

PLAN

REPORT OF THE PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF NORTHFIELD
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of
Northfield Plan and Zoning Commission taken at the
Northfield Village Hall, Board Room, Northfield, Illinois
on the 7th day of July, 2008, at the hour of 7:00 o'clock
p.m.

MEMBERS PRESENT:

WILLIAM HIELSCHER, Acting Chair
ROBERT CALDWELL
DAN deLOYS
E. LEONARD RUBIN
JOHN DOLAN
PHILIP JONES
BILL VASELOPULOS
JOANNA STEIN

MEMBERS ABSENT:

GEORGE WARGA, CHAIR

ALSO PRESENT:

ANNE KANE

1 ACTING CHAIR HIELSCHER: Good evening, everyone. We
2 are expecting one more Board member to arrive. I'm sure he
3 will shortly.

4 I'd like to call to order the July 7th, 2008 meeting of
5 the Plan & Zoning Commission. My name is Bill Hielscher and
6 I will be serving as chairman pro tem at this evening's
7 meeting because our Chairman, George Warga, is out of town.
8 At this time, I would like to request my fellow Commission
9 members to introduce themselves. If we could start with
10 Bill?

11 COMMISSIONER VASELOPULOS: Bill Vaselopulos.

12 COMMISSIONER DOLAN: John Dolan.

13 COMMISSIONER RUBIN: Len Rubin with an apology. I'm
14 going to have to leave early tonight. I apologize to my
15 fellow Commissioners and to the audience.

16 COMMISSIONER CALDWELL: Bob Caldwell.

17 COMMISSIONER STEIN: Joanna Stein.

18 COMMISSIONER deLOYS: Dan deLoys.

19 ACTING CHAIR HIELSCHER: The purpose of tonight's
20 meeting being held pursuant to notice and pursuant to our
21 Village Code is to conduct several public hearings to
22 consider various special use requests. Our public hearing
23 format will allow an overview of each project and then

1 provide a forum for public input.

2 This Commission is a recommending body. We will
3 forward our recommendation, and I emphasize recommendation
4 only, to the President and Board of Trustees for their final
5 determination on whether or not to grant the special use
6 request. The Village Board will consider the items being
7 discussed this evening at their next meeting which is
8 scheduled for Tuesday, July 15th, at 7:00 p.m. here in this
9 board room. So, I would urge any interested parties that are
10 here tonight to attend the Village Board meeting on July
11 15th.

12 And with that, we'll introduce our final Commissioner.

13 COMMISSIONER JONES: Philip Jones.

14 ACTING CHAIR HIELSCHER: Thank you, Philip. Tonight's
15 public hearings will require that all persons wishing to be
16 heard on the specific case will be asked to be sworn in.
17 This includes the petitioner, any individuals in addition to
18 the petitioners and interested parties or neighboring
19 property owners. Following each petitioner's presentation
20 and the Commission has had the opportunity to ask questions
21 or discuss each case among themselves, then all interested
22 parties will be given an opportunity to speak.

23 Prior to speaking, we request that all the parties

1 provide their name and address or interest for the record.
2 And as these proceedings are being recorded, we would ask
3 that you speak and ask questions from the podium in front of
4 you. Respectfully, I would ask anyone, any interested party
5 to try and make your comments to the issues at hand tonight.
6 And respectfully I would indicate to each petitioner,
7 obviously we would like an overview of your request for
8 purposes of the public, but I can assure you that Staff and
9 all the Commissioner members have taken a good long look at
10 all of the packets provided.

11 First order of this business this evening is to approve
12 the minutes of the Plan & Zoning Commission, our last meeting
13 conducted in May 5th, 2008. Is there any discussion,
14 addition, deletion? Is there a motion to approve?

15 COMMISSIONER RUBIN: I move to approve.

16 COMMISSIONER CALDWELL: Second.

17 ACTING CHAIR HIELSCHER: All in favor?

18 (Chorus of ayes.)

19 ACTING CHAIR HIELSCHER: Any opposed?

20 (No response.)

21 ACTING CHAIR HIELSCHER: The motion passes. Our first
22 item on tonight's agenda is the consideration and discussion
23 of a request for a Special Use to operate a café style

1 restaurant in Suite 105 of the Two Northfield Plaza office
2 building which is located at 570 Frontage Road and submitted
3 by Kevin Travers, I hope I'm pronouncing that correctly, Case
4 No. 2008-0149. And may I ask who is here to present on
5 behalf of the Petitioner this evening?

6 MR. CAPPETTA: Good evening. My name is Fred Cappetta.
7 I'm with Midwest Realty Advisors. I'm the property manager
8 for Northfield Plaza. With me tonight is my fellow
9 Petitioner, Kevin Travers, who is the president of Midwest
10 Realty Advisors. He is also the managing member of
11 Northfield Plaza property which is the ownership entity of
12 Northfield Plaza.

13 ACTING CHAIR HIELSCHER: May I ask you and any other
14 interested parties to be sworn in? Is there anyone else who
15 is interested in speaking on this petition? Could you raise
16 your right hand for the court reporter?

17 (Witness sworn.)

18 MR. CAPPETTA: Last name Cappetta, C-a-p-p-e-t-t-a.

19 ACTING CHAIR HIELSCHER: So, if you don't mind, since
20 this is all being taken under oath, starting over? Sorry
21 about that.

22 MR. CAPPETTA: Yes, that's okay. Again, my name is
23 Fred Cappetta with Midwest Realty Advisors. I'm the property

1 manager for Northfield Plaza. With me tonight is my fellow
2 Petitioner, Kevin Travers, who is the president of Midwest
3 Realty Advisors, and also the managing member of Northfield
4 Plaza Property which is the ownership entity of Northfield
5 Plaza which is a multi-tenant office building on Frontage
6 Road.

7 In addition, with me is Mr. Kuntae Kim, the prospective
8 new owner of the Plaza Café. The café is a food service
9 establishment and tenant of Northfield Plaza that serves
10 light fare including breakfast and lunch sandwiches, assorted
11 homemade coffees, smoothies and other beverages. The main
12 goal of this café is to provide quality food service to the
13 tenants of Northfield Plaza purely as an amenity to that
14 property.

15 We're here tonight to request a special use permit to
16 operate the café in the name of the prospective new owner.
17 As you may recall, the Board approved a special use permit
18 last year to operate the Plaza Café in the name of Kevin Lee.
19 Mr. Lee has decided to sell the operation to Mr. Kim. In
20 accordance with Village ordinance, we come before you tonight
21 to request the issuance of a new special use permit.

22 As a special consideration, I'd like to have the Board
23 consider the permit be issued in the name of Northfield Plaza

1 Property so that in the event the café is sold or ownership
2 is transferred to a new operator, the special use permit will
3 not be required. It will transfer with the property and not
4 the owner and operator of the café.

5 As suggested by the Village, Northfield Plaza Property
6 will provide annually to the Village the name and contact
7 information of the current owner of the café. We would also
8 ask that the permit be transferable in the event that the
9 property, Northfield Plaza, is sold or is transferred, the
10 permit will travel with the property as well and not just the
11 ownership.

12 I'd like to thank you for your consideration on these
13 issues.

14 ACTING CHAIR HIELSCHER: I have a question, and I'll
15 open it up to the Commission.

16 MR. CAPPETTA: Yes?

17 ACTING CHAIR HIELSCHER: It's been suggested by Staff
18 that the property owner be required to submit written
19 documentation annually to the Village providing the café
20 operator's name and contact information. Any problem with
21 that?

22 MR. CAPPETTA: We have no problem with that.

23 ACTING CHAIR HIELSCHER: I just want to make sure. Any

1 questions from the Commission?

2 COMMISSIONER VASELOPULOS: I don't have a question, I
3 have more of a comment about the subtle change and the not so
4 subtle change of transferring the -- thank you, special use,
5 not just to the new owner here but also to the building
6 itself, and then it would transfer between owners, it would
7 transfer from ownership of the building to the next ownership
8 of the building along with the ownership proprietor.

9 The only concern I have is that's the only point in
10 time the Village has to express its concerns and make sure
11 that the proprietor of the establishment understands the
12 special use that the Village requires. And I know the
13 Village is going to be monitoring it, the Health Department,
14 et cetera, et cetera, will be visiting.

15 But I would suggest that we add to this a requirement
16 that whenever a new, and this is a bit precedence thing
17 because I know this hasn't been done anywhere else, so if
18 we're going to go down this path, others may come before us
19 on the same issue, to require that any new proprietor, in
20 addition to notifying the Village when that does happen, that
21 they come before the Planning Department and someone, the
22 Community Director like Anne Kane, review the special use
23 permits with that new proprietor so that they fully

1 understand what the Village is expecting. Because it's the
2 only time the Village I think has to address the new
3 proprietor, and without that and really relying on the owner,
4 no offense to you, but relying on the owner to express those
5 things to the proprietor, certain things may not be conveyed
6 properly. And I think it would be beneficial to the Village
7 to have that in there, not necessarily coming before us but
8 just to go before the Planning Department.

9 COMMISSIONER DOLAN: And that wasn't in here, was it?

10 COMMISSIONER STEIN: That wasn't in here about
11 transferring it with the ownership of the building.

12 MS. KANE: Not of the property. We couldn't do a dual
13 so we did not grant it solely just --

14 COMMISSIONER STEIN: In other words, if --

15 MS. KANE: If Northfield LLC sells the property, then
16 the new owners of the office complex would have to come back
17 and get a special use. We couldn't do a dual.

18 COMMISSIONER STEIN: And renew the special use?

19 MS. KANE: Yes.

20 COMMISSIONER STEIN: Absolutely.

21 MS. KANE: But not an operator of the café.

22 COMMISSIONER DOLAN: Right.

23 COMMISSIONER STEIN: Yes. But, no, this is a good idea

1 so it can change hands without, but if the entire building
2 changes hands, the special use has to be --

3 MR. CAPPETTA: The special use permit, the new owner
4 would require they come back and get a new special use
5 permit. Okay.

6 ACTING CHAIR HIELSCHER: Thank you, Bill. Once again,
7 I'll ask if there is any interested party in the audience
8 that wants to address this petition. Hearing none, is there
9 a motion from the Commission?

10 COMMISSIONER RUBIN: I move that this Commission
11 approve and recommend to the Village Board for approval a
12 Special Use to allow the establishment and operation of an
13 1,100 square-foot restaurant in Suite 105 of the Two
14 Northfield Plaza building to be operated as the Plaza Café,
15 in accordance with the Application and Supporting Materials
16 submitted by Northfield Plaza, LLC, date stamped received
17 June 6, 2008, subject to the following conditions:

- 18 1. The floor plan of the café restaurant shall remain in
19 conformance with the Special Use application and shall
20 not exceed 1,100 square feet.
- 21 2. The cafe's hours of operation shall be limited to 7:00
22 a.m. to 5:00 p.m. Monday through Friday.
- 23 3. The representations made in the application and

1 supporting documents are binding upon the Petitioner.
2 There shall be no additional uses permitted beyond
3 those specifically enumerated herein or permitted by
4 the Village of Northfield's Zoning Ordinance. Any
5 change in the use of the tenant space shall require an
6 amendment to this Special Use.

7 4. The Special Use is granted to Northfield Plaza LLC as
8 owner of the subject property, and a third party may
9 operate the café. The property owner shall submit
10 written documentation annually to the Village providing
11 the cafe's operator's name and contact information.
12 Furthermore, the Special Use shall only be applicable
13 to the subject property (Two Northfield Plaza, Suite
14 105).

15 5. Any change in the lease or change in the leasing agent
16 shall require notification to the Village Northfield.

17 6. No exterior signage is proposed as part of this Special
18 Use and, being targeted towards tenants of and visitors
19 to the office building, no exterior signage is
20 warranted. However, should any exterior signage for
21 the restaurant be proposed in the future, it shall be
22 subject to the review and approval of the Architectural
23 Commission.

- 1 7. The Village of Northfield Health, Fire, and Building
2 Officials shall be granted access to the subject
3 property at any reasonable time for purposes of
4 conducting inspections for compliance with Village
5 Codes and Ordinances.
- 6 8. The method of preparation and service of hot meals and
7 storage of all food items shall be subject to the
8 Illinois Department of Health Rules and Regulations and
9 the approval of the Northfield Public Health
10 Sanitarian.
- 11 9. The owner shall employ a licensed pest control
12 exterminator to inspect and treat the premises on at
13 least a monthly basis. Documentation of said treatment
14 shall be provided to the Village's Public Health
15 Sanitarian on a monthly basis.
- 16 10. All waste and disposal containers shall be rodent-proof
17 and leak-proof and shall be located in an enclosed,
18 screened area approved by the Village. The Petitioner
19 shall ensure this area is maintained and cleaned on a
20 routine basis.
- 21 11. An approval pursuant to any requested review by a
22 Village consultant, Village staff member, Village
23 Commission or Village Board Committee shall be an

1 approval of only those items specified in any motion,
2 resolution, ordinance, or written report. Such
3 approval shall not be deemed to be an approval of any
4 matter which is within the jurisdiction of any other
5 Village consultant, Village staff member, Village Board
6 Committee or Village Commission that has not issued a
7 report or given its approval. Neither shall such
8 approval be deemed the approval of any County, State of
9 Federal Agency. Under no circumstances shall the
10 approval be deemed to be an approval of any matter not
11 included in this ordinance by virtue of the fact that
12 such a matter appeared on a supporting document which
13 is not attached as an exhibit to this ordinance or
14 incorporated as an exhibit as part of this ordinance.

15 12. The Petitioner shall comply in all other respects with
16 the ordinances of the Village of Northfield and nothing
17 in this special use shall be construed as a waiver of
18 any of those requirements.

19 13. Changes in the project may only be made as follows:

20 A. Minor Field Changes. Minor changes in locations
21 or sizes shown on exhibits may be approved, in
22 writing, by the Director of Community Development.

23 Typically, a minor field change will not involve

1 a percentage change greater than 3 percent.
2 However, not all changes of less than 3 percent
3 shall necessarily be deemed to be minor. The
4 determination of the Director of Community
5 Development as to whether a change is a minor
6 field change shall be final.

7 B. Village Board Approved Changes. The Village Board
8 may approve, without referral to the Plan & Zoning
9 Commission, such other changes as it believes are
10 in the best interest of the village and which do
11 not involve changes in numbers found in the text
12 of the Ordinance and which do not have a
13 substantial, direct impact on adjacent properties.

14 The determination of the Village Board as to
15 whether a requested change should be referred to
16 the Plan & Zoning Commission shall be final.

17 C. Changes Requiring a Public Hearing. Any change
18 involving a size, quantity or other numerical
19 value found in the text of the Ordinance or any
20 change having substantial, direct impact on
21 adjacent properties shall not be made except after
22 a public hearing before the Plan & Zoning
23 Commission. Additionally, the Village Board or

1 the Director of Community Development may refer
2 any requested change to the Plan & Zoning
3 Commission for public hearing when either believes
4 it would be in the best interest of the Village to
5 do so.

6 ACTING CHAIR HIELSCHER: Is there a second?

7 COMMISSIONER VASELOPULOS: And, Len, could we add to
8 that the thing that I was discussing? I don't know how the
9 Commission feels about it really, about requiring any new
10 proprietor to come before the Village?

11 COMMISSIONER RUBIN: I think that would happen anyway.

12 COMMISSIONER deLOYS: Are you talking proprietor of the
13 restaurant or proprietor of the building?

14 COMMISSIONER VASELOPULOS: Proprietor of the
15 restaurant. My point was the proprietor, any new proprietor
16 of the restaurant -- the owner of the building may be the
17 owner for the next ten years. We may have nine new
18 proprietors in the next ten years theoretically. And at no
19 time would the proprietor ever come before the Village which
20 is what we're saying here.

21 MR. CAPPETTA: Well, when they need to open for a
22 business license and when they apply for a business license
23 they'd be in front of your Village.

1 MS. KANE: That's simply an administrative license. It
2 doesn't always get caught because that happens in a different
3 department in the Village. I think that putting an
4 additional requirement that they meet with a representative
5 of the Community Development Department so we can review each
6 of the conditions of the special use and making sure that the
7 new operator --

8 MR. CAPPETTA: So, not necessarily come to this once a
9 month meeting but just make an appointment with the Village?

10 MS. KANE: Just meet with Staff, an internal staff
11 meeting to ensure any questions --

12 COMMISSIONER RUBIN: Okay. So, then **I will add to my**
13 **motion subject to the requirement of any new proprietor of**
14 **the café to meet with a representative of the Village to talk**
15 **about the various restrictions and permissions that the**
16 **Village imposes on the café generally.**

17 ACTING CHAIR HIELSCHER: And would you suggest that
18 that be added as condition 14?

19 COMMISSIONER RUBIN: Yes. Please add that as condition
20 14.

21 COMMISSIONER VASELOPULOS: Second.

22 ACTING CHAIR HIELSCHER: Any further discussion? All
23 in favor?

1 (Chorus of ayes.)

2 ACTING CHAIR HIELSCHER: Any opposed?

3 (No response.)

4 ACTING CHAIR HIELSCHER: Motion passes. And again, our
5 recommendation will be forwarded to the Village Board for
6 their meeting on July 15th at 7:00 p.m.

7 MR. CAPPETTA: Thank you very much.

8 ACTING CHAIR HIELSCHER: Thank you very much.

9 The second item on our agenda tonight is consideration
10 and discussion of a request for an amendment to Special Use
11 Ordinance No. 04-1218 to allow, excuse me, minor
12 modifications to the exterior facade and to permit limited
13 outdoor seating at Dominick's Finer Foods (who I'll hope will
14 be back open soon) located at 1822 Willow Road. The
15 Petitioner is Dominick's Finer Foods, Inc. The project
16 number is 2008-0140. May I ask who is here to speak on
17 behalf of the Petitioner?

18 MR. HEIDT: Good evening. I'm John Heidt, I'm with
19 SSOE Architects & Engineers. This is Steve Gorski who is
20 with Dominick's Finer Foods.

21 ACTING CHAIR HIELSCHER: Are there any other parties in
22 the audience who wish to speak with respect to this petition?
23 Can I ask that you be sworn in please?

1 (Witnesses sworn.)

2 MR. HEIDT: We're here this evening to ask for a
3 special use approval for some outdoor seating that we're
4 proposing to add at the site, and also for your endorsement
5 of the exterior modifications that were approved by the
6 Appearance Review, the Architectural Review Commission. We
7 sent in a packet of materials. It looks like everyone has
8 that in front of you. And then, subsequently, met with Anne
9 Kane and --

10 MS. KANE: Ron Johnson.

11 MR. HEIDT: Ron Johnson, the Building Commissioner,
12 thank you, at the site to review the location. And it was
13 suggested at that time by Ron and Anne that we consider a
14 different location than what was originally provided in your
15 original packet. And I hope that you've received at this
16 point maybe the new revised location that we've proposed?
17 Okay, good. Thanks.

18 We are more than willing to place it in that new
19 location, adding approximately 12 feet of concrete sidewalk
20 to the existing sidewalk to the east entry, relocating some
21 landscaping to allow for that. We feel that it would be a
22 much better location on this site. And we also, you know,
23 with Anne's help, we understand now that that's, there's a

1 pedestrian through-way, a pretty significant one from the
2 residential properties to the west and we wouldn't want to
3 interrupt that.

4 So, we have no problem with the revised plan and would
5 like to go forward and we're here to answer any questions for
6 the Commission.

7 ACTING CHAIR HIELSCHER: Bill?

8 COMMISSIONER VASELOPULOS: Yes, I have a couple of
9 questions. As part of the moving of the location from what
10 was originally submitted to this revised layout, that was
11 because of a pedestrian traffic that we're trying to develop
12 from the bridge on the other side of the street to the
13 downtown area.

14 MR. HEIDT: Yes, sir.

15 COMMISSIONER VASELOPULOS: That came out of the Village
16 Task Force put together to look at downtown and there was a
17 plan and study that was developed as part of that. And also,
18 in addition to the pedestrian right of way, a vehicular right
19 of way was also discussed to straighten out that jog that
20 occurs when you go through the parking lot across what used
21 to be the railroad tracks, the right of way towards the post
22 office and the library, to straight that out, that that would
23 also be a goal of the Village long term. Now, when that

1 would happen, who knows? But it was discussed and it is in
2 the plan as something that would be a wish of the Village's.

3 Running, on this revised layout, running these, the
4 three tables perpendicular to the building in essence kind of
5 blocks that concept. Do you have any thoughts about that? I
6 don't know if anyone has raised that to you before but --

7 MR. HEIDT: No. One thing I might offer though, that
8 personal opinion, sometimes straightening out a through-way
9 like that can increase speed and traffic and the safety of
10 pedestrians also. Sometimes it's good to have some
11 variations in a through-way to help slow down traffic
12 especially when there's vehicular and pedestrian traffic in
13 the same areas. That might be one concern that we would have
14 on that.

15 COMMISSIONER VASELOPULOS: Anne, do you have any
16 thoughts on that at all?

17 MS. KANE: Yes. And Bill had let me know his concern.

18 And I'm embarrassed but, you know, we thought more on the
19 short term in the next, you know, five to ten years. We were
20 thinking about the pedestrian access being critical so that
21 the first placement of the tables right in the sidewalk was,
22 you know, kind of jumped out to all of us in Staff that it
23 was prohibiting that feeding of pedestrians from the

1 neighborhood to the west. But it brings up a great point
2 with the desire long term to potentially realign that jog
3 near the post office that we all know too well.

4 That will require redevelopment of the library site,
5 possible relocation of one of the supports for the electrical
6 overhead lights. So, it's very, it will involve a lot of
7 working through Planning, details with a variety of parties.

8 And I did bring the plan to illustrate that.

9 Perhaps the Plan Commission could think and, you know,
10 Dominick's may want to consider the possibility that if and
11 when we reach that point, a lot of exciting things will be
12 going on in the Village Center, this may no longer be the
13 desired location for these three tables, or they may want to
14 expand that outdoor seating. And perhaps, they only have two
15 feet from the eastern edge of their building where it's
16 constructed now to where the right of way for the utility
17 lines start to the east of that property. The Village has
18 been successful in getting easements for a variety of uses
19 such as parking lots and our Village entry sign, perhaps we
20 could encourage Dominick's to talk with ComEd and determine
21 whether an easement for an outdoor seating area may be
22 granted at that time.

23 I don't know if it's worth putting down next through

1 that process at this point until the Village really is in a
2 position to realign Orchard Lane in front of the library and
3 redevelop the library/post office site. And perhaps that can
4 be worded into a condition placed on this approval for the
5 three outdoor tables. And I did bring the plan, if any of
6 the Commissioners or the Petitioner want to see how this, you
7 know, lays out.

8 COMMISSIONER RUBIN: Personally, I think the Village
9 should retain that jog in the street. The reason is because
10 it acts as a traffic slow down. You have to stop, you have
11 to be careful about jogging. It is not a through-street, it
12 is not meant to be a through-street. Orchard Lane stops
13 there at the jog and is meant to stop there at the jog.

14 What you are doing when you complete the jog, the jog
15 is going into the Dominick's parking lot. And to be able to
16 have an outdoor café, granted smaller than originally
17 planned, but sitting there I think adds to the attraction of
18 the area, does not interfere with the safety of the area
19 because the jog is still there. If at some future date the
20 Village wants to do something about that jog, then I think
21 that Dominick's, because it's -- of the Village I think and
22 has always been, it's an important part of the Village, and I
23 think that Dominick's would be amenable to anything that

1 improves the area for them.

2 But in the meantime, I don't see that the jog should be
3 a barrier to this plan of Dominick's to create that outdoor
4 café.

5 MR. GORSKI: Yes, I think any time, in the future if
6 you want to reconsider redeveloping, you know, adjacent
7 areas, then we would certainly be happy to talk to you. And,
8 you know, if you'd want to have the outdoor seating somewhere
9 else, that would be fine. I don't think we're, you know, if
10 it works there now, that would be great. In the future, if
11 we need to move it or do something else, I think we would be
12 okay with that, too, you know, when you're ready to redevelop
13 the adjacent sites.

14 COMMISSIONER STEIN: You're not planning on selling
15 food and beverage outside?

16 MR. GORSKI: No. No, no, no. We won't be selling --

17 COMMISSIONER STEIN: So, people would get something in
18 the store, and say that's a Starbucks, and then come out
19 through those sliding glass doors and to the tables?

20 MR. GORSKI: That's what it would basically be is if
21 people would get a Starbucks coffee or something like that,
22 then come out and sit there and that would be the extent of
23 it. There won't be any, you know, selling.

1 COMMISSIONER STEIN: That's kind of a smoking area for
2 your employees.

3 MR. GORSKI: That's probably something that --

4 COMMISSIONER STEIN: Are you going to separate that
5 whole thing?

6 COMMISSIONER deLOYS: Is there a smoking requirement
7 that falls into the outdoor café seating versus the regular
8 restaurant?

9 MS. KANE: Well, the new distance, I mean the new state
10 law that went into effect requires any smoking area to be a
11 minimum of 15 feet from a public entrance. As far as the
12 number of tables in an outdoor area that's designated for
13 smoking, I don't think the state regulates that. But I would
14 have to find out.

15 COMMISSIONER deLOYS: Okay. So, the distance between
16 the entrance, that would fall within the no smoking?

17 MS. KANE: Yes, I fear that their existing smoking area
18 may even, right now as part of this reconstruction of this
19 Dominick's, they're actually relocating that entrance on the
20 eastern side. You know, it used to be kind of facing west
21 and you would go into that little notch.

22 COMMISSIONER RUBIN: Yes, right.

23 MS. KANE: Now they're relocating the entrance to the

1 eastern elevation facing the, or excuse me, the northern
2 elevation of that same entrance. So, you'll walk straight
3 out into the parking lot, moving that door closer to the ad
4 hoc smoking area.

5 COMMISSIONER STEIN: There should be some guidelines.

6 MS. KANE: Yes, and there are.

7 MR. GORSKI: I think that they do try and discourage
8 that. And I don't know how successful it is but it's up to
9 the store manager.

10 MS. KANE: And the Village to enforce that, so perhaps
11 we need to take a closer look at that as part of this
12 reconstruction.

13 COMMISSIONER RUBIN: Well, if they're smoking there
14 now, then I don't see that there's much of a change
15 necessarily. I mean, there may be a change once the door is
16 relocated and you measure the distance so that the store
17 manager could tell the employees who smoke go over to the
18 western part of the store. But if they can smoke there now
19 and they can smoke there once the tables are there, what
20 difference does it make?

21 COMMISSIONER deLOYS: Well, if it's wrong, it's wrong.

22 COMMISSIONER RUBIN: Well, if it's wrong, of course if
23 it's wrong, it's wrong now.

1 COMMISSIONER deLOYS: We can enforce it now, if it's
2 against the Village rules, we can put something there and
3 that's potentially

4 COMMISSIONER RUBIN: We can do that now or we can do
5 that once the tables and umbrellas are there as well. If
6 it's wrong, it's wrong. What I'm saying is that placing the
7 tables and umbrellas there doesn't change whether smoking
8 there is right or wrong.

9 ACTING CHAIR HIELSCHER: Any further questions or
10 discussion by the Commission?

11 COMMISSIONER deLOYS: Are there hours, I guess it's
12 just outdoor seating so there's no limitation on hours?
13 Probably wouldn't with all employees?

14 MS. KANE: No, I think they would coincide with the
15 same hours of operation of the store.

16 MR. GORSKI: Store hours.

17 MS. KANE: Which are 10:00 a.m., or excuse me, 7:00
18 a.m. to 10:00 p.m. And that's consistent with other outdoor
19 seating areas in the Village.

20 ACTING CHAIR HIELSCHER: Anything further from the
21 Commission?

22 COMMISSIONER STEIN: And that's not enough an issue of
23 pervious surface to trigger anything?

1 MS. KANE: Staff's memo says that we do need to verify
2 that there is adequate capacity on the existing detention
3 facilities. And our engineer was not in to verify that based
4 on the late submittal, but I suspect it's not enough to
5 trigger changes to the detention that there should be. But
6 that will be verified before the site work permit can be
7 issued.

8 ACTING CHAIR HIELSCHER: And would remain a condition.
9 And would remain a condition prior to --

10 MS. KANE: Absolutely. With or without the
11 Commission's recommendation, that's a Village Code
12 application.

13 ACTING CHAIR HIELSCHER: At this time, do we have a
14 motion?

15 COMMISSIONER RUBIN: I'll make it.

16 ACTING CHAIR HIELSCHER: You're leaving early, Len.

17 COMMISSIONER RUBIN: Right.

18 COMMISSIONER STEIN: Put him to work.

19 COMMISSIONER RUBIN: **I move that this Commission**
20 **approve and recommend to the Village Board for approval a**
21 **Special Use amendment to the allow the establishment and**
22 **operation of an outdoor seating area and minor modifications**
23 **to the exterior elevations to the Dominick's Finer Foods**

1 establishment located at 1822 Willow Road, in accordance with
2 the Application and Supporting Materials, date stamped, I
3 believe this is date stamp has changed. It is now July 1st?

4 ACTING CHAIR HIELSCHER: No, this is June.

5 COMMISSIONER RUBIN: It says June but --

6 MS. KANE: Yes, you're correct.

7 COMMISSIONER RUBIN: There's been a change.

8 MS. KANE: The date on the layout.

9 ACTING CHAIR HIELSCHER: You're absolutely right.

10 MS. KANE: Would be changed.

11 ACTING CHAIR HIELSCHER: The revised layout is July
12 1st.

13 COMMISSIONER RUBIN: Yes, okay. So, **date stamped**
14 **received July 1st of 2008, subject to the following**
15 **conditions:**

- 16 1. The exterior seating layout shall remain in conformance
17 with this Special Use application and shall not exceed
18 three tables seating 12 individuals.
- 19 2. Modifications to the signage, building materials and
20 colors, and exterior lighting shall be subject to the
21 review and approval of the Architectural Commission.
- 22 3. Protective bollards or other impact resistant systems
23 shall be incorporated into the Site Plan subject to

- 1 Staff review and approval.
- 2 4. Stormwater detention calculations shall be submitted to
- 3 verify that the system can handle the additional runoff
- 4 prior to issuance of a Grading Permit for the
- 5 additional concrete.
- 6 5. Details on the anchoring system for the tables and
- 7 umbrellas shall be submitted to the Village Engineer
- 8 for review and approval.
- 9 6. An approval pursuant to any requested review by a
- 10 Village consultant, Village staff member, Village
- 11 Commission or Village Board Committee shall be an
- 12 approval of only those items specified in any motion,
- 13 resolution, ordinance, or written report. Such
- 14 approval shall not be deemed to be an approval of any
- 15 matter which is within the jurisdiction of any other
- 16 Village consultant, Village staff member, Village Board
- 17 Committee or Village Commission that has not issued a
- 18 report or given its approval. Neither shall such
- 19 approval be deemed the approval of any County, State or
- 20 Federal Agency. Under no circumstances shall the
- 21 approval be deemed to be an approval of any matter not
- 22 included in this ordinance by virtue of the fact that
- 23 such a matter appeared on a supporting document which

1 is not attached as an exhibit to this ordinance or
2 incorporated as an exhibit as part of this ordinance.

3 7. The Petitioner shall comply in all other respects with
4 the ordinances of the Village of Northfield and nothing
5 in this special use shall be construed as a waiver of
6 any of those requirements.

7 8. Changes in the project may only be made as follows:

8 A. Minor Field Changes. Minor changes in locations
9 or sizes shown on exhibits may be approved, in
10 writing, by the Director of Community Development.

11 Typically, a minor field change will not involve
12 a percentage change greater than 3 percent.

13 However, not all changes of less than 3 percent
14 shall necessarily be deemed to be minor. The
15 determination of the Director of Community
16 Development as to whether a change is a minor
17 field change shall be final.

18 B. Village Board Approved Changes. The Village Board
19 may approve, without referral to the Plan & Zoning
20 Commission, such other changes as it believes are
21 in the best interest of the village and which do
22 not involve changes in numbers found in the text
23 of the Ordinance and which do not have a

1 substantial, direct impact on adjacent properties.

2 The determination of the Village Board as to
3 whether a requested change should be referred to
4 the Plan & Zoning Commission shall be final.

5 C. Changes Requiring a Public Hearing. Any change
6 involving a size, quantity or other numerical
7 value found in the text of the Ordinance or any
8 change having substantial, direct impact on
9 adjacent properties shall not be made except after
10 a public hearing before the Plan & Zoning
11 Commission. Additionally, the Village Board or
12 the Director of Community Development may refer
13 any requested change to the Plan & Zoning
14 Commission for public hearing when either believes
15 it would be in the best interest of the Village to
16 do so.

17 ACTING CHAIR HIELSCHER: And I would just make certain
18 the record reflects the revised layout is dated July 1st, but
19 it was actually received by the Village on July 2nd.

20 COMMISSIONER RUBIN: Oh, thank you.

21 ACTING CHAIR HIELSCHER: Is there a second?

22 COMMISSIONER JONES: Second.

23 ACTING CHAIR HIELSCHER: All in favor?

1 (Chorus of ayes.)

2 ACTING CHAIR HIELSCHER: Any opposed?

3 (No response.)

4 ACTING CHAIR HIELSCHER: The motion carries. And
5 again, it will be heard by the Village Board at their meeting
6 on July 15th.

7 COMMISSIONER DOLAN: And when do you open again?

8 ACTING CHAIR HIELSCHER: Yes. When we can we get our
9 milk there again?

10 MR. GORSKI: It will be completed by August --

11 COMMISSIONER DOLAN: A little ways to go then.

12 COMMISSIONER RUBIN: And when is the party?

13 ACTING CHAIR HIELSCHER: Thank you very much and good
14 luck with the rest of your reconstruction.

15 MR. GORSKI: Thank you.

16 MR. HEIDT: Thank you.

17 ACTING CHAIR HIELSCHER: The third issue on our agenda
18 this evening is consideration and discussion of a request for
19 a Special Use to allow for a natural healing center and day
20 spa in the VC-Village Center Zoning District located at 1652
21 Willow Road. The Petitioner is TPJ MAS, Inc. The project
22 number is 2008-0144.

23 And I see we have someone here on behalf of the

1 Petitioner. Is there anyone else in the audience who is
2 going to be asked to be heard with respect to this petition?
3 If so, would you stand please? May I ask you all to raise
4 your right hand and be sworn in by the court reporter?

5 (Witnesses sworn.)

6 ACTING CHAIR HIELSCHER: Thank you, you can have a
7 seat. And then after we get through the Petitioner and
8 Commission comments, we'll ask you for your comments.

9 MR. MA: Well, I've never done anything like this
10 before, public speaking. I'm here to --

11 ACTING CHAIR HIELSCHER: We don't bite, don't worry.

12 MR. MA: Hopefully then. I'm here I guess to ask
13 permission to open up our new healing spa which is going to
14 be named Chung Sho Spa. Chung Sho in Chinese means longevity
15 or long life and health. And it's mostly going to be eastern
16 style and western style massage and clinical care through
17 acupuncture, cupping -- and a bunch of modalities in
18 massage. And then, with the possibility of a little space
19 for a Chinese herb pharmacy or tea shop to serve there
20 Chinese teas while getting a massage or post massage or pre
21 massage.

22 Also, the possibility of one or two stations for
23 manicure, but that's clearly the other half of we want to do.

1 I only really want to do -- kind of overwhelming and not too
2 great when you're getting massage. I don't know what else
3 I'm supposed to talk about.

4 ACTING CHAIR HIELSCHER: Do you think you could provide
5 acupuncture to get the Dominick's employees to stop smoking?

6 MR. MA: -- at discounted rates, sure.

7 ACTING CHAIR HIELSCHER: Thank you. Any questions or
8 comments from the Commissioner? Go ahead, Anne, I'm sorry.

9 MS. KANE: Well, I guess I would like just, since the
10 report was delivered late, I apologize, and after speaking
11 with Tony at today's meeting, I understand this his father
12 who is the Petitioner and contact person has been out of the
13 country dealing with a family emergency in China. So, my
14 attempts to reach him to get a modified plan that could work
15 in the space were unsuccessful.

16 As you see in Staff's report, strict application of our
17 parking requirements dictate that there are nine parking
18 spaces required for the site. As illustrated on the site
19 plan, there are five, really about four and a half, three in
20 back and about one and a half in front because they share
21 three spaces in front of these two storefronts between the
22 vacant Ragge Meats building and the Willow Cleaners.

23 Given that this is a special use, I think based on the

1 initial business plan that they have submitted and the number
2 of service providers indicating and the variety of
3 disciplines that they anticipate here, that Staff would
4 recommend that we hold them to even a higher parking standard
5 because nine parking spaces with the strict, you know,
6 breakdown of the uses by our code really doesn't reflect what
7 potentially could happen here if they do indeed have the full
8 nine employees that's projected in the application as well as
9 the clients.

10 There was no kind of outline of scheduling but in our
11 field we have to presume the worst case scenarios. They've
12 got hours from, I believe, 9:00 a.m. to 8:00 p.m. daily,
13 Sunday through Saturday. And even if they're one-hour
14 appointments, generally someone might arrive five minutes
15 early just to check in scheduling and whatnot. So, we assume
16 overlap of parking, with nine employees.

17 COMMISSIONER VASELOPULOS: And the assumption, Anne, is
18 that these types of businesses are under different roofs.
19 Not what he's applying for, but these requirements typically
20 when you say, you know, the massage, 1,000 feet, one space
21 per 300 square feet, nail salon, 500 square feet, one space
22 per 300 square feet, and the pharmacy, one space per 250.
23 So, that's the general assumption, right?

1 MS. KANE: That is how, kind of parking requirements in
2 a large global scale based on, you know, parking studies
3 based, you know, across the country. Here we've got a
4 specific proposal. We know the number of proposals. We know
5 kind of what happens in our community with appointments. We
6 tend to have a lot of salons in town. We know there's high
7 turnover and a lot of parking generated with that.

8 And just extrapolating out from the initial business
9 plan and without submission of detail on how appointments
10 would be handled, we have to assume the worst case scenario.

11 And that leads to potentially 27 parking spaces being met at
12 peak. And I'm saying worst case scenario, I don't want to
13 alarm the Commission, because we did have the opportunity
14 finally talk with the Petitioner just before tonight's
15 meeting and I said, you know, really you'll need to present
16 to the Commission what you actually want to do because I
17 don't think he understood the scope of the petition and the
18 number of providers that were indicated as part of the
19 initial business plan. And I'll say that with the initial
20 business plan, not, you know, this full build out.

21 COMMISSIONER VASELOPULOS: So, you can't tell us today
22 what would be recommended when you say more than nine. You
23 haven't had a chance to look at it yet because of the time

1 constraint.

2 MS. KANE: No, because we don't know their scheduling
3 outline and having a pre-application meeting with Mr. Ma, you
4 know, he indicated there was verbal discussions with some of
5 the surrounding property owners who I know are present this
6 evening, that there was some willingness to grant them
7 parking spaces and rights to certain spaces. There was
8 unfortunately no documentation submitted for Staff's review
9 or the Commission's review in considering this case. And
10 that's why Staff has recommended that the Petitioner, you
11 know, or the Commission table this matter so that we can work
12 through these issues because I think they're not
13 insignificant given the known parking issues in that
14 neighborhood.

15 COMMISSIONER RUBIN: May I ask, do you have any sense
16 right now as to whether the use falls within the Village's
17 Comprehensive Plan?

18 MS. KANE: Yes, the Comprehensive Plan calls for
19 service uses. I think it does generate, you know, traffic to
20 an area where we want to, you know, have people coming to the
21 community. Absolutely, yes.

22 MS. KANE: I think it is consistent with that.

23 COMMISSIONER RUBIN: So, the main obstacle then would

1 be the parking problem?

2 MS. KANE: Yes.

3 COMMISSIONER STEIN: I do have a question though before
4 we have a motion. And that's do you have a facility like
5 this, similar to this in another location?

6 MR. MA: No, not yet.

7 COMMISSIONER STEIN: This would be your --

8 MR. MA: This would be our first.

9 COMMISSIONER STEIN: This would be the first.

10 MR. MA: Would be the first. And we've done mostly, my
11 parents own restaurants. We own a restaurant over in
12 Winnetka, Calumet City, little ones. And this is more of my
13 branching out trying to get away from the restaurant
14 business.

15 MS. KANE: So, I guess, you know, I would like to work
16 with the Petitioner to understand because we don't have a
17 specific business plan that's operating elsewhere to really
18 understand the kind of traffic that they generate. It will,
19 unfortunately, take some more meetings with them and perhaps
20 some meetings with the neighbors to understand the reality
21 out there on the parking.

22 There are 11 spaces shown on Linder Street, but we
23 can't presume all those 11 spaces will be available and open

1 to the clients of this one business. There are several
2 businesses in that vicinity.

3 ACTING CHAIR HIELSCHER: Anything further from the
4 Commission?

5 Just so that the members of the audience are clear and
6 those who have expressed an interest in speaking, we're happy
7 to have you speak. The Staff's recommendation to this
8 Commission at this point, while we haven't voted on it, is
9 going to be that this issue be tabled to our September
10 meeting which would be on the first week of September, I
11 don't have the exact date but Anne can give it to me, so that
12 these issues of parking continue to be discussed.

13 That being said, any parties that would like to speak,
14 please step up to the podium.

15 MR. BULMASH: Good evening.

16 ACTING CHAIR HIELSCHER: Good evening.

17 MR. BULMASH: For the record, my name is Gene Bulmash,
18 B-u-l-m-a-s-h, attorney of law, firm of Downing & Bulmash in
19 Glenview.

20 ACTING CHAIR HIELSCHER: Excuse me one second, Gene.

21 MR. BULMASH: Sure.

22 ACTING CHAIR HIELSCHER: You can sit if you want. You
23 don't have to stand. I just want him to be comfortable. Go

1 ahead, Gene, I'm sorry.

2 MR. BULMASH: No problem. We're here tonight
3 representing three neighborhood business: Bob Melchiorre
4 there in the back row middle, Bob Melchiorre, the owner and
5 operator of Salon Studios; Bob Zengeler, the owner of
6 Zengeler Cleaners; and Mike Kozio, the owner of Five Star
7 Imports. All of them are in the same essentially strip
8 center of this proposed business.

9 And to start off, first of all, we're certainly not
10 here to prevent any new business from coming into the
11 Village. We're all in favor of new business and giving you
12 opportunities to business owners and providers and
13 entrepreneurs. Having said that, my clients have very
14 specific concerns about parking. Some of my clients were
15 approached by Mr. Ma, I think Mr. Ma's father, inquiring
16 about shared parking, but they are not willing to do that.

17 Basically, right now parking is at a premium already.
18 They had shared parking issues with prior businesses in this
19 location and it didn't work out. They spent too much time
20 monitoring and policing and towing, you know. Their
21 businesses have grown since then. The current place has now
22 been vacant I understand for over a year. During that time,
23 the parking spaces that they had access, that they had

1 previously had agreement with to lease, are no longer
2 accessed. They have current needs for them right now.

3 We don't feel that the Petitioner has met the standards
4 required by the Village Ordinance to grant special use. We
5 haven't seen the entire package, the entire submission
6 provided to the Village. But certainly based on what I heard
7 tonight presented by the Petitioner, we don't think the
8 standards were met.

9 We think the two major issues are parking and ingress
10 and egress. It's a very difficult location right next to the
11 exit ramp from the Expressway and Willow. We feel that
12 adding another business with this number of employees and
13 customers would greatly increase the danger to existing
14 pedestrians and vehicular traffic.

15 So, again, just for the record, we understand that the
16 Staff is recommending tabling this issue, but we just wanted
17 to present our case here. My clients are all here tonight.
18 We just want to make sure, we'll happily work with Staff and
19 the Petitioner to see if we can't come to some workable
20 solution. But again, based on our experience, the proposal
21 as it's submitted does not seem like it's in any way possible
22 to succeed in this location.

23 And my clients do have experience. Again, there was a

1 prior sort of one store there a little bit farther west from
2 this location, it has gone out. And it had had a lot of
3 customers coming and going. That came out and a new use came
4 in which has very few customers. And that's been a major
5 improvement to the parking issue.

6 So, I understand that the Petitioner and the property
7 owner is concerned that, you know, with this market, any
8 prospective tenant is a good thing, but we think that, you
9 know, rushing this along is not going to improve the
10 neighborhood, for the Village or for, again our clients,
11 existing property owners. You guys want to add anything to
12 that?

13 So, with that, we're again here to answer any
14 questions. Or we intend to certainly work with Village Staff
15 and the Petitioner to see if we can, you know, be flexible.
16 We're certainly, you know, good business owners and neighbors
17 -- businesses in the Village of Northfield. Many live in the
18 Village or have for a long time. So, we're, I think we're in
19 the same goal as the Commissioners and the Village Board and
20 Staff and the Petitioner. But we just want to make sure it
21 gets done properly.

22 ACTING CHAIR HIELSCHER: Thank you, Gene.

23 MR. BULMASH: Sure, thank you.

1 ACTING CHAIR HIELSCHER: And I'd just like to add as an
2 aside to your clients that, you know, fortunately or
3 unfortunately, depending on how you look at it, parking is at
4 a premium throughout this entire Village. And it's one of
5 the things that the committee Bill was on and working with
6 the Comprehensive Plan the Village has been working on. And
7 I will assure your clients that Staff takes any interruption,
8 potential interruption to existing business or problems with
9 vehicular or pedestrian traffic as it relates to parking very
10 seriously and will continue to do so in the future.

11 MR. BULMASH: Actually, I did have one more point,
12 sorry, this would be on my notes. Again, my clients wanted
13 to point out that at the proposed location, there is above
14 there an apartment building. So, any parking that may be
15 allocated as business has to be taking in consideration the
16 current apartment or the tenant who lives there. And also,
17 some of the parking spaces, if actually used, some of the
18 parking spaces at the front, they prevent egress and ingress
19 for the other business and locations. So, again, we're aware
20 of and sensitive to the needs of the counting issue of
21 parking. We may have some issues with how the parking may be
22 laid out there.

23 ACTING CHAIR HIELSCHER: Thank you.

1 MR. BULMASH: Thank you.

2 ACTING CHAIR HIELSCHER: Any other interested party
3 that wishes to speak? Any other comments from the
4 Commission? Hearing none, do we have a motion?

5 COMMISSIONER deLOYS: What motion? To table?

6 ACTING CHAIR HIELSCHER: Yes.

7 COMMISSIONER STEIN: Motion to continue.

8 COMMISSIONER deLOYS: Motion to continue.

9 ACTING CHAIR HIELSCHER: To our September meeting?

10 COMMISSIONER deLOYS: September meeting somewhere.

11 ACTING CHAIR HIELSCHER: Or until they can --

12 COMMISSIONER deLOYS: Or it might be to a future date
13 agreeable to all parties.

14 MS. KANE: If we could give a date certain to the
15 September meeting, that would be great because we have
16 noticed this and it will not require additional publication.

17 COMMISSIONER deLOYS: The September meeting is on?

18 MS. KANE: I believe it's September 2nd.

19 COMMISSIONER deLOYS: So, September 2nd.

20 ACTING CHAIR HIELSCHER: It's a Tuesday after Labor
21 Day.

22 MS. KANE: It's at the end of your notes, Bill, the
23 notes that I prepared to give the date of the next hearing.

1 COMMISSIONER DOLAN: I'll second.

2 ACTING CHAIR HIELSCHER: Thank you. All in favor?

3 (Chorus of ayes.)

4 ACTING CHAIR HIELSCHER: Any opposed?

5 (No response.)

6 ACTING CHAIR HIELSCHER: Motion passes. So, we will,
7 obviously there will be continued discussion with Village
8 Staff and with the existing adjacent business owners. And
9 we'll see you at our September meeting I hope. And I hope
10 whatever the family emergency was resolves itself.

11 MR. MA: Thank you.

12 ACTING CHAIR HIELSCHER: Thank you. And I thank
13 all the interested parties, and Gene, thank you for coming
14 tonight.

15 MR. BULMASH: Thank you.

16 ACTING CHAIR HIELSCHER: The final issue on our
17 agenda is consideration and discussion of a request for an
18 amendment to Special Use Ordinance No. 02-1103 granting PUD
19 or Planned Unit Development approval to allow construction of
20 a new gymnasium, cafeteria, auditorium, detached garage and
21 other minor building expansions to the existing building and
22 a Plat of Subdivision for a two-lot subdivision of the campus
23 located at 315 Waukegan Road. The Petitioner is Christian

1 Heritage Academy. The project number is 2008-0125.

2 I note that there are several parties here to
3 speak on behalf of the Petitioner. Is there anyone else in
4 the audience who would care to speak as to this case?

5 Hearing none, anyone who is going to speak on behalf of the
6 Petitioner, if you would stand, raise your right hand and be
7 sworn in?

8 MR. FREEDMAN: I don't want to frighten you with
9 the number of cards. We're only going to call one witness
10 but other people are here to answer questions.

11 ACTING CHAIR HIELSCHER: Very good.

12 (Witnesses sworn.)

13 ACTING CHAIR HIELSCHER: Good evening.

14 MR. FREEDMAN: Thank you. Good evening. My name
15 is Lawrence Freedman. I'm an attorney with the firm Ash,
16 Anos, Freedman & Logan. My address is 77 West Washington
17 Street in Chicago. I'm here tonight on behalf of the owner
18 of the subject property, Christian Heritage Academy, as well
19 as the Willow Creek Community Church which is a co-applicant
20 and which is currently a lessee of a portion of the property
21 which is the subject of the tonight and is also a proposed
22 purchaser of a portion of it.

23 As I'm sure the Commission is aware, in 2002,

1 a planned development was approved for this site which is the
2 site located at 315 Waukegan Road. And the entire site I
3 believe comprises approximately 15 acres. At the time and
4 shortly after that approval, a co-use of the property was
5 commenced I would say a little over five years ago by both
6 the church and the academy. The church actuated under a
7 lease which is still in effect today whereby they share the
8 use of the auditorium, gymnasium and some of the other
9 facilities.

10 The church has entered into a contract
11 subject to approval of this proceeding to purchase
12 approximately three acres of the site which is at the
13 southeast corner of the site which would include the current
14 gymnasium/cafeteria/student center building, a garage, and
15 approximately a 5,400 square-foot building which is currently
16 leased to Deerfield Montessori School and which is proposed
17 to be continued to be leased to Deerfield Montessori School.

18 Inasmuch as the church will be acquiring the
19 academy's sort of gymnasium/cafeteria, part of the proposal
20 would be that the academy was then going to build a new
21 gymnasium facility. There was still going to be a sharing of
22 the auditorium title which is intended to be retained by the
23 academy.

1 COMMISSIONER CALDWELL: I'm sorry, what was going
2 to be retained by the academy?

3 MR. FREEDMAN: The title to the auditorium
4 facility is still going to be retained. At the request of
5 Staff, although we were going to do it in any event, we have
6 prepared and submitted to the Village Attorney and he has
7 reviewed a proposed cross easement document, if you will,
8 that discusses the mutual sharing of the facilities on the
9 site.

10 I think the point I'd like to stress is that
11 there is not really going to be a substantial change to what
12 was approved in 2002. Some of the improvements that were
13 approved in 2002, although approved were not constructed.
14 And in a sense, we're now raising those issues again. What I
15 thought might be helpful to the Commission would be to
16 briefly have Steve Cross, our land planner, run through what
17 is on the site now, what's presently there, and then run
18 through the proposed changes which will be construction
19 changes.

20 The purpose of the two-lot subdivision very
21 simply is that we're going to have two owners each with their
22 own lot of record. And that's the only reason that we're
23 doing the subdivision. If we were not severing the title,

1 there would not be a subdivision.

2 I also have present tonight the academy's
3 architect who is available to answer questions on the
4 elevations and floor plans and so on if you wish. As I'm
5 sure you're aware, we're going before Architectural
6 Commission I think next week, but he is here. And I also
7 have representatives here tonight of both the church and the
8 academy to answer any operational or the questions that you
9 might have.

10 With that introduction, Steve, if you could
11 run through changes please?

12 ACTING CHAIR HIELSCHER: Thank you, Mr. Freedman.

13 MR. CROSS: Good evening. I'm Stephen Cross with
14 the firm of Atwell-Hicks. We're the site's land engineers as
15 Larry mentioned, 1245 East Diehl Road in Naperville.

16 I just wanted to run by the site plan issues.
17 And what I'm showing up here before you is the actual
18 original PUD documentation from 2002 PUD approval. For all
19 intents and purposes, this is also the existing site plan
20 except for these two hatched areas in the middle that weren't
21 built.

22 But just to give you an orientation of the
23 site, here north is facing up the Waukegan Road. On the west

1 side of the property here would be a signalized section.
2 Opposite ahead of here, the Jewel and Panera. Along the
3 north edge of the property, we have another access, a
4 secondary access to the road which is a right-in/right-out,
5 zone easement with the Sisters property.

6 There are basically four main buildings that
7 comprise the academy property right now. There's the two-
8 story school building at the northern end of the site. It's
9 got 60,000 square feet. And then, the center of the site,
10 there's two other buildings. There's the administration
11 building, and in this hatched area here is the existing
12 chapel. And then, the southern part of the site we have the
13 large multi-purpose auditorium and the existing gymnasium
14 which is inside the east end of the site, east end of the
15 building with additional facilities like student rooms,
16 kitchen, cafeteria and things like that. Larry also alluded
17 to the other accessory buildings that are on the site, the
18 Montessori building down here and the existing maintenance
19 garage that the academy uses along the south end of the
20 property here.

21 The PUD plan that's before you shows,
22 currently shows three improvements in addition to the parking
23 lot improvements that were actually done in 2002. But just

1 to focus on these hatched areas here, there was the proposed
2 elevations that wasn't actually built. And then in the
3 middle here, there was a proposed gymnasium/sport spaces
4 which was going to take the place of the existing chapel.
5 And then, between the auditorium, this covered floor plate
6 and the southern auditorium building, there was a proposed
7 another auditorium space.

8 Now, none of those spaces there were built.
9 And with the proposed purchase of the property by Willow
10 Creek, it's necessary to basically enact some of these
11 changes that they are looking to do at this time. And
12 through various site plan iterations and looking at the space
13 in a lot of more detail, because at the time of this, it was
14 just contemplated as a future use and there weren't very many
15 detailed plans done. As we've developed the plans here with
16 the architect, we've come up with a number of minor
17 variations from that and some additions to the scope. And
18 I'll just run through those real quickly here for you.

19 The main thing that you'll notice here is
20 this large hatched area at the top here that's east of the
21 existing school now as opposed to nestled down in this area
22 where the chapel was. And that's going to become the new
23 gymnasium. It's about 57,000 square feet to the ground floor

1 and then a partial second floor at the southern end of the
2 building here. And that's going to house the gymnasium, the
3 cafeteria, kitchen, lockers, and some unfinished space at the
4 second floor as I mentioned on the southern part of the
5 building. That's going to connect to the existing covered
6 walkway on the first floor here and then connect to a new
7 door on the second floor of the building deck.

8 In addition, the auditorium that previously
9 was here is in the same spot. It's just gotten slightly
10 smaller relative to the parking size that was anticipated in
11 the early restoration. And that's going to be just a single-
12 story black box auditorium in there. There's also going to
13 be, as part of the Willow Creek building improvements here,
14 in order to make that facility work for them, they're going
15 to do another of interior improvements. Obviously remodel
16 it, change it from gymnasium/kitchen to all the various
17 spaces that they're going to have. But what they're
18 proposing to do is to expand the northeast corner and
19 northwest corner of their spaces and square off the building.
20 And that will be a single-story addition.

21 In addition, they're going to do a drop-off
22 canopy and handicap accessible ramp on the southern part of
23 the building and a new entrance in the middle of the building

1 on the south part here. Those are what we call -- two other
2 improvements I want to point out. One is the new garage for
3 the maintenance building because Willow Creek is going to
4 take the southern portion which is going to encompass the
5 existing maintenance building. So, the academy is going to
6 build a new garage up at the north end of the site there.
7 And also, we are going to install the sidewalk along Waukegan
8 Road which is a stipulation under the 2002 PUD, that if we
9 came back to do any other improvements and building permits
10 being required, to put that sidewalk in. So, we are
11 incorporating that into our plan right now.

12 We've also identified on this plan, similar
13 to what was done on the original PUD, the academy has
14 identified a number of improvements and expansion
15 opportunities that they'd like to pursue in the future and,
16 you know, the financing committee and they wanted to get the
17 planning and zoning consideration now. So, we have again
18 shown some possible future improvements. There are no
19 detailed plans for those specific items but they are on the
20 plan here.

21 Again, briefly just pointing this out is a
22 second-story connection between the schools north of the
23 north building here and the school second floor to the

1 miscellaneous classrooms that are on the second floor in this
2 building above the auditorium. There would be some future
3 restrooms in the auditorium area here, a future set design
4 expansion to allow some staging of equipment and building
5 sets and things for whatever happens in that auditorium area.

6 And a future corridor to allow access around the
7 administration building there because right now when you walk
8 in, then you've got to kind of weave your way through the
9 administration building. So, they would just have another
10 walkway and lighting it back there. Obviously you'd still go
11 through the front door for security purposes.

12 So, those are the improvements that are
13 contemplated on the plan. The only other thing to point out
14 is just the detention. One of the comments from the Staff
15 was the engineer made a comment about providing adequate
16 detention for all the improvements, and we have accommodated
17 that in the expanded detention pond up here.

18 As far as the standards go for this
19 particular zoning, there are two items that I wanted to point
20 out. Actually three items. One was the FAR. The current
21 FAR for this R-1 Zoning District is 0.35. The existing site,
22 as you here without these hatched areas, is about 0.24. And
23 with the proposed improvements, not the future ones, just the

1 proposed, we end up just a shade under 0.35. So, we're about
2 0.34 and a few tenths there. And then, when you get to the
3 future, so as you add all these additional, we go over that
4 to about 0.36.

5 And there was actually a typo in the
6 calculations in the drawings that you have. And Anne has an
7 updated tabulation of those lot areas there. It's on the
8 right-hand side of that PUD exhibit. It shows an updated
9 summary there.

10 The second item is the lot coverage which is
11 allowed to be 50 percent. And we have about 47-48 percent in
12 its existing condition. And with the new improvements and
13 new building, it puts us over to about 55, just over 55
14 percent.

15 The third item is the setback for the garage
16 up here, this access drive in the middle side which we
17 consider the front yard. So, we do need to have a 40-foot
18 setback and we have a 25-foot setback. And I believe all
19 those items are mentioned in Anne's report there.

20 I think that's about all I have right now.
21 If there's any questions, we'll be happy to answer them.

22 MR. FREEDMAN: Yes, we have, as I've indicated, we
23 have a number of people that can answer any questions.

1 ACTING CHAIR HIELSCHER: Was there any thought to
2 locating the proposed garage in a different area? And if so
3 or if not, why or why not?

4 MR. CROSS: Well, we'd looked at the various
5 layouts of the actual gymnasium facility. With it being down
6 here, one of the things that we had concerns about was access
7 and service and things like that. So, when we moved it up
8 here, we had the loading and service area located in the
9 northeast corner of the building. And just from a layout
10 standpoint, it pushes as far away as possible from the front,
11 from Waukegan Road as the logical place. You couldn't push
12 it any farther east because you had to accommodate the soccer
13 fields out in the east of the site there. And we felt that
14 we'd be encroaching into those and we're already tight in
15 there as it is.

16 ACTING CHAIR HIELSCHER: Larry, I don't know if
17 you can answer this question on the spot. That existing
18 drive on this side, that's with an easement with the Sisters
19 property?

20 MR. FREEDMAN: Yes, that is correct. Yes.

21 ACTING CHAIR HIELSCHER: And what type of
22 easement?

23 MR. FREEDMAN: It's just a cross access easement

1 of both vehicular access and I believe pedestrian access --

2 ACTING CHAIR HIELSCHER: And does it run with the
3 land?

4 MR. FREEDMAN: I'm sorry?

5 ACTING CHAIR HIELSCHER: Is it a term or does it
6 run with the land?

7 MR. FREEDMAN: I don't think there's a term. I
8 haven't read it in a while but I believe it's perpetual. We
9 can certainly check.

10 ACTING CHAIR HIELSCHER: Thank you.

11 COMMISSIONER VASELOPULOS: The athletic building
12 that's going to be squared off with the additions to it, the
13 interior, that's going to remodeled entirely? It will no
14 longer be a gymnasium?

15 MR. CROSS: That is correct, yes.

16 COMMISSIONER VASELOPULOS: Do you know what it
17 will be?

18 MR. CROSS: It will be meeting rooms -- various
19 meeting rooms, gathering rooms, youth and ministry rooms.
20 That's all --

21 COMMISSIONER VASELOPULOS: Because you're
22 expanding the site and potential uses of it, what is the
23 parking considerations, Anne, regarding this? I may have

1 missed it in your notes, too.

2 MS. KANE: No, I didn't do a detailed parking
3 analysis, and I apologize, based on the various uses. It was
4 done back in 2001, I believe, when the, 2002 PUD, and there
5 was just an excess of parking provided at that time. It
6 wasn't raised in any of Staff's analysis or Staff's review of
7 it to be a concern.

8 COMMISSIONER VASELOPULOS: I think the Police
9 Chief --

10 MS. KANE: The Police Chief, I apologize, he did
11 that concern. But programming --

12 COMMISSIONER VASELOPULOS: And we're moving 12
13 spaces with this? According to this garage --

14 MS. KANE: With the reconfiguration of the
15 entrance and the loading dock on the north side of the
16 building, yes. So, the spaces are less.

17 COMMISSIONER deLOYS: Because if you're there on
18 Sunday mornings, you do see once in a while people parking at
19 Jewel and going across the street. It can get dangerous with
20 people running across trying to, you know, not wait until the
21 lights change.

22 COMMISSIONER RUBIN: Are they doing it because
23 there's --

1 COMMISSIONER deLOYS: I couldn't tell you why.
2 I'm saying I've seen it.

3 MR. FREEDMAN: Because we believe there's more
4 than enough space to park on site.

5 MR. CROSS: We have 350 spaces on site. We're
6 taking 12 out. And there's also the agreement with the
7 college to the north for 180 spaces there. And there are two
8 more ways actually provided for -- right under here you have
9 garages and right about here to allow for more new spaces up
10 here. So, 180 and 350 total spaces.

11 MR. FREEDMAN: I'm guessing they'd park at the
12 Jewel no matter what we did.

13 MR. CROSS: Right.

14 ACTING CHAIR HIELSCHER: I have seen back in my
15 AYSO coaching days people running across to Panera and
16 grabbing coffee.

17 COMMISSIONER deLOYS: Right. So, it's just a
18 safety concern.

19 ACTING CHAIR HIELSCHER: Right.

20 COMMISSIONER STEIN: No, I think though, unless I
21 missed it, our parking analysis assumed that the church was
22 using the facility on Sundays and Thursday evenings only when
23 the academy wouldn't schedule an event on Thursday evenings.

1 MR. FREEDMAN: That has been historically for the
2 last five years and that's our intention going forward for
3 the most part, yes.

4 COMMISSIONER STEIN: But is the church planning to
5 use the space in a completely different manner now that they
6 own the building and they will have employees and they will
7 have offices and they're planning to use --

8 MR. FREEDMAN: No, they're not. The change in
9 ownership does not signal a change in use. That's not the
10 intention. And I think it's fair to state that what you have
11 historically seen the last five years is the way we intend to
12 go forward. And the arrangement between the church and the
13 academy is that the church, at those particular times, is
14 given a priority as to the parking. And because of that, the
15 school, although I don't know that there's much of an
16 incentive to schedule events at those times for the school,
17 but the school has refrained from scheduling events at that
18 time to avoid a conflict.

19 COMMISSIONER deLOYS: But there is not an
20 anticipation of a large increase in traffic at the same times
21 between both these buildings?

22 MR. FREEDMAN: No, there is none at all. They
23 consider, you know, you have the advantage of seeing

1 something in operation as opposed to an idea that hasn't
2 happened yet. Their plan is to continue the operation with
3 tweaking these buildings and obviously doing what they're
4 doing, but to utilize the entire site as they have in the
5 past. And the church's intention is to use it on Sundays and
6 to use it on Thursday evenings. And that has worked out very
7 well with the academy. It does not conflict with the way
8 they operate. And that's the intention going forward also.

9 If in fact that ever changed, what would have
10 to happen candidly is the academy, if they really wanted to
11 have something that evening because the church under their
12 agreement has the priority, would have to find alternative
13 off site parking which is probably the greatest disincentive
14 there is for scheduling at the same time.

15 COMMISSIONER VASELOPULOS: So, even though they
16 will be in essence equal partners now as opposed to the
17 owner-tenant relationship, you're saying that the academy has
18 rights over the --

19 MR. FREEDMAN: No, I'm saying quite the opposite.
20 The church even as a tenant --

21 COMMISSIONER VASELOPULOS: The church has the
22 rights.

23 MR. FREEDMAN: -- had the priority of those spaces

1 during those periods and will as the, not equal partners
2 really because the church is only going to own a portion of
3 the property, 3 acres of the 15. They will still, the church
4 will still have the priority of use during those hours. The
5 academy has agreed to do that and has for the last five years
6 and will continue to.

7 ACTING CHAIR HIELSCHER: Okay. To your knowledge,
8 and again I don't mean to put you on the spot, since the
9 parking information was provided to the Village in December
10 of 2001 prior to the official 2002 PUD, I know the agreement
11 with the College of American Pathologists is on an event
12 basis and they have to approve, to your knowledge have they
13 ever disapproved of any parking for any special events?

14 MR. FREEDMAN: I'm told they never have
15 disapproved.

16 ACTING CHAIR HIELSCHER: Thank you.

17 MS. KANE: I just have one letter that we just
18 received today from the College of American Pathologists just
19 stating that they received the notice and that they have
20 reviewed it. The college has no objection to the action
21 requested but nothing that they would have received would
22 have indicated --

23 MR. FREEDMAN: Actually, Anne, they contacted me

1 and asked for a set of our complete plans, and we gave them a
2 set. So, they have more than the average person getting a
3 notice. They have had an opportunity to have read this.

4 ACTING CHAIR HIELSCHER: Thank you.

5 COMMISSIONER deLOYS: If the traffic, et cetera,
6 turns out to be greater than anticipated, as the Village,
7 what can we do once this is approved to ensure that we'll
8 protect this?

9 MS. KANE: Well, as a PUD, I think we could create
10 language that gives the Village the right to reexamine, to
11 step in and work with the two users of the property to find a
12 solution that works better. Whether, I did not realize the
13 180 spaces on the College of American Pathologists was on an
14 as-needed event by event granted. I thought that, somewhere
15 along the line I misconstrued that it was just overflow
16 parking on a regular basis and I thought perhaps
17 communicating to the members of the church or the parents of
18 the school on special events where they are finding
19 themselves parking in Jewel. It just needed to be
20 communicated to them better.

21 But as far as the PUD, oftentimes it's, you
22 know, an opportunity to reexamine, particularly given the two
23 users agreement to cooperate in scheduling events. And I

1 think it is important that the Village retain some ability to
2 reexamine this if parking issues are brought to our
3 attention.

4 MR. FREEDMAN: Let me point some out, too, that
5 the potential times of conflict which I believe is
6 theoretical but they're there would be the Thursday evening
7 and the Sunday which is, I think the most obvious time, when
8 the college also is not going to have any demand for their
9 parking. They're not going to have a likely demand on
10 Thursday night nor on a Sunday. And that's one of the
11 reasons historically that they have made that space available
12 whenever needed and never turned it down. We're not talking
13 about asking for use of their space at a time when they're
14 likely to have an event.

15 ACTING CHAIR HIELSCHER: Just for, I think for
16 informational purposes though and hopefully the
17 representatives from Christian Heritage and the church are
18 listening, and I'm sure the word has spread amongst the
19 regulars there that there is this overflow parking, but
20 perhaps there needs to be some temporary signage put up in
21 your own lot when there is a special event that additional
22 parking is available.

23 MR. FREEDMAN: We would be more than happy to make

1 whatever arrangements along those lines that Staff or anyone
2 else suggests. It's not an issue.

3 MR. ANDERSON: I'm Tim Anderson, I live in
4 Northfield. I attend Willow Creek Community Church. And we
5 do have, right now we have a sign out front for saying
6 additional parking pointing to the north, the entrance of
7 that, one of the entrances near the college.

8 COMMISSIONER STEIN: Does the church require that
9 additional parking on a regular basis every Sunday?

10 MR. ANDERSON: No, we do not. But when we have a
11 Christmas event, an Easter event or something, we want to
12 make sure it's available in case they're in need for it.

13 COMMISSIONER STEIN: And you notify the college
14 and --

15 MR. ANDERSON: Absolutely.

16 COMMISSIONER deLOYS: Does the church discourage
17 people from parking at Jewel and going across the street?

18 MR. ANDERSON: Frankly, I have never known it to
19 be a problem. What I think is maybe happening, people going
20 over there to get coffee at Panera don't want to get back in
21 their car and drive across and they just walk across. But I
22 don't know that for a fact and I haven't really seen it as a
23 problem.

1 I know CHA employees, Christian Heritage
2 employees and church employees go there for lunch. I see
3 them walking across the street because my office is down on
4 Waukegan Road.

5 COMMISSIONER deLOYS: Thank you.

6 COMMISSIONER VASELOPULOS: Staying with this
7 parking theme, I know as part of the acquisition of the
8 church is the southern portion of the parking lot at the
9 center.

10 MR. FREEDMAN: It's shared by easement, it's going
11 to be recorded. The ownership doesn't affect the usage.

12 COMMISSIONER VASELOPULOS: Was there a reason that
13 they decided to take on, to purchase those spaces and not
14 more or less or anything?

15 MR. CROSS: It was based upon an area that they
16 would purchase.

17 COMMISSIONER VASELOPULOS: Yes, I mean it's just -
18 -

19 MR. CROSS: -- the lot line which is based on a
20 square footage and it just happened to encompass that many
21 spaces.

22 MR. FREEDMAN: It doesn't preclude use by either
23 because the parking is shared.

1 MS. KANE: In fact, the first plat of subdivision
2 that Staff saw encompassed quite a bit more parking. And
3 that's when we really wanted our attorney to review the
4 easement agreement to make sure that these two property
5 owners, whoever they are down the line, are married to one
6 another and, very much through this agreement, encouraged to
7 resolve the problems or one party is held accountable so that
8 the Village isn't interceding on behalf of Willow Creek
9 saying they're not getting their parking spaces from
10 Christian Heritage.

11 MR. FREEDMAN: And we're married in more ways than
12 one, too, because as a planned development, if the usage ever
13 changed, I mean, the plan would have to, we'd have to come
14 back. So, essentially, the Village is protected in that
15 regard, too.

16 COMMISSIONER STEIN: Can I just review some of the
17 little technical details? We've got an issue with the lot
18 line for the garage.

19 MS. KANE: Yes.

20 COMMISSIONER STEIN: That needs a variance. And
21 we have an issue with the floor area ratio?

22 MS. KANE: Correct.

23 COMMISSIONER STEIN: 55 when we allow --

1 MR. FREEDMAN: 57.4.

2 MS. KANE: Yes, on page 3 of Staff's memo, there
3 are two items that are bold in the chart. The front yard
4 setback along the northern property line, the garage, the
5 detached garages within that. I will say --

6 COMMISSIONER STEIN: What is the front yard
7 setback? Is that the one next to the college?

8 MS. KANE: Yes, because of the ingress/egress
9 easement that's part of the Sisters property. I will say
10 that if it's not been treated as a front yard in the past
11 under the 2002 PUD, they allowed parking to expand in that
12 area, so we don't have real concerns about that. It's not
13 along the public fare for the garage.

14 COMMISSIONER STEIN: Where is the side yard
15 setback, that zero feet?

16 MS. KANE: The new property line that subdivides
17 the two parcels.

18 COMMISSIONER STEIN: Oh, the building.

19 MS. KANE: Yes, right through the middle of the
20 building, the condominium.

21 COMMISSIONER STEIN: It's hard to put a yard in
22 there. Okay.

23 MS. KANE: Then, maximum lot coverage does exceed

1 the 50 percent permitted in the underlying residential R-1
2 Zoning District to 55.4 percent. Again, the detention is
3 designed to accommodate that excess. And then Staff, looking
4 at this property relative to the roadway, really how it
5 functions with the surrounding uses, I think it's just
6 important to note that other uses such as the College of
7 American Pathologists is entitled to a lot coverage of 90
8 percent because the underlying zoning of the school and
9 church, we want it to be residential but really this 15-acre
10 parcel really functions in a different way along this
11 Waukegan Road corridor.

12 And finally, as pointed out by, I'm sorry,
13 Steve this evening, (so many emails back and forth I
14 couldn't, I forgot his name), Mr. Cross, that it exceeds the
15 allowable FAR of 0.35. Again, that's really intended for a
16 residential. I'll just note that the college immediately to
17 the north of the site is entitled to an FAR of 2.0, double
18 the lot area. Again, that's just, you should take that into
19 consideration when you're considering whether these
20 deviations rather than variations or exceptions to our zoning
21 are appropriate as part of this PUD because this PUD really
22 creates the umbrella that gives the Commission the authority
23 to grant those. And I will say the 0.36 FAR is based upon

1 full build-out of both phase 1 and phase 2 of the PUD.

2 COMMISSIONER VASELOPULOS: And the demolition of
3 the chapel.

4 MS. KANE: Correct.

5 MR. CROSS: As included in the plans, correct.

6 COMMISSIONER VASELOPULOS: Where will service be
7 held if the chapel is not there?

8 MR. ANDERSON: The chapel really, our services
9 occur in the auditorium so the chapel really was an under-
10 utilized space. Some of the new spaces we're going to be
11 building out in the gym, existing gym/cafeteria, we'll
12 include some classroom space for, you know, some of --

13 COMMISSIONER VASELOPULOS: Does the Christian
14 Heritage use that?

15 MR. ANDERSON: They used it on a very limited
16 basis. It only seats about 75 people. It's really in the
17 form of traditional school --

18 COMMISSIONER VASELOPULOS: Thanks.

19 ACTING CHAIR HIELSCHER: Any other questions,
20 comments from the Commission?

21 COMMISSIONER CALDWELL: Yes, I've got one. I
22 understand that the usages remain the same and it's really
23 just an ownership issue. But now with the church having

1 ownership, does the church have, you know, some expansion
2 plans regarding membership, aggressive -- I mean, I would
3 think as much if that's --

4 MR. ANDERSON: Actually, this is a regional campus
5 of Willow Creek Community Church. It's called Willow Creek
6 North Shore. And we're really defined by the limitation of
7 the auditorium space which exists today. And we have no
8 plans to go beyond that. If at some point, if there was
9 another expansion to occur, Willow will open up another
10 regional campus. So, we're really defined by the auditorium
11 --

12 COMMISSIONER CALDWELL: The reason, because I know
13 Willow Creek is massive, I also know you don't turn and then
14 walk away. So, I --

15 MR. ANDERSON: We don't plan to have a 25,000-seat
16 auditorium or anything.

17 ACTING CHAIR HIELSCHER: Anything further? Could
18 I entertain a motion from the Commission?

19 COMMISSIONER VASELOPULOS: Sure.

20 ACTING CHAIR HIELSCHER: Thank you.

21 COMMISSIONER VASELOPULOS: **I move to approve and**
22 **recommend to the Village Board for approval an amendment to**
23 **the Christian Heritage Academy's Planned Unit Development**

1 Ordinance No. 02-1103 to permit a two-lot subdivision and to
2 allow a 70,000 square-foot building expansion to the campus
3 located at 315 Waukegan Road, in accordance with the
4 Application and Supporting Materials submitted by Christian
5 Heritage Academy, date stamped received June 23, 2008,
6 subject to the following conditions:

- 7 1. All provisions of Ordinance No. 02-1103 not expressly
8 amended through this application shall remain in full
9 force and effect.
- 10 2. A zoning exception is hereby granted to allow the
11 maximum impervious surface to be 55.4 percent.
- 12 3. A zoning exception is hereby granted to permit the
13 detached garage in a required front yard provided it is
14 no closer than 25 feet from the property line.
- 15 4. The final details of the building elevations,
16 landscape, signage and lighting shall be subject to the
17 review and approval of the Architectural Commission.
- 18 5. The representations made in the application and
19 supporting documents are binding upon the Petitioner.
20 There shall be no additional uses permitted beyond
21 those specifically enumerated herein or permitted by
22 the Village of Northfield's Zoning Ordinance.
- 23 6. The proposed site layout provides adequate fire lane

- 1 accessibility to the structure, and subsequent Site
2 Plan modifications shall be subject to the review and
3 approval of the Fire Prevention Inspector.
- 4 7. Final stormwater detention calculations and detailed
5 drawings shall be provided with any future Site Work
6 Permit applications and subject to final approval by
7 the Village Engineer.
- 8 8. Separate street addresses shall be assigned to each
9 property.
- 10 9. The Fire Prevention Inspector shall have final
11 authority to approve the effectiveness of the operation
12 and notification of the fire suppression and fire alarm
13 systems.
- 14 10. The Village of Northfield Health, Fire, and Building
15 Officials shall be granted access to the subject
16 property at any reasonable time for purposes of
17 conducting inspections for compliance with the Village
18 Codes and Ordinances.
- 19 11. An approval pursuant to any requested review by a
20 Village consultant, Village staff member, Village
21 Commission or Village Board Committee shall be an
22 approval of only those items specified in any motion,
23 resolution, ordinance, or written report. Such

1 approval shall not be deemed to be an approval of any
2 matter which is within the jurisdiction of any other
3 Village consultant, Village staff member, Village Board
4 Committee or Village Commission that has not issued a
5 report or given its approval. Neither shall such
6 approval be deemed the approval of any County, State of
7 Federal Agency. Under no circumstances shall the
8 approval be deemed to be an approval of any matter not
9 included in this ordinance by virtue of the fact that
10 such a matter appeared on a supporting document which
11 is not attached as an exhibit to this ordinance or
12 incorporated as an exhibit as part of this ordinance.

13 12. The Petitioner shall comply in all other respects with
14 the ordinances of the Village of Northfield and nothing
15 in this special use shall be construed as a waiver of
16 any of those requirements.

17 13. Changes in the project may only be made as follows:

18 A. Minor Field Changes. Minor changes in locations
19 or sizes shown on exhibits may be approved, in
20 writing, by the Director of Community Development.

21 Typically, a minor field change will not involve
22 a percentage change greater than 3 percent.

23 However, not all changes of less than 3 percent

1 shall necessarily be deemed to be minor. The
2 determination of the Director of Community
3 Development as to whether a change is a minor
4 field change shall be final.

5 B. Village Board Approved Changes. The Village Board
6 may approve, without referral to the Plan & Zoning
7 Commission, such other changes as it believes are
8 in the best interest of the village and which do
9 not involve changes in numbers found in the text
10 of the Ordinance and which do not have a
11 substantial, direct impact on adjacent properties.

12 The determination of the Village Board as to
13 whether a requested change should be referred to
14 the Plan & Zoning Commission shall be final.

15 C. Changes Requiring a Public Hearing. Any change
16 involving a size, quantity or other numerical
17 value found in the text of the Ordinance or any
18 change having substantial, direct impact on
19 adjacent properties shall not be made except after
20 a public hearing before the Plan & Zoning
21 Commission. Additionally, the Village Board or
22 the Director of Community Development may refer
23 any requested change to the Plan & Zoning

1 Commission for public hearing when either believes
2 it would be in the best interest of the Village to
3 do so.

4 ACTING CHAIR HIELSCHER: Is there a second?

5 COMMISSIONER STEIN: Second.

6 COMMISSIONER deLOYS: Can I --

7 ACTING CHAIR HIELSCHER: Any discussion?

8 COMMISSIONER deLOYS: Is there any thought to
9 putting language in regarding future traffic increases to
10 protect the Village should usage expand beyond what is
11 planned or at this state? Anybody have any thoughts on that?
12 Or do I need to make a motion to do that?

13 ACTING CHAIR HIELSCHER: You could arguably add as
14 a, well, I think you could do one of two things. I think
15 adding an additional condition is more difficult. I think in
16 our motion to the Village Board, we can recommend that they
17 take a strong look.

18 COMMISSIONER deLOYS: I'm comfortable with that.

19 ACTING CHAIR HIELSCHER: At that issue.

20 COMMISSIONER deLOYS: I would be comfortable with
21 that in a recommendation to the Village Board to then look at
22 the traffic issues in more detail.

23 COMMISSIONER VASELOPULOS: **I so amend my motion to**

1 **have the Village Board look at the traffic issues in more**
2 **detail.**

3 COMMISSIONER deLOYS: Thank you.

4 ACTING CHAIR HIELSCHER: Is there a second?

5 COMMISSIONER deLOYS: Second.

6 ACTING CHAIR HIELSCHER: All in favor?

7 (Chorus of ayes.)

8 ACTING CHAIR HIELSCHER: Any opposed?

9 (No response.)

10 ACTING CHAIR HIELSCHER: The motion passes. I
11 thank all of you. You'll be on the agenda at the Village
12 Board meeting as we previously indicated. Thank you.

13 Before we adjourn, any unfinished or new
14 business or other agenda items? I would remind my fellow
15 Commissioners that, as a bonus of all of your hard work to
16 the Village, there is no August meeting planned for your
17 information. But you still get paid the same.

18 Is there a motion to adjourn?

19 COMMISSIONER CALDWELL: Motion to adjourn.

20 COMMISSIONER VASELOPULOS: Second.

21 ACTING CHAIR HIELSCHER: All in favor?

22 (Chorus of ayes.)

23 ACTING CHAIR HIELSCHER: Any opposed?

1 (No response.)

2 ACTING CHAIR HIELSCHER: Motion passes. Thank
3 you.

4 (Whereupon the above meeting concluded
5 at 8:20 p.m.)

6 ***Approved 1/5/09***

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