

MINUTES OF THE SPECIAL MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, JULY 20, 2016, AT THE LITTLE THEATER AT HINSDALE SOUTH HIGH SCHOOL, 7401 CLARENDON HILLS ROAD, DARIEN, ILLINOIS

1. CALL TO ORDER

Commissioner Remkus called the meeting to order at the hour of 7:00 p.m.

2. ROLL CALL

Those present at roll call were Commissioners Lacayo, Remkus, Soukup, Kaucky and Ruffolo. Also present were Village Planner Anna Franco, Building Inspector Roy Giuntoli and Administrative Intern Tiffany Kolodziej.

Absent: Chairman Kopp and Vice-Chairman Wagner.

3. Motion was made by Commissioner Lacayo to appoint Commissioner Remkus as Chairman Pro Tempore. Motion was seconded by Commissioner Soukup.

4. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Special Meeting June 8, 2016
- C. Minutes – Village Board Meeting May 9, May 23, June 13, and June 27, 2016

MOTION: Made by Commissioner Ruffolo, seconded by Commissioner Lacayo, to approve the Omnibus Vote Agenda.

MOTION DECLARED CARRIED

5. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-15: 7725 S. Quincy Street, TruFragrance. Consideration of a petition for variations from Title 9 of the Village Code to allow an existing non-conforming principal structure to be in conformance with the Village's code, at the property commonly known as TruFragrance & Beauty LLC Headquarters, in the M-1 Zoning District.

- A. PUBLIC HEARING
- B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Ruffolo seconded by Lacayo that based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of fact to

the Mayor and Village Board for variations as shown in Attachment 1 of the staff report prepared for the July 20, 2016 Plan Commission for PC 16-15, and recommend approval of variations as outlined in this staff report prepared for the July 20, 2016 Plan Commission, to allow an existing non-conforming principal structure to be in conformance with the Village's code.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, and Remkus;
NAYS: None. ABSENT: Vice-Chairman Wagner, and Chairman Kopp.

MOTION DECLARED CARRIED

6. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-10: Holmes Elementary School Modular Classrooms, 5800 South Holmes Avenue, Clarendon Hills, Illinois 60514. Consideration of a petition for approval of an amendment to an existing special use for variations from Title 9 of the Village Code to allow the location of two (2) temporary modular outdoor classrooms at the property commonly known as Holmes Elementary School, in the R-1 Zoning District

- A. PUBLIC HEARING
- B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Ruffolo seconded by Kaucky that based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of fact to the Mayor and Village Board for special uses and variances as shown in Attachments 1 and 2 of the staff report prepared for the July 20, 2016 Plan Commission for PC 16-10, and recommend approval of an amendment to the existing special use to allow a variation from 9-10-5 (K) to reduce the minimum required on-site parking spaces, a variation from 9-10-5 (B) to allow off-site parking on an adjacent lot with an existing use, and a variation from 9-10-5 (O) to allow nine (9) overnight bus parking stalls, to allow two (2) temporary modular classrooms on the subject property, subject to the following conditions:

1. Additional landscaping, including four (4) evergreen trees and one (1) deciduous tree, shall be added to the Landscape Plan, and that the Landscape Plan shall be prepared per Village code requirements.
2. Construction and maintenance of the modular classrooms shall at all times be in substantial compliance with the plans identified in the attachments of the July 20, 2016 staff report for PC 16-10.
3. The two (2) temporary modular classrooms shall be allowed for a period of three (3) years from the date of approval of the zoning request by the Village Board.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, and Remkus;
NAYS: None. ABSENT: Vice-Chairman Wagner, and Chairman Kopp.

MOTION DECLARED CARRIED

7. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-07: Compass Event Center, 635 Joliet Road. Consideration of a petition for a special use permit for a Planned Unit Development, including such relief, exceptions and variations from Title 9 and Title 10 of the Village Code.
 - A. PUBLIC HEARING
 - B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Lacayo seconded by Kaucky that based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of fact to the Mayor and Village Board for a Special Use Permit as shown in Attachment 1 of the Staff Report prepared for the July 20, 2016 Plan Commission for PC 16-07, and recommend approval of a Special Use Permit for a Planned Unit Development, including such relief, exceptions and variations from Title 9 and Title 10 of the Village Code, as outlined in this Staff Report, prepared for the May 18, 2016 Plan Commission meeting for PC 16-07, to develop a 45,934 square foot facility that includes a 28,992 square foot indoor soccer facility, and 16,562 square feet of restaurant, bar and golf simulator entertainment space, subject to the following conditions:

1. The submitted revised engineering plans, included as Attachment 2, be completed as reviewed and approved by the Village Engineer.
2. The applicant shall provide a copy of the document that granted the existing Ingress and Egress Easement on the east end of the subject property to Village Staff.
3. The applicant shall work with the owners of the 7-11 property to amend or eliminate the existing Ingress and Egress Easement on the east end of the subject property and provide Staff with new documentation of the amended or eliminated Ingress and Egress Easement.
4. The applicant shall revise existing plans to eliminate the two (2) digital signs directed to I-55 and reduce the size of the front wall sign and the monument sign to be in conformance with the Village code.
5. The special use permit shall be null and void if construction for the proposed use is not commenced and a certificate of occupancy is not granted within twelve (18) months of the date of any approval of the special use by the Village Board.
6. Plans shall be submitted prior to the Village Board meeting specifying the fire hydrant locations to be approved by Tri-State Fire Protection District 1.

7. The applicant shall include proposed use on the approved plans, prior to Village Board approval. Future modifications to the use of any room subject to administrative review to determine whether a major change amendment is required based on parking.
8. The petitioner and Village Staff will collaboratively investigate the feasibility of burying the power wire and removing the pole west along the north side of Frontage Road as part of the project.
9. A parking agreement shall be executed to accomplish the following:
 - a. Stipulates parking near the front for "Employees Only"
 - b. Parking shall be in designated parking spaces only (drive aisles shall be kept clear)
 - c. Semis shall not park on the site, except in the one loading spot and only when loading and unloading products.
10. Cigar Lounge use is not allowed.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, and Remkus;
NAYS: None. ABSENT: Vice-Chairman Wagner, and Chairman Kopp.

MOTION DECLARED CARRIED

8. VISITOR'S BUSINESS

None.

9. COMMUNICATIONS

None.

10. ADJOURNMENT

MOTION: Made by Commissioner Soukup, seconded by Commissioner Lacayo, to adjourn the regular meeting of the Plan Commission at the hour of 9:15 p.m.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ AND APPROVED,

August 17, 2016

Minutes transcribed by Joanne Prible.


Chairman

TESTIMONY OF

Date: July 20, 2016

Case: WILLOWBROOK PLANNING MEETING 7.20.2016



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VILLAGE OF WILLOWBROOK

PUBLIC HEARING

ZONING HEARING CASE NOS. 16-15, 16-10, AND 16-07

REPORT OF PROCEEDINGS had at
the Public Hearing of the above-entitled cases
before The Planning Commission at Hinsdale South
High School, Little Theater, 7401 Clarendon Hills
Road, City of Darien, Illinois, on the 20th day of
July, 2016, at the hour of 7:02 p.m.

PRESENT:

William Remkus, Chairman Pro Tempore

Leonard Kaucky

Bernardo Lacayo

Gregory Ruffolo

James Soukup

Brian W. Baugh, Attorney

Roy Giuntoli, Building Inspector

Anna Franco, Planning Consultant

Tiffany Kolodziej, Intern and Recording

Secretary

1 MR. REMKUS: Next item on the agenda
2 is a public hearing regarding Case No. 16-15.
3 This is a petition requesting approval of
4 variations from Title 9 of the Village code to
5 allow an existing nonconforming principal
6 structure to be in conformance with the Village's
7 code at the property commonly known as
8 TruFragrance & Beauty, LLC headquarters in the M-1
9 Zoning District.

10 Is there a motion to open the
11 hearing and make the application and staff report
12 part of the public record?

13 MR. RUFFOLO: So moved.

14 MR. REMKUS: Second?

15 MR. SOUKUP: Second.

16 MR. REMKUS: All in favor?

17 ALL COMMISSIONERS: Aye.

18 MR. REMKUS: Opposed? Motion
19 carries.

20 The public hearing is open at
21 this time. I would ask the petitioner to step
22 forward and state their name and address for the
23 record. I would ask the court reporter to swear
24 in the petitioner and anyone else testifying on

1 this matter.

2 MR. KOHLSTEDT: Good evening. I'm
3 Jim Kohlstedt. I'm the attorney that represents
4 TruFragrance and the LLC that owns the building.
5 Tonight we have with us Brad Wallace, who is the
6 CFO of TruFragrance. He's also representing the
7 ownership. And Terry Grapethin is with us. He's
8 the broker that initially brokered the transaction
9 in 2010 when the property was in repossession and
10 saw them through the renovation stages with
11 respect to the property. So the three of us, if
12 you've got questions of any of the three of us,
13 we're all available.

14 MR. REMKUS: Would you stand.
15 (James Kohlstedt, Brad Wallace, and
16 Terry Grapenthin were sworn.)

17 MR. KOHLSTEDT: This is an
18 interesting request because we're not asking for a
19 variance that would make any changes to the
20 existing building or to the parking lot.
21 Basically it would stay the same. It's a, we
22 think, a nice reflection on what Willowbrook has
23 become in the industrial community. The owners of
24 the building were approached by an institutional

1 owner, large institutional owner, Zilber, a
2 company out of Milwaukee, to undertake what's
3 called a sale lease-back transaction. They
4 would -- TruFragrance would continue to occupy the
5 building. They would have a ten-year lease with
6 two very attractive five-year options. But one of
7 the issues that has come up from the institutional
8 ownership perspective is, and it's remote, but
9 it's always a possibility, that in the event of a
10 casualty that they would be able to rebuild on the
11 same footprint.

12 Miss Franco and staff has been
13 exceptionally helpful. I want to thank Cindy
14 Stuckle for all the help that she gave us in terms
15 of trying to go back and find out the history with
16 respect to the property. What we were able to
17 locate was what appeared a 100-page package that
18 appears that the Village very carefully followed
19 through with a developer every stage of the
20 development back in 1978. What is interesting and
21 what sort of lends us to the conclusion that the
22 setback in question that is of issue is the south
23 lot setback is that there was enough room on the
24 north end of the property to have built the

1 building ten feet further north and in conformity
2 with all the building standards. So the
3 suggestion seems to be that since the building is
4 located at this point on where Midway comes into
5 Quincy that there was an agreement between the
6 developer and the Village that if we move the
7 driveway down, that it would cause less congestion
8 with respect to truck traffic that came in and
9 backed into that loading dock. Now, we're not
10 sure that that was the case, but since there was
11 room to have built a building in conformance,
12 we're suggesting that that was discussed at that
13 time and that that was the agreement.

14 So what -- from an
15 institutional land ownership standpoint, and we
16 think it's a nice reflection on Willowbrook that
17 Zilber is interested in investing, one of the
18 comments that Roy made earlier is when a building
19 is vacant, it's not always maintained as carefully
20 as it should be. With an institutional owner, I
21 don't think you would face that kind of issue. I
22 think Zilber sees this as a long-term investment.
23 Tru will be there for some time; but should it
24 become vacant at some time, I think you can look

1 to Zilber to maintain the building at a very high
2 level of standard in order to re-lease it. But
3 their concern is, and they're not familiar with
4 Willowbrook, and I think in having worked with
5 Willowbrook before, I think if they came in and at
6 some point asked to rebuild, that would probably
7 be looked upon favorably, but their concern would
8 be if there was a casualty that damaged say the
9 southern wall of the property and they could not
10 build within the setback area, in order to build
11 the building at its full size again, they would
12 have to remove the north wall, move the foundation
13 north ten feet and while the casualty could be
14 insured here, the investment that they would have
15 to make here could not -- would not be covered by
16 their insurance. So we're talking about a very
17 remote possibility with respect to a casualty, but
18 their concern is as a long-term investor in
19 Willowbrook that in the event something would
20 happen, we just want the assurance that -- and
21 it's also been brought forward by their lenders --
22 we want the assurance that we could rebuild on the
23 existing footprint, and we think that there was an
24 agreement. There was an exhaustive search of the

1 records to try to find this, and we just could not
2 locate it. So with the help of Anna, her
3 suggestion was that we move forward with a
4 variance request so that we could establish that
5 this footprint was acceptable if some facts
6 occurred that they had to rebuild the building at
7 some point, and it clears up some questions with
8 respect to there's a slight -- there's an
9 encroachment with respect to some parking here and
10 here and we clear up that issue, and there was
11 a -- a lot coverage issue, too, that we could
12 address. So working with Anna, we brought all
13 four of those issues forward to the Plan
14 Commission for your consideration.

15 So, again, TruFragrance
16 remains the tenant. The building most likely will
17 be occupied for another 20 years. We think it
18 presents a very attractive entrance to the Village
19 off of Midway, and there would be no changes in
20 what you currently see there.

21 So I'm open to any questions
22 that you might want to ask.

23 MR. REMKUS: Well, we'll ask is there
24 anyone in the public that has any interest in this

1 or has any comments to be made? There is no
2 public comment.

3 We'll ask the staff to make
4 their presentation.

5 MS. FRANCO: Thank you, Commissioner.
6 Just to give a little background of the zoning
7 around the site, all parcels northeast -- north,
8 east, and south are zoned in the M-1 District.
9 The use to the north is Stonewheel Inc., to the
10 south is a business called Sterigenics, and to the
11 west is a multi-tenant office/manufacturing
12 building. The site itself is about 2 acres. It
13 contains the one 2-story building which was
14 constructed in about 1979 and contains a footprint
15 of approximately 48,000 square feet. As you can
16 see there's a parking lot located in the front
17 yard of the property. This contains 40 parking
18 spaces, has two access points off of Quincy Road.
19 There is also a loading dock on the southeast
20 corner of the building.

21 Do you mind putting the
22 exhibit with the star up?

23 MR. KOHLSTEDT: Yeah. I don't know
24 what kind of beer we're advertising with the star

1 but --

2 MS. FRANCO: Thank you. So as you
3 know, the occupant is TruFragrance & Beauty.
4 TruFragrance, to give you a little background, is
5 a nationally-recognized manufacturer and
6 distributor of fragrances and cosmetic products.
7 This building here handles the administrative
8 functions of the business as well as warehouse and
9 shipping. In 2010 they went -- they undertook a
10 multimillion dollar renovation of the building
11 which has made the, as you know, Jim has said a
12 very attractive looking building and a nice
13 entrance into Midway Drive in the Village of
14 Willowbrook.

15 So as Jim went over,
16 TruFragrance currently leases the space and the
17 building and wishes to undergo a sale lease-back
18 with Zilber Property Group. So they would sell --
19 the current owner would sell the property and then
20 TruFragrance would then lease back the building
21 from Zilber. As part of Zilber's due diligence
22 for the property, they identified the south
23 setback was not conformance with the code, which
24 is a minimum of 20 feet, and right now it's 9.8

1 feet. Before finalizing their deal, they would
2 like some assurance, as Jim went over, that if
3 anything were to happen to the building, they
4 would not need to rebuild on another footprint.
5 You know, the original special lease approval for
6 the property would provide that the necessary
7 documentation to approve the 9.8 feet; however,
8 staff has not been able to locate that
9 documentation, and the current property owner does
10 not have that documentation available. Staff did
11 find a site plan and building plans that show the
12 building in its current form, current placement on
13 the property, which is Attachment 5 and 6 of the
14 staff report. However, we did not find the
15 original ordinance granting the special use.
16 Therefore, staff, as Jim had said, has recommended
17 that the applicant submit a petition for variance
18 for the south setback that would be from the
19 minimum 20 feet to 9.8 feet as well as other
20 variations that were identified in our process,
21 including an increase of the maximum lot coverage
22 from 50 percent to 53.3 percent and a variance to
23 reduce the minimum pavement setback from the north
24 and south property lines from 10 feet to 1 foot

1 and 9.8 feet respectively.

2 So staff supports this request
3 and relief from the applicant. We believe it will
4 satisfy the concerns of the buyer Zilber and will
5 allow TruFragrance to remain as part of the
6 Village of Willowbrook. A sample motion for this
7 petition is located on Page 6 of the staff report.

8 I do want to note that for
9 variation petitions tonight, per the code, we will
10 need four votes for approval.

11 MR. REMKUS: Would someone like to
12 make --

13 MR. BAUGH: Does anybody have any
14 questions?

15 MR. REMKUS: Commissioners have any
16 questions or anything?

17 MR. RUFFOLO: I do not.

18 MR. KAUCKY: No.

19 MR. LACAYO: My only question is on
20 Page 4. So this was approved. There was just no
21 ordinance that we can find, but the plans and
22 everything the way the building is today was
23 approved?

24 MR. REMKUS: Yes.

1 MR. LACAYO: Thank you.

2 MR. REMKUS: If there is no other
3 comments by the Commissioners. If someone would
4 like to make a motion. I will read the motion.
5 Based on the submitted petition and testimony
6 presented, I move that the Plan Commission forward
7 its findings of fact to the Mayor and Village
8 Board for variations as shown in Attachment 1 of
9 the staff report prepared for the July 20, 2016,
10 Plan Commission for PC 16-15 and recommend
11 approval of variations as outlined in this staff
12 report prepared for the July 20, 2016, Plan
13 Commission, to allow an existing nonconforming
14 principal structure to be in conformance with the
15 Village's code.

16 MR. RUFFOLO: Mr. Chairman, I will
17 make that motion.

18 MR. REMKUS: Second?

19 MR. LACAYO: I will second.

20 MR. REMKUS: Secretary, call the
21 roll.

22 MS. KOLODZIEJ: Commission Lacayo.

23 MR. LACAYO: Yes.

24 MS. KOLODZIEJ: Commissioner Soukup

1 MR. SOUKUP: Yes.

2 MS. KOLODZIEJ: Commissioner Kaucky.

3 MR. KAUCKY: Yes.

4 MS. KOLODZIEJ: Commissioner Ruffolo.

5 MR. RUFFOLO: Yes.

6 MS. KOLODZIEJ: Commission Remkus.

7 MR. REMKUS: Yes.

8 The motion has carried.

9 MR. KOHLSTEDT: Thank you very much.

10 MR. WALLACE: Thank you very much.

11 MR. GRAPENTHIN: Thank you very much.

12 MR. KOHLSTEDT: We appreciate your

13 time this evening.

14 MR. REMKUS: Is there a motion to
15 close the public hearing for Case No. 16-15?

16 MR. RUFFOLO: So moved.

17 MR. REMKUS: Second?

18 MR. SOUKUP: Second.

19 MR. REMKUS: All in favor?

20 ALL COMMISSIONERS: Aye.

21 MR. REMKUS: Opposed? Motion

22 carries.

23

24

1 MR. REMKUS: Our next item of
2 business is a public hearing on Zoning Case No.
3 16-10. This is a petition requesting approval of
4 an amendment to an existing special use for a
5 variation from Section 9-10-5(K) to reduce the
6 requirement for onsite parking from one space per
7 employee to 16 spaces; and a variation from
8 9-10-5(B) to allow offsite parking on an adjacent
9 lot with an existing use; and a variation from
10 9-10-5(O) to allow overnight bus parking; and
11 other such relief as may be required to allow the
12 location of two temporary outdoor modular
13 classrooms in an R-1 Zoning District.

14 Is there a motion to open the
15 hearing and make the application and staff report
16 part of the public record?

17 MR. RUFFOLO: So moved.

18 MR. REMKUS: Second?

19 MR. KAUCKY: Second.

20 MR. REMKUS: All in favor?

21 ALL COMMISSIONERS: Aye.

22 MR. REMKUS: Opposed? Motion
23 carries.

24 The public hearing is open at

1 this time. I would ask the petitioner to step
2 forward and state their name and address for the
3 record. I would ask the court reporter to swear
4 in the petitioner and anyone testifying on this
5 matter.

6 (Dominic Sepich, Sue Caddy, Mike
7 Henderson, and Scott Kuehn were
8 sworn.)

9 MR. SEPICH: Thank you very much for
10 taking the time to meet with us. I'm Dominic
11 Sepich. I'm the principal at Holmes Primary
12 School.

13 MS. CADDY: I'm Sue Caddy. I'm the
14 business manager for Maercker School District 60.

15 MR. SEPICH: So when I started at
16 Holmes School five years ago, we had a fairly
17 small population of about 380 kids, and five years
18 later, we're now just over 500 kids. So within
19 that time, we've adjusted rooms and programming to
20 kind of help meet the needs of our students. One
21 of our growing programs is an early childhood
22 program that services our three-, four-, and
23 five-year-olds before they enter kindergarten.
24 This program started out very small, and we have

1 mandates by the State of Illinois that only allow
2 ten students in a classroom. Because right now
3 the program is designed for students who qualify
4 for special education needs only. Over the last
5 three years, that program has started to grow.
6 Last year we needed three sections, so that would
7 be one full-time teacher and a part-time teacher.
8 And to help fill that need of space, we actually
9 rented a room next door at the church. The
10 problem in lies is that they also run a program,
11 and the DCFS told us that we could no longer have
12 our school running a program while they're running
13 a program at the same time in the same set of
14 rooms. And so we had to bring that program back.
15 We're projecting more growth. Two years ago we
16 had about 16 students who qualified over the
17 course of the year because whenever a student
18 turns three years old, they can be qualified for
19 the program. That includes right now, we actually
20 have four or five cases of students open right now
21 that could qualify when school starts. And then
22 this year we qualified 18 students. So we're
23 projecting that we're going to need two full-time
24 teachers in order to keep the numbers under

1 stipulations for class size. And so that's why we
2 need an extra classroom. If we don't have the
3 extra space, then I'll have to displace four
4 teachers to make room for these students. So I'll
5 have four teachers who we'll have to figure out
6 where I'm going to put them within the school, and
7 probably double them up in rooms, and that's going
8 to affect programming somewhere in the school.

9 We looked at other
10 alternatives, including taking our large
11 multimedia lab and putting it into two rooms, but
12 then there's regulations with that that require us
13 to put in a bathroom, a permanent wall, change
14 some of the plumbing and the heating to make it
15 the way it needs to be, including putting in an
16 extra door. So that just turned out to be a very
17 expensive project. So we're hoping to add these
18 two classrooms to give us some time to figure out
19 what our long-term solution is to our classroom
20 space need.

21 I don't know if you have
22 anything else to add.

23 MS. CADDY: No. You did a pretty
24 good job.

1 MR. REMKUS: Okay. Does the public
2 have any comment? Is there anyone in the public
3 that wishes to address us? If you would rise,
4 state your name, and be sworn in by the court
5 reporter.

6 MS. BERGLUND: Sue Berglund,
7 B-e-r-g-l-u-n-d.

8 (Sue Berglund was sworn.)

9 MS. BERGLUND: I have some problems
10 with traffic that's happening over at Holmes
11 School. I've talked with the principal about
12 buses going through stop signs without -- they
13 just roll right through the stop signs. When the
14 moms pick up and drop off their children on
15 Holmes, children are darting out from the cars.
16 The moms are opening the doors. Traffic is
17 limited to basically one lane during those times.
18 It can be and it has -- I have seen it to be very
19 chaotic, which is one of my concerns with the
20 moving of more equipment or buildings onto the
21 site, which is going to bring in more moms, more
22 children. And I just I ask that perhaps a traffic
23 study be done of some type before any of this is
24 solidified so during school time not now and that

1 they address the problem of that first before they
2 start putting in more facilities for children.
3 And also perhaps another one of the schools within
4 Maercker School District could accommodate the
5 extra student problem. Thank you.

6 MR. REMKUS: Is there anyone else?
7 If you would like, step forward.

8 MR. CANGELOSI: Do you need to be
9 sworn in just for questions?

10 MR. BAUGH: Yes.

11 MR. CANGELOSI: Gary Cangelosi,
12 C-a-n-g-e-l-o-s-i.

13 (Gary Cangelosi was sworn.)

14 MR. CANGELOSI: I live immediately
15 west of the school on adjacent property to the
16 school. So some of my concerns about adding --
17 changing the zoning so that temporary buildings
18 could be put up is what I'm concerned about, the
19 precedent it sets and does the changing of zoning
20 allow additional temporary classrooms to be placed
21 whenever they don't want to displace four
22 teachers. So I'm concerned about what will this
23 mean for the future, what kind of precedent does
24 it set? Does a change in the zoning mean

1 mobile-home-like buildings could be put up all
2 over the property wherever it is, or is it
3 specific to this instance, this change only.
4 That's the kind of thing.

5 MR. BAUGH: The answer to your -- the
6 short answer to your question is no. This relief
7 that they are seeking is specific to their parcel,
8 and it is specific to two of these temporary
9 housing classrooms. This is not an amendment to
10 the zoning code which would permit, you know,
11 temporary structures to just pop up all over the
12 Village.

13 MR. CANGELOSI: Okay. I appreciate
14 that. The other thing, I guess, is a question of
15 going to a temporary solution which, you know,
16 replaces where the buses are today and then brings
17 them out closer to the street. Why would such a
18 temporary solution be done instead of pursuing
19 permanent solution sooner?

20 MS. CADDY: A permanent solution
21 would require more planning because we would have
22 to either build an addition or build a new
23 building, and that would also require us going to
24 the voters for permission, and it takes time for

1 that to happen. And the need --

2 MR. CANGELOSI: It couldn't be done,
3 for example, like, I know that you -- aren't you
4 guys in leased space?

5 MS. CADDY: The district office is,
6 yes.

7 MR. CANGELOSI: Yeah, yeah. And
8 aren't many of the special ed teachers mobile
9 because they'll go to multiple schools?

10 MR. SEPICH: No.

11 MR. CANGELOSI: We were told that at
12 a meeting.

13 MR. SEPICH: The only staff that I
14 share are an art and music teacher that go and
15 that's it. We have two staff that I share that go
16 to -- there are a few -- there is one district
17 psychologist that travels to three buildings.

18 MR. CANGELOSI: Gotcha. Because I
19 know that was discussed.

20 MR. SEPICH: Sure. And every so
21 often there are speech therapists who share case
22 loads, but those are shifted based upon the needs
23 of students every year that move out and move in,
24 and so that's a way that we keep staff at the

1 proper staffing without hiring additional staff.

2 But that's the only ones that I'm aware of. We

3 keep it to the most minimal amount.

4 MR. CANGELOSI: Okay. I understand.

5 And the last item that I didn't quite understand

6 when you explained it was one of the options you

7 had considered was to move teacher -- four

8 teachers. Did you mean four classrooms? Or just

9 the offices for the four teachers?

10 MR. SEPICH: I have space that's

11 dedicated to two teachers and at the minimum, it

12 would require me taking those four teachers and

13 doubling them up. They do all service students so

14 then I would have to figure out which spaces

15 for -- which spaces are going to be big enough so

16 that you could have two services going on at the

17 same time. So, for example, I have a math

18 interventionist who shares a room with a reading

19 interventionist. They see small groups of

20 students, so they can share a room. They won't

21 have a room, so I'll have to figure out if there's

22 another room they can go into, if there's office

23 space that they can go into. So they would --

24 they will be doubled up, so it will affect the

1 service of students.

2 MR. CANGELOSI: Yeah. But you don't
3 know?

4 MR. SEPICH: No.

5 MR. CANGELOSI: You don't know if you
6 can do that?

7 MR. SEPICH: It would be -- I think
8 it would cause a huge disruption in the quality of
9 the services that we're able to give kids. I
10 mean, it's some programs, whether it's my reading
11 interventionist, my math interventionist, art or
12 music, they might have to go in a cart. I don't
13 have four walls so having music on a cart is
14 difficult because there's an open wall and open
15 space. I might have to take my ELL teachers which
16 service over a third of my school's population and
17 lead them around. So something is going to affect
18 the services of students, and that's kind of where
19 we were at which is why we went out for space last
20 year to try to minimize that effect.

21 MR. CANGELOSI: All right. I
22 understand. Couldn't that -- one of those types
23 of moves be the temporary step that there would be
24 a limited time under which that inconvenience and

1 issue would occur prior to a full solution rather
2 than temporary buildings?

3 MR. SEPICH: When you're asking me
4 what's best for the integrity of my staff and
5 giving the best education and programs to my
6 students, that is a significantly less attractive
7 step for me. These are people who service
8 students every day all day long, and they often
9 service the students who need the most support
10 because they have two languages or they're
11 starting to fall behind in reading and math for
12 whatever reason, so it would be in my educational
13 opinion, like I said, a difficult thing for me as
14 the principal to talk about with staff, very
15 difficult step for me.

16 MR. CANGELOSI: Okay. Well, I mean,
17 there is no reaction to that that I can make, but
18 I'm not sure that all options have been considered
19 completely. Last comment. Thanks.

20 MR. REMKUS: Any other member of the
21 public that wants to make a comment?

22 Would you also run us through
23 the site plan and explain a little bit about
24 the --

1 MR. SEPICH: Sure. Did you want me
2 to address the parking question first, or do you
3 want me to run through this?

4 MR. REMKUS: Let's run through this.

5 MR. SEPICH: If you want to jump in
6 here.

7 MR. HENDERSON: Sure. So the project
8 or what's being proposed -- well, first, to orient
9 you, Holmes Avenue is here. 58th Place is here.
10 So the existing building is around here. There's
11 an existing paved area where it's striped out as
12 mostly a playground, a soft playground area here,
13 kind of green space, and kind of stormwater area
14 here. Most of -- from here over is the parking
15 lot for the adjacent church where there's a
16 parking arrangement with the school that uses
17 these parking spaces during school days and it's
18 used, of course, by the church on the weekends.
19 So the area that we're talking about is currently
20 a bus parking space. It's a fenced bus parking
21 space, and this double temporary unit would be
22 placed right on the existing paved spaces, so the
23 fencing would be taken down of the bus parking
24 area, and the buses would be moved forward by

1 those number of feet, 20 feet, 30 feet forward
2 towards 58th Place. So, again, this kind of
3 mobile temporary building would be kind of tucked
4 into the corner, and it's the least noticeable
5 place as possible. There is actually a landscape
6 screen that's currently here already. The
7 drop-off area currently is on Holmes Avenue. That
8 will remain, stay. And the drop-off area here is
9 existing. That will stay. So the number of
10 students that are actually being dropped off won't
11 increase. It's the same students, same quantity
12 of students. Is that correct?

13 MR. SEPICH: Yes. Essentially, there
14 was, maybe, six students who went to the church
15 next door. So, you know, those students would
16 then come back in, which it is actually projected
17 about 12. But the vast majority of the students
18 in that program are actually bused as is. So I
19 believe that most of the parking situation or the
20 drop-off situation won't change, and I actually
21 think it will speed up the drop-off in the front
22 because the two buses that are special ed buses
23 actually park right here and slow down the line
24 because they go in this door. So if I bring them

1 over here, it will actually speed up that line in
2 the front.

3 MR. HENDERSON: So this temporary
4 building is not increasing the number of students
5 or the number of or the amount of traffic. And
6 bringing the bus around, it actually does speed up
7 the area. Dominic was saying allows this traffic
8 to kind of move more smoothly.

9 MR. REMKUS: Does staff have any
10 thought? Would you like to give your report.

11 MS. FRANCO: Yes. Thank you. So I
12 want to go over and clarify again the need for the
13 temporary classrooms. So I'm sorry if some of
14 this is duplicative, but I think there are some
15 things that need to be emphasized in this request.

16 So the applicant is proposing
17 to locate the two modular classrooms, and they
18 will be used to educate school children ages three
19 to five years old, specifically those prescreened
20 for special needs and require an individual
21 education plan, also known as IEP. The IEP
22 program is a state-mandated program. So as soon
23 as a child turns three years old and is identified
24 as requiring special services, the school district

1 must meet the child's needs. So as a result of
2 the required preschool screenings, the number of
3 students requiring early childhood educational
4 services for the fall has grown significantly.
5 The school district was unaware of the number of
6 children needing these services until the
7 screenings were completed in the spring. In
8 previous years, as stated, the school utilized
9 space at the Christian church adjacent to the site
10 to the north, but the space is no longer
11 available. The law prohibits class sizes from
12 exceeding ten special needs students per
13 classroom. And as stated, there is -- the
14 principal does not find there is any space --
15 usable classroom space in the school building.

16 So just to give a little
17 overview of what's around the site. The Christian
18 Church of Clarendon Hills is located to the north.
19 Of course, Holmes Avenue to the west, 58th Place
20 to the south, and then unincorporated
21 single-family homes to the west. I think I said
22 Holmes was on the west, but it's on the east side
23 of the property. Across Holmes and across 58th
24 Plaza, there is a mix of single-family homes that

1 are -- it's a mix of unincorporated and
2 incorporated properties. And you can see that on
3 Page 3 of the staff report and Exhibit 2, adjacent
4 zoning. It's a little hard to describe. The
5 property is about four acres. The existing school
6 building is 53,000 square feet and educates
7 children prekindergarten through second grade.
8 And I believe the other schools in the Maercker
9 School District educate children third grade
10 through eighth grade.

11 MR. SEPICH: There is a
12 three-through-five building and six-through-eight
13 building.

14 MS. FRANCO: Okay. The space -- the
15 property is 16 parking spaces and as noted nine
16 existing bus parking spaces currently exist on the
17 property. So the school district would have a
18 three-year lease on modular classrooms, and they
19 would be placed, as they said, in the existing
20 paved area on the site. They have a total length
21 of 60 feet and width of 27 feet, and a footprint
22 of 2100 square feet approximately, with about 1500
23 square feet dedicated to instructional use. They
24 are accessible by two stair cases and an ADA

1 accessible ramp. The classrooms would be -- the
2 modular classrooms would be oriented so that the
3 main door is located south towards 58th Plaza and
4 as well as the windows for the building. An
5 elevation is provided in the staff report on Page
6 of the staff report, Exhibit 4.

7 The school district would be
8 proposing new sanitary water and electric lines to
9 service the classrooms as there will be bathrooms
10 and need for electric. In terms of bulk
11 requirements, there is no concern with height.
12 There is no concern with building setbacks. No
13 concerns with maximum lot coverage as they are not
14 adding any new impervious surface as part of their
15 proposal, and staff is not applying standards for
16 foundation landscaping as it is only a temporary
17 structure.

18 Currently, parking on the site
19 is not in conformance with what was approved in
20 their original special use in 2001. There are 16
21 parking spaces on site, but they are missing 26
22 spaces. There was originally an approval of a
23 total of 42 spaces for their special use. In
24 looking at Google Earth historical aerials, that

1 repaving happened on the lot where the buses are
2 between 2012 and 2013, and they were just never
3 restriped. So even if the school were to restripe
4 these stalls to be in conformance with the code
5 and their special use, there are now 59 faculty
6 members employed at the school, so they would
7 still be 17 spaces short if they were to become in
8 conformance and they striped.

9 So as stated by the applicant,
10 they do have a parking agreement with the church
11 to the north to allow their employees to park
12 there. And this is now -- it had been a verbal
13 agreement, but it is now a written agreement.
14 Staff supports the agreement that is now a written
15 agreement because it's conveniently located to the
16 school. There is the peak hours between the
17 school and the church directly coincide. The
18 church mainly operates on weekends and after 5:00;
19 whereas, the school obviously operates during the
20 day. So very little conflicts for peak hours.
21 It's an efficient use of the existing parking and
22 no new impervious surface would need to be
23 created, and they already have a successful
24 history of using the shared parking. I believe

1 school district officials have said they've been
2 using the parking lot since 2002. So the
3 variation they're requesting is 16 spaces decrease
4 of onsite parking spaces. The overnight bus
5 parking, as we said, there is nine overnight
6 parking stalls. They leave at 7:00 a.m. in the
7 morning before students arrive and then park
8 overnight from 4:30 p.m. until 7:00 a.m. The
9 school district, as I said, you know, originally
10 intended to relocate the bus parking; however,
11 they had difficulty finding an alternate location
12 and are proposing for the bus parking to remain on
13 site. Since they are proposing that the buses
14 stay on site, staff is requesting that they
15 provide additional landscape screening on the
16 property. The proposed screening is outlined or
17 illustrated in a diagram on Page 10 of the staff
18 report. Items in red are evergreen trees and blue
19 are deciduous. Staff understands that there are
20 traffic concerns. The Plan Commission has traffic
21 concerns, Village board members and the public.
22 But because school is not in session, staff did
23 not require the applicant to conduct a traffic
24 study because it would be inaccurate and wouldn't

1 show what, you know, what's really going on there
2 in the summer. So, therefore, staff is
3 requesting -- is supporting the requested relief,
4 excuse me, for the two modular classrooms on site.
5 You know, we don't desire to make a hasty
6 decision, but staff does understand that they have
7 been put in a difficult situation in trying to
8 provide the classroom space. I will note if a
9 decision is delayed -- delayed, for instance, to
10 an August Plan Commission meeting, that the
11 modular classrooms will not likely be installed
12 prior to the first day of school, which, I
13 believe, is on August 24.

14 MS. CADDY: 25th.

15 MR. SEPICH: 25th.

16 MS. FRANCO: 25th. So I want you to
17 keep that in mind. But a sample motion is
18 provided on Page 11 of the staff report.

19 As like the last application
20 for approval, four members of the Plan Commission
21 would need to vote for approval per, I believe, it
22 is Section 9-14-4.6 of the code.

23 MR. REMKUS: Do any of the
24 commissioners have any questions or comments?

1 MR. LACAYO: I would like to first --
2 I want to separate the discussion between what's
3 required by law and what we're actually approving
4 because I understand what the principal has to go
5 through. I get it. But here is my question to
6 the staff, and I know you weren't here. The tests
7 were completed in the spring. When did we find
8 out about it?

9 MS. FRANCO: We found out about it --

10 MR. LACAYO: When did we find out
11 there was a need?

12 MS. FRANCO: It way late May.

13 MR. LACAYO: Because this group of
14 people, the number one theme, the number one point
15 of discussion is traffic. We've had so many
16 hearings of hours to talk about traffic, and
17 traffic is already bad as it is. Three of my kids
18 went there, and now we're going to make a decision
19 without knowing anything about the number one
20 topic that this Plan Commission faces every time,
21 that's number one. Number two, the parking
22 arrangement is a one-year arrangement. I know
23 it's great with the church. They're good
24 neighbors. That parking arrangement goes away,

1 where do the teachers park? It's a big risk. And
2 I would have to agree with the citizen to the west
3 of the property. I don't think we've explained
4 the other alternatives. So at this point in time,
5 I want to hear -- you know, I'm concerned about
6 the traffic. I'm concerned about the parking
7 arrangements with the church, and I'm concerned
8 that people are going to be impacted, the
9 neighbors to the south and the west, who are
10 already impacted, are looking at us saying wasn't
11 another alternative explored, and it seems we're
12 rushing this because we have three weeks to get it
13 going.

14 MR. SEPICH: Well, regardless -- I
15 guess regardless of whether or not the mobile
16 classrooms are put in, the traffic is still going
17 to be the traffic that's there. You know, we
18 tried to adjust and help with that issue,
19 including we run seven buses, and we make those
20 available to parents who need them really within a
21 short radius, I think .3 miles away from school so
22 that we can get as many students on the buses as
23 we possibly can. Then we have a pickup line and a
24 drop-off line that we run and we have four and

1 five adults helping run that, including I bring in
2 the officers from Willowbrook to help during that
3 process throughout the course of the year. I
4 mentioned earlier that the early childhood
5 students are mostly bused. So you'll see small
6 Septran buses that bus those students. They come
7 in to here, and they are at this door, and
8 basically what they do is they slow down this
9 process here. So what we would be doing is
10 bringing them over to this part right up in the
11 front. They're going to -- the regular seven
12 buses, actually, now drop off at 8:10 in the
13 morning. Those students would -- after we drop
14 them off at 8:10, they go immediately and run
15 another route. So those buses will be able to
16 come over here and actually speed this process up.
17 There may be a few parents from this car line that
18 could then also come over here, and they have the
19 three-, four-, and five-year-olds that are in car
20 seats at the time so they may take -- they
21 sometimes slow it down as well. So I actually
22 think that the parking and the traffic situation
23 will improve just by bringing these two things
24 over. But regardless of whether or not we have

1 the mobiles, we're still going to have the same
2 amount of people driving or on the buses. So we
3 are going to try some new things, actually. Down
4 here is where the church entrance is. I've been
5 working with the pastor to try for temporarily put
6 a couple of barriers up right there. So people
7 often come in and go left and they cheat the
8 system, and then they try to turn around and get
9 into the drop-off line that actually runs up here.
10 So he said it was okay for us to put those
11 barriers up during the drop-off and pick-up
12 procedures to try to speed up that process as well
13 because it's anywhere between 10- to 15-minute
14 line in the morning and in the afternoon. So
15 those are the new things that I'm going to try to
16 help improve the traffic situation.

17 Your second question?

18 MR. LACAYO: The arrangement with the
19 church, I mean, I saw the contract. It's one
20 year.

21 MR. SEPICH: Yeah. I mean, we've
22 been doing it since 2002, and the reality is we
23 have a great relationship with the church. They
24 use our facilities all the time, including on the

1 weekends. They run their before- and after-care
2 school to our district's calendar to support
3 families. And we actually do run bus stops to and
4 from the church for the other two schools to help
5 parents out with that situation so parents can
6 drop them off at 7:30 and a bus can take them over
7 and bring them back over, and parents can get them
8 when they get off of work. They run an
9 after-school or a p.m. daycare for our
10 kindergartners, so they come in and they actually
11 use -- there's a small group of kindergartners
12 that eat lunch with the other students, and they
13 flow in and out. So I mean, I meet with the
14 pastor regularly, Pastor J.K. Stevens, and he'll
15 ask me what we need, and we share different
16 resources and services. So I can't imagine -- I
17 can't imagine any scenario they would say no. In
18 fact, they actually added additional parking on
19 the other side of the church. They just finished
20 that, so they added, I would say, 150 parking
21 spots easily to the other side. So I can't
22 imagine there being an issue. There hasn't been
23 in my time nor any time that predated me that I am
24 aware of.

1 And your last question was:
2 Did we explore other alternatives? I go through
3 the space usage every year. What I have currently
4 I have five kindergarten teachers, so I need five
5 classrooms in the morning, five classrooms in the
6 afternoon. I have eight first grade teachers, and
7 I have seven second grade teachers. All of those
8 classrooms take up space, and then I have a
9 growing population of ELL students, reading
10 support, math support. My alternatives are not
11 attractive alternatives. For example, put art and
12 music on a cart and use that classroom, which
13 would require my art and music teacher to roll
14 around to a classroom. The first and second grade
15 hallway is open. There is not a fourth wall.
16 They have bulletin boards up and hooks up, so it's
17 about an eight-foot barrier, but you can imagine
18 the sound that would come if you are trying to use
19 instruments in that process for music. Art is all
20 about supplies. She can't do a clay project in a
21 regular classroom. She has to do it in the art
22 room. I can put the library on a cart and get rid
23 of the library. I have over 10,000 books in my
24 library. I have no place to put those books.

1 Obviously a library is not a good place. We
2 explored the multimedia lab, and that's the room
3 that we explored dividing it into two, but that
4 would require stipulations. I cannot have two
5 teachers in a big room. That was actually the
6 best solution that we came across, but state law
7 will not allow us to do that. ISB regulations
8 require one classroom per teacher, and there has
9 to be an easily accessible bathroom. And so the
10 other alternatives, as you can see, are not ones
11 that are going to be effective for programming and
12 the integrity of the education that I'm trying to
13 give kids. The splitting of the room required a
14 door, changing the heating and the air
15 conditioning, putting in a bathroom, and putting
16 in a permanent wall. And all of that would
17 roughly cost more than what we're projecting these
18 two mobile classrooms to be. And then once -- our
19 long-term solution, obviously, is to figure out
20 how to get more permanent space, whether it's on
21 the site or somewhere else. And we looked into
22 some of those options as well. But there's not an
23 easily affordable option because then you're
24 talking a referendum which requires a tax hike

1 from the voters in order to get that done. So we
2 have explored. And the fact that we rented a
3 space next door. We audited the other two
4 buildings as well, three, four, five, and six,
5 seven, eight. You cannot have early childhood
6 students -- you actually can't have early
7 childhood, kindergarten, or first grade students
8 on a second floor. So they would then displace
9 classrooms at the three, four, five and we don't
10 have enough space there as it is. We actually
11 had -- we contracted a classroom with SASSED, which
12 is our special ed coop, and we actually had to
13 remove them from Maercker School. They had a
14 multineeds classroom in our building, but we
15 needed that room so the district had to get rid of
16 them. As for the sixth, seventh, and eighth, it's
17 just not -- I'm not 100 percent sure if there's
18 classroom availability there, but to have three-
19 and four-year-olds with middle-school students is
20 very difficult for me to think would be successful
21 for those students as well as that requires a
22 shift in support staff. So my social worker, my
23 psychologist, my assistants, the equipment, even
24 the size of the tables, having a bathroom in the

1 room, all of those things aren't something that's
2 easily accessible already in a six-through-eight
3 building. So the reality of the situation is, you
4 know, we can do these or we can adjust the space
5 that's within the building. And those are the
6 reality of the situations, because I just don't
7 think it's fiscally responsible or I don't believe
8 we as a leadership group to pour the money into
9 the lab, which would still displace a few teachers
10 even if we did that piece. So we did explore a
11 lot of options, and this is something we've been
12 talking about for three years because we want to
13 get to a blended program. We want to offer
14 preschool for more students. And in order to do
15 that, we need more space. We're not at that point
16 yet. This is just giving us the proper space to
17 run all of my programming in what I would say is
18 the best for what students need for all supports
19 from classroom teachers to specialists to art and
20 music and PE to library to my EL teachers to my EL
21 students, so all of those programs will be
22 affected if we don't have extra space.

23 MR. LACAYO: Understood. One
24 question to staff. I'm surprised we only have one

1 resident. Do we have anything? Any other
2 comments? Any feedback?

3 MS. FRANCO: I received no emails or
4 written feedback or in-person appointments from
5 any residents.

6 MR. LACAYO: Okay. Thank you. Thank
7 you.

8 MR. KAUCKY: I do have a question.
9 The actual modular space, how many students does
10 it accommodate inside --

11 MR. SEPICH: By law, we can put 40
12 students in there. It would be two sections --
13 two classrooms, and there would be ten sections in
14 the morning for each and ten sections in the
15 afternoon -- or ten students in the afternoon. So
16 we can max out at 40 total. We've never got -- we
17 haven't gotten to 40, but we're projecting that we
18 will with the students that we have coming back.
19 We're already at 25 with two students that -- two
20 or three that may still qualify for services as we
21 finish summer evaluations, which puts us close to
22 30. So that's why we've already -- we test
23 sometimes as many -- we screen hundreds of
24 students, but we really take about 15 to 20. So

1 you can imagine if we continue to qualify at the
2 rate we have the last two years, we're going to go
3 over 30 for sure into the 40. So we're going to
4 need that classroom.

5 MR. KAUCKY: What happens in 2017
6 when you do another study and you find you have --
7 you might have more than what you anticipate?
8 What happens at that point?

9 MR. SEPICH: Well, we're working on
10 what we want the long-term solution to be, which,
11 ideally, is to find the space within district
12 boundaries or to add classrooms. But, again,
13 that's not -- that's not my decision. That's the
14 board of education's decision, and the board of
15 education has to go to the public in order to get
16 that done. So we've had this discussion, and
17 they've talked about different additions over the
18 last few years. But with the state and the
19 finances, they've been hesitant to make that
20 commitment 100 percent until we know exactly
21 what's going to be best for all the space in all
22 three buildings.

23 MR. KAUCKY: This is a three-year
24 plan; is that correct?

1 MR. SEPICH: It's a three-year lease?

2 MS. CADDY: It's a three-year lease;
3 correct.

4 MR. RUFFOLO: Just a follow-up
5 question on traffic. In anticipation of this
6 meeting last month, I actually visited the site.
7 And I would like to ask you again to explain your
8 bus route. I see it comes in off of Holmes on
9 some of -- the discharge there, also along 58th.
10 Is the bulk of the discharge with the larger
11 buses; that's correct?

12 MR. SEPICH: Yes.

13 MR. RUFFOLO: My question is: Having
14 visited the site, the width of that street when
15 the buses are there, does it support -- and I
16 believe it's a two-way street not a one-way
17 street. Does the width of the street support
18 traffic passing those buses or, of course, because
19 they're discharging, their flag might be out and
20 you cannot pass them.

21 MR. SEPICH: If they are loading or
22 unloading students, you cannot go either way.
23 Traffic is required by law to stop.

24 MR. RUFFOLO: Right. And when

1 they're present, as they clear, is there
2 sufficient space or --

3 MR. SEPICH: Yes. Because there's a
4 bus -- this fence here is an actual bus lane, and
5 then the street starts after it. So there's the
6 two lanes of traffic. People actually park on the
7 other side. There's parking along the housing on
8 the other side.

9 MR. RUFFOLO: Street parking?

10 MR. SEPICH: Street parking, yes.
11 But this is actually part of the school property.
12 So the bus lane goes into the school property.
13 It's not in the street.

14 MR. RUFFOLO: I appreciate that
15 clarification.

16 MR. REMKUS: Any other questions? I
17 have one. Was there no room at any of the other
18 schools for the buses?

19 MS. CADDY: There is no room at any
20 of the other schools.

21 MR. REMKUS: And the other comment I
22 had staff, does this have a sundown? They have a
23 three-year lease. Does this ordinance have a
24 sundown on it or will this -- could they just

1 continue to use these after the three years?

2 MS. FRANCO: I believe that, and I'm
3 looking to you, Brian, for support on this, but I
4 believe that they are only allowed a three-year
5 lease on the modular classrooms per the special
6 use.

7 MR. LACAYO: Let's ask it
8 differently.

9 MS. FRANCO: Okay.

10 MR. LACAYO: In our motion, can we
11 only approve this for three years?

12 MR. BAUGH: Sure. When we get to the
13 formal motion that's here, I will try to modify it
14 for -- to address that concern if that's what
15 everybody on the Commission wants to do.

16 MR. REMKUS: It was just a question I
17 had that it gives us public comment in three years
18 if all of a sudden we go, you know, I know we've
19 seen other schools and that where classrooms
20 started out they were going to be there for three
21 or four year and ten years later those classrooms
22 are still there. You know, I think it's something
23 that we should be aware of that so we don't go too
24 long, you know. If they need it, they would have

1 to come back for another -- to renew that. It
2 allows for public comment at that time.

3 MS. FRANCO: I believe we can include
4 it as a condition for this petition that they can
5 only have the temporary classrooms for three
6 years. And then if they would like to renew that,
7 they would have to amend their special use again.

8 MR. REMKUS: Because I think it keeps
9 it in the public, and then it also gives the
10 school the advantage that, you know, as this runs
11 out, we need more money to do this.

12 MS. FRANCO: We can definitely
13 include it as a condition in the motion tonight to
14 only allow the three-year lease. And if they
15 would like to renew, then they would have to amend
16 their special use in three years.

17 MR. REMKUS: Is there anybody on the
18 Commission that would have a problem with that?

19 MR. RUFFOLO: No. I would welcome
20 it.

21 MR. LACAYO: I would support it.

22 MR. KAUCKY: I am in favor.

23 MR. REMKUS: Does the school have any
24 objections?

1 MR. SEPICH: I don't have.

2 MS. CADDY: No.

3 MR. REMKUS: Then if there is no more
4 comments, as soon as he is done writing the
5 motion, I can read it.

6 I don't usually do this, so I
7 appreciate you watching me stumble through this.
8 I usually have the easy job and sit down at the
9 end. I know how it affects -- the special ed
10 affects you because my daughter-in-law was a
11 special ed teacher at Westview or at Maercker, and
12 I know all the problems it is causing. I wouldn't
13 want your job.

14 MR. BAUGH: So before we start to
15 make the motion, this is what I just kind of
16 scribed up right now. It's a third condition to
17 the motion which would read the two temporary
18 module classrooms shall be allowed for a period of
19 three years from the date of approval of the
20 zoning request by the Village Board. Does that
21 work?

22 MR. REMKUS: Yes.

23 MR. RUFFOLO: Yes.

24 MR. REMKUS: Okay. Based on the

1 submitted petition and the testimony presented, I
2 move that the Plan Commission forward its findings
3 of fact to the Mayor and Village Board for special
4 uses and variances as shown in Attachments 1 and 2
5 of the staff report prepared for the July 20,
6 2016, Plan Commission for PC 16-10, and recommend
7 approval of an amendment to the existing special
8 use to allow a variation from 9-10-5(K) to reduce
9 the minimum required onsite parking spaces, a
10 variation from 9-10-5(B) to allow offsite parking
11 on an adjacent lot with an existing use, and a
12 variation from the 9-10-5(O) to allow nine
13 overnight bus parking stalls, to allow two
14 temporary modular classrooms on the subject
15 property, subject to the following conditions:

16 1) Additional landscaping,
17 including four evergreen trees and one deciduous
18 tree, shall be added to the Landscape Plan, and
19 that the Landscape Plan shall be prepared per
20 Village code requirements.

21 2) Construction and
22 maintenance of the modular classrooms shall at all
23 times be in substantial compliance with the plans
24 identified in the attachments of the July 20,

1 2016, staff report for PC 16-10.

2 3) The two temporary modular
3 classrooms shall be allowed for a period of three
4 years from the date of approval of the zoning
5 request by the Village Board.

6 Do I have a motion?

7 MR. RUFFOLO: So moved.

8 MR. REMKUS: Second?

9 MR. KAUCKY: Second.

10 MR. REMKUS: Secretary call the roll.

11 MS. KOLODZIEJ: Commission Lacayo.

12 MR. LACAYO: Yes.

13 MS. KOLODZIEJ: Commissioner Soukup

14 MR. SOUKUP: Yes.

15 MS. KOLODZIEJ: Commissioner Kaucky.

16 MR. KAUCKY: Yes.

17 MS. KOLODZIEJ: Commissioner Ruffolo.

18 MR. RUFFOLO: Yes.

19 MS. KOLODZIEJ: Commission Remkus.

20 MR. REMKUS: Yes.

21 MR. SEPICH: Thank you very much.

22 MS. CADDY: Thank you.

23 MR. REMKUS: Could I have a motion to
24 close the public leering.

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MR. LACAYO: I will make a motion.

MR. SOUKUP: Second.

MR. REMKUS: All in favor.

ALL COMMISSIONERS: Aye.

MR. REMKUS: Opposed?

Motion carries.

1 MR. REMKUS: Next item on the agenda
2 is a public hearing regarding Zoning Hearing Case
3 No. 16-07. This is a petition for a special use
4 permit for a planned unit development, including
5 such relief, exceptions and variations from Title
6 9 and from Title 10 of the Village Code to allow
7 construction of a 45,554 square foot facility that
8 includes 28,992 square foot indoor soccer facility
9 and 16,562 square feet of restaurant, bar and golf
10 simulator entertainment space; and approval of a
11 Preliminary and a Final Plat of PUD.

12 Is there a motion to open the
13 hearing and make the application and staff report
14 part of the public record?

15 MR. KAUCKY: So moved.

16 MR. REMKUS: Second?

17 MR. RUFFOLO: Second.

18 MR. REMKUS: Secretary call the roll.

19 MS. KOLODZIEJ: Commission Lacayo.

20 MR. LACAYO: Yes.

21 MS. KOLODZIEJ: Commissioner Soukup

22 MR. SOUKUP: Yes.

23 MS. KOLODZIEJ: Commissioner Kaucky.

24 MR. KAUCKY: Yes.

1 MS. KOLODZIEJ: Commissioner Ruffolo.

2 MR. RUFFOLO: Yes.

3 MS. KOLODZIEJ: Commission Remkus.

4 MR. REMKUS: Yes.

5 The public hearing is open.

6 At this time, I would ask the petitioner to step
7 forward and state their name and address for the
8 record. I would ask the court reporter to swear
9 in the petitioner and anyone else testifying on
10 this matter.

11 MR. GRASSO: Good evening,

12 Mr. Chairman pro tempore, members of the Board.

13 My name is Gary Grasso, G-r-a-s-s-o. I'm with the
14 law firm of Grasso Bass, PC, located at 38 Blaine
15 Street in Hinsdale, Illinois 60521. With me
16 tonight -- and, by the way, I'm here on behalf of
17 the Willowbrook 2012, LLC as the formal client and
18 petitioner. With me is the owner, Roy
19 Dobrasinovic, who may testify. So Roy, would you
20 please stand up. His general counsel is also
21 here, Arleesia McDonald. She will not be
22 testifying but she is here. The developer is also
23 here, Walter Veselinovich, that's
24 V-e-s-e-l-i-n-o-v-i-c-h. I don't believe Walter

1 will be testifying. The architect is here, Ronald
2 Vari, V-a-r-i. Ron will be testifying and should
3 be sworn in and also the professional engineer,
4 Walter Krawczyk, K-r-a-w-c-z-y-k.

5 MR. GRASSO: Okay. So I will be
6 testifying maybe. Ron will be testifying. Walter
7 will be testifying and maybe Roy. So the four of
8 us should be sworn.

9 (Gary Grasso, Ron Vari, Roy
10 Dobrasinovic, and Walter Krawczyk
11 were sworn.)

12 MR. GRASSO: Forgive me but I also
13 forgot to introduce Mario Magliano, who is one of
14 the principals also of Compass, and he will not be
15 testifying tonight.

16 We're here, as the agenda
17 indicates, requesting a special use permit for
18 PUD. It involves three main components, an indoor
19 soccer facility, a golf simulator, and a
20 restaurant. It is located on the south side --
21 the property is located on the south side of the
22 frontage road between Dell Rhea's Chicken Basket
23 and the 7/Eleven, and to the south is the elevated
24 section of I-55. I believe all of you are

1 familiar with the property. It is a B-3 general
2 business area. It is vacant property. It is
3 about 3.6, 3.7 acres in size and we are -- it is
4 vacant now. We are preparing what we believe to
5 be a good use of good land in the Village of
6 Willowbrook. We believe it has been right sized.
7 We have gone through several renditions with the
8 staff and have, we believe, met some of the
9 concerns, and those concerns include parking,
10 which, I believe, in the report we have satisfied.
11 We believe that there is also some concern about
12 the Joliet Road shoulder area at the property for
13 which we are proposing a bituminous shoulder
14 upgrade and regrading, and we'll also work the
15 easement, a very somewhat unusual easement, with
16 the 7/Eleven to the east. And we also, I believe,
17 have addressed the signage issues that have been
18 raised by staff from time to time and are willing
19 to go along with the recommendations made by
20 staff.

21 There are five conditions
22 being proposed for, hopefully, approval by the
23 Plan Commission. We are okay with all five. We
24 note one request, however, as to No. 5, and that

1 would be that if so granted tonight, the special
2 use permit be extended -- the time period be
3 extended to both commencement and certificate of
4 occupancy to 24 months. I think it's a little
5 unrealistic to think that we could have a proposed
6 site built and a certificate of occupancy within
7 12 months. We think that would be a little too
8 aggressive. And rather than have to come back, we
9 would ask you for some leniency there and consider
10 24 months. The architect is here, Mr. Vari. He
11 has a number of boards we can show you.

12 MR. BAUGH: Counsel, if I may.
13 Miss Franco would like to provide you with some
14 additional conditions that she distributed to the
15 Plan Commission this evening.

16 MR. GRASSO: Okay.

17 MS. FRANCO: I apologize that these
18 conditions were not included in the original
19 report. Should I read them off now?

20 MR. BAUGH: Give them the list and we
21 will take a couple minutes so they can --

22 MS. FRANCO: So the first -- and I
23 have a copy here.

24 MR. GRASSO: Thank you.

1 MS. FRANCO: So the first additional
2 condition is Plans shall be submitted prior to the
3 Village Board meeting specifying the fire hydrant
4 locations. They just need to be approved by the
5 Tri-State Fire Protection District. I think that
6 was previously discussed with our previous planner
7 Jo Ellen. I don't think that was ever --

8 MR. GRASSO: -- an issue. But I know
9 you want to make it to the record. And, by the
10 way, I appreciate you jumping in in the middle of
11 all this and producing a very sufficient report.
12 Thank you.

13 MS. FRANCO: 2) The maximum
14 occupancy of the arena shall be limited to no more
15 than 48 people, unless otherwise approved by the
16 Village as part of a major change to a PUD.

17 3) And I believe I misworded
18 this so I apologize. But the applicant shall show
19 use in approved plans prior to Village Board
20 approval future modifications to the use of any
21 room subject to administrative review to determine
22 whether a major change amendment is required based
23 on parking.

24 4) The applicant shall

1 confirm with DuPage County that there is adequate
2 capacity for the proposed use, and that's storm
3 sewer capacity, prior to Village Board approval.

4 MR. GRASSO: And so by that you mean,
5 we seek a review of the storm sewer ordinance and
6 that there is no violation, it's consistent with
7 the storms ordinance?

8 MS. FRANCO: Yes. And I believe
9 that's mentioned -- this is also mentioned in the
10 May 1 --

11 MR. GRASSO: Understood.

12 MS. FRANCO: -- staff report. So if
13 you have any follow-up, you can discuss that with
14 me. I think it is just an outstanding issue.

15 MR. GRASSO: Uh-huh.

16 MS. FRANCO: No. 5, the power pole
17 and wire west along the north side of Frontage
18 Road shall be buried and the pole removed as part
19 of the construction of the project. I believe
20 that was listed.

21 MR. GRASSO: We understand what
22 you're saying. We just don't know what the cost
23 factor of that might be. So we understand it
24 being a condition.

1 MS. FRANCO: Okay. 6) A parking
2 agreement shall be executed to accomplish the
3 following: That stipulated parking near the front
4 for employees only, and I believe that is part of
5 the Plan. Now it is. Parking shall be --

6 MR. GRASSO: In the provided spaces.

7 MS. FRANCO: Yes. In the provided
8 spaces. And drive aisles shall be kept clear.
9 Semis shall not park on the site except in the one
10 loading spot and only when loading and unloading
11 products. And a cigar lounge use is not allowed.

12 MR. GRASSO: Okay. I, for the
13 record, speaking with the architect, looking at my
14 client and his general counsel, I don't think that
15 we're going to have any problems with these
16 additional conditions with the one reservation,
17 just making sure what the cost might be for any of
18 the pole and digging. I've had some experience
19 with that. Is that a ComEd pole or ComEd wires or
20 do we know?

21 MR. KRAWCZK: Right now it doesn't
22 serve the property. Right now it serves only the
23 Dell Rhea's Chicken Basket and the self-storage
24 facility, so the power comes across at the

1 intersection and it feeds Dell Rhea Chicken
2 Basket. Since there is no structures on the
3 property right now, the property is not utilizing
4 the pole. So if you're saying that any future
5 connection to this facility would require that
6 overhead line being lowered underneath the
7 intersection, which then will rip up the
8 intersection of Quincy and Joliet Road.

9 MR. GRASSO: Ripping it up or it can
10 be trenched.

11 MR. KRAWCZK: Or augered underneath.

12 MR. GRASSO: So you think it's --
13 Anna, do you think it's a power line and
14 electricity?

15 MR. KRAWCZK: It's phone or electric.
16 It's overhead. So it's shown on the plans right
17 now, and it's actually on Dell Rhea's property and
18 it serves Dell Rhea's facility. So we would have
19 to get -- when we put the new building up, we have
20 to get the new line in place, and then we would
21 disconnect Dell Rhea and move them over at that
22 time.

23 MR. GRASSO: And, obviously, we would
24 have to be subject to any -- if it's ComEd, they

1 traditionally have easements. And I don't know if
2 it's physically on our property or Dell Rhea
3 Chicken's, and so we might have to get them to go
4 along with things also. We certainly understand
5 the request. It's certainly not unreasonable,
6 given the fact that we're improving the area. I
7 would understand why you want to take care of
8 that.

9 MS. FRANCO: Can we at least make it
10 a condition to further investigate the topic?

11 MR. BAUGH: Sure.

12 MS. FRANCO: So no condition for any
13 action at this time with further investigation as
14 necessary.

15 MR. GRASSO: We will make a good
16 faith effort to give you the alternative to give
17 the Village Board the alternatives when we're
18 moving forward shall we get approval tonight. And
19 the cigar lounge use, that's understandable and
20 not a problem.

21 MS. FRANCO: Okay.

22 MR. GRASSO: Item 2, the maximum
23 occupancy of the arena limited to no more than 48
24 people, unless otherwise approved by the Village

1 as part of a major change to a PUD. Could you
2 explain how the process would work if we needed
3 more than 48 people? I mean, as time went on.
4 Let me understand what the concern is.

5 MR. VARI: So if I may for a moment.
6 With only 48 people in the arena per se, picture a
7 slower night in February, Tuesday night in
8 February. We have an occupancy card that could
9 accommodate around 500 people and approximately --
10 I'm going off my memory here, but we have
11 approximately 120 spaces devoted toward the rest
12 of the building and only 48 people are inside the
13 arena taking only 40 or 50 spaces. That would
14 even be a stretch. But say they were taking 50
15 spaces. We have 120 other spaces devoted toward
16 other areas of the establishment. But for
17 whatever reason on Tuesday night in February, no
18 one is out watching sports or no one is out
19 playing golf simulator or whatnot. From a
20 businessman's perspective, if we put a governor on
21 the arena when the rest of the parking lot is
22 empty, it would just -- it would not make
23 economical sense from a businessman's perspective
24 to do that. So our recommendation has been over

1 the past year, off and on, has been to certainly
2 restrict it somehow. But by way of -- there is a
3 couple governing factors. You've got the IBC,
4 International Building Code, and the fire marshal
5 will tell us how many people we can have in the
6 entire building. That's going to put the governor
7 on every room in the entire building, arena,
8 kitchen, dining room, et cetera. You've got that
9 aggregate number of around 500. You've got
10 parking spaces of about 174, I think, most
11 recently that could park or accommodate figure
12 four people per car -- that probably won't
13 happen -- but, theoretically, could park over 80
14 people and bring them into the establishment.
15 Now, the 500 that I spoke of being inside the
16 building is a very conservative and restrictive
17 look at the occupancy card. If we really count it
18 out, according to the most liberal version of IBC,
19 it's well over 2,000 people, but we're not asking
20 for that. However, to balance it, we're certainly
21 not wanting only 48 in the arena. What we're
22 asking for is as long as there isn't a parking
23 issue, the parking lot and the occupancy card will
24 kind of self-govern itself because we can't have

1 more than the occupancy says because if the fire
2 marshal comes by, that won't be good for us. And
3 it will be very obvious as to whether or not
4 there's a parking issue, and we would work with
5 everyone here to mitigate that from day one. I
6 know the gut feeling is to say, Oh, my goodness,
7 what if we do have a parking issue? It takes a
8 lot to have a parking issue. I hope Roy is
9 blessed with a parking issue, but the truth is
10 with 175 spaces and plenty of hotels and whatnot,
11 and plenty of offsite parking for employees at his
12 own business less than a quarter mile away,
13 there's a very small chance in reality there's
14 going to be a parking problem. I can see why
15 we're going through a lot of trouble to make sure
16 there isn't going to be one. But to say only 48
17 people should exist inside 20 some thousand square
18 feet, I wouldn't want to put a number on this
19 room, but it's like saying there can only be two
20 people in this room. It's just from a
21 businessman's point of view, it's a hard pill to
22 swallow. So what we're asking for is some common
23 sense governor that protects everyone's interests.

24 MR. GRASSO: And I know, I believe,

1 from time to time the owner wants to make the
2 facility available free to schools to come over
3 and have a program or --

4 MR. VARI: Or senior day.

5 MR. GRASSO: -- or senior day. So we
6 would like to address the concerns. We're not
7 quite sure what the concern of 48 is, but at the
8 same time, we would like to be able to fully
9 utilize the facility without, obviously,
10 overutilizing the facility, staying within the
11 occupancy permit and within the parking lot
12 requirements. No one is suggesting that we have
13 any more than that, but this does seem on its face
14 a bit severe.

15 MS. FRANCO: I think the main concern
16 from staff is the parking issue is related to a
17 soccer field use, and it's written down in the May
18 18 staff report in detail. But, you know, I
19 understand that parking for the whole facility
20 is -- if there is parking, you know, for -- if the
21 use is mainly in the retail bar area, that parking
22 will be dispersed by use. So what I'm saying is
23 that I think that would be fine to not have an
24 allowed maximum or a max -- a restricted maximum

1 on that use. But I do want to state that parking,
2 you know, is a concern. I think it is tight based
3 on what's required in the code, and that issue
4 still stands, although we're not, you know -- we
5 want to be careful of that.

6 MR. VARI: Of course.

7 MS. FRANCO: But I understand that
8 maximum occupancy for one room -- for one use of
9 the building can be restrictive.

10 MR. GRASSO: And should the Plan
11 Commission approve, then I think when we're in
12 front of the Village Board, we can make the record
13 also in front of the Village Board of the concerns
14 and note that we recognize the Village's concern
15 and staff's concern and that our goal, of course,
16 is to be monitored by the occupancy permit and the
17 parking, and we're not looking to go any more than
18 75 spaces, and so we'll make our record also here
19 and also in front of the Village Board.

20 MR. VARI: One more analogy real
21 quick. In another municipality that I work with,
22 we've had the opportunity to post two occupancy
23 cards in one large room like this. And it would
24 be an if-and-then scenario where my office would

1 supply drawings and say if the arena is used for
2 this purpose, let's use 500 maximum occupancy of
3 the entire building, and it could be more but 500
4 is an easy number. Let's say that it was 500 in
5 the entire building and 50 on an average night in
6 the arena. But on Saturday on July 22, the
7 Chicagoland Youth Soccer is going to have a
8 tournament on Saturday morning. Well, we would
9 say fine, the other 450 throughout the rest of the
10 building, we'll kind of like close it down, and
11 everyone will go into the arena, but you're still
12 parked properly and you're still at maximum
13 occupant of 500 for the entire building. So it's
14 the allocation of the people and the same number
15 of spaces to accommodate them. We just don't want
16 to be penalized if people choose not to play golf
17 and 20 more want to play soccer, we can't allow 20
18 more people in there, then, legally.

19 MS. FRANCO: I agree with that
20 reasoning.

21 MR. LACAYO: Chairman, I know we're
22 not -- could I ask one question?

23 MR. REMKUS: Sure. No. You can.

24 MR. LACAYO: Actually, to both of

1 you.

2 MR. GRASSO: Please.

3 MR. LACAYO: Page 3 of the report,
4 the seating is 2480. So in your estimate, what in
5 square feet, what does that translate to people?
6 And then to the staff, where do we come up with
7 48? Is that what we use to analyze the number of
8 parking spaces needed?

9 MS. FRANCO: Yes.

10 MR. LACAYO: So there was no magic.
11 I want to hear both sides.

12 MR. VARI: Can you repeat the
13 question?

14 MR. LACAYO: The question is: It's a
15 room -- I understand how big it is. The field is
16 23,000. Seating is 2480 square feet. What does
17 that translate to number of people?

18 MR. VARI: Well, IBC's recommendation
19 is one space for every three seats, and it's
20 subject to interpretation, quite honestly,
21 depending on what style of soccer we're going to
22 have. From day one, we've always said it's going
23 to primarily be men's pickup soccer like no
24 guests, no spectators, although the middle-age men

1 in the room would probably think their wives are
2 going to come and watch them. They're not.
3 There's no referees. There's just five guys
4 playing five guys and a goalie. So there's really
5 not going to be much seating. But we're going
6 along the IBC lines. This is how we calculate it.

7 MR. LACAYO: What would that be? One
8 parking for three spaces or three seats?

9 MR. KRAWCZK: This is this table here
10 is what he is looking at. We would be calling it
11 24 occupants. Yeah, for every three seats, you're
12 required one space. So 24 divided by 3 equals 8.

13 MR. LACAYO: I mean, but the Village
14 is asking for 48 people but you're saying --

15 MR. VARI: That was including like
16 the number of people on the field, a potential
17 number of people watching. That was the whole
18 aggregate of everyone.

19 MR. LACAYO: I understand. I'm
20 looking at staff. I don't know the answer. Isn't
21 that the fire marshal's responsibility?

22 MS. FRANCO: Yes.

23 MR. LACAYO: Our responsibility is to
24 look at the parking requirement and the ordinance.

1 MR. GIUNTOLI: I mean, it's the
2 building department's responsibility to assure
3 that the occupant load placards are accurate. And
4 I work with the fire marshal to make sure that
5 they are and that they're observed. So I
6 understand how this 48 number didn't come from an
7 occupant load as the IBC said, it came from
8 occupant load from a number they took because they
9 wanted to establish a parking number. I
10 understand how the architect is saying they can
11 shift the numbers back and forth. I don't know if
12 it's realistic that they're going to close
13 sections of the building so the numbers stay below
14 the overall aggregate number. Is any one given
15 time that number going to go over it and the fire
16 marshal or myself aren't going to be standing
17 there? It's a distinct possibility that happens,
18 but it's a number we want to establish to have on
19 a placard on a wall so if they're over and
20 something goes south, we have something -- we have
21 some teeth in the ordinance to say look, you're
22 going over this number and now there is issues.
23 If we take that number and just throw it out the
24 door and we have issues, we got no teeth to go

1 after any kind of, you know, enforcement.

2 MR. VARI: We understand the
3 principle, but I also understand your point. The
4 fire marshal will govern ultimately. As business
5 people we would be fools to deviate from this
6 because if something does happen --

7 MR. GIUNTOLI: Exactly.

8 MR. VARI: -- it's bye-bye. So we
9 wouldn't do that and we would listen to a
10 reasonable request to mitigate somehow.

11 MR. GIUNTOLI: I understand.

12 MR. VARI: It's easy to just close
13 off the second floor if we had to one night. If
14 we knew that tournament was approaching and we
15 seen, you know, a trend line of a parking problem,
16 I think Roy is a reasonable guy, and he would just
17 say, you know what, the second floor is closed for
18 Saturdays and Sunday if it becomes a problem. But
19 because it would be a tournament, you could also
20 argue a lot of people are going to stay at a hotel
21 that weekend, so the shuttle bus is going to drop
22 them off minimizing the chances of a parking
23 issue.

24 MR. REMKUS: One of the things that

1 you're bringing up tournaments now. As I read
2 through things before in here and as you know,
3 we've had other conversations. There was never to
4 my recollection anything ever brought up about
5 having tournaments. Tournaments all of a sudden,
6 we talk about bringing kids' tournaments, that
7 changes the whole scenario of what originally --

8 MR. VARI: And, Commission Pro
9 Tempore, I do apologize for the example, but I was
10 trying to give you a scenario where we would see
11 an influx and perhaps have to close another
12 portion down.

13 MR. REMKUS: We know from other
14 facilities that we had in town, it was a big issue
15 with the public that if you're going to have a
16 tournament, the parking becomes even more of a
17 problem now because now you have people coming
18 from all over. They're parking in people's
19 driveways or parking in apartment buildings. You
20 know, they'll be parking at the motels.

21 MR. VARI: We don't want that. We
22 don't want that.

23 MR. REMKUS: If this is something
24 you're going to do, I think that we really need to

1 know and that it becomes part of this.

2 MR. VARI: I was trying to think
3 through a scenario where the field would increase,
4 and that's why I used February. There's not going
5 to be much action on a Tuesday night in the rest
6 of the building so why not let --

7 MR. REMKUS: I understand that. What
8 I'm saying, you're talking about kids' tournaments
9 now.

10 MR. VARI: Because it was a quick
11 example.

12 MR. REMKUS: Is that what that
13 facility is going to be used for for kids'
14 tournaments?

15 MR. GRASSO: No. No. It may be an
16 unfortunate term, an example. We are not planning
17 and have not asked for, nor would this appear to
18 allow a tournament. If there was a request to do
19 so, I think we would have to go to the Village and
20 see if they would let us do a oneoff from time to
21 time. I doubt that would happen. But we are not
22 asking for the ability to have tournaments at this
23 facility. It is being designed primarily for
24 adults, men or women, at night, without referees.

1 And so I don't want to get side-tracked because
2 that is not part of this application nor do I
3 believe your approval or Village Board approval
4 would allow it.

5 MR. REMKUS: Then we shouldn't use it
6 as an example in a public meeting.

7 MR. GRASSO: I tend to agree with
8 that.

9 MR. VARI: I apologize for the
10 incorrect example, but the principle with the
11 occupancy card and the fire marshal governing,
12 including the parking lot calculation, we will
13 work together.

14 MR. REMKUS: We all know the fire
15 marshal will base it on square footage and the
16 numbers would be higher than what we would have
17 parking for.

18 MR. VARI: And if a parking
19 requirement issue arose --

20 MR. REMKUS: That's why we're looking
21 at capping the parking.

22 MR. GRASSO: And that's why you're
23 capping the parking at 174.

24 MR. VARI: Which would translate into

1 a capped occupancy count which we're fine with.
2 It's just somewhere in the middle, and it's
3 obviously we're not wanting it to be 48 for such a
4 large venue.

5 MR. GRASSO: Right.

6 MR. REMKUS: And I know that this was
7 probably based on what you said it was going to be
8 used for. There is five guys here playing, five
9 guys there playing, a couple of goalies. Their
10 wives won't come to watch. You know, that's why I
11 think that number --

12 MR. GRASSO: So we would ask maybe to
13 eliminate 2 but make a record that we certainly
14 understand the concern about parking and
15 occupancy.

16 MS. FRANCO: I agree with that.

17 MR. GRASSO: Are there any other
18 questions that we might answer at this point?

19 MR. REMKUS: Is there?

20 MR. BAUGH: Counselor, I understand
21 that you were at the meeting on May 18 and put on
22 your presentation. But if you could go back
23 through your presentation because of the effective
24 notice on that, we have nothing in the public

1 record at this point. So if you could have
2 whatever expert testimony you're going to have
3 with the plans and everything like that.

4 MR. GRASSO: Mr. Vari can run through
5 the renderings, both exterior and interior. And,
6 of course, if there are any questions about the
7 ditch or the grading, we have the engineer. And
8 if you have any questions about the operations,
9 the owner is also here.

10 MR. REMKUS: I apologize for this,
11 but we have to go through this whole thing again.
12 But with the mistake on the address and the
13 hearing and everything, we want to make sure that
14 we're crossing our T's and dotting our I's. We
15 will move this forward in a timely manner for you.

16 MR. VARI: Thank you.

17 MR. GRASSO: We certainly want that
18 done, too. So we agree with it.

19 MR. VARI: Yes. Yes. So once again,
20 Compass Arena. This board to my left indicates
21 the exterior renderings. It's primarily going to
22 be a tilt-up prefab concrete panel building for
23 the most part, certainly the arena portion which
24 you see in the background here. And then as we

1 call the front of the house will be also tilt-up,
2 but in front of it, we'll be applying traditional
3 building materials such as face brick, some wood
4 in some cases, a lot of steel and glass, so a
5 rather modern-looking building. This image here,
6 it's called the exterior perspective B. It
7 basically shows the front entrance, a lot of glass
8 on that first floor. Basically operable garage
9 doors to bring that outside-in concept. As you
10 know, we only have three short months of summer
11 here if we're lucky. So during those months,
12 people dining along those windows or those doors,
13 they'll open up and you'll have like that
14 outside-in feel like you see, you know, often in
15 places like Wrigleyville and Andersonville and
16 whatnot.

17 On the second floor, similar
18 concept, definitely outdoor space. Primarily
19 feeding, corporate space, corporate lounge, and
20 soccer -- excuse me, golf simulators. Golf
21 simulators will also exist, you'll see it on the
22 floor plans in a second, but in this mezzanine
23 level here, in between the first and second floor.
24 And then the rest of the images on this board are

1 just different perspectives of the same 3D model.
2 Here we have also exterior images, primarily
3 showing the sides and the rear of Compass Arena so
4 again tilt-up. We like to think that we're going
5 to stand out from your average indoor soccer
6 facility because of all the natural light that we
7 will be bringing into the building. It's going to
8 feel real bright and airy. In fact, there is some
9 talk of some of those windows opening to get that
10 really natural ventilation feel almost as if
11 you're outdoor playing soccer. This is a material
12 board showing up-close images of the exterior
13 materials that have been chosen. Up to the
14 left-hand corner, we have our face brick as
15 discussed. We have our exterior wood cladding
16 shown here at the second floor, face brick shown
17 at the first floor and mezzanine levels. Closeups
18 of the overhead door concept. I can pass this
19 board around if you guys would like. And then a
20 glass guardrail that is depicted here in the 3D
21 rendering at the second floor.

22 Next up is our site plan.
23 Naturally has the details of the ground floor
24 incorporated into it.

1 MR. KRAWCZK: And so the property
2 itself is 3.6 acres, and that abuts the Stevenson
3 Expressway, which is an IDOT right-of-way and
4 Joliet Road, which is the IDOT right-of-way. The
5 site has no wetlands on it, and we've already
6 submitted the stormwater report to staff, to
7 staff's consulting engineer, and we have approval
8 of the stormwater report and the detention. The
9 site currently contains 1.35 acre feet of
10 detention. It releases that at the allowable
11 release rate, which is the .1 CFS per acre. The
12 site being 3.6 acres would allow for a .36 release
13 rate, and we're releasing at a .31 release rate.

14 There was an agreement put
15 together with Dell Rhea's Chicken Basket for the
16 discharge point, which is through their parking
17 lot and then downstream through the IDOT
18 right-of-way, which has already been approved by
19 staff and your consulting engineer. Final
20 engineering plans have been submitted to staff.
21 The last rendition of the final engineering plans
22 were to actually clarify the geometrics to Joliet
23 Road in which case we went back out, resurveyed
24 Joliet Road. We indicated the striping and we

1 concurred with staff that the southern shoulder of
2 Joliet Road was a lot wider than the rest of
3 Joliet Road. And the new plans in the exhibits
4 that we attached showed where we're going to go
5 back in, saw cut that back to an 8 foot by 2 inch
6 shoulder and do the ditch improvements. And we
7 made submittals to date to IDOT, Kane County
8 Soils. We have our endangered species. We
9 submitted plans to DuPage County Public Works,
10 which I think they were in a holding pattern based
11 on some of the approvals that we're seeking
12 tonight. Once those approvals are in place, then
13 I think we will get submittals there. The
14 applications have been made. We've got all of our
15 agreements with Dell Rhea's. Mario has all those
16 in place.

17 And the last couple hearings
18 back, there was some concern about where the
19 drainage patterns were. We discussed that. We
20 depicted where the stormwater was going, and we're
21 using the new DuPage County stormwater ordinance
22 in providing the best management practices for all
23 of our detention and onsite. The plans, I don't
24 know if they've been distributed to the fire

1 marshal to date. I know that that was one of the
2 areas that we were kind of circulating, and no one
3 really wanted to go to those next steps until we
4 got tonight's approvals.

5 And if there is any more
6 questions on engineering on the site, I'll sit
7 down.

8 MR. VARI: Thank you.

9 MR. GRASSO: Thank you.

10 MR. VARI: Moving on to the --

11 MR. REMKUS: We will wait for public
12 comment after.

13 MR. VARI: Moving on to the floor
14 plans. So here we have the ground floor. First
15 floor restaurant. Main entry here shown at the
16 revolving door. On the center line, we see our
17 circular bar. Flanking it is dining to the left
18 and right. We have our required two stairs
19 leading up to the mezzanine and eventually the
20 second floor. Elevator to accommodate ADA
21 compliance. And within it, we have, obviously,
22 our toilet rooms, kitchen components, private
23 dining, storage. Above it we show our mezzanine
24 plan that will house the golf simulators as

1 mentioned. Please stop me if you guys would like
2 to have this passed around.

3 But moving on to the second
4 floor. As mentioned, corporate meeting space,
5 more golf simulators, toilet rooms to accommodate
6 the patrons up top. Half moon bar, outdoor dining
7 in season, private party room. And then we have
8 the soccer fields depicted here on A1.3. So two
9 fields. They are each 80 by 120 feet, and we have
10 locker room areas flanking the fields depending on
11 if, you know, Team A and Team B are on Field No. 1
12 and Team C and Team D are on Field No. 2, they can
13 use private locker facilities at each north and
14 south end of the establishment.

15 That's really it as far as the
16 plans are concerned.

17 MR. GRASSO: Any questions?

18 MR. LACAYO: Is there any -- on the
19 soccer field, is there any permanent seating
20 there? Because I looked at it a couple of times.

21 MR. VARI: No.

22 MR. LACAYO: Is it either standing or
23 somebody brings their chair or you set them
24 temporary?

1 MR. VARI: Yes, sir. To our previous
2 point, there literally isn't any room for it. We
3 chose 80 by 120 only because of the site. I think
4 the max is 90 by 140 or something like that. But
5 we don't have the real estate for it, so the
6 bleachers -- that bleacher system was the first to
7 be removed from the equation.

8 MR. REMKUS: We can open this up
9 as -- are you finished with your --

10 MR. GRASSO: Yes, sir, at this point.

11 MR. REMKUS: Is there any public
12 comment?

13 MS. BERGLUND: I have a question.

14 MR. REMKUS: You will have to come up
15 and be sworn in.

16 (Sue Berglund was sworn.)

17 MS. BERGLUND: Sue Berglund. I had a
18 question. Is this private membership or is this
19 open to the public?

20 MR. VARI: Open to the public,
21 absolutely.

22 MS. BERGLUND: And what kind of food
23 will be served?

24 MR. GRASSO: Very good food.

1 (Patrick Rhea was sworn.)

2 MR. RHEA: My name is Patrick Rhea.
3 One of my first concerns is I just heard somebody
4 say that they made an agreement with me to use my
5 stormwater facilities. And the only thing that I
6 ever recall anybody talking to me about was to do
7 a study of the stormwater, and now I'm hearing
8 there's agreements in place. I don't know about
9 it. If it doesn't hurt my facility or my
10 property, I certainly won't have any problem with
11 it, but it's something that I have not heard of.

12 Secondly, I need to know -- I
13 heard a lot of talk about parking, but I haven't
14 heard any final numbers. When the facility is
15 full and occupied, how many parking spaces are
16 going to be required for those cars and for those
17 people and how many spaces are you going to have?
18 Because that's a big concern of mine. I've
19 experienced it with The Kerry Piper on their St.
20 Patrick's Day celebration, and I become the
21 parking nazi, which I don't want to do. All I
22 want to do is run my business.

23 MR. VARI: We actually have a surplus
24 of parking. It's just around 20 spaces. We're

1 required to have 154.89, and we're providing 174.

2 MR. RHEA: Okay. That's not exactly
3 the question I asked.

4 MR. VARI: I'm sorry.

5 MR. RHEA: The question I asked is
6 how many parking spaces will you use? Regardless
7 of what the Village requires, how many space do
8 you need if you're at capacity?

9 MR. VARI: Well, I mean 174 is the
10 maximum number that we'll have on site. I can't
11 predict the future. What I can say is if there is
12 a parking problem, it will be addressed. And a
13 couple of the items that will mitigate it are
14 hotel shuttles and whatnot that may or may not be
15 coming to the facility to drop off so spaces will
16 be utilized remotely, and Roy actually owns
17 Compass Trucking down the street, which is less
18 than a quarter mile, and our idea is that most
19 employees will be kind of shuttled back and forth
20 on a daily basis. So not much thought is given to
21 this in a hearing level, but generally speaking,
22 20 percent of your parking is going to be
23 employees. So it's a net gain of another 20
24 percent, so theoretically we're going to park, you

1 know, 190 spaces worth of patrons because 20
2 would-be's would be driven down the street in a
3 matter of minutes.

4 MR. GRASSO: But to answer your
5 question, we were only going to be allowed 174
6 spaces, and that's all we can put in, and that
7 will also dictate the occupancy permit. So while
8 the square footage and the size of the building
9 might allow more patrons, the occupancy and what
10 the fire marshal will be guided by is only the 174
11 spaces so that there is no overflow, which, I'm
12 sure, is what your concern is.

13 MR. RHEA: Exactly.

14 MR. GRASSO: That there is no
15 overflow to the Chicken Basket. We're only asking
16 for and we've scaled the project to only use 174
17 spaces maximum.

18 MR. VARI: That's a very good point
19 because the footprint of the parking lot has never
20 changed. What has changed, we removed a basement
21 spa component and we removed a third floor. We
22 always had the 174 spaces. Actually, we were at
23 the borderline of that being acceptable by code,
24 and we head the Village's comments and we removed

1 the basement, we removed the third floor, and
2 still provided 174. That's why there's a surplus.
3 We're only required 154. We're providing 174.
4 That's way beyond the normal surplus in anything
5 I've done so...

6 MR. KRAWCZK: Mr. Rhea, in response
7 to your question, I did put a letter together and
8 what it said is that I needed to get on your
9 property to survey to see what the existing
10 stormwater concerns were.

11 MR. RHEA: Right.

12 MR. KRAWCZK: At that point we were
13 in our preliminary design. We had indicated that
14 we were going to utilize the storm sewer in the
15 rear of the building, and I'll just show you the
16 letter that I asked Mario to present to you which
17 was to give permission to survey, tap into and
18 repair any storm sewers that were collapsed along
19 the Joliet corridor in order to improve the
20 drainage.

21 MR. RHEA: Right. But to me this is
22 not an agreement to use my facility.

23 MR. KRAWCZK: Okay. I misunderstood
24 it, then.

1 MR. RHEA: I misunderstood it also,
2 obviously.

3 MR. KRAWCZK: I guess what we have
4 done is reduced the amount of stormwater that's
5 undetained that goes to your parking lot now. And
6 so with the new design, it significantly reduces
7 the amount of flow. It's still the same amount of
8 water.

9 MR. RHEA: So you're going to repair
10 or fix anything that might be collapsed now, and
11 then you're going to run your stormwater through
12 there?

13 MR. KRAWCZK: Yes.

14 MR. RHEA: And what happens if it
15 comes up over?

16 MR. KRAWCZK: I got to trust my
17 professionals.

18 MR. RHEA: What happens if it does?

19 MR. KRAWCZK: If it does come up,
20 we're tapping into the storm sewer that's behind
21 the facility, and that facility then would -- if
22 it were to surcharge, it would surcharge the same
23 manner.

24 MR. RHEA: Into the detention pond?

1 MR. KRAWCZK: Into the detention pond
2 and then downstream.

3 MR. RHEA: Okay. Great.

4 MR. KRAWCZK: I apologize if it
5 wasn't clear what the intention was.

6 MR. RHEA: No. That's fine. That
7 says to do a survey and that's what I --

8 MR. GRASSO: And we're also going to,
9 at the Village's request, take care of the pole
10 and at least investigate.

11 MR. RHEA: Which pole are we talking
12 about?

13 MR. GRASSO: It must be on your side
14 or our side.

15 MR. VARI: Walter is saying it's on
16 your side.

17 MR. RHEA: But which pole?

18 MR. GRASSO: I am not sure. Anna,
19 which pole?

20 MR. RHEA: On the east side of the
21 building? On the west side?

22 MR. REMKUS: It would have to be on
23 the east side.

24 MS. FRANCO: I missed that.

1 MR. RHEA: Which light pole are you
2 speaking -- were you speaking about that you
3 wanted them to bury that then became my pole and
4 then it was their pole?

5 MR. GRASSO: Can you see it on here?

6 MR. LACAYO: There is a picture of
7 it.

8 MR. GRASSO: For the record, what are
9 you referring to?

10 MR. KRAWCZK: The power pole is this
11 utility pole.

12 MR. GRASSO: To what document are you
13 looking at?

14 MR. KRAWCZK: This one here. I'm
15 sorry.

16 MR. GRASSO: Utility plan. On Sheet
17 5 of the utility plan.

18 MR. KRAWCZK: It comes across here
19 and then I believe your power is off of this pole
20 which comes across right here.

21 MR. GRASSO: Across from Quincy?

22 MR. KRAWCZK: Right. There is an
23 anchor here.

24 MR. RHEA: I don't think anything

1 from there comes to my building. I think the only
2 thing that comes to my building is from this pole.

3 MR. KRAWCZK: This one here?

4 MR. RHEA: I'm not sure but...

5 MR. KRAWCZK: We will survey it and
6 we will see what's on it, and then we will drop --
7 it might have been for the old facility that used
8 to be here.

9 MR. RHEA: I think that was for
10 Country Kitchen.

11 MR. KRAWCZK: That would be great.

12 MR. GRASSO: That would be even
13 better. So it's not being used at all. We will
14 verify that, of course, and let you know.

15 MR. RHEA: You mean you won't turn
16 off my power?

17 MR. GRASSO: We won't. And I will be
18 corrected on one more thing while we're going to
19 have good food, his chicken is probably going to
20 be better.

21 MR. KRAWCZK: No doubt about it.

22 MR. GRASSO: I been there for
23 chicken.

24 MR. KRAWCZK: We are coming right

1 through here and tying into that catch basin.

2 MR. RHEA: Where does it go?

3 MR. KRAWCZK: It goes into the
4 self-storage, which then goes into their storm
5 sewer. So by drainage law, it goes that way and
6 now it's going to go that way, but it's going to
7 go at .31 CFS, so a much reduced rate. No
8 flooding back there.

9 MR. RHEA: We haven't had any
10 flooding back now.

11 MR. GRASSO: It will be improved.

12 MR. RHEA: Where is your detention
13 pond?

14 MR. KRAWCZK: It's all underground.

15 MR. RHEA: Thank you.

16 MR. KRAWCZK: Yes, sir.

17 MR. RHEA: Thank you.

18 MR. REMKUS: Any more public
19 comments?

20 We are going to adjourn for a
21 couple minutes for a bathroom break.

22
23 (There was a brief recess,
24 after which the preceding

1 hearing continued as
2 follows:)

3 MR. REMKUS: Let's reconvene our
4 meeting. If we can have a staff report now.

5 MS. FRANCO: So I'm going to be very
6 brief because, of course, many of the items have
7 already been discussed. So for bulk requirements,
8 the maximum height of the building in a B-3
9 district is 30 feet. The maximum height of this
10 building is 49.8 feet at the peak of the parapet
11 wall for the high ceiling in the soccer arena. So
12 that's the maximum height, and as part of their
13 PUD, they would be requesting a variation. For
14 building setbacks in a PUD, building setbacks are
15 required to be equal to the required setback of
16 the adjoining zoning district and not less than
17 the height of the building. This is all shown in
18 Table 2 of the staff report from May 18. The
19 shallow depth of the property limits building
20 placement on the lot and thus relief is being
21 requested from the front and rear property lines.

22 Pavement setbacks. The
23 applicant is requesting relief for pavement
24 setbacks but only minor. They are outlined in

1 Table 3 of the May 18 staff report.

2 For foundation setbacks, the
3 zoning ordinance requires a minimum foundation
4 landscape area of 7 feet around the building.
5 Many areas meet this requirement around the
6 building, excluding areas where the front and rear
7 elevations are near the front and rear lot lines
8 where setbacks are already encroaching into
9 required yards for buildings and pavement setbacks
10 and relief will be requested.

11 As discussed earlier, earlier
12 concept plans described the lounge as a cigar
13 lounge. Cigar lounges are prohibited by the
14 Illinois Smoke Free Indoor Act. And that will be
15 a condition for tonight's approval that cigar
16 lounge is not permitted -- is not accepted.

17 Signage. The applicant is
18 requesting three wall signs for I-55 elevation,
19 two wall signs for Joliet Road elevation, and one
20 monument sign along Joliet Road. Signage
21 variations are not allowed under the existing B-3
22 zoning, and although relief is possible through a
23 PUD, it is generally supported -- staff recommends
24 eliminating the digital signs on I-55, and I

1 believe previous discussions with staff have
2 agreed to that. And staff also recommends
3 reducing the size of the front wall sign and the
4 monument sign to be in conformance with the
5 Village's code. Also listed as a condition
6 tonight and previous discussions, the applicant
7 has agreed to that as well.

8 MR. VARI: Our most recent, we did
9 have a discussion about being as close to the code
10 as possible. I think we're 13.5 percent over.
11 There were discussions in previous meetings where
12 we could be 15 percent over plus or minus 10 to 15
13 percent, and I think we're like 13.5 over right
14 now.

15 MS. FRANCO: That's fine and
16 supported by staff. Other than that, staff feels
17 that the other aspects of the proposed development
18 have been discussed at tonight's meeting and
19 recommends and supports the requested relief for
20 the proposed development.

21 MR. BAUGH: Anna, you gave or handed
22 out a list of additional conditions that we
23 started the hearing with. And now I mean, we've
24 gone round and round on various of these. And my

1 understanding is that you're going to recommend
2 removal of two of these conditions. Can you
3 please let the board know which two that you are
4 no longer requiring?

5 MS. FRANCO: Yes. Item 2 previously
6 stated for the maximum occupancy for the arena
7 being 48 people. Staff is no longer requiring
8 that as a condition.

9 MR. KRAWCZK: Item 5.

10 MS. FRANCO: Item 5, the power pole
11 will be investigated.

12 MR. BAUGH: We have to have language
13 on this. You said item 4?

14 MS. FRANCO: Yes. Item 4 will no
15 longer be required as a condition. And Item 5
16 will be revised for further investigation of the
17 power pole.

18 MR. BAUGH: In that regard, I came up
19 with some language. Please let me know if you're
20 open to this. It says the petitioner and Village
21 staff shall collaboratively investigate the
22 feasibility of burying of the power poll and wire
23 along the north side of Frontage Road and the
24 removal of the pole as part of the construction of

1 the project.

2 MR. GRASSO: Yes.

3 MR. KRAWCZK: Yes.

4 MR. GRASSO: We only ask also for
5 some leeway on I think the original No. 5, which
6 said 12 months. We would ask for 24 months.

7 MR. BAUGH: Right. And petitioner is
8 also requesting Condition No. 5, the special use
9 permit shall be null and void if construction for
10 the proposed use is not commenced and a
11 certificate of occupancy is not granted within 12
12 months. They're proposing 24 months. So is
13 that --

14 MS. FRANCO: I believe per the code,
15 the maximum is 18 months.

16 MR. GIUNTOLI: Well, the shelf life
17 of a permit is 18 months.

18 MR. GRASSO: 18 months is acceptable,
19 then.

20 MR. BAUGH: Is that acceptable to
21 you? I wanted to make sure that we wrapped that
22 up.

23 MR. REMKUS: Do the commissioners
24 have any questions they would like to ask?

1 MR. KAUCKY: If everything is
2 approved like tonight, and then also at the
3 Village level, when do you anticipate starting on
4 this project?

5 MR. GRASSO: I know I think I can
6 speak for Roy. I think he wants to start as
7 quickly as possible. In fact, we would probably
8 either approach the Village about at least getting
9 the preliminary paperwork in for building permits.
10 Obviously, we have to get through the stormwater
11 and a couple of other things, and so we're hoping
12 to be on the Village Board's agenda once we get
13 everything to Anna for her approval maybe by the
14 August 23 meeting.

15 MS. FRANCO: 22nd.

16 MR. GRASSO: The 22nd meeting. The
17 second meeting in August. And assuming we get
18 approval at that point, we will move as rapidly --
19 I know Roy wants to break ground in the fall.

20 MR. KAUCKY: Okay. Thank you.

21 MR. REMKUS: If there is no other
22 questions, since he is done writing, I will read
23 it.

24 MR. BAUGH: I was going to share the

1 road map here.

2 MR. LACAYO: Did you guys pick up the
3 grammar in No. 3 that I appointed out, "the
4 applicant shall show".

5 MR. BAUGH: We have the applicant
6 shall show use on the approved plans.

7 MR. REMKUS: Okay. Based on the
8 submitted petition and testimony presented, I move
9 that the Plan Commission forward its findings of
10 fact to the Mayor and the Village Board for a
11 Special Use Permit as shown in Attachment 1 of the
12 staff report prepared for the July 20, 2016, Plan
13 Commission for PC 16-07, and recommend approval of
14 a Special Use Permit for a Planned Unit
15 Development, including such relief, exceptions and
16 variations from Title 9 and Title 10 of the
17 Village Code as outlined in the staff report,
18 prepared for the May 18, 2016, Plan Commission
19 meeting for PC 16-07, to develop a 49,934 square
20 foot facility that includes a 28,992 square foot
21 indoor soccer facility, and a 16,562 square feet
22 of restaurant, bar, and golf simulator,
23 entertainment space, subject to the following
24 conditions:

1 1) The submitted revised
2 engineering plans, included as Attachment 2, be
3 completed as reviewed and approved by the Village
4 engineer.

5 2) The applicant shall
6 provide a copy of the document that granted the
7 existing ingress and egress easement on the east
8 end of the subject property to the Village staff.

9 3) The applicant shall work
10 with the owners of the 7/Eleven property to amend
11 or eliminate the existing ingress and egress
12 easement on the east end of the subject property
13 and provide staff with new documentation of the
14 amended or eliminated ingress and egress easement.

15 4) The applicant shall revise
16 existing plans to eliminate the two digital signs
17 directed to I-55 and reduce the size of the front
18 wall sign and the monument sign to be in
19 conformance with the Village code.

20 5) The special use permit
21 shall be null and void if construction for the
22 proposed use is not commenced and a certificate of
23 occupancy is not granted within 18 months of the
24 date of any approval of the special use by the

1 Village Board.

2 6) Plans shall be submitted
3 prior to the Village Board meeting specifying the
4 fire hydrant locations to be approved by the
5 Tri-State Fire Protection District 1.

6 7) The applicant shall show
7 use of the approved plans prior to the Village
8 Board approval, future modifications to the use of
9 any room subject to administrative review to
10 determine whether a major change amendment is
11 required based on parking.

12 8) The petitioner and the
13 Village shall collaboratively investigate the
14 feasibility of burying the power pole and wire
15 along the north side of Frontage Road and the
16 removal of the pole as part of the construction of
17 the project.

18 9) A parking agreement shall
19 be executed to accomplish the following:

20 A) Stipulates parking near
21 the front for employees only.

22 B) Parking shall be in
23 designated parking spaces only. Drive aisles
24 shall be kept clear.

1 C) Semis shall not be parked
2 on the site except in the one loading spot and
3 only when loading and unloading products.

4 And the cigar lounge use is
5 not allowed.

6 MR. BAUGH: That's Condition 10.

7 MR. REMKUS: That's 10. May I have a
8 motion?

9 MR. LACAYO: I'll make a first.

10 MR. REMKUS: Second?

11 MR. KAUCKY: Second.

12 MR. REMKUS: Secretary will call the
13 roll, please.

14 MS. KOLODZIEJ: Commission Lacayo.

15 MR. LACAYO: Yes.

16 MS. KOLODZIEJ: Commissioner Soukup

17 MR. SOUKUP: Yes.

18 MS. KOLODZIEJ: Commissioner Kaucky.

19 MR. KAUCKY: Yes.

20 MS. KOLODZIEJ: Commissioner Ruffolo.

21 MR. RUFFOLO: Yes.

22 MS. KOLODZIEJ: Commissioner Remkus.

23 MR. REMKUS: Yes. Okay. The motion
24 has passed.

1 MR. GRASSO: Thank you.

2 MR. VARI: Thank you.

3 MR. DOBRASINOVIC: Thank you.

4 MR. REMKUS: Can we make a motion to
5 close the public hearing?

6 MR. BAUGH: That's what we're going
7 to do right now.

8 MR. RUFFOLO: So moved.

9 MR. KAUCKY: Second.

10 MR. REMKUS: All in favor?

11 ALL COMMISSIONERS: Aye.

12 MR. REMKUS: Opposed?

13 (Which were all the
14 proceedings had in the
15 above-entitled cause.)

16 (The hearing ended at
17 9:25 p.m.)

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1 STATE OF ILLINOIS)
2 COUNTY OF COOK)

3
4 I, MARY WOOLSEY, C.S.R., do hereby
5 certify that I am a court reporter doing business
6 in the City of Chicago; that I reported in
7 shorthand the testimony given at the
8 above-entitled hearing on July 20, 2016; and that
9 the foregoing is a true and correct transcript of
10 my shorthand notes so taken as aforesaid.

11
12
13 

14 Certified Shorthand Reporter

15
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