

May 7, 2009

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 09-07; 355 Eisenhower Lane South (Soaring Eagle Academy)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following action on the subject property:

1. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance to allow a "Private School" within the I - Limited Industrial District:

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 20, 2009.

Dan Gardner, 114 E. Van Buren, Naperville, introduced the petitioners. He distributed a PowerPoint presentation which gives more background to the project.

Deanna Tyrpak 2010 Birchwood Ave, Des Plaines, IL, gave background on the proposed school. She said Soaring Eagle Academy is a school for students with autism. It will serve children between the ages of 5-21 years old. She stated that their methodology is unique and cannot be found in many other places in the Midwest. She indicated that the staff report explains the project and reason for approving the conditional use. The site was chosen because of the amenities it offered. She said they draw from a larger region, so the site is good for them and that it is near controlled intersections and well buffered from surrounding uses. She stated that the proposed facility meets their needs for students, staff and parents. Ms. Tyrpak stated that the school is a 512, 501(c)(3), founded by her and 2 speech pathologists. She indicated that there is a growing need for this type of facility and that there are different approaches to treating children with autism. Developing relationships is their philosophy. She described the disorder, the misconceptions people hold about it, and how their school hopes to defy these misconceptions. The approach they will use, DIR, brings hope to families.

She said they will provide a social and academic environment, and explained how they will provide their curriculum. The model allows for safety, and that students will not be left alone. She said they will be certified by the state and there are many stringent guidelines they will need to follow. Their program will be different in that their approach you will see joyful children engaging in meaningful learning. They are excited to bring this to the Midwest and want to be a resource in the community. They will serve up to 60 students with 72 staff members. The property is ideal for safety. She said arrival hours for staff are 8 AM and children will be dropped off in 15 min increments starting at 8:30AM. Families will be driving their children and there will be no buses. She said that it is critical to their operations that the children are in the building safely. She said there will be no lunch, no café, the kitchen and day area is only for educational purposes. Children will depart in 15 minute increments starting at 2:30 PM with staff leaving thereafter.

Chairperson Ryan opened the meeting for public comment.

There were no comments or questions from the public.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director, presented the staff report. Staff drafted the IDRC report to submit to the public record in its entirety. The petitioner proposes to operate a private educational facility at 355 Eisenhower Lane South. The proposed school would be known as Soaring Eagle Academy, a private school that is intended to meet the educational needs of grade, middle and high school students with autism and related disorders as an alternative to a traditional public or private school. The school is intended to educate up to sixty (60) students.

The petitioner has submitted a narrative further describing their proposed use. They are a non-public special education school seeking approval from the Illinois State Board of Education. The proposed school is intended to provide a specialized educational model for students with autism or other related disabilities ranging in ages from 5-21 years old. The petitioner has indicated that there are currently no other private or public schools utilizing their educational model in the Midwest. According to their narrative, their educational model consists of some of the following:

- Focuses on the whole child and seeks to develop a foundation that builds flexible skills for higher-level thinking and learning and interaction with the world around them.
- Encourages children to engage in dynamic, meaningful learning through development of social interactions and relationships.
- Believes emotional development of the child and ability to relate and interact with others is the critical foundation for future learning.

They indicated that students diagnosed with autism and related disorders spend most of their school day on tasks related to functional/daily living skills rather than a balance of academics appropriate to their development level, social communication skills and functional skills.

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Based upon discussions with the petitioner, the facility will accommodate students aged between 5-21 years. Once they reach their projected capacity of 60 students, up to 72 employees including teachers, therapists, and aides will be onsite.

The petitioner plans to make significant changes to the existing floor plan of the building, which is 20,000 square feet in area. The proposed improvements include:

- 7 classrooms
- 2 sensory motor gyms
- Several floor time and therapy rooms
- Kitchen and daily living area
- Vocational work studio
- Library resource area
- Administrative and staff offices

They have indicated that some of the improvements would occur in phases as enrollment increases. Initially, they expect to accommodate 28 students and grow approximately 16 students per year until they reach 60 students.

Staff had provided Fire Department/Bureau of Inspectional Services comments to the petitioner with respect to fire sprinklers, ADA and Illinois Accessibility requirements. The petitioner indicated that they will meet all requirements.

The petitioner's proposed plans indicate improvements to the south side exterior of the building including widening the existing entrance and adding another entrance to the east. In addition, they would provide an outdoor play area on the existing green space located east and west of the existing entrance. The proposed play area to the east would be fully fenced with a 6' high chain link fence to ensure proper security for the children. The play area would include playground equipment with slides and climbing areas.

The petitioner has indicated that they would request a sign on the north elevation of the building facing Eisenhower Lane. As details of the proposed sign were not submitted, they would be obligated to meet the underlying provisions of the Sign Ordinance.

Loading/Unloading

Students attending the school would be transported via their parents or taxi cab only. No buses would be used. The school staff would arrive at the facility by 8:00 AM. Students would arrive in 15 minute intervals starting at 8:30 AM and ending at 9:30 AM. Students would be leaving the school and picked up in 15 minute intervals starting at 2:30 PM and ending at 3:30 PM. All drop off and pick up would occur on the south side of the building. Staff encourages the staggered drop off and pick up so as to eliminate any back up onto Eisenhower Lane. The petitioner's site plan does indicate a drop off and pick up area on the south side of the building. That area can accommodate up to 8 cars for stacking/queuing. Based on the representation by the petitioner and the layout of the site, the transporting function of the site should function well.

Site Considerations

Staff provides a series of photographs of the proposed site for reference purposes (see attached exhibits at the end of the report). The property is surrounded by light industrial uses on all sides. The southern portion of the subject property is located on a municipal boundary line shared with the Village of Downers Grove. That portion of Downers Grove abutting the subject property contains properties with light industrial uses as well. Thick vegetation is provided on the southern portion of the subject property whereas the adjacent property to the south is no longer visible from the subject property.

Parking

The Zoning Ordinance requires one (1) space per employee plus eight (8) spaces for visitors for K-8th grades. High schools require one (1) space per employee plus eight spaces for eight (8) students. In review of these parking options and the nature of the operations, staff believes the K-8th grade option to be more appropriate in this instance. This is consistent with a similar request for a private school at 1110 N. Main (PC 04-02).

Based upon the school's proposed demand, they will require 80 total spaces for the school. In review of the plans, this demand can be accommodated by the existing spaces. Pursuant to the Zoning Ordinance and the Illinois Accessibility Code, a minimum of 4 handicap accessible spaces shall be provided. The site currently provides 2 handicap spaces. The petitioner's site plan does show them adding 2 additional handicap spaces. The total parking provided would be 84 parking spaces. As previously noted, the Code requires a minimum of 80 spaces be provided.

The property is surrounded by light industrial uses on all sides. Other tenants occupying those surrounding uses include a variety of "light" industrial and office type uses. From a land use perspective, staff finds that the proposed private school use is compatible with the surrounding land uses. The fact that the school draws from a broader geographic area and given the layout of the existing site being able to accommodate the transportation and parking needs of the school, the proposed use at this location can be supported.

The Comprehensive Plan recommends Planned Business Park at this location. The York Brook Business Park is specifically described in the Comprehensive Plan as being one of the newer, established business park locations within the Village. The York Brook Business Park is also completely developed and generally well maintained. Although described in the Comprehensive Plan, there are no specific recommendations for the types of uses that should occur within the York Brook Business Park. Given this circumstance, the very nature of a business park can be generally summarized as providing light industrial, business and office land uses.

In 2004, the Village approved text amendments to the Zoning Ordinance for private schools as conditional uses in the I – Limited Industrial District (PC 04-01) along with a companion request for a private school located at 1110 N. Main Street (PC 04-02). As noted in PC 04-01, private schools often have greater traffic generations and draw upon a larger than local area. Therefore, from a transportation standpoint, staff believes locating a school outside of a single-family residential area may be more appropriate. The petitioner's specific site can be supported for the school as the building promotes good circulation, provides adequate parking and is not bordered

by more heavily industrial uses. Therefore, staff believes the use is consistent with the Comprehensive Plan and recommends approval subject to the attached conditions.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Olbrysh stated that the educational facility is a positive addition to the community and there is a great need for this type of school. The building sits alone and is isolated from others. He stated that it has a nice parking lot, and some green space to the north.

Commissioner Sweetser stated that she agrees that this is a very wonderful addition to the community and glad to see it. She asked the petitioner if their curriculum has to have ISBE certification or approval. Ms. Tyrpak indicated that the Illinois State Board of Education does have to approve them. The ISBE also comes on regular visits and can access the paperwork in their files. Commissioner Sweetser then asked if the green space and playground equipment previously mentioned would be age appropriate for all the children. Ms. Tyrpak answered that all students have the opportunity to go outside and the area will be fenced in. All the children, including the older ones, will have access to the same playground equipment. She also indicated that part of the green space would be used for gardening.

Commissioner Burke asked if the petitioner is leasing the building. Mark Montana, 225 W Washington, Chicago, said yes.

Commissioner Burke expressed a concern that the petitioner could sublease or the landlord could lease to a use that is not compatible with the school as they are not occupying the entire building. Mr. Montana said they are leasing the entire building from the beginning of the lease, so no other tenant could go in there. He said Phase II is to further understand how they are growing and how the build out can be. They have a plan for Phase II.

Commissioner Burke suggested that the Plan Commission add a condition limiting the use of the building to an academic institution and that the entire building is subject to the conditional use and only used for that purpose. George Wagner, Village Counsel, suggested some language to consider for an added condition #5

Add condition:

5. During the operation of the school, the entire building is subject to the conditional use and shall only be used for activities associated with the school as outlined in their application.

Commissioner Sweetser motioned to approve PC 09-07, adding the suggested condition #5. The motion was seconded by Commissioner Nelson.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call

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vote of 6 to 0, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 09-07.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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