

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE**

Thursday, April 1, 2010

I. CALL TO ORDER

Chairman McInerney called the April 1, 2010 Liquor Commission meeting to order at 6:32 p.m.

II. ROLL CALL

PRESENT: Mr. Adank, Ms. Fregeau, Ms. Strelau, Chairman McInerney

ABSENT: Mr. Clary, Mr. Krusenoski, Ms. King

STAFF: Liaison to the Liquor Commission Carol Kuchynka, Assistant Village Attorney
Beth Clark

OTHERS: Shaun Black, Lizz Egan, Tim Canning, Dan Loftus, Court Reporter

III. APPROVAL OF MINUTES

Chairman McInerney asked for approval of the minutes March 4, 2010 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the March 4, 2010 minutes of the Liquor Commission meeting were approved.

Chairman McInerney reminded those present that this evening's meeting was being recorded on Village-owned equipment. Staff was present to keep minutes for the record and a court reporter was present taking the minutes verbatim.

IV. APPLICATION FOR LIQUOR LICENSE

Chairman McInerney made the following statements:

"The first order of business is to conduct public hearings on liquor license applications. For the benefit of all present, I would like to state that this Commission does not determine the granting or denial of the issuance of any license. We may at the end of each hearing, make a finding or recommendation with respect to the application. If necessary, the Commission may adjourn a hearing to a later date in order to have benefit of further information."

"At the conclusion of the hearing, the Commission will summarize its findings and determine any recommendations it wishes to make to the Liquor Commissioner"

"The Liquor Commissioner, who is the Mayor of Downers Grove, will, pursuant to Section 3-12 of the Ordinance, render decisions regarding issuance of available licenses within 60 days in order to consult the Plan Commission for its recommendations."

"Hearings by this Commission are held according to the following format: 1) reading of information pertinent to the application, 2) comments from the applicant, 3) comments from the public, 4) discussion by the Commission, and 5) motion and finding by the Commission."

Highland Park CVS, LLC d/b/a CVS Pharmacy - 6210 Main Street

Chairman McInerney stated that the first order of business was an application hearing for Highland Park CVS, LLC d/b/a CVS Pharmacy located at 6210 Main Street. He stated that the applicant was seeking a Class "P-1", full alcohol, off-premise consumption liquor license.

Chairman McInerney asked that any individual(s) representing the applicant step forward and be seated. He asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Mr. Ed Olson and Mr. Vince Iovino were sworn in by the court reporter. Mr. Olson introduced himself as the district manager of CVS, Mr. Iovino introduced himself as the store manager.

Chairman McInerney asked the applicant to present its case.

Mr. Olson stated that CVS was seeking a full alcohol license. He stated that he oversees 17 stores in the district, 9 of which currently hold liquor licenses. He stated that they operate as a pharmacy and sell convenience items, food, beauty products and over the counter medicines. He stated that they are hoping to open to the public on April 18th.

Chairman McInerney asked if there were any staff recommendations pertinent to the application. Ms. Kuchynka stated that issuance of the license remains contingent upon issuance of the Certificate of Occupancy, receipt of the annual fee, receipt of satisfactory background checks and receipt of a signed lease amendment. She explained that the original lease allowed only beer and wine sales. She was awaiting to receive the amendment allowing the sale of full alcohol.

Chairman McInerney asked if there were any comments from the public pertinent to the application. There were none.

Chairman McInerney asked if there were any comments from the Commission.

Ms. Strelau asked Mr. Iovino about his liquor handling experience. Mr. Iovino replied that he had liquor handling experience at the CVS Lombard and City of Chicago locations. He stated that prior to working for CVS he had between 6 and 7 years of experience working for Walgreens.

Ms. Strelau asked if Mr. Iovino if the other communities he worked in had a controlled buy program. She wondered if they successfully passed their tests. Mr. Iovino replied that Lombard and the City of Chicago conducted stings which were successfully passed.

Ms. Strelau asked about the hours of operation and how they planned to secure the alcohol at times when liquor sales are not allowed. Mr. Iovino replied that the cooler doors will have locks. He added that signage will be posted in the area of the liquor stock reminding customers of legal sales hours. Mr. Olson noted that the cash registers will be programmed to lock out liquor sales during non-sale hours.

Mr. Iovino noted that the registers will be programmed to prevent under 21 clerks from scanning liquor sales. He stated that a manager will have to assist in completing these sales.

Ms. Fregeau referred to the Declaration page of the application a noted that they anticipate 4% in liquor sales. She asked if that percentage was standard for the area. Mr. Olson replied that was the norm for the Lombard and Bollingbrook stores. He added that the store in the City of Chicago has about 6% in liquor sales and noted that it has a much larger alcohol department.

Ms. Fregeau asked in what sized bottles will alcohol be sold in. Mr. Olson replied they will not be selling small or mini-bottles, but will sell alcohol in the standard 750 ml. size.

Ms. Fregeau suggested that they elaborate on their vertical license policy and provide employees with more prominent instructions on how to deal with them. Mr. Olson stated that they will accept the vertical license since the employee will need to key in the date of birth into the register. He noted that the sale will be blocked if the individual birth date entered comes up under 21.

Ms. Fregeau asked if they will sell kegs. Mr. Iovino replied no.

Ms. Fregeau noted that her questions concerning the lease were answered by staff.

Ms. Fregeau asked about their policy on dealing with customers who produce fake identification. Mr. Iovino replied that if the identification is suspected to be fake, the sale will be refused. Ms. Fregeau suggested that they contact the police. Mr. Olson and Mr. Iovino agreed.

Mr. Adank had no questions. He welcomed them to the community and looked forward to their opening.

Chairman McInerney was pleased that they were expanding their business in Downers Grove. He did not have any questions but cautioned them on being involved in a disciplinary hearing. He informed them about the control buy program and encouraged them to do the right thing.

Ms. Strelau asked about the floor plan. She asked if the highlighted yellow areas were where alcohol products were located. Mr. Iovino replied yes. Mr. Olson stated that there are a number of cooler doors where cold product will be stored. He explained that there was an aisle area dedicated to spirits, wine and warm product display.

Ms. Strelau asked where additional stock would be stored. Mr. Olson replied in a locked/alarmed back room where only staff can enter through a keypad entry coded door.

Hearing the testimony given in this case, Chairman McInerney asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant with regard to the Class "P-1", full alcohol, off-premise consumption liquor license.

MS. STRELAU MOVED TO FIND HIGHLAND PARK CVS, LLC D/B/A CVS PHARMACY LOCATED AT 6210 MAIN STREET, QUALIFIED FOR A CLASS "P-1" FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MS. FREGEAU SECONDED.

VOTE: Aye: Ms. Strelau, Ms. Fregeau, Mr. Adank, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

The motion carried.

V. OLD BUSINESS

Chairman McInerney asked if there was any discussion, update from staff or comments from the Commission regarding any old business.

Ms. Kuchynka stated that the Lemon Tree license is pending. She stated that the Mayor requested that they re-appear before the Commission to discuss changes to their plans. She stated that representatives were present to provide information on the revised interior plan and to provide detailed information about the patio.

Chairman McInerney asked that any individual(s) representing the applicant step forward and be seated. He asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Mr. Shaun Black, Mr. Tim Canning and Ms. Lizz Egan introduced themselves and were sworn in by the court reporter.

Mr. Black explained they made some basic changes. He advised that they had market research done to determine local needs and revised the floor plan to improve the flow of the store. He stated that the café and Barista have been moved to the opposite side of the storefront from what was presented originally to the Commission at their original application hearing.

Mr. Canning stated that their coffee vendor asked them to enlarge the Barista to accommodate their equipment and to have more operating space behind it for staff. He noted that by enlarging the Barista, they needed to take table seating out of the café area, but added seats around the Barista to make up for that loss. He stated that the Mayor agreed to allow them to place seats at the Barista so long as food and other beverage service was available.

Chairman McInerney asked if they alternated the café seating area with the produce section on the original plan. Mr. Black replied yes.

Mr. Black advised that based on their market research, they will be operating more like a restaurant as regards to food service. He added that more pre-packaged food and restaurant-quality prepared meals for on-site and off-site consumption will be available.

Mr. Canning added that they will continue to operate as a grocery store as well. He stated that they cannot compete with big grocery stores but will prepare more foods but provide less dry grocery. Mr. Black stated that offering the prepared foods will better help their margins. He stated that they will have a butcher, deli, seafood, produce, beer/wine, liquor and dairy selections. Mr. Canning advised that they added a salad bar and sandwich service station.

Ms. Kuchynka stated that at the original application hearing, they indicated that on-site cooking classes were going to be conducted. She questioned if this activity will still occur on the premises. Mr. Black replied that they will not conduct classes due to the limited space of the storefront.

Ms. Strelau referred to the revised floor plan and asked if the beer/wine café area was larger in size now than it was on the original plan. Mr. Black believed it was about the same size and noted that it was relocated to improve the flow of the store. He stated that they were not properly utilizing space along

the front window areas. He noted that they had a retail designer to help them with the interior and utilize the space better.

Ms. Strelau asked where the dairy was relocated to. Mr. Black replied that area now abuts the four door freezer on the north side of the store in the café area which was across from the u-shaped deli.

Ms. Strelau felt that the café looks substantially larger than on the original plan. She asked if they will have moveable beer and wine stacks sitting on the floor area in other locations than the main liquor product area. Mr. Canning replied yes. He stated that they plan to place seasonal beer and wine stacks and pair them with in-season fruits in the produce section.

Ms. Strelau asked about the outdoor area and noted that the plan showed a north café and a south café. She asked if there was a doorway from inside the store accessing the south café. Mr. Black replied no. She asked if there was a door leading from the interior of the establishment into the north café. Mr. Black replied yes. Mr. Canning stated that they wanted to push produce on display outdoors to attract attention and place a garage-style door leading to the south café area, however, the Health Department would not permit that.

Ms. Strelau asked if they plan to serve alcohol in the south café. Mr. Canning replied just beer and wine. She wondered how they planned to control patrons who purchase beer at the Barista and go directly into the south café. Mr. Canning replied that customers can only purchase beer and wine in the café areas from a server.

Chairman McInerney asked if there will be beer and wine service at the Barista counter. Mr. Black replied yes and stated that they will serve food there as well. He noted that the Barista will serve as a juice and coffee bar where they plan to hold coffee tastings.

Mr. Canning stated that the Barista was very small on the original plan and that they needed to enlarge it to allow room for two people to man it. Mr. Black stated that the support pillars required reconfiguration of the site as well.

Ms. Strelau asked what the circles on the site plan indicated. Mr. Black replied foliage. He stated that they want the area to look attractive. Ms. Kuchynka distributed a color copy of the rendering.

Ms. Strelau asked about the fencing. Mr. Black replied it would be a wood type material with planter boxes stained to match the exterior. Ms. Strelau asked how tall they would be. Mr. Canning replied approximately 3 feet in height. Ms. Kuchynka advised that the fence abuts grassy areas of the right of way. She noted that the area was also on an incline.

Mr. Black indicated that they may request a more permanent structure on the Village owned property.

Ms. Strelau cautioned them about outside liquor service. She noted that an element of control is lost. She strongly encouraged them to monitor the area. She was pleased that café diners have to get their beer and wine from servers.

Ms. Fregeau asked when they planned to open. Mr. Canning replied the last week in May.

Ms. Fregeau asked staff if patrons are required to go through the licensed establishment to gain entry to the café area. Ms. Kuchynka replied no. She stated that if it is not practicable, there is nothing in the Code that requires patrons to access the café through the premises. Ms. Kuchynka noted that both café areas are enclosed.

Ms. Fregeau asked how they plan to staff the outdoor area. Mr. Canning replied that in addition to servers, bussers and food runners will be in the café areas. He added that they plan to have a large staff during the patio season.

Ms. Fregeau asked if any managers will oversee the café. Mr. Canning replied that the Barista manager will be monitoring the outdoor and indoor café areas. Ms. Fregeau noted that the Barista manager will be responsible for overseeing the two cafes in addition to the interior 16 seat café. Mr. Canning agreed. He noted that there will be other managers on site overlooking the whole operation as well.

Ms. Fregeau asked about the 3-foot high fence. She asked if the bench seating will abut the fence and wondered if it would be easy for patrons to pass drinks through. Mr. Canning noted that there is five feet of grassy area that slopes down to the public sidewalk which they feel is sufficient distance to prevent the passing of drinks to passers by. He noted that they are looking at 3 inch horizontal slats for the fencing to minimize the openings.

Mr. Adank asked staff if the group will be required to vote on the changes this evening. Ms. Kuchynka replied no. She added that the Mayor requested that the information of the new layout and updated plans be put on the record. Mr. Adank was eager for the store to open.

Chairman McInerney reiterated the Commission's questioning on fencing. He noted that there is no height or type of materials requirement in the ordinance. He stated that they should communicate with staff when they determine exactly what they install.

Ms. Kuchynka noted that the cafes will be on a portion of public owned property which will require a separate license agreement with the Village. Ms. Kuchynka stated that details on the fencing materials and height will be contained in the final agreement.

Mr. Adank asked if the outdoor license agreement is separate from the liquor license. Ms. Kuchynka replied yes, separate entirely from the liquor license, and authorizes the use of the public property.

Hearing no further comments regarding the changes to The Lemon Tree Plan, Chairman McInerney concluded the discussion.

Ms. Kuchynka referred to the month end liquor report. She advised that controlled buys were done on March 20th. She advised that 63rd Billiards was amongst that group. She reminded the Commission that this is an over 21 facility. She noted that the special agent was immediately turned away by staff upon entry.

Ms. Kuchynka advised that Toscana's, Ballydoyle and Emmett's opened their outdoor cafés. She stated that they do not have to apply every year for the outdoor liquor license but are regulated by Temporary Use provisions. She stated that Capri, Downers Delight, Another Round and Gatto's are pending. She advised that Gatto's outdoor liquor license was approved last year, but has not been issued as of yet.

Ms. Kuchynka advised that Another Round is anticipating opening within the next two weeks. She noted that they are in need of a Certificate of Occupancy. She stated that she will be conducting a walk through with Community Development.

Ms. Kuchynka stated that the Village conducted additional monitoring at Ballydoyle on March 20th for after hours and over service with no violations noted. Ms. Strelau asked what time officers went in. Ms. Kuchynka replied 10:30 p.m. to 1:00 a.m.

Ms. Kuchynka stated that Chairman McInerney forwarded a letter to her from Alexander Bradley Burns Post 80 she stated that they were selling liquor during bingo and charity poker events. Ms. Kuchynka stated that not-for-profit clubs have the authority under State law to conduct bingo, pull tab, jar games and gambling events. She stated that local ordinance prohibits gambling at licensed establishments. She spoke with the Commander at the Post and advised them to petition the Mayor and Council if they would like the ordinance changed to allow charitable gambling events if they are conducted in accordance with State law. She noted that only veterans clubs holding a Class C license will be allowed to do this activity. She added that the gambling events are limited to 4 poker events per year. She stated that Section 3-33 of the liquor code just happens to be more restrictive than the State by not allowing gambling at an establishment that serves liquor.

Ms. Fregeau suggested that staff contact the Chamber and have them remind members of local liquor ordinances. Ms. Kuchynka replied that she would get in touch with them and noted that she was in regular contact with the Downtown Management Organization. Ms. Kuchynka noted that since the Village does not have business licenses, it is difficult to hold an establishment accountable for violations as there are no licenses to fine, suspend and/or revoke. She noted that they can only be ticked with an ordinance violation.

Ms. Kuchynka noticed more frequently that businesses are trying to bring in patrons by alluring them with alcohol incentives.

Ms. Strelau asked if there had been a change in the Brickhouse operation. She noticed that staff provided the Commission with correspondence about the corporate name change and that they are now known as Brick House "Entertainment". She wondered if they were expanding on the entertainment aspect of the facility. Ms. Kuchynka replied that only the name has changed.

VI. NEW BUSINESS

Chairman McInerney asked if there was any discussion, update from staff or comments from the Commission regarding any new business.

Ms. Kuchynka stated that the Mayor asked that the Commission discuss increasing the number of special event liquor licenses from 3 to 6 based upon a request by St. Joseph's Church.

Ms. Kuchynka advised the Commission that the Village allows up to three special event liquor licenses per year which are typically approved by the Mayor administratively after staff review. She advised that a few local churches hold a number of special events per year and St. Joseph's Church has requested that the amount of special event licenses be increased to 6. Ms. Kuchynka asked the Commission for their questions or comments and asked that they make a recommendation whether they would have the Village Council consider an amendment to the liquor code.

Chairman McInerney stated that he did not object to increasing the number of special event licenses from 3 to 6, for not-for-profit organizations. He noted that the Mayor will be the determining factor in the issuance of the licenses. Ms. Kuchynka noted that if any organization puts forth a questionable special event liquor license application, he would have the right to deny it. She stated that the nature, type, duration and scope of the event are taken into consideration. She stated that on a few occasions, the Mayor has referred complex special event license applications to the Liquor Commission for public hearing and review.

Ms. Kuchynka advised that over the years, St. Joseph's Church and St. Mary's Church have held a number of special event licenses without incident. She noted that some events are public and some events are limited to congregation members. She stated that they are required to submit liquor serving guidelines, insurance, layout, menu, entertainment schedule and event descriptions.

Ms. Fregeau asked if there are any fees involved in processing the application. Ms. Kuchynka replied yes and stated that the application fee is \$95. Ms. Strelau asked if the fee is always waived. Ms. Kuchynka replied they are typically waived for not-for-profit organizations at the discretion of the Mayor. Ms. Kuchynka noted that fees a for-profit organization would not be waived.

Ms. Strelau asked staff what fees they would liked covered. Ms. Kuchynka replied that if the Village is going to consider increasing special event licenses from 3 to 6 she recommended collecting some fees to cover staff time and materials. She stated that breakdown was reviewed in the 2009 Cost Center Analysis.

Ms. Strelau asked if any other non-profit organizations have asked for the amendment. Ms. Kuchynka replied that St. Mary's indicated interest in the amendment as well.

Ms. Kuchynka stated that the applications are reviewed by staff and they must be appropriate to be considered. She noted that the church events are family-oriented activities for parish members, festivals and fund raising efforts.

Ms. Strelau asked if the events are beer and wine only. Ms. Kuchynka replied that all alcohol may be served and noted that applicants submit a list of what is being made available.

Ms. Kuchynka advised that the Police Department is notified of the event and it is announced at roll call on the day of.

Ms. Strelau asked if staff was willing to have the first three application fees waived if the license number available is increased to six. Ms. Strelau noted that St. Joseph's was willing to provide their requests for the year in advance to help with staff workload. Ms. Kuchynka stated that staff still has to do a number of things administratively at the time of each event, but was in agreement to limiting the fee waivers to three. Ms. Strelau noted that the application fee will come out of the profits of the event but realizes that staff costs need to be covered.

Chairman McInerney suggested that language be added to allow up to three special event license fee waivers. Ms. Strelau noted that if staff is spending the time to work on it, their time should be covered. She was in favor of granting up to three fee waivers.

Chairman McInerney asked if the fee waiver provision was codified in the ordinance or if it is at the Mayor's discretion. Ms. Kuchynka replied both.

Ms. Fregeau stated that fee waivers were recently discussed by the Council during the budget review. Ms. Strelau noted that this fee is small in comparison to some.

Ms. Kuchynka noted that additional fees may be incurred if Public Works, Fire or Police get involved with the event.

Ms. Strelau was in favor of increase the number of special event licenses to 6, but waiving up to three of the application fees. Ms. Fregeau agreed. Chairman McInerney agreed with raising the number of special event licenses to 6 per year and the waiving of fees at the Mayor's discretion.

Ms. Strelau asked what section was being amended. Ms. Kuchynka replied Section 3.13 with regard to the Class S Special Event Liquor licenses, raising the number allowed from 3 to 6.

Ms. Strelau asked if they need to amend the Code with regard to the fee waiver. Ms. Kuchynka replied that the fee waiver provision was under a separate section of the code.

Chairman McInerney asked for a recommendation regarding the Class "S" special event licenses.

MS. STRELAU MOVED TO AMEND SECTION 3.13 TO INCREASE THE NUMBER OF CLASS "S" SPECIAL EVENT LICENSES AVAILABLE PER YEAR FROM THREE (3) TO SIX (6) WITH UP TO THREE APPLICATION FEE WAIVERS FOR NOT-FOR-PROFIT ORGANIZATIONS. MR. ADANK SECONDED.

VOTE: **Aye:** Ms. Strelau, Mr. Adank, Ms. Fregeau, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

The motion carried.

Ms. Kuchynka stated that she will forward the recommendation to the Village Council for consideration. She was unaware of the future agenda date the item may be placed on. Ms. Strelau asked that the Commission be provided a copy of the Council agenda packet item with the ordinance amendment.

VII. COMMENTS FROM THE PUBLIC

Mr. Dan Loftus, 5100 Main Street, Downers Grove, Illinois. Mr. Loftus introduced himself as the Chairman of the Downtown Management Organization and member of St. Joseph's Church.

Mr. Loftus appreciated the Commission's consideration of the Lemon Tree plan revisions. He noted that their projected opening will coincide with the opening of the Downtown Farmers Market.

Mr. Loftus thanked the Commission for their consideration of increasing the number of special event liquor licenses. Mr. Loftus explained that St. Joseph's has several groups in the ministry that are interested in hosting events with liquor service to raise funds. He stated that their development committee will review all their applications before submittal to the Village. He stated that their annual events are annual and predictable. He stated that special event liquor licenses are a valuable asset to the parish.

VIII. ADJOURNMENT

Concluding business for the evening, Chairman McInerney called for a motion to adjourn.

Ms. Strelau moved to adjourn the April 1, 2010 meeting. The meeting was adjourned by acclimation at 7:40 p.m.

APPROVED 6/7/2010

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

MAY 3, 2010, 7:00 P.M.

Chairman Jirik called the May 3, 2010 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mr. Quirk, Mr. Matejczyk, Mr. Webster

ABSENT: Mrs. Hamernik, Mrs. Rabatah, Mr. Waechtler

STAFF PRESENT: Village Planning Manager Jeff O'Brien; Village Planner Stan Popovich and Village Engineer Mike Millette

VISITORS: Dr. Kathleen Goepfing with Northwestern University; Mr. Abid Ali, 31st Street; Mr. Gordon Goodman, 5834 Middaugh; Ms. Marge Earl, 4720 Florence Ave.; Mr. Mahesh Patel, 3105 Rosewood Pl.; Mr. James Egan, 6432 S. Cass Ave., Westmont, IL; Mr. Ken Lerner, 4933 Whiffen Pl.; Mr. Karla Schwartz, 3117 Rosewood Pl.; Mr. Robert Kelley with the University of Aesthetics, 1357 N. Milwaukee Ave., Chicago, IL; Messrs. Anthony and Eric Marek, 19W252 Governors Trail, Oak Brook, IL; and Mr. Dwight Todd with DWL Architects, 2333 N. Central Ave., Phoenix, AZ

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

FEBRUARY 1, 2010 MEETING MINUTES - MR. COZZO MADE A MOTION TO APPROVE THE MINUTES AS PREPARED, SECONDED BY MR. WEBSTER. MOTION CARRIED BY VOICE VOTE OF 6-0.

An explanation of the meeting's protocol followed.

PC-27-09 A petition seeking: 1) a Special Use for a drive-through; 2) a front yard setback variation; and 3) a variation to permit parking within the required front yards located at the southwest corner of Butterfield Road and Downers Drive, commonly known as 1353 Butterfield, Road, Downers Grove, IL (PIN 06-30-408-001); Jeffrey R. Walker, J.R. Walker, Inc., Petitioner; Downers Drive LLC, Owner

Chairman Jirik noted that there was a request to continue the matter to a date certain, that date being June 7, 2010.

WITH RESPECT TO FILE PC-27-09, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE PETITION TO JUNE 7, 2010. SECONDED BY MR. WEBSTER. ROLL CALL:

APPROVED 6/7/2010

**AYE: MR. MATEJCZYK, MR. WEBSTER, MR. BEGGS, MR. COZZO, MR. QUIRK,
CHAIRMAN JIRIK**

NAY: NONE

MOTION CARRIED. VOTE: 6-0

PC-04-10 A petition seeking a Special Use Amendment and a side yard setback variation to permit an expansion and addition to the existing parking deck at Midwestern University. The property is located on the South side of 31st Street, approximately 1,281 feet west of Meyers Road, Downers Grove, IL, commonly known as 555 31st Street, Downers Grove, IL (PIN 06-32-200-015 and 06-32-400-026); Midwestern University, Petitioner/Owner.

Chairman Jirik swore in those individuals who would be speaking on PC-04-10.

Mr. Stan Popovich, Village Planner, reviewed the above request for the commissioners, explaining that Midwestern University has been located at the site since 1965 and sits on 105 acres and includes instructional academic office buildings, recreational uses, dormitories, surface parking and stormwater facilities. The property is zoned R-1 and colleges are an allowable use in the district. In 2002 a Special Use was approved for the existing 3-story garage on the west side of campus. A two-level expansion to that garage is being proposed. In addition, a proposed five-deck addition to the south end of the garage is also being proposed for a total expansion size of 293,000 square feet. The proposal will meet the anticipated demand for parking. The side yard setback variation is for the expansion of the existing garage. In 2002, the garage was approved to be 29 feet from the west property line and required a seven-and-a-half-foot side yard setback. However, based on the proposed height of 50 feet-four inches, the side yard requirement would now be 40 feet, 8-inches. Where only 29 feet are provided, the petitioner is requesting a 28.1% reduction in the side yard setback.

Photos of the site were presented to the commissioners. Two vehicular access points will remain the same. The two existing stairwells were to be expanded up. Elevations were presented on the overhead. Mr. Popovich stated the new garage will extend 160 feet south along the east property line and along the west property line the garage will extend about 36 feet to the south and then turn west for approximately 108 feet. The additional footprint will be approximately 33,600 square feet. The addition will be 60 feet from the north property line and 175 feet from the west property line, which includes a 100 foot conservation easement, which will remain clear from construction.

The existing garage, with expansion, and the newly proposed garage, will increase overall parking from 1,783 spaces to 2,779 spaces. Mr. Popovich reminded the commissioners that the earlier parking study did recommend increased parking spaces for this portion of the campus.

All bulk requirements have been met for the proposal except for the requested side yard setback variation. Staff believes there are challenges to the 29-foot setback, including the on-site flood plain, a 100-foot conservation easement, the limitation of constructing a new building on-site, and an existing wetland. Staff also believes these limitations represent the hardship to allow for the variation.

APPROVED 6/7/2010

Additionally, two existing detention ponds will be removed to make room for the expansion of the existing garage to the south is another limitation. This detention will now be provided by detention approved and permitted for the Basic Science Building. The existing surface parking lot will be reworked in order to make way for the new parking garage. Staff believes the proposal meets the Future Land Use Plan.

Per Mr. Popovich, landscaping for the new construction will include native plantings within the wetland buffer and surrounding the conservation easement. Fire Prevention supports the proposal. The Park District voiced concern about the shadows that will be produced by the height of the garage on Lyman Woods. Shadow study photographs were provided and explained. Staff felt the impact would be minimal. A letter from the Forest Preserve requests that a construction fence be provided along the conservation easement and native plantings be used. Per staff, both requests are conditions of approval.

With regard to the Special Use Standards for approval, staff feels the garage deck provides a desirable service and will contribute to the welfare of the public and university and would not be detrimental to the health, welfare and general safety of the community. Staff feels the proposal complies with the bulk regulations except for the variance request. Additionally, the requested special use is an allowable special use in the R-1 district.

A review of the nine variation standards for approval followed as explained in staff's report. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council with the conditions listed on pages seven and eight in staff's report.

The discussion was opened up to the Commissioners. Staff discussed that in speaking with the Fire Marshal earlier in the day and the Fire Marshal did not feel a 20-foot fire lane was necessary on the western side of the building since access would be available to the south. Clarification followed regarding the floodplains, the displacement of two detention ponds and relocating them to the Basic Science Building detention basin, and the blending of wetland and native plantings, as part of the mitigation solution.

Dr. Kathleen Goepfinger, President and CEO of Midwestern University (the "University"), thanked the Commission for its continued support. She discussed the need for parking at the University and the fact that she attends town hall meetings to speak to her neighbors to receive input. She believes that parking will not only be required for day to day activities but for other activities as well and their only alternative is to provide parking by constructing upwards due to the land constraints of the site. She plans to soften the northern edge of the garage and to change the lighting, as recommended by the neighbors. She intends to continue to work hard to get along with her neighbors. Regarding the six-foot chain link fence and planting native plants, Dr. Goepfinger stated if the Forest Preserve was recommending certain items, she would be agreeable to it.

Dr. Goepfinger stated she did not know if the Park District was on her mailing list for the town hall meetings but she stated she was aware of their concern.

Chairman Jirik opened up the meeting to public comment.

Mr. Anthony Marek, Oak Brook Colony, stated he received a letter from the University and it was unclear when the University's neighborhood meeting was to take place. He did not believe that all

of his neighbors knew of the meeting. His main concern was about the traffic when he leaves his complex from 22nd (31st) Street and safety issues in the overall area for adults and children. Noise was another concern.

Mr. Ken Lerner, 4933 Whiffen Place, Downers Grove, said his concerns were about the impact to Lyman Woods due to the sensitiveness of the area and he understands that the forest preserve and the park district have invested significantly to the storm water for the property. Mr. Lerner asked about the increased shadow on the vegetation; the results of the study; and whether the park district agrees with it. Mr. Lerner also asked about the detention facilities that were proposed and their capabilities of providing adequate capacity and the topography of the existing site versus the proposed detention pond.

Mr. O'Brien stated that he recently spoke with the Director of Parks for the Downers Grove Park District regarding the shadow study results and did not receive any objections based on this information from the District. As to water detention and the fact that two basins will be removed, Mr. Millette explained that the increased amount of water was accounted for within the calculations and best management practices will be followed. Regarding the elevated area west of the proposed expansion, Mr. Millette pointed out the areas and noted there will be two retaining walls surrounding the proposed detention pond.

Ms. Karla Schwartz, 3117 Rosewood Place, thanked the University for meeting with the neighbors. She stated a number of owners had concerns about the expansion of the deck and the neighbors losing their privacy. They were concerned about lighting, buffering, noises from the vehicles, and losing property values. She commented on the 100-year floodway between her and her neighbor's home, possibly impacting their properties or increasing in size.

Mr. Abid Ali, 3112 Rosewood Place, appreciated that the construction will have barriers. He, too, can see the top of the deck and he asked that the University take steps to see more green around the campus. He shared the same concerns as his neighbor.

Mr. Eric Marek, Governor's Trail, voiced concerns about traffic and school children being late due to the increased traffic.

Mr. Mahesh Patel, resides on Rosewood Place, north of the parking lot, and asked how far along the plans were, wherein the chairman updated the resident and the recommending process. Mr. Patel believed many of the homeowners were concerned about the deck height and reductions to their property values. Increased traffic on 31st Street and school bus safety was another concern.

Mr. Gordon Goodman, 5834 Middaugh, recalled the concerns from when the initial parking deck went up. He recalled the concern back then was the spillover light from the parking deck. Staff confirmed there was no mention of the spillover light from the petitioner but a distribution of light by foot-candle was done by the petitioner. Mr. Goodman strongly recommended that when staff requests a light study this time, that it include an analysis of how far out into the preserve the light impact will be felt and that mitigation steps be taken. He expressed concern as to what attention has been paid to the visual impact of the proposed parking deck on the enjoyment of Lyman Woods.

Upon hearing no further comments, Chairman Jirik closed the public participation portion of the meeting. Asked if there were comments from the commissioners to the public, none followed.

Dr. Goeppinger stated she understood the concerns of the neighbors, the traffic, etc. and agrees traffic is an issue. Another traffic study is being considered and she stated the University has gone to the county to speak to them about a stop light. For the record, however, Dr. Goeppinger stated that the University was not adding 1,000 students with the expansion. It was 125 students for the year with another 50 faculty members. She stated she was open to working with Lyman Woods and the neighbors to continue to increase the campus's beauty.

Mr. O'Brien stated that the parking garage does not generate new traffic, rather it accommodates existing on-site parking volumes. As to regulating traffic and installing a stop light, Mr. O'Brien stated 31st Street was under the jurisdiction of DuPage County. He noted one of the conditions in the annexation agreement with Highland Landmark at 31st and Highland was to complete a traffic study along that corridor prior to Phase 4 and 5. Details followed, but Mr. O'Brien stated additional studies would be required for any future development that generated new traffic.

Mr. Matejczyk did not see any connection between traffic and the petition before the commissioners. As to lighting in the parking garage, he assumed a low parapet wall on the north side would shield the headlights from shining into to the neighbors' homes.

Dr. Goeppinger stated she just spoke to the neighbors about this issue and she did speak with her architect and landscaper to address the exact issue, possibly using panels. She was open to looking at alternatives.

Other questions followed regarding plantings and whether the University was restricting classes due to the traffic. Dr. Goeppinger stated the University had to meet accreditation and classes were not being restricted. As an aside, she said during any special event on campus, the University hires off-duty police to handle the extra traffic. Asked if the campus has grown to the point that the University needs to accommodate the parking, Dr. Goeppinger concurred. Asked if the parking deck's lighting/photometric shielding of the lights was discussed, Dr. Goeppinger stated that today was the first time that the current lighting issue was raised. She agreed the matter would have to be reviewed and her lighting consultants would be contacted.

Clarification followed regarding staff's recommendation for a photometric plan and what the zoning ordinance included, which did not discuss the shielding of fixtures specifically. Mr. Webster suggested adding a Condition No. 7 to staff's report to include fixtures to have shielding to prevent lighting spilling over to the residents and to Lyman Woods. The Chairman suggested to not include the condition since the petitioner may want to consider another alternative and achieve conformance. Mr. Webster agreed but also wanted no visible light to be seen. Further discussion followed, with the Chairman reminding that the commission wanted to be consistent as with other developments. Mr. Webster recalled otherwise. He recalled that shields actually hide the fixture itself. He offered that suggestion for the west and north elevations.

Mr. Beggs inquired about recommendation No. 2 in staff's report, wherein Mr. O'Brien explained that the planning staff has been discussing with the University the idea of creating a Master Plan in order to set parameters for development. Mr. Beggs did not believe a condition should be set currently and that the wording could be revised or not even included as a condition. Chairman Jirik suggested verbiage that "if the next" application comes before the Commission and takes a planned development approach, it forces long-term planning and helps the Village Council understand what

is desired or understands limits to growth. The Chairman noted that larger parcels, such as the Esplanade, were handled this way and were basically used to foster good planning and communication.

For the record, Chairman Jirik stated staff's analysis of standards for approval for a Special Use and variation were appropriate and accurate and satisfied the requirement. He supported the report staff prepared and it noted the analysis was true and accurate. Furthermore, he discussed that the proposal was a very "responsible development" when considering the stormwater aspect and given the constraints. As to the traffic issues raised, he stated that the parking garage does not generate traffic; it accommodates traffic and as to future planned development, there will be increased traffic, and, in turn, the public will be invited to speak. He supported the petitioner seeking any avenue to get a traffic light. As to the verbal representation as to the mitigation of the low level headlights for the woods and the northern neighbors, it was very important to address. In general, the chairman commended the petitioner in her efforts to develop responsibly.

WITH RESPECT TO PC 04-10, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE AND VARIATIONS SHALL SUBSTANTIALLY CONFORM TO THE PRELIMINARY SITE AND ENGINEERING PLANS AND STORMWATER REPORT PREPARED BY MACKIE CONSULTANTS LLC DATED MARCH 1, 2010; THE PARKING DECK ELEVATIONS AND PLANS PREPARED BY DWL ARCHITECTS AND PLANNERS, INC. DATED FEBRUARY 10, 2010; AND THE LANDSCAPE PLANS PREPARED BY ALLEN L. KRACOWER & ASSOCIATES, INC. DATED MARCH 1, 2010, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. THE APPLICANT SHALL PETITION THE VILLAGE OF DOWNERS GROVE TO DESIGNATE THE CAMPUS A PLANNED DEVELOPMENT PRIOR TO THE NEXT PROPOSED EXPANSION WHICH REQUIRES VILLAGE COUNCIL REVIEW. THE PLANNED DEVELOPMENT PETITION SHOULD ADDRESS MAXIMUM HEIGHTS, MAXIMUM FLOOR AREA RATIOS AND MINIMUM SETBACKS.**
- 3. A DESCRIPTION OF BEST MANAGEMENT PRACTICES THAT ARE INCORPORATED INTO THE SITE DESIGN AND HOW THEY WILL FUNCTION SHALL BE PREPARED AND SUBMITTED. THE APPLICABLE DESIGN CRITERIA SUCH AS SOIL TYPE, VEGETATION, AND LAND COVER CONDITIONS DRAINING TO THE BEST MANAGEMENT PRACTICE ALONG WITH APPROPRIATE CALCULATIONS SHALL BE INCLUDED.**
- 4. ALL PROPOSED LANDSCAPE PLANTINGS IN THE 100-FOOT WETLAND BUFFER AND THOSE SURROUNDING THE PROPOSED DETENTION BASIN SHALL BE NATIVE TO ILLINOIS.**
- 5. THE PROPOSED BUILDING SHALL HAVE A MANUAL AND AUTOMATIC DETECTION SYSTEM INSTALLED THROUGHOUT IN A MANNER ACCEPTABLE TO THE VILLAGE. ALL AREAS OF THE BUILDING SHALL BE PROTECTED.**
- 6. THE PROPOSED BUILDING SHALL HAVE A COMPLETE AUTOMATIC SPRINKLER SYSTEM INSTALLED THROUGHOUT IN A MANNER**

ACCEPTABLE TO THE VILLAGE. ALL AREAS OF THE BUILDING SHALL BE PROTECTED.

- 7. A PHOTOMETRIC PLAN WHICH COMPLIES WITH THE ZONING ORDINANCE SHALL BE SUBMITTED AND APPROVED BY THE VILLAGE.**
- 8. CONSTRUCTION AND SILT FENCING SHALL BE INSTALLED ADJACENT TO THE CONSERVATION EASEMENT SO THAT ANY POSSIBLE IMPACTS TO THE CONSERVATION EASEMENT ARE MINIMIZED. THE FENCING SHALL STRETCH FROM THE SOUTHERN EDGE OF THE WETLAND TO AT LEAST 50 FEET PAST THE PROPOSED DETENTION BASIN RETAINING WALL.**

EXCEPT REVISING ITEM 2, WHICH IS TO READ:

“IT IS STRONGLY RECOMMENDED THAT THE APPLICANT PETITION THE VILLAGE OF DOWNERS GROVE TO DESIGNATE THE CAMPUS AS A PLANNED DEVELOPMENT WITH THE NEXT PROPOSED EXPANSION WHICH REQUIRES VILLAGE COUNCIL REVIEW. THE PLANNED DEVELOPMENT PETITION SHOULD ADDRESS MAXIMUM HEIGHTS, MAXIMUM FLOOR AREA RATIOS AND MINIMUM SETBACKS.”

SECONDED BY MR. WEBSTER.

The Chairman asked if the motion should include that the applicant consider extraordinary measures to minimize lighting perception in the immediate adjacent properties, wherein Mr. Matejczyk recalled the applicant went on record stating she would consider the alternatives.

AYE: MR. MATEJCZYK, MR. WEBSTER, MR. BEGGS, MR. COZZO, MR. QUIRK, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 6-0

PC-05-10 A petition seeking a Special Use to permit a private school in the existing building at 1037-1943 Curtiss Street. The property is located on the south side of Curtiss Street, Approximately 200 feet west of Main Street, Downers Grove, IL commonly known as 1037-1043 Curtiss Street, Downers Grove, IL (PIN 09-08-305-010); University of Aesthetics, Petitioner; K2 Investments LLC, Owner.

Chairman Jirik swore in those individuals who would be speaking on behalf of PC-05-10.

Village Planning Manager, Mr. Jeff O'Brien, reviewed the request and located the property on the overhead. The petitioner is looking to purchase the office building for use as a private school using 9,000 square feet of the building. In 2006, the same applicant came before this commission. The business is a post-secondary skin-care school that provides classes for approximately 10 students and their instructors. Classes run Tuesday through Saturday from 9:00 a.m. to 3:30 p.m. Part-time classes run Tuesday through Thursday from 5:30 p.m. to 9:00 p.m. Some spa services are offered to the public. A floor plan was presented and explained to the Plan Commission.

Staff believes there are several issues with the building as it relates to meeting code. The main concern is that if enrollment reaches 24 students, staff requires that the applicant apply for parking permits. Based on the Special Use Standards, staff feels the proposal is a desirable use for the zoning district and the use will not have any negative impact to the health, safety and welfare of the community. Staff recommended approval of the Special Use with the conditions listed on page four of its report.

Questions followed regarding the parking area and whether enough parking would be provided. Per Mr. O'Brien, staff was looking at site as the standard office use with no required parking in the Downtown Business zoning district, and noted that the students will probably be parking on the street with parking passes. Staff's initiating the requirement above the 24 students is what would be experienced if the building was fully occupied as an office building, which was the reasoning for having the figure and which is why commercial schools are a special use in the downtown district because they can have an impact on parking.

Mr. Beggs voiced concern about the parking spilling over to the nearby church. He asked about the parking limitations north of the library. General questions followed regarding the interior suites, the waiting area, and enforcing the maintenance of the east wall masonry through code enforcement, which will be done prior to occupancy.

Mr. Robert Kelley, with the University of Aesthetics, discussed the deterioration of the masonry wall which will be taken care of because he knows that his schools bring shoppers to the area. He discussed the positives of his school and the fact that he would like to remain in Downers Grove.

Chairman Jirik opened up the meeting to public participation. None received. Public participation was closed. No further discussion followed nor was a closing statement provided.

WITH RESPECT TO PC 05-10, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 3, 2010, ALL ATTACHMENTS THERETO AND THE PLAT OF SURVEY SUBMITTED TO THE PLAN COMMISSION DATED SEPTEMBER 15, 2004 PREPARED BY KABAL SURVEYING COMPANY EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. ON JANUARY 1ST OF EACH YEAR, THE PETITIONER SHALL BE REQUIRED TO PROVIDE A COUNT OF STUDENTS ENROLLED INTO THE SCHOOL AT THIS LOCATION TO THE DIRECTOR OF COMMUNITY DEVELOPMENT. IF ENROLLMENT FOR A SINGLE SESSION EXCEEDS TWENTY-FOUR (24) STUDENTS, THE APPLICANT SHALL BE REQUIRED TO PURCHASE CBD PARKING PERMITS FOR ALL STUDENTS COMMUTING TO THE UNIVERSITY OF AESTHETICS VIA AUTOMOBILE.**
- 3. THE BUILDING SHALL BE UPGRADED TO MEET ALL CURRENT DOWNERS GROVE BUILDING AND LIFE SAFETY CODES. THE FOLLOWING ITEMS MAY BE REQUIRED TO BE INSTALLED:**

APPROVED 6/7/2010

- A. A FIRE SPRINKLER SYSTEM SHALL BE REQUIRED THROUGHOUT THE BUILDING. THE WORK SHALL BE COMPLETED BY A LICENSED ILLINOIS SPRINKLER CONTRACTOR.
 - B. AN AUTOMATIC AND MANUAL NFPA 72 FIRE ALARM SYSTEM CONNECTED TO THE VILLAGE ALARM BOARD SHALL BE INSTALLED BY A LICENSED ILLINOIS FIRE ALARM CONTRACTOR. THE CONTRACTOR MUST BE CERTIFIED BY THE UNDERWRITERS LABORATORY.
 - C. ILLUMINATED EXIT SIGNS SHALL BE INSTALLED OVER THE FRONT AND REAR EXIT DOORS IN A MANNER ACCEPTABLE TO THE FIRE PREVENTION CHIEF.
 - D. A RPZ SHALL BE INSTALLED ON THE INCOMING WATER SERVICE TO ACCOUNT FOR NEW USE. THE RPZ DEVICE SHALL BE INSTALLED AFTER THE WATER METER IN A MANNER ACCEPTABLE TO THE PUBLIC WORKS DEPARTMENT.
4. THE BRICK ON THE EAST WALL OF THE BUILDING IS IN POOR REPAIR AND SHALL BE RESTORED.

SECONDED BY MR. QUIRK.

ROLL CALL:

Per a question, staff explained that the owner is required to report the school's enrollment annually to staff.

AYE: MR. BEGGS, MR. QUIRK, MR. COZZO, MR. MATEJCZYK, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 6-0

Staff confirmed the commission will be meeting on June 7th. New zoning ordinances were placed on the dais. Chairman Jirik noted that the Mayor and Village Council have designated Commissioner Webster as Vice Chairman of the Plan Commission.

MR. WEBSTER MOVED TO ADJOURN THE MEETING. MR. COZZO SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

THE MEETING WAS ADJOURNED AT 9:32 P.M.

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

TRANSPORTATION AND PARKING COMMISSION

Minutes

February 10, 2010, 7:00 p.m.

Council Chambers - Village Hall
801 Burlington Avenue, Downers Grove

Mr. Stuebner, Acting Chairman, called the February 10, 2010 meeting of the Transportation and Parking Commission to order at 7:00 p.m.

The commissioners and the public were informed that the meeting was being recorded on Village-owned equipment to aid in the preparation of the meeting minutes. Mr. Stuebner led the commissioners and the public in the recital of the Pledge of Allegiance.

Roll call followed and a quorum was established.

ROLL CALL:

Present: Members Schiller, Mr. Stuebner, Mr. Saricks, Mr. Cronin, Ms. Van Anne, Ms. Jeffries

Absent: Co-Chairman Gress and C-Chairman Wendt

Staff Present: Public Works Director Naneil Newlon; Sgt. Shanon Gillette Police Dept; Transportation & Engineering Design Manager Dorin Fera.

Visitors: Mrs. Susan Kerr, 1314 Maple Ave; Linda Grippando, Assistant Principal Hillcrest School; Bruce and Pam Wolfe, 5725 Hilcrest Rd; Lorie Pilster, Grade School District 58; Ann Marie Peters, Pierce Downer School PTA; Shareen Klasing, Pierce Downer School PTA.

An explanation of the meeting's protocol followed.

APPROVAL OF THE NOVEMBER 11, 2009 TRANSPORTATION AND PARKING COMMISSION MINUTES

MR. SCHILLER MADE A MOTION TO APPROVE THE MINUTES OF NOVEMBER 11, 2009. MR. CRONIN SECONDED THE MOTION. MOTION PASSED BY VOICE VOTE OF 6-0.

PUBLIC COMMENTS

None.

1. **File # 01-10 Traffic Calming Program - Status** – Traffic Manager **Mr. Fera**, explained the brief history of the Village's Traffic Calming Program, with the initial one adopted in 2005 and a subsequent revision was made in 2008. There have been a series of public improvements made in 2008 and 2009, both temporary and permanent, with the permanent project completed on Claremont Drive. With the traffic calming budget cut in 2010, staff is proposing to pursue traffic calming interventions that do not rely on construction and labor-intensive installations. Instead, staff proposes to follow more operational, driver-changing behavior types of improvements. Those would involve neighborhood Speed Limit 25 posters, turn restrictions, and driver feedback radar signs.

Additionally, staff is pursuing neighborhood traffic studies that can better address intersections and neighborhood streets on a wider basis. One focus of these projects would be to obtain better data from which to analyze patterns and future traffic modeling improvements.

Director Newlon added that a second focus of the neighborhood studies is to look at the possibility of operational changes, such as alternate Stop signs, which have been implemented elsewhere. Also, with the larger neighborhood focus, traffic patterns can better be controlled, such that traffic is directed to higher volume arterial streets and not sent back through neighborhood streets.

Mr. Fera stated that staff is not seeking a formal recommendation to Council from the Commission, but rather support in going forward with the revised focus as presented above.

The Commission stated they were in support of pursuing this type of traffic calming program.

2. **File # 02-10 Pierce Downer School – Parking Revisions** – Traffic Manager **Mr. Fera**, explained the intent of the proposed changes. Staff has met with the Pierce Downer School principal, Police Department and PTA staff last December to address this issue again. On-street drop-offs and pick-ups on Grant Street have become a problem in the afternoon period. While the drop-off zone is designated, so is the No Parking 2-3 PM restriction on the north side of Grant Street. Due to the shortage of internal parking spaces at the school, parents have been ticketed while waiting on Grant Street to pick-up their kids in the afternoon. The School has asked to revise the north side of Grant Street to allow for PM on-street parking, while keeping the AM unchanged. No changes are proposed on Oakwood Avenue.

Mrs. Peters, Pierce Downer School PTA, stated that these changes are needed and would be an improvement in safety and parking for the school. She inquired about the west side of Oakwood Avenue, between Grant Street and the school's circular drive, wherein **Mr. Fera** replied that it would remain a No Parking and the signage would be revised accordingly.

Mrs. Klasing, Pierce Downer School PTA, inquired if the north side of Grant Street, between the school driveway and Oakwood Avenue would remain a No Parking zone. **Mr. Fera** responded that yes it would.

MR. SARICKS MADE A MOTION TO IMPLEMENT THE FOLLOWING PARKING CHANGES:

NORTH SIDE

- **ON GRANT STREET, INSTALL “NO PARKING ANY TIME” DESIGNATION BETWEEN OAKWOOD AVENUE AND THE EAST EDGE OF THE SCHOOL DRIVEWAY;**
- **ON GRANT STREET, REVISE THE “NO PARKING 8:00 AM - 9:00 AM AND 2:00 PM - 3:00 PM” DESIGNATION TO BE “NO PARKING 8:00 AM – 9:00 AM” ONLY TO COINCIDE WITH THE “SCHOOL DROP-OFF/PICK-UP ZONE” FROM THE WEST EDGE OF THE SCHOOL DRIVEWAY TO 100 FEET WEST;**
- **ON GRANT STREET, REVISE THE “ NO PARKING 8:00 AM - 9:00 AM AND 2:00 PM - 3:00 PM” DESIGNATION, FROM 100 FEET WEST OF THE SCHOOL DRIVEWAY TO SEELEY AVENUE, TO BE UNRESTRICTED.**

SOUTH SIDE

- **ON GRANT STREET, BETWEEN SEELEY AVE AND OAKWOOD AVENUE, REVISE THE “NO PARKING 7:00 AM – 9:00 AM AND 2:00 PM – 4:00 PM” DESIGNATION TO A “NO PARKING, STOPPING, OR STANDING ANY TIME” DESIGNATION.**

SECONDED BY MR. SCHILLER. ROLL CALL:

AYE: MR. SCHILLER, MR. STUEBNER, MR. SARICKS, MR. CRONIN, MS. VAN ANNE, MS. JEFFRIES

NAY: NONE

MOTION CARRIED. VOTE: 6-0

- 3. File # 03-10 Henry Puffer School – Parking Revisions** – Traffic Manager **Mr. Fera**, presented the brief summary regarding this petition, which was initiated by the Principal at Henry Puffer School. The basic issue is the sight distance problem on the north side Haddow Avenue, in between the school’s circular driveway. Staff is looking to better define the on-street parking in the area to eliminate the sight distance issue. The intent is to prohibit on-street parking, and allow on-street parking further west on Haddow Avenue. With this change safety will be increased at this location.

MR. SCHILLER MADE A MOTION TO IMPLEMENT THE FOLLOWING PARKING CHANGES ON HADDOW AVENUE:

INSTALL “NO PARKING BETWEEN ANY TIME” DESIGNATION, ON THE NORTH SIDE OF HADDOW AVENUE, FROM THE EAST ENTRANCE OF PUFFER SCHOOL CIRCULAR DRIVE TO A POINT 300 FEET WEST, TO COINCIDE WITH THE WEST ENTRANCE OF PUFFER SCHOOL’S CIRCULAR DRIVE.

SECONDED BY MR. SARICKS. ROLL CALL:

AYE: MR. SCHILLER, MR. STUEBNER, MR. SARICKS, MR. CRONIN, MS. VAN ANNE, MS. JEFFRIES.

NAY: NONE

MOTION CARRIED. VOTE: 6-0

- 4. File # 04-10 Hillcrest School – Parking Revisions** – Traffic Manager **Mr. Fera**, presented a brief summary of the petition, which was initially brought forward by the Village Police Department. Staff has also met with the Hillcrest School Principal and their PTA representative to discuss this issue further. With many daytime school activities and a shortage of internal parking spaces, parking on-street is limited to Hillcrest Rd and Jefferson Ave.

Mr. Fera stated that parking issues along Hillcrest Rd were also discussed with Hillcrest School’s representatives, but that the resident invitations did not include those further north. No formal recommendations could be made for that section until all the affected residents were invited to participate. Parking issues north on Hillcrest Rd can be addressed at a future Commission meeting.

Staff’s focus is to provide the same afternoon drop-off parking opportunity as was discussed at Pierce Downer School. The objective is to offer on-street parking on Jefferson Rd for the various school activities throughout the year, and expect that parents will not use Hillcrest Road as much.

Commissioner Saricks inquired about the available roadway width on Jefferson Avenue. **Mr. Fera** responded that the width is measured at 32 feet. With parked vehicles on both sides, there about 18 feet of width sufficient to provide two-way travel. It would be similar to two-way travel along an alley.

Mr. Bruce Wolfe, 5725 Hillcrest Rd, stated that the on-street parking will create more travel difficulty on Jefferson Rd. Also, there should be signs posted to prohibit vehicles from parking within the intersection. The crossing guard is not able to control the entire movement of vehicles in all directions.

Mr. Fera replied that the Village had painted the curb lines yellow to designate no parking condition, on Jefferson Ave approaching the intersection of Hillcrest Rd in accordance with the Village ordinance. However, the current parking issue at the Jefferson/Hillcrest intersection is an enforcement one. The Police Department has responded to calls when they come in, but they are pressed to be at other school locations that also need their attention during this same time period.

Mr. Fera also replied that according to the Manual on Uniform Traffic Control Devices, the Crossing Guard is empowered to control all movements simultaneously within a particular intersection. All Village Crossing Guards are employed by the Village Police Department, and are taught the proper directives to safely cross kids at intersections.

MR. SCHILLER MADE A MOTION TO IMPLEMENT THE FOLLOWING PARKING CHANGES ON HADDOW AVENUE:

- **ON THE SOUTH SIDE OF JEFFERSON AVENUE, REVISE THE “NO PARKING 8:00 TO 9:00 AM AND 2:00 TO 3:00 PM” DESIGNATION TO “NO PARKING 8:00 TO 9:00 AM” DESIGNATION, FROM DUNHAM ROAD TO HILLCREST ROAD.**
- **ON THE NORTH SIDE OF JEFFERSON AVENUE, REVISE THE “NO PARKING 8:00 TO 9:00 AM AND 2:00 TO 3:00 PM” DESIGNATION TO “NO PARKING, STANDING OR STOPPING 8:00 TO 9:00 AM” DESIGNATION, FROM DUNHAM ROAD TO PLYMOUTH STREET.**
- **INSTALL “NO PARKING HERE TO CORNER” DESIGNATION ON THE NORTH SIDE OF JEFFERSON AVENUE, AT HILLCREST ROAD.**
- **ASSIST THE SCHOOL IN COMMUNICATING PARKING LOCATIONS ON HILLCREST ROAD AND ON JEFFERSON AVENUE THROUGH BROCHURES, PAMPHLETS.**

SECONDED BY MR. CRONIN. ROLL CALL:

AYE: MR. SCHILLER, MR. STUEBNER, MR. SARICKS, MR. CRONIN, MS. VAN ANNE, MS. JEFFRIES.

NAY: NONE

MOTION CARRIED. VOTE: 6-0

OLD BUSINESS -

Director Newlon presented a brief summary of the Belmont Grade Separation project status. The contract has been awarded and construction is expected to begin in March, 2010. Anticipated construction time will be 1-1/2 years. **Mr. Stuebner** commented that trains will be staged further west of town, waiting for track clearance for this project. As they are waiting for long periods of time, engines will be running and additional pollution will be created. To address this issue, **Mr. Stuebner** suggested the Village implement a requirement with BNSF/Metra that if the temperature is above 40 degrees, and the trains need to idle for more than 20 minutes, then the engines should be turned off. This would prevent concentration of diesel fumes in the area and minimize air pollution, especially during the summer months.

COMMUNICATIONS

See packet for list of actual communications to village.

ADJOURN

MR. SCHILLER MADE A MOTION TO ADJOURN THE MEETING. MS. VAN ANNE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY. THE MEETING WAS ADJOURNED AT 8:00 P.M.

TRANSPORTATION AND PARKING COMMISSION

Minutes

May 12, 2010, 7:00 p.m.

Council Chambers - Village Hall
801 Burlington Avenue, Downers Grove

Chairman Gress called the May 12, 2010 meeting of the Transportation and Parking Commission to order at 7:00 p.m.

The Chairman led the Commissioners and the public in the recital of the Pledge of Allegiance. The commissioners and the public were informed that the meeting was being recorded on Village-owned equipment to aid in the preparation of the meeting minutes.

Roll call followed and a quorum was established.

ROLL CALL:

Present: Co-Chairman Wendt, Co-Chairman Gress, Members Schiller, Mr. Stuebner, Mr. Saricks, Mr. Cronin, Ms. Van Anne, Ms. Jeffries

Absent: None.

Staff Present: Traffic Manager Dorin Fera; Police Sgt. Shanon Gillette.

Visitors: Ms. Tina Welch, 4941 Main St.; Ms. Linda Kunze, Downtown Management Corp; Mr. Rich Cirillo, 5705 Hillcrest Rd; Ms. Linda Cirillo, 5705 Hillcrest Rd; Mr. Ron Hason, 5720 Hillcrest Rd; Ms. Mary Hason, 5720 Hillcrest Rd; Bill Kelly, 5637 Hillcrest Rd; Bruce Wolf, 5725 Hillcrest Rd; Mr. James Jakubowski 5649 Hillcrest Rd.

An explanation of the meeting's protocol followed.

APPROVAL OF THE MARCH 10, 2010 TRANSPORTATION AND PARKING COMMISSION MINUTES.

MINUTES OF THE MARCH 10, 2010 MEETING, WERE APPROVED ON MOTION BY MR. SARICKS, SECONDED BY MR. SCHILLER. MOTION PASSED BY VOICE VOTE OF 8-0.

PUBLIC COMMENTS None.

1. File #09-10 Hillcrest School – Parking Changes Hillcrest Rd. Traffic Manager **Mr. Fera** explained this petition was brought back by staff, since previously it was not completely addressed at the February, 2010 Commission meeting. The focus at that meeting was to address parking issues immediately near the school on Jefferson Ave. Staff found out later that Hillcrest School also wished to address parking issues north on Hillcrest Road, but the invitations had already been mailed out and staff did not invite residents further north on Hillcrest Rd.

To complete the school's parking issues, for this meeting staff did invite the remaining residents north up to George Street to participate at this meeting and present their comments. The remaining issue still concerns the narrowness of Hillcrest Rd and the need to limit parking to one side only.

Mr. Fera further explained that he was informed of additional school activities that occur throughout the year. These activities occur often after hours and extend beyond the end of the school day. Vehicles then use the available street system to park, causing extended blockage for through vehicles, especially at the Jefferson Ave and Hillcrest Rd intersection. Staff is trying to address this ongoing issue with the proposed parking restrictions.

Mr. Fera then showed the proposed parking limits along the east side of Hillcrest Rd on the large overhead screen for the residents and Commission members. The recommendation is to extend a No Parking 7AM to 4 PM restriction to halfway up the block. The distance would be roughly 500 feet, verifiable in the field.

Chairman Gress opened up the matter to public comment.

Mr. Rich Cirillo, 5705 Hillcrest Rd. stated that he was not opposed to parking restrictions along one side of the street. Often, there were delivery vans that had difficulty in traversing the street. He observed one vehicle needing to back up to George Street to exit the area and that was dangerous.

Ms. Mary Hason, 5720 Hillcrest Rd, also stated that she had no objection to parking being restricted to one side only. She stated this made sense to her in terms of safety and convenience.

Co-Chair Wendt, stated that while he appreciated that staff is trying to address this parking issue for the school, that District 58 also should have some commitment and involvement in this process. He questioned the possibility of more internal parking opportunities that the school could do to address future needs. The area at the southwest corner of the school's property appears to be a viable area for parking expansion.

Mr. Fera, responded that he already has spoken with the school previously, regarding internal parking opportunities. At that time, there was a budgetary difficulty for the school to proceed. He also stated that the Village would work now with District 58 in terms of reviewing stormwater permitting should that be needed. Mr. Fera stated that approximately 12 to 15 additional parking spaces could be provided in that area.

Mr. Bruce Wolfe, 5725 Hillcrest Rd, also stated that parking opportunities should be explored at St. Paul's church east of Dunham Rd. There is ample space there for daily parking when the church is not in use, and also for some evening school activities.

One other comment presented involved the possible expansion of bus service to the school. Since no representatives from District 58 were present at this meeting, staff does not have a response to this comment.

Additional discussion occurred regarding additional potential internal parking. One location was the northeast quadrant of the school, which is just east of the prairie garden area. Also, diagonal parking along the west side of Dunham Road was discussed, which now is parallel parking on gravel. **Mr. Fera** stated that the number of parking spaces on Dunham Road could be doubled with the change to diagonal parking. However, he pointed out that the west half of Dunham Road according to the mapping, appears to be District 58 property and has not been dedicated to the Village. It is not known at this time what the actual cost would be to pave this area.

MR. CRONIN MADE A MOTION TO RECOMMEND “NO PARKING 7AM TO 7PM ALONG THE EAST SIDE OF HILLCREST RD, FOR A DISTANCE OF 500 FEET, AND ALSO A “NO PARKING ANY TIME” RESTRICTION FOR APPROXIMATELY 50 FEET NORTH OF JEFFERSON AVE. SECONDED BY MR. STUEBNER.

ALSO, THE VILLAGE COUNCIL IS ENCOURAGED TO DISCUSS WITH DISTRICT 58 A RECOMMENDATION FOR ACTION TO ALLEVIATE PARKING ISSUES AT HILLCREST SCHOOL BY EXPLORING AND IMPLEMENTING FROM A CHOICE OF OPTIONS INCLUDING BUT NOT LIMITED TO: (1) CREATING A PARKING AREA IN THE SOUTHWEST CORNER OF THE SCHOOL PROPERTY, (2) ADDING PARKING CAPACITY IN THE NORTHEAST CORNER OF THE SCHOOL LOT, DIAGONALLY OPPOSITE ST. PAUL’S CHURCH, (3) ENGAGING IN NEGOTIATIONS WITH ST PAUL’S CHURCH ABOUT WEEKDAY USE OF ALL OR PART OF THE CHURCH LOT FOR TEACHER PARKING, AND (4) CONVERTING PARKING ALONG DUNHAM ROAD IN THE DISTRICT’S PROPERTY (WEST OF DUNHAM ROAD CENTERLINE) TO ANGLED PARKING.

MOTION CARRIED BY VOICE VOTE OF 8-0.

2. File #10-10 Curtiss St, East of Mochel Dr – Parking Modifications. Mr. Fera explained this petition was brought to staff by the Acadia Association, citing safety issues with vehicles parked on the street and on their apron preventing ingress/egress movements from their underground garage. With the development of the Acadia property, the north section of Curtiss Street, between Mochel and the Post Office driveway was not restricted in any way. As a result, it is currently legal to park both on the street and block the driveway to the garage. There is a further complication, with the additional paved area to accommodate the garbage bins located on the east side of the building.

MR. STUEBNER MADE A MOTION THAT THE TRANSPORTATION AND PARKING COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL AND THAT THE FOLLOWING BE IMPLEMENTED:

INSTALL “NO PARKING ANY TIME” DESIGNATION ALONG THE NORTH SIDE OF CURTISS STREET, BETWEEN MOCHEL DRIVE AND THE POST OFFICE DRIVEWAY. SECONDED BY MR. SARICKS.

MOTION CARRIED BY VOICE VOTE OF 8-0.

3. File #12-10 Overnight Parking – Main & Maple Lot and Lot A. Mr. Fera reiterated the events from the last meeting on this topic, and stated that Public Works is proposing to establish a pilot program for resident overnight parking at two locations in the downtown area. While many of the previously identified issues have not been addressed, the intent is to serve the more immediate needs of the residents in the downtown area at this time. There is a Comprehensive Study in progress which is expected to recommend overnight parking policies, but its completion and implementation could take a considerably longer time period.

Main & Maple Lot and Lot A would be good examples that could be tried to determine how effective this program could be. Both of these lots have multiple uses now, and only 15 spaces are proposed to be utilized for overnight parking; 10 spaces in Main & Maple Lot and 5 spaces in Lot A. These overnight spaces would not interfere with the commuter uses throughout the week. The Village will develop and administer the overnight residential parking permit program and the waiting list.

A question was raised about where the \$25.00 per quarter came from. At this rate, the cost is about 25 cents per day, which is very inexpensive when compared to the Deck rate of \$195.00 per quarter. **Mr. Fera** responded that it was based on the same rate as for downtown employee quarterly parking.

Co-Chairman Wendt stated that the Commission received a letter at this meeting from the Downers Grove Downtown Management Corporation (DGDMC). He read the letter, which stated that the DGDMC voted to deny the implementation of overnight parking at Main & Maple Lot and also at Lot A. The letter further said that the Board members felt that expanding overnight parking was not necessary at this time since the Village does have a process for overnight parking in the Deck by obtaining a Lot R permit.

Discussion from the Commissioners followed, regarding the fees to be imposed for overnight parking. A request was made to impose \$195.00 per quarter, which is the same rate as for the Deck. Another item discussed was the realization that if this pilot program fees are less than the Deck, then Deck overnight parking demand would likely decline. At the end of this discussion, no consensus was reached on setting the quarterly rate for overnight parking for this pilot program.

Chairman Gress opened up the matter to public comment.

Ms. Tina Welch, 4941 Main Street, owner of the property stated her building is landlocked and there is no parking for her tenants. She had used previous Village lots around her property, but those lots have now been developed and parking is not available. **Ms. Welch** discussed the difficulty of finding parking for her tenants, as she has kept trying to find adjacent private parking, but no success so far.

Commissioners expressed sympathy for Ms. Welch's situation, wherein she had a previous parking arrangement, but now finds herself now not having overnight parking to offer to her tenants. But, this situation is a reality with having competing downtown parking needs where space is limited. But, the Commission was optimistic that the Lot A overnight parking pilot program would present her an opportunity to see if that arrangement would work for her tenants.

Further dialogue followed wherein the Commissioners stated their opinions on the precedence set by this program, the cost, and the administering of the permits. At the end of the discussion, the Commission seemed to agree that establishing this pilot program could be tried to see how it performs.

MR. SCHILLER MADE A MOTION THAT THE TRANSPORTATION AND PARKING COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL AND THAT THE FOLLOWING BE IMPLEMENTED:

ADOPT RESIDENT OVERNIGHT PARKING IN MAPLE AND MAIN LOT, AND ALSO IN LOT A, AS PRESENTED, TO CONTINUE TO DECEMBER 2010.

THE COMMISSION FELT IT IS NOT THEIR PURVIEW TO SET VILLAGE PARKING RATES AND REQUESTS THAT THE COUNCIL TAKE APPROPRIATE ACTION ON SETTING THE QUARTERLY FEE FOR OVERNIGHT PARKING IN LOT A AND MAIN AND MAPLE LOT.

SECONDED BY MR. SARICKS.

Questions followed on other signage and striping in the area.

MOTION CARRIED BY VOICE VOTE OF 8-0.

OLD BUSINESS

Mr. Fera reported on the Lean Parking Event, which staff undertook recently. The focus of the program was to look at various procedures and methods the Village now uses for the commuter parking program and come up with suggestions/recommendations for streamlining the whole process. There will be an ongoing Parking Oversight Group meeting monthly to continue this event.

COMMUNICATIONS - None

ADJOURN

MR. STUEBNER MADE A MOTION TO ADJOURN THE MEETING. MR. SCHILLER SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY. THE MEETING WAS ADJOURNED AT 9:00 P.M.