

MINUTES  
VILLAGE OF ELBURN PLANNING COMMISSION/ZONING BOARD OF APPEALS  
JANUARY 2, 2019

Members Present: Commissioners Ryan Anderson, Rob Houtz, Carolyn Jansons, Chris Mulvihill, Brian Techter, Chairman Jeff Metcalf

Members Absent: Chris Gould

Staff Members Present: Village Administrator John Nevenhoven, Building Commissioner Tom Brennan, Village Attorneys Bob Britz & Bill Thomas

Others Present: Petitioner Kristina Williams, Elburn Herald Reporter Susan O'Neill

1. Call to Order – Chairman Metcalf called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance – Chairman Metcalf led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call ensued.
4. Public Comment – None
5. Approve Minutes – A motion to approve the November 6, 2018, Planning Commission minutes was made by Commissioner Jansons and seconded by Commissioner Houtz. The motion unanimously carried by voice vote.
6. Open the Public Hearing Regarding the Application from Kristina Williams for Special Use Permit for a daycare center at 108 Valley Drive, Units A & B – A motion was made by Mulvihill and seconded by Houtz to open the public hearing. The motion carried by unanimous voice vote.
7. Public Hearing Regarding the Application from Kristina Williams for Special Use Permit for a daycare center at 108 Valley Drive, Units A & B – Building Commissioner Brennan introduced petitioner, Kristina Williams. Williams currently owns and operates "Creative Beginnings Early Education," a part-time preschool (not daycare) at the Community Center in Elburn. She would like to expand but is not able to do so at the Community Center due to DCFS regulations. When asked about an outside play area, Williams explained DCFS does not require an outside play area because she is operating a 2-1/2 hour preschool—DCFS requires an outside area for 3 hours and up. Williams continued she will have a very small outside fenced-in area (approximately 600SF located at the northeast corner of the building) available for snack time or reading stories. The preschool offers morning and afternoon sessions with 20 children in each class (a maximum of 40 total). The ages of the children range from 3-5 years old and it is Williams's goal to expand to 2-1/2 to 5 years old. Taking traffic and parking into consideration, Williams stated start and end times for the sessions will be staggered. Discussion ensued regarding traffic control, the number of parking spaces available and other businesses in the strip mall. Parking will be utilized on Center Street and Valley Drive. Clients must park their vehicles and bring their children into the building. Williams stated parking currently is an issue at the Community Center and feels parking at the new location will be more manageable. Lighthouse Academy Daycare Center is located nearby the new location and have their own parking lot. Lighthouse is primarily a daycare (all-day care) whereas Creative Beginnings is a part-time preschool center. In order to expand at the Community Center, walls would have to be opened up and Williams does not want to do this. With as much as Williams loves being at the Community Center, some parents are hesitant with the age and condition of the building and would like something more updated. Creative Beginnings currently has 700SF of space (with no kitchen facility) and 300SF office space. The new space will be 2300SF and will have a kitchen facility. Creative Beginnings is currently the only preschool in Elburn. This year there are 60 students enrolled with a wait list of 30

children. Creative Beginnings is DCFS certified. Williams said she may decide to offer after-school care at the Community Center in the future because there is a big need in Elburn. Williams added she is making a long-term commitment in Elburn and is pursuing a long-term lease at the new facility. When asked why the petition states it is for a daycare facility, Village Attorney Britz stated the Village Zoning Ordinance does not specify preschool so it was analogized with a daycare facility. Williams said preschools are governed the same as a daycare facility by DCFS. When asked if the Special Use runs with the property or the petitioner, Attorney Britz stated the Village Board may decide to put a stipulation that the Special Use terminates if the business is ever sold.

8. Close the Public Hearing Regarding the Application from Kristina Williams for Special Use Permit for a daycare center at 108 Valley Drive, Units A & B – Being no further discussion, a motion to close the public hearing was made by Mulvihill and seconded by Jansons. The motion carried by unanimous voice vote.
9. Vote on the Finding of Facts – Chairman Metcalf read aloud the findings of fact as follows:

The Village Board may, after receiving a recommendation from the Planning Commission in the manner hereinafter set forth, approve, approve with conditions or deny a special use, pursuant to the procedures set forth herein.

The Planning Commission shall not recommend, nor the Village Board approve a special use, unless it shall find, based upon the evidence presented to the Planning Commission in each specific case that the special use:

- a. Will be harmonious with and in accordance with the general objectives of the Comprehensive Land Use Plan and/or this Zoning Ordinance.
- b. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not alter the essential character of the same area.
- c. Will not be hazardous or disturbing to existing or future neighborhood uses.
- d. Will be adequately served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures., refuse disposal, water, sewers and schools or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- e. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village of Elburn.
- f. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- g. Will have vehicular approaches to the property which shall be so designed as to not create an undue interference with traffic on surrounding public streets or highways.
- h. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief.
- i. Will not result in the destruction, loss or damage of natural, scenic or historic features of major importance to the Village of Elburn.

A roll call vote ensued. Ayes: Anderson, Houtz, Jansons, Metcalf, Mulvihill, Techter. Nays: None. Motion carried.

10. Recommendation to the Village Board Regarding the Application for Special Use Permit for a daycare center at 108 Valley Drive, Units A & B – A motion to recommend approval to the Village Board of the application for Special Use was made by Jansons and seconded by Mulvihill. A roll call vote ensued. Ayes: Anderson, Houtz, Jansons, Metcalf, Mulvihill, Techter. Nays: None. Motion carried. This will be on the January 22, 2019 Village Board agenda for final action.
11. Other Business – Village Admin Nevenhoven stated review of the Village Zoning Ordinance will begin soon and will involve Planning Commission input. Planning commission training will occur next week in North Aurora.
12. Adjourn – Commissioner Jansons motioned to adjourn the meeting at 7:24 p.m. with Commissioner Houtz seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin  
Village Clerk