

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

Thursday, November 1, 2018

I. CALL TO ORDER

Chairman Strelau called the November 1, 2018 Liquor Commission meeting to order at 6:34 p.m.

II. ROLL CALL

PRESENT: Mr. Heafner, Mr. Jacobson, Ms. Pietrucha, Chairman Strelau

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

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

OTHERS: Pamela Geraldts, Paul Geraldts, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the September 6, 2018 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the September 6, 2018 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. APPLICATION FOR LIQUOR LICENSE

Chairman Strelau made the following statements:

"The next 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) discussion by the Commission, 4) comments from staff, 5) comments from the public, and 6) motion and finding by the Commission."

Pinecone Cottage - 1029 Burlington Avenue

Chairman Strelau stated that the first order of business was an application hearing for Pinecone Cottage, Inc. d/b/a Pinecone Cottage located at 1029 Burlington Avenue. She stated that the applicant was seeking a Class "BYO", beer and wine, on-premise consumption liquor license and a Class "O" beer and wine outdoor 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.

Ms. Pamela Geraldts and Mr. Paul Geraldts were sworn in by the court reporter. Ms. Geraldts introduced herself as the president of Pinecone Cottage. Mr. Geraldts introduced himself as the secretary of the corporation.

Chairman Strelau asked the applicant to present its case.

Ms. Geraldts stated that Pinecone Cottage serves a four-course afternoon tea, conducts cooking classes, offers quarterly dinners and private parties which include baby and bridal showers. She stated that she gets many requests for champagne/wine service and has missed many opportunities at the private gatherings and cooking classes.

Ms. Geraldts stated that having a regular, full service liquor license does not make sense for their operation as they do not have room for inventory. She felt that BYO was a better alternative for their operation.

Chairman Strelau asked for comments from the commission.

Mr. Jacobson stated that their application materials looked good. He asked Ms. Geraldts if she had any liquor handling experience. Ms. Geraldts replied no, but added that she has 16 years of experience in the restaurant business operating this location.

Mr. Jacobson noted that serving liquor is a lot of responsibility. He noticed that Ms. Geraldts had received her BASSET certification. He cautioned them that one violation could be a costly mistake by way of penalties and fines.

Mr. Jacobson asked Ms. Geraldts if she will be at the location. Ms. Geraldts replied that she is always there.

Ms. Pietrucha asked what age groups were most private parties and bridal/baby shower attendees. Ms. Geraldts replied mid-twenties to 60's.

Ms. Geraldts noted that Ms. Kuchynka and she discussed ways in which to better monitor a group that might have under 21 year olds in attendance. She stated that at booking, she will ask the hostess if anyone will be in attendance that is under 21 and during the party, ask the hostess to point out the under 21 individuals so that staff can monitor them and be sure that they do not have access to alcohol.

Ms. Pietrucha asked approximately how long the gatherings take place. Ms. Geraldts replied about three hours.

Mr. Heafner asked if there was a minimum food order with the service of liquor. He stated that their application packed noted a minimum food order when bringing in alcohol. Ms. Geraldts replied yes. She stated that most of their business is by reservation and that they come to eat. She stated that they will not serve the alcohol if a customers does not order food.

Mr. Heafner asked if anyone will be able to rent the facility and just consume liquor. Ms. Geraldts replied no.

Chairman Strelau stated that the BYO license is not easy to manage and she cautioned them that there will be a greater issue of monitoring guests than a regular license holder. She noted that if multiple people attending a shower bring in their own bottle and someone under 21 is in attendance, they will have to monitor and make certain adults are not sharing drinks with minors. She believed that the idea she and staff came up with as to pre-determine those under 21 was a great plan to have.

Chairman Strelau stated that those licensees who are diligent and properly serving will be successful.

Chairman Strelau noted that the penalty for a violation is significant and will far outweigh the proceeds they obtain from allowing the BYO.

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 the lease in the corporate name, satisfactory background checks, insurance, the annual fee and employee certifications.

Ms. Kuchynka advised that the outdoor dining area is conducted on Village owned property. She stated that Pinecone Cottage entered into a license agreement for use of the property for the past two years. She stated that the 2019 license agreement will need to be amended to include the service of beer and wine on the premises. She noted that they will also need to provide additional insurance and apply for a temporary use and enter into the license agreement for use of the patio yearly. She advised that the seasonal use of the patio is March 15-November 15th.

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 "BYO" liquor license application.

MR. JACOBSON MOVED TO FIND PINECONE COTTAGE, INC. D/B/A PINECONE COTTAGE LOCATED AT 1029 BURLINGTON AVENUE, QUALIFIED FOR A CLASS "BYO" BEER AND WINE ON-PREMISE LIQUOR LICENSE. MS. PIETRUCHA SECONDED.

VOTE: **Aye:** Mr. Jacobson, Ms. Pietrucha, Mr. Heafner, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

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 "O" liquor license application.

MR. JACOBSON MOVED TO FIND PINECONE COTTAGE, INC. D/B/A PINECONE COTTAGE LOCATED AT 1029 BURLINGTON AVENUE, QUALIFIED FOR A CLASS "O" LIQUOR LICENSE. MS. PIETRUCHA SECONDED.

VOTE: **Aye:** Mr. Jacobson, Ms. Pietrucha, Mr. Heafner, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

Motion carried.

V. NEW BUSINESS

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

Ms. Kuchynka advised that there would be a December 6th meeting.

Ms. Kuchynka advised that the Village Council considered eliminating the square foot requirement of the full alcohol, Class P-1, off-premise consumption license at the Council meeting on October 17th. She stated that the matter will be voted on November 13th.

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 discussed the month end reports and advised of the Mayor's intent to issue a license to Casa Margarita. She expected that they would open by November 3rd. Ms. Kuchynka advised that she attended the Aldi grand opening this morning and advised it was open to the general public.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

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

Mr. Jacobson moved to adjourn the November 1, 2018 meeting. The meeting was adjourned by acclimation at 6:58 p.m.

Approved 12-3-2018

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING**

MINUTES FOR NOVEMBER 5, 2018

CALL TO ORDER:

Chairman Rickard called the November 5, 2018 meeting of the Plan Commission to order at 7:00 PM and led in reciting the Pledge of Allegiance.

ROLL CALL:

PRESENT: Ch. Rickard, Mr. Boyle, Ms. Gassen, Ms. Johnson, Mr. Kulovany, Ms. Majauskas, Mr. Quirk

ABSENT: Mr. Maurer, Ms. Rollins, Ex. Officio Members Davenport, Livorsi & Menninga

Ch. Rickard introduced Jason Zawila, the new Planning Manager for the Village of Downers Grove.

STAFF: Jason Zawila, Planning Manager
Scott Williams, Senior Planner
Flora Ramirez, Planner

Ch. Rickard reminded everyone present to silence any electronic devices during the meeting, and noted that copies of the Agenda are available on the shelves at either side of the Chamber.

VISITORS: Jim Markese, 550 36th Street, Downers Grove
Amy & David Potuin, 523 40th St., Downers Grove
Kevin McCormick, Midwestern University, Downers Grove
Stephanie Thommes, Markie Consultants
Gregory Gaus, Midwestern University
David M. Kocil, Platinum Partners Realtor
Kathleen H. Goepfinger, Midwestern University
Daniel Topra, Midwestern University
Rachel Jebaraj, DWL Architects
Bryan & Pam Plantago, 620 36th St., Downers Grove

APPROVAL OF MINUTES: October 1, 2018 meeting

Mr. Kulovany moved, seconded by Ms. Johnson to approve the minutes for the October 1, 2018 meeting.

Ms. Gassen noted that in the 2nd paragraph from the bottom on Page 11, the name of the architect group should be Aria.

Approved 12-3-2018

Ch. Rickard called for a voice vote to approve the minutes as corrected. The Motion passed unanimously.

Ch. Rickard reviewed the procedures to be followed for the meeting, and explained that the Plan Commission is a recommending body. Their decision is not final, but is strictly a recommendation to the Village Council for the Council's final decision.

The Petitioner will present its case to the Plan Commission, followed by questions to the Petitioner by Commission members. The Public will then have an opportunity to speak before the Commission. Chairman Rickard asked that each speaker provide his or her name and address for the record. Following presentations by the Public, the Petitioner will have the opportunity to cross-examine any of the speakers. Upon completion of presentations by the Petitioner and the Public, the public hearing portion of the meeting will be closed, and Staff and the Commission will have the opportunity to ask questions of the speakers. A member of the Community Development Department will present Staff's report, followed by a Summary or Closing Statement by the Petitioner. The Plan Commission will deliberate following all testimony. A Motion will be made containing a recommendation to the Village Council regarding the case.

Ch. Rickard then asked everyone who intended to speak in any of the two petitions before the Commission to rise and be sworn in.

PUBLIC HEARINGS:

18-PLC-0031: A petition seeking approval of a Final Plat of Subdivision to subdivide the existing property into two developable lots. The property is currently zoned R-2, Residential Detached House 2. The property is located directly northwest of the intersection of Douglas Road and 40th Street, commonly known as 3970 Douglas Road, Downers Grove, IL (PINs 09-05-203-026 and 09-05-203-023). Bernard T. Napolski, Owner; Michael Ricklefs—Greenscape Homes, LLC, Petitioner.

Mr. Michael Ricklefs of Greenscape Homes and Petitioner for this case, is requesting a subdivision of the property located at 3970 Douglas Road in Downers Grove. The property is zoned R-2 and is proposed to remain R-2. The intent is to subdivide the existing parcel into two buildable lots with one lot facing south towards 40th Street. The existing home will remain facing Douglas to the east. The new lot (Lot 1) to the west of the parcel will meet all zoning and subdivision requirements, with a total of 17,000 square feet. Lot 2 holds the existing residence and will have a lot area of 22,800 square feet. Both lots meet the R-2 zoning requirements and subdivision requirements. Greenscape will construct one single-family residence on Lot 1 with 4 bedrooms, 3-1/2 baths for a total of 3500 square feet.

Ms. Majauskas asked why they left it into an "L" lot shape. The Petitioner said the existing owners wanted the two small sheds to remain in place.

There being no other questions from the Commission, Ch. Rickard called upon input from the public.

Approved 12-3-2018

Therese Corbett of 3964 Douglas Road, which backs up to Lot 2 expressed concerns regarding construction on the property. There is quite a bit of water that gathers in that area, and they want to be sure what their responsibilities are or recourse is should they have drainage issues onto their property. Ch. Rickard explained that the petitioner will have an opportunity to respond to her question later in the meeting. He noted that most conditions require compliance with stormwater regulations by the Petitioner. Ms. Corbett said there are also utility lines that service her home, which are underground in the property. She wants to be sure their utility service is not disrupted during construction. If there are changes, she hopes that the Petitioner will contact the Corbett family and inform them of those changes.

Mr. Quirk mentioned that the Motion addresses stormwater. He said that if there is a drainage problem currently, that will probably not exist after construction.

There being no additional comments from the Public, Ch. Rickard called for Staff's report.

Flora Ramirez, Planner for the Village, stated that the request is for a Final Plat of Subdivision to subdivide the existing property into two developable lots. The property is located just north of the intersection of Douglas Road and 40th Street. She displayed photographs of the site for the Commission's review.

Staff reviewed the Subdivision Ordinance requirements for this R-2 zoning district. She then reviewed the dimension requirements for each lot as shown in Staff's report dated November 5, 2018, pages 2-3. She noted that the petitioner will provide a 4-foot wide public utility and drainage easement along the 150 northern feet of Lot 2 to accommodate the existing detached garage, a 5-foot wide public utility and drainage easements along the remaining side lot lines, and a 10-foot wide public utility and drainage easement along the rear property lines.

Ms. Ramirez said that Staff recommends that the Plan Commission forward a positive recommendation to the Village Council with the conditions as indicated in Staff's report dated November 5, 2018, page 4.

A question was raised about the northernmost shed on Lot 2 and whether there is a utility easement. Mr. Zawila said staff would take a closer look at the proposed utility easement and the existing location of the shed on Lot 2.

With regard to the utilities of the neighboring property, Ms. Ramirez replied that she doesn't know the exact location of the utility lines; however, they make sure that the contractors are aware of the lines. Mr. Zawila said that the JULIE Locator Informational Line would be contacted by the developer to establish the location of the lines. If there will be a utility disruption, the policy is to contact the neighboring properties that might be affected.

Approved 12-3-2018

Ch. Rickard asked the Petitioner if they wished to make any additional comments before the public portion of the hearing was closed.

Mr. Ricklefs replied regarding the utility lines that he has already contacted an AT&T rep as to the location of those lines. AT&T will come out and develop a plan to reroute those lines within the easements. As to the stormwater concerns, he said that they will work closely with the Village for approvals, and will comply with the requirements. They received a follow-up report today that looks positive, and they will continue to work with the Village Engineer.

There being no further comments, Ch. Rickard closed the public hearing.

Commission's Deliberations:

Ms. Gassen said she thinks the application meets the Standards of Approval and she would support the application.

A question was raised whether the donation to the parks and school district is consistent with the new lot. Mr. Zawila said when a new lot is created new calculations are made.

Ms. Ramirez said based on the conversations they had internally, it was determined to be a resubdivision request and there is only one school and park donation fee for the newly created and developable lot.

There being no further comments, Ch. Rickard called for a Motion.

Ms. Gassen said based on the petitioner's submittal, the Staff Report and the testimony presented, she finds that the petitioner has met the standards of approval for a Plat of Subdivision as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, she moves that the Plan recommend to the Village Council approval of 18-PLC-0031, subject to the following conditions:

- 1. The plat of subdivision shall substantially conform to the Staff Report and the final plat of subdivision prepared by Alecs Hur revised October 2, 2018, except as such plans may be modified to conform to the Village Codes and Ordinances.**
- 2. Post Construction and Volume Control Stormwater Best Management Practices (PCBMPs) shall be required for both lots per the Stormwater and Floodplain Ordinance. If more than 350 square feet of new impervious area is proposed on either Lot 1 or 2, PCBMPs shall be required on said lot.**
- 3. The park and school donations, in the amount of \$24,101.44, shall be paid prior to Village Council approval and signing of the plat of subdivision.**

Approved 12-3-2018

Mr. Boyle seconded the Motion.

AYES: Ch. Rickard, Mr. Boyle, Ms. Gassen, Ms. Johnson, Mr. Kulovany, Ms. Majauskas, Mr. Quirk.

NAYS: None

Motion passed unanimously.

Mr. Zawila said that this case would be before the Village Council the second Tuesday in December.

.....

18-PLC-0034: A petition seeking approval of a Planned Unit Development Amendment to revise the Master Plan for Midwestern University. The property is zoned R-1, Single Family Residential/P.D. #51. The property is located on the south side of 31st Street, approximately 1,280 feet west of Meyers Road, commonly known as 555 31st Street, Downers Grove, IL (PIN: 06-32-200-021). Midwestern University, Owner and Petitioner.

Ms. Catherine Goeppinger, President and CEO of Midwestern University described the changes that have occurred at the Midwestern University campus over the past 23 years. She thanked the Village for its role in helping them to grow. There are about 2800 students with only about half on campus at any one time.

She introduced the team that worked on this particular petition who were present with her to answer any questions. She said that over the years they've realized a lack of support for staff facilities. A decision was made to demolish the existing facility and build a new structure. The proposed facility is primarily for staff office space. They are not adding any additional people on campus. They project there will be about 400 less students in the next few years, and they are not adding extra people at this time. The facility will be located in the very center of campus and should not affect any neighboring properties in any way. Their proposal is consistent with the Comprehensive Plan. They are also conscious of the stormwater issues for other areas as well. She then reviewed a slide presentation.

The new construction is for a Support Services Building and is 64,000 square feet. They are demolishing a building with a 12,509 sq. ft. footprint. She referenced the building location, which will be in front of Centennial Hall and alongside the current Student Support Services. The building contains excellent access for fire equipment. The building is next to two very tall structures, so it will not dwarf any other surrounding buildings. Ms. Goeppinger pointed out the floor plan that has a walkway directly into Student Admissions. All students who apply are required to come to campus for their interview.

There being no questions from the Commissioners, Ch. Rickard called upon anyone from the public who wished to make a comment.

Approved 12-3-2018

Jim Markese of 550 36th Street said they moved there in 1979. They thought the property for the university was part of Lyman Woods and would be taken care of by the Forest Preserve, the Village and the University. That is not the case. He has never seen Midwestern University come in and take care of the property. There are a number of people who still use that area as a nature preserve. His concern is that the area is maintained. He doesn't know from the diagrams how the buildings are going to affect the environment. The institution has not been concerned with maintaining the area. They are also concerned that there might be some geological structures in that area that haven't been addressed. He thinks the people involved in the Woods should have a concern and stake in this, and he thinks the construction would be disruptive.

There being no additional public comments. Ch. Rickard called for Staff's report.

Mr. Scott Williams, Senior Planner for the Village said that the location map shows the boundaries for the 105-acre site for the University PUD51. To the west is the Forest Preserve District, Park District and Village property known as Lyman Woods. To the south is a mix of incorporated/unincorporated property. To the east is Oak Brook and across from the University is another unincorporated area. The focus is on the central area of the University site. He said that the site plan contains valuable information showing building heights and bulk requirements. The greenspace areas are not being affected by this proposal. No changes are being made to the underlying bulk requirements established in 2012. He then referenced the petitioner's landscape plan which shows how it blends into the existing landscaping, and that it is on all four sides of the proposed building.

The PUD was approved in 2012 and no changes have been made to the underlying bulk requirements. He said based on the petitioner's submission, Staff recommends that the Plan Commission forward a positive recommendation to the Village Council, as stated on page 5 of Staff's report dated November 5, 2018, 18-PLC-0034, subject to conditions 1-4 as stated.

Ch. Rickard asked whether there are any types of violations or disturbances on the property near the southern border. Mr. Williams responded that there was a fence to be built that is under review at this time. It will not impact any of the nature trails that connect with the Forest Preserve property to the west.

There being no further questions for Staff from the Commissioners, Ch. Rickard called upon the Petitioner for any further comments or responses to the public comments.

Ms. Goeppinger explained that the petition they are putting forward has nothing to do with the perimeters of their location. They have put a lot of time and money for fencing along the east side of campus. They worked with all the neighbors, cleared away dead trees and plants, and put up a fence to increase campus security. They then looked into the cost of cleaning up the boundary to the south. She expressed concern that one neighbor wasn't notified of the plan. When they obtain the go-ahead from the Village they will notify all of the neighbors. She thanked the Village for allowing them to grow and experience such success.

Approved 12-3-2018

Ch. Rickard closed the public hearing, and opened the floor for the Commission's deliberations.

Commission Deliberations:

Ms. Majauskas said that everything seems to be in order, and the petition makes sense to her. As far as the south lot is concerned, it's apples and oranges to her. If neighbors have issues, they should discuss it with the Village Staff.

Ch. Rickard said he thinks the petition meets and exceeds the standards. Looking at the overall plan, there is not much of a difference with this addition.

Ch. Rickard called for a Motion.

Mr. Kulovany said based on the petitioner's submittal, the Staff Report and the testimony presented, that he finds that the petitioner has met the standards of approval for a Final Planned Unit Development #51 Amendment as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, he moved that the Plan Commission recommend to the Village Council approval of 18- PLC-0034 subject to the following conditions:

- 1. The Planned Unit Development Amendment shall substantially conform to the Staff Report; and to the Campus Master Plan prepared by DWL Architects & Planners, Inc. dated September 27, 2018, last revised October 17, 2018, and the Preliminary Engineering Plans and Stormwater Exhibits and Calculations prepared by Mackie Consultants, LLC dated September 28, 2018, last revised October 18, 2018.**
- 2. The site lighting shall meet the lighting requirements as per Section 10.030 of the Zoning Ordinance.**
- 3. All proposed and relocated buildings shall be required to locate a fire hydrant within 100 feet of each new fire department connection.**
- 4. The proposed buildings shall be equipped with an automatic suppression system and a fire alarm system.**

Mr. Quirk seconded the Motion.

AYES: Mr. Kulovany, Mr. Quirk, Mr. Boyle, Ms. Gassen, Ms. Johnson, Ms. Majauskas, Ch. Rickard.

NAYS: None

The Motion passed unanimously.

Mr. Zawila said this would come before the Village Council on the second Tuesday of December 2018.

Approved 12-3-2018

Mr. Zawila said he is thrilled to have been hired as the Village's Planning Manager and he has a great team. He is a resident of the Village and also is from Woodridge and Naperville.

There being no further business, Ch. Rickard called for a Motion to Adjourn.

**Mr. Gassen moved to adjourn the meeting, seconded by Mr. Quirk.
The Motion carried unanimously by voice vote.**

Ch. Rickard adjourned the meeting at 7:54 PM.

Respectfully submitted,

Tonie Harrington,
Recording Secretary
(transcribed from mp3 recording)