

**Regular Meeting-Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois**

May 12, 2008

All Matters on the Agenda may be discussed, amended and acted upon

Chairman David Michaelson called the Regular Meeting of the Combined Plan Commission/ Zoning Board of Appeals to order at 7:30 p.m. and directed Recording Secretary Wynne Progar to call the roll.

Present: Commissioners Anthony Manzzullo, Angelo Christopher, Ralph Smoot, Dee Spink, Joyce Hundhausen and David Michaelson
Absent: Commission Lateef Vora
Also Present: Community Development Director Bob Glees & Recording Secretary Wynne Progar

MINUTES:

Commissioner Spink moved and Commissioner Manzzullo made the second to approve the Minutes of the Meeting of April 28, 2008 as presented. The results of the roll call vote were:

Ayes:	5	Commissioners Manzzullo, Christopher, Smoot, Spink & Michaelson
Nays:	0	
Abstain:	1	Commissioner Hundhausen
Absent:	1	Commissioner Vora

PUBLIC HEARING:

Commissioner Smoot moved and Commissioner Spink made the second to open the public hearing. The motion passed by unanimous voice vote.

**#08008: HERDRICH, RALPH A & BJ – 1054 Evergreen
*Zoning Code Variation***

Barbara Herdrich, 1054 Evergreen Drive was sworn in as a witness in this matter. She explained that they are seeking two variances one for the concrete patio at the rear of the house and the other for a paver brick patio on the side of the house. Mrs. Herdrich said that originally they thought the house would be built to face Fox Court, but at purchase they realized that it had been built to face Evergreen. This made the front and back yards almost non-existent because of easements. The neighbors at the back of their house have a retention wall and the run-off from their lot comes down into her lot and there have always been flooding problems. This is why they had the patio poured and they thought that the installer had gotten whatever permits were required. There was no permit, and the patio is not 10 feet from the property line, it is one foot from the property line because the back yard is so tiny. Mrs. Herdrich said that all of her neighbors property's are 8 to 10 higher than her property and when they put in the brick paver patio and the landscaping on the side of the house she is just looking for a little bit of private space where she can be away from the eyes of her neighbors. She presented pictures of the property to the Commissioners. When she was told that the side yard patio would need a permit, they removed the pavers and applied for the permit. Now

they also need a variance for the side yard because of the easements. Mrs. Herdrich said that they have a very unique lot, which is much smaller than most and is covered with easements. She noted that her little privacy space does not affect the neighbors and she asked for permission to keep it.

There were no comments or questions from those in attendance at the call for public hearing.

Chairman Michaelsen noted that the staff report will be made a part of the minutes of this meeting and then asked Mr. Glees to summarize that report.

Mr. Glees said that Ralph and Barbara Herdrich have filed an application for two Zoning Code variations for an existing concrete patio and a proposed brick paver patio for the property at 1054 Evergreen Drive, in the Shining Waters Unit 5 neighborhood. According to staff information the Herdrich's had the concrete patio installed in their rear yard shortly after they moved into the home in 1978 and no building permit was issued for the concrete patio. The patio is located within ten feet of the property line as opposed to the seven and one half feet required by the Code. The Herdrichs' also wish to install a 14 foot diameter round brick paver patio in the corner side yard of the property. The brick paver patio was actually installed without a permit but was removed once the Village inspection staff advised the Herdrichs' that the paver patio required a building permit and that it did not comply with the required 25 foot setback. Staff notes that the Plan Commission/Zoning Board of Appeals has heard five cases in the past nine years involving variation requests for residential structures without or contrary to an approved building permit. Two cases involved work done with out a permit and failed to receive a positive recommendation from the PC/ZBA. Three cases received positive recommendations and these involved home owners who placed their reliance in a contractor or a previous homeowner to have obtained proper building permits for the structures. In Staff's evaluation of this case, they note that the standards for approval of the requested variations differ between the two patios. The need for a variation for the concrete patio in the rear yard was created by the current property owner, as the patio was built without a permit and not in compliance with the rear yard setback standards of the Zoning Code. However, staff believes that the standards for variation have been met due to the unique circumstances of the reverse corner lot and the physical constraint posed by such a lot with respect to accommodating a rear yard patio. In addition, the patio is in a secluded location at the de facto rear year of the property, at the base of a large retaining wall on the neighbor's property and staff is unaware of any complaints regarding the patio. With respect to the variation to allow a brick paver patio to be located 15 feet from the corner side yard property line, as opposed to 25 feet as required, staff cannot support the request as no hardship has been demonstrated by the applicant. The standards of approval for a variation have not been met. In addition, staff is concerned about the potential precedent setting nature of the request, if approved. Staff recommends approval for the requested variation for reduced rear yard setback to zero feet rather than 7.5 feet for the existing concrete patio, subject to the condition that the applicant must obtain the required building permit for the patio. Staff recommends denial of the request for the variation for a 15 foot corner side yard setback rather than 25 feet for a brick patio. However, if the Plan Commission chooses to recommend approval of the request, staff recommends that it only do so subject to the condition that the applicant must obtain the required building permit for the patio.

GENERAL INFORMATION

Applicant:

Ralph and Barbara Herdrich

Size and Location:

The approximate 7,725 square foot lot is located at the southeast corner of Evergreen Drive and Fox Court. (See attached location map.)

Existing zoning and land use:

The subject property is zoned R-2 One-Family Residence District, with a Special Use for a Planned Unit Development, and improved with a single-family residence.

Adjacent zoning and land uses:

All surrounding properties are zoned R-2 One-Family Residence District with a Special Use for a Planned Unit Development. The properties to the south, east and west are improved with single-family residences, and the property to the north is improved with Evergreen Elementary School.

Attachments:

Attached for review are a location map, aerial photo, public notice, cover letter from Ralph Herdrich dated January 8, 2007, the General Application, Variation Application, a reduced copy of the plat of survey.

Request:

The applicant is requesting a variation from Section 16-8-2(F)(3) of the Zoning Code to allow an existing 10-by-30-foot concrete patio to remain as constructed abutting the rear lot line as opposed to being set back ten feet as required by the Zoning Code. The applicant is also requesting a variation from Section 16-8-2(F)(2) of the Zoning Code to allow a proposed brick paver patio to be set back 15 feet from the corner side property line as opposed to 25 feet as required.

STAFF ANALYSIS

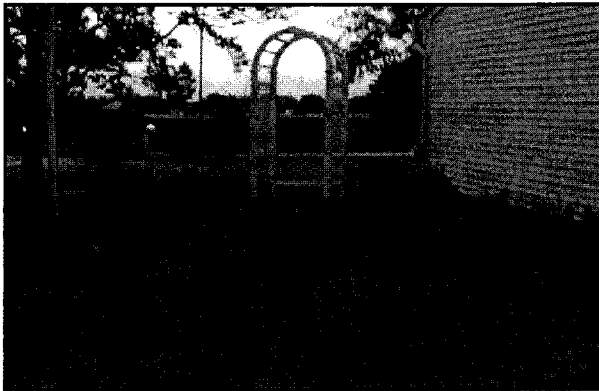
Ralph and Barbara Herdrich have filed an application for two Zoning Code variations for an existing concrete patio and a proposed brick paver patio for their property at 1054 Evergreen Drive, in the Shining Waters Unit 5 neighborhood. As stated in the attached cover letter from Mr. Herdrich, the Herdrichs had the concrete patio installed in the rear yard shortly after they moved into the home in 1978. The Village has no record of a building permit being issued for the concrete patio. Patios are required by the Zoning Code to be set back ten feet from a rear property line, but as seen on the attached survey, the patio is located within a foot of the rear property line. The Herdrichs also are requesting approval to install a 14-foot diameter round brick paver patio in the corner side yard of the property. In fact, as seen in the photo on the following page, the brick paver patio was actually installed without a permit in the corner side yard, set back only 15 feet from the corner side property line, as opposed to 25 feet as required. Once Village Code Enforcement personnel advised the applicant that the paver patio required a building permit, and did not comply with the required 25-foot setback, they removed the brick paver patio. As such, the Herdrich's are requesting a variation from Section 16-8-2(F)(3) of the Zoning Code to allow the existing concrete patio to remain as constructed within one foot of the rear lot line as opposed to being set back ten feet as required, and a variation from Section 16-8-2(F)(2) of the Zoning Code to allow the proposed brick paver patio to be set back 15 feet from the corner side property line as opposed to 25 feet as required.

Property Photographs:

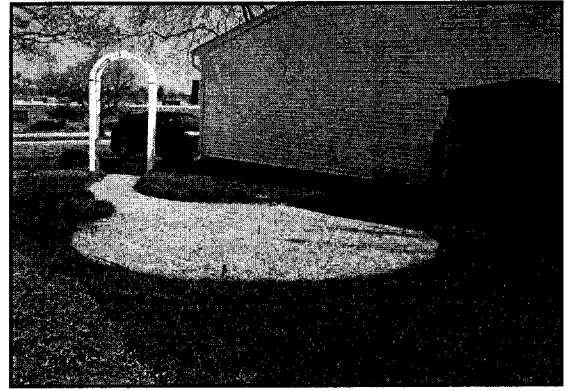
Existing concrete patio in rear yard. Note retaining wall on neighbor's property and significant grade change between properties.



Another view of existing concrete patio in rear yard and the retaining wall near the property line between the two properties.



Brick paver patio in corner side yard was installed, but was removed once property owners were informed that a setback variation and building permit were required.



Brick pavers removed. Applicant has filed a building permit application for the paver patio, pending the outcome of the requested variation.

Rear Yard Setback – Existing Concrete Patio:

The required rear yard setback for the patio is 7½ feet (§16-12-1-C-3 for reverse corner lot). As stated, the current property owner installed the existing 10-by-30-foot concrete patio within one foot of the rear property line, without a building permit, in 1978. Below, we have provided a historical review of some previous variation requests involving structures built without permits and not in compliance with setback regulations. Typically, the PC/ZBA has not recommended approval of variation requests in which the current property owner constructed the non-compliant structure.

Corner Side Yard Setback – Proposed Brick Paver Patio:

The required corner side yard setback for the proposed brick paver patio is 25 feet (§16-12-1-C-2). The applicant is requesting a variation to allow the patio to be set back 15 feet from the corner side property line. While the applicant already installed the paver patio without a permit, they have since removed the brick pavers and have filed an application for a building permit, pending the results of the variation request.

Historical Review of Similar Variation Requests

The PC/ZBA has heard five cases in the past nine years involving variation requests for residential structures built without, or contrary to, an approved building permit. These are as follows:

Case #99180 – The PC/ZBA recommended denial of a corner side yard setback variation for a shed that was constructed at the wrong location in error and contrary to the approved building permit.

Case #01127 – The PC/ZBA recommended approval of rear yard setback and lot coverage variations to allow an existing three-season room to remain as constructed, after the room was constructed by a contractor who never obtained a building permit even though he was paid to do so by the petitioner.

Case #02227 – The PC/ZBA recommended approval of a variation to allow an existing eight-by-four foot shed to remain three feet eight inches from the rear property line as opposed to the required five feet. The shed was built by a previous owner and existed when the petitioner purchased the property.

Case #03003 – The PC/ZBA's vote to recommend approval failed, for a side yard setback variation for a deck. The deck was constructed by the petitioner without a permit.

Case #06180 – The PC/ZBA recommended approval of lot coverage and rear yard setback variations for an existing screen porch to remain as constructed on his property. When the petitioner purchased the home, there was an existing screen porch on the property that had been built by a previous owner without a building permit.

Staff would note that the two cases that failed to receive a positive recommendation from the PC/ZBA involved acts of noncompliance on the parts of the petitioners. The three cases that received positive recommendations involved homeowners who placed a reliance on a contractor or previous homeowner to have obtained proper building permits for the structures.

Variations:

With regard to any variation, the PC/ZBA shall not recommend a variation unless it shall make findings based upon the evidence presented to it as per Section 16-15-6(D) of the Zoning Code:

1. The property in question, other than a single-family lot, cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The property in question is a single-family lot, and this criterion is not applicable.

2. The plight of the owner is due to unique circumstances.

The rear yard patio was built without a permit and in violation of a standard of the Zoning Code, and this does not constitute a unique circumstance. However, staff would note that the rear yard on the Herdrichs' lot is very small, typical of reverse corner lots in Shining Waters Unit 5. The majority of the lots in the neighborhood

are much larger, and able to accommodate a patio within the constraints of the Zoning Code. With respect to the proposed brick paver patio in the corner side yard, staff cannot identify a unique circumstance to support the variation request.

3. The variation, if granted, will not alter the essential character of the locality.

The rear-yard concrete patio has been in existence for over 30 years, and staff is not aware of any concerns from the neighbors regarding the patio. As such, staff does not believe that the concrete patio has a significant impact on the essential character of the area. However, the proposed brick paver patio would be located within a corner side yard, and corner side yards, similar to front yards, are intended to remain free of patios and other accessory structures. A variation to allow a patio in this location could represent a change in the character of the locality.

4. The plight of the owner is due to the failure of a previous owner of the property in question to follow then-applicable ordinances or regulations, and where the benefit to health, safety or appearance to be derived from correcting the nonconformity would not justify the cost or difficulty of the correction.

The plight of the owners is not due to actions of a previous owner.

5. The particular physical surroundings, shape, or topographical conditions of the specific property involved bring a particular hardship upon the owner as distinguished from a mere inconvenience.

As noted above, the shape of the property, as a reverse corner lot, presents a hardship with respect to locating a patio in the rear yard. However, the physical surroundings, shape and topographical condition of the property do not provide justification for the variation request for the brick paver patio in the corner side yard.

6. The conditions upon which the petition for the variations is based would not be applicable generally to other property within the same district.

The conditions involved with this case are only applicable to this request, and each variation application is evaluated on an individual basis. The need for the variation for the concrete patio was self-created by the owners, as the patio was constructed without a permit and in violation of the Zoning Code.

7. The granting of the variations will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

Given the good condition of the concrete patio and its secluded location on the property, the granting of the variation to allow the concrete patio to remain within one foot of the rear lot line should not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood. However, staff is concerned about the potential precedent-setting nature of the variation request to allow the brick paver patio to be located 15 feet from the corner side property line, as opposed to 25 feet as required.

Summary:

In staff's evaluation of this case, we note that the standards for approval of the requested variations differ between the two patios. The need for the variation for the concrete patio in the rear yard was created by the current property owner, as the patio was built without a permit and not in compliance with the rear yard setback standard of the Zoning Code. However, the standards for variation have been met in view of the unique circumstance of the reverse-corner lot, and the physical constraint pose by such a lot with respect to accommodating a rear-yard patio. In addition, the patio is in a secluded location at the rear of the property, at the base of a large retaining wall on the neighbor's property, and staff is unaware of any complaints regarding the patio. With respect to the requested variation to allow a brick paver patio to be located 15 feet from the corner side yard property line as opposed to 25 feet as required, staff cannot support the request, as no hardship has been demonstrated by the applicant, and the standards for approval of a variation have not been met. In addition, we are concerned about the potential precedent-setting nature of the request, if approved.

Staff recommends the following:

1. Approval of the requested variation for a reduced rear-yard setback of zero feet rather than ten feet for an existing concrete patio, subject to the condition that the applicant must obtain the required building permit for the patio.
2. Denial of the requested variation for a 15-foot corner side yard setback rather than 25 feet for a brick patio. However, if the Plan Commission determines to recommend approval of the request, staff recommends that it only do so subject to the condition that the applicant must obtain the required building permit for the patio.

Commissioner Manzzullo asked for confirmation that the brick patio that was removed is the type that can be moved, added to or changed and Mrs. Herdrich said that they were unilock pavers and are not permanent.

Commissioner Hundhausen asked for clarification of the dimensions of lot since staff has said there should be a 25 foot setback and the plat shows only 20 feet. Mr. Glee responded that according to records the corner side yard standard for the subdivision is 25 feet and he is not sure why the plat of survey shows 20 feet. Records indicated that the corner side yard is 25 feet, the same as the front yard setback. What is defined as the front yard on this particular lot, which is a reverse corner lot is shown along Evergreen Drive as being 25 feet. The corner side yard should be the same 25 feet and it appears that the house is approximately 35 feet.

Chairman Michaelsen asked if the house behind this house built at that time and Mrs. Herdrich said that it was. Chairman Michaelsen said that he does not have a problem with back patio, even though it was done without a permit, since the space is so limited. He asked if the back yard still floods after a one inch rain and she said yes, Chairman Michaelsen suggested that she talk to engineering services to see what if anything can be done to help with that problem. As far as the side yard patio, Chairman Michaelsen said that he will support the staff recommendation of denial. He suggested that they may be able to move it in a little bit to stay out of that building line and noted that when you have a corner house and

you have side lots it does make it tough for what you can do on that particular lot. Since you are limited in the back, it is understandable what you are trying do, but if we approve something like that, it opens everything up for the rest of the neighborhoods for variations. Mrs. Herdrich said that there is not enough room to move it toward the house and all she is looking for is to create a private place for herself. Chairman Michaelson asked if the landscaping shown on the rendering will also be done is the brick patio is approved and it was said that the landscaping is already in place.

Commissioner Manzullo moved to recommend approval of the variance for the rear yard setback for the existing concrete patio in accordance with staff recommendations. Commissioner Hundhausen made the second. The results of the roll call vote were:

Ayes:	6	Commissioners Manzullo, Christopher, Smoot, Spink, Hundhausen and Michaelson
Nays:	0	
Absent:	1	Commissioner Vora

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on June 2, 2008 and was advised to attend that meeting.

Commissioner Manzullo moved to recommend approval of a side yard setback variance to allow a brick paver patio, in accordance with staff recommendations. Commissioner Hundhausen made the second. The results of the roll call vote were:

Ayes:	5	Commissioner Manzullo, Christopher, Smoot, Spink and Hundhausen
Nays:	1	Commissioner Michaelson
Absent:	1	Commissioner Vora

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on June 2, 2008 and was advised to attend that meeting.

**#08114: FRENCH QTR APARTMENTS LLC – 545 – 595 Gundersen
Amendment to approved PUD Plan**

Jonathan Frank, 1220 N. LaSalle Street, Chicago, and David Kennedy, 444 Main Street, Glen Ellyn were sworn in as witnesses in this matter.

Mr. Kennedy reviewed the history of the Detroit based company and explained that their only projects are for renovation and improvement building complexes. Their goal is to make substantial improvements to the property with a new clubhouse that will be a single story, 3370 square foot building that will enhance the amenities of the existing pool and add recreation space for off-season activities and enhance the landscaping both at the clubhouse and the buildings.

There were no comments or questions from those in attendance at the call for public hearing.

Chairman Michaelson noted that the staff report will be made a part of the minutes of this meeting and then asked Mr. Glees to summarize that report.

Mr. Glees said that Village Green Companies is requesting an amendment to the approved Planned Unit Development (PUD) Plan for the French Quarter Apartments at 545-595 Gundersen Drive in order to construct a clubhouse as part of a significant renovation project. With this project, Village Green plans to renovate the 13.95-acre

French Quarter Apartments property, as well as the 8.0-acre Carol Stream Apartments property directly across Gundersen Drive to the south, and create a unified apartment complex to be known as "Parkway Commons." In addition to general building maintenance and interior improvements to the apartments and common building areas, Village Green plans to upgrade the general appearance of the two properties, including site lighting, trash enclosures, pavement repairs and landscaping. The centerpiece of the project would be a modern, 3,770 square foot clubhouse to be located adjacent to the pool in the French Quarter complex,

The French Quarter Apartments consist of four 5-story buildings with 60 apartments each, for a total of 240 apartment units. The Carol Stream Apartments consist of four 3-story buildings with 36 apartments each, for a total of 144 apartment units. The Carol Stream Official Zoning Map shows that both properties were approved as, or as part of, a Planned Unit Development; however, the Village's records in this regard are minimal. We have no record of an approved PUD Plan for either property. Therefore, since the current Zoning Code requires approval of an amendment to the approved PUD Plan in order for Village Green to construct a new clubhouse, staff recommends that the current conditions be considered as equivalent to the approved PUD Plan.

Staff has reviewed the request with respect to aesthetic and functional considerations, keeping in mind that the actual request is for the addition of a clubhouse.

With respect to aesthetics, we find that Village Green's proposed renovation plans should result in a dramatic improvement to both properties.

With respect to functional considerations, we find the plan to be acceptable and in compliance with the codes. We find the proposed parking, density, and landscaping to be acceptable.

Staff notes that Village Green has requested that the Village schedule Gundersen Drive for its annual parkway tree planting project, and we have no objection. Village Green also proposes to augment the Village's program in order to increase the parkway tree density from the standard 40-foot spacing to a 30-foot spacing. Again, we have no objection; however, the parkway tree planting plan must be coordinated with the Public Works Department, must meet Village parkway tree requirements as per §12-3-16(B), and must comply with the list of allowed tree species.

We note that the French Quarter Apartments property consists of two parcels, and that Village Green plans to consolidate the two parcels into one. Staff has no objection; however, the utility easement must be investigated so as to determine whether relocation or vacation is appropriate. This will be done at a later date.

Staff also evaluated the project with respect to connectivity. Village Green desires to create a sense that the two apartment complexes have become one. Improvements are being done to both properties, and amenities would be available to residents of both properties. Staff has discussed with Village Green future measures by which connectivity between the two properties could be enhanced. Pedestrian crossings and traffic calming solutions are being discussed. At this time, staff has no objection to the existing conditions, by which pedestrians may cross Gundersen Drive without need for traffic control. Staff proposes to continue to work with Village Green to determine whether pedestrian connectivity could be enhanced within the confines of good traffic engineering practice.

In summary, staff finds that the petitioner's request for an amendment to the approved Final Planned Unit Development Plan for French Quarter Apartments, in order to allow a 3,770 square foot clubhouse to be reasonable and well-supported. The proposed improvement, along with other improvements proposed for the two apartment

complexes, would result in a significant improvement to property values and quality of life in the Gundersen Drive neighborhood. Therefore, staff supports the petitioner's request, and we recommend approval subject to the conditions contained in the staff report.

Commissioner Hundhausen noted that the clubhouse mostly consists of office space, exercise room and showers and is in conjunction with the pool and she asked if the residents use the exercise room and was told that this is a clubhouse that has been built in other locations and it has worked each time and the next on is even better and that the answer is yes.

Commissioner Spink asked if there will certain programs for the clubhouse and the pool, such as certain days are themed and certain days will have a different program and it was noted that there will be an activities coordinator on site who will determine the amount of activities and programs that the community will participate in. Commissioner Spink asked about the hours of operation and was told that they do not intend to change the pool hours since they seem to work out well currently. In response to the question, it was noted that the club house will have certain hours which will be from when the leasing office opens and closes when the leasing office closes. If residents choose to use the property. At this point Craig Connelly, Development Manager for Village Green 1201 N. Clark St. Chicago was sworn in as a witness. He said that this is a good size complex and they will have a wide variety of programming and recreational activities available. They will be building a new main playground, just north of the swimming pool, and another small playground on the south side of Gundersen. The main playground will feature picnic tables and bar-b-que grills for the residents. There will be a full range of programming such as working out in the fitness center, the clubhouse will have wi-fi connections and residents can come in to make copies of documents in the business center. Commissioner Spink asked if this is going to be a locked community that requires a key or something to gain access and Mr. Connelly said that there will be a key-fob controlled access and he noted that there will be signs directing those who have to cross Gundersen on how to reach the clubhouse and that that will increase the "connectivity" between the two building complexes. He also show the changes in the landscaping and the addition of trees around the complex.

Chairman Michaelsen commented that a clubhouse will be great for the residents and the additional landscaping will be a benefit for everyone. He did note that he would like to add that dead trees will be replaced with the same size (caliper) tree to match the other trees in the area.

Commissioner Hundhausen asked where the management office is currently located since the proposed plan shows the management office in the new clubhouse. It was stated that currently the management office is in a vacant apartment, so there will be a professional office at the clubhouse. In response to the question about security for the entire complex, Mr. Kennedy said that they will look at security measures as needed and he said that they have had discussions with Officer Garza who has recommended doing a lighting survey to determine what needs to be done and that is in process.

Commissioner Spink moved and Commissioner Christopher made the second to recommend approval of the final plan amendment to a PUD for the French Quarter Apartments in accordance with staff recommendations with the addition of replacing dead trees with matching size of existing trees. The results of the roll call vote were:

Ayes:	6	Commissioners Manzullo, Christopher, Smoot, Spink, Hundhausen and Michaelsen
Nays:	0	
Absent:	1	Commissioner Vora

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on June 2, 2008 and was advised to attend that meeting.

**VP VENTURES LLC – South side of North Avenue – 800 ft. West of Gary Avenue:
*Annexation, Re-Zoning, Subdivision, Special Use Permit for Hotel, Special Use Permit for Shopping Plaza, Special Use for Planned Unit Development, Preliminary PUD Plan, Sign Code Variations, North Avenue Corridor Review***

Tom Matthews, 20550 S. LaGrange Rd., Frankfort, IL, Bob Parsons, 20550 S. LaGrange Rd., Frankfort, IL, Peter Lofgren, 20550 S. LaGrange Rd., Frankfort, IL and James Caneffe, 1887 High Grove Lane, Naperville, IL were sworn in as witnesses in this matter. Mr. Lofgren said that VP Ventures LLC is an organization that will be building a number of Value Place Hotels and other commercial developments in Illinois, Wisconsin and Michigan. One of the developments being planned is here in Carol Stream on a parcel on North Avenue. They are planning to put a Value Place Hotel and a small retail strip mall. He showed site plans and elevation drawings of a four story building that will contain 121 units. Value Place is an extended stay hotel with weekly rental units and that the average stay is three to five weeks. The lower part of the building will be brick with the upper part being Hardi-Board. The retail center will be 12,000 square feet with 8 units and there will be access to North Avenue and a cross-access agreement for ingress/egress onto Gary Avenue.

James Caneffe said that the staff report is succinct in what they are trying to accomplish in terms of the site design. The parcel is approximately 5.25 acres of which .9 acres is a low quality wetland located at the southwest corner of the site. The proposed development of the site will incorporate all stormwater management required by local and county ordinance. The intent is to create a wetland type detention facility. It will be an embellishment of what is currently there. It will kind of a seamless transition and it will also detain the stormwater for the site, which will be a good thing in terms of not only the detention, but the water quality. The site access will have an access off of North Avenue which will, because of the barrier median, will function as a right-in/right-out. They have worked back and forth with IDOT and this location has been approved for the site. They have asked us to install an exclusive right turn lane or basically to re-stripe the shoulder that is there to provide a right turn lane for the site and they will be incorporating that into the drawings. There is a cross-access easement that has been worked out with the neighbor to the east and this will provide access onto Gary Avenue. Site utilities will be brought in from the south, there is an existing sanitary sewer behind the Brunswick Zone which will be extended to the west to serve both the Value Place and the retail shopping center. It has adequate capacity to service both. Municipal water will be looped to the site to provide domestic use and fire protection. They have worked with the Fire Protection District to ensure that safe passage for emergency vehicles is provided. The parking has been provided for on site for Value Place and for the retail strip center at four places per thousand.

At the call for public hearing, David McCarthy, representing Carol Stream Stratford Inn, Inc. which has an ownership interest and is the manager of the Holiday Inn on Gary Avenue, about 500 feet south and east of the development property. He asked the Commissioners to consider at the end of the conversation about this particular case that they move to continue this case, at least until the next meeting. Mr. McCarthy said that it is his understanding that this is the first time this case has come before the Commission and he has a Freedom of Information Act request pending and he has not had the chance to see what information will be forthcoming in response. He said that he does have some questions that he would like to have answered tonight. Chairman Michaelsen concurred. Mr. McCarthy asked who the

actual owners of the property will be and it was said that it would VP Ventures LLC, the owners of that are Robert Parsons, Tom Matthews and (not understood). Mr. McCarthy asked who is Ramy Saif and was told that he is the current owner of the property. He asked who Mr. Shanuga is and no one was familiar with that name. Mr. McCarthy said that with respect to the retail strip mall, he asked when it would be developed and it was said that it will start just as soon as they have satisfactory interest. Right now no one is in the business of constructing retail and in response to the question regarding leasing for space, it was said that there is some leasing interest, but nothing can be promised at this time. There was discussion regarding financial backing for commercial/retail development and the requirements for getting such loans approved. It was noted that the anchor for the retail space will be the hotel. *(Note: the person answering the questions was not using the microphone and some of the comments or remarks are indistinct/unintelligible).* Mr. McCarthy (at the microphone) asked if the organization owns any other hotels in this area and if the answer is yes, are they also connected to retail operations. There are no other Value Place hotels in the area, some they are planning will be stand alone, some will have adjacent retail and some may have other outlet components with them. Mr. McCarthy asked if there is any time line that can be shown now, when there would be ground breaking for the retail component of the proposed project. All of the improvements will be installed at the same time when all of the other improvements are done. They will be spending an extra \$250,000 to improve that site and get all of the underground utilities in place and mass grading will be done. Mr. McCarthy asked if there have been any studies done any studies to ascertain whether a retail operation at that location would be viable. It was said that there have been market studies done that indicate retail would be ok and that it was done for this specific site. Mr. McCarthy asked if it can be concluded that the developer does not have intentions to spin off the retail component to a third party and just concentrate on the hotel. It was stated that this is not their intention. Mr. McCarthy said that there is a special use application that, in answer to the question and answer on the application was, "is deemed necessary for public convenience to the public" and an answer that states "that there is a shortage of extended stay lodging in the area." What does this mean and how does the applicant know, and it seems that the answer was not given by anyone here tonight, and the person that made the answer is the franchise owner. Mr. McCarthy asked if the material that was used to answer the question in the room now and it was stated that none of representatives have the information and it is not known whether this information was submitted to the staff. Mr. McCarthy asked who the competitors in the hotel business are in the area and Mr. Matthews said that Value Place is at the lower end of the price scale and competition would be Extended Stay America, although they are not on the same scale. It would certainly not be the Holiday Inn or the Hampton. In regard to the question, Mr. Matthews said that there is a general shortage of extended stay hotels in the United States according to industry reports and that he has no reason to question that study. Mr. McCarthy asked if he has had any experience in building and operating a hotel and was answered that he has experience in building but not operating hotels. It was noted that the operations would be handled by the franchisor that has a lot of experience and that Value Place would be supplying the operations personnel. Mr. McCarthy asked questions about the staffing for different times of the day and week and Mr. Matthews replied that there would be a property manager 24/7 residing on the premises and 3 to 5 other employees, a facilities manager and housekeeping staff. There was discussion regarding building materials, which will be concrete, not wood and it was noted that this 121 unit hotel is a prototype building, while the smallest Value Place is 118 units. Mr. McCarthy then asked the Commissioners to continue this matter to the next meeting.

Chairman Michaelsen then stated that the staff report will entered and made a part of the Minutes of this meeting.

GENERAL INFORMATION**Applicant:**

VP Ventures, LLC.

Size and Location:

The site consists of two adjacent parcels totaling 5.25 acres, including a 4.76-acre unincorporated parcel at 200 W. North Avenue, 950 feet west of Gary Avenue, and a 0.49-acre parcel which is part of the *Brunswick Zone* property at 170 W. North Avenue immediately to the east.. (See attached location map.)

Existing zoning and land use:

The unincorporated parcel is zoned OR Office Research District in DuPage County and is vacant. The incorporated parcel is zoned B-3 Service District and is vacant.

Adjacent zoning and land uses:

The properties to the north and east are zoned B-3 Service District and are improved with business uses, including a hotel, a car dealership and a bowling alley. The property to the south is zoned I Industrial District and is improved with a warehouse/manufacturing facility. The property to the west is zoned R&D Research and Development District and is vacant.

Attachments:

Attached for review are a location map, aerial photo, public notice, a cover letter from Peter Lofgren dated November 5, 2007, an easement agreement letter dated March 21, 2008, providing cross-access to the neighboring property, the General Application, Special Use Applications (2), Sign Code Variation Application, North Avenue Corridor Review Application, a Value Place informational packet including a comparison of conventional apartments with Value Place, a memorandum from the Carol Stream Police Department dated January 23, 2008, regarding their check on Value Place facilities in six other communities, and reduced copies of the Preliminary PUD Plan (Exhibit A), Building Elevations (Exhibit B, two sheets), Landscape Plan (Exhibit C), a signage information packet (Exhibit D, nine pages); and a Preliminary Plat of Subdivision (Exhibit E).

Request:

The applicant is requesting a Special Use for Planned Unit Development in accordance with Sections 16-9-4(C)(1) and 16-9-2(C)(1) of the Carol Stream Zoning Code; a Special Use for a Shopping Plaza in accordance with Section 16-9-4(C)(13) of the Carol Stream Zoning Code; a Special Use for a hotel in accordance with Sections 16-9-4(C)(1) and 16-9-3(C)(6) of the Carol Stream Zoning Code; Preliminary Planned Unit Development Plan approval in accordance with Sections 16-16-3 and 16-16-8 of the Carol Stream Zoning Code; Rezoning upon annexation from R-1 to B-3 Service District for the unincorporated parcel in accordance with Section 16-15-7 of the Carol Stream Zoning Code; Sign Code Variations in accordance with Section 6-11-17(D)(2) of the Carol Stream Sign Code for a pole sign to allow a lot area of 2.35 acres rather than the minimum 10 acres, building area of 10,722 square feet rather than the minimum 100,000 square feet, sign area of 180.41 square feet rather than the maximum 160 square feet, and located 20 feet from the front lot line rather than the minimum 40 feet; Preliminary Plat of Subdivision approval in accordance with Section 7-2-3; and North Avenue Corridor Review.

STAFF ANALYSIS

Peter Lofgren, on behalf of VP Ventures, LLC, has submitted an application for several zoning approvals to allow a multi-building commercial development on two parcels located on the south side of North Avenue, west of Gary Avenue. The proposed development would consist of two buildings with shared stormwater management facilities, for which the applicant is requesting a Special Use for a Planned Unit Development. The applicant is also requesting Preliminary Planned Unit Development Plan approval for the proposed development. The first proposed building is an approximate 42,900 square foot, 121-room hotel, for which the applicant is requesting a Special Use. The second proposed building is a 12,000 square foot, multi-tenant commercial shopping plaza, for which the applicant is requesting a Special Use. The applicant is also requesting four Sign Code variations for the pole sign for the hotel. The site is within the North Avenue Corridor, and so North Avenue Corridor Review is required.

The overall site consists of two parcels; one unincorporated parcel currently zoned OR Office Research District in Bloomingdale Township, and one incorporated parcel currently zoned B-3 Service District in Carol Stream. B1 Local Business District in Milton Township. The applicant is requesting that the unincorporated parcel be rezoned to B-3 Service District upon annexation to the Village of Carol Stream, which is compatible with the adjacent zoning in the vicinity of the North/Gary intersection. The annexation of the unincorporated parcel is strictly within the purview of the Village Board; the Plan Commission should consider the applicant's zoning requests as though the entire site were already annexed to the Village. Finally, the applicant is requesting approval of a preliminary plat of subdivision for the two commercial uses.

Special Use – Planned Unit Development

The applicant is requesting that a Special Use for Planned Unit Development be approved for the overall property. In consideration of the request for Planned Unit Development for this property, staff notes the following language contained in the Planned Unit Development section (Article 16) of the Zoning Code:

The primary purpose of a planned unit development is to stimulate the development of balanced neighborhoods containing physical, economic, and social assets difficult to achieve through the traditional separation of use and density zones.

Specifically, for Business Planned Unit Developments, the Zoning Code provides the following purpose:

To encourage the most orderly development of commercial properties through advance planning, and to assure adequate standards for the development of business; provide regulations to encourage a variety of building types; assure adequate open space and parking; protect residential areas from undue traffic congestion; and to allow for the placement of more than one commercial building on a single zoning lot.

From the developer's perspective, obtaining approval of a Planned Unit Development will allow for the two buildings to be constructed as a unified development, as well as the possibility for some flexibility in zoning standards, as will be discussed in detail later in this

report. It should be noted that the petitioner is requesting approval of a Plat of Subdivision to resubdivide the property into two parcels, reflective of the two separate business uses. The stormwater management facilities would be located within a stormwater management easement overlapping both proposed lots.

In review of the request for Planned Unit Development, staff notes that the overall site has some unique characteristics that have the potential to constrain its development. First, the site contains a rather large wetlands area, for which the developer is required to comply with stringent regulations as contained in DuPage County's *Countywide Stormwater and Flood Plain Ordinance*. The wetlands are located generally at the southwest corner of the site, and have the effect of forcing the development to be located within the north and east buildable area of the site. Second, the property is located on North Avenue, a wide, high-speed state highway. Commercial developments located on North Avenue typically face challenges of visibility and access. These factors will be discussed in the PUD Plan and Sign Code Variations sections of this report

In view of these factors, and in recognition that this proposal involves one of the last remaining undeveloped sites at one of Carol Stream's commercial nodes, staff does not object to the developer's request for a Special Use for Planned Unit Development for this property. The other special use requests, and specific details of the Preliminary PUD Plan, will be discussed in detail in the remaining sections of this report. In addition, the developer is requesting several exemptions from the standards of the Zoning Code as part of the Planned Unit Development process. The requested exemptions will be discussed in detail later in the report.

As stated in Section 16-15-8(E) of the Zoning Code, no Special Use shall be recommended by the Plan Commission nor approved by the Village Board unless the Special Use:

1. Is deemed necessary for the public convenience at the location.

Staff finds that the Special Use for Planned Unit Development, in association with the development of this important site within the North Avenue corridor, would serve the public convenience at this location.

2. Will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The requested Special Use for Planned Unit Development should not be detrimental to or endanger public health, safety, morals, comfort or general welfare.

3. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The proposed Planned Unit Development would not adversely affect surrounding properties.

4. Will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Most surrounding properties are already developed. The proposed Planned Unit Development would not impede the normal and orderly development and improvement of the vacant property to the west.

5. Will provide adequate utilities, access roads, drainage and other important and necessary community facilities.

Utilities are already in place. Access roads and stormwater management facilities would be provided as part of the development.

6. Will conform to the applicable regulations of the district in which it is located, except as the Village Board may in each instance modify such regulations.

The Planned Unit Development is expected to follow all the standards for Business Planned Unit Developments per Section 16-16-8 of the Carol Stream Zoning Code.

Special Use – Hotel

The applicant is requesting a Special Use for a *Hotel*, which the Zoning Code defines as, *An establishment containing lodging rooms, for occupancy by transient guests in contradistinction to a lodging house, boardinghouse, or a rooming house, and is commonly known as a hotel in the Village, and which provides customary hotel services such as maid, telephone and secretarial, bellboy and desk services, the use and upkeep of furniture, and furnishings and laundry of linens. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballroom, or meeting rooms.* The proposed hotel would contain 121 units in approximately 42,900 square feet of building space. The nature of the hotel is that of an economy, extended-stay facility that offers lodging at weekly rates. Typical guests include consultants, contractors, and out-of-towners visiting family. The amenities are limited to a common laundry room and common vending room. There are no conference rooms, pool or restaurant.

During the early coordination of this proposed development project, staff distributed information to the Plan Commission and Village Board and requested comments. The major concerns expressed were as follows:

- Does the Village's hotel tax apply to stays longer than 30 days?
- When will the retail component happen?
- The building architectural should make use of quality materials, so as not to project a poor appearance or be a fire hazard.
- Will persons make use of Value Place as an alternative to an apartment?
- Will Value Place attract disreputable or even criminal tenants?
- Is this a good use for a highly visible property on North Avenue, in terms of retail potential?
- Is Value Place a newcomer to the hotel market?
- Will the proposed Value Place have a negative impact on the Village's two existing hotels?
- Will the development be connected to adjacent properties?

Included in this packet is information provided by Value Place intended to address many of these concerns. The applicant is prepared to address all of the above issues and respond to questions from the Plan Commission and the public at the Public Hearing. Also included in the packet is a memorandum from the Police Department summarizing their investigation into existing Value Place facilities in six other communities.

Hotel Use:

Carol Stream has two hotels, Holiday Inn and Hampton Inn, which are conventional hotel facilities catering to customers of varying durations of stay and offering certain amenities. The developer notes that Value Place only offers rooms for extended stay, and offers no amenities. It is Value Place's position that they occupy a different market niche than Carol Stream's two existing hotels. Staff would note that Holiday Inn and Hampton Inn do offer extended stay terms, but do not necessarily gear their facilities to this purpose. With respect to the Village's hotel tax, it is true that the tax does not apply to stays longer than 30 days, and so the Village would not accrue as much tax revenue as it currently does from the Holiday Inn and Hampton Inn. If there were to be interest in modifying the hotel tax structure to address extended stays, a code revision would be required, and the tax structure would apply to extended stays in all Carol Stream hotels, not just Value Place.

Architecture:

During initial reviews, staff expressed concerns to the developer with respect to building architecture. These concerns included compliance with the Village's stringent building and fire codes, quality of materials, and aesthetics. With respect to the code requirements, the developer has submitted an application for building permit for the hotel, and staff is currently working with the architect to address code compliance. A permit will not be issued for the hotel building unless the design meets the requirements of the Building Code, Fire Code, and other applicable codes. With respect to materials and aesthetics, these will be discussed in the North Avenue Corridor review section of this report.

Hotel Operations:

The informational materials provided by the developer contain much information regarding the operations of Value Place with respect to tenancy, security, maintenance, management, and other operational features. The developer is prepared to elaborate on this information at the public hearing. In addition, the Carol Stream Police Department has checked with six other communities to verify the information provided by Value Place and obtain the views of those communities with respect to the concerns offered by the Plan Commission and Village Board. As noted in the Police Department's memorandum, there have been incidents and concerns at existing Value Places; however, "All of the (police) departments that have dealt with (Value Place) management said they are police-friendly. Security measures inside and outside the hotel are good, including cameras." The Carol Stream Police Department is comfortable that the proposed Value Place would not present problems to the Carol Stream community that are out-of-the-ordinary with respect to hotel facilities.

With respect to the use of Value Place as an alternative to an apartment, the developer has prepared a point-by-point comparison, contained in this packet. While the information provided therein would seem to indicate that it is unlikely persons would use the Value Place as an alternative to apartment living, it is impossible to guarantee that persons will not make this choice. However, as noted in the Police Department

memorandum, none of the six communities contacted was aware of anyone staying in a room for more than a few months.

Access and Parking:

Access to the site would take place via a right-in-right-out drive from North Avenue. In addition, the developer has obtained a cross-access agreement from the owner of the adjacent property to the east. Staff would also note that the development has been designed so as to accommodate a future connection to the signalized intersection at Windsor Park Drive to the west, to be arranged at such time as the neighboring property to the west is developed. The North Avenue access will have one entrance lane and one exit lane, with the final design subject to approval by IDOT. Once on site, drivers would drive directly to the hotel via the main parking lot drive aisle. Staff finds the overall traffic pattern to be conventional and acceptable.

Regarding parking, the hotel requires parking at a ratio of one space per room, plus spaces as required for ancillary uses such as retail or restaurant. As no such ancillary space is proposed, the required parking for the hotel is 121 spaces, one per each room. As shown on the Preliminary PUD Plan (Exhibit A), 125 spaces are proposed, and so the parking requirement is met.

Setbacks:

The applicant is requesting exemptions from the standards of the Zoning Code as part of the PUD process, and two of the requested exemptions are related to required setbacks. The Preliminary Planned Unit Development Plan contains a List of Requested Exemptions, listing three exemptions requested by the applicant. The first exemption has to do with the 100-foot front yard building setback required for development in the North Avenue Corridor; this exemption applies to the shopping plaza, and so will be discussed later in this report. The third listed exemption has to do with the parking lot greenspace requirement, and this also will be discussed later in this report. Exemption #2 is for a 20-foot pavement setback along North Avenue rather than the required 30 feet. As noted earlier, the site is constrained by a large wetlands area, which has the effect of limiting the buildable area to be located towards North Avenue. On the east side of the site, the footprint of the standard-sized Value Place, plus the required parking, fills the available buildable area. In addition, the developer desires to maximize the amount of commercial floor space in the shopping plaza, and so has filled the buildable area on the northwest corner of the site with the commercial building and required parking. In order to meet the pavement setback requirement, the developer would need to eliminate the six of the hotel parking spaces (and five of the commercial spaces) along North Avenue, thus falling two spaces below the hotel parking requirement (and three below the shopping plaza requirement). In view of the large parkway along North Avenue, as well as the desire to maximize the commercial use of the site, the developer proposes the 10-foot reduction in pavement setback.

Staff notes that the pavement setback could be met with certain revisions to the PUD Plan. The simplest way would be to reduce the size of one or both buildings. However, the Value Place building is a standard design, and a modification to a smaller size would necessitate a costly redesign. As for the commercial building, staff favors the concept of maximizing the size of this building to the extent possible. We also note that the impact is limited to six spaces on either side of the entrance drive, 12 spaces in total, which accounts for less than one-third of the total frontage. In view of these considerations, staff has no objection to the requested exemption.

Landscape Plan:

The Landscape Plan (Exhibit C) generally proposes an acceptable quantity of landscape materials around the site. The proposed landscape plan is discussed in detail in the North Avenue Corridor Review section of this report.

As stated in Section 16-15-8(E) of the Zoning Code, no Special Use shall be recommended by the Plan Commission nor approved by the Village Board unless the Special Use:

1. Is deemed necessary for the public convenience at the location.

Staff finds that an economy, extended-stay hotel would serve the public convenience at this location.

2. Will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The developer has provided information and references that indicate the hotel should not be detrimental to or endanger public health, safety, morals, comfort or general welfare. Staff has checked these references and found them satisfactory.

3. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The proposed hotel should not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values within the neighborhood.

4. Will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The hotel will not adversely affect surrounding property.

5. Will provide adequate utilities, access roads, drainage and other important and necessary community facilities.

Utilities and community facilities will be provided as part of the overall development.

6. Will conform to the applicable regulations of the district in which it is located, except as the Village Board may in each instance modify such regulations.

The hotel is expected to operate and conform with all applicable regulations, subject to exemptions to the regulations granted as part of the Planned Unit Development.

Special Use – Shopping Plaza

The applicant is requesting a Special Use for a *Shopping Plaza*, which the Zoning Code defines as *a commercial development in excess of one acre of land, improved with a*

structure containing three or more distinct and separate retail businesses, also sharing common parking areas and access drives. The proposed shopping plaza would be located on a parcel of approximately 2.6 acres, and would contain 12,000 square feet of commercial space in one building. The developer feels that the commercial presence would be viable along North Avenue, and would also provide convenient goods and services within walking distance of the hotel. However, no tenant has yet been identified for the building, and concerns have been expressed by the Plan Commission and Village Board with respect to approval of developments that have a retail component, only to see the non-retail component be constructed and the retail component disappear. The developer is in the process of obtaining a building permit for the hotel at this time, presuming he first obtains zoning approvals, the design of the commercial building has not yet begun. Therefore, it would be difficult to condition approval of the hotel upon construction of the commercial building without deferring construction of the hotel. Staff invites discussion by the Plan Commission with respect to possible conditions of approval.

Access and Parking:

As noted above, access to the site would take place via a right-in-right-out drive from North Avenue. In addition, the developer has obtained a cross-access agreement from the owner of the adjacent property to the east, and the development has been designed so as to accommodate a future connection to the signalized intersection at Windsor Park Drive to the west. The North Avenue access will have one entrance lane and one exit lane, with the final design subject to approval by IDOT. Once on site, drivers would drive directly into the shopping plaza parking lot. The lot appears to be designed to accommodate a drive-up window at the east end of the building, with a one-way aisle leading to the drive-up lane from the west and south sides of the building. However, no special use was requested for this feature, no information was provided to staff with which to evaluate the adequacy of the drive-up lane, and the special use for drive-up window was not included in the notice for public hearing; therefore, this aspect of the proposed plan must be removed. If the developer wishes to incorporate a drive-up window, he may do so as part of the Final Planned Unit Development Plan approval process. With the elimination of the drive-up lane, staff would find the overall traffic pattern to be conventional and acceptable.

Regarding parking, the shopping plaza requires parking at a ratio of four spaces per thousand square feet of floor area. For the 12,000 square foot building, the parking requirement is 48 spaces. As shown on the Preliminary PUD Plan (Exhibit A), 50 spaces are proposed, and so the parking requirement is met. However, it must be noted that this allocation presumes up to 10% of the floor area being devoted to food service use. With only two extra spaces available, it will not be possible to accommodate greater than 10% food service use in the proposed building unless additional parking were provided.

Setbacks:

As noted above, the applicant is requesting three exemptions from the standards of the Zoning Code as part of the PUD process, and one of the requested exemptions has to do with the 100-foot front yard building setback required for development in the North Avenue Corridor. As shown on the Preliminary PUD Plan (Exhibit A), the proposed shopping plaza would be located slightly more than 90 feet from the front lot line, rather than the required 100 feet. As discussed above, the site is constrained by a large wetlands area, which has the effect of limiting the buildable area to be located towards

North Avenue. The developer desires to maximize the amount of commercial floor space in the shopping plaza, and so has filled the buildable area on the northwest corner of the site with the commercial building and required parking. Staff would observe that only the northeast corner of the proposed building would be less than the required 100 feet; the majority of the building would be set back greater than 100 feet from North Avenue. Also, as noted above, the parkway along North Avenue is very large, and so the effect of the slightly reduced setback at one corner of the building would likely be unnoticeable. In view of these considerations, staff has no objection to the requested exemption.

Landscape Plan:

The Landscape Plan (Exhibit C) generally proposes an acceptable quantity of landscape materials around the site. The proposed landscape plan is discussed in detail in the North Avenue Corridor Review section of this report.

As stated in Section 16-15-8(E) of the Zoning Code, no Special Use shall be recommended by the Plan Commission nor approved by the Village Board unless the Special Use:

1. Is deemed necessary for the public convenience at the location.

Staff finds that the proposed shopping plaza, at this important location in the North Avenue commercial corridor, would serve the public convenience at this location.

2. Will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The shopping plaza should not be detrimental to or endanger public health, safety, morals, comfort or general welfare.

3. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The proposed shopping plaza should not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values within the neighborhood.

4. Will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The shopping plaza will not adversely affect surrounding property.

5. Will provide adequate utilities, access roads, drainage and other important and necessary community facilities.

Utilities and community facilities will be provided as part of the overall development.

6. Will conform to the applicable regulations of the district in which it is located, except as the Village Board may in each instance modify such regulations.

The shopping plaza is expected to operate and conform with all applicable regulations, subject to exemptions to the regulations granted as part of the Planned Unit Development.

Preliminary PUD Plan

The applicant is requesting approval of a Preliminary PUD Plan. Many aspects of the Preliminary PUD Plan are discussed elsewhere in this report, such as the building setbacks, access, parking, building elevations, landscape plan and the various Special Use requests. The Engineering Services Department has reviewed the proposed plan with respect to the feasibility of the stormwater management improvements, and found it to be feasible. Final engineering design review will be done as part of building permit review. At this time, staff can generally support the Preliminary PUD Plan, subject to the suggested conditions of approval related to the Plan, which are included in the Recommendation section of this report.

North Avenue Corridor Review

Because the proposed development is located within the North Avenue Corridor (NAC), the Plan Commission must review and approve comprehensive development plans for the property to ensure that the proposal is in conformance with the Corridor Regulations. The Plan Commission has the authority to make the final determination of conformance with the NAC Regulations, and Village Board consideration is not required. The sections of the NAC Regulations that apply to this proposal include site design, architectural design and parking/landscape design.

Site Design:

Many aspects of the site design have already been discussed in this report; as such, the comments regarding site design in this section will only relate to specific NAC standards. The NAC site design standards require service areas to be out of sight from North Avenue. The service areas of utmost concern for this project are the trash dumpster locations. In this regard, we note that the two proposed trash enclosures are shown to be placed in the least visible locations on the site. The construction materials for the enclosures has not been indicated; therefore, it is staff's recommendation that the Final PUD Plan indicate the enclosures to be constructed using masonry material that will match the buildings. Also with respect to site design, the NAC regulations require that pedestrian facilities should be considered within the site. Generally, we find the proposed pedestrian walkways to be minimal. No internal sidewalk would be provided to connect the two buildings. Staff recognizes that the two buildings are in close proximity to each other, and so it should not be difficult for persons to walk between the buildings. However, it would be preferable if there were some measure of pedestrian walkways, especially if it is the developer's intent to place a drive-up lane at the east side of the commercial building, where it might conflict with pedestrian traffic. Therefore, it is staff's recommendation that the Final PUD Plan include pedestrian facilities.

Architectural Design:

Section 16-5-7(K)(4) of the North Avenue Corridor regulations states the following:

Monotony shall be avoided within projects and between a project and its surroundings. Site characteristics to be evaluated for this purpose include building and plant materials, colors, textures, shapes, massing, rhythms of building components and details, height, roof-line and setback. Facades of buildings shall incorporate such design features as changes in materials, color, fenestration, or other significant visual relief provided in a manner or at intervals in keeping with the size, mass and scale of the building and views from public ways.

Color building elevations have been provided for the two buildings (Exhibit B). At this time, the developer has not yet determined a building material for the hotel, the choices being Hardi Board siding or Solarcrete tip-up concrete panels. Either way, the material would be textured to provide the appearance as illustrated on Exhibit B, which is that of a masonry and wood sided building. The commercial building is proposed to be constructed of Hardi Board siding and trim, with aluminum and masonry elements. The colors and designs of the two buildings are intended to complement each other. While the applicant's submittal is rather minimal, staff believes that the applicant has met the minimum standards for the NAC as given in §16-5-6-K. Pedestrian canopy is provided, monotony is avoided, and there is a sufficient degree of variety in colors and textures. However, the developer freely admits that, due to the nature of Value Place as an economy, extended-stay hotel, the building would not be constructed to the same level of quality as a higher-end hotel. Because the proposed materials are fairly new, staff is concerned with the long-term durability. Staff encourages the Plan Commission to comment on the building architecture.

Landscape Design:

With respect to site landscape considerations, the corridor regulations were designed to allow flexibility in design but require a certain amount of landscape material on-site. The amount of landscape material required is calculated by granting a point value to the type of landscape material provided and then requiring a certain number of points for specific areas of the development. For example, shade trees are worth 225 points each and evergreen trees are worth 275 points each. It is the designer's choice as to how to combine landscape materials on the site in order to meet the criteria of the ordinance and achieve the intent or concept of the corridor. As can be seen on the Landscape Plan (Exhibit C), landscape materials are shown along the North Avenue frontage and adjacent to the parking spaces, and within the parking lot landscape islands.

The NAC standards require a landscape setback in the area between the buildings and the North Avenue property line; with 3,075 points required and 3,296 points proposed, the code requirement is exceeded.

The NAC regulations also require a minimum of 10% of the area within all parking lot areas to be greenspace. These landscaped areas are to be in the form of landscape islands, and landscape material is required within these landscape islands. The parking lot area within the NACR measures 70,161 square feet, and so the 10% greenspace area standard requires 7,016 square feet of parking lot greenspace. The landscape islands depicted on the landscape plan measure about 4,134 square feet in area, which equals 5.9% greenspace. The landscape islands are required to have 2,071 points of landscape material, and based upon the landscape plan, the islands will have 4,456 points of material, which well exceeds the required point value. The applicant is requesting an exemption to allow a parking lot greenspace of 5.9% rather than 10%.

Staff notes that, as discussed in the parking sections of this report, the proposed plan provides nearly the minimum number of required parking spaces. In order to provide the required 10% greenspace, the developer would need to eliminate 15 parking spaces and replace them with greenspace. In addition, the amount of plant material proposed for the parking areas well exceeds the code requirement. In view of these factors, staff has no objection to the requested exemption.

The NAC landscape standards require a landscape screen within the first five feet immediately adjacent to the parking spaces along North Avenue, resulting in a landscape screen with a minimum of 5,428 points of landscape material. The applicant's proposed plan would provide 5,559 points, which exceeds the code requirement.

Finally, NAC landscape standards require that the open space areas outside of the above areas be landscaped, with 5,183 points required. With 5,328 points provided, this requirement is met.

Overall, staff finds the landscape plan to meet or exceed the NAC standards, with the exception of the one requested exemption regarding parking lot greenspace, for which staff has no objection. The only other comment that staff has regarding the landscape plan is that in any location where landscape materials are used to screen ground-mounted mechanical equipment, the Code requires that the screening must be equally effective in winter as it is in summer.

Rezoning

As discussed, the site consists of two parcels. The larger, unincorporated parcel is zoned OR Office Research District in Bloomingdale Township, while the small, incorporated parcel is zoned B-3 Service District. Ultimately, the Village Board will take action on the rezoning requests for both properties. However, from a procedural standpoint, the Plan Commission should not be concerned with the unincorporated status of the western parcel in making their recommendation regarding the rezoning request.

The Future Land Use Plan (FLUP) recommends a commercial use for both parcels. The property is located near the North Avenue / Gary Avenue intersection, which is one of Carol Stream's more important commercial nodes. Since the requested B-3 District is consistent with the zoning of the surrounding area, and the proposed use is consistent with the commercial land use recommendation of the FLUP, staff has no objection to the requested rezoning.

Sign Code Variations:

The applicant proposes a pole sign for the hotel, to be located at the northeast corner of the site, as shown on Exhibit A. As shown on Exhibit D, the proposed pole sign would be 25 feet in height, 180.41 square feet in area, and located 20 feet from the front lot line. The Value Place lot area is 102,267 square feet (2.35 acres), and the building is approximately 42,900 square feet. The Sign Code requirements for a pole sign are a maximum height of 25 feet, maximum area of 160 square feet, and a minimum setback of 40 feet. In addition, the minimum building size is 100,000 square feet and the minimum lot size is 10 acres. Therefore, four variations are being requested – sign area, setback,

lot area and building area. The applicant cites the need for highly visible signage so that motorists on North Avenue are able to identify the property and safely access it. The applicant believes the pole sign is necessary for their business.

The requested variations are rather large, especially the minimum lot and building sizes. In addition, staff notes that the two other Carol Stream hotels do not have pole signs, but instead have ground signs that are within the requirements of the Sign Code. Staff is sympathetic to the applicant's desire to provide motorists with visible signage, so that the interests of safe access are served. However, we do not believe the pole sign as requested is necessarily the answer, nor can we support the requested variations in view of the precedent-setting nature of the requests and the fact that other hotels in Carol Stream do not have pole signs. We note that the Sign Code allows large and visible wall signs, as well as ground signs.

When contemplating a decision on any request for a Sign Code variation, the Zoning Board of Appeals shall consider the following criteria, as stated in Section 6-11-21(B) of the Sign Code:

8. Any unique physical property of the land involved.

There does not appear to be any unique physical property of the land involved, other than the nature of North Avenue as a high-speed state highway. However, this feature is not unique to the property.

9. The available locations for adequate signage on site.

Locations for adequate signage exist on the site.

10. The effect of the proposed signage on pedestrian and motor traffic.

The proposed pole sign would provide a very visible indication of the property to motorists on North Avenue.

11. The cost to the applicant of complying with the Sign Code as opposed to the detriment, if any, to the public from the granting of the variance.

Staff does not believe that the applicant has demonstrated a cost that he would bear if forced to comply with the Sign Code. In fact, we expect the pole sign to be much more costly than a ground sign.

Staff finds the criteria for approval of the requested variations to not be met. As such, staff cannot support the requested Sign Code variations for construction of a pole sign.

Plat of Subdivision, Cross-Access Easement, and Easement Agreement:

As noted above the applicant has indicated it is his intention to prepare a plat of subdivision to create two separate lots within the development, one for the hotel and one for the commercial building. The stormwater management facilities would overlap the two lots, and would be the joint responsibility of the owners of the two lots to maintain. Staff has reviewed the preliminary plat of subdivision and recommends approval.

Summary:

In our evaluation of this project, staff finds that the request for a Special Use Permit for Planned Unit Development is reasonable. We find that the criteria for the Special Use Permits for the hotel and the shopping plaza are met, subject to conditions and staff recommendations. We further find the Preliminary PUD Plan to be acceptable, subject to the conditions noted in this report and the Recommendation section. We find the Preliminary Plat of Subdivision to be acceptable. We support the rezoning of the unincorporated parcel to the B-3 Service District. Finally, we cannot support the applicant's requests for Sign Code variations. We note that several of the conditions given in the staff recommendation are standard Village conditions, while others are specific to the petitioner's requests.

RECOMMENDATION

Based on the information submitted, and subject to the conditions listed below, staff recommends:

1. That the multi-tenant shopping plaza building shall not be permitted to have more than 1,200 square feet allocated toward food service use;
2. That the drive-up lane must be removed from the Preliminary PUD Plan before it is brought to the Village Board for final approval;
3. That the Final PUD Plan shall include pedestrian facilities;
4. That the stormwater management areas shall require final approval from the Engineering Services Department at time of building permit;
5. That traffic control signage be provided to the satisfaction of the Village Engineer;
6. That the access drive to North Avenue shall require approval from the Illinois Department of Transportation;
7. That the landscaping along North Avenue must be a hardy, salt tolerant variety to avoid winter die-off;
8. That all landscape materials shall be maintained in a neat and healthy manner, with dead or dying materials replaced with similar size and type species on an annual basis;
9. That the parking stalls shall be striped in accordance with the Village's looped striping requirements;
10. That all rooftop equipment shall be completely screened from view in all directions;
11. That all ground-mounted mechanical equipment shall be screened from view from surrounding public streets, and if landscaping is used, it must be equally effective in winter as it is in summer;

12. That all trash enclosures shall be constructed with masonry materials to match the masonry on the buildings;
13. That separate building permits are required for all trash enclosures and signs; and
14. That the development of the site and buildings will comply with all State, County and Village Codes and requirements.

In addition, staff suggests the Plan Commission consider possible comments, conditions or incentives pertaining to the timing of the shopping plaza construction, the issue of the 30-day limitation on applicability of the hotel tax, and the nature of the building materials.

Community Development Director Bob Glees gave the following summary of the staff report.

VP Ventures is requesting a number of approvals in order to develop the property at 120 W. North Avenue with a Value Place hotel and a 12,000 sf commercial building.

The requested approvals include a Special Use for Planned Unit Development, a Special Use for a Shopping Plaza, a Special Use for a hotel, a Preliminary Planned Unit Development Plan, rezoning upon annexation from R-1 to B-3 Service District, Sign Code Variations, Preliminary Plat of Subdivision, and North Avenue Corridor Review.

The hotel would be approximately 42,900 square feet with 121 rooms, while the commercial building would be a 12,000 square foot, multi-tenant commercial shopping plaza.

The overall site consists of two parcels, a 4.76-acre unincorporated parcel and a 0.49-acre incorporated parcel currently zoned B-3 Service District in Carol Stream.

Staff has reviewed the request for approval of a Special Use for Planned Unit Development, and we note that the overall site has some unique characteristics that have the potential to constrain its development. First, the site contains a rather large wetlands area, for which the developer is required to comply with stringent regulations as contained in DuPage County's *Countywide Stormwater and Flood Plain Ordinance*. The wetlands are located generally at the southwest corner of the site, and have the effect of forcing the development to be located within the north and east buildable area of the site. Second, the property is located on North Avenue, a wide, high-speed state highway. Commercial developments located on North Avenue typically face challenges of visibility and access. In view of these factors, and in recognition that this proposal involves one of the last remaining undeveloped sites at one of Carol Stream's commercial nodes, staff does not object to the request for approval of a Special Use for Planned Unit Development.

Staff has reviewed the request for approval of a Special Use for a hotel, and in doing so, we took note of concerns expressed by the Plan Commission and Village Board. These concerns are enumerated in the staff report, and addressed therein.

The nature of the hotel is that of an economy, extended-stay facility that offers lodging at weekly rates. Typical guests include consultants, contractors, and out-of-towners visiting family. The amenities are limited to a common laundry room and common vending room. There are no conference rooms, pool or restaurant. Staff notes that Carol Stream has two hotels, Holiday Inn and Hampton Inn, which are conventional hotel facilities catering to customers of varying durations of stay and offering certain amenities. It is Value Place's position that they occupy a different market niche than

Carol Stream's two existing hotels. Holiday Inn and Hampton Inn do offer extended stay terms, but do not necessarily gear their facilities to this purpose.

With respect to the Village's hotel tax, it is true that the tax does not apply to stays longer than 30 days, and so the Village would not accrue as much hotel tax revenue as it currently does from the Holiday Inn and Hampton Inn. If there were to be interest in modifying the hotel tax structure to address extended stays, a code revision would be required, and the tax structure would apply to extended stays in all Carol Stream hotels, not just Value Place.

The Police Department has investigated the experience of other communities with respect to types of tenants and hotel security, and they report that all of the police departments that have dealt with Value Place management said they are police-friendly. Security measures inside and outside the hotel are good, including cameras. The Carol Stream Police Department is comfortable that the proposed Value Place would not present problems to the Carol Stream community that are out-of-the-ordinary with respect to hotel facilities.

With respect to the use of Value Place as an alternative to an apartment, the information provided by the developer would seem to indicate that it is unlikely persons would use the Value Place as an alternative to apartment living; however, it is impossible to guarantee that persons will not make this choice. As noted in the Police Department memorandum, none of the six communities contacted was aware of anyone staying in a room for more than a few months.

Staff has evaluated access and parking for the hotel, and we find it to be acceptable and per the requirements of the code. Staff has no objection to the developer's request for approval of a special use for hotel.

Staff has reviewed the developer's request for approval of a special use for a shopping plaza, and we have no objection to approval of the request. However, we note that the Village has identified a goal of requiring the commercial portion of mixed-use developments to be constructed at the front end of projects. We invite comments from the Plan Commission regarding possible incentives or conditions of approval which may serve this goal with respect to this project.

Staff has reviewed the proposed Preliminary PUD Plan, and we find it acceptable. Access and parking are provided in an acceptable manner, and per the requirements of the code. Staff notes that the developer is requesting three exemptions from the code as part of the PUD Plan – the 100-foot front yard building setback, the 20-foot pavement setback, and the parking lot greenspace requirement. As noted in the staff report, staff finds the exemptions to be relatively minor, and justified by site constraints; we have no objection to the approval of the Preliminary PUD Plan.

Staff has evaluated the proposed development with respect to the requirements of the North Avenue Corridor Regulations, and we find them to generally be met, with the exception of the three exemptions noted above. However, we note that we do not have much in the way of performance history for the proposed building materials. Staff encourages the Plan Commission to comment on the building architecture.

With respect to the request for rezoning upon annexation of the unincorporated parcel, staff notes that the requested B-3 District is consistent with the zoning of the surrounding area, and the proposed use is consistent with the commercial land use recommendation of the FLUP; therefore, staff has no objection to the requested rezoning.

The applicant proposes a pole sign for the hotel, to be located at the northeast corner of the site, and is requesting approval of four variations from the Sign Code. Staff has evaluated the request with respect to the specified criteria for variation, and we find that the criteria are not met. Therefore, we recommend denial of the request for Sign Code variations.

Staff has reviewed the preliminary plat of subdivision and we recommend approval.

In summary, staff recommends approval of the requests for approval of Special Use Permits for Planned Unit Development, hotel and shopping plaza, and of the Preliminary Planned Unit Development Plan and Preliminary Plat of Subdivision, subject to the conditions noted in the staff report. We recommend approval of the request for rezoning upon annexation of the unincorporated parcel to the B-3 Service District. We recommend denial of the requests for Sign Code variations.

Commissioner Manzzullo asked who owns the property and was told that Ramy Saif currently owns the property. He asked when the sale of the property will happen and was told that the sale is subject to the approvals being requested. In response to the question about ownership, Mr. Parsons said that this is the first project that the development partnership, VP Partners, owns for franchisee licenses. There will be 6 in Chicago land, 3 in Michigan and 1 in Wisconsin. He answered that they do not have experience with extended stay hotels and said that as the owner, they will not have day to day contact. The operations will be handled by Value Place franchisees who are owner/operators, VP Partners is acting as the developer. Commissioner Manzzullo said that his concern is that this development will be handled by experienced people that will have the knowledge to be able have the business thrive and he asked if owners of Value Place can come to a Board meeting to answer questions and was told that they would be available. Commissioner Manzzullo asked if the samples of the building materials that were presented were new type of material being used and it was stated that the HardiBoard is a product that was developed in Australia that has a 50 year warrantee and has been used in 90 Value Place hotels and will be used in the 70 that are being built. Commissioner Manzzullo asked if the plan on maintaining ownership of the shopping plaza and was told that there are no actual signed letters of intent, but there has been interest from Dunkin Donuts. He said that he does not want to approve a special use for a shopping plaza that will remain blank. Commissioner Manzzullo noted that staff may have to look into making a Code revision to the Code to include extended stay hotels beyond a 30 day stay. Mr. Matthews commented that the Village may want to wait to make changes to the Code to get some history when the hotel is up and running to determine if there is a beneficial amount of guests that are staying more than 30 days. He noted that the existing extended stay hotels, the average stay is not more than 1 to 2 weeks by consultants and trainers. Commissioner Manzzullo asked about the mention of check-in registration to exclude sex offenders. Mr. Matthews said that the mantra is "clean and safe". Value Place policy is that if it is legal to exclude sex offenders then they will be denied access in all their hotels. Everyone has to present a picture ID at registration. Commissioner Manzzullo asked what is the plan is the sign code variance is not approved and was told that they would like to have a pylon sign, but they would an effective ground sign.

Commissioner Spink asked what market they were expecting to draw from given the state of the economy of less travel due to gas prices and business layoffs. Mr. Matthews said that starting in March of this year business at other Value Place hotels has begun to pick up and he thinks that this is a superior location to attract the increasing traveling public. He noted that another indicator of increased business are the banks that are interested in lending money for retail/commercial development. Commissioner Spink said that she is talking about wanting a quality hotel on the property and this is not meeting the quality of building materials that have been required of the Easton Park development across from the proposed hotel. What has been presented is not a quality

product and she is not in favor of what has been presented. Mr. Lofgren said that the product shown is a better than the vinyl siding that is at the Lakewood Homes development because vinyl siding is a combustible product and HardiBoard is not.

Commissioner Spink said that the product is very plain, very ordinary and looks like a barracks. It was stated that generally a hotel is a plain looking big box. They will try to improve the presentation with colors or textures. Commissioner Spink asked if there will be cinder blocks between each room to deaden sounds and was told that the hotel will be constructed in accordance with Type 3 construction. Commissioner Spink said that she is definitely against a pole sign. There was discussion regarding the training program that all Value Place managers are required to go through and it was noted that all employees are subject to fingerprint and background checks for employment.

Commissioner Hundhausen asked what appliances are in the rooms and was told that there is a cook top, a microwave, a 16 cubic foot refrigerator and iron . There is a \$10 package for dishes for the stay and they belong to the resident. There is no dishwasher. Commissioner Hundhausen said that she understands that the property will not be purchased until this request is approved. If this is approved, what is the time frame for leases for the retail and when break ground for the hotel, will it be a simultaneous project? There will be two different groups, the hotel will be going up following approval of the final engineering and other requirements, probably mid- July, for the entire site. At the same time the marketing people will be working on the leasing. The hotel will be construction driven and the retail center is market driven and they have to have letters of intent prior to building. The hotel should be finished in March 2009 and the retail would follow.

Commissioner Smoot said that he has an ethical situation. "One of the people in the audience is a good friend and he might be adversely impacted by this petition so I am going to withdraw from discussion and voting." He is recusing himself from consideration of this matter.

Chairman Michaelsen said that a lot of his questions have been answered. In regard to the cost of the room it was stated that the cheapest, smallest room is \$249 and the average weekly rate will be \$269. Chairman Michaelsen said that he is concerned with the retail center. We need to generate sales tax for the Village and he recommended that the marketing team go after retail, not dry cleaners or nail salons. As far as the hotel, Chairman Michaelsen said that he would welcome that, but he is concerned about the architecture of the building itself. Easton Park initially came in with a look similar to what is being presented for the hotel and this Commission insisted that they come up with a high end value look. North Avenue is Carol Stream's corridor and we want to continue to hold developers to higher standards than what you have presented. Chairman Michaelsen said that he would like the developers to come back to show different elevations and while it is understood that they have a budget for materials, but a more upscale look is what is wanted for this main corridor of our Village.

Commissioner Manzzullo moved to recommend that this matter be continued to the next meeting to allow the petitioner the opportunity to present different elevations for the proposed hotel and to bring Value Place owners to answer questions regarding operations of the proposed hotel. The results of the roll call vote were:

Ayes:	5	Commissioners Manzzullo, Christopher, Spink, Hundhausen & Michaelsen
Nays:	0	
Abstain:	1	Commissioner Smoot
Absent:	1	Commissioner Vora

Commissioner Hundhausen moved and Commissioner Spink moved to close the public hearing. The motion passed by unanimous voice vote.

Commissioner Manzullo moved and Commissioner Spink made the second to change the Regular Meeting date from May 26th, which is Memorial Day to Tuesday, May 27th.

The results of the roll call vote were:

Ayes:	6	Commissioners Manzullo, Christopher, Smoot, Spink, Hundhausen and Michaelson
Nays:	0	
Absent:	1	Commissioner Vora

Commissioner Hundhausen moved and Commissioner Spink made the second to re-open the public hearing to change a previous motion. The results of the roll call vote were:

Ayes:	6	Commissioners Manzullo, Christopher, Smoot, Spink, Hundhausen and Michaelson
Nays:	0	
Absent:	1	Commissioner Vora

Commissioner Hundhausen moved and Commissioner Spink made the second to continue Case # 07311 to the meeting of June 9th to insure attendance of the Commissioners. The results of the roll call vote were:

Ayes:	5	Commissioners Manzullo, Christopher, Spink, Hundhausen & Michaelson
Nays:	0	
Abstain:	1	Commissioner Smoot
Absent:	1	Commissioner Vora

Commissioner Smoot moved and Commissioner Spink made the second to close the public hearing. The results of the roll call vote were:

Ayes:	6	Commissioners Manzullo, Christopher, Smoot, Spink, Hundhausen and Michaelson
Nays:	0	
Absent:	1	Commissioner Vora

At 10:15 p.m. Commissioner Spink moved and Commissioner Hundhausen made the second to adjourn. The results of the roll call vote were:

Ayes:	6	Commissioners Manzullo, Christopher, Smoot, Spink, Hundhausen and Michaelson
Nays:	0	
Absent:	1	Commissioner Vora

FOR THE COMBINED BOARD

I. Public Hearing:

- A. #08008 - HERDRICH, RALPH A & B J – 1054 Evergreen
Zoning Code Variation
- B. #08114 - FRENCH QTR APARTMENTS LLC – 545 - 595 Gundersen
Amendment to approved PUD Plan
- C. #07311 - VP VENTURES LLC– South side of North Avenue 800 ft. West of Gary Avenue
Annexation
Re-Zoning
Subdivision
Special Use Permit for Hotel
Special Use Permit for Shopping Plaza
Special Use Permit fro Planned Unit Development
Preliminary PUD Plan
Preliminary Plat of Subdivision
Sign Code Variations
North Avenue Corridor Review

IV. Presentation:

V. Old Business:

VI. New Business:

Rescheduling of May 26, 2008, meeting to May 27, 2008, due to Memorial Day