

VILLAGE OF DOWNERS GROVE

Village Hall - Committee Room
801 Burlington Avenue
Downers Grove, Illinois

**MINUTES OF THE
ANNUAL JOINT REVIEW BOARD MEETING
OGDEN AVENUE TIF DISTRICT**

July 16, 2012

CALL TO ORDER

The Annual Joint Review Board Meeting for the 2012 Ogden Avenue TIF District was called to order at 4:02 p.m.

ROLL CALL

Present: Rick Ashton, Downers Grove Public Library (arrives 4:07 p.m.), Debbie Utecht for Downers Grove Park District; Todd Buikema for College of DuPage; Mark Staehlin for School District 99 (arrives 4:10 p.m.); Keya Willis, for DuPage County; Frank Wurster, for Downers Grove Township; John Luka, Public Member, Mike Baker, Deputy Village Manager for Downers Grove.

Absent: Jim Popernik, School Dist. No. 58

A quorum was established with eight (8) voting members.

Staff: Jeff O'Brien, Village Planning Manager; Stan Popovich, Planner; Allison Deitch, Management Analyst

Visitors: Buzz Howell and Frank Falesch

Mr. Popovich stated the purpose of this meeting is to provide the taxing districts with an annual update on the progress of the Ogden Avenue TIF District and to comply with state statutes.

MR. LUKA MADE A MOTION TO NOMINATE DEPUTY VILLAGE MANAGER MICHAEL BAKER AS CHAIRPERSON FOR THE MEETING. SECONDED BY MR. WURSTER. ROLL CALL:

**AYE: MR. LUKA, MR. WURSTER, MS. UTECHT, MR. BUIKEMA, MS. WILLIS,
MR. BAKER**

NAY: NONE

MOTION CARRIED: 6-0

Mr. Baker asked that each member introduce himself/herself.

OGDEN AVENUE IMPLEMENTATION PLAN PRESENTATION

Chairman Baker reviewed a brief history of the Ogden Avenue TIF District, reminding those present that the goal of the plan was to improve the following: 1) the appearance of Ogden Avenue; 2) the corridor's economic performance; and 3) vehicular and pedestrian traffic circulation. Details followed on how the

village's strategies were used to accomplish the above goals, i.e., the "pay as you go" approach to considering financial incentives; consider opportunities to close streets and curb-cuts; and strive to leverage resources to support existing businesses and public improvements. (Mr. Ashton arrives) Boundaries of the TIF district were noted.

Mr. Baker reported that the Ogden Avenue Site Improvement Strategy ("OASIS"), a matching grant program created by the Village of Downers Grove along with the Downtown Development Corporation and Chamber of Commerce, provides (Mr. Staehlin arrives) matching grants to qualifying business along the corridor. In 2011 the Village awarded \$409,000 in grants but in total the projects represented \$1.3 MM of public and private investment.

OVERVIEW OF THE 2011 OGDEN AVENUE TIF REPORT

Turning to the financial summary for fiscal year 2011, revenue received was reported as just being under \$700,000; expenditures were approximately \$123,000; and the fund balance grew from \$3.3MM to \$3.9MM. Reviewing overall TIF performance, total expenditures to date were approximately \$1.5 MM with an estimated \$18.5 MM of private investment since the TIF was started. The village received \$1.2MM in grant funding, resulting in a leverage ratio of \$15.58:1 (private dollars to public dollars). The EAV grew from \$29.3MM to \$41.5MM, representing an increase of 41.7%. Mr. Baker believed the OASIS program was working well and would be the primary vehicle for redirecting and reinvesting the TIF resources.

Mr. Baker sees the OASIS program continuing in 2012 but will see some modifications in trying to continue to invest in the kind of business development that the Village wants to see and to meet the goals of the TIF plan. The Village's recently adopted Comprehensive Plan will also play a part in TIF decisions. Lastly, Mr. Baker reported with the \$4MM fund balance, the Village will have to determine future strategies on how to best make use of that money not only for the OASIS program but for other public improvements that can be undertaken in the corridor.

QUESTIONS/DISCUSSION

Questions followed as to clarification of what public improvements meant. Mr. Baker explained a number of improvements existed in the Ogden Avenue Master Plan back from 2007. Most costly was the burial of the utility lines along parts of Ogden Avenue. Staff recalled other improvements included landscaping, streetscapes, and curb cut closures. Mr. Staehlin asked about the fund balance again, wherein Mr. Baker reminded him that one of the original intentions of the TIF was to allow the fund balance to accumulate and the Village was at a point where it had to identify the best use for those funds.

Mr. Buikema asked if there was a timeline to use that money, wherein Mr. Baker explained that the budget process began in September with Village discussion following in the fall. Asked if there was known projects for the \$3.8 MM, Mr. Baker, recalled that the plan, back in 2007, identified close to \$17MM of potential projects that could be undertaken but priority of those projects had to take place and the best use of the funds had to be determined. The primary strategy over the past few years however was the OASIS program and direct private reinvestment.

ADJOURNMENT

MR. LUKA MOVED TO ADJOURN THE MEETING AT 4:18 P.M. MS. UTECHT SECONDED THE MOTION. MOTION CARRIED BY VOICE VOTE OF 8-0.

Respectfully submitted,

Celeste Weilandt, Recording Secretary
(as transcribed from MP3 recording)

VILLAGE OF DOWNERS GROVE

Village Hall - Committee Room
801 Burlington Avenue
Downers Grove, Illinois 60515

**MINUTES OF
ANNUAL JOINT REVIEW BOARD MEETING
DOWNTOWN TIF DISTRICT**
(immediately following the Ogden Avenue TIF meeting)

July 16, 2012

CALL TO ORDER

The Annual Joint Review Board Meeting for the FY 2011 Downtown TIF District was called to order at 4:20 p.m.

ROLL CALL

Present: Rick Ashton, Downers Grove Public Library, Debbie Utecht for Downers Grove Park District; Todd Buikema for College of DuPage; Mark Staehlin for School District 99; Keya Willis, for DuPage County; Frank Wurster, for Downers Grove Township; John Luka, Public Member, Mike Baker, Deputy Village Manager for Downers Grove.

Absent: Jim Popernik, School Dist. No. 58

A quorum was established with eight (8) voting members.

Staff: Jeff O'Brien, Village Planning Manager; Stan Popovich, Planner; Allison Deitch, Management Analyst

Visitors: Buzz Whowell and Frank Falesch

Mr. Popovich stated the purpose of this meeting is to provide the taxing districts with an annual update on the progress of the Downtown TIF District and to comply with state statutes.

MR. LUKA MADE A MOTION TO NOMINATE DEPUTY VILLAGE MANAGER MICHAEL BAKER AS CHAIRPERSON FOR THE MEETING. SECONDED BY MS. UTECHT. ROLL CALL:

**AYE: MR. LUKA, MR. ASHTON, MR. WURSTER, MS. UTECHT, MR. BUIKEMA,
MR. STAEHLIN, MS. WILLIS, MR. BAKER**

NAY: NONE

MOTION CARRIED: 8-0

DOWNTOWN TIF IMPLEMENTATION STRATEGY PRESENTATION

Chairman Mike Baker briefly discussed the history of the Downtown TIF District and the goals and strategies of the district noting its focus was on developing an authentic downtown, creating retail/office, dining/entertainment, and residential opportunities in a pleasing way. In the past the TIF implementation

has facilitated a number of redevelopment projects, leveraged available TIF resources to support existing business and public improvements, monitored the TIF's performance and minimized the use of any general property tax levy to pay down debt. The TIF's boundaries and various redevelopment projects were located on the overhead. Developments included an additional 265 residential units, 140,000 sq. feet of new commercial space, 30,000 sq. feet of remodeled commercial space, and an increase of 790 public parking spaces since the creation of the TIF. In 2011, the Village completed a Downtown Parking Study involving various stakeholders to discuss current and future parking needs. A bike and pedestrian plan was also being undertaken.

OVERVIEW OF THE 2011 DOWNTOWN TIF REPORT

Mr. Baker reported that the financial summary included the Village receiving about \$3.0 MM in revenue and expenses coming in just under \$2.6 MM, resulting in a fund balance of \$1.5 MM due to the grant revenue that came in from the construction of the parking deck. Total TIF expenses, to date, were \$75.8MM; total private investment was \$89.2MM; and the leverage ratio was at \$1.18:1. The EAV for downtown, since 1997, has risen from \$16MM to \$56MM. Mr. Baker discussed that the parking study recommendations have begun and he expects the recommendations to be followed in the future. In looking at future projections, the Village reviewed debt service obligations related to the downtown TIF that extended out through 2020 and the expected revenues to pay that debt service obligations. Council was aware of the projections. However, getting closer to 2015 and beyond, Mr. Baker indicated there was concern if there was no improvement in the real estate market to pay off those expenses.

In reviewing the Village's Comprehensive Plan recommendations, he noted the plan's similar goals to the TIF's goals, i.e., prioritize and focus on in-fill and redevelopment to key sites, have a pedestrian approach, and maintain quality architecture, to name a few, along with parking, with specific emphasis on shopper parking and commuters using the parking deck.

Asked how the current parking study relates to the parking study that was done for the parking deck if the current parking study was now recommending more surface parking, Mr. Baker explained that the current parking study recommended consideration of shopper parking within surface lots and commuter parking in the deck to allow greater access for shoppers. Mr. Luka thought the construction of the deck was to supply parking for the shoppers, wherein, Mr. Baker stated it was, but also to meet the overall parking demand in the downtown. The more recent parking study, however, reflected how the parking deck was being used, i.e., more commuters were using it versus shoppers. Mr. Luka voiced concern that the original study warranted the parking deck for shoppers when, in reality, it was not the case, and now the study was recommending surface parking for shoppers. Mr. Baker stated he would have to return to look at the original parking study but did recall there was a desire to increase the number of shopper parking. He referred to the parking study as a "refinement" and the changing needs of the downtown.

QUESTIONS/DISCUSSION

Mr. Whowell asked about the debt balance and what the foreseeable TIF revenues would be, wherein Mr. Baker explained that last year the Village did an extensive financial modeling/forecast to see what the projected TIF increment would be as the TIF nears its end. The expense obligations and breakdown of the projected sources of revenue that the village would be committing to pay off the debt service obligations was depicted on the overhead and explained in better detail. Mr. Baker noted that 2015 would be the first year that a gap exists between what the total revenue will generate and what the expense obligations are. Asked when the Village last refinanced the bonds, Mr. Baker explained the Village works with a financial advisor that monitors the interest-rate environment and, to date; there was no opportunity to refinance them. He offered to check again with the advisor.

A question was asked by the attending public on how many of the 265 residential units were still in the hands of builders because they were not producing any tax revenue, wherein Mr. Baker explained that he did not have the information at-hand and offered to get an answer from the Community Development

APPROVED

staff. Per another question about the parking fund, Mr. Baker explained that the parking fund operated as an enterprise that paid all expenses associated with maintaining the downtown parking.

ADJOURNMENT

MR. LUKA MOVED TO ADJOURN THE MEETING AT 4:40 P.M. MS. UTECHT SECONDED THE MOTION.

MOTION CARRIED BY VOICE VOTE OF 8-0.

The Downtown TIF meeting was adjourned at 4:40 p.m.

Celeste Weilandt, Recording Secretary
(as transcribed from MP3 recording)

**REGULAR MEETING OF THE BOARD OF TRUSTEES
DOWNERS GROVE PUBLIC LIBRARY
AUGUST 22, 2012**

MINUTES

1. ROLL CALL

President DiCola called the meeting to order in the Library Meeting Room at 7:30 p.m. Trustees Present: Greene, Humphreys, Loftus, Read, DiCola. Absent: Eblen.

Also Present: Library Director Rick Ashton, Assistant Director for Support Services Sue O'Brien, Assistant Director for Public Services Bonnie Reid, Friends of the Library President Joanne Hansen

2. WELCOME TO VISITORS

President DiCola welcomed Ms. Hansen and expressed the Board's appreciation for the Friends' interest in the work of the Board.

3. APPROVAL OF MINUTES

Trustees reviewed the Minutes of the Regular Meeting of August 8, 2012. It was moved by Read and seconded by Loftus THAT the Minutes of the Regular Meeting of August 8, 2012 be approved. Ayes: Greene, Humphreys, Loftus, Read, DiCola. Abstentions: none. Nays: none. Motion carried.

4. PAYMENT OF INVOICES

The Board reviewed the list of invoices submitted for payment. It was moved by Read and seconded by Loftus TO APPROVE payment of operating invoices for August 22, 2012, totaling \$33,407.86, and credit memos totaling \$203.00. Ayes: Greene, Humphreys, Loftus, Read, DiCola. Abstentions: none. Nays: none. Motion carried.

5. PUBLIC HEARING ON PROPOSED 2013 BUDGET AND TAX LEVY

President DiCola opened the Public Hearing and invited public comment.

No person came forward to comment.

President DiCola closed the Public Hearing.

6. OPPORTUNITY FOR PUBLIC COMMENT ON OTHER AGENDA ITEMS

None.

7. OPPORTUNITY FOR PUBLIC COMMENT ON OTHER LIBRARY BUSINESS

None.

8. UNFINISHED BUSINESS

a. Approval of 2013 Budget and Tax Levy

The Board reviewed the alternative property tax proposals as presented, involving 2%, 3%, and 4% increases above the current levy.

The Board discussed the policy issues relating to the budget and tax levy, especially relating to long-term trends in personnel costs, cash reserves, cash flow needs, and tax policy. The Board informally agreed to take up these policy questions during the next few months and to reach clear policy positions that will inform budget and tax planning for 2014 and beyond.

It was moved by Loftus and seconded by Humphreys THAT the Board approve the proposed 2013 Operating Budget in the amount of \$4,903,900. Ayes: Greene, Humphreys, Loftus, Read, DiCola. Abstentions: none. Nays: none. Motion carried.

It was moved by Read and seconded by Greene THAT the Board approve a 2013 Tax Levy in the amount of \$4,306,580. Ayes: Greene, Humphreys, Read, DiCola. Abstentions: none. Nays: Loftus. Motion carried.

It was moved by Loftus and seconded by Read THAT the Board approve the proposed 2013 Building Fund Budget in the amount of \$220,000. Ayes: Greene, Humphreys, Loftus, Read, DiCola. Abstentions: none. Nays: none. Motion carried.

9. NEW BUSINESS

a. Approval of investigation of refinancing opportunities for existing general obligation bonds

After discussion of the Village of Downers Grove's role in the matter, the Board took the following action.

It was moved by Loftus and seconded by Read THAT the Board direct Ashton to investigate opportunities for refinancing of the Library's existing general obligation debt and make

recommendations to the Board concerning any opportunities, by December 31, 2012. Ayes: Greene, Humphreys, Loftus, Read, DiCola. Abstentions: none. Nays: none. Motion carried.

10. REPORT OF THE DIRECTOR

Ashton summarized his written report (attached).

He also distributed a Progress Report for the Director's Annual Performance Review.

President DiCola stated that the Board would take up this matter in Executive Session at the Board meeting on September 12. She agreed to distribute additional material to Board members in advance of that meeting.

11. BOARD MEMBER COMMENTS AND REQUESTS FOR INFORMATION

Read reported that he, Eblen, and Ashton had met with the Downers Grove Public Library Foundation's investment advisor at Citibank on August 10 and informally agreed to continue with the Foundation's current investment strategy. A fuller report will be presented at a Library Board meeting in September.

12. ADJOURNMENT

President DiCola adjourned the meeting at 8:29 p.m.

Approved 9/10/12

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

AUGUST 6, 2012, 7:00 P.M.

Chairman Jirik called the August 6, 2012 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. Davenport, Mr. Hose, Mr. Matejczyk, Mrs. Rabatah, Mr. Waechtler

ABSENT: Mr. Quirk, Mr. Webster

STAFF PRESENT: Community Development Planning Manager Jeff O'Brien; Planners Stan Popovich and Damir Latinovic

VISITORS: Mr. Sean Fleming, 4634 Roslyn Road, Downers Grove; Mr. Joseph Wojdyla, 7437 Main Street, Downers Grove; Edward Kalina, Engineering Solutions Team, 4925 Forest, Downers Grove

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

APPROVAL OF THE JULY, 2012 MINUTES

A change was noted on page one, last paragraph, delete the word "open" and revise to "opened".

THE MINUTES OF THE JULY, 2012 MEETING, WERE APPROVED, WITH NOTED REVISION, ON MOTION BY MR. MATEJCZYK. SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 6-0-1 (MR. WAECHTLER ABSTAINS)

Chairman Jirik reviewed the protocol for the public hearing.

PC-26-12 A petition seeking approval of a Zoning Ordinance Map Amendment to rezone the property from R-1, Single Family Residential to R-4, Single Family Residential. The property is located on the west side of Roslyn Road approximately 192 feet north of Chicago Avenue, and is commonly known as 4634 Roslyn Rd, Downers Grove, IL (PIN 09-04-311-043); Sean and Elizabeth Fleming, Petitioners/Owners.

Chairman Jirik called to order the above petition and swore in those individuals who would be speaking on the petition.

Village Planner, Mr. Stan Popovich, explained the petitioners were seeking a Zoning Ordinance map amendment for the 60 ft. wide by 460 ft. deep property. The Zoning Ordinance map amendment is to rezone the property from R-1 Single Family Residential to R-4 Single Family Residential. Currently, a home with a detached garage existed on the eastern portion of the lot. An above ground pool and deck also existed but were not shown on the survey. Mr. Popovich

Approved 9/10/12

explained the owners wanting to become more consistent with their neighbors' properties, specifically those properties along Roslyn Road between Chicago and Traube Avenues, and to take advantage of some of the R-4 district's setback requirements. Thirty-two (32) of the existing thirty-five (35) lots on Roslyn Road between Chicago and Traube Avenues were zoned R-4.

Per Mr. Popovich, the owner was seeking to add an addition to the detached garage and the current R-1 zoning setbacks were more restrictive. The Comprehensive Plan depicted the area as a "traditional grid" area with uniform layouts and lot widths, with many of the lots being split in half. Staff believed the proposal met the requirements of the Comprehensive Plan and the accessory structures were permitted in the proposed R-4 district. Staff also believed that the lot was annexed into the Village as R-1 and was never rezoned.

Bulk regulations were reviewed for this property. Staff noted that the front yard setback in the R-1 zoning had a 40-foot setback while in the R-4 zoning it was 25 feet for the front yard. Side yard setbacks differed in that the R-1 had a 7-foot requirement while the R-4 had a 6-foot requirement. Lastly, the rear and side yard setback for an accessory structure in the R-1 was 6 feet versus 5 feet in the R-4 district. All proper notification was sent out on this petition and several inquiries were received via telephone with neighbors asking for clarification of the zoning. No issues were raised by the neighbors, however.

Mr. Popovich continued by stating that each of the standards for approval for the amendments to the Zoning Ordinance were met and he recommended that the Plan Commission forward a positive recommendation to the Village Council.

The Chairman opened up the meeting to commissioner comments and/or questions.

Per Mr. Matejczyk concern about the area already having a number of R-4 zoning lots and that more lots may be converting over to R-4 as piece-meal, he questioned staff whether the entire area should be zoned R-4.

Mr. Popovich agreed the neighborhood was zoned R-4, he did not envision there being more lot splits, in terms of new lots being created, because of the Village's Subdivision Ordinance requirements. He stated, however, that there might be a time where staff reviews the Zoning Ordinance map more thoroughly and there may be a time to create new districts or reorganize some of the ase lists which the Plan Commission would have to review.

Because the Village allowed for lots to be annexed as R-1 lots initially, Mrs. Rabatah asked whether the Village looked beyond that to see what the zoning should be, wherein Mr. Popovich stated it was up to the petitioner/land owner to make a change in zoning. Details followed.

The Chairman also reminded the commissioners that the Village's Future Land Use Map addressed intent as it related to good planning, orderly development, etc, and that the Village wanted to see zoning move forward; however, it was up to the owner of the property to move zoning forward.

Mr. Matejczyk could find no disadvantage for the owner to change over to R-4 zoning and assumed the remaining R-1 lots would want to come before the Plan Commission, which he felt was a waste of time and energy for now.

Approved 9/10/12

Per Mr. Hose's question, there were no formal plans drawn for the addition to the garage since the applicant wanted to see the outcome from this commissions meeting and to receive Village Council approval first. Mr. Beggs believed the zoning was appropriate for the lot. For clarification purposes, Chairman Jirik explained that the existing 2.3 foot setback would become legal non-confirming and should the structure received fifty percent or more damage, it would require removal. New construction would then have to meet the current setback requirements.

Applicant, Mr. Sean Fleming, 4634 Roslyn Road, Downers Grove, stated his application did stem from the fact that he possibly wanted to construct a new garage when he found out his lot did not conform with the rest of the neighborhood. He had no plans for the garage to date, as he wanted to see if his application would be approved for rezoning. Should the rezoning occur, he stated he did plan to remove the existing garage and construct a new garage with the new five-foot setback. His current lot was already very narrow with the R-1 zoning and he wanted to gain every possible foot.

No further questions followed. Chairman Jirik opened up the meeting to public comment. No comments were received. Public comment was closed.

Mr. Fleming offered no closing statement at this time. Mr. Hose appreciated staff's input on this matter and believed the solution brought the owner's home in line with the rest of the neighborhood without diminishing property values. Mrs. Rabatah agreed, citing that the standards were met.

WITH RESPECT TO PC-26-12, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE CONCIL TO APPROVE THE ABOVE PETITION. SECONDED BY MR. WAECHTLER.

ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 7-0

PC-27-12 A petition seeking approval of an Amendment to Planned Development #18 to allow a second driveway access on Main Street for Bohemian Garden Restaurant. The property is located at the northwest corner of 75th and Main Streets and is commonly known as 980 75th Street, Downers Grove, IL (PIN 09-29-110-012); Bohemian Garden Restaurant, Petitioner; John Wojdyla, Owner.

Chairman Jirik swore in those individuals who would be speaking on the following petition.

Village Planner, Mr. Damir Latinovic, reported that the property was located at the northwest corner of Main Street and 75th Street and was zoned B-2 General Retail Business and was part of Planned Development No. 18. The Bohemian Garden Restaurant sat on the site and was approximately 7,800 square feet in size with 80 surface parking spaces. An aerial photo was presented with Mr. Latinovic pointing out the current accesses to the site via 75th Street through a cross-access

Approved 9/10/12

easement with the property to the west (right in/right out) and a full access to Main Street with a limited egress for right turn movements only.

The petitioner was seeking an amendment to Planned Development No. 18 to allow a second (service) drive, 15 feet in width, onto Main Street, which would be located on the northeast corner of the site and would only be used for trash collection by garbage trucks. A physical chain barrier would prevent access and use for any other vehicles. Signage would be posted stating the same.

Mr. Latinovic continued to report that currently garbage trucks enter and circulate around the building but that the petitioner indicated the trucks were causing damage to the parking lot and interfered with customer parking and its circulation. A history of the site and its access followed. Per staff, no bulk changes to the building were being requested at this time and staff did not expect any change in trip generation to or from the site by the new service drive. Other service drives for surrounding properties on Main Street were also pointed out. The character of the area would not be changed by this petition.

Staff believed the proposal was consistent with the Village's Comprehensive Plan, the drive would improve the site and its functionality, and it was consistent with the Plan's goal for reinvestment in commercial properties. All required public notification for the petition was met and staff received no comments from any nearby neighbors concerning this petition.

Mr. Latinovic reminded the commissioners that Planned Development approval requests did require evaluation, per Section 28.1607 of the Zoning Ordinance, and staff believed all thirteen standards were met. Specifically, staff believed the new drive would simplify trash pick-up, reduce the impact on traffic circulation around the site and for the customers. There would be no negative impacts to the neighbors or the main thoroughfares and the petition was consistent with the goals of the Comprehensive Plan. Staff recommended a positive recommendation to the Village Council subject to the three conditions in its staff report.

Mr. Matejczyk asked for more clarification about the restrictions and signage to the access drive, wherein, Mr. Latinovic stated the petitioner can also provide details on the barrier but he answered there would be a chain that could be unhooked to allow access for the trucks. Signage next to the drive for traffic wanting to enter would convey that the drive was a service drive for garbage trucks, only. Mr. Matejczyk voiced concern about the trucks waiting on Main Street and tying up traffic in order to gain access to the drive.

Mr. Hose queried staff whether a chain would be sufficient barrier to keep the general public out, wherein Mr. Latinovic explained that the width of the drive was narrow enough and that it would be challenging for a vehicle to get past parked vehicles on the north side of the building to use the drive for exiting. Similarly signage would assist preventing any vehicles to use it for access into the parking lot. Due to the signage being proposed, staff did not expect any conflicts as only garbage trucks would have access to the drive.

Responding to Mr. Beggs's idea about a barrier being installed similar to the existing barrier on the southern driveway and it being recorded, staff stated the commission could request something similar. Staff expected that the proposed drive was simply to allow garbage trucks to pull in and out and confirmed that restriction would be recorded in the amended restrictive covenants. Proposed signage would state something to the effect: "No public access." However, Mr. Latinovic stated that

Approved 9/10/12

additional signage could be included from the interior of the site for those vehicles trying to turn out of the drive or attempting to make a left-turn into the neighborhood.

Concern was raised that a truck would have to back up onto Main Street after a pick up. Mr. Latinovic explained that depended upon if the garbage truck was front or rear loading. Another concern was whether the trucks would be blocking the sidewalk wherein, staff stated the truck would have to be entirely on the property when loading the garbage dumpster. Sight line concerns were also raised, wherein staff explained this part of Main Street was not heavily traveled and there no visual obstructions existed. As to the existing configuration of the garbage enclosure, the petition would not change it. Lastly, Chairman Jirik suggested that trucks back into the drive since it provided better sight lines when pulling away from the drive, from a public safety point of view, and that at the same time the sound from the truck when it is driving in reverse would be positioned away from the nearby residents across the street.

Asked if there was an advantage to having a barrier located just to the west of the dumpster so that a vehicle attempting to exit could not make the exit, staff liked the suggestion and suggested the petitioner address it in his presentation.

Petitioner, Mr. Joseph Wojdyla, 7437 Main Street, son of property owner, John Wojdyla, explained that he and his father were considering the drive access for a couple of years due to the weight of the garbage trucks, their damage to the parking lot, and for customer safety.

Commission questions included whether the petitioner was opposed to having the same no-left turn restriction out of the site as his current access drive to which Mr. Wojdyla stated he had none and offered to install a sign for it. He reiterated that the proposed drive was not wide enough and a sign could be installed. He also noted that the trucks would not be traveling past the residences and the neighbors should not have any objection to the petition.

Asked if the petitioner would be opposed to a physical barrier west of the dumpster enclosure, Mr. Wojdyla stated he believed a chain would be sufficient and be cost effective but if there was another cost-effective way to prevent a truck from using the driveway, he was not opposed to it. Chairman Jirik clarified that the commissioners' idea was to have the truck pull in and out without the use of a chain and not enter into the parking lot whatsoever, so that no maintenance existed for the owner. The suggestions for bollards or a curb were made. Mr. Wojdyla was open to the suggestions.

Jeff O'Brien, summarized that the commissioners appeared to be in favor of installing bollards west of the garbage enclosure. Mr. Wojdyla was fine with the suggestion but believed removing the one parking space was unnecessary then. He supported placing the posts in the middle, along the fence line, which would prevent cars from using it as a drive.

Mr. Waechtler also suggested that Mr. Wojdyla give Village staff some flexibility to position the bollards in the best possible location. As to delivery trucks utilizing the access drive, Mr. Wojdyla confirmed that delivery trucks would utilize the new access drive by parking along Main Street, as they currently do, and bringing the deliveries up the service drive with hand trucks. Currently they use a small paved path in the parkway. Mr. Wojdyla clarified for Mr. Waechtler that beer trucks, which were semi-trucks, do not have enough room to back into the access drive. Asked if the sidewalk would be reinforced, Mr. Joseph Wojdyla confirmed that it would with thicker concrete for a truck's weight.

Approved 9/10/12

Asked what was to keep the garbage truck from making a left turn after collecting the garbage, Mr. Wojdyla stated signage could be installed and also contacting the garbage company. Mr. O'Brien stated there was signage internal to the lot that stated No Left Turn.

Chairman Jirik opened up the meeting to public comment. No public comment received. Public comment was closed. Mr. Joseph Wojdyla offered no closing statement.

Commissioners appeared to be in consensus on recording no left turn movements out of the site and that a physical barrier was in order and eliminating the need to have to chain and unchain the access drive and restrict the public from exiting through it. Mr. Waechtler asked for better clarification of the word "signage" in staff's Condition No. 2.

WITH RESPECT TO PC-27-12, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE AMENDMENT TO PLANNED DEVELOPMENT #18 FOR A SECOND DRIVEWAY ACCESS TO MAIN STREET FOR BOHEMIAN GARDEN RESTAURANT SHALL SUBSTANTIALLY CONFORM TO THE PLANS ATTACHED TO THE STAFF REPORT DATED AUGUST 6, 2012 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. ACCESS TO THE SERVICE DRIVE SHALL BE CONTROLLED THROUGH A MOVEABLE PHYSICAL BARRIER AND SIGNAGE.**
- 3. PRIOR TO OBTAINING DEVELOPMENT PERMITS, AN AMENDMENT TO THE RESTRICTIVE COVENANT SHALL BE RECORDED WITH THE DUPAGE COUNTY RECORDER'S OFFICE.**
- 4. THE AMENDMENT TO THE RESTRICTIVE COVENANT SHALL INCLUDE A PERMANENT RESTRICTION PROHIBITING NORTH-BOUND MOVEMENTS FROM THE NEW ACCESS DRIVEWAY TO MAIN STREET.**

SECONDED BY MR. HOSE.

Mr. Cozzo suggested revising Condition No. 2 to read as follows: "Access to the service drive shall be controlled through a permanent physical barrier to the west of the current dumpster." Mr. Hose was fine with Mr. Cozzo's revision. Dialog followed regarding clarification of Condition No. 2.

AMENDED CONDITIONS:

- 1. THE AMENDMENT TO PLANNED DEVELOPMENT #18 FOR A SECOND DRIVEWAY ACCESS TO MAIN STREET FOR BOHEMIAN GARDEN RESTAURANT SHALL SUBSTANTIALLY CONFORM TO THE PLANS ATTACHED TO THE STAFF REPORT DATED AUGUST 6, 2012 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. ACCESS TO THE SERVICE DRIVE SHALL BE CONTROLLED THROUGH A PERMANENT PHYSICAL BARRIER TO THE WEST OF THE CURRENT DUMPSTER.**

Approved 9/10/12

3. **PRIOR TO OBTAINING DEVELOPMENT PERMITS, AN AMENDMENT TO THE RESTRICTIVE COVENANT SHALL BE RECORDED WITH THE DUPAGE COUNTY RECORDER'S OFFICE.**
4. **THE AMENDMENT TO THE RESTRICTIVE COVENANT SHALL INCLUDE A PERMANENT RESTRICTION PROHIBITING NORTH-BOUND MOVEMENTS FROM THE NEW ACCESS DRIVEWAY TO MAIN STREET.**

ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 7-0

Commissioners were notified that next month's meeting would be one week later due to the Labor Day holiday. Agenda items were briefly reviewed.

**THE MEETING WAS ADJOURNED AT 8:20 P.M. ON MOTION BY MR. WAECHTLER,
SECONDED BY MR. COZZO. MOTION CARRIED BY VOICE VOTE OF 7-0.**

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)