

NOTICE

The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Committee or Board meeting, and cannot be relied on or used as an official record of the proceedings. Although the County of DuPage makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The County therefore makes no warranty, express or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the County Clerk.

APPROVED MINUTES

DU PAGE COUNTY DEVELOPMENT COMMITTEE

January 6, 2009

Chairman Gilgis called the meeting to order at 11:04 a.m.

Members present at time of roll call: Kyle Gilgis, Anthony Michaelassi, Dirk Enger, Rita Gonzalez, and Patrick O'Shea.

Members absent at time of roll call: Debra Olson

Chairman's Report: *None.*

Public Present:

Laura Gebis, 27W537 Timer Lane, West Chicago

Maureen Kiely, 0N272 Pleasant Hill, Wheaton

Renee Caputo, 28W521 Purnell Road, West Chicago

Robert Whitney, 1S420 Cantigny Drive, Winfield

Howard Costley, 1S141 Cantigny Drive Winfield

Sue Hodgeson, 1S630 Ardennes Court, Winfield

Jim Cummings, 1S200 Cantigny Drive, Winfield

Dave Tornga, 28W340 Flanders, Winfield

Richard Kalva, 511 Monroe, Wood Dale

Addie and Jerry Jurs, 2100 Stoddard Avenue, Wheaton

Sarah McGreevy, 1945 Wexford Circle, Wheaton

Barbara Gauthier, 521 S, Woodlawn Street, Wheaton

Lisa Merker, 0S028 Calvin Court, Winfield

Richard Wagner, 1S560 Domartin, Winfield

Kyle Mulhaser, 540 Crescent Blvd., Glen Ellen

Jerry and Margaret Webb, 28W055 Gary's Mill Road, Winfield

Rusty Popp, 1535 E. Forest, Wheaton

Martha and Greg Bunch, 630 Highgate Court, West Chicago

Manya Gyuro, 359 Fairview Avenue, West Chicago

Andi Liechty, 517 Delles, Wheaton

Sandy Kruse, 0N638 Suzanne, Winfield

Marcy Hintz, 1119 College Avenue #5, Wheaton

Debra Mason, 311 Brookside Circle, Wheaton

Barbara Walker, 130 Windsor Park Drive, Carol Stream

Randy York, 967 Ainsley Drive, West Chicago

Debra Alexander

Dennis Clark, 1S610 Verdun Drive, Winfield

Scott Pointner, 300 E Roosevelt Road, Suite 300, Wheaton IL 60187

NOTICE

The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Committee or Board meeting, and cannot be relied on or used as an official record of the proceedings. Although the County of DuPage makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The County therefore makes no warranty, express or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the County Clerk.

Approve miscellaneous claims: *Motion by Member Enger, seconded by Member O’Shea to approve. On roll call vote, all members voted “aye”. Motion carried.*

INFORMATION ONLY: FOR PLACEMENT ON TECHNOLOGY COMMITTEE AGENDA

AMENDMENT to Contract L14557, awarded to Verizon Wireless for wireless data services for eleven laptop computers used for field work by the Code Enforcement Staff, to decrease the encumbrance by \$840.51 and close out the FY08 contract, for Economic Development & Planning, resulting in a new contract total amount of \$6,419.49, a decrease of 11.5%. (L14557)

Motion by Member O’Shea, seconded by Member Enger to approve. On a roll call vote, all members voted “aye”. Motion carried.

REQUEST FOR PARENT COMMITTEE APPROVAL FOR PLACEMENT ON FINANCE COMMITTEE:

DCp-002A-08 – RESOLUTION – AMENDMENT to Resolution DCp-002-08, awarded to County Court Reporters for Professional Services to provide court reporting for the DuPage County Zoning Board of Appeals, to decrease the encumbrance by \$5,217.22 and close the FY08 contract, for Economic Development and Planning, resulting in a new contract total amount of \$20,782.78, a decrease of 20%. (S14541)

Motion by Member O’Shea, seconded by Member Enger to approve. On a roll call vote, all members voted “aye”. Motion carried.

Motion by Member O’Shea, seconded by Member Michaelassi to combine and approve minutes from November 18, 2008 and December 2, 2008. On roll call vote, all members voted “aye”. Motion carried.

Regulatory Services:

Z08-019 – ORDINANCE - Aguilar: The Zoning Board of Appeals recommended to Approve the following zoning relief:

Variations to decrease the lot widths from 66 feet to 50 feet for two (2) adjacent existing lots of record served with private septic and well systems. (Winfield Township/District 6)

ZBA VOTE (to Approve): 6 Ayes, 0 Nays, 1 Absent

Motion by Member Gilgis, seconded by Member Enger to approve. On a roll call vote, all members voted “aye”. Motion carried.

Z08-024A – ORDINANCE - Heidner Holdings LLC: The Zoning Board of Appeals recommended to Approve the following zoning relief:

1. Conditional Use for a Planned Development, to include reductions in the following yards:
 - a. Front yard from 40' to 10' site circulation;

NOTICE

The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Committee or Board meeting, and cannot be relied on or used as an official record of the proceedings. Although the County of DuPage makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The County therefore makes no warranty, express or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the County Clerk.

- b. Front landscape yard from 20' to 10' for site circulation;
 - c. Front yard from 50' to 40' for building;
 - d. North interior yard from 20' to 12' feet for site circulation;
 - e. North interior yard from 20' to 3' for trash enclosure;
 - f. North interior landscape yard from 12' to 3' for trash enclosure;
 - g. Corner side from 30' to 12' for parking;
 - h. West interior yard from 20' to 2' for site circulation;
 - i. West interior landscape yard from 20' to 2' for site circulation;
2. Conditional Use for drive through. (Wayne Township/District 6)
ZBA Vote (to Approve): 4 Ayes, 2 Nays, 1 Absent

Motion by Member Enger, seconded by Member Gonzalez to approve. County Board Member Jim Zay, who had concerns with traffic in regard to this petition, expressed his thanks to staff and petitioner for all of their hard work. On a roll call vote, Members Enger, Gilgis, Gonzalez and Mickaelassi voted "aye", member O'Shea voted "nay". Motion carried.

Z08-082- ORDINANCE- Gebis: The Zoning Board of Appeals recommended to approve the following zoning relief
Variation to reduce side yard setback from 10 ft. to 4 ft. for a new attached garage.
(Wayne Township/District 6)

ZBA VOTE (to Approve): 7 Ayes, 0 Nays

Motion by Member Enger, seconded by Member Michaelassi to approve. On a roll call vote, all members voted "aye". Motion carried.

Z08-086 – ORDINANCE - Hopeman: The Zoning Board of Appeals recommended to Approve the following zoning relief:

1. Variation to increase height from 15' to 16.5' for a detached accessory building; and
2. Variation to increase floor area from 850 sq. ft. to 930 sq. ft. for a detached accessory building; and
3. Variation to allow for a detached accessory building to be located in front of the principal building; and
4. Variation to reduce side yard setback from 10' to 5' for a detached accessory building (Milton Township/District 4)

ZBA VOTE (to Approve): 6 Ayes, 0 Nays, 1 Absent

Motion by Member O'Shea, seconded by Member Enger to approve. On a roll call vote, all members voted "aye". Motion carried.

NOTICE

The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Committee or Board meeting, and cannot be relied on or used as an official record of the proceedings. Although the County of DuPage makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The County therefore makes no warranty, express or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the County Clerk.

Z08-101-ORDINANCE-Kiely: The Zoning Board of Appeals Recommended to Approve the following zoning relief:

A variation to reduce the side yard setback from 10 ft. to 4.6 ft. for a second story addition (Milton Township/District 4)

ZBA VOTE (To Approve): 7 Ayes

Motion by Member Michaelassi, seconded by Member Gonzalez to approve. On a roll call vote, all members voted "aye". Motion carried.

Community Development Commission:

**REQUEST FOR PARENT COMMITTEE APPROVAL FOR
PLACEMENT ON FINANCE COMMITTEE:**

DCp-001-09 – RESOLUTION – Requisition #15246, issued to Hope Fair Housing for professional services to provide technical assistance and consultation services to conduct fair housing activities on behalf of the DuPage County Community Development Commission, for the period 4/1/08 through 3/31/09, for a contract total amount of \$50,000.00. Exempt from bidding per 55 ILCS 5/5-1022 (c) (Other Professional Services) (CDBG GRANT FUNDED)

Motion by Member Golzalez, seconded by Member Enger to approve. Phil Smith, Director of Human Services, gave a brief overview of the resolution and answered committee member's questions. On a roll call vote, all members voted "aye". Motion carried.

Historical Museum: *None.*

Old Business:

Z08-023 - ORDINANCE – Farazandeh: The Zoning Board of Appeals recommended to Approve the following zoning relief: Conditional use for a group day care home. (Downers Grove Township/District 3)

ZBA VOTE (to Approve): 7 Ayes, 0 Nays

Motion by Member Gilgis, seconded by Member Enger to approve.

Motion by Member Gilgis, seconded by Member Michaelassi to approve with the following amendments:

2. The Zoning relief is valid for ~~five (5)~~ years **10 years** from the date of approval by the DuPage County Board. After ~~five years~~ **10 years** petitioner may re-apply for zoning relief for a Conditional Use for the Group Day Care Home.
6. That the use shall inure to the current property owner Parvin and Paressa Farazandeh as long as they hold an executed license from the State of Illinois for a day care home, shall not be transferable and that there be no renting or leasing of the property.

On a roll call vote, all members voted "aye". Motion carried.

NOTICE

The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Committee or Board meeting, and cannot be relied on or used as an official record of the proceedings. Although the County of DuPage makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The County therefore makes no warranty, express or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the County Clerk.

Z08-037A - ORDINANCE - Church of the Resurrection: The Zoning Board of Appeals recommended to Approve the following zoning relief:

Conditional Use for a Religious Institution; and

Conditional Use for Planned Development (Winfield Township/District 6)

ZBA VOTE (to Approve): 4 Ayes, 3 Nays

Motion by Member O'Shea, seconded by Member Enger to consider.

Neighbors to the proposed site of the church voiced their objections to this petition. Rene Caputo cited traffic concerns. Robert Whitney was concerned about the noise the church would generate. Howard Costley spoke about access, ingress/egress problems on Indian Knoll Road and encouraged the church to consider the neighbors. Jim Cummings was concerned about stormwater runoff. Dave Tornga had a letter from Frank and Joanne Schoenborne who object to this petition for the same stormwater and traffic concerns. Sue Hodgeson also had concerns about congestion. Many people spoke in favor of the petition, among them were Richard Kalva, Addie and Jerry Jurs, Sarah McGreevey, Barbara Gauthier and Lisa Merker. Richard Wagner, who owns the property along with his brother and sister, explained his efforts to keep the property for the public. He felt the church would be a good use of the land especially since 62 percent of the land would be kept as open space. Others supporting the church include Kyle Mulhaser, Jerry and Margaret Webb, Rusty Popp, Greg and Martha Bunch, and Manya Gyur. Andi Liechty explained how the church searched for various properties. Sandy Kruse, Marcy Hintz, Debra Mason, Barbara Walker, Randy York, Debra Alexander all voiced their support for this project. Dennis Clark, representing the homeowners association outlined his objections to this project. He felt the traffic study was inaccurate, he pointed out difficulties with the soil located on the property. Mr. Clark voiced his concerns with the church's ability to pay for the added expenses with this project. Chair Gilgis explained that the Development Committee does not consider affordability for any petitioner. Mr. Clark also presented 578 letters opposing this petition. At 11:59 Chair Gilgis called a brief recess. At 12:07 Scott Pointner, attorney for the petitioner, gave a presentation reminding the Committee that the information in the petition is for the total build-out of the property. He passed out a handout of concessions that the church has agreed to with regard to traffic, noise pollution and the retreat facility. Mr. Pointner handed out a sanitary sewer analysis summary and a map of traffic comparing full-build holiday traffic to existing weekday traffic. Matt Moreline, a civil engineer from Cemcon, Ltd. gave an explanation of how the church would achieve compliance with the stormwater ordinance. Matt explained the sewer summary and was available for the committee's questions. Member Enger read a letter from the City of West Chicago stating that the city had not received a formal application for pre-annexation. Scott Pointner informed the committee the paperwork had been submitted the previous day. Member O'Shea pointed out that these detailed explanations are better suited for the various appropriate departments

NOTICE

The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Committee or Board meeting, and cannot be relied on or used as an official record of the proceedings. Although the County of DuPage makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The County therefore makes no warranty, express or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the County Clerk.

through the permitting process and the issue before the committee today is of approval or denial of a conditional use. For the benefit of the new committee members and the public present Tony Hayman from the State's Attorney's office explained the difference between the functions of the Zoning Board of Appeals, the Plat Committee and the Development Committee. The Zoning Board is the first step in the process, consisting of public hearings, evidence and a recommendation. The Development Committee makes a recommendation regarding the conditional use and planned development. The Plat committee is involved because this is a planned development as well. Plat serves in a preliminary advisory role, consisting of various department heads, which will review these applications at an early stage and advise so that the developer can make necessary changes. The church will have to go through the stormwater permitting process, approvals for the sanitary waste either through the Health Department or the City of West Chicago, and meet all the building codes through the building permitting process. County Board Members Linda Kurzawa and Jim Zay were both present with questions for Mr. Pointner and Mr. Moreline. Bruce Talbot from Cemcon answered questions about traffic. He stated approximately 22% of the members of the church come from the northwest and 78% from the east. Fred Schuster from Ruck Pate Architecture was also available for questions. Discussion ensued. Member Gilgis called to question. On a roll call vote Members O'Shea and Gilgis voted "aye", Members Enger, Gonzalez and Michaelassi voted "nay". Motion to consider failed.

New Business: *None.*

Adjournment: Motion by Member Michaelassi, seconded by Member Gonzalez to adjourn the meeting at 1:15 p.m. On voice vote, motion carried.

Respectfully submitted,

Mary Becker
Recording Secretary