

MINUTES OF COMMITTEE MEETING

February 22, 2010

7:00 p.m.

DEVELOPMENT, PLANNING AND ZONING COMMITTEE (DP&Z)

- RE:
- 1) Discussion of Morningside/Hahn Street Development
 - 2) Discussion of Bank Uses in Commercial Districts
 - 3) Case # 09P-11/Gas Stop – Untouchable Car Wash Amended Conditional Use 575 S. York St
Request for Amended Conditional Use Permit for the purpose of replacing a manual reader board with an electronic reader board on an existing pylon sign on property commonly known as 575 S. York Street (PIN 06-12-300-025)
 - 4) Case # 10P-02/City of Elmhurst Zoning Ordinance Text Amendment
Request for Zoning Ordinance Text Amendment to Chapter 9, Section 9.1-5 for the purpose of increasing allowable Floor Area Ratio (FAR) in the I1 Restricted Industrial District from .50 to .65.
 - 5) Contract Proposal Findzall Community Marketing
Continued discussion
 - 6) Timothy Christian Request for Approval of Six Month Extension to their Conditional Use
 - 7) Other Business

Committee Members present: Morley, Rose, Leader

Council Members present: DiCianni, Bram, Gutenkauf, Healy, Hipskind, Kennedy, Mulliner, Nybo, Pezza, Shea, Wagner, York

City Staff present: Borchert, Kopp, Gaston, Hughes, Storino, Werner

Others Present: Z&P Commission Members: Chairman Whistler, Hill, Mushow, Slone, EDC Members: Hanisch, City Consultant Ken Bartels

Chairman Morley called the meeting to order at 7:02 P.M. and welcomed the Mayor and Members of the City Council. Chairman Morley began discussion of agenda item #1 Hahn Street Planned

Development. The original Planned Development Plan and corresponding Development Agreement were processed by the Zoning and Planning Commission resulting in a recommendation of approval on July 9, 2009. The Development, Planning and Zoning Committee reviewed the application on August 24 and September 14, 2009. In December 2009, the Applicant requested and received a 90 day delay in the processing of the Planned Development Plan. Morningside Hahn LLC is now requesting amendments to the proposed Planned Development Plan and Development Agreement.

Mr. Scott Day, attorney for Morningside Hahn LLC, presented the request for amendments to the proposed planned development. He stated that this request is a result of the downturn in the economy, especially in the real estate development business. As a result of the economic conditions, and because banks are more hesitant to loan funds, the requirement for pre-sales of dwelling units has increased from 50% to between 70% and 75%. As a result, Morningside Hahn LLC is proposing to build the development in two phases and separating the originally proposed building into two buildings.

The proposed amendments to the Planned Development Plan include:

- The separation of the project into two phases
- The separation of the project into two buildings
- An increase in height of the proposed condominium/retail building from 4 stories and 45 feet to 5 stories and 55 feet (note that the decorative roofing elements will have a height of 77 feet)
- A decrease in the total number of condominium dwelling units from 102 to 96
- A reduction in the amount of retail floor area by 5,000 square feet from approximately 20,000 square feet to approximately 15,000 square feet (a 25% reduction)
- A corresponding reduction in the total number of parking spaces (parking ratios remain the same)
- An increase in public open space will increase from 22% to approximately 27% of the total site

Phase I will consist of the development of the properties on the south Side of Hahn Street with a 48 unit condominium building with 5,000 square feet of retail on the first floor.

Phase II will consist of the development the north side of Hahn Street with a 48 unit condominium building with 10,000 square feet of retail on the first floor and 100 public parking spaces.

The Committee discussed the options involved with the processing of the requested amendments. The amendment request will involve two processes: the processing of the amended Planned Development Plan by the Zoning and Planning Commission and any necessary amending of the Development Agreement negotiated by the City Attorney and approved by the City Council. It was

the consensus of the Committee to recommend that the City Council authorize the processing of the required amendments.

The Committee then discussed agenda item #2, Bank Uses in Commercial Districts. Alderman Healy was present to explain that he believes that banks occupy what would otherwise be sales tax producing retail space and, therefore, regulations allowing banks should be more restrictive. The Committee noted that the current Zoning Ordinance allows banks without drive through as permitted uses; banks with drive through require Conditional Use approval from City Council.

The Committee discussed the issue and agreed to put forward a majority report recommending that the Zoning Ordinance text relating to bank uses remain the same, and a minority report recommending that all bank uses, with or without drive through, would require a Conditional Use approval.

The Committee then discussed agenda item #3, Case # 09P-11/Gas Stop – Untouchable Car Wash Amended Conditional Use request for the purpose of replacing a manual reader board with an electronic reader board on an existing pylon sign on property commonly known as 575 S. York Street. The Committee reviewed the revised drawings noting that the sign will now be one piece, rather than three separate signs on one pole.

Of utmost importance to the Committee was the structural integrity and overall general safety of the public with respect to the added weight of an electronic reader board on the existing pylon structure. The Committee requested that the structural integrity of the sign be analyzed and stamped by a certified structural engineer. The Applicant provided a structural engineer's analysis that stated the existing pylon is adequate based on load specifications. The Committee requested a structural engineer's stamp of approval; the Applicant agreed to provide the engineers' stamp. The Committee agreed to recommend approval of the request upon receipt of the structural engineers stamp of approval.

The Committee then discussed agenda item #5, Contract Proposal Findzall Community Marketing. The Committee discussed the draft report recommending approval of the contract. The Committee agreed that the report should include a list of Ms. Maloney's past accomplishments in recruiting and retaining businesses in Elmhurst. A draft report will be developed and distributed to the committee for their review prior to the next Committee meeting scheduled for March 8, 2010.

The Committee then discussed agenda item #6, Timothy Christian request for a 6 month extension. The Committee reviewed the letter dated February 2, 2010 from the Applicant requesting a 6-month extension. The letter indicates that the Timothy Christian School additions (approved by Ordinance ZO-01-2009) are not substantially underway at this time due to economic conditions. This is the second request for a six (6) month time extension; the Applicant requested a six (6) month extension in September, 2009. This extension was granted by City Council as Ordinance ZO-07-2009.

The Committee discussed this matter and the conditions associated with the request. There were no serious questions or issues during review of the original application, and the Committee does not anticipate any problems with providing the requested extension. The Committee supports the request and has no objections to the requested extension.

The Applicant stated that there are no changes to the approved Conditional Use plans; the request is a result of a delay in funding. The Committee agreed to recommend approval of this request.

The Committee then discussed agenda item #4, Case # 10P-02/City of Elmhurst Zoning Ordinance Text Amendment to Chapter 9, Section 9.1-5 for the purpose of increasing allowable Floor Area Ratio (FAR) in the I1 Restricted Industrial District from .50 to .65. After discussion, noting that this request is the result of a recommendation in the Comprehensive Plan adopted April 2009, the Committee agreed to recommend approval of this Zoning Ordinance Text Amendment.

Under other business Mr. Werner briefed the Committee on the Elmhurst Hospital request for a temporary PET (Positron Emission Tomography) scan trailer. This trailer will be parked on Avon Street, north of Schiller Street along the west wall of the hospital. The trailer will be on site Tuesdays from 7 AM to 2 PM and Thursdays from 2 PM to 7 PM beginning March 2, 2010.

Pursuant to Ordinance ZO-03-2003, the Hospital is allowed to use the storage area between the west wall of the hospital and Avon Road for temporary storage of mobile units and generators for a period of up to 90 days in a calendar year. This mobile unit will be at this location on Tuesdays and Thursdays until the new hospital facility at York Street and Brush Hill Road is completed. The Hospital will have to request an extension at the end of the 90 day period before June 2, 2010.

Mr. Werner stated that he met with Police and Fire Department personnel to review this request. It was agreed that the temporary storage of this trailer at the proposed location is acceptable provided the Hospital block off northbound traffic on Avon Road when the trailer is on site.

The meeting was adjourned at 9:20 p.m.

Submitted by: Nathaniel J. Werner, Planning and Zoning Administrator