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

DATE: SEPTEMBER 15, 2009

LOCATION: VILLAGE HALL

Chairman Sobkoviak called the meeting of the Plan Commission to order at 7:02 p.m.

ROLL CALL:

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

Absent: Plainfield Park District, Plainfield School District, Plainfield Library District, and Plainfield Police Department

Also Present: Jonathan Proulx – Planner II Village of Plainfield, Mike Schwarz – Planner II Village of Plainfield, and Carol Millan – Planning Department Secretary Village of Plainfield

APPROVAL OF MINUTES:

The August 18, 2009 minutes were accepted as presented.

DEVELOPMENT REPORT:

Planner Proulx stated there have been no Village Board meetings since the last Plan Commission meeting. He summarized the outcome of the previous Committee of the Whole Workshops.

OLD BUSINESS:

None

NEW BUSINESS:

CASE: 1482-082509.AA.RZ.SU.SPR.PP.FP

PLFD. FIRE STATION #2

Request: Annexation (*Public Hearing*)
Rezoning (*Public Hearing*)
Special Use (*Public Hearing*)
Site Plan Review and Preliminary/Final Plat of Subdivision
Location: North side of 135th Street, ¼ mile east of Illinois Route 59
Applicant: Plainfield Fire Protection District, represented by Scott Klimek

At 7:04 p.m. Commissioner Kiefer made a motion that the Plan Commission continue the public hearing for Case: 1482-082509.AA.RZ.SU.SPR.PP.FP to the October 6, 2009 Plan Commission meeting.

Commissioner Sanders seconded the motion.

Chairman Sobkoviak called for a vote by roll call.

Aye: O'Rourke, Sanders, Kiefer, Seggebruch, Renzi, Chairman Sobkoviak

Nay: None

The motion is carried 6:0

Case: 1481-082109.SU **COMMUNITY CHRISTIAN CHURCH**
Request: Special Use for Religious Assembly/Institution (*Public Hearing*)
Location: Plainfield Small Business Park, Building No. 3
Generally east of U.S. Route 30, south of 135th Street
Applicant: Dayfield Properties (Douglas Carroll)

TIME: 7:04 p.m.

Planner Proulx summarized the staff report. He stated the special use application requires a public hearing and the appropriate notices have been posted and published in accordance with State Statute and local ordinance. He stated church uses are allowed in the I-1 Zoning District with a special use permit. The church is asking for special use approval for both assembly for the church worship area and also for religious institution. The institution portion will be the administrative offices that support the church. The church is not proposing some other aspects of religious institution, such as licensed daycare, a private school, etc. at this time and would need to come back for a subsequent special use in the future if they decided to do those activities.

Planner Proulx went through the two findings of fact that need to be met for a special use and stated two of the two findings are favorable to the applicant. Vehicular access to the site is via U.S. Route 30. Staff continues to recommend that the petitioner consider pursuing an agreement with the property owner to the south to provide a shared access point. This would provide a second access point to the site with perhaps a right-turn in/right-turn out access. Staff recommends approval of the special use. Planner Proulx concluded his report.

Chairman Sobkoviak swore in Douglas Carroll from Dayfield Properties. Dayfield Properties is the landlord and property owners. Douglas Carroll stated the parking spaces will be constructed this fall.

Commissioner Sanders asked how the growth of the church would be handled. Planner Proulx stated the legal description used is for Lot 3 of the Plainfield Small Business Park Subdivision, which includes this entire 27,000 sq. ft. building. The petitioner is proposing to lease 14,000 sq. ft. currently in two locations (one for the worship area and classroom space, and the other for the administrative office). There is the possibility that they would add to or reconfigure the tenant space. By using the legal description for the entire building they have the flexibility to expand or relocate within the current building as long as they do not expanding their religious institution uses. They could not open a daycare without coming back to the Village for special use approval.

Commissioner Renzi asked if there would be enough parking spaces if they expanded. Planner Proulx stated if the petitioner would expand or do an improvement to the building it would require a building permit. At that time, the Building Department would make sure there is sufficient parking. The primary peak demand will be on week ends. Generally, Sundays would be off peak for any other use in the building.

Commissioner Renzi asked the petitioner about cross access easements. Douglas Carroll replied that they have had ongoing conversations with the property owner to the south. He further stated he would foresee it happening at some point in the future. They are approved for a traffic signal at their main intersection across from Harvest Glen off of Rt. 30.

Commissioner O'Rourke asked the petitioner if they own the property to the north. Douglas Carroll replied that they do. He asked if there is an easement that will connect that property to the existing facility. Douglas Carroll replied that was correct. Commissioner O'Rourke asked Planner Proulx what the parking requirements would be if the use goes back to I-1. Planner Proulx stated industrial space generates very little parking demand.

Chairman Sobkoviak believed when this site was originally platted there was enough room for several other buildings. Douglas Carroll replied they have room for probably six more buildings.

Commissioner Heinen asked Planner Proulx if there was currently an emergency access for fire trucks or emergency equipment. Planner Proulx replied that the single access was through the main access point off of Rt. 30. Chairman Sobkoviak stated the fire department did not object to that when it was originally platted. However, they did encourage Dayfield to explore means of providing an additional ingress and egress plan to the south end of the property.

Commissioner Heinen asked why there could not be a second access point off of Rt. 30. Planner Proulx stated a right-in/right-out on the southerly limits of the property would be beneficial. Staff is recommending consolidating that access point with the existing access point for American Built Systems just south of this project. He believed it would meet the design standards and separation requirements. It is a matter of working with the property owner to the south to reach an agreement.

Commissioner Seggebruch asked if the access point was combined with the access point to the south would it be a full access point rather than a right-in/right-out. Chairman Sobkoviak stated the original plat theorized an additional entrance to the south, sort of a right-in/right-out. The present access point has been sort of approved for a light. However, no time table has been set. Commissioner Seggebruch asked if the petitioner could not come to an agreement with the property owner to the south would they have the ability to put in their own right-in/right-out. Planner Proulx believed that would be the case.

Commissioner Seggebruch asked the petitioner if the buildings were suppressed. Douglas Carroll responded that the building is compartmentalized. It is built of precast so they didn't have to sprinkle it. There are concrete fire walls.

Commissioner Sanders asked if anything done south of the property on Rt. 30 is basically all within the Village's jurisdiction because IDOT no longer has jurisdiction of that part of Rt. 30. Planner Proulx responded that Rt. 30 does extend all the way to 143rd Street, so this stretch of Rt. 30 is within IDOT's jurisdiction.

Chairman Sobkoviak mentioned that American Built Systems' property is not within the Village. It is in unincorporated Will. The Village has very little control over what occurs on that property.

Commissioner O'Rourke asked since the main access is approved for a traffic control signal would the petitioner be putting in the traffic signal. Douglas Carroll stated they would like to put it in at the present, but the state requires more traffic before a signal is erected. They would not be allowed to put it up until there is a heavier volume of traffic on Rt. 30. Commissioner O'Rourke asked if the petitioner was going to pay for the traffic control signal. Douglas Carroll replied at the time of approval, the Village did put in a certain amount of the cost, but the petitioner will be responsible for the rest of the money.

Commissioner Renzi asked if there was thought as to how the traffic would be directed at the end of the church service to get it safely out onto Rt. 30. Douglas Carroll stated that would be something they would have to look into. He felt traffic on Sunday mornings is usually light.

Commissioner O'Rourke felt it was positive that the church would be next to Rt. 30 because Rt. 30 is built for volume and it can handle that kind of traffic better than some arterial street could. Planner Proulx stated there is an extensive stacking area. The entrance is kind of a boulevard median and there are two egress lanes, a dedicated left turn lane and a right turn lane as well.

Chairman Sobkoviak asked if there was anyone in the audience that cared to ask a question or make a comment. There was no response.

Commissioner Seggebruch asked Planner Proulx if there was something in the original development agreement that if nothing is ever worked out with the property owner to the south on the access is there some trigger that would have them build the right-in/right-out. Planner Proulx clarified that the existing access was what was approved to support the nine building campus; however, staff would like to see an additional access point. This is something staff has brought up each time an individual building has come through. It may reach a certain point where staff's recommendation may become a little stronger. Douglas Carroll stated if they cannot reach an agreement for a full access, which is their best case scenario, they would put in a right-in/right-out. Otherwise, they will not be able to lease to people because traffic will be terrible. Commissioner Seggebruch asked if this access to the south became a full access would it be too close to put in another traffic signal. Douglas Carroll agreed and said if they get the approval of the property owner to the south they do not need to go through IDOT because there already is an existing curb cut on Rt. 30.

Commissioner Sanders asked if this special use only pertains to Building 3 and if it needs to be in the motion. Planner Proulx stated Building 3 could be added to the motion.

At 7:30 p.m. Commissioner Sanders made a motion that the Plan Commission adopt staff's findings of fact as the findings of fact of the Plan Commission and recommend approval of the requested special use for Building 3 in the Plainfield Small Business Park for religious assembly and religious institution subject to the following three (3) stipulations.

1. Subject to the requirements of the Plainfield Fire Protection District;
2. Subject to the requirements of the Village of Plainfield Building Official and applicable building codes; and
3. Subject to construction of the required parking prior to occupancy.

Commissioner Kiefer seconded the motion.

Chairman Sobkoviak called for a vote by roll call.

Aye: Sanders, Kiefer, Seggebruch, Renzi, O'Rourke, Chairman Sobkoviak
Nay: None

The motion is carried 6:0.

CASE: 1483-082809.CP DOWNTOWN TOBACCO SHOPPE
Request: Concept Plan Review
Location: 15028 S. Illinois Street
Applicant: Joe Griffin, contract purchaser

TIME: 7:31 p.m.

Chairman Sobkoviak emphasized to the Plan Commission that the presentation of a concept plan is not generally considered a public hearing. Generally public comment is not taken. The purpose of the concept plan is generally for the sole purpose of the applicant. It is really to give an applicant the ability to present what they are planning. This allows them to change and modify their application to meet various objections and meet the requirements of the Plan Commission and Village Board.

Planner Schwarz summarized the staff report. The property is currently zoned R-1 and is located in the R-1 Overlay District, which has slightly different setback requirements from some of the other R-1 Districts. The applicant's intention is to request a map amendment for rezoning from the R-1 to the B-5 District and site plan review. The Plan Commission is being asked for feedback on the proposed rezoning and the concept plan.

The property includes a one-story, wood frame, single-family home, and a one car detached garage. The Historic Urbanized Core Survey does not recommend the residence for a local landmark, but does identify the building as contributing to the overall fabric of a potential historic district. He gave the relationship of the property to official plans of the Village: Future Land Use Map – designates property transitional commercial, Transportation System Improvements Map – designates Lockport Street as a major collector, and the Open Space Plan – does not reflect any existing or planned pedestrian and/or bike trails in the area.

The applicant has indicated that the existing structure is unfit for build-out improvements and is requesting a demolition permit. The demolition permit will be heard at a public hearing held by the Historic Preservation Commission on October 8, 2009. The concept plan, rezoning, and the demolition will be forwarded to the Village Board at the same time.

Planner Schwarz summarized the differences between the B-5 and BT Zoning Districts. The B-5 classification generally requires a wider variety of commercial uses and also B-5 would allow re-development of the site. The BT classification would retain the fabric of the architecture and structure as it is attempting to re-use it for commercial purposes. The applicant proposes a 3,200 sq. ft. commercial building, which would include 1,300 sq. ft. for retail sales, 1,100 sq. ft. for a smoking lounge, and 800 sq. ft. for office space. The applicant does not have any immediate plans for providing on-site parking. The applicant's intention to demolish the existing residence and construct a new commercial building conflicts with the stated purpose of the BT District. Also a lounge is not permitted in the BT District. That is why the applicant is seeking to rezone the site to B-5, which allows both the retail and lounge components as permitted uses. Since the site is located within the Downtown Parking Zone, no on-site parking is required for buildings less than 5,000 sq. ft. No vehicular access is proposed off of Illinois Street. No landscape plan has been submitted with the concept plan, but will be required as part of the Site Plan Review. A 15 foot transitional buffer yard is not required in the B-5 District. There is no on-site detention because of the size of the site. A Photometric Plan has not been submitted as part of the Concept Plan, but will be required as part of the Site Plan Review. A dumpster would be acceptable in B-5 as long as it is 5' off of the property line.

Planner Schwarz stated the issues for consideration and discussion for the Plan Commission:

- The proposed rezoning to the B-5 District,
- Parking demand generated by the proposed use versus available on-street and public-lot parking,
- Downtown Central Area Plan currently in progress.

Planner Schwarz concluded his report.

Chairman Sobkoviak swore in the applicant Joe Griffin.

Joe Griffin stated he felt Planner Schwarz did a good job in explaining what he is trying to do. He wanted feedback to see if this is something that would be supported with the rezoning.

Commissioner Sanders felt the concept plan process really works. Planner Schwarz stated the existing zoning in the area is a mix of B-5 commercial and R-1 residential. The Future Land Use Plan Map has been around for about 7 years. It had quite a bit of public input at the time. This plan has been implemented in some respects and then not implemented in other respects. It is a blueprint and a guiding document. It is not a static document and needs to be updated from time to time based on changing conditions in the area, changing demands, different types of businesses wanting to come in, etc. The question is what the Plan Commission and community envision for these types of situations where you have an existing residential fabric in close proximity to the downtown, where does the edge get drawn for commercial development. If the applicant was not coming through with a concept plan and was presenting to rezone, staff would have to make a recommendation consistent with the current plan, which is BT zoning and not B-5 zoning. The edges of the TIF District do not cover this property. The TIF District lies just immediately to the south of this site.

Commissioner Kiefer felt this plan hinges on the applicant's ability to get the structure demolished and put in a new building. If that were to occur, he asked if the BT zoning would be applicable. Chairman Sobkoviak stated a building must be replaced with a structure that would resemble the other nearby structures. There are cases where the buildings are so deteriorated that it is either unwise or just not feasible to remodel them. In which case, the ordinance does allow the building to be demolished and replaced. It just has to look like the buildings around it. Commissioner Kiefer asked if that was the intent of the applicant. Joe Griffin said his intent was to tear down the existing structure.

Commissioner Sanders stated this property is contiguous to the B-5 District. He felt there was the possibility that other concepts would arise as the central downtown is flushed out. Planner Schwarz stated that is always a possibility. He felt it was appropriate at this time to get public input and determine where the changes should be made to the current Comprehensive Plan looking at the downtown and the neighborhoods that surround it as far as accessibility, pedestrian connections, historic preservation, economic development, etc.

Commissioner O'Rourke was uncomfortable with rezoning just this lot to B-5. He felt at a minimum if this would be done on a lot-to-lot basis that maybe another zoning classification would be established, such as a BT with a special use. He felt the BT still needed to be followed. He did not know if the buffers should be eliminated when making lots B-5 as there would still be residential neighbors. He also felt it would be helpful and important if the conceptual meetings were open to the public with prior notice so the Commission could get neighbor feedback.

Commissioner Sanders liked the way a concept comes into the Plan Commission where there can be dialogue without somebody, other than Plan Commissioners, giving feedback. He felt a B-5 zoning in this location is difficult at this time given the fact that the Planning Department will be looking at this Downtown Central Area.

Joe Griffin stated the BT zoning does not allow a structure to be removed. It is designed to keep the structure intact and use that structure. Chairman Sobkoviak stated the structure can be removed. It is just that it has to be rebuilt in the same style. Joe Griffin asked if that would take a variance. Chairman Sobkoviak told him to take it up with staff.

Planner Schwarz stated the zoning ordinance intends for the BT zoning to keep the structure, but it actually does allow commercial development, but it is limited. BT is much more limited in scope.

Commissioner O'Rourke stated he believed the petitioner's proposed use would not fit in the BT zoning. Joe Griffin stated it would be BT with several different variances. Planner Schwarz clarified in the BT the retail component would require a special use, and the lounge would not be permitted.

Commissioner Renzi shared some of Commissioner O'Rourke's comments regarding the B-5 zoning. He felt it would make sense to have B-5 zoning all the way up Illinois to Oak Street. He had a fundamental problem with approving a smoking lounge. Chairman Sobkoviak stated the Commission cannot judge zoning cases by the use. Chairman Sobkoviak stated the issue is should the zoning be expanded. A discussion ensued between the Commissioners.

Commissioner O'Rourke felt this was a prime example to be able to plan long term and on a bigger scope than just an individual lot. He would not support B-5 zoning for a single individual lot.

Chairman Sobkoviak asked if the Commissioners were in support of extending the B-5 zoning to the north.

Commissioner O'Rourke mentioned other communities which take BT lots and consolidate them into more of a master plan. He felt the opportunity to do a consolidation might be lost if this zoning change were approved.

Commissioner Sanders felt the consolidation of parcels is the common thing he is hearing. He is a strong proponent of the concept plan process because he felt it works for an applicant to get information, as well as some thinking is done a little more about some of the planning functions rather than just processing cases before the Commission. He liked the concept of a concept plan review.

Planner Schwarz stated the only caution is that with the concept process the idea is that feedback is informal, not binding, the Village Board is given a chance to look at it sooner rather than later, the applicant saves a lot of time and expense having formal plans and engineering put together. There is no notification process for a concept plan review. There is a required notification process for the demolition permit.

Chairman Sobkoviak felt adding notification to the process could complicate the process. Commissioner O'Rourke felt it would be a positive thing to have input from the residents. He felt it would not complicate the process, and even help the process.

Commissioner Seggebruch encouraged the applicant to look at another area in the downtown. He felt this possible rezoning could squeeze the whole residential neighborhood down more and more. Planner Schwarz stated there needs to be a balance of residential and commercial in the downtown. Staff would not be able to support B-5 zoning based on the current Comprehensive Plan for this property.

Chairman Sobkoviak polled the Commissioners as to whether they were in favor of expanding the B5 District to include the subject lot.

Heinen	Yes
Kiefer	Yes
Sanders	Yes
Sobkoviak	Yes
Renzi	No
O'Rourke	No
Seggebruch	No
Schrach -	No

Commissioner Heinen asked if there were any examples of this in history where properties in the downtown have been rezoned to B-5. Planner Schwarz was not aware of any. Chairman Sobkoviak mentioned property on Fox River that was rezoned at the time of a re-write of the Comprehensive Plan. He further stated expanding the B-5 zoning to this lot is contrary to the Comprehensive Plan.

Planner Schwarz asked the Commissioners if it would make a difference if the applicant was asking that the whole block face all the way to Oak Street be rezoned comprehensively to B-5. Commissioner O'Rourke stated it would make a difference to him. He was concerned with rezoning to B-5 lot by lot. Commissioner Renzi agreed with Commissioner O'Rourke. The other Commissioners agreed.

Planner Schwarz asked the Commissioners if there were any issues regarding the concept plan.

Commissioner O'Rourke stated he would look closer to the BT zoning with setbacks to protect the existing residential neighbors, and not building over 2,500 sq. ft. The use could change in the future. Once the zoning is there, it runs with the property.

Commissioner Kiefer also stated there should be consideration for the residential housing to the north.

Planner Schwarz clarified that what he was hearing is there is no clear consensus on changing the zoning. He stated that would be presented to the Village Board. There is a hearing process that will be required of the proposed demolition. Commissioner Seggebruch reminded the Commissioners that this is zoned R-1 presently.

Chairman Sobkoviak stated it would take some talking to convince him to change the zoning to BT unless the owner of the property came in and told the Commission they are having trouble selling their house, and plead with the Commission to have the zoning changed to BT.

Commissioner Seggebruch mentioned the new study the Planning Department is going to be starting for the Downtown. He felt the Commission should keep in mind the ultimate goals of the Village.

Commissioner O'Rourke wondered how the other Commissioners felt about the idea of opening up these conceptual planning meetings to the public and getting their input. Chairman Sobkoviak reminded Commissioner O'Rourke that the Plan Commission meetings are open meetings and anyone is invited to attend. Commissioner O'Rourke felt that people would not know about the meetings. Chairman Sobkoviak felt this could possibly create another layer. There was discussion regarding possible ways to alert the public to a concept meeting, costs involved in publishing and posting for a public hearing, etc. Planner Schwarz reminded the Commissioners a public hearing is required for the demolition permit and the rezoning request.

Commissioner Sanders asked if there were any times a resident hearing of a concept plan called the Community Development Department for information. Planner Schwarz felt from time to time someone watching the meeting might call into the Community Development Department.

Commissioner Renzi did not believe that the conceptual hearing should be opened up to a public hearing. He felt that possibly though when there is a conceptual program there could simply be a posting on the property stating this is subject to a concept plan and direct people to some site where comments could be emailed, etc. These comments could possibly be put in the Commission packet. Commissioner O'Rourke felt that was a great idea. He had actually seen another communities use postcards with "do you agree or disagree" and comments below. The postcards could then be mailed back to the Village. A discussion followed.

Commissioner Heinen felt not having the public in the meeting gives the Commission an un-biased discussion. He felt that could be an advantage, but it is sometimes also helpful to hear what the residents have to say.

Commissioner Sanders felt it benefits the public too that there is basically a dialogue already established with different points of view on the concept as presented. He agreed with Commissioner Heinen.

Commissioner Renzi agreed more with Commission O'Rourke. He felt at the initial discussion certain parameters are set. If you are excluded from the initial discussion, you can feel that some of the parameters have already been set by the conversation that took place during the first discussion.

Planner Schwarz stated staff can go back to the Village Planner. He heard from the Commission a limited sign notification might be an option. He felt the difficulty for the Plan Commission will be that event which will happen where there is just an innocuous sign on the property that says concept plan meeting scheduled for this date. Fifty people will come to the meeting and will not be allowed to speak. A discussion followed between the Commissioners in this regard.

Chairman Sobkoviak asked the petitioner if he had everything he needed. Joe Griffin thanked the Commissioners for their comments.

DISCUSSION:

Commissioner Renzi asked if a stop light is going to be constructed at the intersection of 127th Street and 248th Street. If so, he wanted to know when that would take place. Planner Proulx stated the work is under way and the light should be in this fall. Commissioner Renzi asked if there was any thought to putting police at the intersection to take care of that until the traffic light gets operational. Planner Proulx stated that was a great suggestion and he would make sure that is brought before the Traffic Committee next Thursday. Commissioner Renzi felt around 7:00 a.m. and after school during the week would also be a good time to have someone there, especially with the re-route of the traffic from 119th Street. Commissioner

Seggebruch suggested a “do not block intersection” sign at the entrance to King’s Crossing Subdivision. Commissioner Renzi did not believe the left-turn lane is long enough on 127th Street during peak times.

Commissioner Heinen asked who was involved with the Downtown Central Area Plan. Planner Schwarz stated the entire Planning Team. Planner Proulx stated there will be a committee overseeing that led by the Village Planner, Michael Garrigan. There will be representatives from the Village Board, currently designated as Trustee Peck and Trustee Bonuchi. Commissioner Sanders will be representing the Plan Commission. There are invitations to the Historic Preservation Commission, Plainfield Economic Partnership, Mainstreet Plainfield, School District, Fire District, Library District, and Park District. As a plan is developed and the issues are worked through there will be multiple opportunities for public input, workshops, open houses, etc. As the plan becomes more formalized, he expected it would be before the Plan Commission to get the Commission’s input and recommendations. Ultimately they anticipate to have a work product that the Village Board would adopt by Resolution to be a supplement to the Comprehensive Plan. They are anticipating a 6 to 8 month timeframe. The kickoff meeting is October 1st. The Plan Commission will have direct representation through Commissioner Sanders. Commissioner Sanders stated he would have a report for the Plan Commission after each meeting. Commissioner Seggebruch asked if this would all be done in-house. Planner Proulx stated that was correct.

Commissioner O’Rourke mentioned that there is no pedestrian crossing at the intersection of 135th and Rt. 59. There was also discussion about the bike paths being connected to the Eaton Preserve.

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