

MINUTES OF THE SPECIAL MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, FEBRUARY 15, 2012, AT THE VILLAGE HALL, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Chairman Daniel Kopp called the meeting to order at the hour of 7:00 p.m.

2. ROLL CALL

Those present at roll call were Commissioners William Remkus, James Soukup, Vice-Chairman Wagner and Chairman Kopp. Also present were Village Administrator Tim Halik, Village Planner Jo Ellen Charlton, Village Attorney William Hennessy, Village Engineer Dan Lynch, Village Traffic Consultant Lynn Means and Secretary Joanne Prible. ABSENT: Commissioner Robert DelSarto, James Baker (arrived at 7:10)

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Regular Meeting February 1, 2011 (APPROVE)

Motion to approve the omnibus vote agenda was deferred to the March 7, 2012 Plan Commission meeting.

4. PLAN COMMISSION CONSIDERATION – Zoning Hearing Case 12-01: (Revised 1/25/12) CVS Pharmacy, 7101-7199 Kingery Highway, petition for an amendment to an existing Planned Unit Development to permit development of a CVS Pharmacy.

- A. Public Hearing – Refer to the Court Reporter transcript.

MOTION: Made by Commissioner Remkus, seconded by Commissioner Soukup, to continue the public hearing to March 7, 2012.

5. VISITOR'S BUSINESS

None.

6. COMMUNICATION

None.

Page 2
Plan Commission Meeting

7. ADJOURNMENT

The Plan Commission meeting adjourned at 8:30.

PRESENTED, READ AND APPROVED,

_____, 2012

Minutes transcribed by Joanne Prible.

Chairman

STATE OF ILLINOIS)
) SS:
COUNTY OF DU PAGE)

ORIGINAL

BEFORE THE PLAN COMMISSION
VILLAGE OF WILLOWBROOK, ILLINOIS

IN RE:)
ZONING HEARING CASE NO. 12-01)
(Revised 1/25/12) CVS PHARMACY)

REPORT OF PROCEEDINGS had at the Public
Hearing in the above-entitled cause before the Plan
Commission at the Village of Willowbrook Hall Board
Room, 7760 Quincy Street, Willowbrook, Illinois, on the
15th day of February, 2012, at 7:00 o'clock p.m.

PRESENT:

PLAN COMMISSION:

- Mr. Daniel J. Kopp, Chairman
- Mr. John Wagner, Vice-Chairman
- Mr. James F. Baker
- Mr. William Remkus
- Mr. James Soukup

- Mr. William Hennessy, Village Attorney
- Ms. Jo Ellen Charlton, Village Planner
- Mr. Tim Halik, Village Administrator
- Mr. Dan Lynch, Village Engineer
- Ms. Lynn Means, Village Traffic Consultant
- Ms. Joanne Prible, Recording Secretary

REPORTED BY NICOLE M. BREYTSPRAAK, CSR, RPR, CBC, CRR.

1 (Whereupon the public meeting was
2 called to order at 7:01 p.m.)

3 CHAIRMAN KOPP: I call to order the Special
4 Meeting of the Plan Commission of the Village of
5 Willowbrook and ask the Plan Commission secretary to
6 call the role.

7 MS. PRIBLE: Commissioner Del Sarto is absent.
8 Commissioner Remkus.

9 MR. REMKUS: Here.

10 MS. PRIBLE: Commissioner Soukup.

11 MR. SOUKUP: Here.

12 MS. PRIBLE: Vice-Chairman Wagner.

13 MR. WAGNER: Here.

14 MS. PRIBLE: Commissioner Baker is absent.
15 Chairman Kopp.

16 CHAIRMAN KOPP: Here.

17 MS. PRIBLE: Village Administrator, Tim Halik.

18 MR. HALIK: Here.

19 MS. PRIBLE: Village Planner, Jo Ellen Charlton.

20 MS. CHARLTON: Here.

21 MS. PRIBLE: Village Attorney, William Hennessy.

22 MR. HENNESSY: Here.

23 MS. PRIBLE: Village Engineer, Dan Lynch.

24 MR. LYNCH: Here.

1 MS. PRIBLE: Village Traffic Consultant,
2 Lynn Means.

3 MS. MEANS: Here.

4 CHAIRMAN KOPP: This is the public hearing of the
5 Plan Commission of the Village of Willowbrook convened
6 for the purpose of considering an amendment to the
7 special use and plats that authorized the Willowbrook
8 Town Center Shopping Center PUD to modify the area
9 previously approved Building G-2, a restaurant, to
10 allow for a drive-through pharmacy and a new right-in
11 access from Plainfield Road.

12 The applicant is Gershman Brown Crowley,
13 Inc.

14 The applicant has specifically requested
15 the following approvals and relief:

16 A. Amendment to a special use for an
17 existing PUD (Ordinance No. 06-O-27) to modify the area
18 previously approved for Building G-2, a restaurant, and
19 allow for a new right-in access from Plainfield Road.

20 B. Preliminary and Final Subdivision
21 and PUD approval.

22 C. Approval of the following
23 variations:

24 1. Possible variation for a

- 1 reduction in the required parking
2 spaces;
- 3 2. From Title 9, Chapter 11
4 (Signs) to permit nine wall signs
5 with an aggregate sign area of
6 327.132 square feet representing a
7 variation of 149.232 square feet;
- 8 3. From 9-10-4 (C) to allow for a
9 loading berth that directly
10 interferes with traffic movement in
11 the CVS parking lot;
- 12 4. From 9-10-4 (D) to allow for a
13 loading berth that is not improved
14 with heavy-duty pavement.
- 15 5. From 9-10-4 (F) to allow for a
16 loading berth that includes spaces
17 that is also used to satisfy the
18 space requirements for other off
19 street parking facilities or
20 portions thereof;
- 21 6. From 9-10-5 (L) 2 (b) (f) for a
22 driveway that is within the
23 functional area of the intersection
24 and within 500 feet of Route 83;

1 7. From 9-10-5(L)2(b)(d) for a
2 driveway that is closer to a lot
3 line than 70 feet; and

4 8. From 9-10-5(L)2(b)(g) to reduce
5 driveway storage area from 100 feet
6 required to 56 feet.

7 Notice of the public hearing was
8 provided by the Village based on the applicant's
9 requested approvals and relief and was published in the
10 Suburban Life Newspaper on January 27th, 2012. A copy
11 of the certificate of publication shall be made a part
12 of the hearing record as Village Exhibit A.

13 Additionally, the applicant provided a
14 list of property owners within 250 feet of the shopping
15 center on Friday, January 27th, 2012. A copy of these
16 names shall be made a part of the hearing record as
17 Village Exhibit B.

18 The Village placed notice in the U.S.
19 Mail to the individuals listed on January 30, 2011.
20 The applicant posted public hearing notice signs on the
21 property on Sunday, January 29th 2012.

22 What we're going to do with this meeting
23 as far as the order, we're going to allow the applicant
24 to make his case. Any members of the public who wish

1 to cross-examine the applicant can do so at that time.
2 Then we'll allow any members of the public that want to
3 present testimony, they'll be able to do so. Then the
4 applicant can cross-examine those members of the
5 public. Then the staff will cross-examine the
6 applicant. The staff will put on their case. Then the
7 applicant and members of the public can cross-examine
8 the staff. The Plan Commission members will be able to
9 ask questions at any time throughout the process.

10 Then, when we're concluded, we'll close
11 the public hearing and then go to just a Plan
12 Commission recommendation -- a Plan Commission meeting
13 with a recommendation.

14 This all may well not happen tonight,
15 considering the complexity of some of the issues, so
16 we'll see how far we get tonight, and then we may have
17 to continue this meeting to the next regular meeting of
18 the Plan Commission, which is on March 7.

19 So we'll get started.

20 Is the applicant ready to present their
21 case?

22 MR. SHAW: We are, Mr. Chairman.

23 CHAIRMAN KOPP: Everyone who presents testimony
24 for the applicant will need to be sworn in, and then

1 when you speak individually, the court reporter will
2 get your name.

3 So she'll swear in anyone who thinks
4 they'll provide testimony for the applicant if you can
5 stand up and she'll swear you in.

6 (Applicant members sworn.)

7 MR. SHAW: Thank you.

8 My name is David Shaw, S-h-a-w. I'm an
9 attorney representing Gershman Brown Crowley, who is
10 the principle applicant. My offices are at 321 North
11 Clark Street in Chicago.

12 As stated by the chairman, we're here
13 tonight seeking the approvals necessary to construct a
14 new CVS store in the Willowbrook Town Center Shopping
15 Center.

16 We have been working in conjunction with
17 the owner and developer, the Harlem Irving Companies,
18 and we have been working with the Village for, I'd say,
19 at least a year and a half relative to the one store.

20 Needless to say, we think that this
21 proposal for a 13,225 square foot store is consistent
22 with the existing use. We think that it's consistent
23 with the goals of the Village and the developer when
24 this PUD was approved, I believe it was, six years ago.

1 We don't believe in any way that our
2 proposal compromises the integrity of the existing
3 center, the existing uses, or any of the surrounding
4 uses.

5 We believe that our special use for a
6 drive-through as well as the general PUD comply with
7 the standards set forth in your ordinance, and,
8 hopefully, our testimony will convince you of that.

9 Most important, and I think we're very
10 fortunate, and I speak not only on behalf of the
11 developer but I believe on behalf of the Village as
12 well, to have the opportunity to bring a first rate
13 retailer like CVS into this center and into the
14 Village.

15 This is a company with an outstanding
16 reputation. This is a responsible retailer. This is a
17 Fortunate 50 Company, who serves very well their
18 customers. This is a store that will generate
19 substantial tax revenues, both sales and real estate
20 taxes. We think we'll, as a general matter, enhance
21 the vitality of the center substantially.

22 As the chairman indicated, there are a
23 number of issues that we've dealt with. This is a
24 summary of the variances -- pardon me -- that we're

1 asking -- or we may well be asking to be incorporated
2 in all or in part into our amendment for PUD.

3 I'd just like to run through them
4 briefly.

5 CHAIRMAN KOPP: If I can interpret you.

6 Let the record reflect that
7 Commissioner Baker has arrived.

8 (Mr. Baker present.)

9 MR. SHAW: The special use -- the first one,
10 basically, Approved for the Building G-2, a restaurant,
11 to allow for a right-in access from Plainfield Road.

12 That's the gist of the amendment. That
13 is correct.

14 The drive-through is the special use
15 that we are requesting as well as a subdivision to
16 accommodate the CVS store.

17 The possible variation for a reduction
18 in required parking spaces. That may sound a little
19 confusing, but, basically, we believe that our proposed
20 plan does, in fact, comply with the Code. That will in
21 part, I believe, ultimately depend on whether or not
22 you accept the proposal for the modifications of the
23 plan. If they are accepted in their entirety, I
24 believe that we're compliant. If there are portions of

1 those improvements or those modifications that are not
2 accepted, we may require a variation. I don't think,
3 in any event, it will exceed, perhaps, 12 spaces.

4 The -- we will touch on the signage a
5 little further in our presentation.

6 No. 3, Allow for a loading berth that
7 directly interferes with traffic movement from the CVS
8 parking lot. Again, our plan or our design engineer
9 will address that.

10 No. 4, Allow for a loading berth that is
11 not improved with heavy duty pavement. I do not
12 believe we will be requesting that variance. We will
13 be compliant or agree to be compliant.

14 No. 5, Allow for a loading berth that
15 includes spaces that is also used to satisfy the space
16 requirements. Frankly, I'm not sure to what that
17 refers, so, hopefully, we'll get some clarification
18 from staff on that because I don't believe that's the
19 situation with this plan, but perhaps we're wrong.

20 Nos. 6, 7, and 8, again, will be
21 addressed by the traffic engineer.

22 I would like to just touch briefly on
23 the history of the plan. What you see here is the
24 original approved site plan, which was an exhibit to

1 the ordinance passed in 2006, like any plan development
2 of this size, the development becomes somewhat
3 amorphous. There are, obviously, changes based upon
4 the design, and, certainly, based upon uses that were
5 not necessarily anticipated or existed at the time of
6 initial approval.

7 So we move on to the next slide, and
8 what you see here is what is actually developed today,
9 which while it's certainly substantially compliant,
10 there were a number of amendments that were submitted
11 and approved by the Village that changed the
12 configuration, and, in particular, the size and nature
13 of some of the buildings.

14 The third exhibit plan is what we
15 propose today.

16 MS. CHARLTON: Are these petitioner's exhibits?

17 MR. SHAW: Yes, these are all petitioner's
18 exhibits.

19 MS. CHARLTON: Each slide, or you're submitting
20 the entire PowerPoint?

21 MR. SHAW: I'd submit the PowerPoint as one
22 exhibit if that's acceptable.

23 CHAIRMAN KOPP: Sure.

24 MR. HENNESSY: Group Exhibit C.

1 MR. SHAW: I believe these are all contained in
2 the binders that you received at the beginning of the
3 meeting.

4 Again, we are asking for a deviation
5 with respect to the access point, the right turn-in
6 from Plainfield Road, and a change relevant to the
7 building.

8 I will point out, and our consultants
9 will get into greater detail, that although the
10 original building approved for this site, basically,
11 represented a restaurant of approximately 8500 square
12 feet, we're now requesting a 13,000 square foot
13 building; however, this is strictly a retail building.
14 As far as traffic impact and particularly parking are
15 concerned, we believe we're creating much less of an
16 impact and creating less congestion than a restaurant
17 that would actually require about 85 parking spaces, we
18 require about 20 parking spaces less. We also do not
19 contend with peak hours of operation, such as a
20 restaurant would during lunch hour or dinner hour.

21 I just want to mention -- again, our
22 traffic engineer will go into greater detail -- with
23 respect to the access point on Plainfield Road, whether
24 or not this is approved, whether or not this amendment

1 is approved comprehensively, the ultimate determination
2 of that approval will have to come from the DuPage
3 Department of Transportation, which I'm -- has looked
4 at this on a preliminary basis but will, as most County
5 or State agencies, will not give us a final ruling
6 until we actually present them a plan that was
7 approved. Obviously, that will be some time in the
8 future.

9 MR. HENNESSY: Counsel, can I ask you a question?

10 Are you saying then that you are going
11 to ask as a condition to possible approval of this
12 development that it will be subject to the substantive
13 grant of the permit by the DuPage --

14 MR. SHAW: Yes, that would be a condition of
15 approval.

16 MR. HENNESSY: Okay.

17 MR. SHAW: Without -- so you know, again, without
18 that approval, it's doubtful that this modification
19 would proceed, so it would definitely be a condition.

20 At this point I would like to introduce
21 people who will present testimony, our consultants --
22 I'm sorry, one other point, and, again, this gets back
23 to our parking issue.

24 Notwithstanding the modifications that

1 were made to this plan, including our proposed
2 modification, the 190,000 square foot -- approximately
3 190,000 square foot of retail space, we have
4 consistently maintained the appropriate parking ratio
5 and we believe that we've accomplished the same with
6 our new proposal.

7 Again, we'll get into some greater
8 detail further in our presentation.

9 So, at this point I would like to
10 introduce in the order that they will present:

11 Jerremy Foss from Manhard Consulting is
12 our design engineer who will discuss, basically, the
13 plan for CVS.

14 Luay Aboona from KLOA is our traffic
15 engineer who will address our traffic issues and
16 parking issues.

17 Michael Haaning is vice-president of
18 Gershman Brown Crowley, who is a preferred developer of
19 CVS, the proposed developer of this project will
20 discuss the building, the operations.

21 In conjunction with that, our
22 consultant -- sign consultant, Doug Merritt, will deal
23 with the signage issues that you will be considering
24 tonight.

1 So, with that, I will turn this over to
2 Jerremy, unless you have any general questions for me,
3 I'll be happy to answer them.

4 CHAIRMAN KOPP: I do have one quick question.

5 Do we have something from Harlem Irving
6 that they've authorized this --

7 MR. SHAW: Yes. There's affidavits -- all the
8 appropriate affidavits are on file and should be part
9 of the record.

10 CHAIRMAN KOPP: Okay.

11 MR. FOSS: Good evening. Jerremy Foss with
12 Manhard Consulting, civil engineer for CVS.

13 The next slide here kind of gives you --
14 zeros in on the CVS site itself. This is the most
15 current site plan we have, after working staff over the
16 last year.

17 Some of the changes of the plan that
18 we've done are -- go back to the other one -- on this
19 site plan here is from comments and working with staff,
20 we've added a bypass lane for the drive-through. The
21 trash compactor is off the east side of the building,
22 it -- can I have ... At the right-in right here
23 (indicating), right-in, the entrance to the
24 drive-through, we've added a stop bar and some signage

1 to give better clarity to movements in that location
2 and to clear up conflicts.

3 Another improvement we did along this
4 area right here is what we did right here (indicating)
5 where we cut off access to the parking drive aisles to
6 eliminate additional conflicts there as well. These
7 drive aisles here (indicating) have their own access
8 around here, and that cleans up the entrance from the
9 right-in into the site.

10 Another change that we made is we
11 extended the trash compactor wall to screen off the
12 transformer, it also screens off the trash compactor in
13 that area.

14 We also adjusted the trash enclosure,
15 which used to be adjacent to the building here, to also
16 eliminate some potential issues with people cutting
17 through existing parking stall spaces, so when people
18 come into the site, they make a decision to move left
19 or right.

20 Go to the next slide.

21 And this one shows the overall site.
22 So, you have the CVS site here and then the other
23 little spots where they're showing blue are additional
24 parking stall improvements to remain compliant with the

1 PUD and still leave the 5:1 parking ratio.

2 The CVS site itself as well as -- it's
3 using existing utilities, all the utilities are there.

4 As far as stormwater goes, we're still
5 working with comments of staff on that, but we'll also
6 provide information to you to show stormwater will work
7 for the site as well.

8 And with that, I'll pass it over to Luay
9 Aboona.

10 MR. ABOONA: Good evening. My name is Luay
11 Aboona. I'm a principal with the firm KLOA, located in
12 Rosemont, Illinois. I'll be speaking regarding the
13 traffic and the parking issues as it relates to the
14 proposed CVS.

15 We've been -- we've been working on this
16 project with CVS and have had several discussions and
17 meetings with the staff and the consultants for the
18 Village in order to address some of the concerns
19 regarding both traffic and parking.

20 What you -- what you have in front of
21 you here is the plan for the entire shopping center,
22 and I just wanted to kind of familiarize everyone with
23 the access and then address the specifics with regards
24 to the CVS.

1 This is 83, north/south arterial;
2 Plainfield Road; 72nd Court; traffic signal here; a
3 traffic signal here provides access to the shopping
4 center at the south end; right-in/right-out access
5 off 83 through the middle of the shopping center; and
6 then major access point off Plainfield Road at this
7 location opposite the Kmart.

8 So these access points will be
9 available, obviously, for the CVS customers to access
10 the site. Depending where people are going to be
11 coming from, people coming from the south end of 83,
12 obviously, will have the opportunity to enter at this
13 (indicating) location and they'll work their way
14 through the shopping center. Coming off of Plainfield,
15 they'll make the left-in and enter the site.

16 What we are proposing in addition to
17 that is to provide an additional curb cut which would
18 serve as a right-in at this location primarily for
19 people coming off of Plainfield Road from the west and
20 people coming off 83 from the north, make a left or
21 come straight into the site.

22 This is a right-in only free flow
23 condition. It's going to be located approximately
24 400 feet center line to center line from the signal at

1 83. That distance is adequate to accommodate the
2 traffic entering the site.

3 I might add that when Harlem Irving
4 built the shopping center, one of the things they built
5 was built a third lane continuous from the signal
6 ending as a right-hand turn lane into Plainfield Road.
7 There are three lanes going in this direction, and the
8 curb lane will act as a right turn -- accommodating a
9 right turn movement into the CVS store.

10 We've had discussions with the DuPage
11 County, Division of Transportation. They've had the
12 opportunity to review the plan. We had a meeting with
13 them last week to go over the plan, and we were told
14 that they are comfortable with the location of the
15 right-in as it relates to the proximity of the signal
16 at 83. They are waiting to review further the plans as
17 they are approved by the Village as we move forward.

18 As I said, the right-in will be a free
19 flow condition so traffic coming into the site would
20 have the option of continuing straight, free flow into
21 the site. The distance from this point to this point
22 (indicating) is about 160 feet, so it's a free flow
23 condition.

24 The traffic that would like to use the

1 drive-through can make this turn, and we've drawn the
2 auto turns to demonstrate that can be made to both
3 windows.

4 They will be slowing down. Obviously,
5 any time you make a turn, cars coming into the site
6 will be slowing down and these cars will be able to get
7 into the drive-through or continuing straight.

8 One thing about drive-through
9 pharmacies, they're offered as a convenience for the
10 customers, primarily for dropoff and pickup
11 prescriptions only. No other transactions take place.

12 We've done numerous surveys of
13 drive-through pharmacies for both CVS and Walgreens,
14 and based on additional information provided by both
15 entities, drive-throughs are very low traffic
16 generators. They average about five or six cars per
17 hour. They go a little higher during peak hours, maybe
18 ten or twelve during a full hour, so it's not highly
19 utilized, but it's a great convenience for mothers with
20 children, for senior people, for inclement weather.

21 You are not allowed to wait for your
22 prescription, so you come in and you drop it off. If
23 you want to wait, they ask you to go around and either
24 park in the lot or come into the store. Most people

1 would drop it off on their way home -- on their way to
2 work and then pick it up later. It's a very easy and
3 quick transaction.

4 They're rarely any stacking issues. On
5 average, maybe one car. People don't like to wait. If
6 they see more than one or two cars, they usually either
7 come back at another time or park and go into the store
8 and to the transaction there.

9 There is adequate stacking. There's
10 room for a car to be serviced and two cars behind it,
11 so there's a total of six vehicles that can serviced at
12 any one time. If you think about that and the fact
13 that there's only five or six cars per hour, it gives
14 you an idea that the design is very adequate.

15 Cars that want to enter the
16 drive-through from within the site would come around
17 and stop at this location. We'll have a stop sign, and
18 so they would stop and yield for traffic coming in and
19 then they would enter the drive-through.

20 We have a bypass lane that would allow
21 cars to go around the building as well.

22 So, as you can see, cars coming in will
23 be a free flow condition. We don't feel that situation
24 would cause any conflicts or traffic to back up onto

1 Plainfield Road.

2 We do anticipate that this driveway will
3 be also utilized by people that park in this area for
4 Sport Authority or Buffalo Wild Wings or, perhaps,
5 MeatHeads, and the other outlot. There might be some
6 bleeding into this parking area, but we don't feel it's
7 going to be significant. There's a disagreement
8 between us and your consultant in terms of how much
9 that traffic would be, we are at the difference of 20
10 to 30 cars an hour. So if that happens, we still feel
11 that this is adequate to accommodate the traffic.

12 We provided this barrier island here to
13 continue to preserve the ability of traffic to enter.
14 We've created an opening here so cars can enter this
15 parking area or they can circulate through the site.

16 Internally, once again, staff has raised
17 some issues regarding the conversions of drive aisles
18 at different angles. Considering that this is within a
19 parking lot, it's not near a main drive aisle of
20 shopping center; considering the low volume of traffic,
21 the low speed of traffic, we don't see that as being a
22 safety concern.

23 This is just -- a lot of shopping
24 centers that exist and this shopping center, you have

1 areas here of angled drive aisles intersecting the main
2 road. You have angle drive aisles here. Not shown in
3 this picture, but there's one by Bed Bath & Beyond. If
4 you go to the shopping center, you see that that
5 condition exists there where there's more traffic, more
6 turnover, more pedestrians, and that seems to be
7 functioning appropriately.

8 Truck access. As Jerremy indicated, it
9 would be at this location here (indicating).

10 The staff indicated correctly that when
11 the truck is sitting at the loading area, the inbound
12 lane would be blocked. When that happens, obviously,
13 there is the ability for the vehicle to go around the
14 truck when it's parked.

15 I would add that this is a condition
16 that would happen once a week for less than one hour.
17 Once a week; less than one hour. That's what CVS gets
18 in terms of deliveries and that's what the usage of
19 this loading area would be. We find that would be
20 minimal in terms of its impact, and it's a common
21 situation with pharmacy stores, and, once again, when
22 it happens, there will be a lane of traffic available
23 for the customers to bypass a truck when it's parked
24 there for that period of time once a week.

1 MR. HENNESSY: Mr. Aboona, can I ask you when the
2 company anticipates receiving deliveries?

3 MR. ABOONA: I believe that varies, Mr. Hennessy.
4 I'm going to let Mr. Haaning on behalf of CVS to
5 address that issue.

6 MR. HENNESSY: Sure.

7 MR. ABOONA: Lastly, we also addressed parking.
8 We did a comprehensive parking study where we looked at
9 the parking demand -- and if you want to go back -- we
10 looked at the parking demand in this field as it
11 currently exists, and then we went over in the field
12 next to it, and up to this point, we consider this to
13 be the affected area where parking for these two outlot
14 buildings, CVS, and those buildings (indicating), that
15 would be the parking that would be affected for the use
16 of those buildings, so we looked at the demand that
17 currently exists and showed that there's plenty of
18 available parking.

19 We superimposed the parking that CVS
20 would generate, based on the village Code, of five per
21 thousand, and, once again, concluded that there's
22 adequate parking available.

23 The Village consultant asked us to make
24 adjustments to reflect for busy shopping season,

1 December and Christmastime, which we did. We bumped up
2 the demand for the retail; we bumped up the demand for
3 the restaurant, and we still determined that there's
4 more than adequate parking for both the weekday and
5 Saturday conditions.

6 And, once again, I might add, we did use
7 the Village Code; however, based on our experience with
8 CVS and doing surveys at other facilities -- existing
9 facilities, we found that their demand is about half of
10 what the Village Code requirement is.

11 We're being overly conservative, and
12 even in that scenario, we determined that there's more
13 than adequate parking.

14 And with that, I would conclude.

15 MR. REMKUS: I have one question.

16 You said that there'd be one delivery
17 one time a week?

18 MR. ABOONA: Correct.

19 MR. REMKUS: Does that mean that you then receive
20 no delivers from, like, United Parcel Service, FedEx,
21 Coca-Cola, 7-Up, things like that?

22 MR. ABOONA: Those direct store deliveries will
23 also occur. Those are normally smaller box trucks or
24 vans, like you say, UPS and what have you --

1 MR. REMKUS: Soda deliveries are still made in
2 semitrailers.

3 MR. ABOONA: I'll let Mr. Haaning address that.

4 MR. HAANING: Hi. Mike Haaning with Gershman
5 Brown Crowley. We are the developer for CVS
6 exclusively in Illinois, Wisconsin, and seven other
7 states.

8 I thought I'd take a moment and address
9 the truck question.

10 The CVS truck deliveries occur once a
11 week. What day that occurs, I can't speak directly.
12 Once the store is open, we will get on a schedule.
13 It's usually the same day every week. It's always
14 during business hours. We cannot take deliveries on
15 nonbusiness hours. Typically, that is in the morning.

16 Because those deliveries are the large
17 tubs that come in and all the products for all the
18 shelves come in on those tubs. They unload the tubs,
19 takes about 35, 40 minutes, and then the truck pulls
20 away.

21 All the other deliveries are made,
22 typically, like any other retailer, through the front
23 door. The soda machine guy comes, the Frito guy comes,
24 the milk guy comes, the vegetable people come, so those

1 deliveries are typically made through the front door on
2 hand trucks.

3 So I don't know if that answers your
4 question.

5 MR. REMKUS: There would be blockage in those
6 lanes throughout the day?

7 MR. FILLER: Just like any other retail
8 development, yes.

9 MR. REMKUS: Okay.

10 MR. FILLER: He's not going to park there, he's
11 going to go in the front.

12 MR. HAANING: Out front, yeah.

13 MR. REMKUS: They would be parking closer to the
14 front door.

15 MR. HAANING: Right.

16 MR. REMKUS: That's an issue that comes up with
17 parking when you already have limited parking, and now
18 you have vehicles blocking parking spaces throughout
19 the day. That is a consideration that I would look at.

20 MR. HAANING: Obviously, for CVS it's a bigger
21 concern to them about the parking. We require and Code
22 requires -- we always look for around 60, 65 stalls in
23 the lot. Typical CVS and typical Walgreens will
24 probably have anywhere from 15 to 20 cars in their

1 parking lot at any given time. So parking really isn't
2 an issue for the customer.

3 I will tell you, our vendors are very
4 cognizant of the stores. We want to make money. They
5 can park in different places and hand truck them in if
6 that becomes a concern.

7 It's really not -- I mean, we have over
8 7,000 stores, and, obviously, we get deliveries every
9 day and parking and the truck delivery has never been a
10 concern to us.

11 CHAIRMAN KOPP: Well, but so that the Coke
12 delivery -- the Coca-Cola delivery, he's not going to
13 use the loading dock?

14 MR. HAANING: No. They're typically using the
15 front door.

16 We don't get a lot of -- no. We get a
17 lot of smaller box trucks that come by the front door.

18 CHAIRMAN KOPP: Okay.

19 MR. HAANING: We've also -- you know, obviously,
20 we have a lot of stores in the downtown location, so
21 we're bringing in a smaller truck and we ask a lot of
22 vendors to do so in turn bring in the smaller trucks.

23 When you have that many stores and the
24 vendors will listen to a lot of the demands that we'll

1 have for different locations, and this is one of them.

2 So, we're sensitive to the overall
3 development.

4 CHAIRMAN KOPP: Okay.

5 MR. HAANING: Okay. We can start with the overall
6 architecture.

7 There's one thing I want to start with,
8 that -- there's only two things that are prototypical
9 about the store, one is the color of the sign, and two
10 is the size of the store, which is 18,225. Those are
11 really only the two things about the store.

12 Our architects designed this store fully
13 understanding the look of the center and they wanted to
14 work with the center as much as possible. So they
15 took -- for the start, they look at the earth tone
16 pallet of all the other buildings and we're going to
17 incorporate all the same tones and colors in the
18 building, we're going to use all the exact materials
19 that are in all the other buildings and to match, so it
20 looks like the new CVS has always been there and was
21 always thought to come in with all the other retailers.

22 The other thing we've done here is we've
23 added a lot of vertical accents and the wainscoting.
24 We've incorporated a stone base and pilasters. Really

1 what we're doing is trying to mimic the same look of
2 the development, and I think we've achieved that here.

3 One of the other things that our sign
4 consultant Doug Merritt will come and speak to you
5 about, he did point out that we use in the -- behind
6 the signs, that we use EIFS behind the signs, and I
7 think that was a mistake on our part. What we're going
8 to do is put that all in brick to kind of make one of
9 the variances go away, and, quite honestly, bring a lot
10 of richer look to the building and have the signs kind
11 of blend in a little bit more on the building. We're
12 going to make that change as we go down the road with
13 that.

14 I guess -- if you have any questions on
15 the building design?

16 MR. WAGNER: I have a question.

17 I'm looking at Page 10, which is the CVS
18 site plan, and I'm also looking at Page 15, which is
19 the delivery truck placement drawing.

20 Can you explain to me which drawing
21 we're supposed to be reviewing as to where the truck
22 is?

23 On page 15, it kind of looks like it's
24 sitting in what would have been a parking space, and on

1 Page 10, it appears to be in some type of an enclosure
2 quite aways from where it's represented to be on
3 Page 15.

4 MR. HAANING: So it's 10?

5 MR. FOSS: Is this what you're referring to, right
6 here (indicating)?

7 This is the trash compactor.

8 MR. WAGNER: Oh, okay.

9 MR. FOSS: It's not a truck. I think this is a
10 brick wall that's screening that trash compactor.

11 So the other slide, 15, the truck -- so
12 the trash compactor sits right here. It doesn't show
13 the compactor. That's my fault.

14 MR. HAANING: It always looks like a truck.
15 That's a misconception.

16 MR. WAGNER: Thank you.

17 MR. HAANING: Thank you.

18 MR. MERRITT: Doug Merritt, sign consultant for
19 CVS/Pharmacy Corporation representing the Icon
20 Companies, a national sign company.

21 I just want to say thank you very much.

22 What we're looking to do here is employ
23 three internally illuminated individual letter sets on
24 three elevations. The actual vertical height is

1 42 inches and the span is 29 feet, 3 inches.

2 Also what I'd like to do is actually
3 refer back to the planning consultant's comments, and I
4 would like to submit that the original sign plan dated
5 October 28th is the correct sign program to move
6 forward with this evening for the record.

7 With that, we have scaled back the
8 signage for this particular location to complement
9 Mr. Haaning's comments. What we had to do is really
10 take into consideration the overall development. We
11 did not offer any ancillary service signs on the
12 building. We actually scaled back our prototypical
13 directional/informational sign program.

14 If we can go to the next slide.

15 We also included two ground signs. They
16 are identified as A1 and A2, respectively, within the
17 sign package.

18 The first sign, A1, would include a
19 reverse band, Drive-Through Pharmacy. This is located
20 on the outlot parcel.

21 A2 is identified specifically as
22 CVS/Pharmacy, Entrance, with an arrow. What we're
23 trying to accomplish is we're trying to encourage the
24 northbound motorist to locate the drive -- the current

1 access drive and navigate through the internal
2 development to the CVS Pharmacy site, thus relieving
3 any need for a double-back or additional traffic
4 maneuvers if they pass the location.

5 What you will find is -- once you enter
6 the development, specifically CVS/Pharmacy and the
7 outlot, you will find the directional sign. It's a
8 non-illuminated sign. It includes a stoplight
9 material, so once the motorist's headlights shine on
10 the sign, it's similar to a stop sign. It identifies
11 drive-through pharmacy with an arrow, and there's
12 quantity two on the property.

13 Now, with our complement of secondary
14 signage or ancillary or, specifically, service signage,
15 the pharmacy pickup/dropoff is actually a window cling.

16 What's identified as 3.35 square feet in
17 your staff report, but it's actually .85 square feet,
18 and this is a cling that's located directly on the
19 drive-through pharmacy window.

20 You also have B7, Full Service Available
21 in Both Lanes. What this really does, we're trying to
22 eliminate any signage on the canopy.

23 There has been updates just within the
24 last 24 months within the corporation, their marketing

1 direction and their corporate sign plan.

2 This will serve to identify both lanes
3 are indeed full service.

4 MS. CHARLTON: I'm sorry.

5 Can you clarify, you said you entered
6 the October 28th package into the record. Are these
7 updates from that package?

8 MR. MERRITT: These are in fact updates, and
9 that's what I wanted to bring to the attention.

10 There was a request within the staff
11 report to acknowledge and submit to the Commission that
12 the original package that was submitted was the correct
13 package.

14 MS. CHARLTON: You are now describing the changes?

15 MR. MERRITT: Yes.

16 MS. CHARLTON: Thank you.

17 MR. MERRITT: So those changes would include the
18 B7 sign.

19 Also, the B13 sign, which is actually a
20 non-illuminated plaque, if you will, and this will be
21 located at the primary entrance of the facility. It
22 would include information that is specific to the
23 pharmacist.

24 Now, we are required by law to include

1 the pharmacist's name on the property, and that's where
2 this information is found, included with the hours of
3 operation.

4 The CVS at the top header panel is
5 minor, you cannot see this from the roadway.

6 B14, CVS/Pharmacy Receiving Entrance.
7 Again, non-illuminated plaque. This is, actually, a
8 metal sign. It is located on the receiving entrance
9 door. We're only identifying this door specifically to
10 help assist with the delivery trucks.

11 From the slides, you can see the actual
12 identification of the signage for the outlot parcel and
13 also the additional A2 sign.

14 And just stepping back a few slides, I
15 just wanted to point out, there is an awning over the
16 entrance door, as Mike had mentioned. This is actually
17 more of an earthy color and not prototypical; it's not
18 something you would find at one of our other stores.

19 I just wanted to point out that it is
20 CVS/Pharmacy trading only on three elevations, nothing
21 on the back elevation. We just want to make sure we're
22 able to get the tradename out there and assist with
23 identification of the building, since we're located off
24 the hard corner.

1 With that, I'm certainly here to field
2 any questions in a technical nature in regard to the
3 individual letter sets, the location of the signage,
4 and any questions deemed pertinent by the Commission.

5 MR. HENNESSY: Sir, did I hear you correctly, the
6 background for the signage on the building, instead of
7 what would be a beige color, it's all going to be
8 consistent with the brick elevations?

9 MR. MERRITT: What we'll probably do at that
10 point, we'll consult with the architect and use a
11 complementary color. We're probably not going to
12 maintain that exact darker tone. What happens -- we've
13 had over 7,000 locations, it's come to light in the
14 past that if we use a dark color brick with our
15 signage, you may not get the contrast or what we're
16 esthetically seeking. What we would do is probably
17 we'll use a lighter tone, but we would draw something
18 from the current color pallet.

19 MR. HENNESSY: And the signs on the building,
20 those are illuminated?

21 MR. MERRITT: Yes, sir.

22 Those are internally illuminated. We
23 have upgraded to a LED technology, so we are certainly
24 sensitive to reducing our electric cost and providing a

1 lower wattage, but that is an internally illuminated
2 individual channel, so they do not go up as one set,
3 they go up individually.

4 MR. HENNESSY: Thank you.

5 CHAIRMAN KOPP: The monument sign, A2. So, you
6 want to direct people on 83 to go into that main
7 entrance or that right-in entrance instead of go in off
8 of Plainfield because it doesn't seem like once they do
9 that they have a very good route to get to the drug
10 store.

11 MR. MERRITT: Actually, thank you, Chairman.

12 What we're looking to do, yes, we're
13 looking to bring people in as they're northbound. Once
14 you have entered into the development, you'll be able
15 to clearly see the CVS/Pharmacy. It's just once
16 getting passed that initial entrance because of the
17 existing building environment, you will be able to
18 identify the CVS structure.

19 CHAIRMAN KOPP: It's just that you -- then they
20 follow along in front of the stores, and then if they
21 go a couple aisles too far, then there's a wall, so
22 they have to turn around.

23 Again, you folks know how to get people
24 to your store better than I do. It seems like kind of

1 a convoluted way.

2 MR. MERRITT: We're looking to provide options for
3 that motorist as they're traveling northbound. Again,
4 I think this would be a well-placed and well-identified
5 access point.

6 CHAIRMAN KOPP: Is it really to give them options
7 or is it just to let the people going northbound know
8 there's a CVS?

9 MR. MERRITT: Again -- that's a good point you
10 raised -- because we do have a limited viewing angle or
11 viewing window for our primary structure, again, it
12 would be also to help assist the motorist with
13 identifying, yes, there is a pharmacy within the
14 development.

15 CHAIRMAN KOPP: Okay.

16 MR. HAANING: In closing, I want to thank you very
17 much and look forward to the opportunity to move
18 forward with the project. CVS is very excited to get
19 into Willowbrook. They've been trying for many, many
20 years.

21 We've looked at a lot of different
22 locations over the years since we've had the troubles,
23 and they said we want to stick it out, we want to wait,
24 and we want to make this deal happen. They're very

1 excited about that.

2 Last thing I want to add. On the last
3 page of your handout, we kind of put some sales
4 projections in and it kind of gives us an idea of what
5 our expectations are for the store. Again, these are
6 only projections, but looking at same conditions and
7 same kind of town and the Village and the economic
8 drivers that we have, the competition, we feel pretty
9 comfortable with these numbers, and, obviously, in
10 these economic times, any little bit of sales drive tax
11 dollars to the communities would probably be welcome.

12 And, with that, I want to just say thank
13 you, and if you have any other questions, we'll deal
14 with those.

15 CHAIRMAN KOPP: Any commissioners at this point
16 have any questions?

17 All right. If there's anyone here
18 from -- any citizens or anyone from the community that
19 would like to ask any questions of the applicant or
20 cross-examine the applicant based upon that testimony,
21 please raise your hand.

22 MR. ROYCE: I have a question.

23 CHAIRMAN KOPP: Yes, sir. Please stand up and
24 you'll be sworn in.

1 MR. ROYCE: Greg Royce. I live on
2 Plainfield Road. I have a question.

3 First of all, not knowing or being
4 familiar with the pictures there, where exactly, if we
5 go back to that picture, where is the front door
6 located for this where people will be going in and out?

7 Nobody defined that area as far as I
8 could see.

9 MR. HAANING: Here is our front door (indicating).

10 MR. ROYCE: I kind of thought that was.

11 You're saying that the drive-through
12 traffic is going on the other side of the building
13 opposite that front door, and they're going to be
14 passing the people coming in and out the front door to
15 get out?

16 MR. HAANING: In every single freestanding
17 location that CVS has ever opened, the doors on the
18 corner and the drive-through is on the opposite end and
19 the pharmacy is always located in this location.

20 Believe me, many of times we've tried to
21 get them to move that location for circulation issues
22 or trying to fit on the site and they will not give in,
23 so it's always on the corner, chamfer, and then on the
24 back side.

1 Sometimes we do not have a chamfer and
2 it's only on the back corner, but in the last ten,
3 twelve years, CVS has all been with the chamfer on the
4 back side with the drive-through. It kind of helps
5 with getting around the building, so it's really kind
6 of a good idea to cut the corner.

7 MR. ROYCE: I have one more question.

8 Looking at that, if I'm looking at that
9 correctly, we're using the same -- the man said we're
10 using the same entrance that would go to the opposite
11 Kmart entrance to enter your location there, right,
12 trafficwise?

13 CHAIRMAN KOPP: Do you have a bigger view that
14 shows the property?

15 MR. HAANING: Is this the entrance --

16 MR. ROYCE: That's the entrance that's opposite
17 Kmart, correct?

18 You're using the driveway that's
19 currently there to shortcut into the CVS/Pharmacy,
20 correct?

21 MR. WAGNER: No.

22 MR. REMKUS: The turn that they want is closer to
23 83.

24 MR. HAANING: You're referring to this right-in

1 here by the store?

2 MR. ROYCE: Yes.

3 MR. HAANING: That's the new one. This is
4 existing.

5 MR. ROYCE: That would be a new one?

6 MR. HAANING: Yes.

7 MR. ROYCE: I can't quite understand at this
8 point.

9 My question is: How will that new one
10 be developed? Does it not come from Route 83 when you
11 turn in and then you go straight down, there's a lane
12 specifically to turn into the Town Center, right?

13 CHAIRMAN KOPP: Right. They're proposing about
14 half of that distance, there would be another one to
15 turn in just specifically to CVS.

16 MR. ROYCE: They're still using that lane, right?

17 CHAIRMAN KOPP: Correct.

18 MR. ROYCE: Would there be enough room to make an
19 additional lane specifically for that CVS/Pharmacy.

20 That's my suggestion. So people going
21 to the Town Center, if there's a traffic accident,
22 people going into that Town Center, what are they going
23 to do, go out and let traffic into Plainfield Road and
24 then jump around an accident and take the chances of

1 cars coming from the light and so forth?

2 Do you see what I'm saying? Do you get
3 what I'm driving at?

4 CHAIRMAN KOPP: That's only a turn in. The new
5 one they're proposing is only to get into the shopping
6 center, so there wouldn't be anyone exiting.

7 MR. ROYCE: Not exiting. I'm just staying going
8 in, say, there's some delay in front and somebody bumps
9 somebody, you know, maybe it's backed up.

10 CHAIRMAN KOPP: Oh, no. You hit on one of the
11 concerns is trucks. That's why we keep asking about
12 the trucks. If the truck is blocking the lane in and
13 then they had enough cars that were cued up behind it,
14 then all of a sudden you have cars on Plainfield and
15 you have people going 45 miles per hour. Yes, that's
16 definitely a concern.

17 MR. ROYCE: I'm just suggesting if there was a way
18 that they could -- I don't know. It's a thought in my
19 mind, okay.

20 If I'm looking at this right, I'm not
21 quite clear, this entrance here -- this is the third
22 lane, correct, on 83, and it turns and you can drive
23 this entrance all the way straight up to here, correct?

24 CHAIRMAN KOPP: Correct.

1 MR. ROYCE: You're using the same entrance to go
2 into there, correct?

3 CHAIRMAN KOPP: Right.

4 MR. ROYCE: From about 120 feet, develop an
5 entrance alongside this one saying for CVS only, that's
6 what I'm saying. Then they'll be turning in and the
7 other people can go to this other entrance, it would be
8 clear, and -- or if there's an accident, they won't be
9 going out into Plainfield Road, they'll be still using
10 the access to the entrance of the Town Center.

11 Again, this would rely upon County --
12 that's a County road -- to approve it.

13 CHAIRMAN KOPP: Right.

14 MR. ROYCE: And you may -- Willowbrook may have to
15 alter their specifications to allow them to do that
16 with the variances or something being so far from the
17 road, the building. I don't know. You know, where
18 that is, that would be up to you guys.

19 Is that a good suggestion?

20 CHAIRMAN KOPP: Well, we'll let them speak to
21 that, but I'm not sure it's feasible, but we'll let
22 them speak to that.

23 Is there anyone else in the audience --

24 MS. CHARLTON: Excuse me.

1 Sir, can we get your address, please?

2 MR. ROYCE: 604 Plainfield Road.

3 CHAIRMAN KOPP: Were you actually one of the
4 citizens that's within 250 feet of the development?

5 Did you get one of the letters? We're
6 just curious.

7 MR. ROYCE: No. I walk up and down
8 Plainfield Road every day.

9 CHAIRMAN KOPP: Just curious.

10 Anyone else from the community that --
11 or not with the applicant that wanted to speak?

12 Would -- does someone with the applicant
13 want to address this gentleman's issues or
14 cross-examine him?

15 MR. ABOONA: As far as adding another lane, that
16 third lane that has been added does act as the
17 deceleration lane for the shopping center could do the
18 same thing for the proposed CVS right-in, so we don't
19 see the need for additional widening for the right-hand
20 turns into the site. We feel that the curb lane, the
21 third lane, functions as such and adding another lane
22 is not necessary.

23 CHAIRMAN KOPP: Okay.

24 All right. At this point it's the turn

1 for the staff, but if you had -- with all of the new
2 material that's been discussed tonight, are you
3 prepared?

4 MS. CHARLTON: I've really taken quite a few notes
5 in my effort to understand how they proposed to meet
6 the standards that are required, and I don't know if I
7 can summarize them all at this point.

8 I would ask the Plan Commission to
9 continue this meeting to the March 7th meeting.

10 Have we talked to the court reporter at
11 this point to know how long it might take to receive
12 transcript?

13 THE REPORTER: You can have it whenever.

14 MS. CHARLTON: If we get it in a week, then that
15 would provide us with time to prepare what we need for
16 the March 7th meeting.

17 CHAIRMAN KOPP: For the applicant, the Village
18 Attorney Hennessy has a question that's a very valid
19 one that's beneficial to all parties.

20 MR. HENNESSY: As the lawyer representing these
21 folks, my thought was, though, that it might be
22 helpful, Counsel, if you could elicit from your
23 witnesses, in particular your traffic engineering
24 witness here, testimony -- or he could do it in

1 narrative form if he wishes -- testimony in the nature
2 of opinions as to the manner in which the proposed
3 special use for the drive-through and the amended PUD
4 meets and satisfies the standards of the ordinance.

5 This has been very informative
6 information that we've received thus far, but I think
7 it would be very helpful in -- I leave it to you as to
8 making the record on those -- on those issues, Counsel.

9 MR. SHAW: May I request that if we're going to
10 continue the hearing for the purpose of staff reviewing
11 our testimony, would there be any objection to our
12 deferring that aspect as well?

13 CHAIRMAN KOPP: Not at all.

14 MR. HENNESSY: If you folks are not ready for
15 that. I only suggest it as an aid.

16 MR. SHAW: I appreciate that.

17 If there are new issues that are raised
18 that, basically, impact that testimony, we probably
19 should be prepared to address those as well.

20 MR. HENNESSY: So everybody understands on the
21 Commission, I'm just suggesting that they -- that
22 through their expert testimony that their folks render
23 their opinions with respect to the manner by which this
24 proposed development meets the standards for the

1 allowance of the special use for the drive-through for
2 the planned unit development special use, and, of
3 course, address the departures of standards or
4 variations that are part of the PUD -- part of those
5 PUD standards as well.

6 That's really all I'm talking about.

7 MR. SHAW: I understand.

8 CHAIRMAN KOPP: He testified as to parking -- one
9 of your witnesses did as to parking and what the
10 typical CVS requires, but, certainly, for me the
11 biggest issue is this right-in and people going
12 45 miles per hour and there being two entrances and
13 some people going 45 and not realizing the guy in front
14 of them is slowing down to turn into this pretty short
15 turn period, and once they get in, they're going at a
16 fairly high rate of speed and they have to make an
17 extremely, to my mind, sharp right turn to get to the
18 drive-through and then what if that's blocked by a
19 truck.

20 So those are the sorts of issues,
21 frankly, that I find most compelling or most -- deserve
22 the most scrutiny with this application, and we really
23 didn't -- we really didn't hear much to that.

24 I don't know if any of the Commissioners

1 have any other --

2 MR. WAGNER: I would have a couple of questions
3 concerning -- first I would like to ask on -- again, on
4 your site plan, Page 10, there's the depiction of, I
5 believe, the trash -- a gated trash receptacle or
6 dumpster receptacle what would be the southeast -- off
7 the southeast corner of the building out in the parking
8 area, is that correct that that's a dumpster?

9 And then you had mentioned a few minutes
10 ago when I asked about the loading, you had said that
11 there's a trash compactor adjacent to the building on
12 the east side; is that correct?

13 So do we have garbage trucks backing
14 into the -- both of these receptacles? How often? And
15 is that also a concern for traffic circulation when
16 they're, I'm assuming, coming in from the parking area
17 and driving in a northerly -- what would be generally a
18 northerly direction and then backing into that
19 dumpster, is that how that's loaded or unloaded?

20 MR. HAANING: I guess I'll address it now.

21 The trash compactor is here, which
22 you've rightly depicted. That is emptied once a month.
23 The compactor is used for cardboard boxes and such.
24 It's a monthly -- it fills up once a month, and then

1 our trash is here.

2 MR. WAGNER: How often is the trash -- is that a
3 couple times a week?

4 MR. HAANING: Once a week, and depending on --
5 maybe twice. We don't -- there's not a tremendous
6 amount of trash. We're not a food provider.

7 Once we get -- a lot of it comes in
8 cardboard, we put it in the compactor and there's
9 really not a lot of garbage per se in the store.

10 MR. WAGNER: Thank you.

11 MR. FILLER: If you look at the MeatHeads
12 building --

13 CHAIRMAN KOPP: Sir, can you identify yourself.

14 MR. FILLER: Sorry. Rick Filler, president of
15 Harlem Irving.

16 The dump truck has a path through the
17 shopping center, they actually will be out of the
18 corrals. They will be dumpster out. So it goes
19 through the entire center. It has to go to
20 Starbucks --

21 MR. WAGNER: Is that the one that comes about
22 6:00 o'clock in the morning?

23 MR. FILLER: I think that's the one.

24 CHAIRMAN KOPP: Any other questions or any of the

1 members have any things that they particularly want
2 addressed?

3 MR. REMKUS: Not yet.

4 CHAIRMAN KOPP: Mr. Hennessy pointed out that
5 there was really no discussion about the parking
6 changes you're proposing, and probably, most
7 importantly, justifying the elimination -- I forget if
8 it's 12 or 13 -- or the addition of 12 or 13 spaces by
9 eliminating that landscaping and sidewalk.

10 MR. SHAW: We can offer testimony as to that now
11 if you have the time.

12 CHAIRMAN KOPP: Yes.

13 MR. FOSS: So there's 12 parking spaces that are
14 being proposed at this location right now. It's,
15 basically, a green space island in the parking area
16 with the sidewalk through there, so it would be removal
17 of that island for 12 parking spaces in that location
18 to accommodate the five -- overall 5:1 ratio for the
19 site.

20 MR. FILLER: In addition to that, we have
21 shortened some of the end landscape islands to just
22 make some parking stalls in. In addition, I believe,
23 we added 17 stalls along the back side here
24 (indicating).

1 The idea here would be to get the Sports
2 Authority, Buffalo Wild Wings employees, get those cars
3 to the back of the shopping center so we have more room
4 for the customer.

5 MR. HENNESSY: So, I guess the question is really,
6 Mr. Filler, are you asking for departure from standards
7 on parking or are you going to provide the parking you
8 need? I think you want to make that clear for your
9 record.

10 MR. FILLER: We are maintaining the intent of the
11 original PUD parking ratio which requires us to have a
12 4:1 parking ratio for general detail and 10:1 parking
13 ratio for restaurant, giving us an overall balance of a
14 5:1 parking ratio for the shopping center.

15 MR. HENNESSY: You don't need any waiver on
16 parking?

17 MR. SHAW: No. If these changes are acceptable as
18 proposed, as I indicated initially, we will not need a
19 waiver variation.

20 CHAIRMAN KOPP: That includes the addition of the
21 12 or 13 spaces there?

22 MR. SHAW: Yes, correct.

23 CHAIRMAN KOPP: That was -- so that was an
24 amenity, though, that was part of the initial shopping

1 center. I'm not sure it's an amenity that's utilized
2 by anyone.

3 MR. FILLER: That's the whole point. I think in
4 our early discussions with staff as relates to -- you
5 can sit out there all day, you don't -- the cross shop,
6 it's not there. You don't have that go from Buffalo
7 Wild Wings to Sports Authority. That middle island --
8 the parking lot doesn't work for the shopping center.

9 MR. WAGNER: Additionally, can you address how
10 your mitigating the elimination of the small parking
11 islands east of the proposed site?

12 On your Page 4, which is the approved
13 PUD site plan, I was trying to compare that to the
14 proposed site plan that you have up, and I'm counting
15 the elimination of approximately seven or eight small
16 parking islands within the rows, and I'm assuming
17 they're landscaped today. Are we proposing to
18 eliminate those to gain parking spaces, and I'm
19 assuming that we're going to re-landscape something by
20 eliminating those?

21 MR. FILLER: It's a total reconfiguration of that
22 area. We're into -- not only are we into the existing
23 dirt pad out there that has the curb around it, but
24 we're also into the parking lot. As you see the

1 original -- we didn't know what this building was going
2 to be when we got the original PUD, that's why it's
3 very generic, but the CVS, if you were to overlay this,
4 is actually going into the pavement -- cutting into the
5 pavement, so it's all reconfiguring, but when you
6 recount it, we still maintain those parking ratios.

7 MR. WAGNER: I guess my concern really is, we've
8 broken up a fairly large parking area with some small
9 islands that were landscaped. It would appear that, by
10 my count, at least seven of those have been eliminated
11 to the east and south of the new proposed building in
12 place. And, I guess, a lot of blacktop is a lot of
13 blacktop and it's nice to see some breakup in it.

14 I'm wondering how you're addressing
15 those -- if we take these out, are we putting in some
16 green space somewhere else around the perimeter,
17 possibly of CVS, to mitigate those islands that have
18 now been removed to create more parking space.

19 MS. CHARLTON: Mr. Chairman, one of the comments
20 that we made was that if you compare the amount of
21 green space that's there today to the results from your
22 proposed changes, that would help to answer
23 Mr. Wagner's question, I believe.

24 MR. WAGNER: Yes, it would. Thank you.

1 Only one other concern, and I've seen it
2 in a couple of places around the area, maybe not
3 particularly Willowbrook.

4 I know that we have an entry problem or
5 a traffic problem that's generated at the Kmart
6 entrance across from this development because it's not
7 an on-grade intersection. Kmart drastically drops into
8 the parking lot and we find that, just through
9 observation in driving through here quite often, that
10 when people turn in, they slow down quite a bit on
11 Plainfield Road because of that elevation change and
12 that the people coming out of Kmart are sitting on
13 quite an angle to be able to gain entrance onto
14 Plainfield Road.

15 There seems to be -- and I was on the
16 site looking at this the other day, there seems to be a
17 pretty good elevation change from Plainfield Road into
18 the CVS development site, and I'm wondering, Are we
19 going to be not only making a right turn in but are we
20 doing quite a grade change there over a short distance
21 from Plainfield Road and how is that going to effect
22 traffic?

23 MR. FOSS: I believe that the drive in, as it's
24 designed right now grading-wise, is at a 6 percent

1 slope. So it's coming up, but it's at 6 percent. I
2 know that number may not mean anything.

3 MR. SHAW: So elaborate.

4 MR. FOSS: I'm trying to do the math in my head.

5 It's basically losing a foot, foot and a
6 half over -- you can't see it -- it's basically a foot,
7 foot and a half over 50 feet.

8 MR. LYNCH: 3 in 50 feet.

9 MR. FOSS: Sorry, my math is bad.

10 MR. ABOONA: I may just add, that slope percentage
11 that Jerremy indicated is within acceptable design
12 standards for driveways meeting the public roadway. So
13 it's -- a lot of driveways that are approved by either
14 the County or IDOT, 6 percent is an acceptable slope.

15 MR. WAGNER: I guess my concern is not whether or
16 not it meets a requirement, but in the practicality, it
17 may meet these requirements, yet if cars are coming
18 around from northbound Route 83 around the corner in
19 this third lane that you added when this was developed
20 and then they're trying to not only slow down and turn
21 in right but is the elevation change going to cause
22 people to slow down even more than if it was level and
23 possibly back somebody up -- people are moving pretty
24 fast on Plainfield Road when they go across. I'm a

1 little concerned, and we all have a great deal of
2 concern, about this right-turn in, and I think these
3 are some issues that may have to be dealt with.

4 MR. ABOONA: I think the misconception here is
5 that that third lane that is existing today, that lane
6 starts at the light and extends to the entrance. So if
7 a car is coming from west of 83 and continuing east on
8 Plainfield, when they cross Plainfield, they're not
9 going to be on this third lane, they're going to be
10 either in the middle lane or going to be on the inside
11 through lane. So this lane that Harlem Irving built
12 when they built the center really acts as a
13 deceleration lane for the shopping center. So, cars
14 that are in that lane are intended to turn into the
15 shopping center. They're not coming across the light
16 at 45 miles an hour and they're in that lane, they are
17 in the other two lanes.

18 MR. WAGNER: I would disagree with you.

19 MR. ABOONA: This third lane is a car that is
20 either turning left and they're merging or cars that
21 are desiring to enter into the shopping center.

22 What we're doing here is giving them an
23 opportunity to enter earlier into the CVS site and for
24 the others who desire to go to the rest of the shopping

1 center.

2 If they miss it, they have an
3 opportunity to enter the site at the main entrance
4 further east -- further east at the main entrance of
5 the shopping center.

6 CHAIRMAN KOPP: I think that's the root of our
7 problem is -- I didn't know it was called a
8 deceleration lane, but we're worried about, one, is
9 there enough distance from the light to decelerate for
10 this first entrance, and, two, are some people going to
11 be decelerating and other people thinking they have
12 another 150 feet and other people are thinking about
13 the entrance passed the bank, so you're going to have
14 people going at different speeds and then if I'm -- my
15 17-year-old son is in that lane and somebody slows
16 down, is he then going to veer into Plainfield to get
17 around that person?

18 MR. ABOONA: Well, I mean, you're describing a
19 scenario that happens anywhere and everywhere. I mean,
20 any time you have a driveway, you have that scenario.
21 If someone is not using their blinkers, absolutely.
22 The driver behind is going to have to be careful to
23 understand what the driver ahead of it is doing.

24 CHAIRMAN KOPP: But usually --

1 MR. ABOONA: Let me just explain.

2 The point of the matter is you enter a
3 shopping center at any time, you're expecting to slow
4 down going around the curve entering a shopping center.
5 That's what we're designing here for. Cars will enter
6 and will be slowing down, there's no doubt about it,
7 but they're not required to stop. They're not required
8 to make a decision because there's conflict points.

9 They can continue straight and go all
10 the way into the parking lot of CVS or they can make
11 that turn into the drive-through.

12 These are repeat customers --

13 MR. REMKUS: I think one thing that you're
14 missing, though, is it's not just a deceleration lane.
15 When you make your right-hand turn off of 83, that's
16 the right-hand turn lane for 83 onto Plainfield Road.
17 It's not only a deceleration lane, it's an acceleration
18 lane to be able to come up and get into the main two
19 lanes of Plainfield Road.

20 It's not just a deceleration lane, and
21 that's where we're having the problem with it. There's
22 people turning off of 83 speeding up to merge with the
23 traffic on Plainfield.

24 MR. WAGNER: And the movement -- the additional

1 movement of that, that was one of my concerns -- the
2 additional movement is the eastbound Plainfield Road
3 traffic crossing Route 83, they're in what is the
4 center lane and the left lane of that three lane
5 configuration. My concern is: If someone is
6 decelerating immediately into now the right furthest
7 deceleration/acceleration lane for both the corner and
8 the shopping center, and now they're doing 200 feet or
9 whatever closer entrance that is, are they making a
10 sharper movement into the right lane to be able to make
11 the CVS turnoff now as opposed to transitioning over a
12 longer period of time to get to the main entrance.

13 That's another conflict I have.

14 MR. ABOONA: Well, the distance is 400 feet.
15 We're at 400 feet from the center line of the
16 intersection to the entrance point, 400 feet.

17 MR. WAGNER: As opposed to?

18 MR. ABOONA: 500 feet. As opposed to the
19 Village's 500 feet.

20 MS. CHARLTON: What is the distance from the
21 closest right-of-way line, though, that's the
22 requirement.

23 MR. ABOONA: 370 feet or whatever the number was,
24 I don't remember.

1 Normally the measurement of the County
2 or State measure center line to center line and we are
3 at 400 feet.

4 MR. WAGNER: You're 400 feet closer than the
5 entrance that's there today.

6 MR. ABOONA: We understand that, of course.

7 MR. WAGNER: My concerns is: The three conflicts
8 in traffic that we just raised seem to be a great deal
9 of concern to all of us.

10 The movements out here -- and I remember
11 sitting here for almost two years when Harlem Irving
12 came in and we looked at this whole development and we
13 looked back at that and we thought there was always
14 going to be a stoplight at the Kmart entrance or the
15 Harlem Irving -- or across from the Harlem Irving
16 entrance and that never came to fruition because of
17 IDOT's concerns and their requirements for distances.

18 We have quite a bit of traffic problem
19 out there, people making some pretty funny movements
20 not only into this shopping center but out of a
21 shopping center that exists across the street that
22 probably will be redeveloped at some point, and I think
23 if we don't take into consideration what's going to
24 happen across the street possibly some day, and maybe

1 the near future, how is that going to effect all of
2 this and the fact that IDOT says you can't have a
3 traffic light here.

4 There's quite a bit of traffic, there's
5 quite a bit of movement out there. We all have a great
6 deal of concern about these additional turning
7 movements that are going to effect the overcrowding
8 that we have today.

9 MR. SHAW: Understood.

10 My thought is that we give this some
11 additional attention, some additional counts, some
12 additional presentation when we come back to the Plan
13 Commission.

14 CHAIRMAN KOPP: Jo Ellen, are all of the
15 requirements for the PUD, have all of those items been
16 submitted to date?

17 MS. CHARLTON: No.

18 CHAIRMAN KOPP: Is their application complete?

19 MS. CHARLTON: At a minimum I know they still have
20 not submitted a stormwater plan, which is a requirement
21 of the plan development.

22 CHAIRMAN KOPP: They're going to do it next
23 meeting because of this information -- they wanted to
24 digest this information.

1 MR. WAGNER: Sure, okay.

2 CHAIRMAN KOPP: Actually, I think we will continue
3 this meeting, allow you to -- to continue your
4 presentation, due the cross-examination again and then
5 the staff will make their presentation.

6 Will someone make a motion to continue
7 this meeting to March 7th, 2012.

8 MR. REMKUS: So moved.

9 MR. SOUKUP: Second.

10 CHAIRMAN KOPP: All approved, say aye.

11 THE COMMISSION: Aye.

12 CHAIRMAN KOPP: All opposed, say nay.

13 Motion carries.

14 MR. SHAW: Thank you very much for the time and
15 the input.

16 (Whereupon the public hearing was
17 adjourned at 8:24 p.m. and
18 continued to March 7, 2012.)

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1 STATE OF ILLINOIS)
) SS:
 2 COUNTY OF K A N E)

3
 4 I, NICOLE M. BREYTSBRAAK, a Certified
 5 Shorthand Reporter within and for the State of
 Illinois, do hereby certify:

6 That previous to the commencement of the
 7 examination of the witness, the witness was duly sworn
 to testify the whole truth concerning the matters
 8 herein;

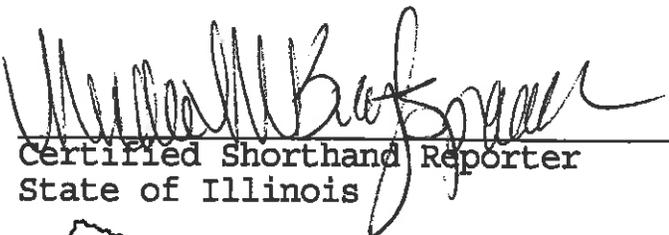
9 That the foregoing deposition was reported
 stenographically by me, was thereafter reduced to a
 10 printed transcript by me, and constitutes a true record
 of the testimony given and the proceedings had;

11 That the said deposition was taken before me
 at the time and place specified;

12 That the reading and signing by the witness
 13 of the deposition transcript was agreed upon as stated
 herein;

14 That I am not a relative or employee or
 15 attorney or counsel, nor a relative or employee of such
 attorney or counsel for any of the parties hereto, nor
 16 interested directly or indirectly in the outcome of
 this action.

17 IN WITNESS WHEREOF, I do hereunto set my hand
 18 at Aurora, Illinois, this 21st day of February, 2012.

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 22 Certified Shorthand Reporter
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