

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE
DOWNERS GROVE PUBLIC LIBRARY
April 23, 2008**

MINUTES

ROLL CALL

President Daniels called the meeting to order in the Library Meeting Room at 7:34 p.m. Trustees present: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Trustees absent: none. Also present: Library Director Bowen, Assistant Director Carlson. Visitors: none.

APPROVAL OF MINUTES

The Board reviewed the minutes of the regular meeting of April 9, 2008. It was moved by Read and seconded by Humphreys **THAT THE MINUTES OF THE REGULAR MEETING OF APRIL 9, 2008 BE APPROVED AS WRITTEN.** Ayes: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

PAYMENT OF INVOICES

The Board reviewed the list of invoices submitted for payment. It was moved by Read and seconded by Greene **TO APPROVE PAYMENT OF OPERATING INVOICES FOR APRIL 23, 2008 TOTALING \$61,481.82.** Ayes: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEMS

None.

OLD BUSINESS

None.

NEW BUSINESS

--Approval of a proposal to replace the carpeting in the Mouse House

Several years ago the Junior Room's Mouse House received a facelift with new paint, wall paper, and upholstery for the sofas, all with the financial support of the DG Junior Woman's Club. The carpet was not in bad shape at the time, but is now showing wear, especially on the "porch." The DG Junior Woman's Club has generously offered to contribute \$1,500 to help with the replacement of the carpet.

The original carpet was a custom design from J&J Commercial carpet. It is a high quality carpet, and has lasted very well. Several custom carpets were pieced together to make the design. An estimate from J&J Commercial for duplicating the original installation is nearly \$10,000, due to the small size and variety of colored pieces. Staff considered other options suggested by representatives of several carpet companies. Everything proposed was either very expensive or would be in only one color or have a very commercial-looking design with no bright colors to match the Mouse House.

Recently Carlson began working with Jeff Stewart of Stewart Floors. He came up with two options for much more reasonable prices. The first estimate is for a single color carpet. It is not of the same quality as our current carpet, but the price is very reasonable. This would cost \$2,155.00. The second estimate is to have a 9 x 12 carpet created with the same, or a similar design to the one we currently have in the Mouse House, and then add carpet of a single bright color to both sides of the custom rug and for the porch. Jeff's estimate for this option is \$3,800 - \$4,000. This second option would give us something bright and colorful and similar to what we currently have. The estimate does include removing and disposing of the old carpet and installing the new. The current operating budget includes \$5,000 for carpet replacement, so the Library can pay the difference between the cost of the new carpet and the Junior Woman's Club donation. This is in addition to the planned major replacement of lobby carpeting from the building fund.

While this project falls within our current budget, the Mouse House is a very visible area and we want the Board to have the opportunity to consider this proposal. We would like to move ahead with this project, in the hope that it might be completed in time for the Summer Reading Club.

There were no objections from the Trustees, so staff will move ahead with this project.

REPORT FROM THE ADMINISTRATION

Bowen was happy to report that behavior problems with a few teens and homeless patrons have quieted down the last two weeks.

For the last two years the library has participated in ListenIllinois, the state-wide group license of a collection of downloadable audio books that MLS (Metropolitan Library System) had organized with two vendors. These are audio books that patrons can download to their own computer or MP3 player. This was a two-year project that MLS administered, subsidized by a state grant. At about the same time that ListenIllinois was created, NSLS (North Suburban Library System) put together a similar cooperative called MyMediaMall with one of the two vendors whose materials were offered through ListenIllinois.

ListenIllinois required a considerable number of hours of MLS staff to administer and troubleshoot member libraries' Internet connection issues. With the end of the state grant subsidy, MLS decided to end ListenIllinois and referred libraries that wanted to continue to offer the service to MyMediaMall. Downers Grove applied to join MyMediaMall this spring, when ListenIllinois ends. However, the vendor that provides the MyMediaMall content wanted to keep the other ListenIllinois consortium together too, and stated that former ListenIllinois libraries were not permitted to join the MyMediaMall group. Bowen did not understand why the vendor was permitted to determine this, but NSLS said that their attorney had reviewed the contract and advised them not to pursue it. This vendor has been aggressively soliciting former ListenIllinois libraries to participate in a new consortium that they will administer. The vendor has not provided answers to several questions that were of concern to Downers Grove staff, including who will be responsible for on-going collection development (that is choosing new material for the group) and similar decisions.

At the same time Recorded Books, the second vendor whose materials had been offered through ListenIllinois, offered libraries a very good price for subscribing directly to the Recorded Books Library. Recorded Books has a bigger collection and access is unlimited. That is, multiple patrons can download the same title at the same time.

The first vendor (offered by ListenIllinois and MyMediaMall) requires libraries to purchase licenses to specific titles and a separate license has to be purchased for each simultaneous use. That is why collection development is such a big question with this vendor. MLS staff facilitated the ListenIllinois consortium of libraries in choosing the specific titles and number of uses that would make up the collection. The one advantage of this vendor, however, is that they have finally negotiated permission with Apple to make a limited number of titles available in a format that is compatible with iPods. Until now, Apple has refused to allow any of the MP3 book

vendors to provide material compatible with iPods. Initially, there will be a very limited number of iPod compatible books, and the titles have not yet been announced.

In the meantime, Downers Grove is contracting with Recorded Books so that the library can continue to provide patrons with access to a strong collection of downloadable books. Staff will monitor the developments with the other vendor for future consideration.

Bowen, Carlson, and Technology Manager Ted Waltmire completed interviewing for the Technology Assistant position, and Dale Galiniak has accepted the position and will begin working on Monday, April 28. Galiniak has held a similar position at the Center for Research Libraries in Chicago. Once he has had an orientation to the library and been trained in our systems, Galiniak will be working primarily evening and weekend hours to provide tech support beyond the current 9 – 5 coverage.

Downers Grove, like many other public libraries, is being deluged with requests by authors to add their self-published books to the collection. There are a number of firms for self-published authors. They typically provide the author with a webpage and issue a press release that the author can forward to prospective customers. They offer print-on-demand services and have links with Amazon.com, Barnes and Noble.com, and others distributors that will sell anything. Amazon and others don't have to purchase the stuff; they just process the order on behalf of the publishing house. Apparently they have figured out that librarians will say something like "We only select materials that have been reviewed" because some of the self-publishers have set up blogs so their writers/customers can review each other's books. The firms' PR people target library directors, so Bowen will often receive an email containing a press release announcing the publication of a major new work of fiction, with links to reviews of the work by reviewers no one has ever heard of. Sometimes the authors want libraries to buy their books, but more often, they want to donate their books to the library so they can see their books listed in library catalogs.

The Downers Grove Library policy states that we do not select self-published books, unless it is of some significant local interest. There have been a very few cases where the library has accepted a memoir of a prominent Downers Grove resident because staff believe there may be some historical interest, but this does not apply to the vast majority of the self-published material that is offered to the library. There is a cost in staff time and processing fees to catalog a title and add it to the collection. In addition, since no one has ever heard of these titles and their authors, the books simply take up shelf space for a couple of years until they are withdrawn because they have never circulated. Some of these authors get pretty testy when staff members refuse to accept their books. Bowen fully expects that one of these disgruntled authors may complain to a Library Trustee at some point, so he wanted to make sure they are aware of the issue.

Carlson noted that the current year-to-date statistics for January through March 2008 show an increase in circulation, gate count, and reference numbers, a positive trend after the slight decrease in these numbers for FY 2007. Although computer usage numbers show a decline in usage, the reports from SAM, the library's computer and print management software, have been inconsistent and are assumed to be inaccurate. The problem with the reports has been reported to the SAM software company, Comprise Technologies. Anecdotal reports seem to indicate increasing use of library computers. Usage of the library's website continues to grow with a 31% year-to-date increase over 2007.

TRUSTEES REQUEST FOR INFORMATION AND ANNOUNCEMENTS

In response to Trustee Vlcek's questions about fine collection, Director Bowen reported that an average of \$9,000 in fines is collected monthly, and patrons cannot check out materials if they have \$5.00 or more on their accounts. After three months, unpaid fines of \$50 or more are sent to a collection agency which charges a flat fee per transmittal.

Trustee Read, a member of the MLS Board, reported that LIMRICC/JSIP (joint insurance pool of libraries), has changed law firms due to potential conflict of interest concerns related to the LCF (Library Community Foundation) case against Anne Johnson. The same law firm was being used by LCF, NSLS, and LIMRICC. He also reminded the Board that the Village Workshop for boards and commissions will be held Saturday, May 17.

Trustee Humphreys said the Board packet came in a nice format, i.e., in one document. He requested that the lowest possible resolution be used so the document loads faster.

President Daniels and Director Bowen will be attending an initial planning meeting for the TCD3 with the Mayor and Village Manager on Friday, April 25.

OPPORTUNITY FOR PUBLIC COMMENT

None.

EXECUTIVE SESSION FOR THE ANNUAL PERFORMANCE REVIEW OF THE LIBRARY DIRECTOR

It was moved by DiCola and seconded by Humphreys **THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS THE ANNUAL PERFORMANCE REVIEW OF THE LIBRARY DIRECTOR.** Ayes: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

Trustees discussed the job performance of the Library Director.

Humphreys moved and Vlcek seconded **THAT THE EXECUTIVE SESSION BE ADJOURNED.** Ayes: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Nays: none. Motion carried.

The regular session was reconvened at 9:50 p.m.

It was moved by Vlcek and seconded by Greene **THAT LIBRARY DIRECTOR BOWEN BE GRANTED A 4% SALARY INCREASE TO \$116,500 PER YEAR.** Ayes: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Nays: none. Motion carried.

No other business was discussed.

ADJOURNMENT

The meeting was adjourned at 9:51 p.m.

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING APRIL 7, 2008, 7:00 P.M.

Chairman Jirik called the April 7, 2008 meeting of the Plan Commission to order at 7:07 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mrs. Hamernik, Mr. Matejczyk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

ABSENT: Mr. Quirk

STAFF PRESENT: Mr. Jeff O'Brien, Senior Planner; Damir Latinovic, Planner, Mike Millette Assistant Director of Public Works

VISITORS: Steve Hopkins, Barrington Pools, Inc.; Richard (Skip) Mackey, 4613 Cross St., Downers Grove; Dr. David Eblen, Community High School Dist. 99, 6301 Springside Ave., Downers Grove; Marty Schack, Community High School Dist. 99, 6301 Springside Ave., Downers Grove; Geoff Hiscox, 4722 Washington St., Downers Grove

Minutes of March 3, 2008 - A change was noted on File PC-02-08, page 4, second paragraph, the words "power station" should be replaced with the words "power pole". On page 13, next-to-the-last paragraph, remove the word "incredible" and replace with "credible"; and on the same petition after the vote was taken, Mr. Matejczyk asked if the Chairman could change his wording to be made stronger. He recommended striking the words "some possible" and inserting the words "might be possible". The Chairman concurred. The March 3, 2008 Plan Commission minutes, as amended, were approved on motion by Mr. Waechtler, seconded by Mr. Matejczyk. Motion carried by voice vote of 8-0.

Chairman Jirik explained the protocol for the meeting.

Chairman Jirik swore in those individuals who would be speaking on File No. PC-07-08.

FILE NO. PC-07-08 A petition seeking 1) Annexation and Rezoning from County B-1 to Village B-2; 2) Final Plat of Subdivision. The property is located on the West side of Belmont Road, at the intersection of Inverness Avenue and Belmont Road, commonly known as 5416-5418 Belmont Road, Downers Grove, IL (PIN 08-12-411-012,-013,-014); James F. Russ, Jr., Attorney for Sievers & Stevens Construction Company, Inc.; Belmont Bible Church, Brian & Victoria Bentley, Owners

Jeff O'Brien, Senior Planner, explained the request was for the annexation and rezoning of the properties at the southwest corner of Belmont Road and Inverness Avenue, commonly known as 5416-5418 Belmont Road, and they are currently located in unincorporated DuPage County. A single-family home exists currently on the site and is owned by the Belmont Bible Church as well as another single-family residence that encompasses the two lots at the corner, zoned County B-1. The property owned by the church is zoned R-4, Single Family Residence. The petitioner is proposing to annex the properties and rezone them to Village B-2, General Retail Business. In

addition, the petitioner would like to consolidate the three existing lots into two lots in order to construct two new two-story office buildings on the property.

Future land uses in the area include a commercial designation, a single-family use to the west on Elmore and then townhome uses in the other locations. The petitioner would like to rezone to B-2, General Retail Business, which staff felt was not consistent with the FLUM, but because the property sat adjacent to an Institutional Use on two of the four sides with a Manufacturing Use on the north side, staff believed the B-2 zoning would be appropriate.

Per a question, Mr. O'Brien clarified three actions would be taken: 1) annexation to the Village; 2) rezoning from the automatic R-1 zoning classification to B-2; and 3) consolidating the property from three lots into two lots. Staff recommended one motion for all three actions. Considering the Belmont Underpass project and the change in use of Belmont Road, staff was asked whether it was comfortable with the B-2 in the area, wherein Mr. O'Brien stated staff was comfortable, and it was not a matter of the underpass as much as it was with the proposed use and unique nature of the property, given the other surrounding uses. Mr. O'Brien discussed the initial thought process of the Future Land Use Plan. The entire area west of Belmont Road from Ogden Avenue to Maple Avenue would be a Manufacturing/Industrial-type land use. Mr. Matejczyk recalled a few years ago the area west of Belmont might transition into higher density residential as manufacturing moved out and land value increased due to the proximity of the train station. Dialog followed on traffic, the configuration, wherein Mr. O'Brien stated the County controlled access to Belmont Road and would be reviewing the configuration.

On behalf of Sievers & Stevens Construction, Inc., 5201 Walnut Avenue, Suite 2, Downers Grove, Mr. Jim Russ, Jr., introduced Mr. Mike Stevens and consultant Mr. Ken Rathje. He confirmed there were three requests, and staff suggested the subdivision request since one of the Village's goals was to create larger lots. Mr. Russ explained the two new buildings would be approximately 9,400 square feet and meet the Village's bulk requirements with no variation being requested. The buildings will be residential looking in nature. He believes annexation to the Village is a positive because the proposal meets the Village's Subdivision Ordinance, its Annexation Ordinance, and the rezoning to B-2 appears to be appropriate.

Mr. Russ reviewed the standards to the Amendments to the Zoning Ordinance and explained how the proposal met those standards one by one. He believed the proposal was an improvement to the property values and, after speaking with the Village's economic development director, conveyed that office space was need in the proposed area and that staff believed the proposal was consistent with the area.

For the record, the Chairman reiterated the proposal was to create two B-2 lots within the Village of Downers Grove and that this particular development in not being approved today and that any future development does not bind the use to office. Any development would have to conform to stormwater, open space and buffering requirements of the Village, etc.

Chairman Jirik opened up the meeting to public comment. No public comment followed and the public comment portion was closed. There were no closing comments from Mr. Russ.

Mr. Waechtler supported the annexation and rezoning of the petition but was concerned that the petitioner did not produce more detailed plans and site details and was uncomfortable approving the

petition without the proper procedure. Chairman Jirik stated the proposal could or could not return to the Plan Commission depending upon whether the proposal triggered the hearing or not. Further explanation followed on construction "by right".

Per Mr. Beggs's question, the Chairman explained if the annexation was approved but not the other two requests, the three lots would default to R-1 zoning. Further dialog followed that the development could be approved under the County's zoning ordinance if the petition was withdrawn by the applicant. Discussion followed on whether the commissioners were comfortable having two B-2 lots and the permitted uses for that zoning. Mrs. Hamernik did not favor the lots remaining as R-1 lots. Mrs. Hamernick noted that it was unlikely the lots would be used separately because of their smaller size and the market's desire for larger commercial lots. Mr. Waechtler confirmed there would be no public input on this proposal if it met Code. Mr. O'Brien explained it was a matter of the Commission being comfortable with the uses that were permitted by the B-2 District in the proposed location.

WITH RESPECT TO FILE NO. PC-07-08, MRS. HAMERNIK MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR APPROVAL OF THE ANNEXATION, THE REZONING TO B-2, AND THE PLAT OF SUBDIVISION CONSOLIDATING THREE LOTS INTO TWO LOTS, INCLUDING STAFF'S TWO FOLLOWING CONDITIONS:

- 1. THE SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED JANUARY 30, 2008, LAST REVISED FEBRUARY 19, 2008, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. PRIOR TO COMMENCEMENT OF SITE DEVELOPMENT ACTIVITIES, THE PETITIONER SHALL INDICATE A NEW SIDEWALK ON THE SOUTH SIDE OF INVERNESS ROAD ADJACENT TO THE SUBJECT PROPERTIES OR PAY A FEE IN LIEU OF INSTALLING SIDEWALKS TO THE VILLAGE OF DOWNERS GROVE.**

SECONDED BY MR. MATEJCZYK.

The Chairman pointed out in looking at the three business zoning uses, the B-2 zoning was a less intensive use. A concern was raised if the zoning changed permanently to B-2, was the site saleable.

ROLL CALL:

**AYE: MRS. HAMERNIK, MR. MATEJCZYK, MR. BEGGS, MR. COZZO,
MRS. RABATAH, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK.**

NAY: NONE

THE MOTION CARRIED. VOTE: 8-0

FILE NO. PC-08-08 A petition seeking rezoning from R-1, Single Family Residential to B-3, General Services & Highway Business. The property is located at the Southwest corner of Ogden Avenue and Cross Street, commonly known as 2525 Ogden Avenue, Downers Grove, IL (PIN 08-01-305-010); Michael Lococo, Petitioner/Owner

Chairman Jirik swore in those individuals who would be speaking on File No. PC-08-08.

Mr. O'Brien explained the property was located at the southwest corner of Ogden Avenue and Cross Street and was for a rezoning only. The property, currently in DuPage County and zoned B-1, was subject to a sanitary/sewer extension that the Downers Grove Sanitary District was proposing from Drendell Avenue to Cross Street. Due to the number of utilities in the right-of-way, he explained the petitioner was asking for an easement on the north 20 feet of all of the properties on the south side of Ogden between Drendell and Cross. The reason the petition was split out separately was because the Downers Grove Sanitary District was undertaking a significant sanitary sewer project in the area and requested the Village's assistance in expediting the annexation of 2525 Ogden Avenue because construction of the sewer line would require demolition of the well serving the property. Therefore, the property owner would need to connect to the Village's water distribution system, which requires annexation. The Sanitary District was working with the property owner on this matter. Due to a staff error, the property was not annexed on April 1st and would be up for formal consideration by the Village Council next week. The site is surrounded by Village property that is zoned B-3 already and the petitioner is requesting B-3 zoning at this time.

Per staff, the Future Land Use Plan designates the property as Commercial, and staff believes the commercial zoning on this property is consistent with the intent of the Future Land Use Plan and the Ogden Avenue Master Plan. Staff recommended approval.

Mr. Michael Conway with Provident Realty Advisors, representing Michael Lococo, the property owner, stated his request was for annexation of the property and once it was annexed, to be rezoned as B-3. He has worked through the issue with the Village's Department of Public Works.

Per a question, Mr. Conway stated that his client was looking at different redevelopment opportunities and had discussed options with various nearby property owners. General Purpose Retail was one option, but no specific plans were drafted. Asked if the petitioner was ready to install a barrier fence at the rear of the property, Mr. Conway stated there have been no discussions with the property owners to the south, which have B-3 zoning. There was no intent to issue an offer on the property but if it were to change, Mr. Conway stated any proposal would have to be a development that worked with the neighborhood. Questions followed on the lot depth and whether it was consistent with the lot depths along Ogden Avenue.

Chairman Jirik opened up the meeting to public comment.

Mr. Richard Mackey, 4613 Cross St., Downers Grove, stated his neighborhood was being "boxed in" and it was difficult to make a left turn onto Ogden Avenue. He recommended moving the light signal at Cross Street to work in conjunction with Cross Street. Mr. Mackey stated this should be considered when new development is proposed for this site.

No further public comment was received. The Chairman closed the public comment portion of the meeting. No further questions followed from the commissioners.

In response to the public comment, Mr. Conway indicated the properties along the front had sufficient depth and he would not touch the piece off Cross Street. However, it made for a more attractive development and sense to merge into it a proper buffer zone with the rear parcel. If that were to move forward, Mr. Conway would look at better traffic flow in the area.

Mr. Cozzo believed the proposal and the findings of fact were reasonable, and he supported the request.

WITH RESPECT TO FILE NO. PC-08-08, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL ON THIS MATTER.

SECONDED BY MRS. RABATAH.

ROLL CALL:

**AYE: MR. BEGGS, MRS. RABATAH, MR. COZZO, MRS. HAMERNIK,
MR. MATEJCZYK, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK**

NAY: NONE

MOTION CARRIED. VOTE: 8-0

FILE NO. PC-09-08 A petition seeking approval of a Special Use to construct an in-ground swimming pool on a vacant lot of record, which does not contain a principal structure. The property is located on the bulb of the Gregory Place cul-de-sac, approximately 150 feet West of Saratoga Avenue, commonly known as 1230 Gregory Place, Downers Grove, IL (PIN 06-31-208-043,-044); Calvin L. Caywood, Petitioner/Owner

Chairman Jirik swore in those individuals who would be speaking on File No. PC-09-08.

Mr. Damir Latinovic, Village Planner, explained the subject property is located in Innisbrook Subdivision Unit II, which was approved as Planned Development #16 on May 23, 1977. It is zoned R-3, Single Family Residential. The petitioner owns two adjacent lots of record commonly known as 1230 Gregory Place, and an existing single family home sits on the southern lot while an existing in-ground swimming pool is on the northern lot. The petitioner is seeking a Special Use to reconstruct the 16.5-foot by 34-foot in-ground swimming pool on the vacant lot of record. The petitioner originally applied for a building permit to reconstruct the pool in January 2008 when staff advised him of the Special Use because it was a non-conforming use according to the Village's current Zoning Ordinance. The new pool will retain the same general size and layout as the existing pool and be ten feet from the side and rear property lines where seven feet is required. The petitioner has chosen to request a Special Use versus consolidating his lots.

The Future Land Use Plan designates the subject property as Residential at a density of 0-6 dwelling units per acre. The proposed pool would complement the existing uses in the neighborhood and was consistent with the Future Land Use Plan to preserve the property for residential use in the future. Mr. Latinovic explained in order to request a Special Use permit, three

conditions must be met: 1) the two lots must be contiguous and in common ownership; 2) a principal structure must exist on one of the lots; and 3) the common lot line must be shared for 100 feet or 50% of the lot line, whichever is greater. The petitioner met all three conditions. Should the Special Use be approved, a restriction would be placed in the Special Use Ordinance and recorded in the DuPage County Recorder's Office that requires the swimming pool to be demolished on the property if the two lots were to be sold separately. No written comments were received from the neighbors. Staff supported the request.

Chairman Jirik discussed the value of the pool, the value it creates to the lot and the demolition requirement. He pointed out to mandate it upon the split, causes the inability to utilize an asset. He suggested reviewing wording that retains the concept of demolition in the absence of the new entity constructing a principal dwelling within in a certain time period; i.e., 12 months, as a reasonable alternative. Mr. Latinovic reminded the Chairman that the Commission could amend any conditions. However, from staff's perspective, recordkeeping could become an issue. When asked if the Special Use could be amended to remove the deed restriction at that point, Mr. Latinovic stated it could be done.

Mr. O'Brien further explained staff's intent was to record the Special Use with the County Recorder so the restriction is discovered during title searches. If a purchaser wanted a different arrangement, then the purchaser could approach the Village with their requests and then staff could review whether the request met the intent of the zoning ordinance.

Mr. Steve Hopkins, with Barrington Pools, Inc., thanked staff during the entire process and was present to support his clients, the Caywoods. He reiterated the pool would be constructed to Code with no alterations to be made to the existing elevations or footprint. Asked if it was possible for the owners to build a single-family home in the future on the lot and whether it could be done without demolishing the pool, the Chairman believed if it conformed with all the setback requirements it was a matter of getting the permit, but the individual would have to speak to staff. Mr. O'Brien stated the conveyance triggers the deed restriction. An explanation followed.

Mr. Waechtler asked if there is a fence around the pool and Mr. Hopkins confirmed stating a six-foot high solid fence is currently surrounding the pool and will remain.

Chairman Jirik opened up the meeting to public comment. No public comment received. Public comment was closed. No further discussion followed by the Commissioners.

WITH RESPECT TO FILE NO. PC-09-08, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL RECOMMENDING APPROVAL OF THE SPECIAL USE FOR THE CONSTRUCTION OF AN ACCESSORY STRUCTURE ON A LOT OF RECORD PRIOR TO THE CONSTRUCTION OF A PRINCIPAL STRUCTURE, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE PROPOSED SWIMMING POOL SHALL SUBSTANTIALLY CONFORM TO THE PLANS AND SPECIFICATIONS PREPARED BY BARRINGTON POOLS, INC DATED OCTOBER 25, 2007, LAST REVISED JANUARY 3, 2008 AND THE PLAT OF SURVEY PREPARED BY ALLEN D. CARRADUS AND ASSOCIATES DATED JUNE**

27, 2005 ATTACHED TO THIS REPORT EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES, ORDINANCES, AND POLICIES.

- 2. A RESTRICTION SHALL BE RECORDED AGAINST THE PROPERTIES WITH THE DUPAGE COUNTY RECORDER OF DEEDS THAT REQUIRES DEMOLITION OF THE SWIMMING POOL PRIOR TO THE SALE OF THE PROPERTIES IF THEY ARE NOT TRANSFERRED SIMULTANEOUSLY TO A SINGLE ENTITY.**

THE MOTION WAS SECONDED BY MR. BEGGS.

ROLL CALL:

AYE: MR. COZZO, MR. BEGGS, MRS. HAMERNIK, MR. MATEJCZYK, MRS. RABATAH, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 8-0

FILE NO. PC-10-08 A petition seeking an Amendment to Chapter 28 of the Municipal Code, Zoning Ordinance, Article XV Signs, to permit signs containing electronic changeable copy/message board; Community High School District 99, Petitioner

Chairman Jirik swore in those individuals who would be speaking on File No. PC-10-08.

Mr. O'Brien explained the petitioner, Community High School District 99, is seeking a Text Amendment to allow electronic changeable copy signs (message center signs). Proposed modifications would be made to Section 28.502 (Residential District Special Uses) and Section 28.1501.03 (Prohibited Signs), and a new section would be added to regulate signs with electronic changeable copy signs. The amendments would allow electronic message center signs as Special Uses in residential districts for properties greater than 18 acres in area and located on an arterial street. If adopted, the signs would have to return to the Plan Commission and Village Council for approval. Currently, these types of signs are prohibited by the Village's sign regulations.

Mr. O'Brien noted the specific language for the amendment was attached in the Commissioners' packets, and both Downers High School North and South would become eligible properties for the Special Use if the request were approved. In addition, the Village would add a section that would specifically spell out certain regulations for the proposed message center signs, such as restrictions to property size and frontage. Those regulations would be as follows:

1. The specific signs would be Special Uses and subject to additional Plan Commission and Village Council review. As such, conditions such as hours of operation could be included as conditions of approval.
2. Only facilities located in the residential zoning districts on a property larger than 18 acres would be eligible for the Special Use.
3. The facility would have to have frontage on an arterial road, and the sign would have to be located on this frontage.
4. Only one (1) electronic message center sign would be permitted for each facility. This sign

- would be in lieu of any other permitted freestanding signage for the facility.
5. The signs would be no larger than 50 square feet (including the electronic changeable copy) and no taller than six (6) feet. This size and height is consistent with the existing North High School monument sign on Main Street.
 6. Electronic messages would have to be displayed for a minimum of two (2) seconds and would not be able to move or flash. These regulations would make the signs less distracting to drivers.

Mr. O'Brien recalled the Village did an extensive review of its sign regulations in 2004-2005 and an amended Sign Ordinance was adopted in May 2005. The amendments re-affirmed the Village's ban on electronic message centers. He referred the Plan Commission to the Sign Committee minutes dated October 26, 2004 and November 23, 2004 that were attached to the staff report. The Sign Committee recommended prohibiting the electronic message center signs. However, at that time the Sign Committee agreed the ban should be reviewed in five years to account for new technology.

Staff worked with School District 99 to develop the text language and believes the proposal would work within the Village's sign regulations. However, staff did have some concerns, specifically, 1) there have not been significant strides in the technology that would warrant permitting these type of signs; 2) message centers may not be consistent with the goals of the Sign Ordinance and can be unsightly and can cause safety hazards by distracting motorists and pedestrians; 3) if the amendment is adopted, not only will the electronic message centers become available for North and South High Schools, they will become available for Good Samaritan Hospital, Midwestern University, park district sites and other larger entities; and 4) the electronic message signs could lead to more requests from businesses for this type of signage. Due to these concerns, staff did not support the text amendment. However, if the Plan Commission found these signs met the goals of the Sign Ordinance, the language could be adopted.

Mrs. Rabatah asked what the outcome was from the October 2004 discussion on the legality of the ban, Mr. O'Brien explained he did not know specifically but stated that a state supreme court decided a full ban of electronic message center signs, including time/temperature signs, and was a content-neutral regulation which is how defensible sign regulations must be written. If the Village's Sign Ordinance were challenged, the court's decision would be based on whether or not the Village was regulating the content of signs.

Per Mr. Webster's question, Mr. O'Brien explained staff recommended the text amendment versus the variation process. A variation would go before the Zoning Board of Appeals, and the applicant would have to demonstrate a physical hardship for the electronic message center. As to just allowing the electronic message signs for educational facilities, Mr. O'Brien explained he worked with the Village Attorney on how to go about restricting the use so that it protected the residential areas yet accomplish the goals of the petitioner.

Mr. Cozzo asked for clarification of the Sign Ordinance's stated goals. Mr. O'Brien referenced and read those goals under Section 28.1500. Mr. Cozzo also asked about how the message board would flash a message for two seconds. Mr. O'Brien conveyed the specifics of how often the message changes, when it is operational, etc., would be discussed during the Special Use process if the ordinance were amended. It was noted the message would not be streaming as seen in other electronic signs.

Mr. O'Brien recalled the Sign Committee's reason for not supporting such electronic signage was mainly due to safety issues because of the distractions the signs presented. He stated that he was not present at those meetings so he could not go into details of that meeting. Chairman Jirik recalled from the Sign Committee meetings he attended that there was a variety of signs presented, but the goal of the Committee was to have more aesthetic signs with the signs needing to communicate but not distract. However, one area of concern was how far the Village wanted to take the electronic signs; i.e., from the large signs such as those found in other Villages, or smaller signs such as those found in Oak Brook. The Committee at that time also understood that it was an issue to be reviewed in the future.

Mr. Waechtler pointed out the steps the Sign Committee took in its October 26, 2004 minutes and the November 23, 2004 minutes, and he recalled the distraction issue was a large factor in the discussions.

Dr. Dave Eblen, Community High School Dist. 99 Superintendent introduced Mr. Marty Schack, District Director of Physical Plant and Operations. Mr. Eblen agreed with the Chair that there was a need to communicate but not distract. He discussed the need to disseminate information from the high school due to the number of events to which the public is invited, reminders about important events, emergency information and the recognition of students and staff. He pointed out the regular signs are time intensive and costly for the manual changing (\$15,000 to \$20,000) of the boards. In addition, both North and South High Schools are part of the DuPage County Homeland Security Emergency Program and quickly disseminating information becomes important. The above reasons were why the District was seeking an electronic message board versus a manual one. Mr. Eblen also stated he resides in Downers Grove and was sensitive to aesthetics.

Mr. Schack presented photographs of the current signage for North High School and explained any electronic signage that would be constructed would look identical to the signage and color in the photograph. The proposed electronic sign would be five feet by ten feet, double-sided, with the message board slightly smaller at three feet by ten feet. The electronic letters can be modified in size. The sign will be a one-color sign with letter colors to be determined. The school intends to display its message for a period of time and not just a few minutes. No flashing or scrolling letters or graphics will be used. The ultimate goal for the District is to change the signboard more often than currently, effectively and efficiently and save the District some money.

Dr. Eblen closed by stating the concern for aesthetics was important, and he wanted to be a good neighbor. He recalled how the school worked previously with the residents on different projects and why the school worked with staff on the Special Use.

Dialog followed on how the schools could be distinguished from other private organizations of the community, wherein Dr. Eblen explained he could not distinguish the high schools from other organizations, but in times of an emergency he believed the community would come to a high school facility before going to other organizations. The Chairman also explained how school districts play a role in families determining to live in a community because the schools may be top performers or offer prestige. He believed there was value to publicizing such information.

Conversation followed that emergency backup was available for the sign. Mr. Schack explained in emergencies, the sign would be limited to those individuals driving past the buildings. However, in a disaster, the community would be coming to the high schools for food distribution, medicine and

clothing, and the electronic signs could assist in such situations. An explanation followed on the manual labor and costs associated with employees changing the current signs.

Per Mr. Schack, the proposed electronic sign board costs anywhere from \$10,000 and up. The structure cost anywhere from \$5,000 and up. The structure at North High School would be reused. The sign at South High School was old and not structurally sound and would need to be replaced. Operational costs for the electronic message center were minimal, and activity directors would input the messages. In less than two years, the signs would pay for themselves.

Concerns raised by Mr. Beggs included the proliferation of signs throughout the Village. Dr. Eblen believed it was a matter for the Commission to make distinctions by categories. The Commission could make a recommendation to support public educational institutions as one way to create a specific category based on the emergency nature of schools, how they are used and the commitment to the community, etc.

Mr. O'Brien stated the amended text was originally drafted to limit these type of signs to educational institutions, which was too narrow of a classification per the Village Attorney. He further explained if the Commission was comfortable with the concept of the electronic message centers, then they could attach a recommendation that these signs be limited to specific uses. However, from staff's perspective, there were concerns about such narrowness of the ordinance.

As to other facilities requesting similar signs, Mr. O'Brien confirmed they would have to come before the Plan Commission as Special Uses. Additionally, as to where signs can proliferate in the Village, he read the three criteria that must be satisfied to even be considered for the Special Use; i.e., the facility must be in a residential zoning district; the facility must be at least 18 acres; and front an arterial route. Asked if the Homeland Security reference could be used as criteria to narrow the request, Mr. O'Brien indicated that matter was not discussed with the school district.

Furthermore, the Chairman proceeded to suggest language in the text amendment, which limited the messages to text message only, and not graphics, which in turns began to restrict other distasteful electronic messages. Mrs. Rabatah voiced concern about the electronic messages being displayed and drivers being distracted by the messages when students are crossing 63rd Street. Dr. Eblen responded the issue will arise twice a day; i.e., when school starts and when school ends, and it will be a matter of determining how frequent the message changes with the goal to inform and not distract. The less frequent change of the message will reduce the distraction to the driver. Per her question, Dr. Eblen estimated 25 high schools in DuPage County had such signage.

Chairman Jirik opened up the meeting to public comment. No comments received. The Chairman closed the public comment portion of the meeting.

In considering the request, Mr. Waechtler suggested rather than changing the Ordinance, the matter could be viewed as a Special Use request on its own for the two high schools and due to extenuating circumstances, (the schools being used as emergency centers), it could justify the electronic signage for the two buildings. Adding to that, Chairman Jirik still supported the requirements of the other restrictions as justification to have such signage.

As to staff's thoughts, Mr. O'Brien again explained in order to allow for a sign to be installed that was not allowed specifically in the Ordinance, the petitioner would have to go through a variation

process and demonstrate a hardship. He stated that in staff's opinion, it would be difficult to demonstrate the ordinance created a hardship for the school district. In addition, he explained if electronic signs were allowed, whether by variation or whether by Special Use, when any such use was allowed in the community, there was the concern of precedence and challenges in court. If electronic signs were going to be allowed, staff would only want approval to be granted through the Special Use process where operational conditions, colors, message changes, etc. could be placed upon the signs. Placing conditions on a variation is more difficult. On that note, the Chairman agreed that the more detailed the ordinance was, the more degrees of freedom were being eliminated, and staff was placing a tighter boundary on the Special Use. As a compromise, he recommended adding some of the other refinements so that when a petitioner comes in for a Special Use it is not the distasteful sign as seen in other areas. Mr. Matejczyk concurred with having the conditions in the Special Use.

Chairman Jirik suggested if the Commission was favorable, to consider, with the advice of legal counsel, the ability to add language specifying in addition to 18 acres and emergency centers, that the Village Council consider the language as well as additional specifications to provide some boundary on the types of signs that would qualify, including monochromatic, light standards, text, etc. The revisions would be up to the Village Council.

From staff's perspective on the above discussion, Mr. O'Brien explained the requirements were tailored toward large institutional-type uses and tailored to eliminate the large video-type signs. If additional conditions needed to be placed, he recommended tailoring them to the individual signs as the Commission reviews them on a case by case basis as part of the Special Use approval process; others concurred.

WITH RESPECT TO FILE NO. PC-10-08, MR. WEBSTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL RECOMMENDING APPROVAL OF THE TEXT AMENDMENT FOR ELECTRONIC MESSAGE CENTER SIGNS AS DRAFTED.

THE MOTION WAS SECONDED BY MR. MATEJCZYK.

Mrs. Hamernik would not support the motion because she felt signs were not the most effective way to communicate. She queried how the Village could communicate to a bank or other businesses that electronic message signs were not allowed for them but allowed for the school district. Mr. Waechtler explained while he initially felt the same way, he explained when he drives by the high school he reads the signs. The second reason why he changed his mind was that the high schools were emergency centers, which was important. Mr. Beggs also supported Mrs. Hamernick's comments, but he would support the request because he felt he was too attached to old views, and he wanted his vote to be a vote of faith. Mrs. Hamernik stated she cannot see a difference between a school sign and a private commercial sign advertising goods like a gallon of milk for \$1.99. She feels she could not justify the reasoning to the private commercial uses that want the same type of a sign.

ROLL CALL:

AYE: MR. WEBSTER, MR. MATEJCZYK, MR. COZZO, MR. BEGGS, MRS. RABATAH, MR. WAECHTLER, CHAIRMAN JIRIK

NAY: MRS. HAMERNIK

MOTION CARRIED. VOTE: 7-1

Chairman Jirik encouraged the Mayor and Village Council to carefully review the minutes and on advice of counsel, consider restricting the text to preclude signs that were abundantly described as being objectionable and limiting what may come forward, as they see appropriate and, if advisable, to return the request to the Plan Commission for further review.

Mrs. Hamernik stated her earlier comments were her reasons for voting Nay.

(The Plan Commission took a short five-minute break at 10:00 p.m. and reconvened at 10:05 p.m.)

FILE NO. PC-15-08 A petition seeking approval of a Final Plat of Subdivision. The properties are located on the West side of Washington Street at the intersection of Washington Street and Birch Avenue, commonly known as 4722 & 4718 Washington Street, Downers Grove, IL (PIN 09-08-104-029, 09-08-104-039, 09-08-104-024); Geoffrey E. Hiscox, Petitioner, Matthew & Liang Fei Jordan and Geoffrey E. Hiscox Owners

Chairman Jirik swore in those individuals who would be speaking on File No. PC-15-08.

Mr. Latinovic explained the petitioner owns two existing 'L' shaped lots of record located on the west side of Washington Street at the intersection with Birch Avenue. They are zoned R-4, Single Family Residential. The petitioner owns the 66-foot by 113-foot land-locked parcel located west of his primary residence at 4722 Washington Street and the adjacent 5,643 square foot lot commonly known as 4718 Washington Street. The petitioner is requesting approval of the final plat of subdivision to consolidate the three existing lots into two lots by dividing the land-locked parcel and attaching the two halves to the two existing lots fronting on Washington Street. Lot 1 (4722 Washington Street) will become 56 feet by 165 feet, and Lot 2 (4718 Washington Street) will become 57.12 feet by 165 feet.

Per staff, the Future Land Use Plan designates the property as Residential with six dwelling units per acre. The proposal would increase the size of the two lots, which is the intent of the Future Land Plan. The two existing homes will remain on the properties with no new construction proposed at this time. Therefore, no school or park district donations are being requested at this time. No written comments have been received by the neighbors. Staff recommended approval with one condition.

Mr. Waechtler asked why the subdivision was named the Hiscox Jordan, wherein Mr. Latinovic said it was based on the owner's last name and it was a re-subdivision. A dialog followed on the accuracy of the plat of survey and the aerial photograph.

Petitioner, Mr. Geoff Hiscox, 4722 Washington, explained how he came about purchasing the unusual shaped parcel. Due to his large garden, he would like to sell off the parcel to his neighbor Matt Jordan. No questions followed.

Mr. Waechtler asked if any neighbouring residents had any objections. Mr. Hiscox stated that he did not hear from any neighbors with negative comments.

Chairman Jirik opened up the meeting to public comment; none followed. The Chairman closed the public comment portion of the meeting.

WITH RESPECT TO FILE NO. PC-15-08, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR APPROVAL OF THE FINAL PLAT OF SUBDIVISION, SUBJECT TO STAFF'S FOLLOWING CONDITION:

- 1. THE SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL SUBDIVISION PLAT OF HISCOX-JORDAN'S SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED FEBRUARY 21, 2008, LAST REVISED MARCH 6, 2008, EXCEPT AS SUCH PLAN MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**

MR. WAECHTLER SECONDED THE MOTION.

ROLL CALL:

AYE: MR. MATEJCZYK, MR. WAECHTLER, MR. BEGGS, MR. COZZO, MRS. HAMERNIK, MRS. RABATAH, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 8-0

Mr. O'Brien noted the next Plan Commission meeting was May 5, 2008. With regard to the scheduled May 17th workshop, Mr. O'Brien stated all the boards and commissions have been invited to come together with staff, but the location was still undetermined. Minor details followed. Chairman Jirik stated Commission Chairmen would be meeting with the Mayor on April 12, 2008. Chairman Jirik continued to emphasize he would like to hear what positive impacts are being made, general input about this Commission and if the vision is still aligned. Blocking out time for each Commission to respond was a suggestion. Mr. Waechtler hoped that feedback from every Commission was part of the workshop as well.

Mr. Mike Millette was recognized for attending the meeting.

MRS. HAMERNIK MOVED TO ADJOURN THE MEETING. MR. WEBSTER SECONDED THE MOTION. THE MEETING WAS ADJOURNED AT 10:45 P.M.

/s/ Celeste K. Weilandt
Celeste K. Weilandt
(As transcribed by MP-3 audio)