

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

Thursday, June 2, 2016

I. CALL TO ORDER

Chairman Strelau called the June 2, 2016 Liquor Commission meeting to order at 6:33 p.m.

II. ROLL CALL

PRESENT: Ms. Fregeau, Ms. King Mr. Jacobson, Mr. Krusenoski, Chairman Strelau

ABSENT: Mr. Austin, Mr. Clary

STAFF: Liaison to the Liquor Commission Carol Kuchynka, Assistant Village Attorney Dawn Didier, Village Attorney Enza Petrarca

OTHERS: Dino Alexakos, Santhosh Pillai, Kevin Landau, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the May 5, 2016 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the May 5, 2016 minutes of the Liquor Commission meeting were approved as written.

Chairman Strelau 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. DISCIPLINARY HEARING FOR ALLEGED VIOLATIONS

Chairman Strelau made the following statements:

"Section 3-40 of the Downers Grove Municipal Code provides that the Local Liquor Commissioner may revoke or suspend any license issued if the Commissioner determines that the licensee has violated any of the provisions of this chapter or any State law pertaining to the sale of alcohol. Both under the Section cited above, and under Chapter 235, Section 5/7-5, Illinois Compiled Statutes, the Local Liquor Commissioner is required to hold a public hearing after notice to the licensee, in which the licensee is afforded an opportunity to appear and defend. Pursuant to Section 3-5 of the Downers Grove Municipal Code, this hearing is being conducted by the Local Liquor Commission at the request of the Local Liquor Commissioner."

"The Commissioner has the power to temporarily suspend a license without a hearing if there is reason to believe that continued operation of the licensed business would immediately threaten the welfare of this community. Such was not done in these cases. The licensee may be represented by counsel, although he need not be for the purposes of this hearing."

Chairman Strelau asked if there was a signed stipulation in this case. Ms. Didier replied yes.

Chairman Strelau made the following statements:

"In view of the stipulation the order of this hearing will be substantially as follows:"

- A. Prosecution will read the signed stipulation into the record with the opportunity for the licensee to register its concurrence or non concurrence for the record.
- B. Prosecution may present any additional evidence in this case with the right of the licensee to cross-examine.
- C. Licensee may present any defense or mitigating evidence with right of prosecution to cross-examine.
- D. Summary of case by prosecution and defense."

"The prosecution should establish that timely notice of this hearing has been provided to the licensee."

"Witnesses shall be sworn."

"Strict rules of evidence will need not be adhered to although the Commission expects to exercise control over the hearing to ensure that irrelevant or repetitive testimony does not unduly prolong the hearing."

"A court reporter is present and will take the proceedings verbatim. Staff is also present for the purpose of summarizing the proceedings."

"The Commission will submit the findings and recommendations to the Local Liquor Commissioner regarding the existence and nature of any violation."

"Upon receipt of the recommendation of the Commission, the Commissioner will render a decision and the licensee will be notified in writing."

Giordano's - 5115 Main

Chairman Strelau stated that the next order of business was to conduct a disciplinary hearing for CMJ, Inc. d/b/a Giordano's located at 5115 Main Street. She stated that the licensee has been charged with a violation of Section 3-25(a) of the Downers Grove Liquor Control Ordinance.

Chairman Strelau asked that any individual(s) representing the licensee step forward and be seated. She 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. Dino Alexakos was sworn in by the court reporter.

Chairman Strelau asked the prosecuting attorney to present her case.

Ms. Didier stated that the parties to this hearing before the Liquor Commission of the Village of Downers Grove by and through their attorneys, if any, hereby stipulate as follows:

1. CMJ, Inc. d/b/a Giordano's, 5115 Main Street, Downers Grove, Illinois, is the holder of a Class R-2 Liquor License #LQ-000049, issued by the Village of Downers Grove. That said Licensee has held a liquor license for this location from the Village of Downers Grove since December 28, 1999.
2. Notice of this hearing was served upon the Licensee by certified mail to its registered agent and by personal delivery to the manager of the licensed premises.
3. At approximately 5:15 p.m. on Thursday, May 5, 2016, Downers Grove Police Officer Lylerly and Downers Grove Police Officer Buzucky observed A.A., a special agent of the Downers Grove Police

Department under the age of twenty-one (21), whose date of birth is February 16, 1999 (making her 17 years old), enter Giordano's located at 5115 Main Street, Downers Grove.

4. The special agent was seated at a table in the restaurant and waitress Julie Parison, asked her for her order.
5. The special agent ordered a bottle of Samuel Adams beer while Officers Lylerly and Buzucky observed her.
6. That Julie Parison, whose date of birth is October 27, 1993, never asked the special agent for identification.
7. That Julie Parison then served the special agent a bottle of Samuel Adams beer.
8. Officers Buzucky and Lylerly who witnessed the events in the foregoing paragraphs, identified themselves and advised Julie Parison that the delivery of an alcoholic beverage had been made to a minor.
9. Julie Parison was issued a Village ordinance administrative citation for delivering alcohol to a minor in violation of Section 3-25(a) of the Downers Grove Municipal Code.
10. The Officers advised manager Robert Kozla that notice of further action would be forthcoming from the Downers Grove Liquor Commission.

Ms. Didier asked that the signed stipulation be entered into the record as Village's Exhibit #1.

Chairman Strelau accepted the signed stipulation as Village Exhibit #1.

Chairman Strelau asked the licensee to present its case.

Mr. Dino Alexakos introduced himself as the owner and manager of Giordano's. He stated that he has owned and operated the restaurant since December of 1999. He stated that he agreed with the stipulation of facts and that a violation occurred. Mr. Alexakos added that Julie Parison was terminated immediately.

Mr. Alexakos stated that employees are directed to ask for identification. He stated that one prior violation occurred in 2003. He stated that since this violation, they re-wrote the employee handbook with more stringent policies on carding. He apologized for the violation.

Ms. King asked how long Julie had been employed. Mr. Alexakos replied just under a year. He stated that she was trained but failed to card. He stated that she had a lackadaisical attitude and did not take carding serious and had no excuse for the violation.

Ms. King asked about the quantity of alcohol sales. Mr. Alexakos replied that they have a low volume of alcohol sales in the range of 8-9%, which is only for the convenience of customers. He stated that they do not push alcohol.

Ms. King asked if a manager was on duty. Mr. Alexakos replied yes but added that he personally was not in the restaurant at the time of the violation.

Ms. King asked if they have any signage posted reminding employees about serving liquor. Mr. Alexakos stated that they have a sign at the bar "We card" and have the "under 21 age" signage.

Ms. King stated that they have had a good record and asked Mr. Alexakos if he has been the owner since opening. Mr. Alexakos replied yes.

Ms. King asked how many employees they have on staff. Mr. Alexakos replied two during the week and four on the weekends.

Mr. Alexakos stated that he met with each staff member after he got word of the violation. He stated that they have regular shift meetings to reinforce policy and procedure.

Mr. Krusenoski asked Mr. Alexakos if he was both owner and liquor manager. Mr. Alexakos replied yes. Mr. Krusenoski asked Mr. Alexakos if he re-wrote the serving policies. Mr. Alexakos replied yes. He stated that all servers were required to read it and sign an acknowledgment form.

Mr. Krusenoski asked at what age they request identification. Mr. Alexakos stated that employees are asked to card anyone appearing under the age of 40.

Mr. Krusenoski asked Mr. Alexakos if she had a response for the violation. Mr. Alexakos replied no and that she was terminated immediately.

Mr. Krusenoski stated that the small percentage of alcohol sales has a low reward and high risk. He stated that management sets the tone and tenor for the establishment and felt that a lackadaisical attitude by employees is unacceptable. He stated that liquor serving policies be instilled as important.

Ms. Fregeau agreed with Mr. Krusenoski's statements. She added that management sets tone and tenor and failures fall upon management's shoulders.

Ms. Fregeau asked how often they meet with employees. Mr. Alexakos replied on a regular basis.

Mr. Alexakos noted that from the last violation, their policy was to not accept the vertical under 21 license, however, Julie did not card in this instance.

Ms. Kuchynka advised the Commission that Giordano's passed the re-test of May 25th.

Mr. Jacobson stated that the training of employees on proper liquor service is lacking. He stated that it is a small establishment and that management should regularly be monitoring the floor and keeping an eye on staff. He stated that there has not been a violation for 13 years at the location.

Chairman Strelau stated that after the incident in 2003, they had a good record until now. She asked what other policies have changed. Mr. Alexakos stated that after the incident in 2003, they no longer hired servers under the age of 21, nor accept the vertical identification. He stated that they are reminded regularly to card patrons under 40.

Chairman Strelau stated that proper training begins and ends with management. She stated that they have no alternative but to be strict and suggested that they step up the training.

Chairman Strelau asked the prosecuting attorney to summarize.

Ms. Didier summarized by stating that CMJ, Inc. d/b/a Giordano's located at 5115 Main Street, has stipulated to a violation of Section 3-25(a) of the Downers Grove Liquor Control Ordinance which prohibits the sale of alcohol to a minor. She recommended that the licensee be found guilty of a violation.

Chairman Strelau asked Mr. Alexakos if he had any final comments for the record. Mr. Alexakos replied no and again apologized for the incident.

Upon hearing the evidence presented in this case, Chairman Strelau requested a motion as to whether the licensee be found guilty or not guilty of a violation of Section 3-25(a) of the Downers Grove Municipal Code.

MS. KING MOVED TO FIND CMJ, INC. D/B/A GIORDANO'S LOCATED AT 5115 MAIN STREET GUILTY OF VIOLATING SECTION 3-25(A) OF THE DOWNERS GROVE LIQUOR CONTROL ORDINANCE. MS. FREGEAU SECONDED.

VOTE:

Aye: Ms. King, Ms. Fregeau, Mr. Krusenoski, Mr. Jacobson, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

The Motion carried.

V. APPLICATION FOR LIQUOR LICENSE

Chairman Strelau made the following statements:

"The first order of business is to conduct a public hearing for a liquor license application. 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 liquor licenses within 60 days."

"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."

Doubletree - 2111 Butterfield Road

Chairman Strelau stated that the next order of business was an application hearing for AC Hospitality, LLC d/b/a Doubletree located at 2111 Butterfield Road. She stated that the applicant was seeking a Class "H-1", full alcohol, on-premise consumption liquor license and a Class "K-1", full alcohol, off-premise consumption liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She 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. Santhosh Pillai and Mr. Kevin Landau were sworn in by the court reporter. Mr. Pillai introduced himself as the liquor manager of the Doubletree and Mr. Landau introduced himself as legal counsel.

Chairman Strelau asked the applicant to present its case.

Mr. Pillai stated that the hotel is currently in operation and noted they are seeking a liquor license for the hotel and the catering operation out of the hotel. He advised that the tentative closing is set for June 15th. He stated that they are keeping the operation the same and maintaining all liquor serving staff.

Ms. Fregeau asked Mr. Pillai if he will serve as liquor manager and asked how often he will be on-site. Mr. Pillai replied yes and that he will be at the location about 80 hours a month.

Ms. Fregeau asked Mr. Pillai about his liquor handling experience. Mr. Pillai replied that he had served as liquor manager at the Florida hotel and had 8 years of liquor serving experience. Ms. Fregeau asked Mr. Pillai if he had any liquor handling experience in Illinois. Mr. Pillai replied no.

Ms. Fregeau commented on the food and beverage manual and noted it contained general serving guidelines and noted that the detailed liquor manual referenced on page 5 of the manual was not provided with the application materials. Mr. Pillai replied that this manual is also used at the other property. He stated that reference was made in error and that his legal department removed that item from the manual. He stated that he had contacted Ms. Kuchynka and advised that provision was removed and a section was added to page 32 of the manual on carding procedures and guidelines for the Downers Grove location.

Ms. Fregeau stated that she noticed the driver's license photos were included and what licenses are accepted. She asked if they will accept the vertical under 21 identification. Mr. Pillai replied no. She asked that they address that guideline in the revised manual.

Ms. Fregeau asked how often employees are trained. Mr. Pillai replied that new hires go through an orientation. He stated that they plan monthly meetings with all staff and discuss issues during pre-shift meetings.

Ms. Fregeau asked that they spell out policy and consequences if employees serve minors. Mr. Pillai replied that employees will be terminated.

Ms. Fregeau noted that BASSET certifications for Arturo Hernandez and Reyna Duran were expired and that they need to renew their training. Ms. Kuchynka noted that the current owners provided the list of trainees to AC Hospitality and these expirations may have been overlooked. Mr. Pillai assured the Commission that the employees will be re-certified immediately.

Ms. Fregeau stated that relying on BASSET training is not enough as they may have seen during the prior disciplinary hearing and encouraged them to conduct training regularly.

Ms. Fregeau asked if there are any servers under the age of 21. Mr. Pillai replied 2-3 and stated all seven of the bartenders are over 21.

Ms. Fregeau asked if Doubletree had any prior violations. Ms. Kuchynka replied the prior owner did. Ms. Fregeau noted that they might want to reconsider using prior training techniques. Mr. Pillai replied that the manual was written by AC Hospitality, not the prior owner.

Mr. Jacobson asked Mr. Pillai if he was aware of any liquor problems at other hotel operations he had managed. Mr. Pillai replied no.

Mr. Jacobson asked Mr. Pillai what topics would be covered during pre-shift training. Mr. Pillai replied that they would reiterate the importance of carding, recognizing signs of intoxication and monitoring guests behavior.

Mr. Jacobson asked what they will do if a patron is over served. Mr. Pillai replied if not already a guest, they will be offered a discounted room, alternate transportation and/or food. He stated that staff will be directed to notify the beverage manager and management will help dealing with intoxicated guests.

Mr. Jacobson asked what the consequences were to employees that are caught serving a minor. Mr. Pillai replied termination. Mr. Landau noted that employees are part of a collective bargaining unit and the union may get involved if the employee is not lawfully terminated. He stated that there may be some prescribed discipline set forth by the union. Mr. Jacobson asked who completed the contract negotiations. Mr. Landau replied that they are pre-existing. Mr. Jacobson suggested that they review the union contract to determine what procedure they need to follow if an employee is involved in a violation.

Mr. Jacobson suggested that they obtain an ID Checking Guide to verify out of state identification, especially as they are operating a hotel with out of town guests. He was pleased that they will not accept the vertical under 21 license. He asked at what age they will request identification. Mr. Pillai replied identification will be asked from anyone appearing under the age of 40.

Ms. King asked if they have a corporate in-house compliance testing. Mr. Pillai replied no. He stated they have a secret shoppers program for the hotel part but noted it might be good to test employees and monitor their adherence to liquor policies.

Mr. Krusenoski had no questions. He was glad that they were present to hear the preceding disciplinary hearing and the consequences for licensees involved in a violation.

Chairman Strelau asked Mr. Pillai about his schedule. Mr. Pillai replied he will start out working 80 hours a month for a number of months and gradually transition out. He stated that there will be a food and beverage director, food and beverage manager and two executive management positions hired after the transition.

Chairman Strelau suggested that the food and beverage manual should be more specific with consequences of serving to a minor and employee responsibilities that are specific to Downers Grove. She stated that policies for catering and wedding events should also be covered.

Chairman Strelau stated that management sets the tone and tenor by stressing the importance of proper liquor service. She cautioned them about the control buy program and advised that they will be tested.

Chairman Strelau asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of satisfactory background checks, the annual fee, an executed lease, dram shop insurance and revised Certificate of Occupancy.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau 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 "H-1" liquor license application.

MR. JACOBSON MOVED TO FIND AC HOSPITALITY, LLC D/B/A DOUBLETREE LOCATED AT 2111 BUTTERFIELD ROAD QUALIFIED FOR A CLASS "H-1", FULL ALCOHOL, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. KRUSENOSKI SECONDED.

VOTE:	Aye:	Mr. Jacobson, Mr. Krusenoski, Ms. Fregeau, Ms. King, Chairman Strelau
	Nay:	None
	Abstain:	None

MOTION CARRIED: 5:0:0

Motion carried.

Hearing the testimony given in this case, Chairman Strelau 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 "K-1" liquor license application.

MR. KRUSENOSKI MOVED TO FIND AC HOSPITALITY, LLC D/B/A DOUBLETREE LOCATED AT 2111 BUTTERFIELD ROAD QUALIFIED FOR A CLASS "K-1", FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MS. KING SECONDED.

VOTE: **Aye:** Mr. Krusenoski, Ms. King, Ms. Fregeau, Mr. Jacobson, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

Motion carried.

VI. OLD BUSINESS

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

Ms. Kuchynka reported on the month end report. She stated that the Mayor approved the Fairview Mart & Tobacco license which she expects to issue July 1st. She stated that the Mayor approved the Bogies license, however, there was a potential legal issue with the new owner utilizing the Bogie's name. She stated that she would advise them when the license is issued and a name change, if any.

VII. NEW BUSINESS

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

Ms. Kuchynka asked the commission's availability for the July 7th meeting. Mr. Jacobson advised that he could not attend.

Ms. Kuchynka reminded the Commission of the upcoming Illinois Liquor Control Commission's licensee meeting on Monday, June 6th. Mr. Jacobson stated that he signed up. Ms. Kuchynka advised that she will be attending and had been given a license from the ILCC of those local license holders that registered for the seminar.

Ms. Fregeau asked about E licensees advertising college night Thursdays and conducting bar pong. She asked staff to monitor if the licensee is targeting college students and encourage drinking on the licensed premises. She noted that the licensee was in recently to discuss a new direction and more upscale and older clientele targeting. Ms. Petrarca stated that they have had the issue of bar pong with another licensee and how it is to be conducted. Ms. Kuchynka stated that they are not allow to fill cups with beer and/or promote it as "beer" pong. Ms. Fregeau asked if any prizes were awarded. Ms. Kuchynka replied no.

Mr. Jacobson asked about drink pricing and wondered how licensees with limited hours of operating can offer specials. Ms. Petrarca stated that licensees can advertise drink specials but they have to be available during their hours of operation.

VIII. COMMENTS FROM THE PUBLIC

There were none.

IX. ADJOURNMENT

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

Ms. Fregeau moved to adjourn the June 2, 2016 meeting. The meeting was adjourned by acclamation at 7:35 p.m.

Approved 7/11/16

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JUNE 27, 2016, 7:00 P.M.

Chairman Rickard called the June 27, 2016 meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairman Rickard, Mr. Cozzo, Mr. Cronin, Ms. Gassen, Ms. Johnson, Mrs. Rabatah, Mr. Thoman

ABSENT: Ms. Hogstrom, Mr. Quirk; ex-officios Mr. Livorsi, Ms. Lupesco, Mr. Menninga

STAFF: Community Development Director Stan Popovich

VISITORS: Mary Ann Badke, 5408 Carpenter Downers Grove; Robert Wayman, 5516 Dugard, Downers Grove; Jamie Calandriello, 5401 Carpenter, Downers Grove; Kim McNulty, 4810 Stonewall Ave., Downers Grove; Kathy Nybo, 5253 Blodgett, Downers Grove; Rich Kulovany, 6825 Camden Rd., Downers Grove; Joe Grossman, 5603 Middaugh, Downers Grove

APPROVAL OF MINUTES

JUNE 6, 2016 MINUTES –MOTION BY MR. THOMAN, SECONDED MS. GASSEN, TO APPROVE THE MINUTES. MOTION CARRIED BY VOICE VOTE OF 6-0-1. (MR. CRONIN ABSTAINS.)

PUBLIC HEARINGS:

Chairman Rickard explained the protocol for the public hearings and swore in those individuals that would be speaking on the petitions below.

FILE 16-PLC-0023: A petition seeking approval of a Special Use to allow an office use to provide more than 4.5 parking spaces per 1,000 square feet of floor area and a Rezoning from M-1, Light Manufacturing to O-R-M, Office-Research-Manufacturing. The property is located on the northwest corner of Warrenville and Finley Road, commonly known as 2200 Warrenville Road (PINs 08-01-400-004, and -006). Adam Stokes, Agent of Nicolson Porter & List, Inc. and Arbor Vista LLC, Petitioners; Arbor Vista LLC, Owner.

Per staff's memorandum to the commission, the petitioner is requesting to continue the public hearing to August 1, 2016. Staff recommended continuing the hearing.

Approved 7/11/16

WITH RESPECT TO FILE 16-PLC-0023, MR. THOMAN MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE PUBLIC HEARING TO THE AUGUST 1, 2016 PLAN COMMISSION MEETING.

SECONDED BY MS. JOHNSON.

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 7-0.

FILE 16-PLC-0019: The purpose of the request is to consider an update to the Downtown Focus Area Plan for the draft updated Downers Grove Comprehensive Plan, which, if adopted will become the official plan for the Village as required by Section 1.12 of the Municipal Code. Village of Downers Grove, Petitioner.

Community Development Director Stan Popovich summarized that the Village is updating its Comprehensive Plan through the Comprehensive Planning Ad Hoc Committee which has been working on it since April 2016. Before the commissioners was the downtown focus area plan update. Staff was seeking commissioner input tonight as to whether the Downtown Focus Area Plan was meeting the village's vision and goal of what the downtown should look like.

Per Mr. Popovich, four items were being updated: 1) policy recommendations; 2) catalyst sites, 3) creation of some downtown sub-areas, and 4) a development concept which had been added to the plan. Key points to the four items were reviewed in detail as well as a comparison of the village's current land use map as compared to a new land use map depicting three sub-areas. Per Director Popovich, the newly-created development concept plan depicted potential in-fill sites.

Directing the commission's attention to some key questions that staff prepared, Director Popovich asked that the commissioners discuss among themselves the key questions. He did add that he received an email from a resident who expressed concern about the bulk of the buildings, some guidance on architecture for new developments, and the greenery around the downtown area.

Dialog opened up with a question from Mr. Cozzo regarding the clarification of why three properties facing Maple and Main were considered part of the "Edge" and not the "Core," wherein Director Popovich explained that the idea was to "step down" into the transition areas since the properties were closer to the residential neighborhoods and were shorter in height.

Ms. Gassen inquired what the bulk requirements would be for the downtown Edge, wherein Director Popovich could not answer due to those requirements not being discussed at the ad hoc committee level; however, he explained that the intent was to have the taller buildings in the Core area with a maximum of 70 feet, then stepping down the buildings toward the Edge/residential areas, with a maximum height of 35 feet in the residential areas. The Transitional area height maximum was currently at 60 feet. Dir. Popovich explained what the next steps were as far as the development regulations for the downtown.

As to extending the Edge sub-area on Main Street north to Franklin Avenue, Director Popovich surmised that the thinking was that the area was mostly Downtown Business with many of the homes on the east being old and commercially used, while on the west side of Main Street, smaller

Approved 7/11/16

commercial office spaces existed. It was an opportunity to have some additional density there. Also, he said St. Joseph's was located immediately to the north.

Chairman Rickard inquired whether there was discussion about the southern end of the Downtown Core area, near the West Suburban Bank. He believed what was designated was fine and said he would not want to extend the core area beyond the boundaries that were depicted.

Chairman Rickard opened up the meeting to public comment.

Mr. J. Robert Wayman, 5516 Dugard Drive, as an engineer, stated that if the zoning in the downtown area allows the building at Main and Maple then the rest of the downtown area was subject to that type of building. He voiced concern whether the village or residents would want all of the downtown area to look like that. He cautioned the village on its decision, stating that once the village made that determination in its comprehensive plan, a developer could go to court demanding that type of building and the village would have no grounds to stand on to reject such request. Additionally, he expressed concern about the lack of stormwater retention in the "red" area as well as increased traffic and parking issues.

Mr. Rich Kulovany, 6825 Camden Road, stated he did not understand the process of how the zoning was going to be changed, what responsibility the Plan Commission would have, or the ad hoc committee. His sense from attending the ad hoc committee meetings was that the committee did not want a 70-foot tall canyon in the downtown area. He noted the taller buildings don't blend in with the historic buildings. Furthermore, he said he understood that the direction was to have the high density, larger height properties at the periphery of downtown and the smaller, more approachable properties where the retail would exist. Mr. Kulovany further asked staff about the timing of the new zoning ordinance, whether the Downtown Business would be handled as a stand-alone basis or combined together only with a full recommendation and new comprehensive plan and a full review of zoning. If the village was not going to do anything about downtown zoning, it would not prevent the canyon scenario until 2017, then, he stated, it was showing the village that "you're not listening."

Mr. Kulovany stated he was confused as to the reporting process from the Plan Commission to the ad hoc committee. Lastly, he supported the idea of changing the setbacks and having a few extra feet for outdoor restaurant space.

Director Popovich proceeded to respond to Mr. Kulovany's concerns on how the two committees would report to each other in further detail. Mr. Popovich noted the Comprehensive Plan Update and Downtown Zoning Regulations were both High Priority Action Items set by the Village Council. The schedule is to complete the downtown focus area plan, have the Plan Commission review and comment on the downtown focus area plan and then provide it to Council for their review and to receive their direction. At that time, the ad hoc committee would start to work on developing downtown zoning regulations. The downtown zoning regulations are anticipated to be back before the Plan Commission in the fall with Council review in late fall. The entire Comprehensive Plan update would be back before the Plan Commission in the fall with Council review in late fall / early winter. The plan is to have both items completed by the end of 2016.

He explained that if the commissioners had changes to the map or text changes, to provide those changes to him, and they would be forwarded to the village council.

Approved 7/11/16

Mr. Joe Grossman, 5603 Middaugh, inquired what the timing was for the changes to the comprehensive plan, wherein Director Popovich explained it was within the next six months -- by December 31, 2016. Mr. Grossman asked if there were traffic studies done that discuss what would happen if additional 70 ft. high buildings were constructed in the downtown area. The chairman, in turn, explained how each developer provides its own traffic study.

Mr. Grossman spoke about the redevelopment of the Chicago Avenue Corridor in Evanston and invited the commissioners/public to see what 70-foot tall buildings look like at the corner of Chicago Avenue and Main Street, which he believed changed the character of the area.

Ms. Kathy Nybo, 5253 Blodgett, expressed concern about the height of buildings, noting the village called itself a village and if new tall buildings were constructed the village would have to change to a "city." She wished there was more "variety." She also believed that if more residential units were being constructed in the heart of downtown, it would take away from the retail that is needed. She asked whether there was some sort of option that could be offered to developers to better blend in with the "feel" of the downtown. She voiced concern that the buildings would be too close for access by emergency vehicles. Lastly, she questioned whether the village could require developers to be more responsible with regard to protection of trees and tree replacement.

Ms. Maryanne Badke, 5408 Carpenter Street, asked the commissioners to think about how such large buildings would affect the parking in the downtown, what type of feel did the commissioners want for the downtown area, and what was their vision? She appreciated the green space, however.

Ms. Jamie Calandriello, 5401 Carpenter, shared similar concerns as stated above. She asked that future plans keep the "home town" feeling the village had. She liked the idea of having a center zone in the downtown where the area was further protected from some of the larger developments yet maintained some of the historical significance, the green space, and the meeting places.

Mr. Rich Kulovany, 6825 Camden, stated there were two items addressed at the ad hoc committee level that were not included in staff's report tonight: the issue of parking at the library, and the introduction of inns and/or bed & breakfasts in the Transition area. In speaking with the mayor and some other individuals, Mr. Kulovany stated they thought those were good ideas since historic preservation was being discussed recently. He said the village could become a destination due to the historic homes and people could stay downtown.

Asked if bed and breakfasts (B&Bs) were going to be excluded in the Transitional area, since they were of a lesser intense use, Director Popovich explained that it could be something discussed when the downtown regulations are reviewed and then determined whether B&Bs can be located in the Transition or the Edge area. To date, he did not see anything specific to B&Bs being listed.

Chairman Rickard agreed that if 70 ft. developments started being added to Main Street it would become dramatically different and probably not desirable. However, while he did not have an issue with the 70 feet in the location being discussed, he did have an issue with a building being constructed right on the property line and the tall developments "pushing Main Street." He preferred some consistency in height on Main Street, such as a 3-story height limit or a height max of 45 feet. Mr. Rickard thought about a stair-stepping effect for buildings fronting Main Street, with a shorter height along Main Street and taller portions of the building in the rear of the building.

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Mr. Thoman referenced the comments he made at prior meetings and, again, stated he did not see the village as an urban area but instead a suburban area. He recalled discussions with staff, the Plan Commission, and council, to push the taller buildings out of downtown, citing current examples. He encouraged commissioners to stand at Curtiss and Main and measure the latest proposal, commenting that it would be twice as tall as the water tower. Stepping back a building, he also believed, was a very good concept. Mr. Thoman urged the Comprehensive Plan Ad hoc Committee to revise the plan's text from a "square foot per dwelling" zoning requirement to a "floor area ratio" requirement. Mr. Thoman provided some of the research he did on other suburbs and believed this was what the residents were looking for. Lastly, he suggested that the Ad hoc committee insert into the comprehensive plan stronger language that ties into the consistent look and feel of the existing four-street area of the downtown – possibly creating another sub-area category for downtown Main Street -- which would include Curtiss Street and thereby creating the small downtown that everyone wants to maintain while providing staff with a comprehensive plan for developers when they come to develop in the downtown area.

Conversation was raised by Mrs. Rabatah on the difficulty of putting into language "the look and feel" that was expressed by the residents because it was subjective. The chairman believed it had to do more with the design standards versus the bulk standards.

Director Popovich shared his concerns about adding a fourth sub-area along Main Street. The chairman also suggested keeping the three zones but shrink the Core and lower the height and bulk requirements but expand the Edge to pick up the Core that was being lost. Director Popovich then shared of some challenges he saw and reviewed them on the overhead for commissioners.

Mr. Cozzo shared his idea of limiting buildings to three-stories in height from Grove Street to Burlington Avenue on both sides of Main Street since two tall buildings already existed. Details of his idea followed. Mr. Thoman also supported Mr. Cozzo's ideas, citing Naperville's downtown. Ms. Gassen concurred that the central part of downtown should be protected and the village should take the necessary steps to preserve what the village had left in its downtown, through zoning.

Mr. Bob Wayman, 5516 Duran Drive, referred to a vacant lot located at Curtiss and Washington, across from the post office, and asked what was planned for the lot. Per Director Popovich, a four-story, 48-unit apartment building was planned for the lot at 904-910 Curtiss with parking in a garage.

Ms. Mary Ann Badke, 5408 Carpenter, thanked Mr. Thoman and Ms. Gassen for their comments about limiting the size of the buildings and having some form of guidelines.

Mr. Bill Grossman, 5603 Middaugh, also concurred with the above comments about having guidelines and defining another core area for the downtown. He cited how that was accomplished by the Village of Hinsdale. He hoped the commission would consider going as far south as Maple Avenue and as far north to just beyond the railroad tracks.

Hearing no further comments, the public comment portion was closed.

Director Popovich indicated he was not looking for details from the commissioners at this point, but, instead, a general direction to give to the village council. As to considering a new "nucleus"

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area, as discussed above, he then asked if the uses defined in the Downtown Core could be applied to the nucleus area, wherein commissioners commented that the uses for the new area could be the same as the existing Core but the difference would be in the bulk. The mixed uses already existed and as long as they were meeting the goals of preserving the look and feel of the area, it worked.

Per Ms. Gassen's question on addressing traffic and parking, Director Popovich explained that the intent of the recommendation listed in the document was for the village to review traffic and parking after the recently approved developments were constructed. Ms. Gassen suggested implementing more short-time (15 minute) parking spaces.

Mr. Cozzo inquired of staff if there was any discussion of building another parking deck over an existing surface parking lot, wherein Director Popovich indicated there was potential talk about a location north of the library as well as south of 4929 Forest, and the potential for a reconfiguration of the parking spaces just north of the library lot.

Director Popovich then asked the commissioners for their input as to street design in general. Specifically, he asked whether it was appropriate for the Edge to have more of a Main Street feel, i.e., islands of trees or landscaping or should it have a residential street feel where the parking, grassy area, and sidewalk lead up to a building? Discussion flowed back and forth but comments made were that if anything helped in the Transition into the next area, was fine but with consistent sections of greenspace, thereby giving businesses some flexibility if they wanted to expand outside seating etc.

No comments followed regarding the catalyst sites nor the Downtown policy recommendations.

Director Popovich then asked the commissioners to define what the new core area would entail. Suggestions included Main Street from Maple Avenue to the railroad tracks, and then on Curtiss Avenue from Forest to Washington. (Director Popovich then referenced how that new core would look on the overhead.) Mr. Thoman believed this addressed many of the concerns heard from prior meetings and it maintained the illusion of the small town downtown. Mr. Cozzo shared some of his concerns about the boundary lines, but others ensured him that further dialog would continue and the boundaries would be fine-tuned.

The commission reached consensus to create a fourth zone with different bulk standards but include a floor area ratio requirement as opposed to square footage per dwelling unit requirement.

WITH RESPECT TO FILE 16-PLC-0019, MR. THOMAN MADE A MOTION THAT STAFF REPORT TO THE VILLAGE COUNCIL AND TO THE COMPREHENSIVE PLAN AD HOC COMMITTEE WHAT WAS DISCUSSED ABOVE.

SECONDED BY MR. COZZO. ROLL CALL:

**AYE: MR. THOMAN, MR. COZZO, MR. CRONIN, MRS. GASSEN, MRS. JOHNSON,
MRS. RABATAH, CHAIRMAN RICKARD**

NAY: NONE

MOTION CARRIED. VOTE: 7-0

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Mr. Popovich provided a quick update for the July 11th Plan Commission meeting. He directed commissioners to pick up their copies of the Planning magazine. Lastly, he reported the next Comprehensive Plan Ad Hoc Committee meeting was scheduled for July 14, 2016 and the agenda would be posted on-line the Friday before the meeting.

THE MEETING WAS ADJOURNED AT 9:00 P.M. ON MOTION BY MS. GASSEN, SECONDED BY MRS. RABATAH. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 7-0.

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)