The following minutes constitute a summary of the events and discussions that transpired during the subject meeting, and do not purport to be a transcript of such. Where transcripts exist, they are available for inspection under the Illinois Freedom of Information Act.

A. CALL TO ORDER/ROLL CALL

Chairman Bielat called the meeting to order at 7:00 pm. Village Planner Rockwell took the roll.

Present: Commissioners Sojka, Rogers, Bauer, Biederstadt and Chairman Bielat
Absent: Commissioner Zjadel and Luebchow
Staff Present: Mike Smetana, Development Services Director; Derek Rockwell, Village Planner

B. APPROVAL OF MINUTES

Motion: Motion to approve the meeting minutes for the July 17, 2019 Lisle Planning and Zoning Commission.
Motion by: Commissioner Rogers
Second by: Commissioner Sojka
Ayes Approved (4-0) Bauer Abstained

C. PUBLIC COMMENT

No public comment

D. PUBLIC HEARINGS

1. Public Hearing Case Number: PZC-2019-19
   Applicant: Sunrise Southwest, LLC
   Location: 3200-3230 Ogden Avenue, Lisle, Illinois 60532
   Requests:
      1) A Major Change to the Hummer of Naperville Planned Unit Development.
      2) Approval of a final planned unit development plat.
      3) Approval of a Special Use Permit for the operation of an automotive and power equipment services facility.
      4) Approval of the following departures from standards:
         a. To allow for a reduction to the required amount of parking lot landscaping in a yard adjacent to a nonresidential property from 50% to 0%.
         b. To allow for a reduction to the required height of parking lot landscaping in a yard adjacent to a nonresidential property from 3 feet to 0 feet.
         c. To allow for a reduction to the required amount of parkway trees from 6 to 0.
d. To allow for a reduction to the amount of required foundation landscaping from 100% along the front, 50% along each side, and 25% in the rear all to 0%.

e. To allow for a reduction to the minimum width of foundation planting areas from 8 feet to 0 feet.

f. To allow for a reduction to the required amount of landscaping islands from 16 to 7.

g. To allow for a reduction to the required amount of shade trees located in landscape islands from 16 to 3.

h. To allow for a reduction to the required setback from the proposed use to a residential district from 50 feet to 25.32 feet for the northern building.

i. To allow for an increase in the existing maximum horizontal illumination adjacent to single-family residential zoned properties at the east / northeast property lines from 0.2 foot-candles to 0.5 foot-candles.

j. To allow for the storage of vehicles, materials and equipment as may be authorized by the corporate authorities.

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

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

All Ayes Approved (5-0)

Village Planner Rockwell presented the case. Village staff recommendation is as follows:

1. Approval of a Major Change to the Hummer of Naperville Planned Unit Development, based on the Findings of Fact submitted.
2. Approval of a final planned unit development plat, based on the Findings of Fact submitted.
3. Approval of a Special Use Permit for the operation of an automotive and power equipment services facility, based on the Findings of Fact submitted.
4. Approval of the following departures from standards, based on the Findings of Fact submitted:
   a. To allow for a reduction to the required amount of parking lot landscaping in a yard adjacent to a nonresidential property from 50% to 0%.
   b. To allow for a reduction to the required height of parking lot landscaping in a yard adjacent to a nonresidential property from 3 feet to 0 feet.
   c. To allow for a reduction to the required amount of parkway trees from 6 to 0.
   d. To allow for a reduction to the amount of required foundation landscaping from 100% along the front, 50% along each side, and 25% in the rear all to 0%.
e. To allow for a reduction to the minimum width of foundation planting areas from 8 feet to 0 feet.
f. To allow for a reduction to the required amount of landscaping islands from 16 to 7.
g. To allow for a reduction to the required amount of shade trees located in landscape islands from 16 to 3.
h. To allow for a reduction to the required setback from the proposed use to a residential district from 50 feet to 25.32 feet for the northern building.
i. To allow for the storage of vehicles, materials and equipment as may be authorized by the corporate authorities.
j. To allow for a waiver from the following Planned Unit Development specific content items:
   i. School Impact Study
   ii. Environmental Impact Study
   iii. Market Study
5. Denial of the applicant’s request for a departure from standards to allow for an increase in the existing maximum horizontal illumination adjacent to single-family residential zoned properties at the east / northeast property lines from 0.2 foot-candles to 0.5 foot-candles.

The recommended approvals outlined above shall be subject to the following conditions:

1. Compliance with Plans. The development, maintenance, and operation of the Property will be in substantial compliance with the following documents and plans, except for minor changes and site work approved by the Development Services Director in accordance with all applicable Village rules, regulations, and ordinances:
   a. Site Plan, prepared by V3 Companies and dated August 28, 2019.
   b. A revised Landscape Plan, subject to the modifications outlined in condition 3 below.
   c. A revised Photometric Plan which fully complies with the requirements of the Village Code.
   d. Final Planned Unit Development Plat, prepared by Roake and Associates, Inc. and dated March 5, 2019.
2. A revised Photometric Plan which fully complies with the requirements of the Village Code shall be submitted to Village staff for review and approval prior to this case, PZC 2019-19, being considered by the Village Board.
3. A revised Landscape Plan which provides additional landscaping treatments in order to mitigate the effects of departure requests 4a through 4g, inclusive, shall be submitted to Village staff for review prior to this case, PZC 2019-19, being considered by the Village Board. The Development Services Director shall determine whether this condition has been satisfied by the applicant, which determination shall be forwarded to the Village Board. Potential mitigation items include the addition of planter boxes in place of foundation planting, the inclusion of additional shade trees, shrubs and ornamental grasses along the property’s Ogden Avenue frontage and elsewhere on site, unless precluded by existing infrastructure (watermain, etc.), as determined by
the Village Engineer in lieu of parkway trees, and screening adjacent properties to the extent possible, whether or not such screening is visible to adjacent rights-of-way or other properties.

James E. Olguin, Attorney with Buikema Law Group LLC, spoke on behalf of the petitioner. Attorney Olguin expressed concern with staff’s recommendations relating to landscaping and outdoor lighting, noting that the petitioner is a tenant and that approval from the property owner would be required to make improvements to the property.

Commissioner Bauer asked the petitioner how long they have operated at the current location. The petition stated that they have operated there since early 2018. The petitioner stated that the lease agreement with the property owner has a kick-out clause should the owner sell the property during the lease agreement. The petitioner stated that their preference would be to remain at the property unless a better opportunity arose.

The petitioner stated that they would only occupy the north building.

Commissioner Rogers requested clarification regarding the number of parking spaces provided. The petitioner stated that they have 86 spaces proposed. The petitioner stated that these spaces were achieved through re-striping.

Chairman Bielat asked the petitioner to speak to the numbers and types of vehicles to be stored on site, and start-up procedures.

Jason Boersma, Sunrise Southwest, stated that vehicles will consists of Chevy Suburbans and Type A school buses which are on van chassis. 75% of the vehicles are stored on the property. All vehicles are gasoline powered and some of the Type A buses are equipped with back-up alarms. These alarms and the vehicle lights would be tested at 6:00 a.m. The petitioner stated that vehicle start-up might be earlier if there is inclement weather.

Commissioner Sojka requested Director Smetana to discuss how Sunrise Transportation’s existing use of a neighboring property was approved. Director Smetana stated that staff administratively approved the use and that the administrative approval was based on a Village Attorney legal opinion of existing entitlements. The public hearing packet included a legal opinion and memorandum that was transmitted to the Village Board at that time.

Chairman Bielat asked the property owner, Ed Burke, if he was willing to make improvements. Mr. Burke stated that it would depend on what improvements were requested. Mr. Burke stated that he had a dealership interested in the property but that the dealership got tired of waiting on the zoning approval process with the Commission. Chairman Bielat corrected the record stating that the dealership was scheduled for concept review with the Planning and Zoning Commission and that the dealership did not show up to the meeting. Commissioner Sojka seconded Chairman Bielat’s statements. Director Smetana further confirmed that a formal zoning application was never submitted to the Village.

Mr. Burke stated that trees are not appropriate for auto dealerships and that he is still hopeful to secure a car dealer for the site. Commissioner Bauer asked how parking could be accommodated for both the petitioner and a car dealership. Mr. Burke stated he is interested in selling the property, or find an additional tenant, whichever comes first.
Commissioner Rogers expressed concerns with the requested departures carrying over to a future tenant. Specifically, lighting and landscaping.

Andrew, V3, spoke regarding V3’s plan to address the outdoor lighting issue, which includes the removal of bulbs and wires.

Chairman Bielat asked Mr. Boersma where Sunrise previously operated and how many students in Lisle the company serves. Mr. Boersma stated that Sunrise previously operated in Woodridge and that Sunrise serves approximately 30 to 40 student with many being SASED students.

Commissioner Biederstadt asked Mr. Boersma if there would be complications utilizing Ogden Avenue. Andrew with V3 provided a summary of the traffic memorandum that was prepared to provide an overview analysis of the proposed use. Specifically, that the impact to Ogden Avenue is less than the previous dealership. Commissioner Biederstadt expressed concerns regarding buses entering and leaving the site during peak hours.

Commissioner Sojka stated that he is concerned with left hand turns onto Ogden Avenue during rush hour. Mr. Boersma stated that Sunrise had already identified left hand turns as an issue and intend to prohibit left hand turns.

Commissioner Bauer asked the petitioner if they would be opposed to a condition prohibiting left hand turns. Attorney Olguin stated that they would not have an objection if the condition related only to Sunrise operations.

Commissioner Sojka requested clarification regarding existing setbacks and requested the petitioner to discuss hours of operation and how a 6:00 am. Start relates to the Village’s noise ordinance. Director Smetana informed the Commission that if the Commission felt hours of operation should be limited, the limitation should be by condition.

Planner Rockwell confirmed that the southern building complies with required setbacks. Planner Rockwell further clarified abutting uses in that there are residential uses to the east and northeast.

Chairman Bielat expressed concern with the applicant’s proposal and how it relates to the Ogden Avenue corridor plan.

Mr. Burke stated asked why the Village would discourage auto use when dealerships are the highest sales tax producing entities. Mr. Burke questioned why it is okay for Sunrise to bus around special needs children in the Village but not park in the Village.

Commissioner Bauer discussed how the special use permit process is designed to ensure that the proposed use does not impact neighboring property owners and that the process has nothing to do with special needs children.

Commission Bauer asked if there would be opposition to conditioning the zoning approvals to not run with the land due to the temporary nature of the request. The petitioner stated that they would not have an objection, but would want to be conscious of potential corporate name changes.
Director Smetana stated that the Commission can restrict the transferability of the zoning entitlements. Director Smetana further clarified that many of the departures being requested are due to the fact that those existing departures were not previously approved.

Chairman Bielat asked if members of the public were present to speak.

Inga Sapalaite stated that if a laundry list of departures are required, perhaps the proposed use is not ideal. MS. Sapalaite stated that she is surprised staff is supporting the request.

Motion: Motion to close the public hearing.
Motion by: Commissioner Biederstadt
Second by: Multiple

All Ayes Approved (5-0)

The Commission discussed potential condition language related to landscaping and how to appropriately ensure that the zoning entitlements are not transferrable.

Director Smetana stated that staff has compared disclosures of beneficiaries in the past to ensure that beneficiaries have not changed even if a corporate name has not changed.

The Commission all discussed condition language related to vehicle types. Director Smetana stated that staff would prefer vehicle weight versus vehicles name brands or types.

Commissioner Biederstadt requested confirmation that neighbors were notified. Director Smetana stated all property owners within 250 feet were notified.

Commissioner Bauer responded to Ms. Sapalaite’s statement stating that the number of departures is due to existing nonconformities and should not be viewed as proof a use is not compatible.

Motion:

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i. To allow for the storage of vehicles, materials and equipment as may be authorized by the corporate authorities.

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

Conditions:

1. Compliance with Plans. The development, maintenance, and operation of the Property will be in substantial compliance with the following documents and plans, except for minor changes and site work approved by the Development Services Director in accordance with all applicable Village rules, regulations, and ordinances:

   a. Site Plan, prepared by V3 Companies and dated August 28, 2019.
   b. A revised Landscape Plan, subject to the modifications outlined in condition 3 below.
   c. A revised Photometric Plan which fully complies with the requirements of the Village Code.
   d. Final Planned Unit Development Plat, prepared by Roake and Associates, Inc. and dated March 5, 2019.

2. A revised Photometric Plan which fully complies with the requirements of the Village Code shall be submitted to Village staff for review and approval prior to this case, PZC 2019-19, being considered by the Village Board.

3. A revised Landscape Plan which provides additional landscaping treatments in order to mitigate the effects of departure requests 4a through 4g, inclusive, shall be submitted to Village staff for review prior to this case, PZC 2019-19, being considered by the Village Board. The Development Services Director shall determine whether these condition has been satisfied by the applicant, which determination shall be forwarded to the Village Board. Potential mitigation items include the addition of planter boxes in place of foundation planting, the inclusion of additional shade trees, shrubs and ornamental grasses along the property’s Ogden Avenue frontage and elsewhere on site, unless precluded by existing infrastructure (watermain, etc.), as determined by the Village Engineer in lieu of parkway trees, and screening adjacent properties to the extent possible, whether or not such screening is visible to adjacent rights-of-way or other properties. Landscape screening shall include the following: landscape screening that breaks the southern face of the new fence, landscape screening to
include screening for adjacent residential properties, and landscape screening in the parkway to include shrubs and grasses to a height of 3 feet.

4. Noise producing maintenance activities shall be limited to indoors and shall only occur between the hours of 7:00 a.m. and 7:00 p.m.

5. Vehicles associated with the applicant shall be prohibited from making left hand turns onto Ogden Avenue.

6. The applicant shall only operate a maximum of 86 vehicles with a maximum gross vehicle weight to be approved by Village staff.

7. The departures of standards approved shall only be applicable to Sunrise Southwest, LLC.

Motion by: Commissioner Rogers
Second by: Commissioner Sojka

Roll call vote:

Chairman Bielat: Nay
Commissioner Sojka: Aye
Commissioner Rogers: Aye
Commissioner Bauer: Aye
Commissioner Biederstadt: Aye

Director Smetana requested the Commission to make a motion denying the request related to outdoor lighting.

Motion: Denial of the applicant’s request for a departure from standards to allow for an increase in the existing maximum horizontal illumination adjacent to single-family residential zoned properties at the east / northeast property lines from 0.2 foot-candles to 0.5 foot-candles.

Motion by: Commissioner Rogers
Second by: Commissioner Sojka

Chairman Bielat: Aye
Commissioner Sojka: Aye
Commissioner Rogers: Aye
Commissioner Bauer: Aye
Commissioner Biederstadt: Aye

E. NEW BUSINESS

1. Development Concept Proposal: School – Center – Spencer Townhome Development
   Potential application for a special use and preliminary / final plat of subdivision in order to construct a townhome development north of School Street between Center Avenue and Spencer Avenue (John McHale)

   John McHale provided an overview of the development concept proposal. The proposal consists of a 46-unit urban walk-up three-story townhome development.

   Commissioner Rogers commented that the proposal resembles a draft version of the Downtown Lisle Plan and that the plan was subsequently changed.
Commission Rogers stated that he is not opposed to the proposed use on the site. Commissioner Rogers stated additional uses should be introduced to the site. Commissioner Rogers stated that less uniformity is needed.

Commissioner Biederstadt asked staff if the concept complies with the Downtown Lisle Plan. Director Smetana stated that the concept does not comply. The plan calls for mixed-use development that includes commercial, office, and flex space.

Commissioner Biederstadt asked how parking is addressed. Mr. McHale stated that there would be on street parking, a potential to have parking on a parcel to the north, and a potential for guest parking on other neighboring parcels.

Chairman Bielat stated that commercial should be included in the concept and that he has concerns regarding guest parking.

Director Smetana stated that the site could be mixed use, not necessarily vertical mixed use, and still meet the intent of the Downtown Plan.

Commissioner Sojka also expressed concerns regarding guest parking.

Commissioner Bauer stated that more of a traditional row house would be more appropriate for the site.

Mr. McHale stated that the proposed buildings would be 1,800 to 2,400 square feet, 2 bedroom and 3 bedroom.

Mr. McHale stated that if the concept moved towards a mixed-use development, condos would be difficult to obtain lending for.

Commissioner Bauer stated that there should be continuous street wall / façade.

Commissioner Bauer thanked Mr. McHale for his interest.

Commissioner Sojka asked if it was possible to include a courtyard as a central feature with retail facing inward to the courtyard. Mr. McHale stated that he could review that idea.

Mr. McHale stated that new single story commercial rent needs to be $20 to $30 per sq. ft. and that the existing downtown commercial spaces get rent in the teens. Due to this low commercial rent, it is difficult to fund new commercial development.

2. Appeal of Administrative Determination: Anam Cara Montessori Language Academy (5100 and 5116 Lincoln Avenue)

Planner Rockwell provided an overview of the appeal request.

The petitioner stated that they erroneously used the term “school” when discussing the site with Village staff. The use is a Montessori daycare center licensed by DCFS.

The petitioner acknowledge that there is a Board of Education licensure element due to the daycare’s Montessori classification.
Director Smetana stated that staff made a conservative determination based on the applicant’s identification of a State Board of Education license and the applicant’s use of the term of “school.”

The petitioner stated that daycares do have to provide social and emotional education and that daycares now have to offer more than what used to be.

Chairman Bielat asked Village staff what is considered primary school. Director Smetana stated that he believes primary school includes kindergarten as mandated primary education.

Director Smetana stated that the subject property has open building permits that are in violation and that the Village has cut the property’s grass all summer and that there are liens on the property.

Commissioner Sojka pointed out flooding issues and encouraged the petitioner to review flooding issues.

Commissioner Bauer clarified that if the Commission were to reverse the administrative determination, a special use permit would still be required.

Chairman requested comments from the public. There were no public comments.

Commissioner Bauer informed the petitioner that he has concerns regarding traffic at the Short Street / Route 53 intersection.

Director Smetana stated that the special use permit process would take 2-3 months.

Motion: Motion to reverse Village staff’s determination and order Village staff to classify Anam Cara Montessori Language Academy at 5100 and 5116 Lincoln Avenue as a daycare facility for the care of preschool and school age children, which is a permitted special use in the O (Office) zoning district, per Village Code Section 5-7-2-B.

Motion by: Commissioner Sojka  
Second by: Commissioner Biederstadt

All Ayes Approved (5-0)

The Commissioner informed Staff that they had made the correct determination.

F. OLD BUSINESS

1. Draft Planning and Zoning Commission Bylaw Discussion

Director Smetana requested commission members to email him their edits.

The Commissioner discussed various components of the draft by-laws.

G. ADJOURNMENT

Motion: Motion to adjourn.
Motion by: Commissioner Rogers  
Second by: Commissioner Sojka  

All ayes approved (5-0).  

Meeting adjourned at 10:05 p.m.  

Respectfully Submitted,  

Michael R. Smetana, AICP  
Development Services Director