

**REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois**

**March 13, 2006**

***ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON***

Chairman Pro-Tem Donald Sutenbach 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: Commissioner Vora, Spink, Hundhausen, Michaelsen and Sutenbach  
 Absent: Commissioner Weiss  
 Also Present: Community Development Director Robert Glees and Recording Secretary Progar

**MINUTES:**

Commissioner Spink moved and Commissioner Vora made the second to approve the Minutes of the Meeting of February 27, 2006 as presented. The results of the roll call vote were:

Ayes:	4	Commissioners Vora, Spink, Michaelsen and Sutenbach
Nays:	0	
Abstain:	1	Commissioner Hundhausen
Absent:	1	Commissioner Weiss

**NEW BUSINESS:**

Ralph Smoot was sworn in as a member of the Combined Board.

**PUBLIC HEARING:**

**A.05060      *Regency Centers, Heritage Plaza***  
***Preliminary Planned Unit Development Plan - Amendment***  
***Final Planned Unit Development Plan - Partial***  
***Plat of Subdivision - Preliminary***  
**CONTINUED FROM 2/13/06 MEETING**

Tony Haslinger of Regency Centers has filed an application to amend the Planned Unit Development Plan for the Heritage Plaza Shopping Center, which is located at the southeast corner of Army Trail Road and County Farm Road. Regency Centers is requesting approval of an amended development plan for the southwestern area of the shopping center, which has remained largely undeveloped. At this time, Regency Centers intends to construct an additional 10,200 square feet of inline space, and they are also working to prepare a revised plan for the development of the remaining vacant land.

At the February 13, 2006, meeting of the Plan Commission, the public hearing was opened and the case was presented. However, because certain design issues remained outstanding, the case was continued to the March 13<sup>th</sup> agenda. Staff has received revised plans and provided comments to the applicant.

Since the plans have not yet been revised to staff's satisfaction, it is not yet possible for the Plan Commission to take action. As such, it is appropriate for the Plan Commission to continue this matter to the March 27, 2006, Plan Commission agenda.

Commissioner Spink moved and Commissioner Hundhausen made the second to continue this matter to the meeting of March 27, 2006. The results of the roll call vote were:

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

**#06003: Carol Stream Park District, 160 W. Elk Trail  
Special Use – Pre-School Learning Center  
Zoning Variation - Parking  
CONTINUED FROM 2/27/06 MEETING**

Dan Byrd, 676 Matthew Lane, and Rick Hanetho, Dep. Director CS Park District was sworn in as witnesses in this matter. Mr. Hanetho noted that they have met with the engineering department in regard to the traffic concerns and in response have altered the proposed class schedules so that there is a 15-minute window between each session to allow traffic to flow through the property without causing a back up on Elk Trail. They have agreed to reimburse the Village for the sign costs and installation and while initially asking for a variance for parking spaces, they have now agreed to landbanking space for additional spaces. It was stated that the Park District has approached Elise Cirabassi, owner of the adjacent animal hospital, and has negotiated a preliminary agreement to build a parking lot on their property to provide additional spaces. In regard to the request for a special use for a pre-school learning center, it was explained that this property was a KinderCare day care center. Currently the Park District Pre-School program is housed in a building on Schmale Road, just north of North Avenue and when this property came up for sale, the District saw this as a great opportunity to meet the community's needs and move the pre-school program to that facility. With some minor renovation inside the building, it can be a facility that will centralize the pre-school program within the Village. Mr. Hanetho said that they do anticipate some other kinds of classes, such as music lessons, that might go on in evenings and weekends.

There were no comments or questions from those in attendance at the call for public hearing. Mr. Glees said that on November 27, 1979, the Village Board adopted Ordinance 79-11-104, which approved a Special Use for Day Care Center, Pre-School Learning Center and Nursery School for the Kinder Care facility at 160 Elk Trail. However, Kinder Care vacated the building in December 2004, and so the facility has gone unused for over a year; therefore, according to § 16-15-8 (H) of the Village Code, the Special Use is subject to termination. The Carol Stream Park District has purchased the property, and seeks approvals to use it for early learning center programs and other Park District activities.

**Special Use:**

As stated in the petitioner's cover letter, the Carol Stream Park District wishes to move pre-school classes from its shared facility on Schmale Road to the subject location. The primary use of the building would be to house the Park District's pre-school recreational programs. The facilities would consist of four classrooms, with two teachers in each class and an average of approximately 15 children per class. Four classes would be conducted in the morning, and four in the afternoon, Monday through Friday. All the classes' start times are staggered, so that classes would start fifteen minutes apart. (See the applicant's cover letter and Exhibit A.) The Park District has also stated that other classes, such as music lessons, would be held at the site on weekends.

Staff has evaluated the request from an aesthetic standpoint as well as an operational standpoint. From an aesthetic standpoint, the architecture of the proposed building and the

features of the site are compatible with the proposed use. The existing site contains outdoor recreational amenities. No modifications to the building or grounds are proposed at this time.

From an operational standpoint, the building and site were originally designed for childcare. The location is actually superior to other childcare facilities in the area in that it is not directly adjacent to a highway or within a shopping center, but rather is set within a residential area adjacent to a large open space. We expect that the location would be beneficial to the operation of the proposed facility.

**Site Access and Parking:**

With respect to parking, this property has not been altered substantially since it was built in 1979, and at this time its parking lot does not meet the current Village Code requirement for the proposed use. The existing parking lot has a total of 13 parking spaces. However, the current code requires 18 spaces for this use. Therefore, the Park District has planned traffic control measures on the existing parking lot and on Elk Trail to optimize the existing space available, and has proposed to landbank additional parking on the adjacent animal hospital property if these measures prove ineffective in providing safe and sufficient parking.

The Park District has submitted a proposal with 15 onsite parking spaces, including one handicapped space. In addition, the Park District has proposed a number of systematic and physical upgrades to facilitate the onsite parking. As mentioned above, the Park District proposes a staggered class schedule, which reduces the number of cars present at any given time on the site. They also propose to institute drop-off and pick-up procedures that include teachers meeting the cars in a defined drop-off area and escorting the child into the building. The parent would not park the car unless they arrive too early or too late. If a parent does park, they would not be able to leave the lot until the drop-off or pick-up procedure is complete for the class.

Physical upgrades are also proposed to facilitate the traffic onsite. A one-way traffic flow system would be defined on the lot. Cars would enter from the western access point and exit at the eastern access point. The eastern drive would have two lanes identified as providing a left and a right turn lane. This would reduce the potential for back up on the site. The Park District would also define a drop off area for the parents. "Do Not Enter" and "Enter" signs would be installed at the respective access points.

Engineering staff has also met with the Park District to develop traffic controls that would address the traffic issues for this site. The Park District has agreed to the following measures:

- There would be no parking, stopping or standing on the entire north side of Elk Trail;
- A school speed limit zone would be installed along an appropriate portion of Elk Trail; and,
- There would be no stopping, standing, or parking immediately to the west of the site along Elk Trail.

All signage would be installed at Park District expense and at the direction of the Department of Engineering Services.

Finally, the Park District proposes to landbank parking on the animal hospital site to the east. This step would provide a contingency plan in the event the measures put in place prove insufficient to create a safe parking and traffic situation on the site. Therefore, if the parking situation proves dangerous or disruptive to traffic along Elk Trail or within the site, the Park District would provide the additional parking for the site as designated on the Landbanked Parking Plan.

The Park District's proposed Landbanked Parking Plan was received by staff on the afternoon of Wednesday March 8<sup>th</sup>, too late for staff to perform a proper review. However, such review is

in process at this time, and staff is comfortable with the proposed concept of providing for the potential need for additional parking and will support this request, assuming satisfactory resolution of staff's comments on the plan. The Park District must satisfy staff comments regarding the Landbanked Parking Plan prior to submittal to Village Board for further action. Staff supports approval of the Special Use Permit for *Pre-School Learning Center*, subject to the conditions recommended herein. Provided that the applicant is in agreement with the recommendations listed below, staff can support approval Special Use Permit and the request for a Variation of Parking Standards.

### RECOMMENDATION

Staff recommends approval the Special Use Permit for *Pre-School Learning Center* and the *Variation of Parking Standards* subject to the following conditions:

1. That the Plan shall be revised to indicate the handicapped parking spaces in accordance with the standards of the Illinois Accessibility Code;
2. That a Sign Permit shall be obtained before any signage is provided on the site;
3. That the traffic control and landbanked parking plans be finalized by Engineering, Building, and Planning staff prior to Village Board approval;
4. That upon notification from the Village of Carol Stream that traffic characteristics have proven to be such that safety has become a concern, the Park District shall construct the landbanked parking spaces, at its expense and in accordance with the approved Landbanked Parking Plan (Exhibit C), and that failure to do so within a reasonable time shall constitute cause for revocation of the special use permit for the property;
5. That the development shall comply with all state, county and Village Codes and requirements.

Commissioner Vora asked about the type of music lessons, the age of the kids and how this use is justified by the Park District. Mr. Hanetho said that the music lessons are limited in scope to piano and guitar, that there are usually only 2 to 3 students and ages range from 7 to 17. Since this purchase by the Park District offer additional classes after the pre-school hours to maximize the use of the building.

Commissioner Michaelsen said that using the numbers supplied by the Park District, each day there would 8 teachers, and a maximum of 60 kids and there are only 13 parking spaces. So he has a great deal of concern about parking if only a few parents stay or wait through each session. Mr. Hanetho said that it is rare that parents stay for the 1.5 hr. session and in assessing the situation there are several parents that car pool and there are a couple of teachers that walk rather than drive. If it is found that it does prove to be unsafe, or parking is more of an issue, the landbank agreement that they are proposing with the animal clinic would add approximately ten spaces, which would more than adequately, address this if it becomes a problem in the future.

Commissioner Michaelsen questioned whether there has been enough time allowed between the start of each class that would allow how ever many children there were for the first class to keep a back up from forming in what would be called a stacking lane. The same problem could occur with back up from cars wishing to turn left onto Elk Trail to exit, and those wanting to turn left into the property from Elk Trail to drop off. Mr. Hanetho said that they did a test run with employees to see how the timing would work out and he said that it was well within the time between the class starts. He also agreed that there could be times when everyone came at the

exact same time, but that it would only cause minimal congestion. In response to the questions about the time of day for the last class and if there is parking lot lighting, it was stated that 9:00 to 9:30 p.m. would be the latest end a class and that currently there is not lighting in the parking lot.

Commissioner Spink asked if there would be specific employee parking and was told that if need be they are prepared to have staff park off site and that there has been a verbal agreement to allow staff to park at the strip mall west of the site. Commissioner Spink said that she does not see how any time test could be valid since children of pre-school age by law have to be in car seats, which would take a lot more time than just dropping off a child by opening a door. She also said that the time factor would be even greater in wintertime, with big coats and boots and that the increase in these times would be both for drop off and pick up at the end of the session. She asked if there would be any holiday parties or recitals for these classes and Mr. Hanetho replied that any of those programs would be held at Simkus Center or a Aldrin Center. Commissioner Spink said that she is concerned about traffic congestion on Elk Trail with the competing school hours with Western Trails School and the bus and car traffic then adding the additional car traffic for the pre-school.

Commissioner Hundhausen said that she believes that the traffic test could not have included the driver putting the car in park, getting out the vehicle, releasing the child from a seat belt, and then getting back into the vehicle, putting on a seat belt and driving away. She suggested that there may be a way to double stack the arriving cars for unloading kids.

Commissioner Smoot asked if there were any traffic problems in the area when the day care was in operation. Commissioner Michaelsen said that the traffic pattern for a day care is not at all consistent with pre-school, since day care is a single drop off in early morning hours and a pick up generally after the normal school day is over. There were not several cars moving in and out on two-hour time schedules.

Mr. Glees noted that during the staff review, the Police Department expressed that there are no records pertaining to the KinderCard, but that there is concern about Elk Trail traffic. In response to the question, there are 160 children enrolled for these programs.

Commissioner Sutenbach was told that classes start every 15 minutes from 8:45 a.m. with a total of four morning classes and four afternoon classes. The class duration is 1.5 hours and the p.m. classes are less popular. Commissioner Sutenbach said that he is concerned about the limited parking and it was pointed out that the landbanked parking places would actually be a continuation of the current parking lot of the animal clinic and that there could be a maximum of 14 fourteen spaces. It was stated that conceivably there could be classes at this facility seven days a week. Commissioner Sutenbach summed up his concerns saying that there is not enough parking, the facility will be used for more than just a pre-school learning center, so it appears that additional parking is required for parents to park for after school classes or even kids of driving age, since this could be a full service Park District facility and that there is not any lighting in the parking lot for evening classes and that there could be stacking on Elk Trail without a really good plan to alleviate that.

Commissioner Michaelsen asked what the capacity of the building would be and asked if the facilities remain set up for child size toilets, sinks, etc. Mr. Hanetho said he does not know the capacity of the building and that it is designed for children's use. He said that there are no plans for the weekends and it is understood that a special use will be applied for if such plans are envisioned.

Commissioner Spink asked if the classrooms are permanently partitioned and was told that currently the dividers are temporary, but the Park District will be constructing permanent dry wall making up four classrooms.

It was indicated that they are in agreement with the staff recommendations. In subsequent discussion it was determined that the special use and the variation for landbanked parking would need to be approved and that the matter will not proceed for Village Board approval until such time as the landbanking issue is satisfied.

Commissioner Spink moved and Commissioner Vora made the second to continue this matter to the meeting of March 27, 2006 to allow staff more time to review the parking landbanking

plan and to provide the Commission with more accurate information. The results of the roll call vote were:

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

**#05348: Universal Health II, LLC, 505 E. North Avenue  
Special Use - Medical and Rehabilitation Facility  
CONTINUED FROM 2/27/06 MEETING**

Robert Kaplan of Universal Health, LLC. has filed an application to request a Special Use for a Medical and Rehabilitation Facility at 505 E. North Avenue within an existing multi-tenant building within the I Industrial District. Mr. Kaplan intends to open a facility that offers therapeutic groups, individual counseling, and various skill training activities to clients diagnosed with psychiatric challenges.

This matter was continued from both the February 13, 2006, and the February 27, 2006, agendas due to lack of response from the petitioner regarding information requested by staff. While Universal Health did submit information in response to staff's original commentary letter, the petitioner has yet to respond to additional staff requests for detailed site plan and parking information. Staff requires this information to complete the review of this request.

Since no response has been received regarding these issues, it is not yet possible to bring this matter forward to the Plan Commission for consideration. As such, staff recommends the Plan Commission to continue this matter to the to the March 27, 2006, Plan Commission agenda.

Commissioner Michaelsen moved and Commissioner Spink made the second to continue this matter until the meeting of March 27, 2006. The results of the roll call vote were:

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

**05292: Parkview Development, Southeast Corner of Gary Avenue and Lies Road  
Final Planned Unit Development Plan - Partial  
CONTINUED FROM 2/13/06 MEETING**

Matthew Klein, 322 W. Burlington, LaGrange, IL, Mark Nelson 325 W. Huron St. Chicago, IL and Michael Lindsey 103 Ann Clarendon Hills, IL were sworn in as witness in this matter. Mr. Nelson said that in response to commentary asking for more relief in the elevations of the building they have taken the end cap units and pushed them out some 42 inches and then recessed the bays on either side and the center section moved forward approximately two feet. There have been three architectural features added create more visual interest while the screening has been improved and the materials remain similar to those at Town Center such as standing seam roof, and Lannon stone accents. The adjacent property owner has agreed to allow an access road on their property on Lies Road and the DuPage County Transportation Dept. has final engineering approval, but has said that a south bound left turn lane. Elevation

drawings were shown illustrating the change in design.

There were no comments or questions from those in attendance at the call for public hearing. Mr. Glees stated that this report serves as an addendum to the report that was presented to the Plan Commission/Zoning Board of Appeals (PC/ZBA) at the January 9, 2006, meeting. At that meeting, representatives for Parkview Development Partners made a presentation requesting several zoning approvals that would allow for the development of the southern two-thirds of the 5.27-acre property at the southeast corner of Gary Avenue and Lies Road. The project would consist of two phases, the first of which would be the construction of two 11,859 square foot inline commercial buildings, for a total of 23,718 square feet of commercial space. The applicant proposes to subdivide the 5.27-acre lot into two lots with the two proposed buildings being located on the southerly 3.33 acres, and phase two to be developed the in the future.

At the public hearing on January 9, 2006, the Plan Commission / Zoning Board of Appeals voted 4-0 to recommend approval of the requests for, and also approved the Gary Avenue Corridor Review. However, the design of driveway access to Lies Road was still in progress; coordination with the adjacent property owner to the east was necessary in order to develop a shared access as required by the annexation agreement for the property. Therefore, consideration of the Final Planned Unit Development Plan for phase one was continued to the February 13, 2006, meeting, and again to the March 13, 2006, meeting. In addition, the Village Board at their January 17, 2006, meeting approved the requests for Special Use for Planned Unit Development, the Preliminary Planned Unit Development Plan, and the Special Uses for Shopping Plaza, Outdoor Seating and Bank, but directed that the applicant revise the building facades so that the building lines would be less monotonous.

Summary:

The engineering design of the driveway access to Lies Road, as well as the architectural design modifications, have been completed. The proposed design of the access to Lies Road has been approved by staff and agreed to by the adjacent property owner. (See attached letter dated February 24, 2006, from Globe Corporation.) The petitioner has submitted revised building elevations (Exhibit D) to address the concerns expressed at the Village Board meeting. In our evaluation of the additional documents presented for this project, we find the Final PUD Plan, for Lot 2 only, to be acceptable subject to the conditions noted in the Recommendation section.

Staff recommends approval of the Final PUD Plan for proposed Lot 2 only, subject to the following conditions:

1. That the outdoor seating areas shall be at the locations designated on the approved Final PUD Plan, and shall be for restaurant uses only. That the architectural features and materials of the outdoor seating areas, including but not limited to the tables, chairs, lighting and other amenities, must be of high quality, and that the Community Development Director shall have the option of bringing a specific use back to the Plan Commission for approval if the materials and design are judged insufficient
2. That the access drives to Gary Avenue shall require approval from the DuPage County Division of Transportation.
3. That the trees along the Gary Avenue frontage shall be of a minimum 3½-inch caliper;
4. That cobble boulders shall be provided in the parking lot islands;
5. The property shall be marketed for food service and retail development.

6. That there shall be no auto service, no outdoor storage, display or sales, and no restaurant drive-up facilities;
7. 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;
8. That the parking stalls shall be striped in accordance with the Village's looped striping requirements;
9. That all rooftop equipment shall be completely screened from view in all directions;
10. That all ground mounted mechanical equipment shall be screened from view from surrounding public streets;
11. That only channel letter wall signs and no box signs shall be permitted, to maintain a more attractive appearance of the building façade;
12. That separate building permits are required for all trash enclosures and signs; and
13. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

Commissioner Michaelsen asked how much truck traffic will be from Globe Corporation and it was stated that their truck terminals are located on the east side of the building and they have an access directly to Lies Road from the east so it would be unlikely that their truck traffic would be directed to the western entrance. Commissioner Michaelsen said that he would like the staff recommendations to reflect that any replacement landscaping be the same size material as was required on the approved plan.

Commissioner Hundhausen moved and Commissioner Michaelsen made the second to recommend approval of the Final Planned Unit Development Plan for Lot # 2 Only in accordance with staff recommendations as amended for landscape replacement. The results of the roll call vote were:

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

The petitioner was advised that this matter will be heard by the Village Board at their next meeting on March 20, 2006 and was advised to attend that meeting.

At 8:45 p.m. Commissioner Michaelsen moved and Commissioner Vora made the second to close the Public Hearing. The results of the roll call vote were:

Ayes:	6	Commissioners Smoot, Vora, Spink, Hundhausen, Michaelsen & Sutenbach
Nays:	0	
Absent:	1	Commissioner Weiss

Mr. Glees reported that he will be out of town for an APA conference and he requests that that April 24, 2006 meeting be cancelled.

Commissioner Hundhausen moved and Commissioner Michaelsen made the second to cancel the meeting on April 24, 2006. The results of the roll call vote were:



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

Mr. Glees also noted that at the moment there are no cases scheduled for the April 10<sup>th</sup> meeting, but since there is the possibility of cases being continued, he will not request canceling that meeting at this time.

At 9:00 p.m. Commissioner Michaelsen moved and Commissioner Hundhausen made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD