

**MINUTES OF THE PLANNING & ZONING COMMISSION
VILLAGE OF ADDISON
WEDNESDAY, OCTOBER 9, 2024**

The Planning & Zoning Commission meeting of the October 9th, 2024 meeting was called to order at 7:00 p.m. by Chair Fotopoulos.

Present: Ariano, Cargill, Fotopoulos, McComb, Schmitt, Turk
Absent: None
Also Present: Mike Crandall and Consuelo Arguilles, Village of Addison,
Village Attorney Pat Miner and Dan Medina, Addison Fire Protection

PUBLIC HEARING

- I. CALL TO ORDER – ROLL CALL**
- II. CONSIDERATION TO APPROVE THE MINUTES OF THE SEPTEMBER 18, 2024 PLANNING & ZONING COMMISSION MEETING**

Mr. Cargill made a motion to approve the minutes from the September 18, 2024 meeting, seconded by Mr. Turk. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

III. PUBLIC HEARINGS AND RECOMMENDATIONS

- 1. **File #PZ-24-16**, consideration of a Plat of Resubdivision and variations from the Zoning Ordinance to allow for the reconstruction of existing parking lot with concrete pavement, expansion of parking lot areas with concrete pavement and construction of subsurface stormwater detention features. The property is located at 330 South Fairbank Street, Addison, IL 60101.

P.I.N.: 03-30-402-010, 03-30-402-026

Petitioner: Alan Shapiro

This file was advertised in the September 24, 2024 issue of the Daily Herald Newspaper.

Mr. Schmitt made a motion to open File #PZ-24-16, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

Consuelo Arguilles, Village of Addison stated that the petitioner is requesting a plat of resubdivision and variations to allow the existing parking lot setback along the north property line and to allow a driveway width measuring 35 feet for the property at 330 S. Fairbanks Street. This notice was issued in the September 24, 2024 Daily Herald Newspaper. The petitioner is seeking to resubdivide the property to create one lot of record in addition to the variations. The variations requested are Planning and Zoning Commission final with the plat of resubdivision that would be required to be reviewed and approved by the Village Board.

Chair Fotopoulos asked if the Plan Commission had any questions. There were none.

Kevin Matray, Civil Engineer for the project was present and sworn in. Mr. Matray showed the plans on the overhead. Mr. Matray stated they are north of Fullerton Avenue off of Fairbank Street. We are in an existing industrial park. The building and the industrial park itself have been in existence for quite some time. We are looking to do some improvements on the property. We would like to pave the back half that is currently gravel. Also re-do some of the asphalt pavement along the north and south side of the building and start using and cleaning up the property to a better use for them.

Mr. Matray said HazChem Corporation is the company that is currently at the property. They have been there for seven years but have been in town since 1991 when they were established. They work with first responders including Addison to educate and teach about environmental cleanup and help with hazardous spills.

Mr. Matray said they are looking to make the building look nice and give it more usable parking space and more storage area. We are asking to consolidate the two parcels, currently the north parcel is where the building and parking lot stand is and the south parcel is where the rail spur that is part of this development. At the Village's request, we are looking to consolidate those two and make it one single parcel. We are also looking to repave the parking lot and pave the back half which is currently gravel, in doing so we are doing some stormwater management improvements. The site is currently deficient some detention. There is an existing pond behind us and a detention basin that serves the existing industrial park. We are looking to do an on-site improvement beneath the parking lot and the rear. It is an underground ADS chamber (an underground vault). It will fill up with water after a rain event and will discharge by gravity to the existing basin to the west. It is just an extension of the existing pond and provides the additional detention that is required for the property with the new impervious area. We are bringing it up to code for the site. We are also asking for a parking lot variance to the north property line. It is already existing pavement as it currently stands we are just looking to repave with concrete and keep the same width that we currently have on site. The last is a parking lot access drive width at the right-of-way, we are showing 27 feet back to back, the Village's code allows for 24 feet. We do want the 27 feet back to back but not sure if the width is measured from edge to edge of the pavement or to the back of the curbs, but are asking for those access for employees and trucks to access the rear

of the building. The property is currently zoned M2, our current use and proposed use still fall in line with that zoning. We are looking to clean up the site with the pavement in the rear and provide detention to bring us up to code. Based on the current use and proposed use is it fits the industrial park that is there. We haven't had any issues with neighbors thus far with how we use the site and function of the facility.

Chair Fotopoulos asked if the Plan Commission had any questions. Mr. Cargill said you wanted to keep your driveway 27 feet instead of 24 feet, is that both at the north and south side or which one. Mr. Matray said its 27 feet both at the north and south side, it's back to back. Mr. Cargill asked if they plan on re-doing all the blacktop or just in the back of the building. Mr. Matray said the back of the building is currently aggregate so we will pave that and then getting rid of all the HMA and doing concrete. The whole parking lot and driveways will be concrete.

Chair Fotopoulos asked if the audience had any questions. There was none.

Chair Fotopoulos asked for positive and negative testimony. There was none.

Mr. Schmitt made a motion to close File #PZ-24-16, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-16 as described above.

Attorney Miner stated that in the Staff Report, staff indicates they do support the proposed actions, however that support is conditioned upon three things which is on Page 4 of the staff report are as follows:

1. The variation granted herein shall only apply to the existing parking lot as shown on the Existing Conditions & Demolition Plan (Sheet 2 of 13) prepared by Mackle Consultants, LLC and dated 8/26/24.
2. A building permit shall be issued for the proposed parking lot expansion.
3. Any future improvements to the property shall comply with all Zoning Ordinance requirements.

Attorney Miner stated if the Commission was considering providing favorable recommendation as to the variations and the plat of resubdivision, I would suggest that those conditions be a part of the motion.

Mr. Schmitt made a motion for a favorable recommendation for the plat of consolidation and for the variances as listed for the parking to the north setback and with the recommendations from staff for the three points indicated in the staff report, seconded by Mc Comb. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-24-11**, consideration regarding variations to the Zoning Ordinance, Subdivision Control Ordinance and Standard Specifications for Design and Construction to allow parking of vehicles on a plastic grid paving system. The property is located at 12 W. Factory Road, Addison, IL 60101.

P.I.N.: 03-33-111-018

Petitioner: Peter Alvarez, Auto Gallery Chicago, LLC

This file was advertised in the July 30, 2024 issue of the Daily Herald Newspaper.

Consideration of File #PZ-24-11 as described above.

Mr. Cargill made a motion to table this file to the November 13th Planning and Zoning Meeting, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

3. **File #PZ-24-17**, consideration of Text Amendments to Section X of the Zoning Ordinance of the Village of Addison with respect to dollar stores, thrift stores and tobacco establishments.

Petitioner: Village of Addison

This file was advertised in the September 24, 2024 issue of the Daily Herald Newspaper.

Mr. McComb made a motion to open File #PZ-24-17, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Consuelo Arguilles, Village of Addison stated the Village is requesting consideration of amending the Zoning Ordinance including definitions and regulations as to regards to dollar stores, thrift stores and tobacco stores. Back in June 17, 2024, the Village Board approved ordinances establishing six-month moratoriums on the issuance of business licenses for both discount retail establishments and establishments selling smoke materials.

Dollar Stores are currently permitted in our commercial business districts and we do have dollar stores throughout the Village and upon review of this item we determined earlier in the year that for the sake of limiting the dollar stores within Addison to provide residents with some retail options and covenants access to those products, it

was best to regulated the number of discount retail stores, dollar stores specifically. We are proposing a definition, to be very exact what constitutes a dollar store and the definition that we are proposing to add to the Zoning Ordinance is: any retail sales establishment of 15,000 square feet or less that continuously offers or advertises in majority of the items in their inventory less than \$10.00 per item. Using this definition as opposed to discount retail establishments prevent confusion with retail establishments such as Walmart and Target. Staff recommends that the dollar stores are listed as permitted uses within the B1, B2, B3 and B4 Districts, but only at least two miles away from each other. The restriction would only apply to primary uses, so it wouldn't apply to Target or to retail establishments such as Walmart or the related where they are selling other retail products where it is not their primary use.

Thrift stores: We do define thrift stores and only allow them in the M4 District. There is no definition which makes it difficult for staff to regulate them; and we are proposing a definition to be added to the code.

Tobacco Shops are allowed in five districts as permitted and that would be the B2, B3, B4, B5 and M4 District and we are recommending text amendments to eliminate tobacco shops from the Business Districts and maintaining the allowance of tobacco stores in the M4 District and provided the definition as was stated in the staff report.

Tobacco store. Any establishment that (a) derives 50% or more of its revenue from or (b) utilizes 50% nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; (2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or (3) any component, part, or accessory of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, and pipes.

Based on the review of dollar stores, drift stores, and tobacco shops, the Village is proposing the following text amendments to the permitted uses:

- Permit *dollar stores* – only when they are at least two miles from any other *dollar store* in the B1 Local Business District, B2 Community Business District, B3 Service Business District, and B4 Regional Shopping Center District are proposed to permit dollar stores
- Remove *tobacco shops* – *retail sales* from the list of permitted uses in the B2 Community Business District
- Remove *tobacco shops* from the B5 Planned Community Commercial/Office District
- Permit *thrift stores* in the M4 Office-Research/Industrial District

The following definitions are proposed to be included Section X of the Zoning Ordinance:

- Dollar Store. Any retail sales establishment of 15,000 square feet or less that continuously offers or advertises a majority of the items in their inventory for sale at a price less than \$10.00 per item.
- Thrift Store. A store that sells used things such as clothes, books and furniture.
- Tobacco Store. Any establishment that (a) derives 50% or more of its revenue from or (b) utilizes 50% or more of its product display area for (1) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; (2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or (3) any component, part, or accessory of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, and pipes.

These restrictions would only apply to primary uses. Properties where convenience stores are accessory to a gas station would not be impacted. Staff is not unaware of any standalone convenience stores in Addison (i.e., not associated with a gas station).

Staff finds that the proposed text amendments comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends approval of the requested actions.

Chair Fotopoulos said the one concern that she has was our old White Hen that went from a clothing to now a mattress discount store. In the future that won't be allowed once they lose their lease. Ms. Arguilles said she believed that would still be permitted, that would not fall into the definition of what we constitute as a dollar store. Chair Fotopoulos said it would be a thrift store, they are discounting furniture. Ms. Arguilles said there are no changes to any of the definitions that we may have in the code as it relates to thrift stores or second hand stores. Mr. Crandall said we are now defining a thrift store and a thrift store is now talking about a store that sells used things such as clothes, books and furniture. These text amendments were only allowed in the M4 District.

Attorney Miner said these changes do not affect any existing businesses.

Chair Fotopoulos asked if the Plan Commission had any questions. There were none.

Mr. Cargill made a motion to close File #PZ-24-17, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-17 as described above.

Mr. McComb made a motion for a positive recommendation for File #PZ-24-17, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

IV: AUDIENCE PARTICIPATION - None

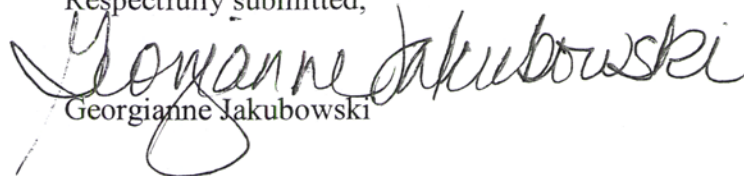
V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN - None

VI. ADJOURNMENT

Mr. Turk made a motion to adjourn the meeting at 6:05 p.m., seconded by Mr. Mc Comb.

Motion passed unanimously.

Respectfully submitted,


Georgianne Jakubowski

