

**DISCLAIMER – THE FOLLOWING ARE DRAFT MINUTES FROM THE PLAN COMMISSION
ARE SUBJECT TO CHANGE UPON APPROVAL FROM THE COMMISSION**

**PLAN COMMISSION
MEETING MINUTES
Monday, April 03, 2023**

Meeting was called to order at 6:02 P.M. by President Palmer.

1. Roll Call

Present:

President Palmer

Mr. Michalski

Mr. Cashin

Ms. Schneider

Dave De Angelis, Village Manager

Katherine Gehl, Assistant Village Manager/Zoning & Planning Administrator

Hector de la Mora, Village Attorney

Absent:

Mr. Kujawa

Mr. Reineke

Ms. Wynia-Smith

2. Review and act on meeting minutes dated March 06, 2023

MR. CASHIN MOTIONED TO APPROVE THE MINUTES AS CORRECTED. MR. MICHALSKI SECONDED. MOTION CARRIED 4-0.

3. Review and act on a request for a Plan of Operation and Conditional Use Permit pursuant to §335-85 and §335-86 for Better Cowork, located at 12500 W. Bluemound Road in the B-3 Midrise Office Business and Professional District pursuant to §335-24C(9)

Attorney de la Mora explained that his legal team surveyed other communities to see if this type of use was present but found no specific regulations in place for this type of use. His team prepared a memo that presented their findings. Attorney de la Mora stated that there is legislation around the country to allow this kind of activity in limited areas. Based on these findings, Attorney de la Mora and village staff prepared a proposed outline for a Conditional Use Permit.

Mr. De Angelis stated that recommendations from the Fire Chief and Police Chief were provided to the Commission. Mr. De Angelis noted that the hours in the proposal are shorter than the original decision at last Plan Commission meeting. He thought it was appropriate to change the closure hours to 11:00 P.M. to 5:00 P.M. to be consistent with the Village Code. Mr. De Angelis noted that the Plan Commission has the opportunity to discuss the hours of operation at tonight's meeting.

Mr. Palmer stated that it was important to note that Fire Chief Kastenzholz does not believe this use is different than any other business in the village and would do the same type of checks in the instance of an emergency situation.

Mr. Michalski pointed out that the Fire Chief and Police Chief reviewed Attorney de la Mora and staff's recommendations and their comments are based on the proposed outline for the Conditional Use Permit. Mr. Michalski also noted that the Plan of Operation that was originally submitted would need to be amended to include newly proposed hours.

Mr. De Angelis stated that upon recommendation from Plan Commission, village staff will draft a Conditional Use Permit that will go before the Village Board following a Public Hearing.

Mr. Michael (Alex) Simic, the business owner, was present to represent the request. Mr. Simic requested the following changes to the proposed Conditional Use Permit be considered:

1. Line 42 – Mr. Simic would like to request that the Plan Commission allow the business to be open from 5:00 A.M. to midnight. He explained that a lot of people using the facility are starting businesses as a second job and may need to work later into the night.
2. Line 65 – Mr. Simic noted that retail stores are restricted. However, he would like to have vending machines and wants to make sure they are permissible.

Mr. De Angelis noted that vending machines have not been classified as retail in the past and this would be permitted.

3. Mr. Simic noted that the original application materials showed 235 parking spaces; however, there are actually 236 parking spaces.
4. Line 118 – Mr. Simic noted that the proposed Conditional Use Permit restricts overnight parking of any nature; however, he is requesting to be permitted to keep snow removal equipment in the winter.

Mr. Palmer was in favor of adding an allowance in the Conditional Use Permit to store snow removal equipment in the winter months. Mr. Palmer asked Attorney de la Mora if he sees any concern with changing the hours of operation.

Attorney de la Mora stated that there is a provision in the proposed Conditional Use Permit that allows the applicant to ask for changes as time goes on in the operation. Attorney de la Mora believes it would be prudent to keep the hours of operation as 5:00 P.M. to 11:00 P.M. as proposed and as the Code allows and then address it if the applicant requests a change in the future.

Mr. Cashin asked for clarification on Section 4b. of the Conditional User Permit related to no group event or social function outside.

Mr. De Angelis stated that the applicant would have to come to Plan Commission if there were to be a planned outdoor event; however, the casual use of the patio space is permitted.

MR. MICHALSKI MOTIONED TO RECOMMEND APPROVAL OF THE DRAFT CONDITIONAL USE PERMIT AMENDED TO NOTE 236 PARKING SPACES AND TO INCLUDE ALLOWANCE FOR STORAGE OF SNOW REMOVAL EQUIPMENT IN THE WINTER MONTHS TO THE VILLAGE BOARD. MR. CASHIN SECONDED. MOTION CARRIED 4-0.

4. Review and act on a request by St. Mary's Visitation Catholic Parish for an amended Plan of Operation pursuant to §335-85 for Churches pursuant to §335-26A(1), located in the I-1 Institutional District at 1260 Church Street

Mr. Michael Sobczak, the designer of the proposed adoration chapel, was present before the Plan Commission to represent the request. Mr. Sobczak explained that the addition is proposed to be added on to the southwest corner of St. Mary's site and will serve as a 24/7 adoration chapel. There is currently an adoration chapel within the existing building; however that space will be repurposed. Mr. Sobczak explained that the adoration chapel will have two secure entrances and nearby parking. The space will be monitored by someone at all times.

Mr. Palmer asked how often people will be visiting the adoration chapel. Mr. Sobczak explained that it's hard to say but there are "regulars" who use the space frequently.

Mr. De Angelis stated that following Plan Commission approval, this proposal will go to the Building Board for design review.

MR. CASHIN MOTIONED TO APPROVE AMENDED PLAN OF OPERATION AS PRESENTED. MS. SCHNEIDER SECONDED. MOTION CARRIED 4-0.

4. Other Business

Mr. Cashin thanked President Palmer and Mr. Michalski for all their years serving on the Plan Commission.

5. Adjournment

MR. MICHALSKI MOTIONED TO ADJOURN. MR. CASHIN SECONDED. MOTION CARRIED 4-0.

Meeting adjourned at 6:27 P.M.

Respectfully Submitted,

Katherine Gehl
Assistant Village Manager/Zoning & Planning Administrator