

OFFICIAL MINUTES
PLAN COMMISSION AND ZONING BOARD OF APPEALS
VILLAGE OF MATTESON
SEPTEMBER 4, 2008

CALL TO ORDER:

Chairman Howard-Davis called the meeting to order at 7:30 p.m.

ROLL CALL:

Commissioners Present:

1. Sebronella Howard-Davis, Chairman
2. Anthony Burton, Vice-Chairman
3. William B. Harris
4. Dr. Eric M. Wallace
5. Albert Tyler III
6. Dr. Laurice Geanes
7. Regan Stockstell

Also Present:

1. Trustee Sam Brown
2. Ryan Franklin, Planner
3. Linda Leonard, Recording Secretary
4. Gus van den Brink, Executive Director, Sertoma Centre, Inc.

No changes to the Agenda.

ITEM #3 APPROVAL OF AUGUST 21, 2008 MINUTES:

Commissioner Tyler stated that the Minutes reflected that Commissioner Geanes was shown as both present and absent. It was noted that Commissioner Geanes was present and Commissioner Stockstell was absent on August 21, 2008. The correction was made. Also, Commissioner Tyler noted that on page 7 he was listed as "Trustee Tyler". This was changed to "Commissioner Tyler".

Chairperson Howard-Davis made the following comment in regards to pages 2, 3, 4, 5, 6, & 9: All of the Public Hearings were, and always are, opened by her or the Vice-Chairperson, not a Staff Member. Commissioner Howard-Davis also noted that on Page 9, under Item #10, last paragraph, "It was decided to continue the Public Hearing....." - this should be written as "The Plan Commission voted to continue the Public Hearing"..... Also, Chairperson Howard-Davis stated that the Public Hearing Agenda Items are also closed by the Chairperson or Vice-Chairperson as well as the time noted. The corrections were made to the August 21, 2008 Minutes.

Commissioner Tyler made a motion to approve the August 21, 2008 Meeting Minutes with the corrections as noted tonight, September 4, 2008.

Commissioner Harris seconded the Motion.

VOTES:

Burton	: Aye		6 Ayes	0 Nays	1 Abstain	0 Absent
Geanes	: Aye					
Harris	: Aye					
Howard-Davis	: Aye					
Stockstell	: Abstain					
Tyler	: Aye					
Wallace	: Aye					

The August 21, 2008 Minutes were approved upon corrections being made as noted.

ITEM #4 PUBLIC HEARING 08-018: CONSIDERATION OF A SPECIAL USE PERMIT FOR SERTOMA CENTRE LOCATED AT 4331 W. LINCOLN HIGHWAY

Chairperson Howard-Davis opened Public Hearing 08-018

Mr. Franklin gave the following history/summary in regards to Sertoma Centre:

Sertoma Centre Inc. is located at 4331 W. Lincoln Highway. The current zoning/land use is C-4 Highway Commercial with the surrounding zoning/land use being C-4 Highway Commercial to the north, east, and west and R-2 low-to-moderate density residential to the south. The land use plan designation is for “Community High Intensity”.

The Sertoma Center is now anchored by a resale shop that is run by the Sertoma Centre, Matteson Chiropractic, and AAARMSI Reverse Mortgage Specialists. There are currently four vacant suites which, combined, are approximately 10,000 square feet in size.

The petitioner is proposing a Day Program Facility for individuals with disabilities which would require a Special Use Permit. The facility would be a day program facility for individuals with developmental and physical disabilities, and mental illness. The existing uses within the plaza are retail, office and service. The program will employ six to ten staff members who will provide families and clients who have developmental disabilities, physical disabilities, and/or mental illness with counseling, learning, and day program services offered.

The proposed facility will not require any new curb cuts on Lincoln Highway and the parking lot configuration will not be changed as a result of the new facility. The facility will use the existing free standing sign on Lincoln Highway, and all signage will comply with the requirements of the Zoning Ordinance. The properties to the south are residential and there is a significant landscape buffer between the two uses.

The Comprehensive Plan calls for the property to be used as Community High intensity.

The Staff recommends approval of a Special Use Permit to allow a day program facility in the approximately 10,000 square feet for the Sertoma centre.

Question by Chairperson Howard-Davis - Since we were provided an updated staff summary, is the only change on the second page from child care to day facility? Mr. Franklin's response was "yes".

Chairperson Howard-Davis asked if the Petitioner was present and, if so, for the record, if he would state name. The Petitioner responded and stated that his name is Gus van den Brink, Executive Director of Sertoma Centre, Inc.

Commissioner Tyler asked Mr. Franklin (Staff) what the Fire and Police Department think about this request. Mr. Franklin stated that this request was presented to the Fire and Police Departments and they did not offer any additional comments as far as any concerns for Mr. Franklin to relay to the Petitioner.

Commissioner Harris asked the Petitioner if there will be any medical staff available at the Sertoma Centre since there are mentally ill/disabled people there. The Petitioner responded that none of the day facility clients would need acute care. The Petitioner stated that the main purpose of the facility is for activities, interaction and integration.

Commissioner Tyler asked the Petitioner how the Sertoma Facility would add to the economic base for the Village of Matteson by providing jobs for residents of Matteson. What type jobs would these be? The Petitioner stated that some employees with Masters Degrees would be needed to provide counseling, some employees would be managers to supervise the programs and some employees would be paraprofessionals.

Commissioner Harris asked the Petitioner if half of the staff or a fraction of the staff would be required to have a college degree. The Petitioner stated that half of the staff would have college degrees.

Commissioner Stockstell stated that he questioned the statement made in regards to providing new job opportunities for residents of Matteson and unless this was the commitment of the Applicant, he found this statement misleading. He asked the Petitioner if he was committed to hiring Matteson residents. The Petitioner stated that all applications for the job positions would be considered, whether a Matteson resident or not. Commissioner Stockstell then asked for the statement to be changed to reflect that the Sertoma Centre would add to the economic basis by providing new jobs in the community.

Commissioner Stockstell stated that he was somewhat familiar with this type of facility and he found that there was a problem with loitering. The clients attending the daycare facility were bussed in and often found behind the facility smoking and other things. The Petitioner stated that there would probably be an outside smoking area and that the people could not just wander around throughout the parking lot, etc.

Commissioner Stockstell asked what the expected population of the clientele would be. The Petitioner stated he expected between 30-40 daily attendees. Some individuals come regularly and others attend just several days a week.

Commissioner Harris asked if the number of daily attendees would affect the number of staff used. The Petitioner stated that it may but they generally always have most of the staff at the

facility. However, there are occasions where staff members go out to individual's homes and this part of the program is called "Community Support".

Commissioner Stockstell asked the Petitioner if there are any state licensed requirements through the Department of Human Services. The Petitioner stated that there are certification requirements of the hired staff and also fire safety requirements.

Commissioner Stockstell asked if there is a Floor Plan and the Petitioner stated that they are presently working on a Floor Plan but it is not available at this time.

Commissioner Stockstell asked if the Department of Human Services has specific space requirements for special needs people. The Petitioner responded that he does not think so but that he will look into this.

Chairperson Howard-Davis asked what types of services are offered to the families of the daycare attendees. The Petitioner stated that there are not specific services for family members but that there are several meetings with the families to set goals for the clients and then to see if the clients have reached that goal. Chairperson Howard-Davis suggested, then, that the statement saying that the facility provides families and clients services be taken out of the write-up to reflect that only clients receive specific services/programs.

Commissioner Burton asked the Petitioner if Sertoma currently has this type of a program operating somewhere else. The Petitioner stated that currently there are two facilities in Alsip, IL which are adult daycare facilities only. The daycare facility in Matteson would be much smaller in size than the facilities in Alsip.

Trustee Brown asked if the program is primarily only adults and if the daycare facility would be using the entire 10,000 square feet for the daycare facility. The Petitioner stated that all clients would be adults only and that the amount of space being used by the daycare center would be approximately 8,000 square feet with another 2,000 square feet available at the other end of the building.

Trustee Brown stated to the Petitioner that the facility would have people who are mentally ill, physically disabled and developmentally disabled and what would be required for their care. The Petitioner stated that not many of the people would have mobility problems. The Petitioner again stated that there would not be any clients with acute problems/disabilities. Trustee Brown asked if there would be clients taking medications. The Petitioner responded that there would not be any dispensing of medications at the facility. The clients would be self-medicated with the medications being prescribed by their own physicians.

Commissioner Tyler asked what would happen if one of the clients had a breakdown, etc. The Petitioner explained that some of the staff has special training in crisis intervention but if there was a more severe problem then the client would have to go back to their doctor and if there was a problem while the client was at the daycare facility, one of the staff would drive the client home. If there was an emergency then 911 would be called.

Commissioner Harris asked what the operating hours of the facility would be. The Petitioner stated that the hours would be 8:00 a.m. – 4:00 p.m., Monday – Friday.

Commissioner Tyler asked if the proposed facility would be similar to the Grand Prairie facility. The Petitioner stated that it is similar to the Grand Praire facility and offers similar services.

Commissioner Stockstell suggested that if the amount of clients increases over the approximate 40 maximum amount stated, that Sertoma would come back to the Plan Commission for consideration for the increase in clients.

Commissioner Greaves is trying to make a connection with the retail shop. She stated that the last time that Sertoma came before the Plan Commission it was stated that some of the employees of the Retail Shop were developmentally handicapped. Commissioner Greaves asked if those same employees of the retail shop would also be clients in the daycare facility. The Petitioner stated that the handicapped employees in the retail shop would not be a part of the daycare program.

Commissioner Stockstell asked if Sertoma would be working with other local businesses to try to find employment for some of the clients that are capable of working. The Petitioner stated that they would, in fact, be trying to do so.

Commissioner Stockstell asked if the majority of the clients would mostly be from the immediate area or outside of the immediate area. The Petitioner stated that the majority of the clients would be from outside of the local area.

Commissioner Burton asked the Staff if they have received any response from neighboring business owners/residents to the south. Mr. Franklin stated that there has been no response.

Chairperson Howard-Davis asked the Staff if there is a way to verify that the property owners did, in fact, receive notification. She stated that there was a past situation where neighbors had not received notification and then there were complaints by the neighbors later on. Mr. Franklin said that Delivery Confirmation had not been used but Mr. Franklin said that he would pose the question again to Richard Smeaton, Director of Community Development. Chairperson Howard-Davis stated that either a Delivery Confirmation be used or else telephone calls made to the surrounding businesses/neighbors to notify them so that there would not be repercussions in the future.

Commissioner Tyler requested that the staff have verification of notification to businesses and residents prior to the Trustee Meeting.

Trustee Brown asked the Petitioner, in regards to how many people can be in the program, if he would check with the Department of Human Services if there is some kind of space requirement. Trustee Brown noted that he knows that there is a requirement in some facilities for a certain square foot needed per person. He also said that he knows that the fire department would have a capacity number for the facility. Trustee Brown would also like to know if there is some kind of a ratio; i.e. so many therapists to clients. The Petitioner said that he would check into this.

Chairperson Howard-Davis closed Public Hearing 08-018.

Commissioner Stockstell made a motion to approve Public Hearing Case 08-018 and to recommend approval of the Special Use Permit for the proposed daycare program with the condition that (1) Any expansion to the amount of clients (over 40) will require the Petitioner to appear

before the Plan Commission for review and consideration and (2) that prior to this item going to the Board , some confirmation from Staff be made to the Commissioners that notification has been made to adjacent property owners.

Commissioner Harris seconded the Motion.

Discussion on the Motion:

Commissioner Stockstell asked for a clarification of what is meant by “expansion”. It was explained to him that the Petitioner already stated that there would be a maximum of 40 clients. Commissioner Stockstell stated that the Petitioner claimed that the daycare facility will consist of 8,000 square feet. If the Petitioner wanted to reduce the size of the thrift store and increase the size of the daycare facility, it would be necessary to come back to the Plan Commission for an amendment.

VOTES:

Burton	: Aye		7 Ayes	0 Nays	0 Abstain	0 Absent
Geanes	: Aye					
Harris	: Aye					
Howard-Davis	: Aye					
Stockstell	: Aye					
Tyler	: Aye					
Wallace	: Aye					

ITEM #5 COMMUNICATIONS

Mr. Franklin stated that for the upcoming project at the September 18th Plan Commission Meeting there will be a continuation from the Planned Unit Development Petition for the Genesis Royal Retirement Community and the Findings of Fact for the rezoning of Genesis Royal Retirement Community.

Staff is still researching the backgrounds of the principals of Genesis Royal Retirement Community and, an additional note, to resolve the Plan Commission’s request about economic development questions. The Staff is researching the duties and responsibilities of the Plan Commission and will be presenting the research at an upcoming meeting. Staff is also researching stacking requirements and neighboring communities in trying to put together some information that we can present to our consultant if there is a specific standard or something that we want to make for our village in regards to stacking requirements and traffic facilities, ATM’s and things of that nature.

Commissioner Tyler asked if Staff was going to check with other communities in regards to allowing economic questions by their Plan Commissioners. Commissioner Tyler stated that he would like for our village to be consistent with what neighboring communities allow at their Plan Commission Meetings; i.e. what they do and how they do it. Mr. Franklin said that he would make note of this request.

Trustee Brown stated that he would hope that whatever the criteria is, that the main issue is for this Commission being as effective as it possibly can. That could involve talking. That is what the Commissioners are here for – to be effective. Hopefully, whatever the outcome is, effectiveness won't be compromised. Mr. Franklin stated that, based on the letter that Staff was given and what was noted in the Finding of Fact tonight, the Commissioners may not agree with the findings but that is what was requested of Staff to do. Commissioner Stockstell said that this doesn't make any sense because if you go and look at the state statues and the functions of Plan Commissions, Economic Development is a part of your functions. If you read the comp plan down through the zoning plan then this is kind of a waste of time. Trustee Brown said that he is hoping that this will all be acknowledged as a misunderstanding.

Chairperson Howard-Davis asked for clarification because this started as a response to a memo. It was not directed to Staff to develop those responsibilities for the Plan Commission. It was her understanding that, based on the memo, there was supposed to be a meeting, a conversation that would take place that would allow us to exchange ideas to come to an understanding of what was expected and what was actually going to happen. Chairperson Howard-Davis stated that she is surprised to have Staff researching what the consistent rules and responsibilities are of Plan Commissions across the different communities because that is not where it was started. It is not understood why Staff would be researching other communities when it was not Staff that questioned what the Plan Commission was doing. That request came from a different source. Chairperson Howard-Davis thought that the point was to have a conversation with that source. It was stated that the source was the Village Administrator. Mr. Franklin stated that there were conversations between Staff and the Village Administrator and he believes that the memo was started from Staff whether that was relayed in the memo or not. Chairperson Howard-Davis then explained that a memo was left on the desk for the Plan Commission to follow. The Plan Commission's response to that memo was that the Plan Commission needed to understand, as a body, what generated that memo and how to address it, and, in order to do that, the expectation was that there would be a meeting with the Village Administrator at which time it would be explained why the roles of the Plan Commission should be confined, as defined in the memo. Mr. Franklin stated that he does not have the actual memo with him but that the memo never suggested that the Village Administrator would be present at tonight's meeting. Chairperson Howard-Davis stated that she knew that the memo did not state that the Village Administrator would be in attendance but that the request in response to the memo was that the commissioners would like to meet with the Village Administrator. She does not feel that it is the right of the Staff to interpret and speak for the Village Administrator. Mr. Franklin stated that Staff basically provided information to the Village Administrator and, even though the memo was signed by the Village Administrator, it originated with Staff.

Commissioner Tyler asked Mr. Franklin who instructed Staff to do the research and the response was, Rick Smeaton made the request.

Trustee Brown stated that the Plan Commission is appointed by the President of the Village with the support of the Board of Trustees. The direction for the Plan Commission comes from the President. Trustee Brown stated that he had a conversation with the Village Administrator because he was a little disturbed by the memo as well as the Plan Commission. The Village Administrator's response was essentially that Rick did, in fact, initiate the memo. The Village Administrator said that he did not want to get involved because it is the business of the President and Trustees. Mr. Franklin stated that the memo was somewhat misleading to have the Village Administrator's signature on it but that the content of the memo was done by the Director of

Community Development. Mr. Franklin stated that he did, in fact, research information for the Director from the state statutes and from the original ordinances that were adopted in the 1950's for the Village of Matteson. Mr. Franklin provided that information to the Director and stated that there were several meetings between the Director and the President.

Chairperson Howard-Davis asked Trustee Brown to get some clarification on what is going on. Trustee Brown stated that there is a new President now and that, perhaps, the time has come to "wipe the slate clean". The Village Administrator does not want to get involved because he understands that this is not his role.

Commissioner Harris asked if it is the responsibility of the Director of Community Development to implement something like this and, even if he gets direction from the President, what if the Director omitted several points. Trustee Brown stated that this would not be done.

Chairperson Howard-Davis stated that the Minutes should reflect, as well as Ryan should have the Commissioner's position this particular issue and that Ryan and Trustee Brown should take this back and see what happens.

Trustee Brown said that he had a brief conversation with President Stricker and, unfortunately, people respond to hearsay and innuendo without really finding out what the real deal is and so the comments made by President Stricker were responses made on innuendo and rumor and were not fact finding truths. Trustee Brown said that he feels that it is a new day and does not know if it is even necessary to pursue the conflict any further. If it does come up to be a conflict again it seems to be clear that it is not a Village Administrator issue but a President/Board issue.

Commissioner Harris stated that he thinks that a lot of this will be implemented before it even reaches the President because it is a departmental type thing that the Village Administrator is running.

Commissioner Tyler stated that we have a new Acting President and asked Trustee Brown to take the problem to the new Acting Village President and then come back to the next Plan Commission Meeting with the answer. Trustee Brown said that he would be happy to do that but he thinks that, at this point, this is virtually a non-issue. Chairperson Howard-Davis stated that if the new Acting President states that there is no issue then that is the answer but, at this point, it is still an open issue.

Commissioner Harris stated that with the Planning Commission you also have to look at the Economic Development Commission because it seems like that has been run somewhat in the same vein that, in lieu of a type Hildy? Director, it is going a different way. Trustee Brown said that it is a new day on a number of fronts. Mark Stricker chaired that commission and obviously a new person will chair that commission and so a lot of that stuff is moot because President Stricker is not here anymore and the way that he interprets things is not the way that things are being interpreted now. Commissioner Tyler asked that it not be left unsolved and, if there is an issue, let's get an answer. Commissioner Harris stated that President Stricker was not involved when the Economic Commission had meetings because he allowed Commissioner Harris to Chair them for quite some time. Since President Stricker was out of the Chair, things started to go in a different way. There were only updates made by the Economic Commission where normally people were coming in. Commissioner Tyler advised that if someone is not happy with the way that a Commission is being run they should voice their opinion at the commission

meetings so that things are brought back on track. Commissioner Harris stated that the Economic Commission needs some additional people.

Commissioner Stockstell asked Mr. Franklin if he is registered for the upcoming Illinois Municipal League Conference. Mr. Franklin said that he does not know and will make note of that and check for him. Commissioner Stockstell asked if he could please be called or e-mailed the information.

Mr. Franklin reported that he has two additional Board projects: Staff is still waiting for the information from Stonegate to go forward with the Annexation and Staff expects to get that information on September 15, 2008 and in front of the Village Board for final action. Mr. Franklin has another note stating that the Value Place Hotel will be in front of the Village Board to actually do a workshop on September 8, 2008 to discuss the text amendment to allow cooking in the hotel rooms and the Fire Lieutenant and Police Chief have been made aware and asked to be present, or at the very least, be able to issue an updated letter. Mr. Franklin also stated that the Village Board will be brought up to speed and that he will be present at that meeting as well.

Mr. Franklin requested that the memo/inquiry made by the Plan Commission to have a meeting in regards to the memo be e-mailed to him.

Commissioner Stockstell asked Mr. Franklin if there is any new information about the driveway apron on the east side of the Chase Bank site. Mr. Franklin stated that the Village engineer stated that they will be doing all of the improvements as it is timed with the roadway widening. All will be done at the same time. The project is on hold pending a permit from IDOT.

The Commission asked about the code enforcement at the Lincoln Mall and pointed out a sign that was missing the panel faces near Bally's. Mr. Franklin stated that he would notify the Code Enforcement Department about the sign.

Commissioner Wallace stated that he has heard a rumor that Matteson will be getting a Harold's Chicken Shack. Mr. Franklin stated that is correct.

Mr. Franklin told the Commission that he has been speaking with a woman who is interested in re-opening Ciaos restaurant. Staff is working closely to provide her with the demographic information for that area to help with the redevelopment of that restaurant. According to the owner, the restaurant would serve "high end" soul food with a Jazz/Blues type atmosphere at possibly live bands, but no Hip-Hop.

Trustee Brown stated that he was very happy with the vote and with the response of the crowd the night that the interim President was elected. There is a good possibility that the interim President will be naming a replacement Trustee. Diversity needs to be considered and it is known that there is at least one good candidate.

ADJOURNMENT:

Commissioner Wallace made a motion for the Plan Commission to adjourn the meeting. Commissioner Burton seconded the Motion.

VOTES:

Burton	: Aye		7 Ayes	0 Nays	0 Abstain	0 Absent
Geanes	: Aye					
Harris	: Aye					
Howard-Davis	: Aye					
Stockstell	: Aye					
Tyler	: Aye					
Wallace	: Aye					

The meeting was adjourned at 8:30 p.m.

Minutes submitted by: Linda Leonard