

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

Thursday, August 2, 2012

**I. CALL TO ORDER**

Chairman McInerney called the August 2, 2012 Liquor Commission meeting to order at 6:30 p.m.

**II. ROLL CALL**

**PRESENT:** Mr. Austin, Mr. Clary, Ms. Fregeau, Mr. Krusenoski, Ms. Strelau, Chairman McInerney

**ABSENT:** Ms. King

**STAFF:** Liaison to the Liquor Commission Carol Kuchynka, Village Attorney Enza Petrarca

**OTHERS:** Anahis Salgado, Gerardo Barron, Porfiera Piedra, Ekrem Memedovski, Court Reporter

**III. APPROVAL OF MINUTES**

Chairman McInerney asked for approval of the minutes June 7, 2012 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the June 7, 2012 minutes of the Liquor Commission meeting were approved as written.

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 next order of business is to conduct a public hearing for 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."

**Playa del Sol Restaurant Incorporated d/b/a Playa del Sol**

Chairman McInerney stated that the first order of business was an application hearing for Playa del Sol Restaurant Incorporated d/b/a Playa del Sol located at 500 W. 75th Street. He stated that the applicant was seeking a Class "R-1", full alcohol, on-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.

Ms. Anahis Salgado and Mr. Gerardo Barron were sworn in by the court reporter. Ms. Salgado introduced herself as the liquor manager for Playa del Sol. Mr. Barron introduced himself as the accountant for Playa del Sol.

Chairman McInerney asked the applicant to present its case.

Ms. Salgado stated that they are opening a Mexican seafood restaurant at the former LaMex location and are requesting a full liquor license. She advised that she had worked at LaMex previously and will be the liquor manager for the location.

Chairman McInerney asked staff if there were any additional factors affecting the finding or recommendation concerning this liquor license. Ms. Kuchynka advised that issuance of the license remains contingent upon receipt of the annual fee, satisfactory background checks and dram shop insurance. She stated they have recently opened and a Certificate of Occupancy has been issued.

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. Fregeau asked how many employees they will have. Mr. Barron replied fourteen.

Ms. Fregeau understood that Ms. Salgado will be the liquor manager, however the manual noted there will be two managers. Ms. Salgado stated she will serve as the primary liquor manager and her aunt/owner Porfiera Piedra will oversee liquor related issues in her absence. Ms. Fregeau asked Ms. Salgado how much time she anticipates spending at the restaurant. Ms. Salgado replied 40+ hours.

Ms. Fregeau asked Ms. Salgado to discuss her liquor handling experience. Ms. Salgado replied that she has been working in the restaurant industry since she was nineteen and was familiar with all aspects of running a restaurant. She stated that she worked at Lalo's as a book keeper and ran day to day operations at the establishment. She stated that she has bartending experience from both Lalo's and LaMex.

Ms. Fregeau liked the training manual. She asked about the training program and asked Ms. Salgado to expand on their policies. Ms. Salgado replied that they do not plan on hiring anyone under the age of 21. She added that all employees will be required to obtain mandatory certified training. She stated that she will also have regular meetings and hold training for employees on a regular basis.

Ms. Fregeau asked how long was the employee probationary period referenced in the manual. Ms. Salgado replied two to three weeks.

Ms. Fregeau noted that termination *could* occur for violations as stated in the manual. She suggested that they be specific as to what will happen to employees if they are caught serving minors.

Ms. Strelau asked if the fourteen employees will be re-hired from LaMex. Ms. Salgado replied most of them. Ms. Strelau asked if any of the employees were present when LaMex had the violation. Ms. Salgado replied some. She noted that the person involved in the violation was terminated and was not being re-hired. Ms. Strelau asked Ms. Salgado if she worked for LaMex when the violation occurred. Ms. Salgado replied no.

Ms. Strelau noted that they also hold a liquor license for Fairview Mart as indicated on the application. She asked what the plans were for that store. Ms. Salgado replied that they are in the process of selling it and plan to devote all of their time to the restaurant.

Ms. Strelau noted that the restaurant will bring a great deal of responsibility. She hoped they will be successful while following the rules.

Ms. Strelau asked Ms. Salgado if she was BASSETT certified. Ms. Salgado replied yes. Ms. Strelau asked how many of the fourteen employees are certified. Ms. Salgado replied all, with the exception of two new hires.

Mr. Austin had no questions.

Mr. Clary had no questions. He wished them luck and reminded them the importance of following the rules.

Mr. Krusenoski commented on their manual and was impressed with the closing thoughts and insights section from management.

Mr. Krusenoski stated that most often employees involved in a violation when asked why they sold to the minors respond "I don't know" which seems to imply that they work in an atmosphere where liquor rules are not enforced. He stated the environment set by the owners has a huge bearing on how employees act.

Chairman McInerney noticed their ½ price margarita specials on Tuesday and asked if they are planning to offer any other drink promotions. Ms. Salgado replied not at this time. Chairman McInerney asked that they inform staff and make sure any future promotions are within Code limitations and they are cleared with Village staff.

Chairman McInerney noted a technical error on the floor plan which read 500 *Ogden Avenue*. Ms. Kuchynka noted the correction and advised an email was sent to the Commission earlier in the day, where the floor plan should read 500 *75<sup>th</sup> Street*.

Ms. Fregeau suggested that they visit the Illinois Liquor Control Commission's website for posters, informational tools and training materials.

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 their "R-1" liquor license application.

**MS. STRELAU MOVED TO FIND FOR PLAYA DEL SOL RESTAURANT INCORPORATED D/B/A PLAYA DEL SOL LOCATED AT 500 W. 75TH STREET QUALIFIED FOR A CLASS "R-1", FULL ALCOHOL, ON-PREMISE LIQUOR LICENSE. MR. AUSTIN SECONDED.**

**VOTE:**           **Aye:**           Ms. Strelau, Mr. Austin, Mr. Clary, Ms. Fregeau, Mr. Krusenoski, Ms. Strelau, Chairman McInerney

**Nay:**           None

**Abstain:**       None

**MOTION CARRIED: 6:0:0**

Motion carried.

**Memeti Pizzeria, Inc. d/b/a Angelo's Pizza**

Chairman McInerney stated that the next order of business was an application hearing for Memeti Pizzeria, Inc. d/b/a Angelo's Pizza located at 1001 Curtiss Street. He stated that the applicant was seeking a Class "R-2", beer and wine only, on-premise consumption liquor license and a Class "O-1" beer and wine only, outdoor 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. Ekrem "Lou" Memedovski was sworn in by the court reporter. Mr. Memedovski introduced himself as the owner and liquor manager of Angelo's Pizza.

Chairman McInerney asked the applicant to present its case.

Mr. Memedovski stated that he was seeking a beer and wine on-premise license. He stated that he owns and operates Angelo's. He stated he, his wife and son and a few employees run the establishment. He stated that he is present at the location every day. He stated that he has a regular clientele and that his business caters primarily to families. His hope is to expand a family-friendly atmosphere at the new location and is not planning to have a bar area.

Chairman McInerney asked staff if there were any additional factors affecting the finding or recommendation concerning this liquor license. Ms. Kuchynka advised that issuance of the license remains contingent upon receipt of the annual fee, dram shop insurance and satisfactory background checks. She stated that their Sidewalk Cafe License Agreement has been approved by the Village Manager and a walk-through inspection is scheduled for tomorrow.

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.

Mr. Krusenoski stated that the manul looked good. He asked Mr. Memedovski about his liquor handling experience. Mr. Memedovski replied that he had liquor and restaurant experience at Copperfields in Berwyn, Nikkos in Bridgview and Mama Luigi's as a bartender. He stated that he knows how to recognize signs of intoxication and how deal with patrons.

Mr. Krusenoski asked how many servers they plan to have. Mr. Memedorski replied 3-4 servers.

Mr. Memedovski noted that customers will go to the counter area, place their order and get a number. He stated that they will also pick up their alcohol and food order from the counter when it is ready.

Mr. Krusenoski asked where the counter service area is located. Ms. Kuchynka replied at the center of the floor plan, in the waiting area. She stated that they will have a reach-in beer cooler accessible to employees only.

Chairman McInerney asked if a server will go to the counter or the patron. Mr. Memedovski stated that the customer will need to come to the front counter to pick up beer and wine. He stated that he, his wife and two employees who have been with him for a number of years will serve beer and wine from a reach-in cooler..

Mr. Clary stated that the location looks great. He confirmed that customers will go to the counter for their beer and wine. Mr. Memedorski replied yes.

Mr. Adank noted that the new location was much larger with an ample kitchen. He asked if five employees would handle the whole place. Mr. Memedovski replied yes.

Mr. Memedorski noted that he opened the new location today. He stated that he constantly is observing both the inside and outdoor dining areas by walking around the restaurant, checking tables and talkingd with customers.

Mr. Austin asked if all employees will be BASSETT trained. Mr. Memedovski replied yes. He stated that five are currently trained.

Mr. Austin asked about there termination policy if a minor is served. Mr. Memedorski replied that he will terminate on the spot.

Ms. Strelau commented on the outdoor area and felt the addition was a wonderful asset to the community.

Ms. Strelau asked staff about background checks and information on owners. Ms. Petrarca replied that applicants are subject to state and federal investigations as well as local background checks done by the Police Department. She stated that those results are shared with the Liquor Commissioner and requires no discussion by the Liquor Commission.

Ms. Strelau wished them luck.

Ms. Fregeau stated that the location has a great image.

Ms. Fregeau noted that they will card patron who appear under the age of 30 according to their manual. She noted that a good place for reminders for carding would be at the register area. She noted that their manual discussed having regular meetings was pleased that they address circumstances such as adults sharing drinks with minors.

Ms. Fregeau asked that they enforce the rules and not deliver more than one drink to a person at a time. Ms. Strelau noted that will be important, especially since they are having counter service. She noted that someone may come up and want to take four beers back to a table. Mr. Memedovski replied that they will only serve one drink per person and all will have to come up to the counter area.

Ms. Fregeau asked if they have a book to identify out of state identifications or fake id's. Mr. Memedovski replied that he will have a booklet at the counter for reference.

Ms. Fregeau wished them success.

Ms. Kuchynka advised that the menu needs to be updated with revised hours and the new address.

Chairman McInerney was pleased that Angelo's was expanding. He recognized Mr. Memedovski's passion for his business and encouraged him to be passionate about adherence to the liquor ordinance. He stated that the facility looks great and was a nice addition to the community. He wished him luck.

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 their Class "R-2" liquor license application.

**MS. FREGEAU MOVED TO FIND MEMETI PIZZARIA, INC. D/B/A ANGELO'S PIZZA LOCATED AT 1001 CURTISS STREET QUALIFIED FOR A CLASS "R-2" BEER & WINE, ON-PREMISE LIQUOR LICENSE. MR. CLARY SECONDED.**

<b>VOTE:</b>	<b>Aye:</b>	Ms. Fregeau, Mr. Clary, Mr. Austin, Mr. Krusenoski, Ms. Strelau, Chairman McInerney
	<b>Nay:</b>	None
	<b>Abstain:</b>	None

**MOTION CARRIED: 6:0:0**

Motion carried.

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 their Class "O-1" liquor license application.

**MR. KRUSENOSKI MOVED TO FIND MEMETI PIZZARIA, INC. D/B/A ANGELO'S PIZZA LOCATED AT 1001 CURTISS STREET QUALIFIED FOR A CLASS "O-1" BEER & WINE OUTDOOR LIQUOR LICENSE. MR. AUSTIN SECONDED.**

<b>VOTE:</b>	<b>Aye:</b>	Mr. Krusenoski, Mr. Austin, Mr. Clary, Ms. Fregeau, Ms. Strelau, Chairman McInerney
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**Nay:** None

**Abstain:** None

**MOTION CARRIED: 6:0:0**

Motion carried.

**VI. OLD BUSINESS**

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

Ms. Kuchynka stated that she provided the Commission with a revised draft ordinance for amendments to liquor classifications. She stated that an error with the previous draft required a re-write and a more comprehensive review of the license structure was done by staff. She stated that liquor classifications were clarified and requirements of licenses were put in the definition section.

Ms. Kuchynka advised that definitions have been created for Billiard Halls and Bowling Alleys. She added that the Comedy Club, Cultural Performing Arts Facility and Entertainment Facility definitions were removed as they are obsolete. She added that definitions have been amended for Brew Pubs, Convenience Stores, Drug Stores, Gaming Facilities, Grocery Stores, Recreational Facilities and Restaurants in order to incorporate requirements for those entities to meet, rather than specifics being outlined in the class of license they hold. She stated that all bar/lounge seating may not exceed 20% of the dining requirement.

Ms. Kuchynka advised that the definition of “sale” shall now include a provision that *delivery* constitutes a sale, mirroring State law.

Ms. Kuchynka advised that entertainment classifications have been revised to include one type of classification - Entertainment/Restaurant Facility (Rita’s). She added that Billiard Halls, Bowling Alleys and Indoor Simulated Golf Facilities have been incorporated into a “Recreational Facility” license class. She stated that the Downers Grove Park District Golf Club has been reclassified as a Class G license - for golf. She stated that the Tivoli Theater license has been reclassified as a Class T license - for theater. She advised that requirements/restrictions for the reclassified licenses have not changed. She added that the Class P-3 (wine shop) license has been removed and incorporated into the Class P-2 (beer/wine packaged) category.

Ms. Kuchynka stated that the Class O-1 and P-O-2 were renumbered and are now known as Class O and P-O.

Ms. Kuchynka advised that Code was revised to allow for *any* individual to be cited for liquor violations, which had been previously limited to license holders.

Ms. Fregeau noted that the entertainment/restaurant facility license for Rita’s remains unchanged. She expressed concern that they are not maintaining the dining seat requirements. Ms. Kuchynka stated that she will be conducting an on-site training seminar on August 14<sup>th</sup>. She advised as part of their renewal, Rita’s is required to post the seating chart for the dining area. She stated, at times, patrons may move tables in order to sit together, however, tables must remain generally in a formatted floor plan. She stated

that the posting requirement will allow agents to easily recognize that the establishment is complying with the seating requirement during monitoring activities.

Ms. Fregeau was concerned that Rita's has not been operating the restaurant according to what was presented to the Liquor Commission. Ms. Petrarca advised that the amount of food sales is not a determining factor in complying with this license classification. She noted that they are posting the floor plan, provide a menu and operate in accordance within allowable serving hours.

Chairman McInerney noted that all licensees are required by ordinance to submit their floor plan changes to the Village. Staff agreed.

Ms. Strelau asked if the Class E license classification should contain provisions about portable bars. She stated that it troubles her that not only physical bars are present, but portable bars are allowed at Rita's. She stated that the beer tubs were not on the floor plan when the item was presented to the Commission. Ms. Kuchynka advised that Mayor Sandack approved those changes. She noted that the beer tubs are not "mobile" per say, and have to remain in place due to Fire Prevention issues. She added that there are no seats at any of the beer tubs and were put in place to alleviate congestion in the bar area.

Ms. Strelau stated that the ordinance contains a provision where "no portable bars or stations" are allowed at a facility. Ms. Kuchynka advised that section was removed as it was contained in the obsolete Cultural/Performing Arts Facility license classification.

Ms. Petrarca stated that Rita's will be the only entertainment Class E license remaining in the Village.

Mr. Austin asked why the license for a full off-premise liquor license was referenced as "P-1". Ms. Kuchynka replied it was packaged, full alcohol. Mr. Austin asked if only 25% of the retail square footage can be devoted to liquor sales for certain stores. Ms. Kuchynka replied yes and stated that unless the primary business is packaged sales (i.e. liquor stores, wine shops), the 25% limit applies to all other off-premise license holders.

Ms. Kuchynka advised that references to the new classes throughout the Code will be updated in the Administrative Regulation which sets forth license fees upon adoption.

Ms. Fregeau asked about the Tivoli license and questioned their activities. Ms. Kuchynka advised that the Tivoli annual event report was included in the Commission's monthly information packet. Chairman McInerney commented on the report and the midnight showings. Ms. Kuchynka replied she included information on the midnight movie showings and that Shirley Johnson confirmed that no liquor was being served during these movies.

Ms. Kuchynka stated that the confusion with the last draft ordinance presented to the Council was an issue with the Tivoli Bowl and how it came to be categorized in the same license class as North Beach. She stated that the bowling alley met all the requirements of the North Beach E Class and an ordinance was prepared to increase the number allowed to two, in lieu of creating a separate bowling license classification. She stated that at the time, the Commission discussed if a bowling license should be created rather than having Tivoli mold to a classification not specifically suited for them. She noted that Mr. Johnson, at the time, expressed concern as to the length of time it would take to create a new classification and indicated he could qualify with existing license provisions.

Ms. Strelau asked about Tivoli box office events and asked whether a regular movie was classified as a box office event. Ms. Petrarca replied no. Ms. Kuchynka stated that box office events include plays,



concerts and theater performances. She advised that liquor sales are not allowed during regularly scheduled movies for the general public.

Chairman McInerney requested a recommendation from the Commission regarding whether to forward the draft ordinance to the Village Council for consideration.

**MR. KRUSENOSKI MOVED TO RECOMMEND THAT THE REVISED DRAFT ORDINANCE AMENDING LIQUOR CLASSIFICATIONS BE FORWARDED TO THE VILLAGE COUNCIL FOR CONSIDERATION. MS. STRELAU SECONDED.**

**VOTE:**           **Aye:**           Mr. Krusenoski, Mr. Strelau, Mr. Austin, Mr. Clary, Ms. Fregeau,  
Chairman McInerney

**Nay:**           None

**Abstain:**       None

**MOTION CARRIED: 6:0:0**

Motion carried.

Ms. Kuchynka stated that she provided a list of current liquor license holders in the Village as of the 2012 renewal. She advised that there are 73 license holders. Ms. Strelau commented that Osco and DuPage Inn were the longest license holders, along with the club licensees (VFW, Legion and Moose Lodge).

Ms. Kuchynka stated liquor license renewal went smoothly. Ms. Fregeau asked if she had received updated liquor manuals from licensees. Ms. Kuchynka replied yes. She stated that manuals were updated and amended accordingly, mostly by addressing recent changes to the hours of operation and bottle service. Ms. Fregeau stated that was good to update manuals so that license holders address changes with employees.

Mr. Krusenoski asked if Omega was a liquor license holder. Ms. Kuchynka replied that they were in the past, however, had very low liquor sales and let the license lapse.

Ms. Fregeau stated that the State violation information contained in their newsletter would be good information to forward to licensees.

Ms. Kuchynka advised that the Downers Grove Food Mart floor plan was revised. She stated that when they were stocking the coolers, the soda representative advised that they wanted soda in the first line of sight, as those products would be sold more than the beer and wine. She stated that the beer cooler doors and soda doors were swapped. Mr. Krusenoski asked if they were open. Ms. Kuchynka believed so, however, was aware that they had problems getting Comcast to set up the store for services.

**VII. NEW BUSINESS**

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

Ms. Kuchynka advised that she was anticipating a September meeting. Some Commission members advised they would not be available for the September 6<sup>th</sup> meeting.

#### **VIII. COMMENTS FROM THE PUBLIC**

There were none.

#### **IX. ADJOURNMENT**

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

Ms. Strelau moved to adjourn the August 2, 2012 meeting. The meeting was adjourned by acclamation at 7:25 p.m.

Approved 10/01/2012

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

SEPTEMBER 10, 2012, 7:00 P.M.

Chairman Jirik called the September 10, 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. Hose, Mr. Matejczyk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

**ABSENT:** Mr. Quirk

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

**VISITORS:** Ms. Marge Earl, 4720 Florence, Downers Grove; Mr. Chris Thulin, T6 Construction, 900 Ogden Ave., Downers Grove; Mr. Keith Neumann, Greenscape Homes, 4355 Weaver Parkway, Warrenville; Mr. Jim Parthun, 4601 Seeley, Downers Grove; Mr. Bob Spendoria, 4612 Seeley, Downers Grove

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

**APPROVAL OF THE AUGUST 6, 2012 MINUTES**

A question of clarification was raised by Mr. Waechtler on the type of barrier that was being discussed on page 5, i.e., a "moveable, physical barrier" versus "fixed bollards"/permanent posts, wherein Manager Jeff O'Brien stated permanent posts would be added since the condition existed in the Planned Development Ordinance and the change was made by Mr. Cozzo at the prior meeting.

**THE MINUTES OF THE AUGUST 6, 2012 MEETING, WITH CORRECTION, WERE APPROVED ON MOTION BY MR. MATEJCZYK, SECONDED BY MR. HOSE. MOTION CARRIED BY VOICE VOTE OF 8-0.**

Chairman Jirik reviewed the protocol for the public hearing.

**PC-28-12** A petition seeking approval of a Final Plat of Subdivision to consolidate three existing parcels into one lot. The property is located on the south side of Lake Avenue approximately 116 feet west of Fairview Avenue, commonly known as 407 Lake Avenue, Downers Grove, IL (PIN 09-05-416-011); Keith Neumann, Greenscape Homes, Petitioners/Owners.

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

Mr. Stan Popovich, Village Planner, discussed the petitioner was consolidating three parcels (30' feet x 132 feet) into one lot with the entire parcel being just under 12,000 square feet and was currently zoned R-4 Single-Family residential. A single-family home, with attached garage, existed

Approved 10/01/2012

on the site but would be razed by the petitioner. A new home was planned for the site but without the consolidation, the new home could not be constructed.

Most of the existing lots on the block were 30 feet wide and the lot under discussion was 90 feet wide. However, adjacent lots and parcels were anywhere between 60 and 90 feet wide, primarily 60 feet along Lake Avenue. Staff believed the request to consolidate the three lots was consistent with the Village's Comprehensive Plan.

Per staff, the property complied with the Zoning Ordinance and the Subdivision Ordinance and the new home would have to comply with the Zoning Ordinance for the bulk standards. Easement requirements were pointed out.

Public notice of this application was sent to property owners within 250 feet of the property and was properly published in the *Downers Grove Reporter* with proper signage posted on the property. Some general inquiries about the property were taken by staff. Staff recommended approval of the petition, subject to staff's one condition in its memo.

Per Mr. Matejczyk's question regarding the area containing many small lots with consolidations over the years, Mr. Popovich surmised from his calculations that many of the 60-foot wide lots were two 30-foot wide lots, since moving down the block the lots were all multiples of thirty. He envisioned if more redevelopment were to occur, more consolidations would likely follow.

Mr. Keith Neumann, Greenscape Homes, 4355 Weaver Parkway, Warrenville, explained he purchased the three parcels and confirmed that after looking at the DuPage County map site, most of the properties were 30 feet wide down the street. He stated he did apply for building permit and will comply with all Village zoning codes and requirements.

No questions from the commissioners followed.

Chairman Jirik opened up the meeting to public comment. No public comment followed. Public comment was declared closed by the chairman and the petitioner waived his closing statement.

Since there was no discussion, the Chairman entertained a motion.

**WITH RESPECT TO PC- 28-12, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING PC-28-12, SUBJECT TO STAFF'S CONDITION BELOW:**

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF MATZ' SUBDIVISION PREPARED BY HARRINGTON LAND SURVEYING, INC., DATED JUNE 13, 2012 AND ATTACHED TO THE STAFF REPORT, EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

**SECONDED BY MR. HOSE.**

Mr. Beggs pointed out that while there was no commissioner deliberation it meant that the case was very simple. Others concurred.

Approved 10/01/2012

**ROLL CALL:**

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

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

**PC-30-12** A petition seeking approval of a Final Plat of Subdivision to consolidate two existing parcels into one lot. The property is located on the west side of Seeley Avenue approximately 250 feet north of Chicago Avenue, commonly known as 4620 Seeley Avenue, Downers Grove, IL (PIN 09-06-411-029); Christopher Thulin, T6 Construction, Petitioner; Scott and Erin Guth, Owners.

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

Village Planner, Damir Latinovic, discussed that the 4620 Seeley Ave property was zoned R-1 Single-Family Residence with a single-family home and an attached garage on it. The property was comprised of two 50-foot x 300-foot deep parcels and the petitioner wanted to consolidate the two parcels in order to construct a new single-family home after the current home was razed. The new lot would be 100 feet wide x 300 feet deep with a total of 30,000 square feet in lot area. All required easements would be provided and no public improvements were required. Per Mr. Latinovic, the new home will have to meet all requirements of the Zoning Ordinance.

Per staff, the proposal met the requirements of the Comprehensive Plan. Notification was provided to owners within 250 feet of the property and proper signage was posted on the lot along with proper publication in the local newspaper. Several phone calls were received regarding general inquiries about the consolidation.

Staff believed the proposal was consistent with the Village's Comprehensive Plan and met all requirements of the Zoning and Subdivision Ordinances. Staff recommended a positive recommendation by the Plan Commission, subject to the one condition in its report.

Mr. Beggs confirmed that the consolidation would not change the use classification in any way in the area, wherein Mr. Latinovic confirmed it would not, stating it would remain R-1 Single Family with a single family residential use. Per Mrs. Rabatah's question, Mr. Latinovic explained that many of the existing properties appear to be 100 feet wide and many were on existing 100-foot wide lots of record. He surmised that the previous property owner purchased two half lots and had two 50-foot parcels, which was why the petitioner had to consolidate them into one lot.

Petitioner, Mr. Chris Thulin, owner of T6 Construction, confirmed that he was requesting to consolidate the two parcels into one lot to construct a new single-family home but he was not the owner of the lot. After a question from Mr. Waechtler, he clarified there was a "sold" sign on the lot in order for people to know the parcel was not for sale.

Chairman Jirik opened up the meeting to public comment.

Approved 10/01/2012

Mr. Jim Parthun, 4601 Seeley, Downers Grove, asked if there was going to be housing variations or topography changes, wherein Chairman Jirik responded that the request in front of the board was to remove a boundary line on the property but variation changes, if any, would require the petitioner to return back to the Plan Commission or Zoning Board of Appeals. An explanation of the permitting process followed. Mr. Latinovic filled in some of the details of that process and confirmed that residents could view building plans through a FOIA request if there were concerns.

Mr. Bob Splendoria, 4612 Seeley, Downers Grove, was sworn in by the chairman. Mr. Splendoria stated he was contiguous to the north of the subject property and was the former president of the Denburn Woods Homeowners Association. Mr. Splendoria stated he did meet with Mr. Thulin regarding the development of the proposed property and, after looking at the plans, believed it would be a great improvement to the street and to the Village. However, he was concerned about the condition of the property as it exists and he asked that the council consider expediting the review of the plans, permits, etc. to raze the home in order to avoid future safety hazards.

There being no further public comment, Chairman Jirik closed public comment.

Mr. Waechtler, noting Mr. Splendoria's concern about the current building on the property, asked about the demolition process, wherein Mr. Latinovic explained that two permits were involved: 1) a demolition permit; and 2) a new construction permit. Details followed.

Mr. Matejczyk also agreed about the condition of the building and hoped that the review process can be expedited quickly and to get some fencing installed around the building.

Mr. Thulin waived his right to a closing statement.

Mr. Waechtler commented that the proposal was another example of an improvement "and pleasant addition" for the Village. Mr. Beggs, again, confirmed with staff, that the proposal would not change the use and zoning classification of the area, to which staff agreed.

**WITH RESPECT TO PC-30-12, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THIS PROPSAL, SUBJECT TO THE CONDITION BELOW:**

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE SEELEY AVENUE RESUBDIVISION PLAT PREPARED BY STEINBRECHER LAND SURVEYORS, INC. DATED AUGUST 15, 2012 EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

**SECONDED BY MRS. RABATAH:**

**ROLL CALL:**

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

Approved 10/01/2012

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

Chairman Jirik announced that he received a phone call stating that he will not be reappointed to the Plan Commission and shared that this was his last meeting. He stated he served approximately 21 years and would have gladly served another 21 years. He enjoyed everyone and stated he was proud of all those who have served on the Plan Commission, commenting everyone was respectful of each other and listened to each other even when differences existed. Chairman Jirik also thanked everyone for their hard work and appreciated everyone's patience when staying late into the night to reach consensus and not to compromise. He asked that the commission "carry on this good work." (Applauding followed.)

Mr. O'Brien, on behalf of Village staff, thanked the Chairman for his hard work, citing some of the significant projects he had seen come through the Village in the seven years while he was with the Village, e.g., the redevelopment of the downtown, the development of a comprehensive plan, etc. Mr. O'Brien stated Chairman Jirik will be missed.

Continuing, Mr. O'Brien stated that next month's meeting will be busy; agenda details followed. He also announced that Mr. Greg Hose will be the new chairman next month, along with new member Anastasia Urban.

Mr. Waechtler asked whether a procedure for recusal existed when a commissioner arrives fairly late to a meeting, or, if such a procedure should exist, wherein Chairman Jirik stated there was no rule about recusal because each petition would be case specific. Examples followed.

Mr. Waechtler asked staff to present this question to the Village Attorney, wherein Mr. O'Brien stated the Village Attorney was asked the question and the answer was that the Chairman would ask the specific commissioner if they read the material and were competent about the material in order to vote.

Mr. O'Brien explained that in the past Chairman Jirik had asked members about their competency on a petition. Mr. Beggs recalled the Village Attorney addressed this matter in a memorandum which was distributed. Mr. Waechtler asked to have a copy of that memorandum.

Mr. Waechtler added that the Chairman had a special quality regarding the consensus portion of a meeting, wherein he allowed everyone to participate, speak, and pull the group together. Mr. Waechtler agreed that was the Chairman's strongest point and was a large set of shoes to fill.

**THE MEETING WAS ADJOURNED AT 8:00 P.M. ON MOTION BY CHAIRMAN JIRIK, SECONDED BY MR. WAECHTLER. MOTION CARRIED BY VOICE VOTE OF 8-0.**

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

(And thank you Chairman Jirik, for always clarifying those difficult motions. You will be missed - Celeste.)