

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

APRIL 3, 2017, 7:00 P.M.

Chairman Rickard called the April 3, 2017 meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairman Rickard, Mr. Boyle, Ms. Gassen, Ms. Hogstrom, Ms. Johnson, Mr. Kulovany, Mr. Maurer, Mr. Quirk

ABSENT: Ms. Rollins, Ex-Officios Davenport, Livorsi, Menninga

STAFF: Community Development Director Stan Popovich; Village Senior Planner Rebecca Leitschuh and Village Planner Swati Pandey

VISITORS: Marvin and Dawn Schaar, 909 Rob Roy Place, Downers Grove; Sargent McQuillan, 827 72nd St., Downers Grove; Doris Maag, 823 72nd St., Downers Grove; Jerry and Adriane Holman, 834 72nd St. Downers Grove; John Hanson, 833 Old Orchard Ave., Downers Grove; Emil and Susan Lesniak, 912 Applegate Ave., Downers Grove; Eugene Poulin, 907 Applegate Ave., Downers Grove; Richard Weglarz, 1036 73rd St. Downers Grove; Sharif Takikhi; 348 Brentwood, Downers Grove; Thomas Klouda, 1516 Centre Circle; Downers Grove; Beth and Jim Schloss, 814 Old Orchard, Downers Grove; Mary Ellyn Mercy, 7209 Webster, Downers Grove; Cindy Tory, 7217 Webster, Downers Grove; Elanta Schmengda, 7220 Orchard Place, Downers Grove; Toby Marx, 1019 Claremont Ave., Downers Grove; Doris Chelman, 7216 Orchard Pl., Downers Grove; Barbara Goldenstein, 7221 Webster, Downers Grove; Scott Richards, 1130 Warren Ave., Downers Grove Ken Lerner (Architectural Design Review Board), 4933 Whiffen Pl., Downers Grove; Mike Davenport, 6636 Blackstone Dr., Downer Grove

Chairman Rickard reviewed the protocol for tonight's meeting.

APPROVAL OF MINUTES

FEBRUARY 27, 2017

MOTION BY MR. KULOVANY, SECONDED BY MS. GASSEN TO APPROVE THE MINUTES. MOTION CARRIED BY VOICE VOTE OF 8-0.

MARCH 6, 2017 MINUTES

The chairman stated his name was spelled incorrectly on page 25, near bottom, of the March 6, 2017 minutes. **MOTION BY MS. GASSEN, SECONDED BY MS. JOHNSON, TO APPROVE THE MINUTES AS CORRECTED. MOTION CARRIED BY VOICE VOTE OF 7-0-1 (MS. HOGSTROM ABSTAINS.)**

Chairman Rickard explained the protocol for the public hearings and swore in those individuals that would be speaking on the following two (2) public hearings:

PUBLIC HEARINGS

FILE 16-PLC-0054: *(hearing continued from the February 27, 2017 meeting)* A petition seeking approval of a Planned Unit Development, Zoning Map Amendment, and a Right-of-Way Vacation. The property is zoned M-2, Restricted Manufacturing and O-R-M, Office Research and Manufacturing. The property is located at Brook Drive between Centre Circle and Downers Drive, commonly known as 1500, 1509, 1515, 1516, 1525, and 1528 Brook Drive, and 1429, 1503, 1505 and 1515 Centre Circle, Downers Grove, IL (PINS 06-30-402-003, -004, -009, -020, and 06-30-403-016, -017, -022). Flavorchem Corporation, Petitioner and Owner.

Chairman Rickard referenced staff's memorandum asking the commission to continue the public hearing to the May 1, 2017 Plan Commission meeting.

WITH RESPECT TO FILE 16-PLC-0054, MS. GASSEN MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE PUBLIC HEARING TO A DATE CERTAIN, THAT DATE BEING MAY 1, 2017, PER THE PETITIONER'S REQUEST.

SECONDED BY MR. KULOVANY. ROLL CALL:

AYE: MR. BOYLE, MS. GASSEN, MS. HOGSTROM, MS. JOHNSON, MR. KULOVANY, MR. MAURER, MR. QUIRK, CHAIRPERSON RICKARD

NAY: NONE

MOTION PASSED. VOTE: 8-0

FILE 17-PLC-0005: A petition seeking approval of a Special Use to allow an animal boarding facility. The property is zoned B-2, General Retail Business District. The property is located south of Lemont Road, 220 feet southwest of the intersection of Lemont Road and Main Street, commonly known as 7221 Lemont Road, Downers Grove, IL (PIN 09-29-110-007). Pete & Mac's Pet Resort, Petitioner; Kimco Realty, Owner.

Village Planner, Swati Pandey, reviewed her staff report regarding the special use for an animal boarding facility and located the site on the overhead map and referenced the plat of survey with surrounding zoning. The site map was referenced.

Proposed is a daycare/animal boarding/grooming and training facility in the existing 12,000 sq. foot former Walgreens building. The business is proposed to be open 7 days per week, 8:00 AM to 5:00 PM with 24 hour staffing and a maximum occupancy of 35 pets. No changes will occur to the building's façade or parking lot. An outdoor pet play area is proposed on the west side of the building. Specialized turf and noise baffles will address noise. A new trash enclosure is proposed that meets compliance. The proposed use meets the parking requirements, per the zoning ordinance. A new entry doorway is planned for the north façade and a floor plan depicts occupancy for 88 units for pet occupancy. A review of the building's interior followed by staff. Elevations of the building also followed, noting no significant changes.

Reference to the village's zoning map and land use map were noted, with Ms. Pandey explaining that the property is zoned B2 General Retail Business and is identified as Corridor Commercial in the village's Future Land Use Map and no major land use changes were being proposed in the near future. It was pointed out was that one of the goals for the property was to attract a mix of uses that provide services to local residents and the region, as cited in the Comprehensive Plan and its draft update. The standards for approval for Special Use Criteria Section 28.12.050H have been met. Staff recommended a positive recommendation to the Village Council subject to staff's conditions.

The chairman invited commissioner questions.

Ms. Gassen asked for clarification of an animal boarding facility within the zoning ordinance, as it relates to daytime boarding versus overnight boarding. Ms. Pandey stated the zoning ordinance distinguishes between grooming (a permitted use) and does not distinguish specifically daycare, but discusses overnight boarding.

Asked how long the building space was vacant, Ms. Leitschuh stated a couple of years. Asked what the noise decibel level rating is at the lot line, Ms. Pandey stated for daytime at the residential property, maximum allowable decibel level was 65 and for night time it was 50 decibels. If the noise ordinance was violated, could the applicant lose its special use permit, wherein Ms. Pandey indicated they could, as with anything applied as part of the special use application.

Regarding the outdoor covered area and runoff from the soiled turf, Chairman Rickard inquired of staff where it was collected, i.e., the storm sewer? Ms. Pandey deferred to the applicant but surmised it was part of property maintenance. Ms. Leitschuh indicted that such disposal would have to meet approval from the sanitary district.

Mr. Quirk inquired about the location of the sound baffles which staff addressed.

Petitioner, Ms. Gay Barwald, President and Chief Operating Officer for Pete & Mac's Pet Resort reviewed some statistics of the growing industry as well as the story behind Pete n Mac's and its five current locations. Her business was not a franchise. Ms. Barwald described how her managers move up through the business and the training they receive. Tours of the facility are always open and client hours are from 6:30 AM to 7:00 PM, Monday thru Friday; Saturdays 8:00 AM to 5:00 PM and Sunday 8:00 AM to 6:00 PM. Further details of her business were shared.

Services available included overnight (short & long-term) lodging, daycare, theme parties, Paws & Crafts Days, full service groom and spa, and obedience training – a full service pet resort. Ms. Barwald described the levels of staff training, surveillance of the facility, emergency evacuation

plans, and a van on-site for transport. The outside play area included six-foot walls with a turf system and will be used as an emergency evacuation area. Details of the interior followed. There will be a flush system installed within the building which will tie the daycare flush into the building so that it is flushing into city sewers. Hospital grade/EPA registered cleaning products will be used and an air ventilation system will turn the air in the building four to six times per hour.

Photographs of the “suites” were shown on the overhead. An explanation followed on how the turf would be cleaned, how the noise baffles were constructed, and end of day slow downs. Ms. Barwald stated she has done noise studies noting traffic noise from a quarter mile was 70 decibels; outdoor pet noise was 62 decibels. Photographs followed. Grooming and spa services were explained.

Ms. Hogstrom asked how many dogs were typical to be outside, wherein Ms. Barwald indicated it depended upon the day, knowing that it gets busier toward the end of the week. Maximum number allowed outside was 35 pets from 8:00 AM to 3:00 PM.

Ms. Barwald explained that the automatic flush system (trench drain) will be added and tied into the building with waste in order to flush it out of the daycare area and into the sanitary sewer. Ms. Leitschuh proceeded to correct her previous answer and explained that if the applicant has a system that is going to be tied into the sewer system, the village’s stormwater engineer will be reviewing it prior to permit.

Asked whether the other facilities were all located in shopping centers, Ms. Barwald explained her building was in “the heart” of retail in Avondale, Arizona and residential in Gilbert, Arizona. Asked if noise complaints were ever issues, Ms. Barwald indicated in the negative.

Mr. Maurer shared some decibel data he “Googled” from Purdue University and asked the applicant if she could provide some data (or anecdotal) from the manufacturer of the sound baffles. Ms. Barwald said she could provide it but did not have it handy, stating she has used the baffles before and have hung them inside the boarding area. Her staff is trained to control the barking.

Asked how many of the 88 rooms are occupied for daycare, Ms. Barwald stated 35 are occupied. Asked what percent was used for long-term boarding, short-term, etc., Ms. Barwald explained that boarding was seasonal. During Christmas, 80% of the rooms will be for long-term boarding\.

Asked who would enforce noise issues, Ms. Leitschuh explained that it would be a neighbor complaint with the police to respond. Further details followed on how the special use would be removed if it became a consistent offense. Neighbors were the enforcement.

Mr. Maurer, referring to the baffles product included in the applicant’s packet, pointed out the product was used for interior spaces and that the applicant was using the product for outside, wherein Ms. Barwald indicated she has used them at their Arizona facility because they sit within the overhang of the roof and fence line.

Per a question, Ms. Barwald confirmed the exterior roof was a solid material.

Per Mr. Boyle’s question about daily vehicle trips, Ms. Barwald confirmed that the parking was on the north side of the building in order to drop off the dogs and contain them in that area.

Chairman Rickard invited public comment.

Ms. Marvin Scharr, 909 Rob Roy Place, Downers Grove, read his notes opposing the petition because the petition created an outdoor play area enclosed by a fence and was located east of the building. He shared his concern for noise, its negative effect on the residents, home values, and the large number of dogs allowed. He shared that once the commissioners make their decision it will permanently shift the neighborhood from being quiet to one of noise and the homeowners will have the burden to ask for compliance. Having walked his neighborhood, he stated many homes will be adversely affected by the noise coming from the outdoor play area, specifically those 27 homes located directly across the outdoor play area. He asked the commissioners to change places with those homeowners.

As for the criteria to approve the special use, Mr. Scharr discussed the third criteria and explained that the commission not only looks to the welfare of the shopping center tenant but to all of its citizens. He and his wife believed the petition, as drafted, was “significantly detrimental” to their welfare and they were permitted to enjoy their outdoor space during daylight hours, especially during the weekends without barking dogs. In support of the second criteria of the special use, Mr. Scharr, stated the criteria discusses providing a community need for quality care for dogs in the area. He stated the company could provide the same service to the community by providing an indoor play area versus an outdoor. He cited, as an example, the Pet Smart located at 75th and Lyman which had four indoor play areas. Given the cold weather here, he stated an indoor play would be a positive.

He respectfully opposed the petition, but stated that if the facility were to have an indoor play area, as a condition, he and his wife would not oppose the petition.

Ms. Judy Marks, a resident on Claremont Drive, Downers Grove, near Pinewood Drive, shared a story about a dog that was barking in her neighborhood and how the sound carried throughout the area with her thinking the dog was in her backyard, which it was not. She voiced concern about noise in her quiet neighborhood, additional traffic to the site, it being a strange location for a dog grooming/daycare facility and sewer/drainage backup. She opposed the facility.

Ms. Mary Ellen Mercy, 7209 Webster, lives behind the proposed facility, stated she has two dogs, one of which is louder than the other. She appreciated her neighbors’ patience. However, she stated if an animal runs across her yard or if the dog behind her home starts barking, her dog will “wake up the whole neighborhood.” She also could not imagine how 88 boarded dogs could not go out to eliminate after 8:00 PM. She noted other dog spas existed around the village that were in non-residential areas, except for Cedar Lanes, which was in a residential area and the dogs could be heard barking. Lastly, she stated her neighborhood was at the end of Downers Grove and asked that the commissioners respect the established neighborhood. She did not want the residents to lose their property value, be upset with barking dogs, nor having to call the police.

Mr. Jerry Hollman, 834 72nd Street, Downers Grove reiterated their neighborhood was wonderful and the residents wanted to maintain the quality of the neighborhood. He pointed out a number of dog owners were negligent in handling their dogs when they transport them to different places. He suggested the commissioners visit the Pet Smart store in Darien and view the parking lot. The store offers boarding, dog care and vet care. He did not believe such businesses should be located in strip

malls due to health issues, especially near a grocery store. He believed they should be located in a stand-alone building for those reasons.

Mr. Jeff McGill, 1040 Pinewood, lives about two doors shy of the north entranceway and mentioned he ran into the petitioner and the architect today. He stated that at today's meeting there were some concerns raised that he was not aware of, such as the hours of operation and the number of dogs allowed. He now shared concerns that from 6:30 AM to 8:00 AM it would be noisy across the street from him. He supported the idea of an indoor play area but it did not solve the entry problem. While he believed it was a wonderful business, there was something that needed to be said about vacancies in strip values, which also affected property values. He did not support the petition.

Mr. James Schloss, 814 Old Orchard Avenue, confirmed with staff that there was no veterinary service on site. He asked the commissioners to describe how the village planned to make revenue from the business, wherein the chairman relayed that was not part of the commission's purview. Mr. Schloss stated that if the business generated low revenue then the petition should be denied. He further explained that the area businesses were retail and there appeared to be a challenge with the strip mall west, on Lemont Road, and would continue to be a challenge. He also asked the commission whether the businesses in the same mall were aware of the petition. The chairman stated businesses within 250 feet are notified and staff pointed out that two signs were advertising the public hearing. Mr. Schloss asked the commissioners to oppose the petition as it was inconsistent with the other businesses and it was an agricultural business. If the petition were to move forward he asked that the outdoor play area be fully enclosed to ease residents' concerns.

Mr. Richard Weglars, 1036 73rd Street, said he is a disabled Vietnam veteran with PTSD and any unexpected or loud noises lands him in the hospital and back to Hines Veterans Hospital. He expressed concern about the ventilation of the proposed facility going into the Shop & Save grocery store next-door and did not want that store to move out because they were harmed by a business that should not be next-door to them. He has been a realtor in town for 41 years and stated the proposed business would negatively affect property values in the area.

Mr. Eugene Poulin, 907 Applegate Avenue, Downers Grove, lived in the village for 86 years and had many dogs over the years -- indoor and outdoor for security -- and also had a poultry and livestock feed business on Ogden Avenue opposite the Omega restaurant. He shared the same concerns raised by the residents, concern about the safety of the animals, the residents, and their comfort. He pointed out that there was no mention of a sprinkler system being retrofitted for the building and there was only one proper exit at the north end of the building, should an emergency evacuation occur.

Ms. Cindy Tory, 7217 Webster St., Downers Grove, discussed the location of her home in relation to the outdoor play area and stated there were several homes on Webster where there was nothing blocking the homes from the proposed outdoor play area. She opposed the facility due to the noise and because she works from her home and it would be a challenge. Her husband, who was a veterinarian, but not in attendance, opposed the facility. She shared the same concerns as stated tonight, voiced concern about negative property values, and potentially losing the Shop & Save grocery store. The facility would also negatively affect the nearby women's shelter.

Ms. Elanta Schmengda (phonetic spelling), 7220 Orchard Place, moved to her home three years ago and if she knew there was a nearby dog facility she would not have purchased her home. She

moved to Downers Grove from Chicago to have peace and quiet. She voiced concern that many truck deliveries take place at the Shop & Save and the dogs will hear those deliveries and be making more noise. She voiced concern about smell, traffic, the costs associated with a “resort” facility and the people who will use such service, and property values. She opposed the facility.

Mr. John DeWolf, 10600 W. Higgins, Rosemont, IL on behalf of Kimco Realty, and owner of the shopping center, explained that he was the one who negotiated the lease with Shop & Save. He has spoken with the grocery store owner about the proposal to ensure that the owner was “on board” and had no major concerns. Some of the concerns were already resolved by relocating the entrance to the north of the proposed facility and speaking to references of Pete & Mac’s. Furthermore, Mr. DeWolf added that he has been involved with real estate for 20 years and with Kimco Realty for 10 years, focusing mainly on grocery-anchored shopping centers. He said he is seeing more grocery-anchored shopping centers going to the service side versus retail. He supported the proposed facility.

Ms. Susan and Emil Lesniak, 912 Applegate, were strongly opposed to the proposal because currently Applegate was “really quiet” and would not be quiet anymore with the proposed facility. The location did not make sense. Her concerns included noise, health issues, rodents, smell, quality of life, the burden being on the residents to call the police, traffic, allergies, food storage, property values, and security should a dog get off its leash.

Mr. Lesniak, 912 Applegate, inquired as to how much waste does 88 dogs generate daily and how would it be disposed – inside or outside? He also voiced concern about the smell from that waste, property values, and additional traffic.

Mr. Jeff McGill, 1040 Pinewood, returned and stated that 65 decibels was meaningless in the absence of any other sound. By itself, however, 65 decibels was significant. He also stated he did speak to the grocery store manager last week who was concerned about the proposal.

Ms. Barbara Goldenstein, 7221 Webster, agreed with her neighbors’ statements and added that the neighborhood has a lot of dogs and when one barks it sets off the rest of them. Regarding health and drainage, she emphasized that Applegate Street is constantly flooded, along with Webster, and she believed it was an unhealthy plan.

Ms. Doris Chalman, 7216 Orchard Place, agreed with the comments being stated and she and her husband opposed the proposal. Her first thought was the noise issues and the other being the facility being located next to a grocery store. She believed it should be a stand alone business.

Mr. Jerry Hollman, 834 72nd Street, returned and, again, stated his concern about dog waste in the parking lots. He corrected an earlier statement regarding flooding on Applegate, noting it was not flooding but was designed storm water overflow and anything on the ground that gets into the stormwater system was a health risk.

Mr. Emil Lesniak, 912 Applegate Ave., pointed out that in the applicant’s presentation there was mention that an owner could pick up a dog anytime. He asked what exactly did that mean?

Hearing no further public comment, the chairman invited the petitioner to respond.

Mr. Bill Styczynski, 221 Eighth Street, Downers Grove, architect, stated he did visit the Avondale, Arizona facility which was located in a shopping center and adjacent to residential uses, stating it worked well. He understood a lot of fears were expressed tonight but it was not what would be perceived, commenting he was before the commission for the Doggie Depot application about 6 months ago, which was an established business with an outdoor play area that was much closer to residential than the proposal. He stated Doggie Depot was relocating further down the street and there was no public concern regarding their facility. Mr. Styczynski also stated that if he had known there was this much public attendance for the proposed facility he would have held a neighborhood meeting prior.

Regarding the comment that the proposed facility was not right for its location, Mr. Styczynski reported that The Dog Spot was located on Ogden Avenue with their outdoor area adjacent to a residential property 22 feet away, which he thought was too close, and he did not know if there were issues with that location. Doggie Depot was 147 feet to the closest property line and 258 feet to the rear of the closest home. Regarding the proposed facility, Mr. Styczynski stated looking at the property on Main Street it was 386 feet to the property line and 421 feet to the home. On Pinewood Place to the north it was 433 feet to the property line and 445 feet to the townhome. He stated the distances were greater for the proposed facility and the other dog facilities did not have sound baffling like Pete & Mac's, which also included a roof to contain the sound

Mr. Styczynski shared that he personally used Doggie Depot for his dog and he did not see the perceived chaos or barking that was mentioned when he dropped off his dog. While he understood there were concerns by the residents, he wanted the Plan Commission to understand that he was not aware of any constant phone calls regarding the facilities being nuisance properties. As to the sanitary concern, he stated trench drains will be throughout the facility with automatic flushes which will drain into the sanitary sewer. The outside area will drain to a central drain and flow into the sanitary sewer. He reiterated he will be working with the sanitary district and building department to meet sanitary conditions.

Applicant, Ms. Barwald returned and discussed that negligent pet owners do exist and people do police her facilities' parking lots, but her business is on top of it so complaints are not received. Further elaboration followed. As for picking up dogs 24/7, her lobby closes at 7:00 PM and will not open until the next morning. Any waste from the evening will be picked up and placed in the dumpster, which is picked up every two days by a contracted waste management company. She emphasized that she wanted to be that "good neighbor." The play area, as being proposed, was basically almost an entirely enclosed area. The roof would be solid with the baffles to fill in the empty spaces to mitigate the noise back to the building.

Ms. Barwald reiterated that she wanted to ensure the grocery store was fine with the proposed facility. Upon visiting the store, she explained the wall that backs up to the proposed facility has 24 inches of solid wall before it touches the proposed facility's wall. Mr. Barwald confirmed the facility has a sprinkler system and a door existed to the outdoor yard from the building so the dogs would never leave the building to get out to the outdoor yard. She asked that the commissioners consider her discussion, stating she is a reputable business that cares about its neighbors.

Asked how necessary was the outdoor play area, Ms. Barwald explained the indoor play area was for the small and older dogs while the larger dogs ran outside. It was for the health of the animals.

She asked that the commissioners take into consideration everything she was willing to do to be that good neighbor and be a part of the village.

Mr. Bill Styczynski, project architect, returned providing last comments on the sanitary concern, pointing out that the health department is at the grocery store and full separation exists between the two facilities. The dogs arrived on the north side and did not share the same sidewalk as those patrons going to the grocery store. Lastly Mr. Styczynski stated there were separation requirements for fresh air/exhaust off the property lines.

Mr. Maurer asked for Mr. Styczynski to describe in more detail, the outdoor enclosure, wherein Mr. Styczynski stated the solid roof will be translucent (fiberglass material) to allow light in and to provide shelter from rain. Six feet of fence will exist and the space between the fence and roof will have offsetting baffles.

A resident indicated he wanted to discuss the ventilation issue, wherein the chairman explained that unless it was something new, such questions about ventilation and sprinklers would be reviewed during the building permit process and that the public would have other opportunities to voice their concerns, since the Plan Commission was a recommending body. The chairman and a couple of the commissioners explained to the inquiring public, the commission's purview, the next steps in the review process, and the available opportunities to voice their concerns on this matter.

Chairman Rickard closed the public hearing and invited commissioners to speak.

Per Mr. Quirk's question as to the last three special uses issued within the past five years for animal boarding facilities and how many complaints were logged against them, Ms. Leitschuh explained she had not received any code compliance issues for Cedar Lane, Doggie Depot or The Dog Spots. Even prior to Doggie Depot's relocation, she could not recall of complaints received which was across from residential. Mr. Quirk shared his own comments about violation reporting.

Responding to Ms. Johnson's questions, Ms. Leitschuh proceeded to explain how the police will refer violations of the zoning ordinance to the Code Enforcement department. There, issues will be addressed by the village code enforcement officers. Details followed.

Responding to Mr. Kulovany's question, Community Development Director Stan Popovich explained how decibel readings will take place if the village is called for one. He also explained how such violations are followed up with the last step being the revocation of the special use.

Mr. Boyle questioned the noise reduction ability of the PVC fencing and whether improvements or other options could be considered for the 80 lineal feet of PVC fencing if the noise was not reduced as well as consideration for a policy to address idling of guest vehicles.

Mr. Kulovany, referred to the meeting that took place regarding the dog facility on 63rd Street and that comments were made for it to relocate to 71st Street or to the empty Walgreen's building. He reminded the public the commission had no power to tell a private owner or tenant that they have to move to a different location but instead the commission's purview was to consider whether the applicant met the code and met the special use requirements.

Ms. Hogstrom, adding to her last comment, stated that much noise could be mitigated by landscaping the vacant lot that was for sale. In addition, a new building in the vacant lot would also mitigate noise between the proposed facility and the homeowners' homes.

Mr. Quirk shared his thoughts on how he felt the standards for approval were being met, as it relates to Standard Nos. 1 and 2. As for Standard No. 3, he asked for the commissioners to provide input.

Chairman Richard supported Standards Nos. 1 and 2. As for Standard 3, he indicated that 15 people spoke who felt the proposed use was detrimental based on noise and other concerns. He also shared the fact that if there was a violation, the special use could be revoked.

Mr. Quirk believed Standard No. 3 was being met, the sound level was measurable, and a significant amount of people used such facilities and there was a need for such facilities. In passing Doggie Depot, he stated he has never heard dogs barking or seen dogs loose near the facility on Ogden Avenue. And if the standard was not met, he believed items were easy to document and there were ways to take corrective actions. He believed if noise issues existed the applicant would work to mitigate them.

Mr. Kulovany referenced the information in the petitioner's packet and suggested the public read it, but he also believed the petitioner was "earnest" in trying to address the issues raised by the residents. Regarding traffic concerns, he believed Walgreens had to have more than 88 customers. He believed Standard Nos. 1 and 2 were met. As for Standard No. 3, he believed the petitioner was putting up a significant amount of money to risk losing its special use and believed that if residents were not happy they would call in to report issues. He believed the petitioner met the standard.

Regarding Standard No. 3 and the lowering of property values, Ms. Hogstrom added that brick and mortar buildings were, unfortunately, struggling to get tenants and there was such a demand for doggie daycare that she believed it was a better use than having a vacant building for so long.

Chairman Rickard referenced the six letters that were included in the packet, noting all six were opposed to the facility. [Ms. Leitschuh noted they were received after the packet was put together.] The chairman referenced staff's recommendation and its three conditions. Ms. Hogstrom recommended adding a 4th condition subject to monitoring the noise level. Dialog followed that such recommendation was addressed under the zoning ordinance and also addressed by staff.

Ms. Gassen agreed with the above comments and believed most of the concerns were addressed. If there were noise issues she encouraged the residents to take action.

The chairman entertained a motion.

WITH RESPECT TO FILE 17-PLC-0005, MS. GASSEN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE SPECIAL USE REQUEST TO ALLOW THE ANIMAL BOARDING FACILITY, SUBJECT TO THE FOLLOWING THREE (3) CONDITIONS:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT; ARCHITECTURAL DRAWINGS PREPARED BY STUDIO21ARCHITECTS DATED MARCH 3, 2017, EXCEPT AS SUCH**

PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES;

- 2. THE APPLICANT SHALL APPLY FOR ALL SIGNAGE UNDER A SEPARATE PERMIT AND SHALL COMPLY WITH THE SIGN ORDINANCE; AND**
- 3. THE BUILDING SHALL BE EQUIPPED WITH AN AUTOMATIC SUPPRESSION SYSTEM AND AN AUTOMATIC AND MANUAL FIRE ALARM SYSTEM.**

SECONDED BY MR. KULOVANY. ROLL CALL:

AYE: MS. GASSEN, MR. KULOVANY, MR. BOYLE, MS. HOGSTROM, MR. MAURER, MS. JOHNSON, MR. QUIRK, CHAIRPERSON RICKARD

NAY: NONE

MOTION PASSED. VOTE: 8-0

(The commissioners took a five minute break at 9:20 p.m.; reconvened at 9:25 p.m.)

COMMISSIONER TRAINING

Attorney Scott Day, with the firm of Day Robert & Morrison, handed out a packet (attached to minutes) to the Plan Commissioners and attending board members. Mr. Day reviewed the purview charged to the Plan Commission, discussed how to make a motion in the affirmative, and explained how to evaluate various Plan Commission entitlements according to the village's ordinances and case law.

General questions followed.

THE MEETING WAS ADJOURNED AT 10:50 P.M. ON MOTION BY MR. KULOVANY. SECONDED BY MR. BOYLE. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 8-0.

/s/ Celeste K. Weilandt
(As transcribed by MP-3 audio)