



PLANNING AND ZONING COMMISSION MEETING
City Council Chambers
3600 Kirchoff Rd.
Rolling Meadows, IL 60008
Tuesday, March 7, 2023
7:00 p.m.

MINUTES

Call to Order at 7:05

Roll Call/Declaration of a Quorum:

Present: Gercken, Leone, Sheehan, Sipple, and Chairman Buckingham
Absent: Burchert and Chubirka

Also in Attendance: Glen Cole, Assistant City Manager/Community Development Director
Jo Ellen Charlton, Assistant Public Works Director

Approval of Minutes: Minutes of the January 3, 2023

A motion by Gercken to approve the Minutes of the January 3, 2023 meeting as written, was seconded by Leone, and approved by a unanimous 5-0-2 voice vote of the members present.

Pending Business: None

New Business – (New Public Hearings):

- 1. Public Hearing and Consideration of an amendment to the Arlington Office Planned Development pursuant to Section 122-461 of the City of Rolling Meadows Zoning Code of Ordinances to modify the list of permitted and special uses in an M-1 Zoning District for the property commonly known as Arlington Office Park (PINs 02-26-200-006-0000, 02-26-200-007-0000, 02-26-200-009-0000, 02-26-200-010-0000, 02-26-204-012-0000).**

Chairman Buckingham asked if the file was in order and if property notice was given. Mr. Cole stated that the file was in order and that proper notice was given.

Mr. Gercken's motion to open the public hearing and enter the staff report attached to the agenda into the record was seconded by Sheehan, and approved by a unanimous 5-0-2 voice vote of the members present

Chairman Buckingham swore in Nick Ftikas, attorney with Sam Banks Law, 221 N. LaSalle, Chicago, Illinois, to present the applicant's case.

Mr. Ftikas provided the following overview of the case:

1. He described existing site conditions.
2. He noted that the plans called for the replacement of the small retail kiosk with an additional fuel pump, and the construction of a new retail store at the rear of the property.
3. The new building would be a more modern 2,388 square foot 1-story, all masonry building.
4. A special use is required, but it is not a new special use. Instead, the special use allows for the remodeling of an existing gas station use.
5. Two variations are also being requested. The first is a rear yard setback. The second is a reduction in the drive aisle width immediately in front of the building.

Commissioner's questions of Mr. Ftikas:

1. Sheehan
 - a. Asked for clarification of the square footage. Banks replied 2,388.
2. Gercken
 - a. Asked for clarification that nothing would be stored outside. Ftikas said "correct". He later followed up by noting that they intended to sell propane tanks, and that they are not allowed to be inside a building. When asked where that might go without interfering with parking or circulation, or without interfering with sidewalk access, the applicant did not have an immediate answer. They said they would, however, be willing to work with staff on an acceptable location, and if one couldn't be found, they would not sell propane.
 - b. Asked if they could add bollards in front of the building. Ftikas said "Those could certainly be incorporated into the plan."
 - c. Asked if the refuse enclosure will be brick. Ftikas responded "yes."
 - d. Asked for confirmation that the entrances were being reduced to 30' in width. Ftikas responded "yes."
 - e. Asked for confirmation that the bike rack would be installed? Ftikas responded it would if necessary.
 - f. Asked whether there would be lighting under the awning. Ftikas responded "yes". He further commented that all site lighting would be "down" lighting...particularly on the residential side.
 - g. Asked whether there would be signage on the building. Ftikas responded there would be as shown on the plans.
 - h. Asked how often the landscaping between the new building and the building to the south would be maintained. Ftikas responded once every two weeks.

- i. Asked for confirmation that the south utility pole could be removed. Ftikas introduced Ben West from Axios Architecture

Chairman swore in Ben West, architect with Axios Architecture, 188 N. Wells, Chicago, Illinois

In response to question about utility pole, Mr. West responded that there is both a light pole and a utility pole on the south property line. The light pole will be no issue to remove. The power pole can be removed if it only powers the site, and there are no other utilities on the pole. Power to the new building will not be connected to the pole. Chairman Buckingham asked for confirmation that the pole would be removed. Mr. West said that it would

3. Leone

- a. Asked how many parking spaces there were. Banks responded there were two parking spaces immediately west of the building, and two on the north side of the property.

4. Buckingham

- a. Asked for confirmation that they were just adding one new pump in the location of the existing kiosk. Banks responded that was correct.
- b. Asked whether the other pumps would be replaced. Ftikas responded that they would not be immediately replaced, as they were only 3-4 years old. Pump life cycles are 6-8 years. Chairman Buckingham commented he had recently gone to the station and couldn't get one of the pumps to work.
- c. Asked whether the existing canopy was being replaced. Ftikas responded that the existing canopy would remain, but it would be re-faced.
- d. Asked whether there would be a fence on the rear lot line. Ftikas responded that no permanent fence would be on the lot line. The referenced fence is a temporary construction fence intended to provide protection for the building to the south.
- e. Asked for confirmation again whether they would accommodate a bike rack. Ftikas responded they would.
- f. Asked about the hours of operation and lighting. Ftikas introduced the store operator, Mr. Moktar Nasser.

Chairman Buckingham swore in Mr. Moktar Nasser, operator of the 3005 Kirchoff Marathon Gas Station.

In response to the question about hours and lighting, Mr. Nasser responded that they are currently closed from 11 pm to 5 am. During that time, the gas pumps are off as well. Lighting is turned off when the business is closed. Chairman Buckingham noted that the applicant's material indicated the pumps would be on 24 hours. Mr. Ftikas said the application will be corrected. With regard to lighting, Mr. Ftikas noted their intent to provide adequate safety lighting around the building. He noted that pole lights will be directed down, and that canopy lighting can be dimmed at night.

5. Sheehan

- a. Asked how many parking spaces would be taken up by employees. Mr. Nasser responded there would usually be two employees that drive to the site. He further noted that he had spoken with Express Auto, his neighbor to the south, regarding a request to allow his employees to park on his property.
- b. Commented that she visited the existing facility many times, and that she appreciates the improvement.
- c. Asked what items would be sold. Mr. Nasser responded that the store would sell hot and cold beverages, and food items. Automotive convenience items such as oils, antifreeze, windshield fluid would also be sold. When asked whether liquor would be sold, Mr. Nasser responded "No."
- d. Asked about security. Mr. Nasser responded they will install a 32-channel camera system to help deter criminal activity.

Ms. Charlton highlighted several items in the staff report previously entered into the record.

Commissioner comments/questions of staff

1. Sipple.

- a. Appreciates the narrowing of the driveway as an important means to improve safety and provide a better atmosphere.
- b. Believes bollards in front of the building should be added for safety.
- c. Agrees there is no room for outside sales.
- d. Asked whether the driving surface would be re-paved. In response to this question, Mr. Nasser responded the lot would be repaved.

2. Buckingham

- a. Asked where the findings would need to be adopted as written, and whether the conditions of approval might need to be amended.
- b. Asked the petitioners again regarding outside storage. Mr. Banks responded that refrigeration and freezers would be taken off the table, but the propane was something they would still like to offer if an acceptable location could be found.

Members of the audience were given an opportunity to speak

1. Mary Healy, 3125 Town Square Drive.

- a. Asked whether a traffic study was done to find out how much traffic might utilize their private driveway on the west side of the site. She noted that driveway is theirs to maintain, and that they pay a lot of money to sealcoat and fix potholes. Mr. Ftikas

responded that no traffic study was required. He further noted that autos typically use the Kirchoff Driveways. Ms. Charlton added that when the application was submitted, the petitioner noted anecdotally that most of the people who accessed the station from the private drive were private residents of the condos.

- b. Asked when construction would start. Mr. Ftikas responded it would start as soon as they got permits.

2. Falguni Soni, 3100 Town Square Drive.

- a. Commented that the canopy is rusty and an eye sore. Also, because she worked from home, she asked how long construction would take. Mr. Ftikas responded construction would take about 9 months.
- b. Asked whether any additional landscaping would be done. Mr. West responded the site was already nicely landscaped, but that they would be required to do more to comply with code.

3. Amir Patel, 3125 Town Square Drive

- a. Asked why there were semi-tractor trucks parked on the site. Ftikas responded they would be gone soon. Mr. Nasser added that he had authorized the truck owner to park there without knowing it would be for so long and that so many people would object. He stated he has already given them notice to remove the trucks. Chairman Buckingham asked whether any semi-trucks would be allowed to park on the site once the site is redeveloped. Mr. Nasser responded “no”.

4. Joe Clark, Palatine Illinois.

- a. Doesn't live there, but owns a condo there. Asked whether construction traffic would be allowed to use the private drive on the west. Mr. Nasser said that construction traffic would not utilize the private drive.

Chairman Buckingham asked Ms. Soni whether the existing lighting on the site ever bothered her. Ms. Soni responded that it did not.

With no further questions by the audience, the commission, staff, or the application, Mr. Gercken's motion to close the public hearing was seconded by Ms. Sheehan, and approved by a unanimous 5-0-2 voice vote of the members present.

The following motion by Commissioner Gercken, was seconded by Commissioner Sheehan, and approved by a unanimous 5-0-2 roll call vote of the members present:

Based on the submitted petition and testimony presented, I make a motion that the Rolling Meadows Planning and Zoning Commission adopt the findings for a special use and variations listed in the staff report prepared for the March 7, 2023 Planning and Zoning Commission meeting, and recommend to City Council approval of the requested special use and variations for a Marathon Gas station at 3005 Kirchoff Road, subject to the following conditions:

- a. Outdoor displays or sale of merchandise anywhere on the site is prohibited, except for the tire air dispenser as shown on the site plan, and except for a possible outdoor location for a propane tank exchange, provided City staff agrees the area meets all ordinance requirements.
- b. Owner shall install a construction fence on the south property line, and be responsible for repairing any damage to adjoining properties caused by construction prior to the issuance of a certificate of occupancy.
- c. Owner shall prepare and submit for approval by the City a plat of subdivision, creating a 1 lot subdivision. Plat shall provide a 5' public utility easement along the east property line to accommodate the existing utility pole. Plat shall be recorded prior to the issuance of a certificate of occupancy.
- d. The issuance of any building construction permits will be contingent upon the submittal and approval of the documents as described in Exhibit 1 to the staff report prepared for the March 7, 2023 Planning and Zoning Commission meeting. Exhibit 1 as presented in the staff report prepared for the March 7, 2023 meeting shall be modified to include the following additional requirements:
 - i. Protective bollards shall be added in front of the building.
 - ii. The canopy shall be completely refaced or painted, including the roof
 - iii. All paved areas shall be re-paved prior to occupancy.
- e. The granting of final occupancy is contingent upon development of the site in conformance with all conditions and plans to be approved as required.
- f. Construction traffic is prohibited from using the private driveway access on the west side of the property.

2. Public Hearing and Consideration for a special use pursuant to Section 122-262 of the City of Rolling Meadows Zoning Code of Ordinances to allow a Gas/Fueling Station, and for a variation from Section 122-271 to reduce the required rear yard setback from 30- to 4' in a C-2 Zoning District at 3005 Kirchoff Road. (Failed Notice. Re-Noticed for March 7, 2023).

Discussion Items:

1. None.

Reports: Update of on-going projects, cases, and issues.

Next Meeting: Tuesday, April 6, 2023 at 7:00

Motion to Adjourn