

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

March 27, 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: Commissioners Smoot, Spink, Weiss, Michaelsen, Hundhausen & Sutenbach
Absent: Commissioner Vora
Also Present: Community Development Director Bob Glees and Recording Secretary Progar

MINUTES:

Commissioner Spink moved and Commissioner Hundhausen made the second to approve the Minutes of the Meeting of March 13, 2006 with the correction of scrivener's errors on pages 5 and vote totals on page 6. The results of the roll call vote were:

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

PUBLIC HEARING:

**#05348: Universal Health II, LLC, 505 E. North Avenue
Special Use - Medical and Rehabilitation Facility
CONTINUED FROM 3/13/2006 MEETING**

Mr. Glees reported that the request for information from the petitioner is relatively minor otherwise staff would advise the petitioner that if he fails to submit the information that the matter would be voted out. In view of the fact that it is so minor he is reluctant to recommend that, so the recommendation is to continue the matter all the way out to May 8, 2006 and if there is no response by that time, the matter will be declared stale and no further action will be required.

Commissioner Smoot moved and Commissioner Hundhausen made the second to continue this matter to the meeting of May 8, 2006. The results of the roll call vote were:

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

At this point it was noted that due to a scheduling conflict, the Combined Board was asked to reschedule their Regular Meeting from Monday, April 10, to Tuesday, April 11, 2006. Commissioner Hundhausen moved and Commissioner Michaelsen made the second to

reschedule. The results of the roll call vote were:

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

**#06037: Harlem-Irving Companies, SW Corner of Gary Avenue and Stark Dr.
Special Use - Planned Unit Development
Preliminary Planned Unit Development Plan
Special Use – Early Learning Center
Gary Avenue Corridor Review**

At the request of Staff and the applicant, Commissioner Hundhausen moved and Commissioner Michaelsen made the second to continue this matter to the meeting of Tuesday, April 11, 2006. The results of the roll call vote were:

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

**#05349: Fritz Duda Company, SW Corner of North Avenue and Schmale Road
Final Plat of Subdivision**

Dominic Signoretta and Mike Wagoner were sworn in as witnesses in this matter. Mr. Signoretta explained that the property for development is currently five different parcels and this subdivision into two lots will provide for Lot #1 for all of the commercial/retail development and Lot # 2 will be for the warehouse/industrial use. The developer is in agreement with the conditions noted in the staff report.

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 staff report for Case No. 05349, presented at the February 13 and February 27, 2006, Plan Commission/Zoning Board of Appeals meetings. At the February 27th meeting, by a 5-0 vote, the Plan Commission recommended approval of a special use for Planned Unit Development, a special use for Shopping Center, a Preliminary Planned Unit Development Plan, and rezoning of the proposed Lot 1 to B-2 General Retail District. Also by a 5-0 vote, the Plan Commission approved the North Avenue Corridor Review, a variation from the Fence Code, and two variations from the Sign Code. Finally, by a 5-0 vote, the Plan Commission continued the request for approval of a Final Plat of Subdivision to the March 27, 2006, meeting.

As noted in the previous staff report, the proposed development includes five separate parcels. In order to create two parcels, to accommodate the separate commercial and industrial uses, the applicant has prepared a plat of subdivision, "Duda's First Resubdivision," for the property. The commercial development, Lot 1, would consist of 10.5 acres and would be zoned B-2 General Retail District, while the industrial property, Lot 2, would consist of 16.8 acres and would include the existing McKesson warehouse/distribution facilities.

Since last December, the applicant has been working on the final engineering design of the proposed redevelopment project. The majority of the technical engineering issues have been

resolved; however, the stormwater management design has not yet been finalized. While staff is comfortable that the proposed engineering design is feasible, the stormwater permit application is still in review by the Village's consultant at this time, and it is possible that the completion of the review and approval process may result in minor changes to the locations of storm sewers, basins or overland flow routes. As such, the precise locations of the necessary stormwater management easements are not yet known.

In review of the Plat, Community Development Department staff finds it to be in general conformance with the approved Preliminary PUD Plan. However, the plat does not contain the necessary stormwater management and conveyance easements. In order to allow the applicant to move forward with the proposed project, we suggest that the Final Plat of Subdivision may be approved with the condition that no building permits for the project will be issued until a plat of stormwater management and conveyance easement is approved by the Village Board. The Engineering Services Department concurs with the approval of the Plat, subject to the aforementioned condition.

Staff recommends approval of the Final Plat of Subdivision of Duda's First Resubdivision, subject to the following conditions:

That the storm water management design must meet the requirements of the Village of Carol Stream and the DuPage County Countywide Storm Water and Floodplain Ordinance; and

That no building permits for the project will be issued until a plat of stormwater management and conveyance easement is approved by the Village Board.

That the certifications contained on the plat shall be corrected to the satisfaction of the Engineering Services Department before bringing the plat to the Village Board for approval.

Mr. Glees also noted that staff is comfortable with approving the plat with the condition that no building permits will be issued until the petitioner comes back with another plat which will be a Plat of Easement that will define the stormwater management easements.

There were no further comments or questions.

Commissioner Weiss moved and Commissioner Spink made the second to recommend approval of a final plat of subdivision "Duda's First Resubdivision" for the property at 500-520 E. North Avenue in accordance with staff recommendations. The results of the roll call vote were:

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

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on April 3, 2006 and was advised to attend that meeting.

**#06045: Denny Vo, 507 S. Schmale Road
Special Use – Billiards/Pool Halls**

Robert McNees, 195 Hiawatha Drive, Carol Stream representing Denny Vo and Henry Tran (acting as translator) were sworn in as witnesses in this matter.

Mr. McNees explained that the property in question is located at 507 S. Schmale Road in the Northland Mall center. The proposed Special Use would be to allow a very small office area that would be used for financial services specifically directed for the Vietnamese families that

are in the Carol Stream, Wheaton, Glendale Heights area. The balance of the area would be for a Billiards/ Pool Hall /Game Room. Mr. McNees said that Mr. Vo is seeking to have eight billiard tables, two pool tables, two air hockey tables, three foosball tables and several arcade games. He proceeded to give an explanation of the billiards game and said that it is a very popular game with Vietnamese, Laotian and other people of Asian culture since it was introduced in Indo-China during the French occupation. The petitioner is proposing to limit the number of people allowed in the game room at one time in order to limit the number of rest room facilities that would be required by the Code, and to allow for the security measures required for the licenses to be maintained. The petitioner stated that they will comply with all regulations required by the Police Department to maintain the license, and that they concur with the recommendations in the staff report.

There were no comments or questions from those in attendance at the call for public hearing. Mr. Glees said that Denny Vo is requesting approval of a special use permit to operate a pool hall at the Northland Mall shopping center located at the northeast corner of Schmale Road and Geneva Road. The proposed pool hall would occupy a 3,630 square foot tenant space located in the proposed tenant space #156 within the building at the south end of the center. This pool hall request is unusual in that the applicant proposes to co-lease the tenant space. A separate office space, approximately 504 square feet, would provide financial services, such as accounting, real estate, and mortgage lending. A site plan for the Northland Mall shopping center has been provided as Exhibit A, and the tenant space is identified in Exhibit B. A conceptual floor plan prepared by the applicant has been provided as Exhibit C. The applicant proposes ten billiard tables, three foosball tables, two air hockey tables, and four game machines. Mr. Vo also proposes to offer refrigerated drinks, two vending machines, a service counter area, and a large table with twelve chairs

The specific request to be considered is a special use permit in accordance with § 16-9-4(C)(12) of the Carol Stream Zoning Code in order to operate a billiards/ pool hall in the B-3 District.

The pool hall must comply with the licensing requirements of the Carol Stream Municipal Code, Chapter 10: Business Licensing and Regulation, Article 2: Amusements; specifically, the section concerning amusements and game rooms (Exhibit D). This section is fairly comprehensive and requires ownership and background information, limitations on hours of operation, security provisions, and loitering restrictions in order to properly monitor the activities that will be conducted. Pool tables are considered amusement devices and pool halls are classified as game rooms as defined in the Carol Stream Municipal Code. In this case, the billiards activity would be the principal use of the establishment, where various amusement devices would also be in operation. The proposed pool hall would be subject to business licensing requirements for *Amusements*, including annual fees for the business license and 19 amusement devices as well as an investigation fee. Any vending machines or other electronic amusement devices would be subject to additional fees and licensing requirements. The Village Code requires that the business close no later than 11:00 p.m., and that an unobstructed view of the entire interior must be maintained at all times.

In general, the compliance with Chapter 10, Article 2: Amusements will address the most notable comments received from other departmental reviews of this application. The Police Department's primary concerns involve security issues, the monitoring of customers within and outside of the establishment, and the hours of operation. These concerns are addressed and supported by Article 2, as noted above. The applicant has also agreed to limit the hours of operation to 9:00 a.m. to 11:00 p.m., Monday through Saturday and 10:00 a.m. to 11:00 p.m., Sunday.

From a zoning perspective, the proposed use would be within the Northland Mall shopping center, located within an established business sector and surrounded by other retail uses along Schmale Road. Within the center, a total of 793 parking spaces are provided with a mix of uses

requiring parking at various times throughout the day and night. This use would fill one of several vacant tenant spaces that exist within this center.

The proposed pool hall should not pose a problem within the retail center in terms of parking due to the anticipated peak hours and the nature of other retail and office uses within the center. The Village's amusement licensing requirements address valid concerns identified by the Police Department in terms of security, basic operations and loitering on the premises. However, to directly address these issues through the special use process, staff's specific concerns are included as conditions of approval.

Staff recommends approval of the request for billiard/ pool hall to be located in a 3,603 square foot tenant space at 507 S. Schmale Road in the Northland Mall shopping center, subject to the following conditions:

1. That the billiard/ pool hall shall be developed in general conformance with the floor plan attached as Exhibits B and C (unless specifically revised per Police Department comments during the amusement licensing process);
2. That the hours of operation shall not exceed 11:00 pm on any day;
3. That the façade windows shall be kept free of any signage and coverings or curtains, and an unobstructed view of the interior shall be maintained at all times;
4. That separate washroom facilities shall be provided for male and female customers as required per building code; and
5. That the facility shall comply with all state, county and village codes and requirements.

Commissioner Smoot asked how this would be made into a family environment since historically a pool hall was not considered an appropriate place to be. Mr. McNees said that the proposal is not for a traditional pool hall, that the focus is on the playing of billiards which can be played over a long period of time to determine a winner, unlike standard pocket pool play. The petitioner proposes adding games like foosball and air hockey and some arcade games so that children will have amusements while adults concentrate on billiards play. There will be no alcohol served, nor will there be any alcohol allowed on the premises, no loitering will be permitted, any manager will be over twenty five years of age and they will meet every specific item required in the regulations for a game room.

Commissioner Weiss said that he is concerned with the security issue and asked how it will be dealt with directly. Mr. McNees said that the burden of security is clearly on the owner and that this owner will work directly with the Police Department to use whatever measures are required. In response to the questions about age limits, there would not be any specific age limits set, but they would expect that younger children and teen would be accompanied by parents or other responsible adults. It was added that there will not be any amplified music and that the game machines would be arcade type games, not gambling.

Commissioner Hundhausen asked about the food and drink service and was told that there would be soda, water and coffee and packaged foods in machines, but there would not be pizza or anything like that. In response to the question of the use of the table and chairs, the petitioner said that many Asian families come together so the men can play billiards and the wives and families sit and visit and have snacks while they are waiting. It is a socialization time for those families. The petitioner also noted that if the Police Department requires an age limit without an accompanying adult, they will post such signs since they are not anxious to have a bunch of kids running around without supervision. Mr. McNees stated that this is not intended as a teen center, but an adult business that will cater to families.

In response to the questions by Commissioner Spink, it was determined that the maximum of 50 people would include employees of both the financial services and the billiards hall. That there

would be one big screen TV that would be to have cartoons playing as background for children, smoking would be permitted, there would be a microwave oven on the premises, but it would be for use only by the employees, there would be no entry fee, but it would be pay to play and if not playing no loitering would be permitted. It was stated that average fees for billiards is \$8.00 to \$15.00 per hour. There was also discussion in regard to not allowing personal food and beverages to be brought in to the premises and that while the owner is expecting the most response from the Asian population in the surrounding area, anyone would be welcome. It was also noted that the age of a player is not the ruling factor for billiards, it is the height of the player because of the size of the table and the fees to play.

Commissioner Michaelsen asked if there would be security cameras, and the petitioner said that they were considering two monitors, but if the Police Department required actual video cameras they would try to meet those requirements. In response to the question about tournaments and private party play it was determined that there would be no tournament play and that they would not rent out the premises for private parties. It was stated that coins would be used for the games and play tables. It was also noted that there is a five year lease for the building and that there are approximately 1500 Asian families living in the surrounding areas.

Commissioner Weiss moved and Commissioner Hundhausen made the second to recommend approval of a Special Use permit for a billiards/pool hall in accordance with the staff recommendations. The results of the roll call vote were:

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

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on April 3, 2006 and was advised to attend that meeting.

A short recess was taken at this time.

**#05060: *Regency Centers, Heritage Plaza*
Preliminary Planned Unit Development Plan - Amendment
Final Planned Unit Development Plan - Partial
Plat of Subdivision - Preliminary
CONTINUED FROM 3/13/2006 MEETING**

Greg Dose, 835 McClintock Drive, Tony Haslinger, 43 Mossberry Road, Cincinnati, Ohio were sworn in as witnesses in this matter.

Mr. Haslinger gave an overview of the changes made to the site plan in response from comments from staff and this Commission, stating that they are seeking approval of the final subdivision plat and the final plan for Lot 4e. The proposal includes the building of 10,200 sf of additional shop space and some of the changes are striping at the intersection and the removal of a drive entrance east of the bank as well as some changes to the parking field. They are proposing additional signage for pedestrian crossings and additional speed limit signs and cross walk painting to heighten the awareness of people crossing the street to access the retail or outlot restaurants. The landscaping in the parking areas has been increased to exceed the Code requirements. They feel that this is a plan that they can take to market and develop over the next couple of years.

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 staff report for Case No. 05060, presented at the February 13 Plan Commission/Zoning Board of Appeals meeting. At that meeting, the public hearing was opened and the applicant made his presentation of the proposed project. The staff analysis contained herein is an addendum to the staff report

provided at the February 13, 2006, Plan Commission/Zoning Board of Appeals meeting. Tony Haslinger of Regency Centers has submitted an application seeking to amend the Preliminary Planned Unit Development (PUD) Plan for Phase Three of the Heritage Plaza shopping center. Heritage Plaza Phase Three is the approximate 6.2-acre undeveloped tract located at the southwest corner of Heritage Plaza, on the east side of County Farm Road just south of Army Trail Road. At this time, Regency Centers intends to construct an additional 10,200 square feet of inline space, and they have also prepared a revised plan for the development of the remaining vacant land. The requested amendment would result in a change in the type and configuration of the commercial development that would ultimately occur, as well as the creation of six lots out of the existing two lots through the subdivision process.

As noted in the previous staff report, it is staff's view that the site access and parking aspects of the proposed amendment to the Preliminary PUD Plan are very similar to the Preliminary PUD Plan approved in 1993, and in fact the site access from County Farm Road is in place at this time. At the February 13, 2006, meeting, several concerns were raised by Plan Commissioners regarding access characteristics, and the applicant has attempted to address those concerns in his proposed plan. Signage would be added at the bank entrance near County Farm Road warning motorists not to block the intersection. In addition, the proposed driveway to be located just east of the aforementioned bank entrance has been removed. Finally, the proposed parking field at Parcel 5b has been made simpler and more conventional. Engineering staff has no concerns with respect to the access configuration of the proposed plan. Regarding vehicle parking, the proposed Preliminary PUD Plan contains a parking table that shows how the proposed plan would provide parking in conformance with Zoning Code requirements, with 368 spaces required and provided.

Proposed building elevations for Parcel 4e (Exhibit E) were provided and evaluated in the previous staff report. As noted, staff finds the building elevations for Parcel 4e to be in substantial compliance with the general design guidelines for the remainder of the existing shopping center. With respect to the building itself, staff recommends the following conditions: Only channel letter signs be permitted as the wall signage for all tenants and businesses in this development.

All rooftop mechanical equipment shall be screened from view in all directions by the parapet wall.

The trash enclosure shall be constructed of brick to match the building.

With respect to the architecture for the remainder of the center, the applicant has not submitted building elevations at this time. Several of the outlots may one day contain national tenants whose architecture is an element of their identity, and therefore the building elevations cannot be determined at this time. Staff notes that development of any of the lots would require approval of a Final PUD Plan, and thus the architecture would be reviewed at that time.

Proposed landscaping plans have been provided and are attached as Exhibits B and D. Landscaping would be provided along the frontages of the east-west access roadway. In addition, the 40-foot area between the south parking areas and the existing residential neighborhood would also be landscaped. The parking areas would include 7.6% green space, which exceeds the 5% required by the Village Code. Staff has reviewed the landscape plans and we find them to be in compliance with the Village's standard requirements.

Final PUD Plan – Parcel 4e:

The applicant seeks approval for the Final Planned Unit Development Plan for the 10,200 square foot commercial building designated on Parcel 4e, and associated parking on the north side of the main access drive. Landscaping would be provided in accordance with Village requirements, and staff finds the proposed architecture acceptable. Site design and architectural characteristics have been evaluated in the previous staff report and this

addendum.

One issue that staff has with the proposed Final PUD Plan for Parcel 4e is that of parking. As shown on the proposed Preliminary PUD Plan (Exhibit A), the overall parking requirement of 368 spaces would be met. However, the applicant proposes to construct only 60 spaces as part of the proposed development of Parcel 4e, whereas 80 spaces are required. Examination of the parking table on Exhibit A reveals that the additional 20 spaces would be contained within the proposed Phase 2 parking area to the west of the Phase 1 area. While the ultimate parking requirement would be met for the overall Phase Three development, the proposed shortfall of 20 spaces would represent a **deviation** from design standards for the development of Parcel 4e. There is the possibility that the parking proposed for the development of Parcel 4e may prove insufficient; however, in view of the availability of ample nearby parking within the existing center, staff believes that the amount of spaces proposed by the applicant should be sufficient. The Plan Commission is invited to comment on this matter.

In review of the Plat, Community Development Department staff finds it to be in general conformance with the Preliminary PUD Plan. However, minor wording revisions need to be made to the provisions on the plat so as to conform to the Village's standard text. In order to allow the applicant to move forward with the proposed project, we suggest that the Final Plat of Subdivision may be approved with the conditions that the cross-access easement provisions shall be revised to comply with the Village's standard language, and the Village's standard provisions for stormwater management and conveyance shall be provided. The Engineering Services Department concurs with the approval of the Plat, subject to the aforementioned conditions.

The applicant is proposing an amended Preliminary PUD Plan for Heritage Plaza Phase Three, and a Final PUD Plan for Parcel 4e with a deviation in the amount of parking to be provided. In deliberating over the proposed Preliminary PUD Plan amendment, both the short-term and long-term interests of the Village and the development potential of the property should be contemplated. In the short term, the applicant is proposing to subdivide the 6.2-acre property into several smaller lots, and construct the proposed 10,200 square foot multi-tenant commercial building on Parcel 4e. In examining the long-term view, and keeping in mind the vision for the property as evidenced by the Preliminary Planned Unit Development Plan approved by the Village Board in 1993, the substantial reduction in commercial floor space with respect to the approved plan is a concern. We note that the proposed plan would achieve only 35% of the commercial floor space of the 1993 plan, an important point when considering the Village's efforts to continue to expand retail uses to strengthen the Village's sales tax revenues. On the other hand, Regency is the first developer in 13 years to step forward and propose the construction of commercial space in Heritage Plaza Phase Three. In addition, lease restrictions require that development of the property be approved by the main anchor tenant, Jewel, who opposes a plan that would include large buildings. Finally, staff would note that many brokers and developers who work in the Carol Stream area maintained for several years that there is little market for big-box or mid-size box developments at most locations in Carol Stream. The only such developments we have seen in recent years have been Home Depot and Lowe's, the former of which needed to fill a gap in their Chicago market coverage, and the latter being a new entry into the Chicago market.

In their deliberations for this case, the Plan Commission is encouraged to consider the trade-offs in terms of the present values of the proposed development versus vacant land, as well as the future values of the reduced commercial space versus the larger plan, and the likelihood of each. The Plan Commission should also consider whether the proposed development is reasonable in terms of today's market conditions, as well as the development constraints presented by Regency's lease agreement with Jewel.

Staff recommends approval of the amended Preliminary Planned Unit Development Plan for Heritage Plaza Phase Three, the Final Planned Unit Development Plan for Parcel 4e, and the Final Plat of Resubdivision for Heritage Plaza Phase Three, subject to the following conditions:

1. That separate building permits are required for all trash enclosures and signs;
2. That the trash enclosures shall be constructed of brick to match the buildings;
3. That only channel letter signs, and not box signs, be permitted for all tenants and businesses in this development;
4. That all rooftop equipment on both buildings be completely screened from view in all directions;
5. That all ground mounted mechanical equipment shall be screened from view from surrounding public streets;
6. 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 as indicated on the approved landscape plan on an annual basis;
7. That the parking stalls shall be striped in accordance with the Village's looped striping requirements;
8. That the cross-access easement provisions on the plat of subdivision shall be revised to comply with the Village's standard language prior to Village Board approval;
9. That the Village's standard provisions for stormwater management and conveyance shall be provided on the plat of subdivision prior to Village Board approval; and
10. That the development of the site and buildings will comply with all state, county and Village Codes and requirements.

Commissioner Michaelsen commented that he would still like to see this development on the other side of the street because of the heavy vehicular traffic that is on the street. He also stated that he would like to have condition # 6 amended to include that replacement landscaping shall be the same size as originally required. The Commissioners agreed with this amendment.

Commissioner Spink asked how long it will take to do Phase III and she was told that they will develop Lot 4e immediately upon approval and that the balance of the available space in the center should develop in the next 2 to 3 years if the market continues. Mr. Haslinger noted that Jewel, which has development approval, would not approve moving the proposed development to the other side of the street. He responded to the question of new Jewel ownership that they are not expecting any changes in the decision-making personnel in the Chicago market. Mr. Haslinger said that there has been interest shown in this proposed development, but that they do not have any letters of intent or commitments.

Commissioner Weiss commented that he is not in favor of the parking/building position for Heritage Plaza because it is already difficult to get around the area now and the continuation of the current pedestrian parking situation will not make traffic any better or less hazardous for pedestrians. In response to the question, it was determined that Heritage Plaza does have a parking and traffic agreement with the Village Police Department.

Commissioner Smoot asked if the sidewalks from the new development will connect to the others and was told that they will. In response to whether they will be bike path friendly, he was told that would not be possible within the Plaza.

Commissioner Sutenbach said that he agrees with Commissioners Michaelsen and Weiss in regard to the pedestrian safety with the additional traffic that will follow. He is also disappointed in the proposed amount of space to be developed as opposed to the original plan for Heritage Plaza. Mr. Haslinger commented that analysis shows that the proposed development and traffic calming procedures are ok for this property. He added that the original plan can not be developed in the frame work of today's market as is demonstrated by this being the first plan in 15 years to be proposed for this site. In response to Commissioner Sutenbach's suggestion that the proposed building be moved to the south of the lot to allow parking in the front of the building, not across the street, Mr. Haslinger said that this type of development would put those users at a competitive disadvantage to the existing businesses.

Commissioner Smoot moved and Commissioner Hundhausen made the second to recommend approval of an amendment to a Preliminary Planned Unit Development Plan, A final Planned Unit Development Plan for Lot 4e and a Final Plat of Resubdivision for Heritage Plaza Phase III, in accordance with staff recommendations. The results of the roll call vote were:

Ayes:	2	Commissioners Smoot and Hundhausen
Nays:	4	Commissioners Spink, Weiss, Michaelsen and Sutenbach
Absent:	1	Commissioner Vora

The motion for approval was denied and the petitioner was reminded that this will be heard by the Village Board at their meeting on April 3, 2006 and was advised to attend that meeting. It was explained that the Village Board would be able to approve this matter by a super-majority vote if it chose to do so.

**#06003: Carol Stream Park District, 160 W. Elk Trail
Special Use – Pre-School Learning Center
Zoning Variation - Parking
CONTINUED FROM 3/13/2006 MEETING**

Rick Hanetho and Keith Corsica were sworn in as witnesses in this matter.

Mr. Hanetho reviewed the history of the purchase of the old day care property and the plan for scheduling its use as a pre-school learning center. The Park District is in negotiations with the owner of the adjacent Animal Hospital to allow the provision of 18 additional spaces and they will provide a hard surface walk along the western part of that lot connecting to the existing lot. There were no comments or questions from those in attendance at the call for public hearing. Mr. Glees said that this report serves as an addendum to the report presented at the March 13, 2006, Plan Commission/Zoning Board of Appeals meeting. At that meeting, by a 3-2-1 vote, the Plan Commission continued the case to the March 27, 2006, meeting in order to allow revisions to be made to the proposed Landbanked Parking Plan in response to comments made at the meeting and comments generated by staff review, so as to better evaluate the Park District's request for a variation for required onsite parking.

The Park District proposes to substantiate their request for a variation for a reduced amount of onsite parking at the proposed pre-school learning center by means of a landbanked-parking plan. Staff supports the concept of a variation for reduced parking, for reasons explained in the original staff report. However, the Landbanked Parking Plan developed by the Park District's consultant was received too late to be reviewed by staff in advance of the March 13 meeting, and subsequent review by staff generated comments for which minor plan revisions were required.

The Park District has submitted a revised plan, as attached for your review. The proposed Landbanked Parking Plan would create a landbanked parking area with 15 new parking spaces on the adjacent Carol Stream Animal Hospital site. Of these, the seven spaces nearest the Park District building would be designated with signage for use by Park District patrons. The

remaining eight spaces would be for use by Animal Hospital patrons. A sidewalk connection would be provided for pedestrian connection between the parking area and the Park District Building. As indicated on the attached letter from Elise Ciribassi, an agreement between the owners of the Animal Hospital and the Park District is in the process of being finalized.

The Park District's revised plan addresses all of staff's comments. The proposed Landbanked Parking Plan would result in 21 parking spaces allocated to the pre-school learning center, as compared with the 18 spaces required by the Zoning Code. We would note that certain technical issues would need to be addressed during final design and construction of the facility, including the conformance with the Village's current codes for parking areas and the mitigation of impacts to the adjacent wetlands on the property to the east. Staff finds the proposed plan acceptable.

Staff supports approval of the Special Use Permit for *Pre-School Learning Center* and the request for a Variation of Parking Standards, subject to the conditions recommended herein.

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 traffic control signage shall be provided on Elk Trail meeting the approval of the Village Engineer;
2. That a Sign Permit shall be obtained before any signage is provided on the site;
3. That the agreement between the Park District and the owners of the Carol Stream Animal Hospital property shall be finalized 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, 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 Weiss commented that this appears to be a good use of the property. He asked Mr. Glees if the issues noted in Dr. Ciribassi's letter will be handled within the agreement being negotiated. Mr. Glees replied that the issues that she brings up are issues that need to be addressed in the agreement that they are working out and Staff has been staying out of those negotiations, however staff believes that it is important that that agreement be finalized prior to the Village Board's consideration of the variation request.

Commissioner Hundhausen asked if there were plans to deal with traffic backing up onto Elk Trail. Mr. Corsica said that Engineering Services is aware of left turns into the property and that to help eliminate any traffic problems, the scheduling of the classes has been staggered by 15-minute intervals. The Park District has also agreed to pay for and place any signage required.

Commissioner Spink said that she is more concerned about the pick-up of children between classes than in the drop off since it takes more time to get a child into a car seat than it does to release them. It was noted that their procedures for pick up and drop off have worked well at other locations, but the times will be monitored here and if changes are needed they will be addressed.

Commissioner Michaelsen said that he is concerned that by the time it is determined that the landbanked spaces are needed the weather will delay any implementation to the next year. Mr. Corsica said that they will follow all that is required to get the landbanked spaces developed

as quickly as possible if it is determined that they are needed.

Commissioner Sutenbach commented that a 30 minute interval would be preferable to allow more time for pick-up and it was noted by Mr. Hanetho that since the morning hours are the most popular for pre-school, it would eliminate a large number of eligible children and that would be a disservice to the community, especially when they are confident that the issues can be resolved. It was noted that they are considering not allowing left turns from within the property to minimize traffic problems at certain hours.

Commissioner Hundhausen asked if left turns from Elk Trail could be prohibited and it was determined that the Village Engineer would have to make that decision.

Commissioner Spink asked if the Park District has a plan to develop the landbanked parking in place and Mr. Hanetho said that there is an award of contract for paving and that they could use that provider if necessary.

Commissioner Weiss moved and Commissioner Hundhausen made the second to recommend approval of a special use permit for a pre-school learning center in accordance with staff recommendations. The results of the roll call vote were:

Ayes:	4	Commissioners Smoot, Spink, Weiss, and Hundhausen
Nays:	2	Commissioners Michaelsen and Sutenbach
Absent:	1	Commissioner Vora

Commissioner Weiss moved and Commissioner Smoot made the second to recommend approval of a variation for required parking in accordance with staff recommendations, including that approval is subject to negotiations with the CS Animal Hospital and that a plan for the construction for the landbanked parking be prepared as needed. The results of the roll call vote were:

Ayes:	3	Commissioners Smoot, Weiss and Hundhausen
Nays:	3	Commissioners Spink, Michaelsen and Sutenbach
Absent:	1	Commissioner Vora

The petitioner was reminded that these matters will be heard by the Village Board at their meeting on April 3, 2006 and was advised to attend that meeting.

**#06060: Village of Carol Stream
Adoption of 2006 Official Zoning Map**

Mr. Glees reported that the GIS mapping has not been completed and asked to have this matter continued to the April 11th meeting. Commissioner Spink moved and Commissioner Michaelsen made the second to continue this matter to the meeting of April 11, 2006. The results of the roll call vote were:

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

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

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

At 10:10 p.m. Commissioner Hundhausen moved and Commissioner Smoot made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD