

MINUTES OF COMMISSION MEETING

September 13, 2007

7:30 P.M.

ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS

1. Roll Call/Call to Order
2. Approval of Minutes of Zoning and Planning Commission / Zoning Board of Appeals Meeting: August 23, 2007
3. Case # 07 P – 05 / Martens Subdivision – 411/415 Spring Road
Request for Subdivision of two lots into nine lots and associated lot frontage (width) variations for the property commonly known as 411-415 Spring Road (PINS: 06-11-203-003 & 004).
Continued Public Hearing from August 23, 2007: All properties within 500' have been notified.
4. Case # 07 ZBA – 15 / Derwin Variation - 139 N. Berteau Avenue
Request for Front Yard Variation for the purpose of constructing a front porch on property commonly known as 139 N. Berteau Avenue (PIN 06-01-211-009).
Public Hearing: All properties within 500' have been notified.
4. Case # 07 ZBA – 16 / Fabrizius Variation – 321 N. Addison Avenue
Request for Front Yard Variation for the purpose of constructing a front porch on property commonly known as 321 N. Addison Avenue (PIN 03-35-418-006).
Public Hearing: All properties within 500' have been notified.
5. Case # 07 P - 04 / Elmhurst Memorial Hospital - Northwest Corner of York Street & Roosevelt Road
Request for Planned Development Conditional Use, Text Amendment, Map Amendment, Subdivision and Associated Variations upon Annexation for the purpose of constructing and operating a new hospital facility.
Deliberation: Public Hearings held July 26, 2007 and August 9, 2007.
6. Other Business

***The transcript of proceedings is the official record of the hearing and it is not intended that these minutes are a substitute for that transcript pursuant to the Open Meetings Act.**

Commission Members Present: Brinkmeier, Corrado, Ernst, Frolik, McCoyd, Mushow, Slone

Commissioner Members Absent: DeWitt, Whistler

City Staff Present: Spiroff, Werner

Commissioner Mushow opened the meeting at 7:30 P.M. and requested a roll call. After the roll call determined that there was a quorum, Mr. Werner requested a motion to install Commissioner Mushow as the Acting Chairman for the evening's proceedings. Commissioner Brinkmeier moved to install Commissioner Mushow as Acting Chairman for the evening's proceedings; Commissioner Corrado seconded and, with a voice vote being all ayes, the motion passed. Acting Chairman Mushow requested a motion for the approval of the minutes of the Zoning & Planning Commission meeting on August 23, 2007. Commissioner Corrado moved to approve the August 23, 2007 Zoning & Planning Commission meeting minutes. Commissioner Frolik seconded and, with a voice vote being all ayes the motion passed.

Acting Chairman Mushow then opened the public hearing for Case # 07P-05/ Martens Subdivision 411 & 415 Spring Road. This case is a request for subdivision of two lots into nine lots, each lot meeting the lot area requirements of the underlying R2 district; however two lots require approval of lot frontage variations. Mr. Rene Martens, 284 Winthrop Avenue, Elmhurst, contract purchaser, presented his application to the Zoning Board of Appeals. After all evidence and testimony was given by Mr. Martens, and after four interested persons raised their concerns (primarily stormwater and drainage issues), the Board continued the public hearing until September 27, 2007 and requested that the applicant provide engineering drawings to show how the stormwater will be managed.

Acting Chairman Mushow then opened the public hearing for Case # 07 ZBA-15/Derwin Variation 139 N. Berteau which is a request for a front yard variation for the purpose of constructing a front porch. Mr. Gary Derwin, contractor and applicant, presented the case on behalf of Michael and Diane Falco, the owners. At the outset of the presentation it became apparent that the owner and applicant were not in agreement as to the depth of the porch and, therefore, the extent of the variation request. The application was for a four (4) foot variation and the homeowner wanted a six (6) foot variation. The Board then unanimously voted to continue the public hearing until the application materials, and staff report, are rewritten to reflect the owners request.

Acting Chairman Mushow then opened the public hearing for Case # 07 ZBA-16/Fabrizius Variation 321 N. Addison which is a request for a front yard variation for the purpose of constructing a front porch. Paul and Linda Fabrizio presented their case to the Board on their own behalf. After all testimony was entered into the record, and there not being any interested persons in the audience, Acting Chairman Mushow closed the public hearing portion of this case. The Board then agreed by unanimous vote to deliberate Case # 07 ZBA-16. After discussion, Commissioner Brinkmeier moved to approve the applicants request as presented; Commissioner Corrado seconded upon which the Board voted unanimously to approve the front yard variation request as presented. Note: the ZBA has final authority in this case.

Acting Chairman Mushow opened the deliberation for Case # 07P-04/Elmhurst Memorial Hospital request for Planned Development Conditional Use. After an overview of the request by Mr. Werner, the Commission reviewed the revised draft of the proposed Health Care Campus (HCC) district provided by staff. Staff had suggested that Hospitals and their accessory uses remain as permitted uses but only when applied for as a planned development. The Commission agreed with this recommendation. Other modifications included lowering the maximum height to 125 feet, increasing the setback for all yard from zero feet to 25 feet, adding "Family Accommodations" to the permitted accessory use list, and eliminating the lot coverage requirement since floor area ratio (FAR) limits the floor area to an FAR of 1.5 (in commercial and office districts the bulk of structures is regulated by the Floor Area Ratio; in residential districts lot coverage limits the bulk of structures, not FAR). After review, it was the consensus of the Commission that the proposed HCC district, as modified by staff, be approved. Commissioner Brinkmeier moved to approve the proposed HCC district as modified. Commissioner Ernst seconded the motion and the Commission voted unanimously to approve the motion.

The Commission then discussed signage. Staff stated that the signs requested will be a part of the final planned development approval. Staff noted that an amendment to the zoning ordinance is required to modify the sign chapter to include the new HCC district sign requirements; however, since the only permitted uses in the HCC district are hospitals and accessory uses as planned developments, all signage could remain a component of the planned development enabling ordinance. If the HCC sign regulations are added as an amendment to the zoning ordinance, certain signs would be allowed in the district with administrative approval provided they meet the regulations adopted for that district.

The Commission then discussed the flexibility being requested by the hospital; that certain growth and development can occur within agreed thresholds without amendment to the planned development. In other words, a planned development approval that contemplates growth up to certain limits. After those limits are exceeded, the applicant would then have to come back for an amended planned development. Staff noted that the flexibility requested will still result in staff (and consultant if necessary) review and approval provided that the request meets the limitations and regulations established in the planned development enabling ordinance.

The Commission then discussed the three areas of future development shown as three colors; gold, blue and yellow. The gold area, located in the center of the site allows building heights up to 125 feet. The blue area surrounds the gold area and limits building height to 100 feet, and the yellow area, which surrounds the blue area, limits building height to 50 feet. Staff proposed a 20% allowance (approximately 200,000 square feet) for future development should be allowed as administrative approval not requiring amendment to the planned development.

After much discussion, Commissioner Corrado moved to limit the allowable growth to 10% or 100,000 square feet that can be accomplished on site without amendment to the planned development. This 10% or 100,000 square feet is in addition to the proposed medical office buildings and the additions contemplated on the north side of the hospital building shown within the gold area. Commissioner Brinkmeier seconded and the motion was approved by a vote of 6 to 1. Therefore, it was the consensus of the Commission to allow an additional 100,000

square feet of development within the blue and yellow areas; the gold area can be developed with the two medical office buildings and the north building addition without being counted as part of this 100,000 square feet. The proposed hospital building including the Center for Health, but not including the north addition or two medical office buildings, is approximately one million (1,000,000) square feet. The applicant will also revise the planned development site plan with respect to the three building height zones to show the two medical office buildings and the north hospital addition within the gold zone.

Due to the lateness of the hour, the Commission agreed to continue the discussion of any other issues and the proposed roadway modifications on Euclid Avenue and Harvard Street at the next meeting of the Commission scheduled for September 27, 2007.

Under Other Business, the Commission discussed the upcoming case schedule.

The meeting was adjourned at 11:45 PM.

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