

MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP, Director of Community Development

DATE: February 5, 2009

SUBJECT: **PC 08-32; 215 and 220 S. Lincoln Street Remand (St. John's Evangelical Lutheran Church & School)**

At the December 18, 2008 Village Board meeting, the Village Board remanded PC 08-32 back to the Plan Commission for further consideration and discussion related to the following seven specific items:

1. The introduction of a commercial enterprise in a residentially zoned district;
2. The impacts of providing for a use exception for a separate commercial establishment within the confines of an institutional planned development;
3. How establishing the commercial use will enhance the previously approved planned development and would be within the public interest;
4. Consideration of precedent this action could have, for other commercial entities or uses not associated with St. John's, if they were to seek to operate on the premises;
5. How can further parking variations be granted and how traffic flow can be adequately handled between the various use operations;
6. Additional discussion regarding day care operations throughout the day, in addition to the drop off and pick up periods noted by the petitioner; and
7. Additional discussion and testimony by St. John's as to why they are authorizing a request to amend their planned development, contrary to the conditions or limitations set forth in the 2005 approval.

Please see page 11 of the attached referral letter for specific Plan Commission discussion related to the seven items noted above.

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At the January 26, 2009 Plan Commission meeting, The Plan Commission was unable to obtain four votes for either approval or denial of the petition. Therefore, this petition is being forwarded to the Village Board with **no recommendation**. Should the Village Board decide to approve the petition, the draft ordinance previously submitted at the December 18, 2008 meeting may be used.

Attached please find the following additional items for Village Board consideration as part of the February 5, 2009 Village Board meeting:

1. Plan Commission Remand Memorandum, which included the IDRC report for PC 08-32;
2. January 26, 2009 Plan Commission meeting referral letter;
3. Letters from St. John's received after the January Plan Commission meeting.

Please place this petition on the February 5, 2009 Board agenda under items for separate action. If any Board members would like additional copies of any information previously transmitted to the Board, please let me know.