



**VILLAGE OF PLAINFIELD
PLAN COMMISSION MEETING
RECORD OF MINUTES**

DATE: AUGUST 4, 2009

LOCATION: Village Hall

Chairman Sobkoviak called the meeting of the Plan Commission to order at 7:01 p.m.

ROLL CALL:

Present: Commissioners Kachel, O'Rourke, Sanders, Seggebruch, ex-officio Commissioners Schrack and Heinen; Chairman Sobkoviak; and Plainfield Fire Protection District

Absent: Commissioners Renzi and Kiefer, Plainfield Park District, Plainfield School District, Plainfield Library District, and Plainfield Police Department

Also Present: Jonathan Proulx – Planner II Village of Plainfield, Sara Javoronok – Planner Village of Plainfield, Carol Millan – Planning Department Secretary Village of Plainfield, and Neal Eickholtz – Baxter and Woodman

APPROVAL OF MINUTES:

The July 21, 2009 minutes were accepted as presented.

DEVELOPMENT REPORT:

None

OLD BUSINESS:

CASE: 1458-032509.SU.PP.FP

Request: Special Use (*Public Hearing*)
Preliminary/Final Plat of Subdivision

Location: NWC of King's Bridge Estates Subdivision

Applicant: Madonna Development

KING'S BRIDGE ESTATES DUPLEXES

(Continued to September 1, 2009)

At 7:03 p.m. Commissioner Sanders made a motion that the Plan Commission continue the Public Hearing for Case: 1458-032509.SU.PP.FP (King's Bridge Estates) to the September 1, 2009 Plan Commission Meeting.

Commissioner Kachel seconded the motion.

Chairman Sobkoviak called for a vote by roll call.

AYE: O'Rourke, Sanders, Seggebruch, Kachel, Chairman Sobkoviak

NAY: 0

The motion is carried 5:0.

CASE: 1475-070209.RZ.SU.SPR.PP/FP **PLAINFIELD DENTAL ADDITION**
Request: Map Amendment (Re-Zoning) and
Special Use for Planned Development (*Public Hearing*)
Site Plan Review
Preliminary/Final Plat of Subdivision
Location: West of IL Rt. 59, north of Commercial Street
Applicant: Peter Muraglia, D.D.S.

TIME: 7:05 p.m.

Planner Proulx summarized the staff report. He stated this project requires a public hearing for both the map amendment (rezoning) and the special use. The appropriate notices have been published and posted in accordance with State Statute and local ordinance.

The widening of Rt. 59 has impacted the current parking in front of the existing Plainfield Dental office. The proposal involves reconfiguring and expanding, the parking lot westward onto additional property owned by the applicant. The petitioner is also seeking approval to build an addition at some point in the future. The applicant would like to build the parking as soon as possible and the addition will be something that is driven more by the economic conditions and future needs.

Planner Proulx showed some slides showing photos of the site. He stated the structure to the west could be the home of one of the founders of Plainfield. The applicant has submitted an application for a demolition permit. However, knowing the historical significance the applicant has been working with staff on alternatives that would avoid demolition. The applicant and the property owner further to the west have been engaging in discussions to allow the structure to be relocated just a little bit west. They have agreed, at least in principle, to an arrangement that would relocate the structure and are now working on the formal written agreement. He stated there is quite a mixture of land uses in this area.

Planner Proulx went through the findings of fact for the rezoning and stated the findings are favorable to the applicant. Planner Proulx summarized the zoning relief requested by the applicant. (front yard setback of 17', corner side yard setback of 10', rear yard setback of 20', parking setback no closer to the street than the building, proximity of access point to intersection of approximately 130', increase in threshold for requiring on-site detention from 50% impervious to 70% impervious, and an extended vesting period for the site plan approval of up to 5 years in lieu of 1 year.) Planner Proulx stated as a balance to the relief significant aspects of the project merit consideration, (donating the historic residence and participation in a land swap to allow the structure to be preserved, upgrading the existing building with a new roof and windows, and "down-zoning" the existing commercial parcel from B-1 to BT.) The petitioner has voluntarily agreed to prohibit some of the uses in the BT zoning district to provide further for compatibility between the commercial lot and adjacent homes. Planner Proulx also summarized the findings of fact for the PD. Staff notes some of the request relative to the parking is brought on by a hardship encountered with the Rt. 59 widening. IDOT did acquire an additional 12' inward towards the building. Staff feels this is worth some consideration.

Planner Proulx outlined the characteristics of the site plan review.

The subdivision will consolidate the separate commercial and residential parcels into one legal lot. The subdivision process will allow for an outlot to be created that can be conveyed to the property owner to the west to relocate the residential structure.

Staff is seeking a favorable recommendation from the Plan Commission.

Chairman Sobkoviak asked Village Engineer Eickholtz if there were any issues. Village Engineer Eickholtz stated the final engineering was not included at this time; but looking over the site, he did not anticipate any significant issues.

Chairman Sobkoviak swore in the petitioners.

Michael Colombo, JTS Architects, spoke first. He is representing Plainfield Dental and Drs. Muraglia and Peck. He stated Planner Proulx did a really good job in explaining their proposal to consolidate these two properties so that Drs. Muraglia and Peck can achieve some parking on the property since there has been construction on Rt. 59. He stated Dr. Muraglia bought the adjacent property many years ago. He stated they have developed a nice master plan working with staff consisting of consolidation of properties, "down-zoning", "up-zoning", swapping lands, providing transitional areas for landscaping, and

working hard to have a nice plan. Dr. Muraglia has made every effort to be diligent and understanding working with the historic nature of the adjacent parcel. They are looking for the Commission to support them in this endeavor.

Chairman Sobkoviak asked if there was any public comment. Two residents responded:

Arnie Ozbolt, resident on Commercial Street, spoke first. He has concerns about:

- Questioned size of parcels
- Worried about project hurting the adjoining neighbors' property values.
- Increased traffic concerns on Illinois, Commercial.
- Concerns about traffic on the one-lane alley.
- Dangerous for children in the area
- Felt a precedent was being set by using the alley as a street

Petitioner Colombo responded to Mr. Ozbolt's concern about the size of the lot. He was not sure of the 50' lot that Mr. Ozbolt referenced and did not agree with the math. Petitioner Colombo felt the alley was already being used by all the businesses. Dr. Muraglia stated since 1968 when the dental office was established the alley was used by the patrons. He further stated most of his patients use the alley.

Mr. Ozbolt asked if any traffic studies had been completed for the alley. Planner Proulx stated the issue of access was discussed by the Village's Traffic Committee. Clearly, there is no easy answer. Commercial Street will be cut off from Rt. 59 via a cul-de-sac through the widening of Rt. 59. As a result of that it is staff's expectation that this alley will experience additional pressure or cut-through traffic. It currently sees cut-through traffic today by virtue of Commercial Street being closed. Staff expects there will be a significant increase in cut-through traffic. It is not something the Village wants to see or the residents want to see. There are different alternatives that could be implemented to discourage the cut-through traffic. There have been no traffic studies completed for this project, but it is staff's contention that the increase in traffic that would be caused by a change to Commercial Street would be the lion's share of any change in traffic. A discussion followed between Mr. Ozbolt, the petitioner, and staff. Petitioner Colombo stated he was under the assumption that the State did not allow for a curb cut off of Rt. 59 into the Dental practice. The curb cut is the alley and will always be the alley. A discussion followed between Mr. Ozbolt and Petitioner Colombo regarding the number of parking spaces.

Petitioner Colombo stated the look of the neighborhood will actually be enhanced by the landscaping and the improved look of the building and a truly developed, defined parking lot. There will be a parking lot with an in and out, which will be curbed, stripped, and landscaped.

Tim Stetenfeld, 24007 W. Ottawa, spoke next. He lives directly north of residential property. He has concerns about:

- Precedent might be set using the alley as a through street.
- Increased traffic in the alley
- Cars hitting the bushes and landscaping.
- Plows hitting the bushes and landscaping in the winter.
- Worried this would affect his view and value of his house.
- Wondered who will be doing maintenance of the landscaping
- Felt a traffic study should be completed.
- It is depicted on the new site plan that he will be looking at bushes instead of a parking lot, and he likes that aspect.
- Suggested someone should check the width and condition of the alley. The alley needs upgrading if it is going to take more traffic. He felt a Waste Management truck could not get in there if the trash enclosure is adjacent to his garage on the alley.

Petitioner Colombo stated the landscaping plan meets the Village requirements. There is no skimping or cutting back on landscaping. He further stated Dr. Muraglia will do everything he can to maintain the landscaping and the property.

Planner Proulx addressed the concern over setting a precedent where the alley would be used for traffic. He stated that was something staff did give consideration to. He cited some similar projects where residential property was converted to parking.

Commissioner Kachel stated his biggest concern was other people that were close to Rt. 59 that were denied the BTD zoning. There are two properties right on Rt. 59, but because they have a street access on a different street, the BTD zoning was denied. He further stated Rt. 59 and Rt. 30 originally could be zoned BTD, but the Board went with Rt. 59 only. He felt a precedent would be set on this case. He felt the alley would have to have some improvements. He also did not see how a

garbage truck could possibly back into the alleyway because of the width of the alley. Commissioner Kachel wondered if the petitioner had pleaded a hardship case with the State because they closed Commercial Street and took his access point. He thought possibly the petitioner could put more parking diagonally on Commercial Street.

Chairman Sobkoviak thought the alley situation would require some direction from the Village Board. He cited other instances where an alley is being used for traffic causing a severe impact. He did not know if he felt right expanding the problem at this time.

Commissioner O'Rourke asked Planner Proulx if the Village is being forced into this situation with IDOT not re-approving the curb cut. Planner Proulx stated the Plan Commission could ask if the petitioner can provide sufficient parking to meet the existing building and utilize the alley as they have today. In essence there should not be any impact because they are currently using the alley. The impact would be the location of the access point in the alley. Cars would have to go a little bit further into the alley, but the same number of cars using the practice today would be using the alley tomorrow. The second question would be is the Commission comfortable in recommending approval of an expansion of the use and how much additional traffic would that expansion generate. Commissioner O'Rourke asked if IDOT is cutting off their existing access point. Planner Proulx stated the existing access comes from the alley. They do not have a curb cut from their parcel onto Rt. 59.

Planner Proulx stated the issue of cut-through traffic in the alley is larger than this project. It is something where staff needs to find a solution. Hopefully, it would be with the involvement of the affected residents. Planner Proulx' first thought was to vacate the middle portion of the alley so that people could come in off of Rt. 59 to access the commercial, and the residents would come in from the west. He was not sure if this would be supported by the residents. The problem is coming once Commercial Street becomes a cul de sac whether Dr. Muraglia expands or continues with his practice the way it is today. Planner Proulx felt there still would be cut-through traffic.

Commissioner O'Rourke had concerns about the 5 year extension rather than the typical 1 year extension. Petitioner Muraglia stated he and Dr. Peck are expanding their practice. He stated the expansion would be in the immediate future if they can afford it. A discussion followed between Commissioner O'Rourke and Dr. Muraglia in this regard. Dr. Muraglia explained that he had given the people that want to move the historical house one year to move the house. He did not know if his economic condition would be the same in one year and that is why he asked for a 5 year extension.

Commissioner Kachel was concerned something else within the zoning requirements could be built here if the zoning is granted, the property is not built upon in one year, and the owner possibly flips the property. Dr. Muraglia stated he did not plan on flipping the property. He has been there since 1968. Commissioner Kachel could not go along with the 5 year extension.

Commissioner Kachel asked if there could be an entry to the front of the building in the green space. Planner Proulx stated staff has reviewed that and feels that would result in cut-through traffic through the parking lot. A discussion followed between the Commissioners in this regard.

Chairman Sobkoviak stated this parcel could still remain with access off of Commercial St. Petitioner Colombo stated there is one old driveway on Commercial Street that was there before it was the dental practice. It would be totally non-conforming because you would have to snake around the building. Petitioner Colombo stated by blocking the access on Commercial with the addition you are creating more of a residential street on Commercial. There will be landscaping with a building that will look residential. He was not sure why you would want to encourage traffic to go out on Commercial Street so that it alleviates traffic off the alley. Commissioner Kachel stated Commercial Street is actually a city street designed to take more traffic than an alley.

Chairman Sobkoviak stated the Commission has to consider whether their actions prevent a property from being utilized. He further stated if the Commission did nothing tonight, the Commission's actions would not prevent the property from being utilized.

Commissioner Seggebruch felt this was a classic case of State government basically using their powers of eminent domain to bully property owners. They have literally cut this property off.

Commissioner Kachel felt bad for the property owner, but felt the property can be utilized the way it is right now.

Commissioner Seggebruch stated this is a complex case with a lot going on.

Commissioner O'Rourke felt adding the addition would make the matter worse.

Commissioner Sanders asked Planner Proulx if combining these two lots would remove any flexibility in the future for the property owner. Planner Proulx stated by combining the lots there are benefits and there are limitations. The benefit is you have a larger parcel for development. Currently, there are two lots if you wanted to sell or finance one or both separately, you would have the flexibility to do that. There are pros and cons to consolidating versus maintaining them as separate lots.

Commissioner Sanders then asked Planner Proulx if that would lead to combining other properties under a Planned Development to become part of BT. Planner Proulx stated staff would have been concerned with this proposal if they were requesting to go further into the residential neighborhood than existed in other locations and if they were requesting a business transition on the second lot. The petitioner is looking to consolidate, so they would have one lot fronting Route 59. Staff required the Plat of Consolidation.

Chairman Sobkoviak wanted clarification. He was looking at this as two lots, one lot being rezoned from B-1 to BT and the other from R-1 to BT. Planner Proulx stated the last request is a Final Plat of Subdivision, which would actually consolidate the two lots and the subdivision comes into play. The petitioner would create an outlot that would be donated to the property owner to the west. In essence it would be a Plat of Consolidation that would merge the two lots into one. Chairman Sobkoviak asked if the Commissioners understood the request to consolidate the two lots and then cut one piece of it off. Only one BT lot will be created.

Chairman Sobkoviak went over the requests from the petitioner.

Commissioner Kachel asked how the Commission could zone a lot BT-D on a street that is not allowed under the Village Ordinance. Chairman Sobkoviak stated from what Planner Proulx stated the lot actually fronts on Rt. 59. Commissioner Kachel disagreed. He stated the access point is on Commercial Street. Planner Proulx stated the Future Land Use Plan identifies this as a Transitional Commercial Land Use. It has been the Village Board practice or policy since the BT Zoning District was created to limit it to those lots directly on Rt. 59, but it is not Village Ordinance. Also since the petitioner hopes to consolidate these lots it would be one consolidated lot.

Commissioner Kachel suggested if the addition was not put on and the house was moved over, there could be a closed in parking lot at the back of the building, which would give all kinds of parking. Dr. Muraglia stated they proposed the addition to accommodate the growth of their business. Petitioner Colombo stated there is no curb cut off of Rt. 59. The access to the current parking lot is off of the alley. Petitioner Colombo asked if Commissioner Kachel was suggesting that they put access off of Commercial with no access off of the alley. A discussion followed in this regard. Commissioner Seggebruch asked if Commissioner Kachel was saying to bring the access from the alley closer to Rt. 59. Commissioner Kachel stated that was correct.

Petitioner Colombo stated they did explore that type of parking lot, sort of an "L-shaped" type parking lot, and their real consideration was the cut-through traffic off of Commercial. This type of addition keeps the residential look of the block. He thought the issue was once you open this up to commercial, people are going to come down the cul-de-sac and cut-through.

Commissioner Schrack asked if there was any investigation conducted of the underground storage tanks that are currently in front of the building and what the cost would be to remove those tanks and remediate any contamination that is on the property. Petitioner Muraglia stated the State did a sample test and they found nothing there so he was assuming it would be fine. Commissioner Schrack stated underground storage tanks are never just fine. They will always incur some cost. He hoped the petitioner would factor that cost in. He further stated he has looked at this plan and listened to the people that came in. If he had a vote, he would vote "no" on this right now and tell the petitioner to go back to the drawing board and try to be a little more conscious about preserving the existing location of that home.

Chairman Sobkoviak questioned Planner Proulx if the 5 year extension for the execution of the expansion should be included in the stipulations. Planner Proulx stated it is identified in the Special Use. It would be reflected in the Statement of Intent and Agreement that would be drafted between the Village and the petitioner.

Chairman Sobkoviak stated he is hearing a lot of negative comments from the Commission. He asked the petitioner if they wanted this to be put to a vote or to be continued. The petitioner has heard the Commission's questions and objections and the objections of the residents. Perhaps the petitioner could have the opportunity to get with staff to overcome some of the objections. The petitioner preferred that the case be continued.

Commissioner O'Rourke's biggest concern is the traffic, especially after adding the addition. He also noticed on the site plan that in between the parking spaces there is 22'. He believed the standard was 24'. He also did not see any photometrics with the plan.

Planner Proulx responded that the drive aisle was narrowed up to 22' at least adjacent to the existing building to provide room for a landscape screening on the north side of the parking lot. Staff felt it was more important to provide landscape screening even though it is adjacent to the alley. There will be a curved island that runs the whole length of the parking lot with landscaping. He stated 24' is the standard, and he believed it is 24' in the western portion. It is only 22' where it is contiguous to the existing building. Planner Proulx also stated there is no parking lot lighting proposed so there is no need for a photometric plan.

Commissioner Seggebruch asked the purpose of the re-parceling of the lot. Planner Javoronok stated the intent at this point would be that the property owner of the current lot to the west would then subdivide that lot into two lots, one lot for each residence. The house would then be returned to a single family residence, but would most likely remain a rental.

Commissioner Seggebruch and Petitioner Colombo had a discussion about the entrance to the building. Commissioner Seggebruch told the petitioner that where the handicap parking is located right now does not work. It needs to be as close as possible to the accessible entrance.

Chairman Sobkoviak asked Planner Proulx when this case could be continued. Planner Proulx stated he was comfortable with the next Commission meeting. Petitioner Colombo stated he would ask the Commissioners to think about access off of Commercial and going around the front of the building. He felt this would not be good.

Commissioner Heinen felt it would be in the best interest of the petitioner if they completed a traffic study because there would be an expert's opinion on access points. Commissioner O'Rourke felt it would be good to also get the input from staff and the adjacent neighbors.

Commissioner Kachel asked who would pay for any needed improvements to the alleyway. Petitioner Muraglia stated they would work with the Village as this would be benefiting everyone.

Commissioner Sanders did not believe a traffic study was necessary. He felt reviewing this and coming back in two weeks would probably be beneficial for everyone.

Chairman Sobkoviak did not think a traffic study would be beneficial to the petitioner. The petitioner knows what the traffic is.

Petitioner Murgalia stated he has a traffic study that he completed for the first lot when he went to IDOT to try to convince them to give him a curb cut, which IDOT said "no". It was just for the first lot and the alley, and did not include the second lot. The Commissioners felt that would be helpful and would be sufficient.

Planner Proulx stated staff would propose that traffic counts be brought in for the existing Commercial Street, the alley, etc. In addition staff could get from the petitioner how many patients they see in a day, how many employees, and a reasonable understanding of what the traffic generation is from the site without having a full traffic study completed.

Commissioner Kachel asked if there was anyway staff could check out with the Board what their feelings would be in regard to extending the BTM zoning into other neighborhoods. Planner Proulx stated this is something that staff could try to place on next Monday's COW meeting agenda so there would be feedback before the next Plan Commission meeting. Chairman Sobkoviak stated that would be helpful.

Commissioner O'Rourke stated it should also be decided about the alley if the Village wants to open that up to traffic and if it would be wide enough to accommodate the traffic. Planner Proulx stated he thought the alley question would have to be solved no matter what the disposition of this case is.

At 8:55 p.m. Commissioner O'Rourke made a motion that the Plan Commission continue Case No: 1475-070209.RZ.SU.SPR.PP/FP (Plainfield Dental Addition) to the August 18, 2009 Plan Commission meeting.

Commissioner Sanders seconded the motion.

Chairman Sobkoviak called for a vote by roll call.

Aye: Sanders, Seggebruch, Kachel, O'Rourke, Chairman Sobkoviak
Nay: 0

The motion is carried 5:0

DISCUSSION:

None

Since there was no further business before the Commission, Chairman Sobkoviak adjourned the meeting at 8:57 p.m.

Respectfully Submitted

Carol Millan
Recording Secretary