A. CALL TO ORDER/ROLL CALL

Chairman Bielat called the meeting to order at 7:01 pm. Village Planner Rockwell took the roll.

Present: Commissioners Sojka, Zajdel, Rogers, Luebchow (9:00 p.m.) and Chairman Bielat
Absent: Commissioner Bauer
Staff Present: Mike Smetana, Development Services Director; Derek Rockwell, Village Planner

B. APPROVAL OF MINUTES

Motion: Motion to approve the revised meeting minutes for the June 19, 2019 Lisle Planning and Zoning Commission indicating that Commission Zajdel motioned and Commissioner Sojka seconded a motion to continue public hearing case number PZC-2019-16
Motion by: Commissioner Rogers
Second by: Commissioner Zjadel

Ayes Approved (5-0)

C. PUBLIC COMMENT

Deirdre Benik, 5619 Main Street, expressed concerns regarding the proposed Premier Gymnastic facility. Specific concerns related to privacy, flooding, parking, traffic flow, ingress, egress, and traffic lights. Ms. Benik expressed an overall concern of being displaced by the proposed development. Commissioner Sojka asked Ms. Benik if Premier Gymnastics had conducted a meeting with residents. Ms. Benik stated that Premier Gymnastics has not met with residents.

D. PUBLIC HEARINGS

Chairman Bielat swore those in attendance planning to give testimony.

1. Public Hearing Case Number: PZC-2019-23
   Applicant: Elizabeth Platek
   Location: 2727-2731 Maple Avenue, Lisle, Illinois 60532
   Request: Approval of a special use permit for a fitness studio.

   Motion: Motion to open the public hearing.
Motion by: Commissioner Rogers
Second by: Commissioner Sojka

All Ayes Approved (4-0)

Village Planner Rockwell presented the case. Village staff recommends approval of the special use permit request based on the findings of fact submitted.

Elizabeth Platek provided a summary of Fit Body Boot Camp’s operations including hours of operation. Hours of operation are Monday through Saturday, early mornings and after work hours. The business is closed on Sundays.

Motion: Motion to close the public hearing.
Motion by: Commissioner Sojka
Second by: Commissioner Rogers

All Ayes Approved (4-0)

Motion: Motion to recommend approval of a special use permit for a fitness studio based upon the findings of fact.

Motion by: Commissioner Rogers
Second by: Commissioner Zjadel

Roll call vote:

Chairman Bielat: Aye
Commissioner Zjadel: Aye
Commissioner Luebchow: Absent
Commissioner Sojka: Aye
Commissioner Rogers: Aye
Commissioner Bauer: Absent

2. Public Hearing Case Number: PZC-2019-16 (continued from the June 19, 2019 PZC meeting)
   Applicant: Benet Academy
   Location: 2200 Maple Avenue, Lisle, Illinois 60532
   Requests:
   1. A Major Change to the Benet Academy Planned Unit Development.
   2. Approval of a final planned unit development plat.
   3. Approval of the following departures from standards:
      a. To allow for an increase in the number of freestanding signs per lot from 1 to 2. (Existing Signs A and G)
      b. To allow for an increase in the size of a freestanding sign from 24 square feet to 51 square feet. (Existing Signs A and G)
      c. To allow for an increase in the maximum height of a freestanding sign from 6 feet to 6 feet 4 inches. (Existing Sign G)
      d. To allow for a decrease to the minimum setback for a freestanding sign from 10 feet to 9 feet. (Existing Sign A)
      e. To allow for an increase in the size of a directional sign from 4 square feet to 30.75 square feet. (Existing Sign T)
f. To allow for an increase in the maximum height of a directional sign from 4 feet to 6 feet 10 inches. (Existing Sign T)

g. To allow for an increase to the maximum height of an open fence in the required front yard from 3 feet to 6 feet along Maple Avenue and Yackley Avenue.

h. To allow for a waiver from the following Planned Unit Development specific content items:
   i. Tax Impact Study
   ii. Environmental Impact Study
   iii. Market Study

Motion: Motion to open the public hearing.
Motion by: Commissioner Sojka
Second by: Commissioner Rogers

All Ayes Approved (4-0)

Chairman Bielat made a statement regarding the PZC’s statutory authority and responsibilities.

Village Planner Rockwell presented the case. Village staff recommends approval of the Major Change, final planned unit development plat, and approval of the requested departures based on the findings of fact submitted.

Chairman Bielat read an email from Commissioner Luebchow into the public record. Commission Luebchow stated that the traffic study is worthless, garbage; the traffic plan submitted is worthless and makes matters worse; existing traffic management efforts, including signage are ignored and useless. As currently presented, Commissioner Luebchow’s vote would be to not recommend approval.

Attorney Russ Whitaker came forward to present the zoning request. Attorney Whitaker provided a summary of the proposed building addition that has necessitated the zoning request. The stated purpose of the building addition is to improve student experience and help Benet Academy maintain existing enrollment numbers is a competitive environment, not increase enrollment.

Principal Marth, Benet Academy, reiterated Attorney Whitaker’s statements regarding the purpose of the proposed building addition. Principal Marth discussed the economic benefits Benet Academy contributes to the Village.

Commissioner Luebchow joined the meeting via cellular phone.

Commissioner Rogers stated his main concern is the property’s northern entrance and expressed his desire to hear from the petitioner’s engineers.

Attorney Whitaker introduced Merit Corp, the engineering firm that prepared the traffic analysis for the subject property.

Clayton Schueler, Merit Corp, outlined the proposal to utilize the northern entrance and discussed why use of that northern entrance would reduce vehicle stacking.
Commissioner Rogers requested clarification on the amount of vehicles that can stack at the northern entrance. Mr. Schueler estimated that 14 stacking spots will be created.

Commissioner Zjadel asked what incentive exists to ensure that the proposed northern entrance is utilized. Mr. Schueler stated that Benet Academy will need to ensure that parents are aware of that the north entrance can now be utilized. Commission Zjadel expressed concern that the northern entrance will not be signalized and requested how many trips go north on Yackley when leaving the school campus. Mr. Schueler stated that information is unknown.

Commission Zjadel asked how the data collection was performed and who performed the data collection. Mr. Schueler stated that he observed stacking at all points of ingress and egress from the main entrance.

Commissioner Rogers asked what steps Benet is taking to ensure that the north entrance is utilized. Mr. Schueler again stated the Benet Academy will need to ensure that parents are aware of the northern entrance opportunity.

Chairman Bielat asked is students were observed running onto Yackley Avenue. Mr. Schueler stated that was not observed,

Mr. Schueler outlined the traffic analysis recommendations. Principal Marth stated that Benet Academy will work with parents when implementing the recommendations of the traffic analysis.

Commissioner Luebchow joined the meeting via cellular phone.

Motion: Motion to allow Commissioner Luebchow to join the meeting via telephone due to work obligations.
Motion by: Commissioner Zjadel
Second by: Inaudible

All Ayes Approved (4-0)

Commissioner Sojka requested Principal Marth to clarify where faculty parking occurs. Principal Marth stated that faculty currently parks on the north side, but Benet Academy is considering altering the areas in which faculty park.

Chairman Bielat asked Principal Marth what stops parents from dropping off students within the public right-of-way. Principal Marth stated that Benet Academy is willing to address this problem and believes signage may help.

Commissioner Zjadel requested Principal Marth to confirm that Benet Academy’s willingness to post signage prohibiting parking or standing on the public right-of-way. Principal Marth confirmed Benet Academy’s willingness to post such signs. Commission Luebchow stated that the signs will not address the problem.

Commissioner Zjadel asked who would enforce student drop off and pick up regulations. Principal Marth stated that Benet Academy can monitor on site issues. Commissioner Zjadel asked Principal Marth if Benet Academy would be agreeable to a condition requiring such monitoring. Principal Marth stated that Benet Academy would be in agreement.
Chairman Bielat asked how construction parking and traffic will be managed during construction.

Joe LaPaglia, Aspen Group, provided a summary of site management during construction of the addition.

Chairman Bielat expressed concern that students will park in neighboring subdivisions, especially during construction.

Director Smetana informed the Commission that the Village Code prohibits parking on both sides of Cascade Drive from 7 to 9 a.m. Chairman Bielat asked if enforcement is complaint based. Director Smetana stated that he would need to refer that question to the Police Department, but believes that parking restrictions are actively enforced during patrol.

Commissioner Sojka stated that he could not find information showing that Merit Corp performs traffic study. Furthermore, Commission Sojka stated that a specific engineer certification is required to perform traffic studies.

Mr. Schueler stated that the certification is a PTOE, that he does not possess that certification, and that it is Merit Corp’s position is that a traffic study was not performed. Instead a traffic analysis was performed.

Mr. LaPaglia informed the Commission that KLOA was also retained to review the traffic analysis performed by Merit Corp.

Commissioner Luebchow physically joined the meeting at approximately 9:00 p.m.

Michael Worhman, KLOA, introduced himself. Mr. Worhman is a PTOA. Mr. Worthman stated that McHenry County is the only jurisdiction that he is aware of that requires a PTOE to prepare traffic analysis reports.

Mr. Worthman stated that KLOA reviewed accident data and the recommendations made by Merit Corp. Mr. Worthman stated that he has not conducted site observations. Mr. Worthman stated that the recommendations adhere to general traffic management practices implemented by schools. Mr. Worthman stated that he would not support the recommendations made by the Village Engineer due to physical site constrains.

Commissioner Zjadel asked Mr. Worthman to testify as to how much the traffic analysis recommendations will have. Mr. Worthman stated that a number could not be assigned to the level of benefit.

Commission Luebchow stated that he is a Benet parent and that parents are parking on Yackley Avenue to pick students. Commissioner Luebchow stated that site observations should have been performed for an entire week. Furthermore, onsite stacking for 25 to 30 additional vehicles is required on site.

Dean Eldrenkamp, 5477 Ranier Drive, spoke in support of the proposed project stating that allowing the addition to be built will help address the traffic concerns.
Andrew Olenik, resident, spoke in support of the proposed project and the Commission’s effort to address the existing traffic issues. Mr. Olenik stated that the traffic issues should not negatively affect the application to allow for construction of the proposed building addition.

Attorney Whitaker stated that the traffic analysis recommendations depict a net increase of 18 onsite stacking spaces and stated that Benet Academy will continue to work with the Lisle Police Department to address traffic issues.

Commission Zjadel asked Village staff why the Lisle Police Department does not ticket parents for dropping children off from the public right-of-way. Director Smetana stated he could not answer that question; he is not the Police Department.

Chairman Bielat stated that adequate data was not provided by the petitioner, which makes the traffic issues difficult to address.

Chairman Bielat asked Attorney Whitaker if Benet Academy has complied with all previous PUD entitlements. Attorney Whitaker stated that the question feels like a “gotcha” question.

Chairman Bielat identified landscape requirements from a 2007 PUD entitlement and asked if all landscape requirements were adhered with. Chairman Bielat also asked what reassurances exist to ensure that conditional approvals are complied with.

Attorney Whitaker stated that improvement securities and Village code enforcement staff are two mechanisms that exist to ensure that conditions are complied with.

Chairman Bielat asked about a temporary path that was installed on the western property line and what the definition of temporary is. Attorney Whitaker stated that did not know why the path was identified as a temporary path. Chairman Bielat stated that he feels proper notice was not made to adjacent residents and that modifications were made to associated berming.

Chairman Bielat stated that there was also modifications to the stormwater facilities and that those actions are no neighborly. Attorney Whitaker apologized for past miscommunication.

Director Smetana informed the Chairman that staff that made the decisions to allow for the temporary path and stormwater modifications are not present to answer questions or defend the decisions that were previously made.

Mr. LaPaglia stated that Benet Academy would be willing to post a $125,000 bond to ensure improvements on the site. Attorney Whitaker cautioned that he would have to perform a legal review regarding the issuance of a bond.

Commissioner Luebchow stated that two weeks is adequate time to determine if traffic issues remain after implementation of new traffic control efforts. Commissioner Luebchow stated that Benet Academy needs to have a Lisle Police Officer on-site day one. Director Smetana stated that the Commission and the petitioner need to be conscious of Police Department staffing needs.
Attorney Whitaker and the Commission discussed potential condition language.

Motion: Motion to close the public hearing.
Motion by: Commissioner Rogers
Second by: Commissioner Sojka

All Ayes Approved (5-0)

Motion: Motion to recommend approval of a Major Change to the Benet Academy Planned Unit Development, a final planned unit development plat, and approval of the following departures based upon the findings of fact with the following conditions:

a. To allow for an increase in the number of freestanding signs per lot from 1 to 2. (Existing Signs A and G)
b. To allow for an increase in the size of a freestanding sign from 24 square feet to 51 square feet. (Existing Signs A and G)
c. To allow for an increase in the maximum height of a freestanding sign from 6 feet to 6 feet 4 inches. (Existing Sign G)
d. To allow for a decrease to the minimum setback for a freestanding sign from 10 feet to 9 feet. (Existing Sign A)
e. To allow for an increase in the size of a directional sign from 4 square feet to 30.75 square feet. (Existing Sign T)
f. To allow for an increase in the maximum height of a directional sign from 4 feet to 6 feet 10 inches. (Existing Sign T)
g. To allow for an increase to the maximum height of an open fence in the required front yard from 3 feet to 6 feet along Maple Avenue and Yackley Avenue.
h. To allow for a waiver from the following Planned Unit Development specific content items:
   iv. Tax Impact Study
   v. Environmental Impact Study
   vi. Market Study

Conditions:

1. The Property, and all improvements on the Property, will be used, operated, and maintained at all times in accordance with all applicable federal, state, and Village statutes, codes, ordinances, rules, and regulations.
2. Petitioner shall request from the DuPage County Department of Transportation permission to install signage indicating that no parking, stopping, or queuing shall be permitted on adjacent DuPage County rights-of-way.
3. Petitioner shall, in coordination with Village of Lisle staff and the Village Engineer, institute traffic control measures design to eliminate queuing of traffic in through lanes on adjacent DuPage County rights-of-way by November 1, 2021.
4. Petitioner shall permit full access to the Property to the Village of Lisle and its authorized representatives for the purpose of performing inspections and enforcement of Village codes, ordinances, rules, and regulations.

Motion by: Commissioner Rogers and Zjadel
Second by: Commissioner Sojka
Roll call vote:

Chairman Bielat: Aye
Commissioner Zajdel: Aye
Commissioner Luebchow: Aye
Commissioner Sojka: Aye
Commissioner Rogers: Aye
Commissioner Bauer: Absent

E. NEW BUSINESS

1. Development Proposal Presentation: 4225 Naperville Road and 3333 Warrenville Road
   Potential application for a Major Change to the Central Park of Lisle Planned Unit
   Development in order to revise wall signage rights on the properties (Central Park of
   Lisle)

   Patti Berhard, attorney, presented the development concept proposal, which consists
   addressing PUD sign entitlement discrepancies and the installation of new wall signage.
   This new wall signage would be compliant with the Village Code, but would not be
   compliant with the existing PUD regulations.

   Attorney Berhard stated that a waiver of all PUD submittal requirements will be
   requested.

   Commissioner Zjadel stated that a hardship should be identified.

   Commissioner Rogers stated that a chart identifying all signage and code compliance of
   that signage would be beneficial.

   Chairman Bielat asked if temporary signs were permitted under the PUD. Attorney
   Berhard stated that three temporary signs were permitted under the PUD if lease rates
   remained under 90%

   Commissioner Zjadel requested staff to clarify that the intent of the proposed zoning
   request would be to address existing signs that are not compliance with the PUD
   regulations. Director Smetana confirmed that there are existing signs that do not comply
   with the PUD. Director Smetana stated that staff will provide the Commission with an
   outline identifying the signs that are not in compliance and if a building permit authorizing
   the sign was issued by the Village.

   Attorney Berhard asked the Commission if there would be flexibility in regards to sign
   square footage versus the number of signs. Commissioner Zjadel instructed Attorney
   Berhard to present that component as part of the formal application.

   Chairman Bielat polled the Commission regarding the waiver of PUD submittal
   requirements. Commission Zjadel and Rogers agreed with the submittal waiver outline
   by Attorney Berhard.

F. OLD BUSINESS

1. Draft Planning and Zoning Commission Bylaw Discussion
Chairman Bielat postponed this discussion and directed the Commissioners to review the draft bylaws and provide comments to Director Smetana.

G. ADJOURNMENT

Motion: Motion to adjourn.

Motion by: Commissioner Sojka
Second by: Commissioner Luebchow

All ayes approved (5-0).

Meeting adjourned at 11:07 p.m.

Respectfully Submitted,

Michael R. Smetana, AICP
Development Services Director