

**VILLAGE OF WOODRIDGE
PLAN COMMISSION MEETING
Regular Meeting of November 17, 2014**

A regular meeting of the Plan Commission for the Village of Woodridge was held at 7:30 p.m. on Monday, November 17, 2014 in the Board Room of the Village Hall, Five Plaza Drive Woodridge, Illinois.

I. CALL TO ORDER

Commissioner Hendricks called the meeting to order at 7:32 p.m. He stated he will be acting as pro tem Chairman for Chairman Zawacki.

II. ROLL CALL

Upon roll call the following were:

Present: Balogh, Mast, Page, Hendricks

Absent: Gaspar, Przepiorka, Zawacki

Senior Planner Jenny Horn, Planner Jason Zawila, and Recording Secretary Peggy Halper were also present.

III. APPROVAL OF MINUTES FOR THE OCTOBER 20, 2014 AND NOVEMBER 3, 2014 MEETINGS

Commissioner Page made a motion, seconded by Commissioner Balogh to approve the minutes from the October 20, 2014 meeting with no changes. A roll call vote was taken:

Ayes: Page, Balogh, Hendricks, Mast

Nays: None

Motion passed

Commissioner Page made a motion, seconded by Commissioner Balogh to approve the minutes from the November 3, 2014 meeting with no changes. A roll call vote was taken:

Ayes: Page, Balogh, Hendricks, Mast

Nays: None

Motion passed

IV. CONSIDERATION OF A MAJOR AMENDMENT TO A PRELIMINARY AND FINAL RPUD PLAN AND PLAT AND AMENDMENT TO A RPUD ZONING LOT PLAN – LITTLE KIDS AT SEVEN BRIDGES – 6440 ROUTE 53 – WOODBRIDGE BRIDGES, SB1 LLC

A. Staff Presentation

Mr. Zawila, Planner for the Village of Woodridge, stated Woodbridge Bridges SB1, LLC submitted applications for an amendment to the Zoning Lot Plan and Major Amendment to the Preliminary RPUD Plan and the Final RPUD Plan for the proposed relocation of Little Kids Learning Center. The applicant is proposing to build out an approximately 2,810 square foot space at 6440 Main Street in addition to the construction of an outdoor playground. The Little Kids Learning Center has been in the Hobson Road Shopping Center since 1982 and is proposing to relocate to Seven Bridges. The daycare is designed to accommodate approximately 45 children with 8 employees. Little Kids Learning Center expects to be open Monday through Friday from 6:30 a.m. to 6:30 p.m. The proposed daycare and playground will be placed, respectively on Lot 7 and Lot 16 in the Seven Bridges Main Street development. Lot 7 is located on a 0.27 acre site, which is at the northwest corner of Woodridge Drive and Main Street and directly north of the movie theater. Lot 16 consists of the shared parking and private roads for the development. He showed on the overhead where the two locations were located.

Mr. Zawila said the development is located on Zoning Lot No. 1 of the Seven Bridges Regional Planned Unit Development (RPUD), which is improved with a theater and several office and retail buildings with related parking and landscaping. Although daycare uses are a permitted use in the Seven Bridges development, the Seven Bridges Zoning Lot Plan and RPUD Plan for Lot 7 do not list daycare uses as a specific use for Lot 7. Currently, retail and office uses are only specified on Lot 7. In order to allow the Little Kids Learning Center to relocate to Seven Bridges the plans must be amended. The proposed use is compatible with the surrounding uses along Route 53. The proposed daycare will complement and enhance the commercial and residential uses as well as the broader surrounding area.

Mr. Zawila stated as a private daycare and preschool the Village Code requires 14 parking spaces. In light of the Village Code requirements for parking and the expected number of students, staff has determined that the proposed use can be accommodated in the overall parking demand for Seven Bridges. He said there are a few minor items that need to be addressed by the applicant prior to Village Board consideration of the project. These include revising minor technical details on the Zoning Lot Plan. The Plan Commission's recommendation for this proposal shall be subject to these revisions being completed prior to Village Board consideration. The applicant is present along with the tenant to answer any questions the Commission might have.

Commissioner Hendricks asked if any of the Commissioners had any questions. None responded.

Commissioner Hendricks asked what are the minor items that need to be addressed by the applicant.

Mr. Zawila said it is currently still under review. There are technical details that relate to the Plat that need to be changed like street names and pin numbers.

Chairman Zawacki entered the meeting at 7:38 p.m.

Commissioner Hendricks asked if there were any other questions for staff. None responded. He then asked if the applicant would like to make a presentation.

B. Applicant Presentation

David Galowich, Madison Realty Group, Inc., stated staff has adequately portrayed the request. Due to the way the zoning was structured daycare is not a permitted use. He said because daycares need outdoor play space, the outdoor play space will be an amenity to the whole development. It will be open to the public when the daycare is not using it. Staff has presented everything else in their staff report and he thanked the Commission for the opportunity to present this to them.

Commissioner Page said about a year ago, Little Kids was before the Commission moving from one end of the plaza to the other end. She asked why do they want to move to Seven Bridges from where they were.

Mr. Galowich stated he could not answer that question but hopes it is because they have a new wonderful location for that facility.

Lina Reyes, owner of Little Kids, said a year ago they were going to move to the other end of the plaza but could not because there were no fire sprinklers.

Commissioner Page asked if they would be taking over the whole entire ground level.

Mr. Galowich said it would be the portion of building that is currently vacant. When the building was actually built, prior to them taking ownership of the project, it was constructed for a daycare use. The space was never occupied and there will be a substantial amount that needs to be done before the user can move in.

Commissioner Page asked if the playground would be open to the apartment and condos in the community.

Mr. Galowich stated yes.

Pro Tem Chairman Hendricks asked what was currently in the area where the playground is going to be constructed.

Mr. Galowich said it is dense space that is just landscaped.

Pro Tem Chairman Hendricks asked what size is the playground.

Mr. Galowich stated it is 21 feet on the east side and about 27 to 28 feet on the west side.

Commissioner Page asked if it was fenced in.

Mr. Galowich said it will be fenced in with a play structure and a turf surface. He stated the details should be in the staff packet.

Pro Tem Chairman Hendricks asked if everything will meet DCFS Code.

Mr. Galowich stated yes or they will not get their occupancy.

Pro Tem Chairman Hendricks asked if there were any additional questions.

Chairman Zawacki said this particular lot was not identified with this particular use and there was a reason for that. He asked why staff would they consider a different kind of use just because nobody bought into it.

Mr. Zawila stated the use specified on the building is retail/office. So with any process you would have to amend the RPUD to add this use that differs from the office and retail uses.

Chairman Zawacki said that in his mind that it is not a complimentary use. This is office and retail and not for daycare centers. He asked how does it fit in as a complimentary use. He stated he read the staff report and he could not buy into it.

Mr. Zawila stated daycare is a service use and there are office uses in the area that could potentially benefit from it, in addition to the residential units that are in the area. It is a mixed use development and it compliments the other uses in the Seven Bridges development.

Chairman Zawacki said an oil change facility could also be a complimentary use but that was not the idea when the Mayor and the Trustees put this Master Plan together. He stated he feels they are selling a piece of property just because they are trying to sell it. He asked if staff gave up on the concept that this property is going to be office and retail sales.

Mr. Zawila stated it is not the entire development but rather one particular use inside this building.

Chairman Zawacki said he understands it is not the entire development. But what they are suggesting is that they are going to let all kinds of uses in there which were not intended. If the Mayor and Board of Trustees suggested that it was not a considered use then they thought the other identified uses were what they wanted there. He stated what he sees is happening is that they are selling short by getting something in there so it looks good on the resume that we moved a piece a property. This is not the way the Village intended the property to be moved. He asked why couldn't they move some place else.

Mr. Galowich stated he would like to respectfully disagree. He understands the concern but daycare uses are very frequently placed in office buildings. It is usually an amenity to the office project.

Chairman Zawacki said they are not IBM but rather just a daycare center.

Mr. Galowich stated the daycare centers he is referring to are not corporate owned daycare centers. He understands his concern, however they believe it is a compliment to the building and something that is needed.

Chairman Zawacki said he does not want to take offense to him either. He has read staff's report and staff suggested that it is a good complimentary use for the area. When he looks at the area he sees multi-family, condos by the ice rink, and across the river there is single-family. He asked has anyone gone out there and surveyed the residents to see if they are looking for more daycare centers.

Mr. Galowich stated he could give antidotally but could not give quantitative data.

Chairman Zawacki said he is not saying that they are wrong for wanting to expand; obviously there is need if people are coming to them. What he is suggesting is this might not be the place for it.

Commissioner Page clarified if the space had been originally designed for a daycare.

Mr. Galowich stated they have only been involved with the project since about 2011. The original build out predates their involvement. The building does have little kid toilets, lowered urinals, water fountains that are low, and cubbies with hooks. He is not sure how that got approved through the building department without having the zoning because that predates him.

Mr. Zawila said as far as staff knows work started on the space and it was recognized that it was not an allowable use. At that time staff informed a previous tenant that they would have to go through this same process.

Chairman Zawacki stated it was not something that was approved by the Mayor and Board of Trustees. The entire area is a commercial area and little kids running around does not fit into the area.

Mr. Galowich asked if he was familiar with the space at 6440.

Chairman Zawacki said yes definitely.

Mr. Galowich stated it is the back end of the building and it is not facing Main Street. The playground is behind the Cinemark. He does not see the impact it will have on other users of Seven Bridges.

Commissioner Page asked if the entrance would be on the back side and not facing Buffalo Wild Wings.

Mr. Galowich said it will not be facing Buffalo Wild Wings.

Chairman Zawacki stated if you leave the theatre and go to Buffalo Wild Wings you will go down that way.

Mr. Galowich said leaving the theatre and going to Buffalo Wild Wings you will not pass the playground or the daycare center. He showed on the overhead where the daycare center would be located along with the proposed playground.

Chairman Zawacki asked if they feel daycare is a good compliment to office and retail space.

Mr. Galowich stated absolutely.

Mr. Zawila said for clarification daycares are special uses in most commercial districts that they have throughout the Village. If a daycare was going to locate in another commercial area throughout the Village it would have to be considered as a special use.

Chairman Zawacki asked staff if they are suggesting tax wise this would be a better use.

Mr. Zawila stated he is not stating that.

Chairman Zawacki said it sure sounds like it.

Mr. Zawila stated he is not stating that.

Chairman Zawacki said then why don't they hold out economically. He stated it is not their property so why should they care.

Mr. Galowich stated tax wise it would be mutual. He said that location would not be retail space because it is hidden from Route 53. This has been the problem for Seven Bridges. The space is not even located on Main Street. It is located at the back end of the building.

Chairman Zawacki asked if they were taking the whole building.

Mr. Galowich said they are only taking 2,900 square feet of the back of the building.

Commissioner Balogh asked what other businesses are located in the building.

Mr. Galowich stated in the back there is only one single office that is maybe 300 square feet which is an Allstate. The remaining portion of the back of the building is mechanicals.

Pro Tem Chairman Hendricks asked what he meant by mechanicals.

Mr. Galowich said that is where the elevator shaft is located. He showed on the overhead where the mechanicals are located.

Pro Tem Chairman Hendricks stated he would like to make a comment that might help Chairman Zawacki. He said he could potentially see that a daycare could be a benefit to that area. There are apartments to the west that could potentially utilize this. The parents that are picking up their children might then go and utilize the restaurants or theatre. In his opinion it does fit into the scheme of the area.

Chairman Zawacki asked if he was going to take his kids to Buffalo Wild Wings.

Pro Tem Chairman Hendricks said they eat and go to the theatre. His opinion is that it will help that area.

Commissioner Page stated there is no park in that area. There is a walking path but no playground in that community. She asked if the tenants on the second and third floor have been informed that there might be kids screaming on the first floor.

Mr. Galowich said he believes so but cannot be sure. They have worked hard in getting this building leased and work hard on keeping them happy.

Chairman Zawacki stated management has not sold the property as kid friendly. It is one bedroom, married, upwardly mobile type of residents; that is what they had said to the Commission.

Mr. Galowich said there are a fair amount of children out in the area.

Chairman Zawacki said it was stated that there was not going to be a lot of children because it would not have an impact on the school district. He asked if he was suggesting that they lied or they were wrong.

Mr. Galowich said he is not suggesting that anyone lied. When he was here a year or so ago, the data that they analyzed from the census suggested that there were not a lot of children but there were some children there.

Chairman Zawacki stated administration likes to say that they never lie about anything. He understands he does not want to use the word "lied". The bottom line is he does not see how this is going to fit in there based upon what everyone else said should be there.

Mr. Galowich said you do have children going to the theatre at times.

Chairman Zawacki stated not at that age. Kids that go to daycare centers do not go to theatres.

Mr. Galowich said he was referring to them going to the playground after the theatre.

Chairman Zawacki asked if there was any study done to find out how many people in the area have kids that might want to use that kind of facility. He asked how is that business going to grow.

Mr. Galowich stated that would be a question for the tenant.

Ms. Reyes stated they would love to move into this facility at Seven Bridges. Right now they are completely full with 50 children and their lease is over in March. If they can open at Seven Bridges then they will possible open another facility. There is currently a waiting list.

Chairman Zawacki asked if they had done any studies to determine if there is a need in this area other than talking to their current clients.

Ms. Reyes said they have a waiting list for school ages.

Chairman Zawacki asked how many people are on that waiting list.

Ms. Reyes stated as of right now just one.

Chairman Zawacki said he wishes her luck, however he feels that this area is not meant for daycare. For 20 years it has not been identified for daycare, but now we are trying to say it does. It is like they are giving up on the other plan to just take this plan.

Mr. Zawila stated it is an RPUD and there is a process to amend plans, as stated in the ordinance. For this development, needs and uses change and it might not have been thought of 25 years ago. There is a process for this and that is what they are going through this evening. It is a process that does allow for change. They have to go through public process like they are doing now and the Commission must weigh the standards for this.

Chairman Zawacki said using that same logic maybe they did not want that kind of use there that is why it was not requested. What he is seeing happen is that they are just giving in to this because there will be a use there rather than a vacant spot. He stated they are not looking at the initial Master Plan and the concept of these people. They are simply suggesting rent the space because the development looks better. He feels that was not the intention with the property on Lemont Road. The idea for that was they were to try and market that property in total and not a piece here and a piece there.

Pro Tem Chairman Hendricks stated he feels his point has been made that he is not in support of this use. He feels that the market will dictate as to what is needed and what is not.

Chairman Zawacki said staff always comes back with the tax consequence. How much money are they going to make off of a daycare center?

Mr. Zawila stated he does not have that information; however there are several factors that they look at. In this case, the reason why they are recommending the amendment is because of the use. It is a complimentary use to the other residential and commercial uses in the development.

Chairman Zawacki said however it was a restaurant or bar they would be taxing them on the services which would generate much more money.

Mr. Zawila stated the development allows for that too.

Pro Tem Chairman Hendricks said it is definitely not the tax consequence or is it for any of the other businesses at that specific location. There are already several restaurants in that location and you can't over saturate it with those types of businesses.

Chairman Zawacki stated to look at the restaurant history. They have lost more restaurants than they had restaurants.

Pro Tem Chairman Hendricks said it is the nature of the restaurant business.

Chairman Zawacki stated it is certainly the kind that they attract there. He said he just wants to bring up these points.

Pro Tem Chairman Hendricks said they are valid points. He then asked if there was anyone in the audience that wanted to speak.

C. Public Comments

None

D. Staff Recommendation

Mr. Zawila said as stated on page three of staff's report, staff recommends that the Plan Commission make the motions as stated. There are a total of four motions that are needed.

E. Plan Commission Recommendation

Commissioner Balogh made a motion, seconded by Commissioner Page to adopt the Findings of Fact for RPUD Zoning Lot Plan, as contained in Attachment 5 of staff's report dated November 17, 2014. A voice vote was taken:

Ayes: Balogh, Page, Hendricks, Mast

Nays: Zawacki

Motion passed

Commissioner Page made a motion, seconded by Commissioner Mast to adopt the Findings of Fact for the Preliminary RPUD Plan and Plat, as contained in Attachment 5 of staff's report dated November 17, 2014. A voice vote was taken:

Ayes: Page, Mast, Balogh, Hendricks

Nays: Zawacki

Motion passed

Chairman Zawacki stated for the record he has no problem with the Findings of Fact, but he disagrees with the entire concept.

Commissioner Page made a motion, seconded by Commissioner Balogh to adopt the Findings of Fact for the Final RPUD Plan and Plat as contained in Attachment 5 of staff's report dated November 17, 2014. A voice vote was taken:

Ayes: Page, Balogh, Hendricks, Mast, Zawacki

Nays: None

Motion passed

Commissioner Page made a motion, seconded by Commissioner Balogh to recommend to the Mayor and Village Board of Trustees approval of the proposed amendment to the Zoning Lot Plan and Major Amendment to the Preliminary RPUD Plan and the Final RPUD Plan, based on the Findings of Fact in Attachment 5 of staff's report, subject to the following plans "A" through "C" as listed on page 4, and subject to the following conditions 1, 2, and 3 as listed on page 4 all in staff's report dated November 17, 2014. A voice vote was taken:

Ayes: Page, Balogh, Hendricks, Mast

Nays: Zawacki

Motion passed

V. PUBLIC COMMENT (ITEMS NOT RELATED TO THE AGENDA)

None

VI. DISCUSSION ITEMS

Mrs. Horn stated they do not have any items for the December 1st meeting. There will be a meeting however on December 15th.

VII. UPDATE OF PREVIOUS PLAN COMMISSION CASES

Mrs. Horn said on November 6th the Village Board did approve the Park District's request for a special use permit and site plan approval for the Athletic Recreation Center.

VIII. ADJOURNMENT

Commissioner Page made a motion, seconded by Commissioner Mast to adjourn the meeting. A voice vote was taken:

Ayes: Page, Mast, Balogh, Hendricks, Zawacki

Nays: None

Motion passed

Pro Tem Chairman Hendricks,
Pro Tem Chairman

Peggy Halper, Secretary