

# VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)*



## **Meeting Minutes**

**Tuesday, April 10, 2007**

**7:00 PM**

**Village Hall**

## **Plan Commission**

*Louis Stephens, Chairman*

*Commissioners: Judith Jacobs, Paul Aubin, Steve Dzierwa, Mike Culligan, Patricia Thompson, and Nick Parisi*

**CALL TO ORDER/ROLL CALL**

The meeting was called to order by the Plan Commission's Chairman, Mr. Lou Stephens, at 7:00 p.m.

HOFKENS: Noted that for the first time, instead of referencing Site Plans and various other exhibits propped on an easel which is often difficult to be seen from all vantage points in the Board Room, Staff would be making their presentations with reference made to Site Plans and various other exhibits, projected onto a screen placed at a height and of a size which hopefully will be seen by all attendees at the meeting. Feedback after the meeting in regard to this presentation approach is welcome.

**Present:** 6 - Commissioner Jacobs; Commissioner Dzierwa; Commissioner Aubin; Commissioner Stephens; Commissioner Culligan, Commissioner Parisi

**Absent:** 1 - Commissioner Thompson

**APPROVAL OF MINUTES**

**A motion was made by Commissioner Aubin, seconded by Commissioner Dzierwa, that this matter be APPROVED . The motion carried by the following vote:**

**Aye:** 5 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens and Commissioner Parisi

**Nay:** 0

**Abstain:** 1 - Commissioner Culligan

**Absent:** 1 - Commissioner Thompson

**PUBLIC HEARINGS****2006-0780 Land Development Code Amendments I (2007)**

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to terminate the public hearing for file number 2006-0780, Land Development Code Amendments I (2007).

**A motion was made by Commissioner Paul Aubin, seconded by Commissioner Judith Jacobs, that this matter be TERMINATED . The motion PASSED by an unanimous vote.**

**Aye:** 6 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan and Commissioner Parisi

**Nay:** 0

**Absent:** 1 - Commissioner Thompson

**2007-0034 Toures Car Wash**

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to continue the public hearing for file number 2007-0034, Toures Car Wash, to the April 24, 2007 Plan Commission

**A motion was made by Commissioner Steve Dzierwa, seconded by Commissioner Paul Aubin, that this matter be CONTINUED to the Plan Commission. The motion PASSED by an unanimous vote.**

**Aye:** 6 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan and Commissioner Parisi

**Nay:** 0

**Absent:** 1 - Commissioner Thompson

**2007-0116 Land Development Code Amendment II (2007) - MFG Manufacturing District**

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to continue the public hearing for file number 2007-0116, Land Development Code Amendments - MFG Manufacturing District, to the May 8, 2007 Plan Commission

**A motion was made by Commissioner Paul Aubin, seconded by Commissioner Steve Dzierwa, that this matter be CONTINUED to the Plan Commission. The motion PASSED by an unanimous vote.**

**Aye:** 6 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan and Commissioner Parisi

**Nay:** 0

**Absent:** 1 - Commissioner Thompson

**2007-0131 Hagn Annexation**

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to terminate the public hearing for file number 2007-0131, Hagn Annexation.

**A motion was made by Commissioner Paul Aubin, seconded by Commissioner Steve Dzierwa, that this matter be TERMINATED . The motion PASSED by an unanimous vote.**

**Aye:** 6 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan and Commissioner Parisi

**Nay:** 0

**Absent:** 1 - Commissioner Thompson

**2006-0652 Crescent Hill Estates Resubdivision**

James E. Olguin, Attorney at Law, Goldstine, Skrodzki, Russian, Nemecek and Hoff,

Ltd.,  
The Prairie Building, 835 McClintock Drive, Second Floor, Burr Ridge, IL  
60527-0860  
Rick Sinnott, Sinnott Engineering, 17400 South Oak Park Avenue, Tinley Park  
Curtis Glad, 1440 Ottawa, New Lenox, Property Manager for Mr. Malik B. Ali

HOFKENS: Staff presentation made in accordance with the written Staff Report dated April 10, 2007 as presented.

STEPHENS: Invited comments and/or questions from the petitioner.

AUBIN: Swore in Messrs. Olguin, Sinnott and Glad.

OLGUIN: Thank you very much for allowing me the opportunity to speak on our project. We believe that Staff did a very good job in presenting a good portion of the plan. As mentioned, here with me is our entire team with Mr. Sinnott, the project engineer and Curtis Glad is the Project Manager for the property owner. We are looking to resubdivide this property which is already a part of an existing subdivision. Directed everyone's attention to the Plat of Subdivision.

GLAD: This is an existing four-lot subdivision with a private access easement which starts at 108th Avenue and goes back along to provide access. At the time this was subdivided, this did not exist, therefore, this provided access to the three lots in the rear. The petitioner is not looking to gain five lots as stated; he is looking to gain three lots.

OLGUIN: The fact that there is an existing access easement to those lots goes to the issue, as far as the overall density on the site, as Staff mentioned, the proposed project is already beneath the amount that the Comprehensive Plan would call for. Also, there is the actual provided access easement I believe is wider than what had been contemplated under the existing subdivision and is consistent with the surrounding uses in the area as far as the requested zoning and the size of the lot. The other issue Staff mentioned was the private detention pond. The owner of this property plans on establishing covenants and restrictions and a Homeowners Association that will maintain the private detention pond. One of the comments in Staff's report discussed situations in the past where detention ponds were sold for failure to pay taxes. That is something that, unless there is a mix up in the Cook County Assessor's Office, that has been changed as outlots as will be created in this particular instance. The taxes on those outlots are considered to be under 100, therefore, no tax bills are issued so they are not going to be sold as a result of the taxes. We are making sure that in those covenants, not only does the association have the ability to collect assessment fees from all of the property owners to ensure that those detention ponds are maintained or that the private detention pond is maintained but also that every property owner has the right to enforce that. If for some reason there is any problem with the association, an individual property owner can go ahead and

enforce the maintenance of that pond and secure the reimbursement of any cost that they may incur from the other property owners. We believe that issue would also be resolved by the recording of those documents. As far as the width of the access drive, as mentioned, we are already dealing with a situation wherein there is an access easement provided for the lots in the back. What we are providing is 24 feet. That provides for two lanes of traffic which we believe to be sufficient not only to provide access to the homes but also provide a safe access for any emergency vehicles. Pointed out that they had been here recently for the Cherry Ridge Subdivision and a number of those alleys that were approved as part of that subdivision were only 20 feet in width. Our engineer or I would be very happy to answer any questions anyone may have in regard to this project.

STEPHENS: Invited comments and/or questions from the public.

AUBIN: Swore in Mr. Joseph Latanzio.

LATANZIO, resides at 10920 Crystal Meadow Court – Lot #5 off of Crystal Meadow Court: Reported that the surveys he was shown indicated seven lots. I think it was just mentioned that the petitioner is only planning on a total of five lots?

OLGUIN: No, there will be a total of seven lots.

LATANZIO: Concurred with Staff's report wherein it indicated there was one lot too many. I believe there is too much density proposed here. When we first moved in to Crystal Meadow Court, most of my neighbors off of Crystal Meadow Court, believed that was the way that street was going to stay. It was going to be the five lots and that was it. Now we are seeing that there is going to be more access to Crystal Meadow Court from this particular subdivision. Noted that some of his neighbors are also present this evening and they concur with his opinion in this regard. Expressed concern in regard to the number of accesses onto Crystal Meadow Court. I do not understand why they cannot maintain the access right off of 108th Avenue versus coming in off of Crystal Meadow Court. If you've been to this particular area or this particular street, you will notice that all of that property, except for the property all the way in the back adjacent to my property, is pretty high up. It is an estimated 10-15-feet higher than our street. Concerned that if those driveways are put in, water will just flow onto Crystal Meadow Court. I have no problem with the development itself. This is a beautiful piece of property and I understand why the petitioner wants to divide it, however, feel he is trying to put too many lots in there. I have a density concern. If we follow Staff's recommendation for one less lot, I believe we would be okay with that. I have an issue with the amount of accesses off of Meadow Court. I believe that drainage will be a problem. Having just one entrance off of 108th Avenue would be best.

STEPHENS: Asked the petitioner to address Mr. Lattanzio's questions.

OLGUIN: In regard to the density, stated that the R-2 zoning and the size of these

lots is consistent with what is in the area. The minimum lot size on this is just over 27,000 square feet. These are not small lots. In addition, the number of lots that have been requested is not only based on the amount of acreage and conformance with the Comprehensive Plan, but the property owner who is doing the subdivision plans is remaining on the property. These lots he is creating are not lots he is looking to sell to the public. We have received offers for that but we have indicated it is not for sale. The property owner is looking to have these lots available for his children so that he can be in close proximity to them. That is the basis for the number of lots and making sure they are still conforming with the regulations of the Comprehensive Plan. That is what our response is to the density. The other issue in regard to the number of accesses to Crystal Meadow Court – this plan actually minimizes the number of access points to three. By having a shared access drive, that is what we do, we limit the number of access points onto Crystal Meadow Court. The elimination of one lot would not reduce the number of access points to that Crystal Meadow Court.

STEPHENS: Are there only three accesses? What about lot #3.

OLGUIN: I'm sorry. I was talking about the three new ones.

STEPHENS: You are going to have lot #1 as an access.

OLGUIN: Right.

SINNOTT: Showed on the plan where there will be three accesses.

STEPHENS: Where is the access for lot #3. Will that come into the private drive?

SINNOTT: Yes.

STEPHENS: So lot #3 will access into the private drive and not directly on Crystal Meadow Court.

SINNOTT: Yes.

STEPHENS: Okay.

OLGUIN: In regard to the drainage onto Crystal Meadow Court, I will let Mr. Sinnott discuss that.

SINNOTT: That would not be solved by eliminating one lot. It is correct that there is a ridge line that runs through the two existing houses. Everything northeast of that line drains northeast towards Crystal Meadow Court. Everything southwest, toward the southwest corner. What we are doing is showing a sewer that is going to run parallel to Crystal Meadow Court. We are going to intercept the drainage and route it into our detention basin at 108th Avenue.

STEPHENS: Asked Mr. Lattanzio if he understands that.

LATTANZIO: Yes, I understand that. I just do not know if realistically the sewers are really going to pick it up. If you look at the way his driveway runs today, it is literally at least eight-to-ten-feet higher than Crystal Meadow Court is right now. That is one of the reasons we were led to believe, when we bought our lot, there would be no additional connections into Crystal Meadow Court because the height of where that property is. The concern is that you have a driveway there and as the water is draining it is potentially going to go into those driveways. The sewers may catch it but that which does not get caught by the sewers is going to end up on Crystal Meadow Court. That entire property is a lot higher than Crystal Meadow Court and our five lots. I am not an engineer, but those are my concerns.

SINNOTT: The drainage now goes to Crystal Meadow Court. We are not really going to increase that. We are going to decrease it by putting a swale south of the Crystal Meadow Court to intercept the drainage. Right now, all of the drainage from the existing two homes drains right onto Crystal Meadow Court. We are going to improve that situation. We are not going to add much in the way of impervious. We are going to take out the existing driveway. Lot #1, the lot next to the pond, is probably not going to be built any time soon. Mr. Ali wants to keep his views to 108th Avenue. That lot will just be held.

LATTANZIO: We would like to keep our views to that open lot.

STEPHENS: Addressing his comment to Mr. Lattanzio, stated that if he looks at the engineering (noting a copy has been affixed to the back wall of the Board Room) you will see where they are adding storm sewers along Crystal Meadow Court.

LATTANZIO: Yes. Mr. Sinnott is an engineer and hopefully he is right, however, I know what happens currently.

AUBIN: Noted that this has already been given preliminary plan approval.

LATTANZIO: Okay, then why are we talking about this here.

STEPHENS: We cannot pass it here unless our Engineers have approved the Preliminary Engineering. That has already been reviewed and accepted. They have to maintain their stormwater on their property and it has to go into their detention areas. We still have details to work out and final engineering, however, the preliminary concept was agreed upon.

LATTANZIO: Did I hear it said that there will be swales?

SINNOTT: We will have to put a swale just south of Crystal Meadow Court in order

to intercept some of that drainage.

LATTANZIO: All the way through?

SINNOTT: Basically from lot #1 all the way to the line.

LATTANZIO: I am concerned about the density. I understand the way the zoning works – that's fine. Our street has been very nice; very quiet. Now we will have seven more houses. What happens to their entrance off of 108th Avenue? Is it still there?

SINNOTT: No.

STEPHENS: Pointed out that it is a public street and it is a full-size street. They have a right to use that street in access into this development.

OLGUIN: That was actually the preference of Staff. We were originally going to maintain the drive for access to Mr. Ali's house but it had been relayed to us that the Village did not want that.

LATTANZIO: I did not know that. We are paying to maintain that strip along Crystal Meadow Court that is between us and Mr. Ali.

STEPHENS: You are paying to maintain what?

LATTANZIO: Cutting the grass and maintaining that whole strip of property. Does that mean we do not have to worry about that in the future?

STEPHENS: I don't know what strip you are talking about.

HOFKENS: He is talking about the parkway area. Traditionally, in most subdivisions, the parkway is maintained by the adjacent property owner so his or her lot would have the maintenance of his or her parkway. That is what would happen with this subdivision.

LATTANZIO: So we are going to save some money. We are not going to be responsible?

STEPHENS: No, you will not be responsible and I don't know why you have been responsible up until this point.

LATTANZIO: The developer who built that subdivision told us we would be responsible and we've been paying for the upkeep. Clarified that many of his neighbors are present tonight and they concur with his opinions given tonight.

STEPHENS: Invited further questions and/or comments from the public and

received none.

STEPHENS: Invited comments and/or questions from the Plan Commissioners.

JACOBS: Agreed with Staff's report as it relates to the removal of that one lot. Personally feels that our Commission has an obligation to accommodate requirements of the Police and Fire Departments in matters relating to their abilities to perform. It would be tragic if something happened and they were unable to get their equipment in to where it needs to be. We would all look at ourselves and regret not taking this more seriously. When we get an opportunity to do something correctly, I believe we should take the opportunity and do it right. Therefore, I cannot vote for lot #5; I cannot vote for the plan as presented.

CULLIGAN: Looking at the plan, how is the end of that 24-foot-road as it enters toward lot five. Does it just end into a driveway? Is there any way something could be done there for a turn around?

OLGUIN: We did a hammerhead turnaround in the absence of any direction otherwise because we did ask what the Fire Department would like to see there and we would do what we could to accommodate them. We've not yet received a response from the Fire Department. We did this as a trial.

CULLIGAN: So that is something that still may be open to possibly being done?

OLGUIN: Yes, absolutely.

CULLIGAN: It is 24-feet of pavement – that driveway?

OLGUIN: Yes.

CULLIGAN: Most likely the private pond and up front at 108th Avenue will most likely maintain water, correct? They won't be dry-bottom ponds will they?

SINNOTT: They will be similar to the pond on Crystal Meadow Court where they will have a shallow depth of water and plantings.

CULLIGAN: Staff has given some ideas I know on the landscape materials and erosion and things for the private pond. As far as the lots go, I see that you're meeting the requirements of the Comprehensive Plan and I think you may be able to work something out with emergency vehicles. I can see that the lots in this proposed drawing will work as drawn up.

DZIERWA: In regard to the private drive, everyone has been talking about it being 24 feet; it is shown as 22 feet on the drawing I have been given. Which is it?

OLGUIN: I believe it is 24 feet for the access easement and 22 feet of pavement.

DZIERWA: Okay. What would be the high water level for both of the ponds.

SINNOTT: 731.5 and 734.5.

DZIERWA: Okay, thank you. Asked for an approximate idea of what the square footage is on lots #1 thru #5 on Crystal Meadow Court. What size are those lots?

HOFKENS: I do not have that information in front of me. Mr. Lattanzio would probably be a better source for an answer to that question.

LATTANZIO: My lot is approximately 37,000 square feet.

DZIERWA: I have visited this site many times. I wondered why that private drive is there to begin with. It seems awkward coming in off of 108th Avenue. It is even more awkward now. Well, perhaps not more awkward now because there is not much traffic on there because of the construction, however, I am curious about that one tree where lot #1 would be – it would be just east of Mr. Lattanzio's driveway. It looks like the new driveway is going to run over that tree. Actually, there are some really nice trees on that side of the road. I wondered how the trees will be affected during the construction period with the three new access points, since we are going to lose the private drive.

SINNOTT: We are going to try to get the driveway in and save the tree.

DZIERWA: In regard to eliminating lot #5, I really think that the density works here. I'd like to see the lots more in character with all of the rest of them – within that 30,000 range. If we are going to have just one lot that is 27,000 and all the rest of them are going to be greater, I guess I could live with that. It was a concern right off the bat. As far as the water issue is concerned, I actually looked at this plan and the few times I had been out there, when I saw the water main and the sewer main and how it was going to improve this site, that was a real positive for me. If the neighbors are concerned that they were going to have water problems, I don't think they will. It is odd to see two detentions on one piece of property like this but that is because it is being done right. It was a real positive in my mind. Thank you.

PARISI: The hammerhead that has been talked about, at the end of this drive, is that going to be large enough to accommodate a full-size vehicle; a fire truck could pull in and perhaps take a right turn and come back out forward.

OLGUIN: That is the intent.

HOFKENS: We do have standards for hammerhead turnarounds. I'm not sure if the petitioner used those standards. If they have not, the only other option would be a 90-foot radius paved area. The only way an emergency vehicle could come in and make a full turn, is by getting this size of a radius. So if they can fit this size

cul-de-sac and maintain their lots, then the emergency vehicle access will not have a problem.

PARISI: So if they didn't comply with what we wanted for a hammerhead, it would seem that that requirement for that large of a turning radius would almost eliminate lot #5.

HOFKENS: It wasn't necessarily that the Fire Department didn't have the solution, it was more that what they wanted didn't really fit the plan that was presented to us.

PARISI: Thank you. The driveways as they drain right now, they drain down regardless. With the improvements they are going to make with the swale and additional sewers will only improve the situation. The suggestion to remove lot #5 was initially made simply because of the error in the calculation of density.

HOFKENS: We have a number of reasons for removing lot #5. The original code issue is the strongest of the issues and that is why that was written into the condition.

PARISI: As this existed before, was there some other access, some other part of 108th that entered this.

OLGUIN: Just the one.

PARISI: That is all I have, thank you.

AUBIN: I am also confused in regard to the hammerhead for emergency vehicles and access to maintaining that pond. It was suggested to me that there was a code that we go by whereby if the petitioner meets that code, he will have enough hammerhead to maintain the lot and turn emergency vehicles around.

HOFKENS: Right. I cannot speak for the Fire Protection District, however, I would be more than happy to give them that drawing and ask them to review it. I don't see how they could decline a plan that had a hammerhead which met their turn radius requirements we've used in the past. The only concern I can see them having would be the width of the roadway. Again, I would be more than happy to present that to them and see what they say.

AUBIN: That's all, thank you.

STEPHENS: From my perspective, I have a real problem with the public safety issue coming down that private drive. If you have a fire truck coming down there and then you have to get an ambulance in there, time is of the essence in emergency situations. The ambulance would not be able to back up and get to the last lots in there. It is just not enough. The way it is drawn now, if a Fire Truck has to go down, it will have to back all the way out. If a Fire Truck has to get in there

and an ambulance and a couple of police cars as well, what are you going to do? I have a real problem with that. The other problem I have is the extreme fall coming off of that drive. There is no real good way to maintain outlot A, the detention pond. You have an 11-foot drop off of the edge of that private drive going to the west. Where it stops, there is an 11-foot drop from that corner down to the detention area. I'm looking at the elevations, 747-736. That is an 11-foot drop. How do you go about maintaining that area?

SINNOTT: It will be up to the Homeowner's Association to maintain it. It will have to be planted with either low- or no-maintenance plantings. We are providing a flat area around there and that slope is a 4:1 so it is negotiable.

STEPHENS: How much of a flat around it is there?

SINNOTT: I believe it is 15 feet.

STEPHENS: But the code calls for 25 feet.

SINNOTT: That is correct.

STEPHENS: So you are looking for a variance to that code.

SINNOTT: That is correct.

STEPHENS: If we eliminate lot #5 and increase the turnaround and reshape the pond, we wouldn't have that problem at all, would we.

SINNOTT: What problem are you referring to?

STEPHENS: The problem of the 11-foot drop off of the roadway and no turnaround off of that private drive.

SINNOTT: We can accommodate the turnaround with the hammerhead. If the Village has a standard hammerhead, I will look at it and accommodate that. In regard to the difference in elevation between that drive and that pond, I don't believe that turnaround would change. It will still be the same elevation.

STEPHENS: If you eliminated lot #5, you could probably reshape that pond and give yourself a good enough size of turnaround back there so that there would not be a problem for the emergency vehicles. I am looking for the safety for the people who will live in these houses, not just to get this project through. If an emergency situation arises, there will be a problem.

SINNOTT: The access we are providing is much better than what is there now; an improvement over what was approved in the original four-lot subdivision.

STEPHENS: We are not dealing with that original four-lot subdivision on this petition. This petition is dealing with a seven-lot subdivision, therefore, I am not going to have a discussion about what took place years ago. We are discussing what we have currently.

SINNOTT: Right. I am trying to point out that this improves the safety access to the site.

STEPHENS: Which one, the two existing houses?

SINNOTT: At least.

STEPHENS: We are talking about seven lots here. Not just two houses and we are talking about adding two lots in the back in the west corner. We are talking about a total of seven homes and I think this poses a safety problem. I, for one, would vote against the seven lots and I, for one, would eliminate that lot #5 so that you could reshape that detention pond, give it the 25 feet around it that it needs so it can be maintained and also increase the size of the hammerhead so there is no problems with public safety issues.

OLGUIN: In regard to the emergency access, if the board would like to make some type of approval condition upon the establishment of a hammerhead that is consistent with the standards of the Village, I think that is something we could work with. As far as the overall width of the access drive, the 22-feet of pavement within the 24-feet of access easement does provide you with two lanes of traffic coming in and out of that particular area. As far as the elimination of lot #5, you would still have that same access drive in place. We are only adding one additional lot that would be serviced by that access if we just eliminated lot #5 – that is only one house. The property that is to the north of the present lot #5 is presently being accessed through Crystal Meadow Court. Therefore, overall, the elimination of a lot is only one house. The access drive would remain the same even if you increased the size of the hammerhead. We understand the safety issue as a concern. We definitely want to make sure that it is safe. If we need to adjust the size of the hammerhead, that is obviously something we can work to get done, however, the elimination of that lot which is only one less house that will be fed into that access drive.

STEPHENS: How then does that address the maintenance of outlot A?

OLGUIN: The maintenance of outlot A – one of the recommendations of the Village's Staff, is to secure plantings that are low maintenance. The difficulty in maintenance normally results in higher maintenance costs that will be borne by the people who will be living there – the property owners and their family.

STEPHENS: Okay, those were my comments.

DZIERWA: How will garbage pick up be handled?

OLGUIN: Garbage will be wheeled out to the private drives.

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007.

and

I move to recommend to the Village Board approval of the preliminary site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

- 1) That the petitioner remove Lot 5 and increase the size of Lot 1 to meet the maximum density requirement set by the Comprehensive Plan.
- 2) That the final plat of subdivision include an ingress/egress easement along the shared driveway for emergency vehicle access and pond maintenance access.
- 3) That all lots have addresses along existing Crystal Meadow Court.
- 4) That the petitioner provide cash in lieu of land for the park donation.
- 5) That the lots cannot be further subdivided in the future.
- 6) That a landscape plan and tree mitigation plan per Village Code is submitted for separate review and approval within 60 days of final engineering approval.
- 7) That all final engineering related items are met.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of a Special Use Permit for Planned Development for Crescent Hill Estates with modifications to allow for a detention pond setback modification from 25' to 15', the allowance of a shared driveway and the allowance of a 'Outlot A' to be a privately owned and maintained detention facility, subject to the same conditions as outlined in the site plan approval.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of the 6 Lot (7 Lots if Lot 5 is NOT removed) Subdivision for Crescent Hill Estates as shown on the site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

- 1) That the petitioner submit a final plat of subdivision per Village requirements for review and approval.
- 2) That an ingress/egress easement is shown along the shared private driveway.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval to rezone the property located at 14800 108th Avenue from E-1 Estate Residential to R-2 Residential.

**A motion was made by Commissioner Dzierwa, seconded by Commissioner Aubin, that this matter be RECOMMENDED FOR APPROVAL to the Planning and Economic Development Committee,. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Culligan and Commissioner Parisi

**Nay:** 2 - Commissioner Jacobs and Commissioner Stephens

**Absent:** 1 - Commissioner Thompson

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007.

and

I move to recommend to the Village Board approval of the preliminary site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

- 1) That the petitioner remove Lot 5 and increase the size of Lot 1 to meet the maximum density requirement set by the Comprehensive Plan.
- 2) That the final plat of subdivision include an ingress/egress easement along the shared driveway for emergency vehicle access and pond maintenance access.
- 3) That all lots have addresses along existing Crystal Meadow Court.
- 4) That the petitioner provide cash in lieu of land for the park donation.
- 5) That the lots cannot be further subdivided in the future.
- 6) That a landscape plan and tree mitigation plan per Village Code is submitted for separate review and approval within 60 days of final engineering approval.
- 7) That all final engineering related items are met.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of a Special Use Permit for Planned Development for Crescent Hill Estates with modifications to allow for a detention pond setback modification from 25' to 15', the allowance of a shared driveway and the allowance of a 'Outlot A' to be a privately owned and maintained detention facility, subject to the same conditions as outlined in the site plan approval.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of the 6 Lot (7 Lots if Lot 5 is NOT removed) Subdivision for Crescent Hill Estates as shown on the site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

1) That the petitioner submit a final plat of subdivision per Village requirements for review and approval.

2) That an ingress/egress easement is shown along the shared private driveway.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval to rezone the property located at 14800 108th Avenue from E-1 Estate Residential to R-2 Residential.

**A motion was made by Commissioner Dzierwa, seconded by Commissioner Aubin, that this matter be RECOMMENDED FOR APPROVAL to the Planning and Economic Development Committee,.**

**The motion carried by the following vote:**

**Aye:** 5 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Culligan and Commissioner Parisi

**Nay:** 1 - Commissioner Stephens

**Absent:** 1 - Commissioner Thompson

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007.

and

I move to recommend to the Village Board approval of the preliminary site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

1) That the petitioner remove Lot 5 and increase the size of Lot 1 to meet the maximum density requirement set by the Comprehensive Plan.

2) That the final plat of subdivision include an ingress/egress easement along the shared driveway for emergency vehicle access and pond maintenance access.

3) That all lots have addresses along existing Crystal Meadow Court.

4) That the petitioner provide cash in lieu of land for the park donation.

5) That the lots cannot be further subdivided in the future.

6) That a landscape plan and tree mitigation plan per Village Code is submitted for separate review and approval within 60 days of final engineering approval.

7) That all final engineering related items are met.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of a Special Use Permit for Planned Development for Crescent Hill Estates with modifications to allow for a detention pond setback modification from 25' to 15', the allowance of a shared driveway and the allowance of a 'Outlot A' to be a privately owned and maintained detention facility, subject to the same conditions as outlined in the site plan approval.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of the 6 Lot (7 Lots if Lot 5 is NOT removed) Subdivision for Crescent Hill Estates as shown on the site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

1) That the petitioner submit a final plat of subdivision per Village requirements for review and approval.

2) That an ingress/egress easement is shown along the shared private driveway.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval to rezone the property located at 14800 108th Avenue from E-1 Estate Residential to R-2 Residential.

**A motion was made by Commissioner Steve Dzierwa, seconded by Commissioner Paul Aubin, that this matter be RECOMMENDED FOR APPROVAL to the Planning and Economic Development Committee.**

**The motion CARRIED by the following vote:**

**Aye:** 4 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Culligan and Commissioner Parisi

**Nay:** 2 - Commissioner Jacobs and Commissioner Stephens

**Absent:** 1 - Commissioner Thompson

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007.

and

I move to recommend to the Village Board approval of the preliminary site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

- 1) That the petitioner remove Lot 5 and increase the size of Lot 1 to meet the maximum density requirement set by the Comprehensive Plan.
- 2) That the final plat of subdivision include an ingress/egress easement along the shared driveway for emergency vehicle access and pond maintenance access.
- 3) That all lots have addresses along existing Crystal Meadow Court.
- 4) That the petitioner provide cash in lieu of land for the park donation.
- 5) That the lots cannot be further subdivided in the future.
- 6) That a landscape plan and tree mitigation plan per Village Code is submitted for separate review and approval within 60 days of final engineering approval.
- 7) That all final engineering related items are met.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of a Special Use Permit for Planned Development for Crescent Hill Estates with modifications to allow for a

detention pond setback modification from 25' to 15', the allowance of a shared driveway and the allowance of a 'Outlot A' to be a privately owned and maintained detention facility, subject to the same conditions as outlined in the site plan approval.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of the 6 Lot (7 Lots if Lot 5 is NOT removed) Subdivision for Crescent Hill Estates as shown on the site plan titled, 'Crescent Hill Resubdivision,' prepared by Sinnott Engineering, project number 06-013, date issued 08-25-06, most recent revision, 02/14/07, sheet 1 of 2, subject to the following conditions:

- 1) That the petitioner submit a final plat of subdivision per Village requirements for review and approval.
- 2) That an ingress/egress easement is shown along the shared private driveway.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval to rezone the property located at 14800 108th Avenue from E-1 Estate Residential to R-2 Residential.

**A motion was made by Commissioner Steve Dzierwa, seconded by Commissioner Paul Aubin, that this matter be RECOMMENDED FOR APPROVAL to the Planning and Economic Development Committee. The motion CARRIED by the following vote:**

**Aye:** 4 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Culligan and Commissioner Parisi

**Nay:** 2 - Commissioner Jacobs and Commissioner Stephens

**Absent:** 1 - Commissioner Thompson

## NON-PUBLIC HEARINGS

**2007-0014 Marcus Theatre Addition (Revised)**

David B. Sosin, 11800 South 75th Street, Palos Heights, on behalf of the petitioner

Mark Grahamz, Marcus Theatre, 100 E. Wisconsin, Milwaukee, Wisconsin  
David Baum, 244 N. Broadway, Architect

TURLEY: Staff presentation made in accordance with the written Staff Report dated April 10, 2007 as presented.

STEPHENS: Invited comments and/or questions from the petitioner.

SOSIN: Presented an overall Site Plan which shows the relationship of the parking garage. The original approval is a little different from what is now being asked for. Based on market conditions and a final configuration – a moderate downsizing. The original approval was for 532 seats. These two theatres will have 516 seats. The height is the same for the two buildings. Parking ratio has gone down slightly from 3.32 to 3.31. The number of screens have gone down from three to two. The discrepancy in the square footage – we think we know what happened – at some point, someone in the Village was typing and they typed a number incorrectly because it is off by 100 feet. Originally, we think the number was 11,893 and it is now 11,630 which kind of makes sense that you go from three screens to two screens. You eliminate the screen area and the aisles and it should go down a little instead of up. I've confirmed that with the architect today. It is not a great difference – a very moderate one – but at least it is going down. The lot coverage will be the same or less than what it was. In all other respects it is the same proposal as before. We have a number of new people on the Plan Commission. The original plan was three fold. The board approved Marcus to spend the money to increase the size of the intersection at 163rd Street. Secondly, the construction of the parking deck. Thirdly the theatres. It was to go in that order and it did. After the first two items were completed, because of market conditions, the theatre decided to wait to build the theatre. We are now coming back to you and we are glad that we did because we only need two screens instead of three. This is the final plan of the final phase and as far as the condition, our architect is here. He certainly believes he can work with Staff. We have no objection to making that a condition. This is only an appearance review. Because the size is the same, it is not going to change. We would think that the appropriate motion would be a condition that prior to going perhaps to the Committee, that perhaps the final elevation have Staff approval and our architect will meet with the Staff to work out the final height of the landscaping and what other treatments they want to that wall. We think this can be done.

STEPHENS: You are requesting that the condition in regard to the elevations be changed to work with Staff and at Staff's approval.

SOSIN: Yes, rather than coming back. Whatever the Commissioners want. We will do whatever, however, it may save some time on your agenda.

STEPHENS: Invited comments and/or questions from the Plan Commissioners.

CULLIGAN: Asked about the difference in height and whether or not this is a different style of theatre in that the roof is higher than that on the other building?

SOSIN: It is different kind of theatre with a higher/larger screen.

GRAMZ: It is a typical movie theatre screen. It is the same as all other screens, however, it is a larger screen and it needs more height. It is not a special use screen; it is not an IMAX screen.

CULLIGAN: Asked the petitioner to work with Staff to do something with the blank wall.

JACOBS: Noted a reference in Staff's report in regard to the Land Development Code Section which relates to facades greater than 100 feet, therefore, I am assuming by the petitioner's earlier comments that he will work with Staff in regard to the building's façade.

SOSIN: This screen addition is not 100 feet but the building is.

JACOBS: Just want to assure this will not be a plain flat wall with little diamond decorations.

SOSIN: It won't be. There is some detail now. We will work with Staff to get this resolved.

DZIERWA: Asked if the overall height include the parapet wall.

SOSIN: Yes.

DZIERWA: Where are we at with parking.

TURLEY: They have not increased their number of seats. They are okay.

DZIERWA: I'm looking ahead and I'm seeing the north end of that building at one point mirroring the south end of the building. If the petitioner were to return at some point and say they wanted to put in additional bigger screens, will we have enough parking to accommodate that.

TURLEY: We would have to look at that, at that time.

SOSIN: When this was approved, we had a firm understanding with the board and the Plan Commission that there would be no further additional seats here.

DZIERWA: So you are maxing out on seats right now and will not have more,

ever.

SOSIN: We've actually lowered the number of seats. We will not return and ask for more.

DZIERWA: Would it be appropriate to add a condition now that there be no further expansion.

TURLEY: That is your prerogative.

DZIERWA: Think there should be a condition that addresses that there be no further expansion in the future.

PARISI: I trust Staff to work with the petitioner on building elevations. I see no need for this to return to the Plan Commission.

TURLEY: This is before the Plan Commission for Site Plan review. Typically, elevations are brought along with that. That is why it is so bundled.

PARISI: That is all I have, thank you.

AUBIN: Nothing to add, thank you.

STEPHENS: I have see no problem with this at all except that I agree that there are certain of the architectural elements used on the parking garage that the petitioner may consider carrying over into the proposed addition. It would be nice to add some of those masonry vertical columns and the three light stack windows. That would tie the project together.

SOSIN: We will do that.

CULLIGAN: I do not think it is necessary at this time to include in the motion anything about a future increase to the Marcus Theatre as the petitioner would have to return anyway to do that.

TURLEY: That is correct. If they were to do something like that, it would trigger the Special Use permit to be amended which would mean it would have to come back here anyway.

STEPHENS: Okay.

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007,

and

I move to recommend to the Village Board approval of the Marcus Theatre Addition Revised Site Plan, prepared by Schroeder and Holt Architects and ArcDesign Resources Inc, Project # 06161, revised April 4, 2007, subject to the following conditions:

1. That a final landscape plan is submitted within 60 days of final engineering approval;
2. That Building Code related items are met;
3. That Final Engineering is approved;
4. That no increase in lot coverage from the previously approved plan is verified during final engineering (as shown in the Lot Coverage Calculation box on the Site Plan)
5. That any new signage is submitted for approval and permits;
6. That all mechanical equipment is screened, either at grade level with landscaping or on the roof with a parapet wall of at least three feet in height constructed of materials similar to the building.

and

I move to continue the Building Elevations for Marcus Theatre Addition to the April 24, 2007 Plan Commission.

**A motion was made by Commissioner Paul Aubin, seconded by Commissioner Steve Dzierwa, that this matter be RECOMMENDED FOR APPROVAL to the Planning and Economic Development Committee. The motion PASSED by an unanimous vote.**

**Aye:** 6 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan and Commissioner Parisi

**Nay:** 0

**Absent:** 1 - Commissioner Thompson

#### **2007-0072 Jewel-Osco Pharmacy Drive-Thru**

Tracy D. Kasson, Rathje & Woodward, LLC Attorney At Law, 300 East Roosevelt, Suite 300, Wheaton, IL

Peter Theodore, Camburas and Theodore, Ltd.

Pam Sullins, representative of the real estate arm of Jewel/Osco, Jetco Properties, Inc.

HOFKENS: Staff presentation made in accordance with the written Staff Report dated April 10, 2007 as presented.

STEPHENS: Invited comments and/or questions from the petitioner.

KASSON: Stated that Ms. Hofkens, the Village's capable Planner, said everything I would have said better and more eloquently. Introduced Mr. Theodore who can show the color rendering of the elevation and some of the things that will be going on in the interior as part of this remodel and the drive thru which we are excited about.

THEODORE: Stated it was a pleasure dealing with Ms. Hofkens on this project. As Ms. Hofkens stated, the drive thru is really ancillary to what we are doing. We are going to be pouring over four million dollars into the interior of the store which is huge. Stated he brought with him, interior pictures of the store. This is a major endeavor in revitalizing the store. The drive-thru, as everyone is familiar with, has evolved in the Pharmacy market with Walgreens, Dominick's and other competitors, and it is something that our patrons want. As Ms. Hofkens stated, we have actually eliminated 25 spaces but we've added 3,000 square feet of landscaping. Showed photographs of the latest décor. The whole evolution of this décor and the Premium Fresh and the products that are coming to the store and the way the stores are evolving, is to compete with the other stores, bring more organic products to the market, a greater selection, and we are really excited about this endeavor because we really think this is really more than just a drive-thru project. It really is more of an overall, global perspective of how we are looking at how we are looking at selling our products. We are not here tonight to ask for any special exceptions. We are really happy to be here and hope the Plan Commissioners receive it with the same enthusiasm we've had bringing it to you. Thank you.

KASSON: The drive thru meets all the standards and criteria for minor special use and we submitted that as part of our application. This will not be detrimental to the adjoining properties as Ms. Hofkens pointed out. The drive thru will be located where most of our drive thru's are located for all Jewel/Osco facilities which is on the side of the building.

STEPHENS: Invited comments and/or questions from the Plan Commissioners.

CULLIGAN: In regard to the area where the eliminated parking spots will be, that will now be in the area where the traffic will flow through, correct? And is that one-way traffic and how wide is that area?

KASSON: It is two-way traffic and it is 24-feet wide.

CULLIGAN: Does truck traffic go that way and if so will there be a problem?

KASSON: The trucks can circulate through that drive in counter-clockwise fashion.

STEPHENS: Will they come out that way?

KASSON: They can come out that drive. They can circulate in both directions.

CULLIGAN: There is a dock in the back, correct?

KASSON: Correct.

CULLIGAN: Now, exiting the drive thru, I believe you would be coming up to a corner, correct?

KASSON: Correct.

CULLIGAN: Are we going to overly-notify the pedestrians and drivers in this area?

KASSON: That is a great question. We have been very careful about how we deal with that. We are going to have pavement stripings, stop signs and all types of precautionary measures so that people pulling out of that drive thru will not hit a pedestrian.

CULLIGAN: How about also, the person who is walking from the store to go to that parking area or maybe 94th Avenue. There needs to be some pedestrian awareness also.

KASSON: There will be. We are cognizant of that. We brought our traffic engineer here tonight as well, but we have been very careful with the way we signed it, stripped it and we have been very successful with that.

CULLIGAN: My concern is that it is a corner and obviously there is a blind spot for both pedestrians and drivers. Please consider that. Nothing further to add.

JACOBS: Thank you but I have nothing further to add.

DZIERWA: Indicated that this is the Jewel/Osco he shops at. Stated that improvements really excite him on 159th Street – that entrance there with the stop light – that is just awful. Questioned trucks entering off of 94th Avenue. That is an odd entrance. Would it be prudent to not allow trucks to go through there to get to that dock by Osco? Is there a dock on the other side for Jewel? Looking at the Site Plan, it looks like there are two separate docks.

KASSON: There are two docks. Most of the traffic enters in off of 159th. There is a rare occasion that people enter from 94th Avenue. Don't believe we necessarily encourage that. The whole idea of having that isolated drive off of 159th is to bring most of the trucks off of that. We get the occasional drivers from Wisconsin or the smaller trucks, however, that really is not the route that most big trucks want to take because the maneuvers are hard; there are conflicts with the pedestrians and while we don't really try to manage that from a circulation

perspective, we can definitely make commentary the store operators to suggest that that is not advisable and that the board recommends against that. Our preferred motion is to bring people off of 159th and use that roadway where there is ample turning.

DZIERWA: Asked how much room is back there to back in a truck to these docks. Indicated he took several pictures. Was trying to figure out once they put their landscaping in there for the drive thru, how will a truck be able to fit there. Don't know how much room they have to that curb. Noted the landscape area between 94th Avenue and the parking lot – there is a bit of an incline.

THEODORE: Indicated Commissioner Dzierwa raises an interesting point. If the trucks come in off of 94th Avenue, they will have more difficulty getting into that truck dock because of landscaping. If they come in off of 159th Street, there are over 130 feet there. Right now you can see that that truck dock on the west side of the building is over 70-feet long.

DZIERWA: Referenced one of the photographs he took of a trailer back there and agrees with Mr. Theodore that it is probably 60-65-67-feet.

THEODORE: Right, and if you double that you are at 130-140 feet from the edge of the loading dock.

DZIERWA: So they have plenty of room to move up to the curb.

THEODORE: Absolutely. I may shorten this aisle just to make sure that the trucks can get out.

STEPHENS: Are you going to allow the trucks to come out that way?

THEODORE: Absolutely. I don't think this is so much of a problem. I think coming in drive and going out this way is a problem. I think exiting this is not so much of an issue. There is enough of a radius here for trucks to exit. That is not a problem.

DZIERWA: The vision I perceive is that you were trying to control your traffic coming in to the drive thru. That is a good thing. I just don't know if that truck is going to be able to make that turn with that landscape island there, to get out.

KASSON: We are not opposed to that. My only point is that we are not really creating a situation that is worse than it is today. From your own personal witness, you don't think it is working or from the traffic studies we done, we find this is not working, we are not opposed to losing a couple of stalls because we find that parking over there is primarily employee parking as it is and we are over parked as it is. If we were to pull that down, I would not be adverse to doing that. I'll go back to traffic, I'll talk to Jewel, we'll find out how it is functioning; if there is an

issue, we will resolve it. We, more than you, do not want to have an issue with traffic.

DZIERWA: I also noted that the landscaping along the north property line, your fence is probably equal with the loading dock. Am I correct?

KASSON: Correct.

DZIERWA: I saw the landscaping back there which I thought was kind of sparse. Not that there is a great concern because there are no residential buildings there. Will the pharmacy be open 24 hours?

KASSON: Yes.

DZIERWA: Then I would not be that concerned about the fact that your drive thru Pharmacy will be open 24 hours a day because vehicle headlights will not be shining into residences. You picked the correct side of the building for this. Basically there is just a side street and a Kinko's across from it. That works. I think if you could improve your plantings where that fence ends going toward 94th Avenue so that people pulling in don't have to look down at a truck dock or a drive thru. This would be a nice cosmetic improvement. Other than that, I have nothing further.

PARISI: Nothing to add except to say that this will improve the appearance tremendously from every angle, especially 94th Avenue.

AUBIN: Nothing to add, thank you.

STEPHENS: Would the petitioner object to having a sign that would say "truck traffic exit only"?

KASSON: I would have no problem with that.

PAM SULLINS: I'm with Jewel/Osco on North Avenue and Melrose Park. My sense tells me Peter (Theodore), that we can go back and check, however, I think it sense to circulate counter clockwise.

STEPHENS: I agree with you that it makes sense to circulate counter clockwise, however, you get the occasional person who is a "fill-in" driver for the day and he'll come in off of 94th Avenue...

SULLINS: We have big loaders from our distribution center, but then they do get some smaller deliveries (small vans/trucks). I would have no problem with that and I don't believe Transportation would either.

STEPHENS: So you would be willing to put a sign up to say "truck traffic

deliveries only”.

KASSON: The only caveat I would have is that you allow me to go back and clarify all this to make sure it functions the right way. I do not want to limit the potential for doing that. I have not heard about this conflict until tonight so I am cautionary about cutting that traffic flow all together because there may be the necessity to get a truck in through that entry there – a smaller bread truck or a pop truck – are you giving me these comments based on conflicts that you’ve heard of from patrons?

STEPHENS: No. I’m giving you comments based on the fact that you are adding a drive thru here. You will have folks driving in and coming around to that drive thru. We need signage to say “this way in”, “this way out only”.

THEODORE: We will do that. Let me focus on that drive-thru for a minute. The drive-thru is a very low intensity use. On average, I do not believe there are more than ten cars there per hour. We are eliminating a whole row of parking so we are eliminating conflicts that currently exist between two rows of parking and a drive thru. When we look at this drive-thru, I just want to be clear that the perceived image of the drive-thru as it relates to the Pharmacy and other uses is a very low intensity use. I am cautiously optimistic that we can control the traffic. The loading docks for the store are located on opposite ends of the building and oriented in a way that when the trucks come into this site, if we limit the way the traffic comes into this site, we are going to create a situation where trucks are going to be doing three-point-turns or backing up into the loading areas and we are going to be creating more conflict. I am cautionary from the perspective that I want to go back and talk to Operations to see how it is functioning and where the conflicts are. What I am telling you from my own professional opinion and doing all of these drive thru's is that I do not think that the perceived notion of having the drive-thru and trucks going thru there is going to create an unsafe situation. I say that after 25 years of doing this and being sincere with you because I look at the intensity of the drive-thru, the signage, the way we are doing this, and it is really important to look at the way the store is set up.

STEPHENS: Do you plan on putting signage that says “Enter Here” and “Exit Here” on that drive thru?

THEODORE: Absolutely.

STEPHENS: If you look at this drive-thru, somebody may just decide to drive right up next to it and have the passenger window next to the drive-thru.

THEODORE: No, we will have it clearly signed and marked to direct people to the drive thru window in the right direction. That will be handled very effectively and the signage will be adequate to direct people into that lane appropriately.

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 10, 2007

and

I move to recommend to the Village Board approval of the preliminary site plan and building elevations as shown on the drawings titled "Jewel Osco No. 3051," prepared by Camburas and Theodore, Ltd., project number 3051, dated 12-07-06, sheets SP-1A, A-1 and LP-1, subject to the following conditions:

1) That signage is submitted and reviewed by the Building Department.

**A motion was made by Commissioner Paul Aubin, seconded by Commissioner Nick Parisi, that this matter be RECOMMENDED FOR APPROVAL to the Planning and Economic Development Committee. The motion PASSED by an unanimous vote.**

**Aye:** 6 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan and Commissioner Parisi

**Nay:** 0

**Absent:** 1 - Commissioner Thompson

## **OTHER BUSINESS**

Mr. Nectarios (Terry) Pittos, Development Services Department's new planner, was introduced to the members of the Plan Commission.

STEPHENS: Stated that if any Plan Commissioner is unable to attend a meeting, he or she needs to call the morning of a scheduled meeting, either me or any fellow Plan Commissioner or Staff. Thank you very much.

## **ADJOURNMENT**

STEPHENS: There being no further business before the Plan Commissioners, the meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Teri Dougherty  
Recording Secretary