers are planned for the surrounding homeowners and how is auto congestion on E. Main St. being addressed. Mr. Mike Elliot, Terra Consulting stated a berm and landscaping are planned as visual barriers and the egress and access for the car wash will be from Northwest Highway.

Mr. Brian Jager, Jefferson Lane, stated the neighboring business should obtain adequate insurance to cover any potential incident that might arise.

Mr. Matt Robillard, Cherry St., is concerned the noise will impact neighboring properties as will the increased traffic in the area.

With no further comment from those present, Chairman Khoury closed the Public Comment portion of the meeting.

Discussion:

Member O'Laughlin asked if the Village sanitary lift station has the capacity to handle the waste water. Director Simmons stated the lift station has more than adequate capacity.

Member Jasper commented he would have like to have seen a more comprehensive study than just the 100-year flood. Mr. Jacob stated the worst-case study design uses measurements above the 100-year flood.

Chairman Khoury entertained a motion.

Member O'Laughlin moved, seconded by Member Graziano, motion to recommend to the Village Board of Trustees, approval of 1) a map amendment to rezone the vacant property located at 45 Northwest Highway from B-3 to B-2 and 2) a conditional use for a car wash facility subject to the conditions listed in the staff report.

Aye: Khoury, Jasper, Graziano

Nay: Williams, O'Laughlin

Abstain: None

Absent: Phippen, Kretschmer

Motion Failed: 3-2

The motion failed as it required four positive votes. After hearing an additional case Chairman Khoury entertained a motion to adjourn at 8:39 pm. Member O'Laughlin moved, seconded by Member Graziano to adjourn at 8:39 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk