



Village of Itasca
Plan Commission Regular Meeting Minutes
Wednesday, August 21st, 2019
7:00 P.M.
Village Board Chambers, 2nd Floor

CALL TO ORDER

The Village of Itasca Plan Commission Meeting was called to order by Chairman Kischner at 7:00 P.M.

ROLL CALL

Present: Commissioners Brendan Daly, Frank Carello, Eric Swets, Jeffrey Holmes, Lori Drummond, and Krista Ray; Chairman Mark Kischner

Absent: None.

Others Present: Shannon Malik Jarmusz, Director of Community Development; Konstantine Savoy, Senior Planning Consultant; Yordana Wysocki, Village Attorney, Nicole Espedido, Recording Secretary

PUBLIC HEARINGS

Case #PC 19-013
Petitioner: Tim Sweeny, Quadrangle Development Company
Owner: Arlington Thorndale LLC
Location: 870 N. Arlington Heights Road
Request: Amendment to the existing Planned Development special use, and Class I Site Plan approval all in order to construct an office building with laboratory uses in the B-2 Community Business District.

Petitioner Presentation:

Tim Sweeny was present with partner Chris Noon from the Quadrangle Development Company which owns 850, 870, and 900 Arlington Heights Road. The currently vacant lot is 870 Arlington Heights Road and they are requesting an amendment to the Planned Development by Special Use and to modify the site plan to reduce the density. They presented a proposal for a one-story, 50,000 sq. ft. building with surface parking for office and pharmacy uses. Recently, Option Care merged with BioScip, Inc. which is considered the largest independent fusion service provider in the United States, addressing acute and chronic conditions. The petitioner believes they have addressed all the comments made by staff, the fire district, and engineering and have resubmitted plans. They continue to work with staff and Robinson Engineering on the stormwater detention design.

The location of 870 N. Arlington Heights Road was currently approved for a 5-story, 190,000 sq. ft building with a 3-level parking deck but the new proposal has a much lower density. The benefits provide a significantly reduced aesthetic impact, reduced traffic, and better landscaping to mitigate the

impact of the building which includes a fence. The construction noise and traffic would be reduced. The completed project would contribute to property tax revenue.

STAFF RECOMMENDED CONDITIONS OF APPROVAL:

1. Permit documents must be in substantial compliance with Plan Commission and Village board submittals.
2. The project must comply with all Village Ordinances, Building Codes, Standard Specifications, and the DuPage County Stormwater Ordinance in place at the time of permit application.
3. Approval is subject to final engineering and Itasca Fire District approval.
4. A complete sign review package will be required for review prior to installation.
5. The percentage of open and landscaped space for the entire site, as well as analysis of the amount of open and landscaped space within each of the required yards, shall be provided in table form.
6. The total impervious surface shall be provided in table form.
7. Provide a cross-section detail of the berm, with proposed landscaping, for both the northern and southern sections due to the width difference.
8. Increase the plant density on the berm, by adding shrubs, ornamental trees, and perennial flowers to add variety and interest.
9. Add additional plants about the high water line in the detention areas.
10. Add a shade tree in the parking island on the north side of the building.
11. Expanding plantings along the east property line.
12. Providing screening around the power generator.
13. Plant materials at the development entrance should be of a height appropriate to maintain a clear line of vision at the intersection. See section 4.19(5) of the Zoning Ordinance.
14. Revise building elevations to provide variation in the roofline, with consideration of design features in areas where roof-top mechanical equipment is planned.
15. The sign plan shall show the setbacks of each ground sign from adjacent property lines.
16. All light levels along the north, west, and south lot lines shall be reduced.
17. Add additional shielding to light fixtures near the west property line to further reduce any glare to adjacent residential properties.
18. Provide analysis of the audible noise levels at the rear (west property line) when the generator is in use. Provide information on the testing schedule.

Plan Commission Discussion:

Mr. Savoy reiterated the petitioner's proposal to amend the previously approved planned unit development for adjacent properties and Class I Site Plan. The proposed use was a modification of the existing planned development from 1990 which has since been vacant as the market has not allowed for it. The current proposal was the best use for the property given the market conditions. Mr. Savoy has spoken with a resident of the adjacent townhome on the issue of extending Cherry Street (Nicole Way). He clarified that Nicole Way would only serve as an entry to the parking area to the site. He also mentioned that the comments in the report are outdated and the petitioner has responded to the majority of them now. Mr. Savoy stated that the proposed project complied with the B-2 zoning district, the setbacks, and requirements of the previously approved development in 1990. He added that a resident had a concern about the landscaping along the berm which is 20-40 ft. along the west property line. They were interested in expanding the landscaping on the west end.

Mr. Savoy said that the petitioner had complied with the parking code and accessible spaces. The lights on the site complied with the 0.0 foot candle levels. He asked Mr. Sweeny about the shielding of the light fixtures. Mr. Sweeny indicated that the one or two lights on the western property line would have fixtures to reduce glare. Mr. Savoy requested additional coverage of generators on the site and to consider the expected noise levels. He asked for clarification on the generator backup systems. Mr. Sweeny answered that they would only run 24/7 in case of an emergency and would be tested once a month with a noise level 125 ft. from the generator. If all three were running it would be 65 decibels at 140 ft. with the next resident being 170 ft. away. Mr. Savoy mentioned to clear up any issues on architectural renderings, engineering, and fire requirements. He ran the updated exhibits by Mike Lisek, the Director of the Fire Prevention Bureau, and Mr. Lisek was content with them.

Public Comment Opened

██████████ resident of Nicole Way and President of the HOA townhomes west of the proposed property, spoke about concerns that this is pharmaceutical company. He asked if they should be concerned about pharmaceutical waste. The answer was that there would be no bi-products released into the air and the proposed use is not hazardous. ██████████ asked if there would be trucks pulling into Nicole Way at late hours into the night and would there be a schedule since a truck had previously ripped down a power line. Mr. Sweeny answered that it would be minimal with hours of operation being 8:00 A.M. to 8:00 P.M. The company anticipates 2-4 trucks a day which would be UPS and FEDEX trucks with the largest truck being 53 feet. Mr. Sweeny discussed the berm design and the shielding of the lights meant protect nearby residences.

██████████ asked about the height of the fence and if it could be higher for privacy. Mr. Sweeny answered that it would be 5 ft. which was by code but will be located at the top of the berm. Male representative further mentioned that in addition to the fence there would be layers of trees and shrubs. Commissioner Swets asked about the height of the berm to which Mr. Sweeny said it would vary because of the draining ditch to the west. Andrew Uttan, civil engineer, stated that the north end is 3 ft. and the south side was at 5 feet with a fence on top of the berms.

██████████ noted that the drainage ditch located on the east turns into a pool during a storm and asked if it can be buried. Mr. Sweeny noted that the site was made to drain into the retention base and that the pooling water comes from behind the subdivision. ██████████ asked if the drainage area was part of city property to which Mr. Sweeny answered that it was an easement. ██████████ further asked the Commission if it can be looked at. Mr. Savoy answered that they would take the inquiry under advisement as a condition for the Village Engineer as well as the petitioner's engineer to look into.

██████████ asked if the construction vehicles would be exiting Nicole Way and utilize their parking spaces. Mr. Sweeny said that they would not be using their parking spaces and that there would be construction traffic with the use of Nicole Way. ██████████ asked if they would have to use Tall Oaks to which the answer was no. ██████████ received confirmation that the street would not be extended and that the parking lot pavement begins where the concrete ends. ██████████ and the residents would work with Mr. Sweeny throughout the duration of construction.

Chairman Kischner closed public comments.

Commissioner Carello asked why it was not previously developed and if it was because the developer changed. Mr. Sweeny answered that it was because of the market.

Public Comment Reopened

Patricia Kurzka of N. Arlington Heights Road asked how the construction traffic would affect her living situation. Mr. Sweeny answered that it would reduce the potential impact since the construction was not based off of a 190,000 building. Ms. Kurzka stated her concern for the children that play in the area. Mr. Sweeny asked if she was located south and she answered yes. Mr. Sweeny said that there was no reason for construction traffic to the south.

Maryann Dameto of Nicole Way was concerned about the water level during a storm which reaches her patio and did not want a flooded basement. She stated that she had contacted the water department and they have cleared out the sewers but it takes a while to go back down. Chairman Kischner let her know that the village will work with them on that matter.

Chairman Kischner closed public comments.

Commissioner Ray made the petitioner aware of the photometrics plan and how the overflow for lighting can affect residents. Mr. Sweeny said that the new plan shows zeros. Chairman Kischner made a suggestion on the parapet wall at the end of the roof. He stated that the added tax dollars are a benefit and that the development was appropriate for the area.

Village attorney Yordana Wysocki proposed findings of fact to which the Plan Commissioners indicated their agreement or disagreement. A full account of the proposed findings and Commissioners responses can be found in the transcript.

MOTION

Commissioner Drummond made motion to recommend approval of PC#19-013 for amendment to a planned development by special use as described in the petition and attached documents and subject to the staff recommended conditions 1-18. Commissioner Swets seconded the motion.

ROLL CALL VOTE

AYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

NAYES – None.

ABSENT – None.

Chairman Kischner asked for a motion to close.

MOTION

Commissioner Swets made motion to close, seconded by Commissioner Carello.

Chairman Kischner announced recess at 7:39 P.M.

REGULAR MEETING AGENDA:

CALL TO ORDER

The Village of Itasca Plan Commission Meeting was returned to order by Chairman Kischner at 7:49 P.M.

ROLL CALL

Present: Commissioners Brendan Daly, Frank Carello, Eric Swets, Jeffrey Holmes, Lori Drummond, and Krista Ray; Chairman Mark Kischner

Absent: None.

MINUTES

Regular meeting minutes of June 19, 2019 and July 17, 2019 to be reviewed at the next meeting.

Chairman Kischner advised the public that the following item was not to decide if Haymarket DuPage would be approved or not by the Plan Commission. It was procedural and that Haymarket was appealing decisions made by Village staff. This is not the public hearing which is scheduled to begin on September 18th, 2019 at 7:00 P.M.

PUBLIC COMMENT

Dustin Sneath, on behalf of Itasca citizens, agreed that the Plan Development path is the correct path given the nature of the facility and its impact on the district. Any community partners such as Haymarket should be held to standards and conforming to the requests was to be priority.

Helen Zakos, concerned Itasca citizen and healthcare worker, spoke of the need to combat the opioid crisis but Itasca was not the right place for Haymarket. She mentioned their lack of transparency and their failure to answer questions and provide the facts. She stated the following comments as summarized:

- Itasca was the 4th smallest village in DuPage County and cannot support this financial burden.
- Itasca would lose \$250,000 annually if a non-profit took over and residents would have to cover the loss.
- Itasca residents passed a referendum last year to assist with the financial struggles of the fire department.
- Haymarket Chicago had 863 911-emergency calls to their facility last year.
- Itasca had one ambulance.
- Private ambulances do not dispatch when answering 911 emergencies.
- Grants would not make up for the annual loss in revenue on already troubled resources.
- The site was not affiliated with a large acute hospital.
- The nearest ER could not bear the burden of these emergencies and would require revamping.
- The site was in close proximity of 3 videogaming businesses, 5 establishments that serve alcohol, 4 primary schools, waterpark, children activity centers, park district, library, bike and walking path, and multiple residential properties.
- It was not at its desired location as it was at the furthest northeast corner of DuPage County and not as centrally located as made out to be.

Ms. Zakos further stated that Itasca had been butchered in the media as seemingly uncaring and unwilling to be heroes but Haymarket was not the hero in this. She asked that the Plan Commission take a look at these facts when making a decision.

Chairman Kischner closed public comments.

NEW BUSINESS

- a. Case #PC 19-014
Petitioner: Haymarket DuPage LLC
Owner: Pearl Hospitality LLC
Location: 860 W. Irving Park Rd.
Request: Appeal of Zoning Administrator decisions as set forth in Petitioner’s Appeal statement dated August 13, 2019:

Appeal Issue 1 – Decision dated July 16, 2019 rejecting Petitioner’s special use application for healthcare facility;

Appeal Issue 2 – Decision dated July 24, 2019 that Plan Commission will not allow concurrent processing of Petitioner’s two special use applications, one for special use for a healthcare facility and one for a planned development;

Appeal Issue 3 – Decision dated May 9, 2019 that an application for special use for planned development is required; and

Appeal Issue 4 – Decision dated June 25, 2019 to deny Petitioner’s requested exemptions from certain Planned Development requirements.

Petitioner Appeals Presentation:

Michael Roth, Haymarket’s attorney, first confirmed that the application packet was made part of the record and Ms. Wysocki accepted it on the record. Mr. Roth commented that Haymarket was a fully accredited, non-for-profit, and one of the region’s largest providers of treatment for substance abuse and mental health conditions. It was founded in 1975 by Monsignor Ignatius McDermott and Dr. James West. The Itasca location would be licensed by the IL Department of Human Services and regulated under state law.

Mr. Roth commented that Haymarket DuPage is the contract purchaser for the Holiday Inn Itasca at 860 W. Irving Park Road. The property is zoned B-2 and healthcare facilities are allowed as special uses in the B-2 zoning district. As stated in the appeals packet, Haymarket requested to change the property to a healthcare facility licensed by the Department of Human Services. They plan to service adults ages 18 and older with services to include diagnosis, treatment, and recovery support with inpatient and outpatient programs.

On July 3rd, Haymarket filed for a special use for a healthcare facility along with an application for variances to allow the structure to remain unchanged. They also filed for a planned development with special use with exceptions. On May 9th, the Zoning Administrator informed the petitioner that Haymarket must apply for plan development approval. On June 26th, the Zoning Administrator refused to process the application without a landscape plan and an economic impact statement. On July 16th, the Zoning Administrator rejected the healthcare facility special use application and on July 24th informed Haymarket that it would not proceed until the plan development application was submitted in full. Mr. Roth stated that each application was completed and filing fees were paid.

Mr. Roth argued the following:

Appeal 3: Special uses are compatible with zoning districts such as the B-2 zoning district which allowed healthcare facilities. Roth claimed that the Zoning Administrator admitted that the proposal best fit the healthcare facilities category as a hospital and that they were well suited for commercially owned areas. He stated that Haymarket fits within the Village’s definition of healthcare facilities.

Pete Iosue, professional and municipal planner with Teska Associates, discussed the issue of whether the proposal fell within the special use category for healthcare facilities or whether it must be processed as a planned development. Mr. Iosue discussed that this was not a planned

unit development (PUD) since they were typically used for a new development. In this instance, it was only a reuse of a building. After review of the definitions, he believed that it fell into a zoning ordinance of a healthcare facility/hospital. He did not agree with the Village's definition of primary use of residential and it being a dwelling unit since hotel rooms are for temporary stays. Mr. Roth continued by stating that there were not multiple primary land uses being proposed, it was a planned development with no development plan, it was licensed with no residences, and activities for overnight recovery stays up to a year did not make it a residential operation. He further commented that businesses had multiple uses but this primary use was healthcare with different elements of healthcare being administered. It also was not a residential or dwelling unit since the rooms did not have kitchens.

Appeal 1: Mr. Roth challenged the Zoning Administrator's rejection of Haymarket's petition for special use which prevented a hearing to use Holiday Inn as a healthcare facility. Chairman Kischner asked for clarification if they were appealing the Zoning Administrator in that she was incorrect in her conclusion or that she made a conclusion that they disagreed with. Mr. Roth answered that she was incorrect in her conclusion that the only way to process the application was by way of planned development.

Appeal 4: Zoning Administrator would not process the planned development application as submitted. Mr. Roth stated that this was wrong and that a simplified way would have been to accept it as a healthcare facility and have the Plan Commission apply the certain standards and conditions instead.

Appeal 2: Mr. Roth stated that even if the commission were to agree to process the application for a healthcare facility, the Zoning Administrator would not have processed it until after the plan development was completed. He said that it was unnecessary and inappropriate to draw out the proceedings and that the Plan Commission should allow them to proceed as a special use for a healthcare facility.

Discussion:

Ms. Malik Jarmusz, the Community Development Director whom serves as the Zoning Administrator for Itasca, read her written response to Haymarket's appeal into the record which was summarized as follows:

-Haymarket's proposal did not easily fit into any category of the Zoning Ordinance. It did not fit into the existing categories of a boarding/lodging house, child care center or school, dwelling unit, family care home, hotel/motel, hotel extend stay, lodging room, or nursing home.

-The property was in the B-2 Community Business District governed by section 8.04 of the Zoning Code. Since there was a proposed residential use of the recovery homes component, it was not a traditional fit for this district.

-A planned development application was appropriate because of the multiple uses proposed by Haymarket which included residential – dwelling, healthcare – hospital, healthcare – clinic, childcare, education, and dining.

-She waived and agreed that certain subsections of Section 14.12 requirements for Planned Development were inapplicable except for the landscape plan and the economic impact statement.

-She was within the scope of her authority when refusing to process Haymarket's petitions since they

were unable to meet the deadline for the August Plan Commission meeting. Also, the submittals of two special use petitions were not appropriate based on how the Commission had handled petitions in the past.

Mr. Roth asked for 48 hours to respond to the report of Ms. Malik Jarmusz. Ms. Wysocki asked if he wanted to wait for the next Plan Commission Meeting for a ruling on the appeal so that the response could be reviewed. He answered that they wished to move it along expeditiously and then asked if a decision was going to be made on the appeal tonight. Chairman Kischner said that a potential decision would be made and turned to staff for questions.

Commissioner Carello asked Mr. Iosue if planned unit development must be for new developments. Mr. Iosue answered no and that there could be unique circumstances. Commissioner Carello asked if all of them fit as a special use. Mr. Iosue said that he misspoke in that the definition of a healthcare facility in the zoning ordinance with all the ancillary secondary uses fit under that category in the existing hotel. Commissioner Daly asked Mr. Roth if Haymarket had any facility where all levels of care including detox, treatment, and recovery home beds are co-housed together. Mr. Roth stated that he could speak on behalf of the other facilities but introduced Jeff Collard. Mr. Collard, Vice President of Operations for Haymarket, said that the Chicago facility in the west loop had all of those levels of care. Commissioner Daly asked if there was a residential component in this request because he saw it as a college dormitory. He was concerned with the level of security for the people who would come and go. He further asked what percentage would be devoted to the residential home piece of the proposal. Mr. Roth asked for clarification because if he used residential then the answer is zero since it was a recovery home instead. Commissioner Daly asked how many beds would be dedicated to those that would eat, sleep, and return back for up to a year in stay. Mr. Iosue believed that it was stated in the written response. Commissioner Holmes thought it to be 120-130 and Ms. Wysocki said that the hotel currently had 168 rooms but was unsure how many would be kept by the petitioner. Chairman Kischner asked if they would be single or double rooms to which Mr. Collard answered they would be double.

Commissioner Swets asked if there would be shared kitchens. Mr. Iosue answered that the cafeteria was for the whole building and that there were no other kitchens. Chairman Kischner commented that the reasoning made by staff seemed logical. The Zoning Administrator did waive certain items which showed willingness to work with Haymarket. He believed that the economic statement was not a minor exception.

MOTION

For Appeal Issue 1, Commissioner Drummond made motion to recommend granting the Petitioner's Appeal in favor of the Petitioner's Appeal. Commissioner Daly seconded the motion.

ROLL CALL VOTE

AYES – None.

NAYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

ABSENT – None.

MOTION

For Appeal Issue 1, Commissioner Drummond made motion to recommend denial of Petitioner's Appeal. Commissioner Swets seconded the motion.

ROLL CALL VOTE

AYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

NAYES – None.

ABSENT – None.

MOTION

For Appeal Issue 2, Commissioner Drummond made motion to recommend granting Petitioner's Appeal. Commissioner Holmes seconded the motion.

ROLL CALL VOTE

AYES – None.

NAYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

ABSENT – None.

MOTION

For Appeal Issue 2, Commissioner Drummond made motion to recommend denial of Petitioner's Appeal. Commissioner Holmes seconded the motion.

ROLL CALL VOTE

AYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

NAYES – None.

ABSENT – None.

MOTION

For Appeal Issue 3, Commissioner Drummond made motion to recommend granting Petitioner's Appeal. Commissioner Ray seconded the motion.

ROLL CALL VOTE

AYES – None.

NAYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

ABSENT – None.

MOTION

For Appeal Issue 3, Commissioner Drummond made motion to recommend denial of Petitioner's Appeal. Commissioner Ray seconded the motion.

ROLL CALL VOTE

AYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray
NAYES – None.
ABSENT – None.

MOTION

For Appeal Issue 4, Commissioner Drummond made motion to recommend granting Petitioner's Appeal. Commissioner Ray seconded the motion.

ROLL CALL VOTE

AYES – None.
NAYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray
ABSENT – None.

MOTION

For Appeal Issue 4, Commissioner Drummond made motion to recommend denial of Petitioner's Appeal. Commissioner Ray seconded the motion.

ROLL CALL VOTE

AYES – Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray
NAYES – None.
ABSENT – None.

Ms. Malik Jarmusz stated that the appeal will next proceed to the Village Board and the public hearing for the pending petition for special use for planned development was scheduled for Wednesday, September 18th, 2019 at Peacock Middle School. She advised the public to check for updates on the Village website for this project.

PROJECT UPDATES AND ANNOUNCEMENTS

Ms. Malik Jarmusz announced that work had been started at the Bridge Site after the towers had been taken down a few weeks ago.

ADJOURNMENT

Commissioner Holmes moved to close the meeting. Commissioner Carello seconded the motion. The motion carried with unanimous approval and the August 21st, 2019 meeting adjourned at 9:10 P.M.

NEXT SCHEDULED MEETING

The next regular meeting is scheduled for Wednesday, September 18th, 2019 at 7:00 P.M.

Plan Commission Regular Meeting
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Submitted this 21st day of August 2019.

A handwritten signature in black ink, appearing to read "Nicole L. Espedido", is centered on a light gray rectangular background.

Nicole L. Espedido, Recording Secretary