

## MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS MEETING

August 14, 2008

7:30 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals Meeting held on 7/10/2008
3. Case Number 08 P-05/Aimco Request for Map Amendment (Rezoning) Subdivision, and Variation  
Request for Subdivision, Map Amendment and Variation for the purpose of constructing 28 new townhomes on property commonly known as 1 Elm Creek Drive (PIN 06-14-406-060 and 06-14-409-057) said property being located within the R4 Limited General Residence District and the C3 General Commercial District.  
**Continued Public Hearing from 7/10/2008 for the purpose of receiving a traffic report**
4. Case Number 08 P-04/ City of Elmhurst Zoning Ordinance Text Amendments  
Request by the City of Elmhurst, as petitioner, to amend certain provisions of the Elmhurst Zoning Ordinance with respect to projecting signs (blade signs).  
**Continued Public Hearing from 6/26/2008 – the City Of Elmhurst, as Applicant is requesting that this public hearing be continued to 10/9/2008.**
5. Case Number 08ZBA-06/O'Brien Variation  
Request for Front Yard Variation for the purpose of constructing an addition on property commonly known as 200 N. Caroline Ave (PIN 06-01-208-026) said property being wholly located in the R2 Single Family Residential District.  
**Public Hearing – All properties within 500 feet have been notified.**
6. Case Number 08P-08/Insite (Chase Bank) request for Conditional Use and Associated Variations  
Request for Conditional Use Permit for the purpose of constructing and operating a bank drive-through, a Conditional Use Permit for two (2) pylon signs and associated variations for the height of the pylon signs as well as the area of the wall signs on property commonly known as 534-538 W. St Charles Road (PIN # 06-10-211-025).  
**Public Hearing – All properties within 500 feet have been notified.**

7. Case Number 08P-08/National City Bank request for Conditional Use  
Request for Conditional Use Permit for the purpose of constructing and operating a bank drive-through on property commonly known as 565 S. York Street (PIN # 06-12-300-026).

**Public Hearing – All properties within 500 feet have been notified.**

8. Other Business

Commission Members Present: Corrado, DeWitt, Ernst, Frolik, McCoyd, Mushow, Slone, Whistler

Commissioner Members Absent: Brinkmeier

City Staff Present: Said, Werner

Chairman Whistler opened the meeting at 7:30 P.M. and requested a roll call. After the roll call determined that there was a quorum, Chairman Whistler requested a motion to approve the July 10, 2008 minutes of the Zoning and Planning Commission meeting. Commissioner Corrado moved to approve the July 10, 2008 Zoning & Planning Commission/Zoning Board of Appeals meeting minutes as written. Commissioner Mushow seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler then noted a request by City Staff that agenda item #4, Case Number 08P-4/City of Elmhurst request for Zoning Ordinance Text Amendments relating to projecting signs, be continued to October 9, 2008. Commissioner Ernst moved to continue Case Number 08P-4/City of Elmhurst request for Zoning Ordinance Text Amendments to October 9, 2008; Commissioner Corrado seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler then opened the Public Hearing for agenda item #6, Case Number 08P-08/Insite request for Conditional Use Permit with associated Variations. Chairman Whistler then stated that the Commission's meeting information package included a letter from Scott Day, Attorney at Law representing the applicant, Insite Development Services, LLC, that requested a continuance of agenda item # 6, Case Number 08P-08 to September 11, 2008. Ms. Christina Morrison, Attorney at Law representing Mr. Scott Day, informed the Commission that the request for a continuance is a result of internal approvals needed by the applicant, which are expected in the end of August. Commissioner Ernst moved to continue Case Number 08P-08 to September 11, 2008; Commissioner Slone seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler then opened the continued public hearing for Case # 08P-05 / Aimco request for Map Amendment (Rezoning), Subdivision, and Variation for the purpose of constructing 28 new townhomes. The public hearing was continued from July 10 for the purpose of receiving a

traffic study and entering it into the record. Mr. Bill Woodward, traffic consultant representing KLOA, Inc. presented the findings of the traffic study to the Commission. Sonny Ginsburg, Attorney at Law, and Wesley Powell, Senior Director for AIMCO answered questions from the Commission and then addressed the standards for variation and for the map amendment. After all testimony was received, Chairman Whistler closed the public hearing for this case which will be deliberated on August 28, 2008.

Chairman Whistler then opened the Public Hearing for Case # 08ZBA-06/ O'Brien request for Front Yard Variation on property commonly known as 200 N. Caroline. Richard and Kathleen O'Brien, and their architect Mr. Tony Ryan presented the request to the Board of Appeals. After all testimony was received by the applicant, and there being no one in the audience concerned with this request, Chairman Whistler closed the Public Hearing portion of this case, which will be deliberated on August 28, 2008.

Chairman Whistler then opened the Public Hearing for Case # 08P-10 / National City Bank request for Conditional Use Permit for the purpose of constructing and operating a bank drive-through. Mr. Shane Ladner, representing National City Bank, and Mr. Tom Cronin, owner of subject property, presented the request to the Commission. Mr. Ladner presented the Commission with a traffic study which was dated 2002. It was agreed that the traffic study was incorrectly dated; the date should have been 2008. After all testimony and public comment was received, the public hearing was continued to August 28, 2008 so that the applicant can have the traffic consultant present to testify about the traffic study.

Under Other Business, Mr. Said briefed the Commission on the Comprehensive Plan and the upcoming presentation by planning consultant Mr. Phil Hanegraaf, HNTB Company to City Council on Monday, August 18, 2008 reviewing the status of the Comprehensive Plan Process. Mr. Said also informed the Commission that the City Council has agreed to enter into a development agreement with Morningside on the Hahn Street development and that a request for Planned Development will be presented to the Commission for Public Hearing in the next few months.

Mr. Werner then distributed a memorandum requesting that the Commission authorize City Staff to schedule a Public Hearing to discuss the RE Single-Family zoning district interior side yard requirements. After discussion, it was the consensus of the Commission to authorize City Staff to initiate a request for Text Amendment and schedule a Public Hearing accordingly. Mr. Werner then briefed the Commission on the upcoming case schedule.

The meeting was adjourned at 11:00 PM.

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