The public is encouraged to remotely “attend” its Zoning Board meeting by tuning into the live stream via the Zoom video conferencing platform.

Public participants can attend the meeting in a variety of ways. There will be an opportunity for public comment for each case. Comments will be accepted in the following order:

a. For participants who have called in, there will be a specific time during the public comment period where you will be unmuted.
b. Submit comments or questions using the Chat feature. Comments will be monitored during the meeting and read into the record by village staff at the appropriate time. Any questions submitted through the chat after the public hearing is closed for each case will not be accepted.
c. Use the “Raise Hand” feature (found in “Participants”). During the public comment period, there will be a specific time where your audio will be turned on and you will be allowed to ask questions or make comments.
d. Submit comments or questions in advance of the meeting by emailing prgsubmittals@schaumburg.com. Emails will be read into the record by village staff at the appropriate time. Any questions submitted through email after the public hearing is closed for each case will not be accepted.

Viewers who wish to join the meeting live can do so using the link and meeting information below. Please note: The meeting is password protected; participants must enter the password listed below. Be advised all telephone numbers and participant names will be visible to the public.

Join Zoom Meeting
https://zoom.us/j/92413510692?pwd=cXpycDVvVSs4UEZKZVI3T1d5SUwvdz09&from=addon

Meeting ID: 924 1351 0692
Passcode: 252240

One tap mobile
+13126266799,,92413510692#,,,*252240# US (Chicago)

Dial by your location
+1 312 626 6799 US (Chicago)

MINUTES TO BE APPROVED:
1. General Minutes (1/13)
2. Z2011-03 / Popeyes Louisiana Kitchen (1/13)
3. Z2010-06 / ComEd Substation (1/13)

CASES TO BE HEARD:

1. Z2012-04 / IDEAL AUTO / 555 Estes Avenue / Special Use for an Internet Auto Sales Facility
2. Z2101-02 / NAC 2, LLC (d/b/a - ENLIGHTENED CANNABIS FOR PEOPLE 2) / 820 E. Golf Road / Special Use Amendment for an Adult Use Cannabis Business Establishment - Shared Parking Agreement
3. Z2010-05 / OFFICE - WAREHOUSE BUILDING / 500 Commerce Drive / Site Plan Approval, Foundation Landscape Variation and Woodfield Regional Center Design Review

ADJOURNMENT

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Community Development Department at 847.923.4420, preferably no later than five days before the meeting.
AGENDA ITEM SUMMARY

General Minutes (1/13)
1/27/2021
Zoning Board of Appeals

Presenter:
Lead Department: Community Development

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CALL TO ORDER
The meeting was called to order by Chairman Harry Raimondi at 7:00pm.

ROLL CALL
Members Present: Chairman Harry Raimondi, James Dolbeare, Mike LaRosa, Rob Morreale, Pat Riley, Sunil Shah, Glenn Szurgot and Elizabeth Veatch

Member(s) Absent:
A quorum was present.

Also Present: Todd Wenger, Marisa Krawiec
Landscape & Design Community Planner

Ms. Marisa Krawiec began the Zoom web conference by reading the rules of conduct, along with how public comments will be accepted.

CONSIDERATION OF MINUTES
Mr. Riley made a motion, seconded by Mr. Morreale, to approve the following minutes, as presented:

<table>
<thead>
<tr>
<th>Mtg Date</th>
<th>Case Number and Name</th>
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<tbody>
<tr>
<td>12/2</td>
<td>General Minutes</td>
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<tr>
<td></td>
<td>Z2010-07 / New Stone Design</td>
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<tr>
<td>12/16</td>
<td>General Minutes</td>
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<td>Z2011-02 / Amendment to Municipal Code – Video Gaming Cafes</td>
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</tbody>
</table>

All ayes. MOTION CARRIED

PUBLIC HEARING(S)
1) Z2011-03 / Popeyes Louisiana Kitchen / 1430 E. Algonquin Road / Sign Variation
2) Z2010-06 / ComEd Substation - Communications Building / 927 Wiley Road / Site Plan Amendment, Building Setback Variations and Parking Setback Variation

OTHER BUSINESS
Mr. Riley made a motion, seconded by Mr. Dolbeare, to cancel the 1/20/21 ZBA meeting.
All ayes. MOTION CARRIED

ADJOURNMENT
Mr. Dolbeare made a motion, seconded by Mr. Morreale, to close the meeting.
All ayes. MOTION CARRIED

There being no further business, the meeting was adjourned at 7:46pm.

__________________________
Todd Wenger, PLA, Landscape & Design Planner
I have reviewed the minutes, and they accurately represent the actions taken by the Zoning Board of Appeals

__________________________
Mary Kirschbaum, Secretary
Zoning Board of Appeals
Z2011-03 / Popeyes Louisiana Kitchen (1/13)
1/27/2021
Zoning Board of Appeals

Presenter:
Lead Department: Community Development

**Executive Summary:**

**Recommended Action:**

**ATTACHMENTS:**

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CALL TO ORDER
The meeting was called to order by Chairman Harry Raimondi at 7:00pm.

ROLL CALL
Members Present: Chairman Harry Raimondi, James Dolbeare, Mike LaRosa, Rob Morreale, Pat Riley, Sunil Shah, Glenn Szurgot and Elizabeth Veatch

Member(s) Absent:
A quorum was present.

Also Present: Marisa Krawiec
Community Planner

Present via Phone: None
Present via Chat: None
Emails Received: None

Sworn in for testimony: Todd Wenger
Landscape & Design Planner
Jennifer Thorstenson
MRV Architects, Inc.
5105 Tollview Drive
Rolling Meadows, IL

Ms. Jennifer Thorstenson, representing the Petitioner, stated that she is requesting approval for an additional 32.25 square-foot wall sign which will be located on the west elevation. This highly visible elevation faces traffic coming from the west, for which there is no immediate access to the site. Their patrons have to enter through the shopping center in order to access the Popeyes restaurant. She added that the requested sign is crucial for them.

Mr. Todd Wenger stated that the Petitioner adequately described this project. Popeyes is located on the former Wendy’s property and received Village Board approval for signs on their east and south elevations; there is no sign in the back of the building. The west elevation faces Meacham Road and the manner in which this building is situated, as an outlot to the Shoppes at Prime Village shopping center, it is difficult for patrons to gain access to the site. Motorists travelling eastbound along Algonquin Road cannot directly access this site because it is a “right-in, right-out only” which is divided by a median that is not mountable. Staff feels that this additional 32.25 square-foot sign on the west elevation will allow east-bound motorists traveling from Meacham Road to adequately see this sign to be able to identify it and use the sign in way-finding to navigate to the Popeyes site. Patrons will either need to turn northbound onto Meacham Road into the shopping center and navigate through the shopping center parking lot, or they will need to actually pass by Popeyes and turn northbound in order to navigate through the shopping center to return to Popeyes. Staff feels the east, west and south signs are of particular necessity to the motoring public for way-finding. He added that the requested sign size is very small. Also, because the south-facing elevation of the building is so narrow, the Petitioner’s overall
signage is restricted even further. The total allowed signage of 156 square feet is far under the 200 square feet that is typically allowed. Mr. Wenger said that Staff feels this additional sign request is warranted and that several similar requests throughout the Village have been granted, including the new Wendy’s building immediately east of Popeyes and the Culver’s building immediately west of Popeyes. All three sites essentially function as outlots of the shopping center to the north.

Chairman Raimondi asked if the public had any questions or concerns.

**Chat Participants, Email Participants & Telephone Participants**

Ms. Marisa Krawiec stated that there were none.

Chairman Raimondi asked the Board for their comments.

Mr. Dolbeare stated that this makes sense.

Ms. Veatch, Mr. LaRosa, Mr. Szurgot and Mr. Morreale had no questions.

Mr. Shah stated that it looks fine.

Mr. Riley said he likes that it will cut down on cars ambling through the shopping center parking lot trying to find their way to the restaurant.

Chairman Raimondi stated that he agrees with Mr. Riley and asked if the monument sign will remain as indicated on the approved drawings. Ms. Thorstenson said that she is unaware of any plans to propose a change from what was shown on their initial submittal. Mr. Wenger said that he believes that the only item that was required by the original approval was the gap-like portion of the sign and the monument sign. There was a slight off-set that appeared to be more of a “pole-sign” aspect. Part of the Village sign code states that no visible portion of the support column is allowed. Mr. Wenger’s understanding is that the Petitioner will bring that down, which was the only change from the original drawings. He added that the Meacham Road and Algonquin Road intersection is under construction and does include a portion of where the Popeye’s ground sign will be located. Staff is working with the owner, the sign contractor and roadway builder to negotiate when that construction can take place based on when the roadway construction is occurring, as there is some grading that needs to take place on the Popeyes property. Ms. Thorstenson said, “As far as the changes that he (Mr. Wenger) mentioned, we did correct that on the submittal that went in for permit, and that’s reflective on the sign drawings that will come in for permit, as well.”

**PUBLIC HEARING CLOSED**

Mr. Riley made a motion, seconded by Mr. Dolbeare, to close the hearing. **MOTION CARRIED**
Mr. Szurgot Dolbeare made a motion, seconded by Ms. Veatch, to recommend approval of a Sign Variation for Popeyes Louisiana Kitchen located at 1430 E. Algonquin Road, Case No. Z2011-03, subject to the following conditions:

1. The following plans shall be adopted as part of the governing ordinance:
   a. Signage Plans, Sheets 1-5, prepared by Loren Industries, dated September 24, 2020, received by the Community Development Department on November 30, 2020.
   b. Building Elevation Plans; Sheets SD1a, A5a and A6a, prepared by MRV Architects, dated November 17, 2020, received by the Community Development Department on November 30, 2020.

**MOTION CARRIED: vote: 8-0 with no member(s) absent and one vacancy**

A poll was taken: 

- Mr. James Dolbeare - Yes
- Mr. Mike LaRosa - Yes
- Mr. Rob Morreale - Yes
- Mr. Harry Raimondi - Yes
- Mr. Pat Riley - Yes
- Mr. Sunil Shah - Yes
- Mr. Glenn Szurgot - Yes
- Ms. Elizabeth Veatch - Yes

_The Petitioner was advised that this recommendation will be forwarded to the Village Board for consideration at their meeting on Tuesday, 1/26/21._

**ADJOURNMENT**
The meeting was adjourned at 7:15pm.

---

Todd Wenger, PLA, Landscape & Design Planner
I have reviewed the minutes, and they accurately represent the actions taken by the Zoning Board of Appeals

Mary Kirschbaum, Secretary
Zoning Board of Appeals
Z2010-06 / ComEd Substation (1/13)
1/27/2021
Zoning Board of Appeals

Presenter:
Lead Department: Community Development

Executive Summary:

Recommended Action:

ATTACHMENTS:

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CALL TO ORDER
The meeting was called to order by Chairman Harry Raimondi at 7:16pm.

ROLL CALL
Members Present: Chairman Harry Raimondi, James Dolbeare, Mike LaRosa, Rob Morreale, Pat Riley, Sunil Shah, Glenn Szurgot and Elizabeth Veatch

Member(s) Absent:

A quorum was present.

Also Present: Marisa Krawiec
Community Planner

Present via Phone: None
Present via Chat: None
Emails Received: None

Sworn in for testimony: Todd Wenger
Landscape & Design Planner
Joseph Turnage
External Affairs Mgr. ComEd
201 N. Arthur Ave.
Mt. Prospect, IL
Scott Saef
Sidley Austin
1 S. Dearborn St.
Chicago, IL
Christopher Macias
Millhouse Engineering & Construction
333 S. Wabash Ave.
Suite 2901
Chicago, IL
Alex Iuga
Millhouse Engineering & Construction
555 E. Butterfield Rd.
Suite 301
Lombard, IL
Paul Irish
Beary Landscaping
15001 W. 159th St.
Lockport, IL

Mr. Joseph Turnage, External Affairs Manager, ComEd, stated that he is requesting approval to install a fiber optic enclosure for communication purposes.

Mr. Alex Iuga, Millhouse Engineering & Construction, stated that he will be assisting with the presentation. Mr. Chris Macias, Millhouse Engineering & Construction, stated that the project area is along the north portion of ComEd’s existing substation, which is set back 80’ south of Wiley Road in the Manufacturing District within the existing ComEd property. The area of the proposed new enclosure will be positioned in an open area as far south as possible, yet north of the existing substation. The northern line of their new enclosure is able to maintain a fairly consistent building line with the northern line of the existing control building. The new enclosure must have its own access, separate from the main substation.
because the enclosure’s IT maintenance personnel are not certified to enter the high-voltage area of the main substation. For security reasons, they must limit entry into the main secured portion of the substation as much as possible. The Petitioner is proposing a newly fenced area consisting of approximately 2,200 square feet. Within that area, the project includes placement of a 12’ x 37’ enclosure along with the associated transformers, which provide power to the enclosure. The enclosure is located approximately 100’ from Wiley Road and is oriented so that the short side is facing Wiley Road in order to further aid the effectiveness of the proposed landscaped screening. In order to meet the latest security standards for electric grid infrastructure, the area will be protected with an 8’ tall palisades fence. The building is approximately 12’ tall and will be installed 4’ above grade, as required by ComEd’s design standards when working in a flood plain area. Mr. Macias said that the reason for the northern building and setback variations are due to 3 site constraints:

1) The location of the remaining substation open area and the existing conditions by which it is bound, including the Nicor property to the north & east, and existing substation to the south & west of it.

2) ComEd’s need to provide separate vehicular access and a fire truck turnaround to the new building, as required by the Fire Department.

3) The sloping of the northern property line, which proceeds northwest to southeast across the property.

Allowing for safe vehicle movements, without impact to auxiliary transformers, requires them to place the enclosure along the eastern side of their site, yet still be able to maintain a 10’ side setback for landscaping. The Petitioner proposes to replace the existing driveway with new pavement, widening the driveway and pulling back the existing substation fence in the northwestern corner of the substation to allow emergency vehicles to turn around without having to back out onto Wiley Road. Mr. Macias said they have been working closely with Staff on an effective stormwater management plan, which involves the installation of a bio swale north of the access road.

Mr. Paul Irish, Berry Landscaping, stated that in order to meet Village requirements and ComEd’s substation security guidelines, some existing trees which are in very poor health, have to be removed. They propose to add screening coming from both directions on the street to the north. The plantings include evergreen spruces, deciduous trees and shrubs which will screen the fence and the equipment in the background.

Mr. Scott Saef, Petitioner and legal counsel, stated that he would like to summarize the presentation to a couple of the key legal standards.

**Unique Circumstances**

The variations are needed, in part, because there is no room to place the enclosure within the existing fence line of the substation without cutting into areas designated for future load growth in the area. There are areas planned for the future installation of the aforementioned equipment. The maintenance personnel for the existing enclosure are not properly certified to enter the high-security area of the substation.
unique circumstances faced by ComEd as a regulated utility, in addition to the site constraints addressed by Mr. Macias, create the unique circumstances.

**Not altering the essential character of the area.**

Mr. Saef said that they placed the enclosure as far to the east as they could, yet keeping a landscape setback. He added that they have tried to maintain a consistency and setback to the existing control building, tried to keep it the same, provided a significant distance from Wiley Road and a roughly consistent color. The proposed palisades fence allows for no additional barbed wire, even though it would be allowed in this Manufacturing District.

Mr. Todd Wenger provided more details about the need for the variations, which make this a unique project. He referred to the site plan on the screen to denote the proposed location of the enclosure, Wiley Road to the north, the Tollway, the enclosed 2,000+ square-foot area, the new access road coming in and the proposed landscaping.

The building setback variation is required in order to reduce the frontyard in the M-1 District from 30’ to 18’, as well as a sideyard setback variation from 15’ to 10’. With the position of the building, this is the only suitable location to place the new communication building. This area affords the Petitioner the only area that is outside of the high-voltage area, as it will be accessed mainly by telecommunications experts, not power and high-voltage experts. It needs its own individual opening which is separate and aside from the rest of the substation. By placing it in this northeast corner of their site and tightening it up as far to the south as they can and as far to the west as they can with the transformer equipment that’s right out in front of it, that necessitates the approximate 10’ sideyard setback to the east. Code requires 15’; however, Staff feels that the reduction is acceptable in this location because there is no impact to the neighbors to the east. Most of the buildings along Wiley and throughout this Manufacturing District are greatly setback from the roadway; therefore, it should not impact the neighboring properties. The 18.22’ frontyard setback is noted in the Staff Report as 18’ just to give a little extra wiggle room for their placement. They could not go any further south, as they are very “pinned in.” The Petitioner is just 2’ off of their existing substation enclosure. They have a standard size for their pre-manufactured fiber buildings. The length of 37’ puts the remaining frontyard setback at 18’ or just slightly over.

Mr. Wenger said that where the roadway actually sits, there is an approximate 80’ Nicor easement between ComEd’s property and Wiley Road. By default, this creates a very large setback that is not being accommodated for by the strict interpretation of Village code, which only talks about the frontyard setback from the building to the property line. The 80’ is not considered. Staff feels this is a hardship and therefore, supports both the frontyard and sideyard setbacks for the aforementioned reasons.

Regarding the parking setback variation, Mr. Wenger said that Village code considers any access aisles part of the parking setback. This northern access aisle needed to be angled and offset from the existing substation enclosure for emergency services. As Mr. Macias stated, in order to be able to turn a fire apparatus around, the new drive had to be a minimum of 40’ from the existing gate, so emergency vehicles don’t have to back all the way out in one direction. This 40’ stub forced this road to be pushed
further north and not parallel to their existing fence, as they had originally proposed. Staff asked them to push it north to be able to allow this hammer-head shape for fire apparatus and emergency vehicles to be able to turn around in the stub and drive forward out onto Wiley Road. The triangular piece that is created pushes the road north and reduces the setback along it to 10 feet in width from their front property line which is, again, setback 80’ from Wiley Road. Staff feels this request is entirely supportable because of the additional property in between which cannot, technically, be counted through strict interpretation of the code.

Mr. Wenger said that the communications building is all part of ComEd’s upgrades for their Smart Grid and it allows for ComEd to quickly identify and isolate service disruptions and issues in their distribution system to reduce any duration of outages during any event when something might occur. It is part of an important system and is similar to the recently approved ComEd fiber hut on Schaumburg Road.

Mr. Wenger said that Staff is supportive with the overall project and sees no issues with the requested variations, nor with the site plan amendment.

Chairman Raimondi asked if the public had any questions or concerns.

**Email Participants & Telephone Participants**
Ms. Marisa Krawiec stated that there were none.

**Chat Participant(s)**
Greg Lapasso
500 W. Monroe
Chicago, IL

Mr. Greg Lapasso stated that he represents Motorola Solutions through CBRE and had no questions. He wanted to ensure that there was no impact to any adjacent property owners associated with the work being performed, from a utility perspective.

Chairman Raimondi asked the Board for their comments.

Ms. Veatch stated that it makes sense.

Mr. LaRosa stated that he visited the site and feels the proposed landscaping plans will make the site look even more presentable.

Mr. Szurgot asked why corrugated steel materials are being used instead of brick. Mr. Wenger said that while it is within the Woodfield Regional Design Center, it is a pre-fab building and similar cases have been previously approved where it is not the primary building. Mr. Turnage, ComEd, said that this particular enclosure has been the standard which they have used for all of their fiber enclosures; therefore, they would like to maintain consistency. Mr. Szurgot said, “I understand your position, sir (Mr. Turnage),
but I just find it hard that Staff would allow this type of construction. I think we always try to make the area at least compatible with everything else in the neighborhood and this is the second time we’re allowing a structure like this.” He is concerned about starting a precedent. He asked if the proposed structure will have a fence around it, and Mr. Wenger said the proposed fence is a slatted picket fence which will be mounted on steel tube posts. It will not entirely screen the area, but the landscaper is proposing a heavier percentage of evergreens in the area of the building. They also turned the building sideways so you only see the narrow end of it. They are proposing additional landscaping beyond the access aisle to further soften and make it disappear. Motorists will be almost 100’ away along Wiley Road, and with heavy landscaping and a fence, will not be able to actually see much of the building.

Mr. Morreale asked if it was correct to say that the new building is 2’ away from the existing building. Mr. Wenger said that the new building will be 2’ north of the existing fence enclosure.

Mr. Shah had no questions.

Mr. Riley stated that he was initially concerned about the entrance and exit of emergency vehicles and is pleased that it has been addressed.

Referring to Mr. Szurgot’s concerns, Mr. Dolbeare suggested that the Board’s motion can include a statement such as, “We recognize the hardship and also recognize that this is a public utility on this part of the Smart (Grid) system upgrade. This case is separate and apart from perhaps some other random building being proposed in this Manufacturing District.” He added that if the Board calls it out specifically as a hardship and approves it, that would be a wise thing to do and might help address that concern. Mr. Wenger said, “I think, too, just by the fact of it being read into the minutes as Commissioner Dolbeare is doing now, Staff can use that as leverage in the future. I’m not necessarily certain that it needs to be part of the motion since it is made part of the minutes.” Mr. Dolbeare and Chairman Raimondi agreed.

Chairman Raimondi asked for clarification as to why the Nicor property was mentioned in the Staff Report and was addressed at this public hearing since it is a separate property. Mr. Wenger said he believes it was the Petitioner’s way of pointing out that there is a very large piece of property in between and that ComEd cannot consider it through the strict interpretation of the code. He added, “However, if it was included, it would not be a variation, was their point. The fact that it’s a Nicor easement, they hold a very tight leash on that. There is very little that could ever be built with the gas lines that are underneath that easement area.” Chairman Raimondi said he now understands why it was noted.

PUBLICO HEARING CLOSED
Mr. Szurgot made a motion, seconded by Mr. Dolbeare, to close the hearing. MOTION CARRIED
Mr. Morreale made a motion, seconded by Mr. LaRosa, to recommend approval of a Site Plan Amendment, Building Setback Variations and Parking Setback Variation for ComEd Substation - Communications Building located at 927 Wiley Road, Case No. Z2010-06, subject to the following conditions:

1. The site shall not be used for the staging or storage of construction materials.

2. A Land Development Permit is required prior to commencing any site work.

3. Project Security in the form of Cash, Bond or Letter of credit is required before the permit may be issued. The Security is typically 50% of the engineer's estimate of probable construction cost as determined by the plan reviewer. Sample forms are available on the web site or upon request.

4. Prior to the issuance of a Land Development Permit, the petitioner shall submit three revised copies of the final engineering plans to the Community Development Department for review and approval illustrating the following:

   a. Omit the all information/symbols for those trees to be removed from the landscape plans.

   b. Provide existing tree information on Demolition/Tree Preservation Plan. Identify each existing tree by number or key/code to listing in table of information.

5. The following plans/exhibits shall be adopted with the enabling ordinance:

   a. Engineering Plans, Sheets 1-10, prepared by Millhouse Engineering, dated December 11, 2020, received by the Community Development Department on December 14, 2020.

   b. Landscape Plan, prepared by Beary Landscaping, dated December 10, 2020, received by the Community Development Department on December 14, 2020.

   c. Building Elevations, Sheets 1-28, prepared by Millhouse Engineering, dated May 1, 2020, received by the Community Development Department on December 14, 2020.

   d. Fence Plan, prepared by Guardiar, dated December 14, 2018, received by the Community Development Department on December 14, 2020.
MOTION CARRIED: vote: 7-0* with no member(s) absent and one vacancy

A poll was taken:
- Mr. James Dolbeare - Yes
- Mr. Mike LaRosa - Yes
- Mr. Rob Morreale - Yes
- Mr. Harry Raimondi - Yes
- Mr. Pat Riley - Yes
- Mr. Sunil Shah -
- Mr. Glenn Szurgot - Yes
- Ms. Elizabeth Veatch - Yes

*At the time of the vote, Mr. Shah lost connection with this Zoom public hearing and, thus, his vote could not be collected.

The Petitioner was advised that this recommendation will be forwarded to the Village Board for consideration at their meeting on Tuesday, 1/26/21.

ADJOURNMENT
The meeting was adjourned at 7:46pm.

I have reviewed the minutes, and they accurately represent the actions taken by the Zoning Board of Appeals

Mary Kirschbaum, Secretary
Zoning Board of Appeals
AGENDA ITEM SUMMARY

Z2012-04 / IDEAL AUTO / 555 Estes Avenue / Special Use for an Internet Auto Sales Facility
1/27/2021
Zoning Board of Appeals

Presenter: Martha Dooley, Landscape and Sustainability Planner
Lead Department: Community Development

Executive Summary:
The petitioner requests approval for Special Use for an Internet Auto Sales Facility for Ideal Auto proposed to be located at 555 Estes Avenue.

Recommended Action:
Staff has reviewed the requested special use and is supportive of the petitioner’s request. Therefore, staff recommends approval of a Special Use for an Internet Auto Sales Facility for Ideal Auto, Case No. Z2012-04, subject to the conditions noted in the Project Review Group Report.

ATTACHMENTS:

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<tr>
<td>PRG Report</td>
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<td>Application</td>
<td>Exhibit</td>
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<td>Plans and Documents</td>
<td>Exhibit</td>
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<tr>
<td>Location Map</td>
<td>Exhibit</td>
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PROJECT REVIEW GROUP REPORT

TO: ZONING BOARD OF APPEALS  PREPARED BY: Martha Dooley
Landscape and Sustainability Planner

HEARING DATE: January 27, 2021
DATE PREPARED: January 20, 2021  CASE NUMBER: Z2012-04

TITLE: EXPRESS AUTOMOTIVE CARE D/B/A IDEAL AUTO / 555 Estes Avenue / Special Use for an Internet Auto Sales Facility

BACKGROUND INFORMATION

Petitioner: Kavin Patel

Address of Petitioner: Express Automotive Care d/b/a Ideal Auto
348 Jennifer Lane
Roselle, IL 60172

Status of Petitioner: Contract Purchaser

Owner of Parcel: Custom Precision Holdings, LLC

Address of Owner: 555 Estes Ave,
Schaumburg, IL  60193

Existing Zoning: M-1 Planned Manufacturing

Existing Land Use: Industrial

Requested Actions:

- Special Use for an Internet Auto Sales Facility [Title 15, Chapter 154, Section 154.90.08 of the Zoning Ordinance]

ANALYSIS

Summary:

The petitioner requests approval for Special Use for an Internet Auto Sales Facility for Ideal Auto proposed to be located at 555 Estes Avenue. Ideal Auto Repair and Sales currently leases tenant space and operates at 831 Wise Road. The owner is under contract to purchase the building at 555 Estes Avenue to expand his business. As proposed, the subject building consists of office use,
TO:  ZONING BOARD OF APPEALS
HEARING DATE:  January 27, 2021
DATE PREPARED:  January 20, 2021
CASE NUMBER:  Z2012-04
TITLE:  EXPRESS AUTOMOTIVE CARE D/B/A IDEAL AUTO / 555 Estes Ave. / Special Use for an Internet Auto Sales Facility
Page 2 of 6

 foyer, vehicle storage and two bays for auto repair. The service bays will be utilized to repair vehicles they purchase for resale that are in need of repair and to conduct auto repair for the general public. It should be noted that auto repair is an allowed use in the M-1 Zoning District, while internet auto sales is permitted as a Special Use. The petitioner’s floorplan illustrates approximately 500 square feet to be used to store approximately eight (8) vehicles inside the building. Proposed hours of operation are Monday through Friday from 9 am to 6 pm and Saturday from 9 am to 3 pm. The proposed business will have 1-2 employees. The business advertises for internet sales on websites such as Cars.com, Facebook Marketplace, Craigslist and Autotrader.com and all customers will visit by appointment only.

Per Village Code, Internet Auto Sales Facilities must store the vehicles in a location that is not visible from the roadway. Since this is a freestanding building, 5 vehicles are allowed to be parked outside provided the vehicles are screened from the roadway. The subject property has parking spaces at the rear of the building where cars will be stored. The petitioner is proposing to store inventory inside; however, based on parking requirements, the petitioner would be allowed to store 3 vehicles in the rear parking lot as long as the vehicles are not visible from the roadway. The petitioner’s business narrative states that the exterior spaces will be utilized for 3-4 cars.

The Village Board approved an amendment to the Municipal Code to create regulations for Internet Auto Sales Facilities, on April 25, 2017 (Case No. Z1703-04, Ord. No. 17-036). At that time, business owners were experiencing parking shortages when several internet auto sales facilities were located in a multi-tenant building. The intent of the regulations was to provide limitations on the number and locations of vehicles stored outdoors and to restrict advertising, such as window signage, on these vehicles. The requested use is a freestanding building with no other tenants.

Since the code amendment was approved in 2017, nine (9) Internet Auto Sales Facilities have been approved by the Village Board. There are also other internet auto facilities that operate within the Village that pre-date the requirement for special use. Below is a summary of the internet auto sales facilities that have received special use approval in the Village:

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Case No.</th>
<th>Address</th>
<th>Interior Square Footage</th>
<th>Total Cars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oxide Auto</td>
<td>Z1708-02</td>
<td>649 Morse Ave</td>
<td>1,080 sq ft NFA</td>
<td>5</td>
</tr>
<tr>
<td>Drive Now</td>
<td>Z1711-02</td>
<td>509 Estes Ave</td>
<td>4,050 sq ft NFA</td>
<td>10-15</td>
</tr>
<tr>
<td>CRS Auto Group</td>
<td>Z1802-08</td>
<td>1449 Payne Rd</td>
<td>3,726 sq ft NFA</td>
<td>15-20</td>
</tr>
<tr>
<td>Lux Motorsport</td>
<td>Z1809-02</td>
<td>980 Remington Road</td>
<td>12,931 sq ft NFA</td>
<td>30-50</td>
</tr>
<tr>
<td>Ohare Auto</td>
<td>Z1912-01</td>
<td>655 Lunt Ave</td>
<td>9,994 sq ft NFA</td>
<td>30-50</td>
</tr>
<tr>
<td>Prestige Motors</td>
<td>Z2002-03</td>
<td>707 Remington Rd, Unit 2</td>
<td>3,150 sq ft NFA</td>
<td>15-20</td>
</tr>
<tr>
<td>Finner’s Motors</td>
<td>Z2007-08</td>
<td>618 Morse Ave</td>
<td>400 sq ft (Office Only)</td>
<td>2 (Exterior)</td>
</tr>
<tr>
<td>B&amp;G Internet Auto Sales</td>
<td>Z2008-03</td>
<td>1803 W. Wise Rd</td>
<td>333 sq ft Office 5 Service Bays</td>
<td>2</td>
</tr>
</tbody>
</table>
While the code does not specify a limit for the number of vehicles stored inside the building, the business owner will work with the Fire Department and Building Division of Community Development to ensure that the business is complying with exiting requirements. The Fire Department has additional restrictions for the storage of vehicles inside the building:

1. Batteries must be disconnected.
2. Fuel in fuel tanks cannot exceed one-quarter tank or 5 gallons (19 L); whichever is less.
3. Fuel tanks and fill openings must be closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment cannot be fueled or defueled within the building.

**Zoning History:**
There is no zoning history for this parcel but permit history revealed that the building was constructed in 1974, Permit #543 for Conte Building Corporation. Many businesses have occupied the building since 1974: Polymer Machinery Corp. (1977), Coma Tool, Inc. (1982), Eversharp Tool (1990), Inc., Illinois Auto Analysis, Inc. (1996), Mobile Automotive Diagnostics (1997), and Custom Precision, Inc. (2015).

**Surrounding Zoning and Land Uses:**
North: M-1 Manufacturing (1230 Mitchell Blvd., AT&T)
South: M-1 Manufacturing (540 Lunt Avenue, Stone Works, Inc.)
East: M-1 Manufacturing (Vacant Lot)
West: M-1 Manufacturing (Con-Form Industries, Inc.)

**Compatibility with Surrounding Land Uses:**
The proposed internet auto sales facility is compatible with industrial uses in the area and will not have a negative impact on adjacent uses, provided that all customers are scheduled by appointment only.

**Comprehensive Plan Designation:**
The Village’s Comprehensive Plan designates the subject property as Industrial. Internet auto facilities have unique qualities which differentiate them from retail motor vehicle sales facilities. These unique qualities make the use suitable for the industrial district.

**Parking:**
Parking requirements for the subject property are as follows:

<table>
<thead>
<tr>
<th>Use / Square Footage</th>
<th>Parking Rate</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Ideal Auto</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The required parking for this type of facility is calculated based on the use and square footage. With the proposed use there is a 3-space parking surplus. It should be noted that the amount of parking for “Parking Provided” excludes one parking space shown on the plan as one space will need to be striped for ADA access.

The petitioner has stated that customer parking will be located at the rear of the building. Per the Illinois Accessibility Code, ADA spaces must be closest to the front entrance; however, there is no parking located near the front door. Therefore, one space in the rear of the building will need to be striped for one ADA parking space.

Staff believes that parking is sufficient to support the requested use. Additionally, street parking is also available on the north side of Estes Avenue.

**Ordinance Standards and Regulations:**

§154.90.08 - INTERNET AUTO SALES.

*All activities, including vehicle storage, shall occur completely within the enclosed building or rear of the property, except for the arrival and departure of automobiles. Multi-tenant buildings can store up to two (2) vehicles if they are screened from the roadway.*

The petitioner would be allowed to store up to 3 vehicles in a portion of the parking lot that is screened from the roadway. The petitioner’s inventory will be stored inside; however, the petitioner would be allowed to display up to 3 vehicles at the rear of the building if needed. Vehicles undergoing repair cannot be stored outside.

*The use shall be limited to the display of vehicles to customers by appointment only and related office use.*

The petitioner has provided a business summary which describes online auto sales and visitation of customers by appointment only.

*No more than one (1) such use shall be permitted in a multi-tenant building.*

The subject property is a freestanding building with no other tenants.
No advertising inviting the general public to the showroom shall be permitted.
The petitioner is not proposing any advertising and is aware that advertising inviting the general public to the location is not allowed.

The business must be in compliance with applicable regulations of the Illinois Secretary of State’s office with respect to licensing, and obtain a state dealers license.
The petitioner understands and will abide by all applicable regulations of the Illinois Secretary of State’s office for obtaining a state dealers license.

The proposed internet auto sales facility meets the criteria of Section 154.90.08 of the Zoning Code as listed above. Staff believes that the proposed use will not negatively impact the surrounding uses or district in general. Therefore, staff is supportive of the request for a Special Use for an Internet Auto Sales Facility.

RECOMMENDATION
Staff has reviewed the requested special use and is supportive of the petitioner’s request. Therefore, staff recommends approval of a Special Use for an Internet Auto Sales Facility for Express Automotive Care d/b/a Ideal Auto, Case No. Z2012-04, subject to the following conditions:

1. All activities shall occur completely within the enclosed building, except the arrival and departure of automobiles. The petitioner can store up to 3 vehicles in the parking at the rear of the building provided the vehicles are not visible from the roadway.
2. Indoor vehicle storage is limited to no more than the number of vehicles that the Fire Department and Building Division of Community Development determine to be safe.
3. Customer viewing shall be by appointment only during the hours of operation. The proposed hours of operation are Monday through Friday from 9 am to 6 pm and Saturday from 9 am to 3 pm.
4. The business must remain in compliance with applicable regulations of the State of Illinois Secretary of State with respect to licensing, and the owner must maintain a dealer’s license throughout the tenure for the business and its operations.
5. No signage on the premises which invites the general public to view cars for sale shall be permitted.
6. Prior to the issuance of a final CO, the petitioner shall stripe one space at the rear of the building to accommodate an ADA parking space.
7. The following plans/exhibits shall be adopted as part of the governing ordinance:
   a. Business Narrative, received by the Community Development Department on December 21, 2020.
   b. Location Map, Sheet A-1, received by the Community Development Department on December 21, 2020.
   c. Parking Exhibit, received by the Community Development Department on December 21, 2020.
   d. Floor Plan, received by the Community Development Department on December 21, 2020.

pc: Petitioner
SECTION I: DEVELOPMENT INFORMATION

1. INDEX INFORMATION:

   Z2012-04 / EXPRESS AUTOMOTIVE CARE D/B/A
   IDEAL AUTO / 555 ESTES AVE. / SPECIAL USE
   FOR AN INTERNET AUTO SALES FACILITY

2. BACKGROUND INFORMATION: (All correspondence will be e-mailed to the applicant)

   a. Applicant: Kavin Patel
      Corporation: Express Automotive Care d/b/a Ideal Auto
      Address: 348 Jennifer Lane
      City: Roselle          State: IL      Zip: 60172
      Telephone: 224-766-1232
      (Number at which applicant can be reached during business hours)
      E-mail Address: idealautorepair@gmail.com

   b. Relationship of Applicant to Property: Owner

   c. Current Owner of Property:
      Address: 555 Estes Ave
      City: Schaumburg       State: IL      Zip: 60193
      Telephone:              
      E-mail Address:

3. APPROVALS REQUESTED

   Site Plan Approval
   Rezoning
   (1) Parcel A: ___ acres from ___ to ___
   (2) Parcel B: ___ acres from ___ to ___
   ☑ Special Use
4. SUMMARY OF REQUESTED ACTIONS: Special use approval for an internet auto sales dealership

5. PROJECT STAFF:
   Developer: ___________________________ Phone: ___________________________
   Attorney: ___________________________ Phone: ___________________________
   Engineer: ___________________________ Phone: ___________________________
   Architect: ___________________________ Phone: ___________________________
   Landscape Architect: ___________________________ Phone: ___________________________

6. DESCRIPTION OF SITE:
   a. Location (address): 555 Estes Schaumburg IL 60193
   b. PIN Number (14 digit): 07-33-201-089-0000

7. VARIATIONS:
List and justify any requested variation(s) from the (a) Zoning Ordinance and (b) Subdivision and Land Development Ordinance (attach additional pages if necessary):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2
Please note that the site plan will not be reviewed until this application has been fully completed and all required plans and other materials have been satisfactorily submitted to the Community Development Department. Incomplete submittals will not be accepted. It is strongly suggested that the applicant schedule an appointment with the Community Development Department so that materials can be reviewed for accuracy and completeness prior to submittal.

In consideration of the information contained in this application as well as all supporting documentation, it is requested that approval be given to this site plan.

Applicant:

Kavin Patel

(Print or type name)

(Applicant’s Signature)

Date: 12/10/2020

Current Owner of Property:

Andrew W Joong

(Print or type name)

(Property Owner’s Signature)

Date: 12/10/2020
555 Estes Ave Schaumburg, IL 60193

Express Automotive Care
d/b/a
Idea Auto

Special Use Application

12/10/2020

Kavin Patel
224-766-1232
Table of Contents:

A. Location Map                  Page: 1-2
B. Business Info                 Page 3
C. Plat of Survey                Page: 4
D. Employee Parking              Page: 5
E. Floor Plan                    Page: 6
F. Proof of ownership            Page: 7-18
Background about your current location:

Express automotive care d/b/a Ideal Auto has been at 831 W Wise Rd Schaumburg, IL 60193 for 10 years and been an internet auto sales dealership for 5 years. We are looking to relocate because we are in need of more room and a cleaner looking location.

New location information:

- **Hours of Operation:**
  
  Mon- Friday (9:00 am to 6:00 pm) Saturday (9:00 am to 3:00 pm)

- **Number of Employees:**
  
  1-2 will add more as we grow.

- **A sentence saying you will sell vehicles by appointment only:**
  
  Our vehicles are sold by appointment only. We require about 1-2 hour advance notices

- **A description of what we do:**
  
  We purchase cars from auction at a discount price and sell them to the public. Some cars we buy are in need of repair which we perform ourselves.

- **Are you planning to store vehicles that are being repaired outside?**
  
  Vehicles that are being repaired will not be stored outside as we have enough room inside the building. Most of our customers pick up the cars the same day as the repairs are done.

- **How many display cars will be in the parking lot behind the building?**
  
  We will have about 3-4 cars behind the building. We are planning to keep all vehicles inside the building.

- **How many cars will be stored inside and how much fuel is left in the gas tanks?**
  
  We plan to have about 7-8 cars stored inside. Most cars that we will store will have about ¼ in gas.

- **How will you keep exhaust and odors from the repair shop away from the office areas?**
  
  We open the rear garage door and also have an exhaust hose for each vehicle.
SUBJECT PROPERTY OUTLINED

Z2012-04

Express Automotive Care
d/b/a Ideal Auto

Special Use for an
Internet Auto Sales Facility

555 Estes Avenue

Prepared By:
The Village of Schaumburg
Community Development Department
AGENDA ITEM SUMMARY

Z2101-02 / NAC 2, LLC (d/b/a - ENLIGHTENED CANNABIS FOR PEOPLE 2) / 820 E. Golf Road / Special Use Amendment for an Adult Use Cannabis Business Establishment - Shared Parking Agreement
1/27/2021
Zoning Board of Appeals

Presenter: Martha Dooley, Landscape and Sustainability Planner
Lead Department: Community Development

Executive Summary:
The petitioner requests an Amendment to the Special Use to repeal a condition related to shared parking for NAC 2, LLC d/b/a Enlightened Cannabis for People 2 located at 820 E. Golf Road.

Recommended Action:
Staff has reviewed the petitioner’s request and is supportive. Therefore, staff recommends approval of a Special Use Amendment – Shared Parking Agreement for NAC 2 LLC, Enlightened Cannabis for People 2, Case No. Z2101-02, subject to the conditions in the Project Review Group Report.

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRG Report</td>
<td>Exhibit</td>
</tr>
<tr>
<td>Application</td>
<td>Exhibit</td>
</tr>
<tr>
<td>Plans</td>
<td>Exhibit</td>
</tr>
<tr>
<td>Location Map</td>
<td>Exhibit</td>
</tr>
<tr>
<td>Ordinance #20-059</td>
<td>Ordinance</td>
</tr>
</tbody>
</table>
BACKGROUND INFORMATION

Petitioner: Sean Molina
NAC 2, LLC (d/b/a Enlightened Cannabis for People 2)

Address of Petitioner: 1200 N. North Branch Street, Second Floor
Chicago, IL 60642

Status of Petitioner: Lessee

Owner of Parcel: GF 820 East Golf Road LLC

Address of Owner: 1437 Central Avenue
Memphis, TN 38104

Existing Zoning: B-2 General Business District

Existing Land Use: Regional Center

Requested Action: Special Use Amendment – Shared Parking Agreement
[Title 15, Chapter 154, Section 154.44(D) Adult-Use Cannabis Establishments]

ANALYSIS

Staff Discussion
The petitioner requests an Amendment to the Special Use to repeal a condition related to shared parking for NAC 2, LLC d/b/a Enlightened Cannabis for People 2 located at 820 E. Golf Road. On July 15, 2020, the Zoning Board of Appeals recommended approval of the adult use cannabis establishment with a condition that the Petitioner provide shared parking agreements
with the properties located east and west of the subject property.

The use is required to provide 5 parking spaces per 1,000 square feet of net floor area, or 33 spaces. As existing, the dispensary exceeds the required parking by 23 spaces. Staff was concerned that these spaces may not be adequate during special events such as the Grand Opening and on April 20th, a defacto day of celebration in the cannabis industry. To address this concern, the Petitioner will provide an option for online ordering and will dedicate a register inside the facility for these express order pick-ups which will help to alleviate potential parking deficiencies.

The Petitioner provided a copy of an existing cross access and shared parking agreement with Red Lobster located at 800 E. Golf Rd. Additionally, the Petitioner contacted the owner of the parcel located east of the subject property, at 830 E. Golf Rd., but they were unwilling to enter into an agreement. Staff spoke with their property manager to assist the Petitioner, and was informed that the owner would not agree to the agreement and would not provide documentation to that effect.

**Zoning History**

Village records for the subject property indicate the subject parcel was used for a commercial parking lot until August 23, 1983 when site plan approval was granted for a retail appliance store (Case No. SP8308-02). Walter E. Smithe occupied the site from the mid-1990s until 2010 when Halloween City occupied the building under a short term lease. On June 11, 2002, a Valet Parking Plan for Red Lobster was approved for the use of 30 parking spaces on the subject parcel (Case No. Z0205-04, Ord. No. 02-81). In 2011, Luna Flooring Gallery took over the building and remained there until recently. On July 28, 2020, the Village Board granted special use approval for an adult use cannabis business establishment (Case No. Z2003-03, Ord. No. 20-059).

**Surrounding Zoning and Land Uses:**

North: M-1 Manufacturing District (Rohrman University)
South: B-4 Retail, Service, Motor Vehicle District (Bob Rohrman Ford Dealership)
East: B-2 General Business District (European Sports, Carson Pirie Scott Furniture Gallery)
West: B-2 General Office Business District (Red Lobster)

**Compatibility with Surrounding Land Uses:**
The proposed dispensary is compatible with surrounding uses.

**Comprehensive Plan Designation:**
The Future Land Use map within the Comprehensive Plan identifies the subject property as “General Commercial”.

The General Commercial classification includes areas intended to accommodate larger shopping centers and developments along arterial corridors that serve a more regional function. These auto-oriented corridors include a mix of “big box” stores, national retailers, franchise restaurants, and a “critical mass” of multiple stores with large parking areas. The proposed dispensary is compatible with the General Commercial classification.
Parking Calculations
Parking for the dispensary is calculated as follows:

<table>
<thead>
<tr>
<th>Use / Square Footage</th>
<th>Parking Rate</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Enlightened Cannabis Dispensary</td>
<td>5 spaces / 1,000 sq. ft. NF</td>
<td>33 spaces</td>
</tr>
<tr>
<td>9,120 sq. ft. GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6,560 sq. ft. NFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Parking Provided</strong></td>
<td>56 spaces</td>
<td></td>
</tr>
<tr>
<td><strong>Parking Excess</strong></td>
<td>23 spaces</td>
<td></td>
</tr>
</tbody>
</table>

Section 154.123 of the Off-Street Parking and Loading Code requires 5 parking spaces per 1,000 square feet of net floor area for adult-use cannabis dispensing organizations. As proposed, the dispensary exceeds the parking code requirement by 23 spaces. Village staff from the Community Development, Transportation and Police Departments reviewed current parking availability and the shared parking agreement with 800 E. Golf Rd. (Red Lobster) and feel that ample parking is being provided. The extra parking available per the shared parking agreement coupled with the express order pick-up option provide more parking spaces than the parking code requires and increase the turn over rate of parking spaces.

RECOMMENDATION
Staff has reviewed the petitioner’s request and is supportive. Therefore, staff recommends approval of a Special Use Amendment – Shared Parking Agreement for NAC 2 LLC, Enlightened Cannabis for People 2, Case No. Z2101-02, subject to the following conditions:

1. Conditions #1 and #2 in Ordinance No. 20-059 are hereby repealed. The special use remains in effect and all other terms and conditions of Ordinance No. 20-059 not specifically revised herein are hereby reaffirmed by reference.
2. The following plans, exhibits and documents shall be adopted as part of the governing ordinance:
   a. Cover Sheet, Table of Contents, and Description of Special Use Request pages 1-5, prepared by Enlightened Cannabis for People 2, dated January, 2021, and received by the Community Development Department on January 4, 2021.

pc: Petitioner
Owner of Property
SECTION I: DEVELOPMENT INFORMATION

1. INDEX INFORMATION: (To be completed by Village Staff)

   Z2101-02 / NAC 2, LLC (d/b/a – Enlightened Cannabis for People 2) / 820 E. Golf Road / Special Use for an Adult Use Cannabis Business Establishment – Shared Parking Agreement

2. BACKGROUND INFORMATION: (All correspondence will be e-mailed to the applicant)

   a. Applicant: Sean Molina
      Corporation: NAC 2, LLC (DBA - Enlightened Cannabis for People 2)
      Address: 1200 N North Branch St., Second Floor
      City: Chicago State: IL Zip: 60642
      Telephone: 847-708-3333
      (Number at which applicant can be reached during business hours)
      E-mail Address: smolina@revcanna.com

   b. Relationship of Applicant to Property: Leasee

   c. Current Owner of Property: GF 820 East Golf Road LLC
      Address: 1437 Central Avenue, Suite 1200
      City: Memphis State: TN Zip: 38104
      Telephone: 901-543-5721
      E-mail Address: jstarling@bassberry.com

3. APPROVALS REQUESTED

   □ Site Plan Approval
   □ Rezoning
   (1) Parcel A: ______ acres from ______ to ______
   (2) Parcel B: ______ acres from ______ to ______
   ✔ Special Use
4. SUMMARY OF REQUESTED ACTIONS:
Amendment of special use permit for an adult use dispensing organization for NAC 2 LLC (Case No. Z2003-03) as granted by Ordinance No. 20-059

5. PROJECT STAFF:
   Developer: 41 North Construction  Phone: 630-737-1008
   Attorney: Abdul Kadir Mohamed  Phone: 312-718-1911
   Engineer: Jason Green - WT Engineering  Phone: 224-293-6333
   Architect: Tory Hannan - Torch Architecture  Phone: 630-420-1900
   Landscape Architect: Tod Stanton - Design Perspectives  Phone: 630-606-0776

6. DESCRIPTION OF SITE:
   a. Location (address): 820 E Golf Rd. Schaumburg, IL 60173

   b. PIN Number (14 digit): 07114000710000

7. VARIATIONS:
   List and justify any requested variation(s) from the (a) Zoning Ordinance and (b) Subdivision and Land Development Ordinance (attach additional pages if necessary):
Please note that the site plan will not be reviewed until this application has been fully completed and all required plans and other materials have been satisfactorily submitted to the Community Development Department. Incomplete submittals will not be accepted. It is strongly suggested that the applicant schedule an appointment with the Community Development Department so that materials can be reviewed for accuracy and completeness prior to submittal.

In consideration of the information contained in this application as well as all supporting documentation, it is requested that approval be given to this site plan.

**Applicant:**  
Sean Molina  
(Print or type name)

(Applicant’s Signature)

**Date:**  
Dec 31, 2020

**Current Owner of Property:**  
Eric Clauison  
(Print or type name)

(Property Owner’s Signature)

**Date:**  
Jan 1, 2021
Amendment to Special Use for an Adult Use Cannabis Business Establishment

January 2021

Updated Mailing Address
1200 N. North Branch St., Second Floor
Chicago, IL 60642
TABLE OF CONTENTS

Application for Development Review .............................................................. 4
Plat of Survey ...................................................................................................... 7
Legal Description ................................................................................................. 8
Description of Special Use Amendment Request ......................................... 9
  Background ....................................................................................................... 9
Compliance with Ordinance No. 20-059 ...................................................... 9
Online Ordering and Express Order Pick-up ....................................................... 9
  DOC LR3435134 ........................................................................................ 12
  DOC 00192964 .......................................................................................... 23
  Ordinance No. 20-059 ............................................................................. 27
DESCRIPTION OF SPECIAL USE AMENDMENT REQUEST

NAC 2, LLC (Enlightened) requests to amend its special use permit for an adult use dispensing organization (Case No. Z2003-03); the requested amendment applies to Conditions #1 and #2 outlined in Ordinance No. 20-059, which pertain to Shared Parking Agreements with neighboring properties.

BACKGROUND

In the Project Review Group process, staff requested additional Shared Parking Agreements with neighboring parcels during special events, see below details from the Project Review Group Report. Staff’s request, detailed below, were the impetuses for Conditions #1 and #2 in Ordinance No. 20-059, which are pasted below.

COMPLIANCE WITH ORDINANCE NO. 20-059

Per Condition #1 and #2 of Ordinance No. 20-059, an existing Reciprocal Easements Agreement, which has been recorded with the Cook County Recorder of Deeds, has been provided to the Village, see “DOC LR3435134” and “DOC 00192964”.

The agreement provides for Cross Access for ingress/egress and Shared Parking with our neighboring property (800 E. Golf Road – Red Lobster), which shares a common boundary with our property (820 E. Golf Road), as depicted on the Plat of Survey.

NAC 2, LLC’s initial Special Use Permit submission indicated that we were also in active discussions regarding Shared Parking with 830 E. Golf Road (now vacant, formerly Carson Pirie Scott), which have since proven unsuccessful.

Thus, we are applying to amend our Special Use Permit accordingly.

ONLINE ORDERING AND EXPRESS ORDER PICK-UP

Enlightened shall provide purchasers with an Online Ordering portal, where purchasers may browse product availability and place an order online for an Express Order Pick-up. Upon arrival to the facility, purchasers whom have placed and Online Order will be directed to a POS Register reserved solely for Express Order Pick-ups, where they will promptly make a payment and pick-up their order.

This is not only a convenient service for purchasers, but also serves as an operational tool to manage and expedite purchaser-flow within the dispensary, and parking/traffic flow at the site. Purchasers will be required to select a time window for Express Order Pick-up, which will aid management to ensure adequate staffing and prevent over-capacity.
The amount of available time slots for Express Order Pick-up will be designated at appropriate levels to prevent an overflow of vehicles exceeding available parking.

PROJECT REVIEW GROUP REPORT

Parking Calculations

Parking for the dispensary is calculated as follows:

<table>
<thead>
<tr>
<th>Use / Square Footage</th>
<th>Parking Rate</th>
<th>Required Parking</th>
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<tr>
<td>Enlightened Cannabis Dispensary</td>
<td>5 spaces / 1,000 sq. ft. NF</td>
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<tr>
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Section 154.123 of the Off-Street Parking and Loading Code requires 5 parking spaces per 1,000 square feet of net floor area for adult-use cannabis dispensing organizations. As proposed, the dispensary has 23 surplus parking spaces. Staff is concerned that these spaces may not be adequate during special events such as the Grand Opening and on April 20th, a defacto day of celebration in the cannabis industry. Therefore, staff requested a Shared Parking Agreement with the neighboring parcel(s). Staff reviewed the proposed Draft Shared Parking Agreement and have the following comments:

- Provide definitions
- Provide a description and exhibit of the specified easement area
- Provide the address and legal descriptions of the parcels party to the agreement
- Provide a description of the types of rights the easement will grant (ingress, egress, maintenance, etc.)
- Provide a clear description of the maintenance items included

ORDINANCE NO. 20-059

SECTION TWO: That the granting of the approvals and/or variations of Section One, be and is hereby granted subject to compliance with the following conditions:
1. Prior to issuance of a Building Permit, revise the Shared Parking and Cross Access Agreements to include the following:
   a. Definitions
   b. Description of the easement area
   c. Addresses and legal descriptions of the parcels party to the agreement
   d. The specific area on the properties that will be subject to this agreement; this could be added as an exhibit to the Agreement.
   e. A description of the types of rights the easement will grant (ingress and egress, maintenance, etc.)
   f. A clear description of the maintenance items included

2. Prior to issuance of a Building Permit, the Petitioner shall provide proof that the Cross Access and Shared Parking Agreements shall have been submitted to the Cook County Recorder of Deeds to be recorded and placed on file. A copy of the recorded agreements shall be provided to the village.

A complete copy of Ordinance No. 20-059 is included with this submission.
SUBJECT PROPERTY OUTLINED

Z2101-02

NAC 2, LLC
D/B/A ENLIGHTENTED CANNABIS
FOR PEOPLE 2

Special Use Amendment
Shared Parking Agreement

Prepared By:
The Village of Schaumburg
Community Development Department

820 E. Golf Road
PUBLICACION DE:

ORDINANZA N.° 20-059

UN ORDINANZA GRANTING A SPECIAL USE FOR AN ADULT USE CANNABIS BUSINESS
ESTABLISHMENT FOR NAC 2, LLC (D/B/A - ENLIGHTENED CANNABIS FOR PEOPLE 2)
(820 E. GOLF ROAD)

CASO N.° Z2003-03

ADOPTED: JULY 28, 2020

PUBLISHED IN PAMPHLET FORM PURSUANT TO AUTHORIZATION AND DIRECTION
OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SchaUMBURG
ON
JULY 29, 2020
ORDINANCE NO. 20-059

AN ORDINANCE GRANTING A SPECIAL USE FOR AN ADULT USE CANNABIS BUSINESS ESTABLISHMENT FOR NAC 2, LLC (D/B/A - ENLIGHTENED CANNABIS FOR PEOPLE 2) (820 E. GOLF ROAD)

CASE NO. Z2003-03

WHEREAS, the Zoning Board of Appeals of the Village of Schaumburg conducted a public hearing on July 15, 2020 and has recommended a Special Use for an Adult Use Cannabis Business Establishment for NAC 2, LLC (d/b/a - Enlightened Cannabis for People 2) located at 820 E. Golf Road, Case No. Z2003-03;

WHEREAS, the President and Board of Trustees of the Village of Schaumburg have determined that the granting of a recommended a Special Use for an Adult Use Cannabis Business Establishment for NAC 2, LLC (d/b/a - Enlightened Cannabis for People 2) located at 820 E. Golf Road, Case No. Z2003-03 is desirable to provide a service or a facility which is in the interest of public convenience, and is in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUERBURG:

SECTION ONE: That said recommended Special Use for an Adult Use Cannabis Business Establishment described as follows:

- Special Use for an Adult Use Cannabis Business Establishment [Title 15, Chapter 154, Section 154.90.21 Adult-Use Cannabis Establishments]

for NAC 2, LLC (d/b/a - Enlightened Cannabis for People 2) located at 820 E. Golf Road, Case No. Z2003-03, be and is hereby granted on the property legally described as:

LOT 1 IN SAGA SUBDIVISION BEING A RESUBDIVISION OF LOT 1 IN SUSAN'S SUBDIVISION BEING A RESUBDIVISION OF LOT 17 IN THE PLAT OF RESUBDIVISION OF OUTLOT 'D' IN SCHAUERBURG INDUSTRIAL PARK, BEING A SUBDIVISION IN THE S.E., OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

AND

LOT 2 IN SAGA SUBDIVISION BEING A RESUBDIVISION OF LOT 1 IN SUSAN'S SUBDIVISION, IN PART OF THE S.E., OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN REGISTERED WITH THE REGISTRAR OF DEEDS ON FEBRUARY 24, 1982 AS DOCUMENT LR3250981 (EXCEPTING THEREFROM THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 29 MINUTES 40 SECONDS EAST, BEARING BASED ON ILLINOIS STATE PLANE COORDINATE EAST ZONE,
ORDINANCE NO. 20-059
AN ORDINANCE GRANTING A SPECIAL USE FOR AN ADULT USE CANNABIS BUSINESS ESTATEMENTMENT FOR NAC 2, LLC (D/B/A - ENLIGHTENED CANNABIS FOR PEOPLE 2) (820 E. GOLF ROAD)
CASE NO. Z2003-03

ALONG THE WEST LINE OF 2 A DISTANCE OF 103.40 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 41 SECONDS EAST 10.00 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 40 SECONDS WEST 72.00 FEET; THENCE SOUTH 53 DEGREES 34 MINUTES 29 SECONDS EAST 49.32 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 87 DEGREES 39 MINUTES 22 SECONDS WEST ALONG SAID SOUTH LINE 50.00 FEET TO THE POINT OF BEGINNING), (ALSO EXCEPTING THEREFROM THAT PART TAKEN BY DOCUMENT NUMBER 1813734000) IN COOK COUNTY, ILLINOIS.

SECTION TWO: That the granting of the approvals and/or variations of Section One, be and is hereby granted subject to compliance with the following conditions:

1. Prior to issuance of a Building Permit, revise the Shared Parking and Cross Access Agreements to include the following:
   a. Definitions
   b. Description of the easement area
   c. Addresses and legal descriptions of the parcels party to the agreement
   d. The specific area on the properties that will be subject to this agreement; this could be added as an exhibit to the Agreement.
   e. A description of the types of rights the easement will grant (ingress and egress, maintenance, etc.)
   f. A clear description of the maintenance items included

2. Prior to issuance of a Building Permit, the Petitioner shall provide proof that the Cross Access and Shared Parking Agreements shall have been submitted to the Cook County Recorder of Deeds to be recorded and placed on file. A copy of the recorded agreements shall be provided to the village.

3. All landscaping shall be maintained in compliance with the approved landscape plan, Case No. SP8308-02, prepared by Klaus Schmechtig Company, dated October 17, 1996.

4. Prior to the issuance of a building permit, the Photometric Plan shall be revised to reduce the lighting closer to code required levels with particular attention paid to the light levels at the property lines.

5. Prior to the issuance of an occupancy permit, the Petitioner shall provide a copy of the approved State license to operate an adult use cannabis establishment.

6. Access to ADA parking stalls shall be maintained at all times, including the Grand Opening and any special events.

7. Prior to issuance of a building permit, the Petitioner shall revise the plans to state that two armed (2) security will be on-site during hours of operation and (1) armed security will be on-site during non-business hours to ensure adequate security coverage of the facility.
ORDINANCE NO. 20-059

AN ORDINANCE GRANTING A SPECIAL USE FOR AN ADULT USE CANNABIS BUSINESS ESTABLISHMENT FOR NAC 2, LLC (D/B/A - ENLIGHTENED CANNABIS FOR PEOPLE 2) (820 E. GOLF ROAD)

CASE NO. Z2003-03

8. Information regarding any criminal activity shall be reported to the Schaumburg Police Department.

9. The surveillance system should shall include the subject property and any lots for which a shared parking or cross access agreement is in place.

10. Prior to issuance of the building permit, provide for staff review and approval, a copy of the Emergency Response Binder including the Emergency Action Plan and Evacuation Plan.

11. Provide a back-up plan for the notification system should the owner not receive notification of an equipment failure, security breach, or other system disruption.

12. Alarm notifications of unauthorized entry to the vault room shall go to Northwest Central Dispatch.

13. Provide a detailed explanation of the cash delivery and pick-up protocol.

14. The establishment shall allow random inspections of the premises to comply with the Village Ordinance, Chapter 129(E)(06)(C) of the Village Code of Ordinances which states that: Cannabis business establishments and property owners where such cannabis business establishments are located shall provide access to village police, fire and code enforcement personnel, during periods when employees are present to verify compliance with this chapter and other village ordinances; and state law Section 410 ILCS 705/15-135(a) that requires that dispensing organizations are subject to random and unannounced dispensary inspections and cannabis testing by the Department, the Department of State Police and local law enforcement.

15. At the time of Building Permit submittal, denote the door sizes on the plan or provide a door schedule to ensure they meet the minimum requirements for passage and egress.

16. The following plans, exhibits and documents shall be adopted as part of the governing ordinance:

   a. Cover Sheet and Table of Contents, pages 1-3, prepared by Enlightened Cannabis for People 2, dated June, 2020, and received by the Community Development Department on June 10, 2020.

   b. Application for Development Review, pages 4-10, prepared by Enlightened Cannabis for People 2, dated June, 2020, and received by the Community Development Department on June 10, 2020.

   c. Location Exhibit, pages 11-14, prepared by Enlightened Cannabis for People 2, dated June, 2020, and received by the Community Development Department on June 10, 2020.

   d. Site Plan, pages 15-19, prepared by Enlightened Cannabis for People 2, dated June, 2020, and received by the Community Development Department on June 10, 2020.

   e. Floor Plan, pages 20-21, prepared by Enlightened Cannabis for People 2, dated June, 2020, and received by the Community Development Department on June 10, 2020.


   g. Security Plan, pages 40-64, prepared by Enlightened Cannabis for People 2, dated June, 2020, and received by the Community Development Department on June 10, 2020.
APPROVED by me this 28th day of July, 2020.

Tom Dailly
Tom Dailly, Village President

ATTEST:

Marilyn J. Karr, Village Clerk

Published by me in pamphlet form this 28th day of July, 2020.

Marilyn J. Karr, Village Clerk
Exhibit 1

First Amendment to
the Redevelopment Agreement

(attached)
ORDINANCE NO. 20-059

AN ORDINANCE GRANTING A SPECIAL USE FOR AN ADULT USE CANNABIS BUSINESS ESTABLISHMENT FOR NAC 2, LLC (D/B/A - ENLIGHTENED CANNABIS FOR PEOPLE 2) (820 E. GOLF ROAD)

CASE NO. Z2003-03

SECTION THREE: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form and posting in the manner provided by law.

AYES: (5) Trustee: Kozak, Connelly, Sullivan, Madej, Bieschke

NAYS: (1) Trustee Dunham

ABSENT: (0) None

ADOPTED this 28th day of July, 2020.

[Signature]
Village President

ATTEST:

[Signature]
Village Clerk
Z2010-05 / OFFICE - WAREHOUSE BUILDING / 500 Commerce Drive / Site Plan Approval, Foundation Landscape Variation and Woodfield Regional Center Design Review  
1/27/2021  
Zoning Board of Appeals

Presenter: Todd Wenger, PLA, Landscape & Design Planner  
Lead Department: Community Development

**Executive Summary:**

A request for a Site Plan Approval, Foundation Landscape Variation and Woodfield Regional Center Design Review for the Office - Warehouse Building was scheduled for review by the Zoning Board of Appeals. Staff discovered that an additional fence variation is needed and was not included in the title. The public notification will need to be redone to include this additional variation request.

**Recommended Action:**

Staff recommends the public hearing be continued to a date certain of February 17, 2021.

**ATTACHMENTS:**

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<tr>
<th>Description</th>
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<td>Continuation Memo</td>
<td>Exhibit</td>
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MEMORANDUM

TO: Chairman and Members, Zoning Board of Appeals

FROM: Todd Wenger, PLA, Landscape & Design Planner

DATE: January 18, 2021

SUBJECT: Z2010-05 / OFFICE - WAREHOUSE BUILDING / 500 Commerce Drive / Site Plan Approval, Foundation Landscape Variation and Woodfield Regional Center Design Review

A request for a Site Plan Approval, Foundation Landscape Variation and Woodfield Regional Center Design Review for the Office - Warehouse Building at 500 Commerce Drive was scheduled for review by the Zoning Board of Appeals at their meeting on January 27, 2021. Staff discovered that an additional fence variation is needed and was not included in the title. The project’s title and public notification will need to be redone to include this additional variation request; therefore, Staff recommends the public hearing be continued to a date certain of February 17, 2021.

Please contact me at (847) 923-3866 with any questions.