

AN ORDINANCE GRANTING APPROVAL OF A SPECIAL USE PURSUANT TO SECTION 122-331 OF THE CITY OF ROLLING MEADOWS CODE OF ORDINANCES FOR OUTDOOR STORAGE FOR SUNSET POOLS LOCATED AT 1675 HICKS ROAD

WHEREAS, Nick Luisi and John Luisi (“Petitioners”), with authorization from the owner, L4 Properties, LLC (“Owner”), petitioned the Planning and Zoning Commission (“PZC”) to consider approving a special use for outdoor storage on the property legally described in Ordinance Exhibit 1, and commonly known as 1675 Hicks Road (“Premises”); and

WHEREAS, the PZC, after notice of public hearing as required by law, conducted a public hearing on August 3, 2022, September 6, 2022, and October 4, 2022; and

WHEREAS, after taking and considering all testimony presented at the public hearing, the PZC made the Special Use findings of fact enumerated below and recommended that the City Council approve a Special Use authorizing outdoor storage;

Standard 1: Potential impact: The special use shall not unduly impact adjacent or nearby properties or the general health, safety, and welfare of the general area and overall community. Impacts to be considered include ingress and egress to the site, potential traffic impacts from cars and trucks, and impacts to the appearance and character of the area.

Findings:

The petitioner has addressed the access, delivery, parking, refuse and utility issues raised by the adjoining property owner to the north at 1645 Hicks with improvements being constructed as shown in the Approved Site Plan, and in agreeing to the conditions of approval being recommended. As such, impacts are being mitigated.

Standard 2: Consistency: The proposed special use shall be in keeping with the recommendations and intent of the City's Comprehensive Plan, Official Map, and all other plans and policies adopted by the city.

Findings:

Outdoor storage is permitted by special use in the M areas. Allowing the special use is in keeping with the area, especially with the improvements and conditions of approval, assuming the owner also continued to agree to the operational conditions.

Standard 3: Trend of development: Special uses should be a logical extension of the trend of development in the area around the subject site and not interfere with the use and development of adjacent or nearby properties.

Findings:

All on-site improvements being made will reduce impact on neighboring businesses, as well as potential customers. Specifically, the petitioner has installed a fence, and will be restriping the existing lot to accommodate accessible parking in the eastern lot, which is the customer-facing side. The petitioner is also installing a slide gate to screen the outdoor storage area in the rear of the property, and agreeing to operational conditions that will allow this construction business to peacefully co-exist with the less intense commercial use to the north.

Standard 4: Public facilities: Adequate public facilities and services shall be available to serve the special use and the property on which it is located; including, without limitation, storm water, sanitary sewer, water service, public safety service, and waste disposal services.

Findings:

A broken water service line serving the subject property and the property to the north is being repaired pursuant to an agreement reached between the two property owners. Repairs to the pavement are also being shared between the property owners for this repair, with future repairs intended to be completed by each owner based on the location of the work being performed.

All other existing utilities are sufficient to accommodate this use.

Standard 5: Site design: The on-site development design shall be understandable to users, safe, and maintainable in terms of road and pedestrian patterns, preserve natural features and incorporate such features into a maintainable development, and provide adequate parking, loading, and site maintenance.

Findings:

Operational conditions imposed as part of the special use will better regulate delivery traffic, minimize the negative impacts of construction debris being delivered to the site, and foster a safer environment for traffic that enters and

exits the common access driveway between the subject property and the commercial property to the north.; And

WHEREAS, the PZC has submitted its report and recommendation to the Mayor and City Council of the City of Rolling Meadows, which report has been considered by the Mayor and City Council; and

WHEREAS, the City Council has received and reviewed the recommendations and findings of fact of the PZC; and

WHEREAS, the City Council accepts the findings of fact recommended by the PZC and has determined that approving a special use for outdoor storage will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety or unreasonably diminish or impair established property within the surrounding area, or in any other respect impair the public health, safety, comfort, or welfare of the inhabitants of the City; and

WHEREAS, the Corporate Authorities of the City of Rolling Meadows have determined that it is advisable, necessary and in the best interest of the City to approve the special use for outdoor storage on the Premises.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

Section 1: The recitals set forth above are incorporated herein by reference.

Section 2: A special use for outdoor storage is hereby granted on the Premises.

Section 3: The special use granted in Section 2 herein, is authorized subject to the following conditions:

- 1) Petitioner shall install a new eight foot (8') tall cyclone fence with screening slats to screen the paved area west of the building in the location shown on the Site Plan attached to this ordinance as Exhibit 2. The fence shall include two fixed sections, and two sliding sections, which provides for a 40' opening in the middle when open.
- 2) Petitioner shall construct 7 new code compliant parking spaces on the north side of the building, to be constructed approximately six feet (6') north of the building line. Plans for these new parking spaces shall be submitted by the petitioner not later than December 1, 2022, with construction completed not later than June 1, 2023. Applicant will use reasonable methods to require field employees to park east and west of the building.
- 3) A "Deliveries Greater than 26' Box Trucks Prohibited" sign shall be installed at the entry to the common driveway.
- 4) Permits for the existing two outside fuel tanks (maximum 1,000 gallons each) are to be submitted and authorized by the City within two (2) months of City Council approval.
- 5) The overnight parking of licensed company vehicles may only occur west of the existing building.
- 6) Refuse and recycling shall only be placed in the 12'x18' location shown on the Approved Site Plan attached hereto as Exhibit 2 in the area marked "Dumpster Area".
- 7) The special use for outdoor storage shall conform to the following operational requirements at all times, with failure subject to revocation of the special use:
 - a. Delivery trucks larger than a 26' long box truck (excluding cab) are not allowed to access the site.
 - b. Delivery trucks shall not be permitted to access site by backing in from Hicks Road.
 - c. Construction debris may not be brought back to or stored anywhere on the site at any time.
 - d. Parking spaces on the west side of the building may only be used to park vehicles or other trailers or equipment that fit in 9'x18' striped parking spaces, provided the storage area maintains sufficient parking spaces for all company vehicles that park on the site overnight.
 - e. The access aisle between parking spaces on the west side of the building shall remain free of parked vehicles, equipment or other material storage at all times, except when active loading and unloading occurs from a delivery truck.

- f. Refuse, recycling or other debris shall be located only within the approved dumpster, not on the ground around dumpster.
- g. The refuse and recycling area shall be serviced with a frequency that prevents debris from being stored anywhere not inside the dumpster.
- h. Outside material storage is only allowed within the 17'2" by 31'6", and 17'2" by 31'10" "Outdoor Storage Area" shown on the Approved Site Plan attached hereto as Exhibit 2, at a maximum height of 8', and may only consist of the following materials:

PVC plumbing pipe, pavers and coping, paver spacers, bob cat accessories, bob cat tracks, gas piping, drain tile, a cement mixer, auto cover kits, electrical conduit, rebar, wire mesh and fencing.

- 8) This approval is for zoning only. No part of this approval shall be interpreted to waive requirements of the building code, or the need for building permits.
- 9) The property shall be maintained in accordance with the adopted property maintenance codes of the City Code of Ordinances. Failure to maintain the exterior of the property can result in revocation of the special use approval.
- 10) This special use approval shall become null and void on the transfer or sale of the business license and/or the property, or when the outdoor storage is not utilized for six (6) consecutive months.

Section 4: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 5: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

Section 6: This Ordinance shall be printed and published in pamphlet form by order of the City Council of Rolling Meadows, Illinois.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook

County, Illinois this 25th day of October, 2022.

AYES: Bisesi, Reyez, Sanoica, McHale, Budmats, O'Brien, Vinezeano

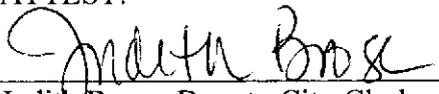
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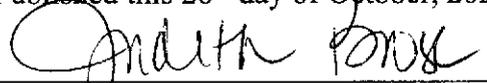
Joe Gallo, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 28th day of October, 2022.



Judith Brose, Deputy City Clerk

Ordinance Exhibit 1
Legal Description of Premises

Commonly known as: 1675 Hicks Road

PINS: 02-26-107-010-0000

LOT 2 IN TRAPPER SUBDIVISION IN SECTION 26, TOWNSHIP 42 NORTH,
RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS.

