

Wheaton Planning and Zoning Board

I. Call To Order and Roll Call Vote

Chair Aranas called the Tuesday, August 9, 2022 Wheaton Planning and Zoning Board meeting to order at 7:00 p.m. in-person and via zoom. Upon roll call, the following were:

Roll Call Vote

Present: Nicole Aranas
Chris Dabovich
Chris Derrick
Bob Gudmundson
Mark Plunkett

Absent: Cecilia Horejs
Dan Wanzung

City Staff Present: Tracy Jones, Staff Planner
Joe Tebrugge, Director of Engineering

II. Approval of Minutes - July 26, 2022

The minutes were approved as presented.

III. Public Comment

There was none.

IV. Old Business

ZA #22-19/ Special Use Permit/ 313 E. Loop Road/ WashU Real Estate, LLC

Chair Aranas reconvened the public hearing on August 9, 2022 that was initially called to order on July 26, 2022 to consider an application requesting a special use permit for a planned unit development to consider a new special use permit pursuant to Article 20.3 of the Wheaton Zoning Ordinance to allow the construction and use of a car wash, following the demolition of the former restaurant building (i.e., Cozymel's), at 311 E. Loop Road. Sixty pages of public comment was received and incorporated into the record.

Mr. Timmer stated that they have submitted a "Revised Land Swap Exhibit" since the last meeting, showing the additional traffic control measures that they are willing to make to improve traffic flow on the site. First, he stated that they are proposing to remove some of the existing trees located at the southeast corner of East Loop and the access drive (and replace them with lower shrubs) to improve safety and visibility. Second, he stated that they are proposing to reconfigure the drive lanes to improve outbound queuing.

Javier Millan, 9575 W. Higgins Road, Rosemont was sworn in. Mr. Millan stated that he was the traffic consultant working on the project. He stated that the intersection of Butterfield and East Loop Roads averages 4.2 accidents per year, which is considered an acceptable level. He added that there has only been one accident at East Loop Road and the access drive in the past year and that was during snowy conditions. He added that they conducted a gap analysis for the proposed car wash, and there would be an acceptable number of opportunities for vehicles to execute turning movements. He added that a proposed restaurant use would generate similar or potentially more traffic volumes than the proposed car wash depending on the type of restaurant (i.e., fast food, casual, formal). He added that traffic

consultants try to reduce curb cuts to reduce possible conflicts, so he does not recommend adding a second entrance further north.

Mr. Timmer stated that they have submitted noise level information for some of their existing locations. He stated that the noise levels from the car wash would not be any louder than the traffic noise from Butterfield Road.

Mr. Nelson stated that they are local developers and that they plan to employ local youth. He added that they offer career paths for employees that want to stay at the car wash, and they provide a full benefit package, including 401k and health insurance. He added that they have already participated in several Wheaton community events including the 4th of July parade.

Mary Breitfuss, 255 E. Liberty Drive, Wheaton was sworn in. Ms. Breitfuss stated that she was skeptical about the traffic study findings. She added that she frequents Chick-fil-A and does not feel the car wash was an appropriate use at that location.

Caroline Ralph, a Wheaton resident, was sworn in. Ms. Ralph stated that she was opposed to the proposed car wash. She added that she was concerned about the safety of pedestrians walking to Chick-fil-A.

Ethan Kopp, a Wheaton resident, was sworn in. Mr. Kopp stated that he was opposed to the proposed car wash. He added that it would generate too much traffic with only one entrance and exit. He added that he had environmental concerns with the car wash as well and that he was concerned that it wouldn't generate sales tax revenue for the City as a customer service related business.

Colleen Kane, a Wheaton resident, was sworn in. Ms. Kane stated that she was opposed to the proposed car wash. She added that East Loop Road has a lot of cut through traffic and the car wash was not a good use at this location.

Allison Delporte, a Wheaton resident, was sworn in. Ms. Delporte stated that she was opposed to the car wash. She added that she was disappointed that the car wash might be approved at this location.

Elizabeth Duffy, a Wheaton Resident, was sworn in. Ms. Duffy stated that she was opposed to the car wash. She questioned why the car wash wasn't proposed on Roosevelt Road.

Kim Bukauskas, a Wheaton business employee, was sworn in. Ms. Bukauskas stated that she worked for Platinum car wash and that she was opposed to the proposed car wash. She added that she had spoken with IDOT staff and that she had obtained different traffic numbers than the numbers presented by the traffic consultant.

Larry Wise, a Wheaton business owner, was sworn in. Mr. Wise stated that he owned Platinum car wash and that he was opposed to the proposed car wash. He added that the proposed car wash would cause traffic back up past the Chick-fil-A entrance drive. He added that the traffic study was done in June, when school was out for the summer.

Mr. Timmer stated that while they are both car washes, WashU and Platinum have very different business models. WashU offers exterior washing only; Platinum offers exterior washing, full service washing, detailing, oil changes, flowers, etc. He added that the chemicals that WashU uses are all biodegradable.

Mr. Dabovich questioned a comment made by Mr. Kopp that car washes do not pay sales taxes as a customer service related business.

Chair Aranas stated that car washes are considered a customer service related business, so the customer does not pay sales tax directly on their purchases (like a haircut, nail, etc.), but the car wash still pays sales tax revenue to the City.

Mr. Plunkett moved and then Mr. Derrick seconded the motion to close the public hearing. On a voice vote, all voted aye.

The Board only had five members present and decided to take a straw poll vote. Of the members that were present, three members would have voted "Yes", and two members would have voted "No". Since the Board's Rules and Regulations require four "Yes" votes for a positive recommendation to the City Council, the applicant decided to defer their vote until the next Board meeting when hopefully the full Board would be present.

Mr. Gudmundson moved and then Mr. Plunkett seconded the motion to continue the vote on the item until Tuesday, August 23, 2022. On a voice vote, all voted aye.

V. New Business

ZA #22-19/ Front Yard Setback Variation/ 1005 Warrenville Road/ Taylor

Pursuant to notice duly published on July 22, 2022 and letters mailed to neighboring property owners on July 20, 2022, Chair Aranas called to order the August 9, 2022 public hearing requesting a variation to Article 8.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a raised patio/ stoop with a front yard setback of 66.4 feet in lieu of the required 77.6 feet, all on property commonly known as 1005 Warrenville Road.

Christian Taylor, 1005 Warrenville Road, Wheaton was sworn in. Ms. Taylor stated that she was the property owner and that she is requesting a variation to Article 8.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a raised patio/ stoop with a front yard setback of 66.4 feet in lieu of the required 77.6 feet. She added that she is further proposing to install a sidewalk from the new patio/ stoop to the existing driveway. A new seat/ garden wall with columns and decorative lighting is also proposed.

Amanda Arnold, Downers Grove was sworn in. Ms. Arnold stated that she was the landscape architect working on the project and that the front yard setback requirement off Warrenville Road is 77.6 feet. This is based on the average front yard setback of the adjacent house to the north and to the south. The existing house on the subject property has a front yard setback ranging between 73.99 and 78.76 feet.

Ms. Arnold stated that her client is proposing to remove the existing 9 foot by 4 foot raised stoop and replace it with an expanded 9 foot by 16 foot raised patio/ stoop. While there is an accommodation in the Zoning Ordinance for covered, open porches to encroach into the required front yard setback, there is no such accommodation for uncovered patios/ stoops.

Ms. Taylor addressed the ten variation evidence standards as required by the Zoning Ordinance. She stated that the proposed variation is the minimum necessary to make the raised patio/ stoop functional for her family. She added that the variation would not be detrimental to the public health, safety, morals, comfort, convenience, or general welfare of the neighboring property owners.

Mr. Derrick questioned the height of the seat/ garden wall and the size of the columns.

Ms. Arnold stated that the seat/ garden wall would be 28 - 30 inches tall and the columns would be 24 inches square with decorative lights.

Mr. Dabovich moved and then Mr. Derrick seconded the motion to close the public hearing. On a voice vote, all voted aye.

Mr. Gudmundson moved and then Mr. Plunkett seconded the motion to waive their regular rules and vote tonight. On a voice vote, all voted aye.

Mr. Derrick moved and then Mr. Dabovich seconded the motion to recommend approval of ZA #22-19 requesting a variation to Article 8.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a raised patio/ stoop with a front yard setback of 66.4 feet in lieu of the required 77.6 feet, all on property commonly known as 1005 Warrenville Road, subject to the following conditions:

- 1. The raised patio/ stoop extension is allowed to match the elevation of the existing stoop, but the sidewalk and the area enclosed by the seat wall shall provide six inches of foundation exposure and slope away from the building.
- 2. A Type 1 Grading Plan shall be submitted meeting all City Code requirements as part of the building permit application.

Roll Call Vote

Ayes:	Nicole Aranas Chris Dabovich Chris Derrick Bob Gudmundson Mark Plunkett
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Nays:	None
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Absent:	Cecilia Horejs Dan Wanzung
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Motion Passed Unanimously

VI. Miscellaneous

There was none.

VII. Adjournment

Mr. Derrick moved and then Mr. Dabovich seconded the motion to adjourn the meeting at 8:49 p.m. On a voice vote, all voted aye.

Respectfully submitted,
Tracy L. Jones, AICP
Staff Planner