

**REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS
GREGORY J. BIELAWSKI MUNICIPAL CENTER, CAROL STREAM, DUPAGE COUNTY, ILLINOIS**

JUNE 13, 2005

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

Chairman John Bentz 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 Vora, Spink, Weiss, Michaelsen, Sutenbach (@7:35 p.m.)
and Bentz
Absent: Commissioner Hundhausen
Also Present: Village Planner Don Bastian and Recording Secretary Progar

Minutes:

Commissioner Michaelsen moved and Commissioner Weiss made the second to approve the Minutes of the Meeting of May 23, 2005 as presented. The results of the roll call vote were:

Ayes:	3	Commissioners Weiss, Michaelsen and Bentz
Nays:	0	
Abstain:	2	Commissioners Vora and Spink
Absent:	2	Commissioners Hundhausen and Sutenbach

Public Hearing:

**#05123: Armando Camarano/House of Carpets, 730 E. North Ave.
Variation – Sign Code**

Armando Camarano, and Michelle Kelly of 730 E. North Avenue were sworn in as witnesses in this matter. Mr. Camarano said that they are requesting to have their electronic sign change messages more often than what the Code requires. He stated that when the sign was programmed to change messages every four to five seconds his business increased almost 50% because customers could find the location of the store.

There were no comments or questions from those in attendance at the call for public hearing. Mr. Bastian stated that Carol Stream House of Carpets has been in business in the former Franks Nursery and Crafts building at 730 E. North Avenue for almost two years. This past April, they installed an electronic changeable copy sign along North Avenue to increase visibility of the property in an effort to increase sales. To be allowed to utilize the sign in the manner that they feel would be most beneficial to their business, which requires messages that change as frequently as once every three- to five-seconds, a Variation from the Sign Code provision that regulates the operation of electronic changeable copy signs is needed. Accordingly, the applicant is requesting a Variation from Section 6-11-12(B) of the Carol Stream Sign Code to allow the messages on their electronic changeable copy sign to change more frequently than once every 30 minutes.

In his attached cover letter, Mr. Camarano states that when the sign was first installed, at which

time he was unaware of the regulations pertaining to the change interval for electronic changeable copy signs, the sign was set to change messages every three- to five-seconds. During the short time period in which messages were changing at the quick interval, Mr. Camarano observed that sales at the store increased dramatically. It is important to note that since Mr. Camarano was informed of the Sign Code regulations regarding the change interval, the sign has been reprogrammed to operate in conformance with applicable Sign Code regulations.

Mr. Camarano is requesting the he be permitted to display as many as eight different messages that change as frequently as once every three- to five-seconds. The messages would convey information about the large stock of inventory that the store has on hand, and would also promote the fact that they have carpet for various applications including for commercial and residential uses. Messages would also be used to inform customers of the specific types of carpet that are in stock, as well as special sales that the store is running.

The Village has approved variations for changeable copy signs in the past, and the applicant's request is consistent with previous requests that have been approved. The most recent request, from April of 2004, was for the Carol Stream Fire Protection District property at 365 N. Kuhn Road. In that case, the Fire District received approval to display not more than eight different messages with a four-second-change interval. In November 2002, the Culver's Restaurant on Schmale Road was granted approval to display not more than eight different messages that changed approximately every four seconds, to notify customers about daily specials at the restaurant. In August 2001, Wheaton Christian Center received approval to have electronic changeable copy on their ground sign to inform the public about the activities and events taking place at their facility as well as time and temperature information. To display their messages effectively, they requested to have a reduction in the interval allowed between different messages. For your information, changeable copy sign variations have also been granted to Mutual Bank on County Farm Road, the Village of Carol Stream for its sign at the Gregory J. Bielawski Municipal Center, and the former EG Hardware Store.

It is customary for staff to recommend, and the Plan Commission and Village Board to require, certain conditions of operation for changeable copy signage. The typical conditions, which include considerations such as limiting the maximum number of messages and the frequency with which the messages change, are aimed at maximizing the effectiveness of the signage while minimizing any safety risks to motorists who are attempting to read the messages while operating their automobiles. Staff also typically emphasizes that changeable copy signs are not permitted to be programmed to flash, blink or pulsate, or display messages that will in any manner distract motor vehicle traffic. Although this is a requirement for all signage that is clearly stated in the Sign Code, it is appropriate to emphasize this requirement for changeable copy signs, as they have an increased potential for displays that could be distracting to motorists. Staff recommends approval of the Sign Code Variation to allow the messages on the electronic changeable copy sign at Carol Stream House of Carpets to change more frequently than once every 30 minutes, subject to the following conditions:

1. That the changeable copy sign shall not be programmed to flash, blink or pulsate, or display messages that will in any manner distract motor vehicle traffic;
2. That the sign shall not be programmed to display more than eight different messages in any one cycle;
3. That individual message screens shall not change more frequently than every three seconds.
4. That the sign shall otherwise comply with all applicable standards of the Village Code.

Commissioner Weiss said that he supports the request because of the nature and location of the business.

Commissioner Sutenbach said that he also supports the request and that it is consistent with all of the other variances that have been granted for these changeable copy signs.

Commissioner Spink asked if the sign will be running 24 hours a day and Mr. Camarano replied that the sign is on from 6 a.m. to 10 p.m.

Commissioner Michaelsen said that he does not see any problems with the request.

Chairman Bentz asked Don if there have been any changes in the Code regarding these changeable copy signs since the first request. Mr. Bastian said that there have not been any text amendments requested since then and he said that staff will be bringing forward several text amendments to the Code and that this is going to be one of the proposed amendments.

Chairman Bentz said that the first time he noticed this sign, it occurred to him that this is much more "high tech" than most of the changeable copy signs in town. This is full color, there is motion and it could actually replace a standard monument sign in some ways. He added that we should be pro-active in looking at a text amendment that addresses this increasing technology in the Code.

Commissioner Spink moved and Commissioner Sutenbach made the second to approve a sign variation for 730 E. North Avenue in accordance with staff recommendations. The results of the roll call vote were:

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

**#05124: Lynette Kuti/Lynn's Academie of Dance, 455 Kehoe Blvd.
Special Use – Dance Studio**

Lynette Kuti, 944 W. Army Trail Road was sworn in as a witness in this matter. She is requesting a special use permit to move her dance studio to 455 Kehoe Blvd. She said that the retail space costs have gone up so much it would be impossible to continue to charge reasonable fees for the classes. Space in Industrial buildings is much cheaper and in this case affords more parking, and student safety. The parking lot has adequate lighting and is accessible from both Kehoe and Commerce.

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

Mr. Bastian noted that Lynette Kuti, owner of Lynn's Académie of Dance at 944 W. Army Trail Road in County Farm Plaza, would like to relocate her business to a tenant space within the 33,000 square foot office/industrial building at 455 Kehoe Boulevard. Dance studios are a permitted use in the B-3 District, which is the zoning of the property at 944 W. Army Trail Road where the business is currently located. However, dance studios are listed as a Special Use in the I Industrial District, which is the zoning of the property at 455 Kehoe Boulevard. As such, in accordance with Section 16-10-2(B)(23) of the Zoning Code, the applicant is requesting a Special Use to allow her dance studio to operate at 455 Kehoe Boulevard.

Lynn's Académie of Dance opened for business in Hanover Park in 1994. In 1997, the business moved to Carol Stream into County Farm Plaza as a permitted use. Due to the high rent costs for commercial building space as compared to industrial space, the applicant is proposing to relocate her business to an approximate 3,500 square foot space in the office/industrial building at 455 Kehoe Boulevard. Classes at the dance studio are typically offered between the hours of 4:00 p.m. to 9:30 p.m. Students range in age from three years to adult, and there are currently 125 students enrolled in classes at Lynn's Académie of Dance.

Special Use:

The primary factors that staff evaluated with the request for a Special Use request were the adequacy of parking and the safety of the traffic circulation pattern. The parking requirements

for the building including the proposed dance studio use are presented in the table below.

Use of Space	Square Feet of Use	Parking Factor	Spaces Required
Office	20,500	1 space for each 250 sq. ft.	82
Dance Studio	2,522	1 space for each 200 sq. ft.	12.6
Warehouse/Storage	10,000	4/1 st 1,200 sq. ft., then 1 for each 1,500 sq. ft.	9.8
		Total Parking	104
		Required:	
		Total Parking	114
		Provided:	

The dance studio will occupy about 3,500 square feet of space. In the parking table, about 1,000 square feet of the dance studio space is listed under "Office" use, since it will be used for the student center, lobby and restrooms. Total required parking for the building, based upon information provided by the building owner, including the dance studio use, is 104 spaces. The site plan indicates that 114 parking spaces serve the building, which is more than the amount required by the Zoning Code. It should also be noted that while a total of 125 students are currently enrolled in classes, which at first glance appears to be a large number, each individual class only meets once a week, with classes being approximately one hour in length. Since the average class size is about eight students, and class times for the two dance studios are staggered, there should never be an excessive number of vehicles in the parking lot attributed to the dance studio use at any one time.

With respect to the traffic circulation pattern, as seen on the site plan and aerial photograph, vehicular access to the building is possible off of both Kehoe Boulevard and Commerce Drive. Traffic can circulate around three sides of the building. The door into the dance studio tenant space is on the west side of the building, and there are no parking spaces located on the east side of the drive aisle on the west side of the building, which should provide an adequately safe and convenient drop off area for children. It is also important to note that many of the other uses in the building will likely be closed or at reduced activity levels during the late afternoon and evening hours during which time the dance studio will be most busy. Based upon this information, staff believes that both parking and traffic circulation will be adequate and safe.

Staff has evaluated the requests from an aesthetic standpoint as well as an operational standpoint. From an aesthetic standpoint, the operation of a dance studio within a tenant space in the existing office/industrial building should not have any negative impact on surrounding properties. From an operational standpoint, while staff initially thought that the industrial building space was a somewhat unusual location for the business, the applicant has indicated that she believes the location will actually be safer than her current location, as traffic volumes will be much lower on the proposed site. With adequate parking and vehicular access, staff has no operational concerns with the proposed business.

Staff recommends approval of the request for Special Use to allow a dance studio to operate in the Industrial District, subject to the condition that building permits be received for the build-out of the tenant space.

Commissioner Vora asked what the class hours would be and was told that the hours are on Monday-Friday 4:00 p.m. to 9:30 p.m. and Saturdays from 9:00 a.m. to 12:00 noon.

Commissioner Michaelsen said that he is concerned about the lighting at 9:30 p.m. and asked if the petitioner has looked at this time of night. Ms. Kutie said that there is a big light at the exit door and the parking lot lights have been on as late as 10:30 p.m. Commissioner Michaelsen asked if there will be any cars parked on the west side of the building over night and Ms. Kutie said that she is not aware of any parking overnight unless someone had car trouble.

Commissioner Spink asked if the studio is responsible for all of the participants coming and

going. Ms. Kutie said that there is someone to greet each person and no one is unattended. The student stays with the teacher until their ride comes to pick them up and if there is an extended delay, the student goes to the next class with the teacher. Commissioner Spink said that she is also concerned about the lighting, especially in the winter months when it gets dark early. Ms. Kutie said that the landlord has the parking lot lights on sensor timers, so they come on automatically when it gets dark and not just at a particular time. Commissioner Spink asked if there are recitals in the building and she said that they have recitals at Larkin High School in Elgin.

Commissioner Sutenbach suggested that the police be notified of this change and perhaps they can increase patrols in the area in the evening since this is an isolated area. In response to the question about other tenants, Mr. Bastian replied that they are office users primarily. Inter-Local Pension Fund is the primary tenant.

Commissioner Weiss asked which street the front door faces and it was determined that the door faces west, actually not to either street. Is there a plan for a sign for this business on Kehoe. Ms. Kutie said that the building has a sign where the business names are on panels. The sign sits more on Kehoe but it is on the corner of Kehoe and Commerce.

Chairman Bentz commented that he has no problem with this site and he also feels that this is safer and easier than in a strip mall. He said that he has been to a number of different schools around the area with his daughter and the ones in locations like this are much easier to get into and out of and are much safer for the students..

Commissioner Weiss moved and Commissioner Spink made the second to recommend approval of a special use permit for a dance studio in the I-Industrial District in accordance with staff recommendations. The results of the roll call vote were:

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

The petitioner was reminded that this matter will be heard by the Village Board at their meeting of June 20, 2005 and was advised to attend that meeting.

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

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

Presentations:

#05127: Central Park Homeowners Association, 1246 Central Park Dr. Planned Unit Development – Minor Modifications

Peter Minus, Vice President of the Central Park Homeowners Association was sworn in as a witness in this matter. He said that they are asking to allow pavers on the driveway dividers and to allow decks. He noted that of the 100 units in Central Park there are 72 units with decks and 28 units that have patios but not decks. Mr. Minus said that because of the grading problems many of the people that have patios cannot use them. A deck would eliminate those problems and it would look better since all of the units would then be consistent with all of the others. The other issue is that currently in between the driveways of the units are dividers that are filled with a very soft mulch. The Association is looking to allow those who would like to change the mulch to paver bricks that would provide a much safer surface and would not require seasonal maintenance. A final issue is to allow a patio at the end of all units' stairs to give more area to step down onto.

Mr. Bastian said that The Final Planned Unit Development Plan for Central Park Subdivision was approved by the Village Board through Ordinance 2002-03-09 in March 2002. A copy of the Final PUD Plan is included in your packets. The Final PUD Plan contains restrictions against the decks and specifies the maximum size of patios. The 50 duplex buildings, totaling 100 dwelling units, have all been constructed, and the Central Park Homeowner's Association has recently assumed control over maintenance of the common areas and oversight of general neighborhood improvements.

The Central Park Homeowner's Association (HOA) has contacted the Community Development Department regarding some changes that they wish to make within their neighborhood. Specifically, the association is requesting to remove the current restriction that prohibits the construction of decks, to allow decks to be built by each duplex owner, to allow patio extensions to be constructed, and to allow the landscaped mulch strip between driveways to be filled in with brick pavers. Staff informed the applicant that the types of changes being requested would constitute an amendment to the Final PUD Plan, and as such could not be approved administratively by staff, but rather that the Zoning Code required that the HOA present their requests for evaluation and a determination by the Plan Commission.

With respect to modifications to approved Final Planned Unit Development Plans, the review and approval procedure, as contained in Section 16-16-5(B)(2)(a) of the Zoning Code is as follows:

"Any minor extensions, alterations, or modifications of existing buildings or structures may be authorized by the Plan Commission, if they are consistent with the purpose and intent of the final plan."

Due to the nature of the applicant's request, Village Board action is not required, and the Plan Commission has the authority to render the final decision with respect to this matter. It should be noted that in our evaluation of the requests of the HOA, staff was attempting to provide the duplex owners as much flexibility as needed to construct improvements as they wished, while also upholding typical Village standards and Code requirements.

Request 1: Allow decks to be constructed on all units – During the Planned Unit Development review process, Pasquinelli, the builder of Central Park, proposed that all duplex units would have a six- by ten-foot patio to be constructed off of the rear door of each unit. For the purpose of clarifying the use of the common open space areas of the development, staff worked with Pasquinelli to have restrictive notes included on the Final PUD Plan stating that, "individual decks and sheds are prohibited," and that, "individual yard fences are prohibited." The approved Final PUD Plan shows the location of a 6- by 10-foot patio for each dwelling unit.

During construction of the subdivision, Pasquinelli made unauthorized changes to the approved grades in many areas of the development, especially around the storm water management facilities. Pasquinelli also made a decision to construct elevated decks for many units as opposed to the concrete patios that were supposed to be built, without first obtaining Village approval to do so. The applicant has stated that 72 of the units were built having decks while 28 have patios. Because of the grading changes that were made, it would not have been practical for patios to have been constructed for many of the units. At this time, the Central Park HOA is requesting to modify the approved Final PUD Plan to allow an 8- by 16-foot deck, which is the same size as all of the existing decks that have already been constructed, to be constructed for all units, if desired by the individual duplex unit owner. In most cases, any new deck would be constructed over an existing patio.

Evaluation of request for decks:

Staff considered a few key factors in our evaluation of the request to allow decks to be built for

every unit. The first factor involved the issue of lot coverage. Calculating lot coverage for the purpose of determining compliance with Zoning Code standards is often very complicated for townhome or duplex developments because in many cases the land area surrounding a dwelling unit is common open space instead of being land that is owned exclusively by the owner of the dwelling unit. Lot coverage is an important consideration with respect to the storm water management design for a development. However, after consulting with the Village Engineer, Community Development staff learned that the storm water calculations for this development were based upon an assumption of 100% lot coverage within the allowable building envelope. As such, the construction of a deck for every remaining dwelling unit that does not already have a deck would not have a negative impact on storm water management for the overall subdivision.

We also considered the impacts that deck construction would have on surrounding neighbors. Since 72 out of the 100 units already have decks, and all decks appear to be of the same size and general configuration, the decks are not viewed to be problematic with respect to impacts on neighbors. The applicant has stated that all new decks would be 8- by 16-feet in size, which will match the existing decks. The only aspect of the decks that was not consistent among all decks involved the location of the deck stairs. For decks that are not elevated a significant height above grade, the stairs are typically located off of the side of the deck. For decks that are elevated a significant height above grade, the stairs are located off of the rear of the deck, but they are still situated parallel to the rear wall of the dwelling units. This stair orientation is necessary since a longer section of stairs is needed to accommodate the greater height of the deck above grade.

Staff does not object to modifying the approved Final PUD Plan to allow decks to be constructed for all units, subject to the following conditions:

1. No deck or stairs for accessing a deck may extend beyond the sidewall of a dwelling unit, and no deck or access stairs may extend across the interior wall that divides two units.
2. No deck may extend out further than eight feet from the rear wall of a dwelling unit. When possible, the stairs for all decks should also be constructed within eight feet of the rear of the dwelling. However, in cases where steep topography does not allow for stairs to be constructed in this manner, then their width will not be included in the maximum deck width measurement. In these cases, however, the stairs still may not extend beyond the sidewall of a dwelling unit, and they also may not extend across the interior wall that divides two dwelling units.
3. The grading of a lot may not be modified to allow for the construction of a deck, without the approval of the Engineering Services Department, who will review grading during their evaluation of the building permit for each deck.
4. A building permit application must be submitted for each deck, and all decks must be constructed in accordance with all applicable Village Codes.

Request 2: Allow concrete pads at bottom of deck stairs to be extended – Staff has observed that small concrete pads or landings have been constructed for many units at the bottom of the deck stairs. This provides a solid landing area or first step for persons accessing the decks. The Central Park HOA is requesting that these concrete pads be allowed to be increased to a maximum size of 8 by 10 feet.

Evaluation of request for concrete pad extensions:

In staff's evaluation of this request, we considered a few key factors. The first factor was again based upon storm water management and drainage considerations. In discussing the request

with the Village Engineer, staff determined that the patio extensions or concrete pads could be constructed provided that the grading necessary to construct the patio extensions or concrete pads could not impair the function of the storm water management facilities. We also considered the impact that patio extensions could have on adjacent neighbors. To address this concern, we are recommending that the patio extensions not be allowed to extend beyond the sidewall of a unit, beyond the interior wall that separates one duplex unit from another, or further out from a dwelling unit than eight feet. For cases in which the access stairs extend out beyond the deck because of steep topography, we are recommending that a service walk extension (not wider than four feet) to connect the stairs to the patio not be allowed to extend out further from the dwelling unit than the stairs.

To simplify the request and make outdoor living space opportunities equitable for all residents of the neighborhood, staff suggests that approval be granted to allow all existing patios to be expanded, provided that such work is done in accordance with the recommended conditions listed below. By clarifying this at this time, the HOA will not need to come back to the Village for separate approval in the future.

Staff does not object to the construction of patio extensions for all units, subject to the following conditions:

1. No concrete pad or patio extension may extend beyond the sidewall of a dwelling unit, and no concrete pad or patio extension may extend across the interior wall that divides two dwelling units.
2. No concrete pad or patio extension may extend further than eight feet out from the rear wall of a dwelling unit, except in instances in which deck access stairs must be located beyond the eight-foot distance, in which case a service walk no more than four feet in width leading from the deck stairs to the patio may be built such that it must not extend out further from the house wall than the access stairs.
3. The grading necessary to allow for the construction of a concrete pad or patio extension must not impair the function of the storm water management facilities. The Engineering Services Department will review the proposed grading activity with respect to impacts on storm water management facility function during their evaluation of the building permit for concrete pad or patio expansion.
4. A building permit must be obtained for all concrete pad or patio expansions.

Request 3: Allow brick pavers to be installed between driveways in lieu of mulch – As seen on the approved landscape plan detail for the dwelling units, there is an approximate 18-inch wide area between the driveways for adjacent duplex units. The purpose for this area was primarily to provide a visual break for what would have otherwise been a 35-40 foot wide asphalt driveway. The strip was finished with mulch, and all units have a bush or shrub immediately adjacent to the dwelling unit to serve as a foundation plant.

The HOA is requesting that the mulch be removed and replaced with brick pavers. There are multiple reasons for their request. First, the mulch is subject to being washed away during heavy rains. Second, the mulch is often displaced when the driveways are plowed in the winter. Third, the mulch strip presents something of a walking hazard for people exiting vehicles, as the mulch surface is of a different consistency and is often lower than the edge of the asphalt driveway pavement.

Evaluation of request to install brick pavers between driveways:

In staff's view, the original decision to provide an 18-inch strip of mulch between driveways was

primarily based upon aesthetic considerations. While mulch is one option for providing a visual break between what would otherwise have been wide asphalt driveways, the brick pavers that the HOA is proposing to use are another option that would seem to present fewer problems in terms of maintenance. For aesthetic reasons, while staff would prefer that all driveways in the subdivision be upgraded with pavers in the middle strip at once, the HOA President has stated that neighborhood residents are not in complete agreement regarding the installation of pavers. As such, it is likely that some driveways will continue to have mulch in the middle strip. The applicant has confirmed, however, that only one uniform type and color of brick paver will be used throughout the subdivision for all driveways that are to be upgraded with pavers. Staff's only concerns regarding this request are that paver bricks rated to handle vehicular traffic be used (as opposed to patio pavers), and that the existing bush or shrub that is shown in the middle driveway strip on the landscape detail plan be maintained (kept) if and when the brick pavers are installed.

Staff does not object to the installation of brick pavers in the existing mulched median strips between driveways, subject to the following conditions:

1. The brick pavers that are used to fill in the space between driveways must be rated for use in driveway or street applications. Patio pavers are not designed to handle vehicle loads and must not be used.
2. If a buffalo box (water shut-off valve) is located within the space between driveways, some means of protection for the buffalo box, as approved by the Engineering Services Department, must be implemented so as to protect this equipment from damage by vehicles.
3. The installation specifications provided in Anthony Marzano's memo to Robert J. Glees dated May 6, 2005, must be followed, and include the installation of a 10-inch limestone base, one-inch of sand over the limestone, and Unilock pavers rated for driveway use.
4. A building permit application must be filed for each driveway modification.

RECOMMENDATION

Staff recommends approval of the requests to the approved Final PUD Plan, specifically as related to the construction of decks, expansion of patios, and installation of brick pavers, subject to the conditions enumerated in this report.

He added that the Homeowners Association has agreed to all of the conditions and recommendations.

Commissioner Weiss asked if the reason for the decks is because residents are falling off of their patios and Mr. Minus responded that they are esthetically trying to keep the subdivision uniform but it is also a safety issue on the backside of the subdivision. The side that faces Citgo, there are a lot of elderly people in this subdivision and they literally cannot get out of their back doors without assistance. There is a danger issue there also because of how severe the slope is. People have requested these items, at their own expense. Commissioner Weiss questioned whether these new decks would interfere with the stormwater drainage in the area. Mr. Bastian stated that each that is built will require a building permit and these permits will go through both building and planning review and engineering department review. A permit will not be issued if there is going to be a negative impact on the land. Commissioner Weiss asked what will happen to the patio and Mr. Minus said that unless the permit demands it be removed it will remain with the deck built over it. Commissioner Weiss asked if the decks would be just for the units where there are topography problems and Mr. Minus said it would be those plus it would be for some areas where you walk out and it just mud and dirt. He commented that it should have been one or the other, patio or deck, they started to do something and instead of finishing it, they ended it. Commissioner Weiss asked if they have a bond, and Mr. Bastian

stated that they have been working with our Engineering Department over the past couple of years to resolve a lot of issues out there. Commissioner Weiss said that he thinks that the brick pavers on the driveways makes a lot of sense. He asked if all of the owners would replace the mulch and Mr. Minus said that due to the financial hardship of some of the owners, the association was going to give everyone a choice of leaving the mulch or replacing it with paver bricks. Commissioner Weiss said that if the association lets it go to where they have a choice they are going to ask for a third or fourth choice as well. He said that the association should say we are going with the paver brick because it is a safety issue.

Commissioner Sutenbach stated that he thinks that this is a reasonable request. In response to the question, it was determined that all of the units have been sold. He asked if all of the deck materials will be standardized and was told that specific materials lists will be given to residents that want to build a deck. Each resident has to make a request of the Homeowners Association and be approved before coming to the Village for a permit. Mr. Minus commented that the cooperation of the Village has been incredible over the last year and a half.

Commissioner Spink asked if the covenants will change to compel the pavers in the driveway dividers and Mr. Minus said that he would like to see that change and will work for the covenants to address this.

Commissioner Michaelsen asked if the existing patios are 6x10 or 8x10. Mr. Minus said that there are a lot of inconsistent sizes out there. The decks are one side, the pad size that come off of the deck stairs are consistent in size. Commissioner Michaelsen said he was concerned about the post for putting up a deck over a smaller patio pad. Mr. Minus said that the association will require that all contractors must be licensed, bonded and insured and that while each resident can get their own contractor they must get approval from the association before any work can be done. Commissioner Michaelsen agreed that the pavers are a safe thing to have installed.

Chairman Bentz stated that he is favor of all of the improvements and that they will be the best for the residents involved. In response to the question it was stated that the materials and designs approved by the association will be uniform to what exists.

Commissioner Weiss moved and Commissioner Vora made the second to approve all of the requested minor modifications to the Planned Unit Development at Central Park. . The results of the roll call vote were:

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

The Commission has the ability to authorize minor modifications at this level and therefore this matter does not have to proceed to the Village Board.

Mr. Bastian reminded everyone that there will be a workshop regarding the South West area development will be held at 6:00 p.m. on June 20, 2005 in the training room. The agenda will include recommendations regarding incentives for development, goals and objections and infrastructure.

At 8:45 p.m. Commissioner Weiss moved and Commissioner Michaelsen made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD