

MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development

DATE: May 5, 2005

SUBJECT: **PC 05-06: 210, 214, 215, 224 and 228 S. Lincoln Street & 205 W. Maple Street (St. John's Evangelical Lutheran Church & School)**

Staff provides the Village Board members with the following status of PC 05-06 for consideration at the May 19, 2005 Village Board meeting.

BACKGROUND

At the April 18, 2005 Plan Commission meeting, an objector (John DeSalvo) presented a PowerPoint Presentation depicting the proposed St. John's School and the neighboring properties. Mr. DeSalvo's initial presentation to the Plan Commission depicted the proposed building height to be a uniform 35 feet in height. This information was included and considered as part of the public record. Mr. DeSalvo has since submitted additional slides to the file that show the same building footprint but with a proposed 28 foot building height.

The petitioners have submitted correspondence to the file that states that Mr. DeSalvo's exhibits shown at the Plan Commission meeting overstate the building height by 20 percent. They note that the proposed classroom area is proposed to be up to 28 feet in height and the gymnasium will be up to 32 feet in height as depicted on their April submittal to the Plan Commission.

Staff has reviewed this issue with Village Counsel. As both the petitioner and an objector have submitted new information to the record after the public hearing process was closed and that the information relied on by the Plan Commissioners in making their recommendation may not have been correct, Counsel recommends that the petition should be remanded back to the Plan Commission and that this new information should be reviewed with the Commissioners as part of the public hearing process. This action will ensure that the public hearing record has been perfected and that the public hearing provisions established in *Klaeren v. Lisle* are satisfactorily addressed. Moreover, by remanding the petition back to the Plan Commission, the Board should also require the Commissioners to review the building massing issue relative to the petitioner's offer to incorporate masonry onto the east building elevation.

SUPPLEMENTAL INFORMATION

So that the Trustees are aware of the information submitted to the file to date, please find a copy of the following items for consideration associated with PC 05-06:

1. Plan Commission referral letter for denial of the petition in its entirety.
2. Two IDRC Reports – a report dated March 21, 2005 based upon the petitioner’s original submittal and an addendum report dated April 18, 2005 based upon the petitioner’s plan modifications.
3. PowerPoint presentations presented by the petitioner at the March and April Plan Commission meetings.
4. Objectors PowerPoint presentations presented at the April Plan Commission.
5. Letters and petition of support and in opposition.
6. Two presentation packets prepared by the petitioner – one prepared for the March Plan Commission meeting and a revised plan for the April meeting.

After the conclusion of the public hearing process with the Plan Commission, staff has also received the following items:

7. An amended PowerPoint presentation from an objector (John DeSalvo).
8. Binder submittal of the school building from the petitioner (with additional letters of support).

Also associated with the petition, the petitioner has submitted a letter to the file requesting a waiver of the Village’s portion of the public hearing fees associated with the petition.

RECOMMENDATION

Counsel recommends that the Village Board of Trustees remand PC 05-06 back to the Plan Commission for further consideration and a recommendation based upon the new information submitted to the file. Additionally, the Board should specifically direct the Plan Commissioners to review only the following items:

1. The building elevations and massing represented in the petitioner’s and the objector’s presentations;
2. The exterior building materials and exterior wall treatments for the proposed school; and
3. The proposed location of the school relative to the Zoning Ordinance bulk requirements.