

Public participation is invited on each agenda item prior to the Board's deliberation. **When called upon, please approach the microphone and state your name and the address where you live. Kindly limit your remarks to three (3) minutes.**

Next Ordinance No.: 4175
Next Resolution No.: 20-55

VILLAGE OF VILLA PARK
Village Hall, Board Chambers
20 South Ardmore Avenue
Villa Park, IL 60181

Village Board of Trustees

November 9, 2020

7:00 PM

Village President Albert Bulthuis

Village Clerk Hosanna Korynecky

Village Trustees David Cilella, Nick Cuzzone, Christine Murphy, Kevin Patrick, Cheryl Tucker,
and Robert Wagner

1. Call to Order - Roll Call

2. Pledge of Allegiance

3. Public Comments on Agenda Items

4. Amendments to the Agenda

5. Consent Agenda

5.a Minutes from the Board Meeting Held on October 26, 2020
[Minutes Oct 26, 2020](#)

5.b Bill Listing for the Weeks of October 26 and November 2, 2020 in the Total
Amount of \$1,700,291.21
[2020-1102 CY20 Weekly Check Report](#)
[2020-1026 CY20 Weekly Check Report](#)

6. Presentations

6.a Community Pride Commission's Halloween Decoration Awards

Representatives of the Community Pride Commission will present the 2020
Halloween Decoration Awards.

7. Ordinances

7.a Ordinance of the Village of Villa Park, DuPage County, Illinois, Establishing
Temporary Executive Powers Pursuant to Chapter 8, Article III, Sections 8-301 -

308 of the Villa Park Municipal Code, 65 ILCS 5/11-1-6 of the Illinois Municipal Code, and 20 ILCS 3305-11 of the Illinois Emergency Management Act

It is the policy of the Village of Villa Park that the Village be prepared to address any emergency. Therefore, in response to the significant outbreak of the Coronavirus (COVID-19) in the United States, pursuant to Chapter 8, Article III Sections 8-301 – 8-308 of the Village of Villa Park Municipal Code, 65 ILCS 5/11-1-6 of the Illinois Municipal Code, and 20 ILCS 3305-11 of the Illinois Emergency Management Agency Act, it is necessary and appropriate to authorize the Village President to exercise extraordinary power and authority, by executive order, during this state of disaster/emergency to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the Village remain safe and secure.

This ordinance extends the Temporary Executive Powers contained in Ordinance 4169, approved by the Village Board on October 26, 2020, until such time that the Village Board can reconvene in an open meeting.

[ORD - Exec Powers - COVID-19](#)

- 7.b Ordinance of the Village of Villa Park, DuPage County, Illinois, Authorizing the Sale by Public Auction of Personal Property and Seized Vehicles Owned by the Village

Items for consideration include:

Year	Make	Model	VIN Last 4 Digits
1995	GMC	P3500	1397
1999	Ford	F350	5237

These vehicles have been replaced; their age and condition prevents them from being of further service to the Village's fleet. Proceeds from the sale of the vehicles and equipment will be placed into the Equipment Replacement Fund and will be used to purchase additional equipment.

[Description of Auction Items](#)

[ORD - Sale of Personal Property and Seized Vehicles](#)

- 7.c Ordinance of the Village of Villa Park, DuPage County, Illinois Granting a Variance to Allow a Pool in the Front Yard and a Variance to Allow a Six Foot (6') Tall Fence in the Front Yard at 580 E. Kolberg Court (David and Amy Wright, Petitioners)

The owners of 580 E. Kolberg Court (at the corner of Kolberg Court and Wayside Drive) would like to install an above-ground pool in their front yard surrounded by a six-foot tall privacy fence. Village Code allows up to a three-foot (3') privacy fence and up to a four-foot (4') open fence in the front yard. The petitioners therefore seek a variance to install a 15'x30' above-grade pool east of the home in the front yard, as well as a second variation allowing a six foot (6') fence in the front yard. Following a Public Hearing held on October 8, 2020, the Planning and

Zoning Commission unanimously recommended approval of this request.

[MEMO - PZ-20-0014 - Variations - 580 E. Kolberg Ct](#)

[Plat of Survey - Site Plan](#)

[Minutes PZ-20-0014](#)

[ORD - Kolberg Fence and Pool Variation](#)

[Exhibit A](#)

[Exhibit B](#)

- 7.d Ordinance of the Village of Villa Park, DuPage County, Illinois, Granting a Variation to Allow for a Tent-Covered Outdoor Seating Area During the Winter Months (November 1 - April 30) at 324 E. Central Boulevard (Jack Kozar, Petitioner)

The petitioner, Jack Kozar, seeks approval of three variations for the business known as Fuel and Crème, which is a bar and ice cream stand. This ordinance would allow the business to seat customers in a temporary tent structure on the property between the months of November and April, which is currently prohibited by Village Code. The Planning and Zoning Commission voted in opposition of this variance. The petitioner indicates that the variance is necessary for Fuel and Crème to continue to thrive and grow as a business.

[MEMO - PZ-20-0003 - FC Variation](#)

[Application - Tent - 324 E. Central](#)

[PZ Minutes 6.11.2020](#)

[PZ Minutes 9.10.2020](#)

[PZ Public Comments 324 E. Central](#)

[Sample Images and Drawings - PZ-20-0003 - 324 E. Central](#)

[Tent Information 324 E. Central Blvd.pdf](#)

[4-12-2018 P&Z Minutes Petition No. PZ 18-0004](#)

[VP Fire Comments 10-23-20](#)

[VP Police Comments 10-23-2020](#)

[PZ Minutes 01-09-2020](#)

[4-12-2018 P&Z Minutes Petition No. PZ 18-0004](#)

[ORD - PZ-20-0003 - Outdoor Tent - 324 E. Central](#)

- 7.e Ordinance of the Village of Villa Park, DuPage County, Illinois, Approving a Contract for a Purchase and Sale Agreement for 325 E. North Avenue

The adjacent property owner to the east expressed interest in acquiring the Village-owned property at 325 E. North Ave. After appraisal and negotiation, an offer was made to purchase the property from the Village for \$335,000. If approved, the closing would occur no later than 30 days after the expiration of the Due Diligence Period. This resolution approves a Purchase and Sale Agreement between the Village of Villa Park to Ali Properties Melrose Park, LLC in the total amount of \$335,000.

[MEMO - 325 E. North Ave Sale](#)

[ORD - 325 E. North Ave](#)

[Purchase Agreement signed 11-04-20](#)

8. Resolutions

- 8.a Resolution of the Village of Villa Park, DuPage County, Illinois, Estimating the Tax Levy For 2020 in Compliance with the Truth in Taxation Law

The tax levy process begins with the estimating resolution, and will be considered for adoption and filed in December. The Village is tax capped, so the majority of the levy can increase by the lesser of the Consumer Price Index (CPI, which is 2.3% this levy year), or 5%. This resolution estimates an overall increase to the Village and Library tax levies of 11%, after all abatements. The final levy amounts may be lowered by DuPage County in accordance with tax cap laws.

[MEMO - Tax Levy 2020](#)

[Tax Levy Worksheet](#)

[Pension Contribution - Actuarial Comparison - 2020](#)

[Library Resolution No. 20200923 Tax Levy Request - 2020](#)

[Library Resolution No. 20190925, To Abate Portions of the 2019 and 2020 Library Bond Tax Levies](#)

[RESO - Tax Levy Estimating](#)

9. Public Comments on Non-Agenda Items

10. Village Clerk's Report

11. Village Trustees' Report

12. Village President's Report

13. Village Manager's Report

14. Adjournment

The Villa Park Village Hall is subject to the requirements of the Americans with Disabilities Act of 1990. An elevator is operational at the north side entrance to the Village Hall during normal work hours and also during evenings. Individuals with special needs are requested to contact the Village's Compliance Officer at (630) 834-8500 so that reasonable accommodations can be made for those persons.

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Hosanna Korynecky

Submitting Department: Village Board

Item Type: Minutes

Agenda Section: Consent Agenda

Subject:

Minutes from the Board Meeting Held on October 26, 2020

Suggested Action:

Attachments:

[Minutes Oct 26, 2020](#)

VILLAGE OF VILLA PARK
20 South Ardmore Avenue, Villa Park, Illinois 60181

October 26, 2020

Village Board of Trustees

7:00 pm

Village President Albert Bulthuis

Village Clerk Hosanna Korynecky

Village Trustees: David Cilella, Nick Cuzzone, Christine Murphy, Kevin Patrick, Cheryl Tucker, Robert Wagner

**MINUTES OF THE FORMAL MEETING HELD IN VILLAG HALL AND VIA ZOOM VIDEO CONFERENCING BY
THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF VILLA PARK ON
OCTOBER 26, 2020**

PRESENT: Trustees Cilella, Cuzzone, Murphy, Patrick, Tucker, Wagner and President Bulthuis.

ALSO PRESENT: Attorney Orr, Manager Keehner and Clerk Korynecky.

1. Call to Order – Roll Call.

President Bulthuis called the meeting to order and Clerk Korynecky called the roll.

2. Pledge of Allegiance.

3. Public Comments on Agenda Items.

There were no participants.

4. Amendments to the Agenda.

President Bulthuis said there was no need for the Executive Session tonight and asked that Item 13.a. be removed from the Agenda. Motion to amend the Agenda to remove Item 13.a. was made by Trustee Wagner and seconded by Trustee Cilella. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Cuzzone, Tucker, Patrick, Murphy, Cilella, Wagner and President Bulthuis. There were no nays. Motion carried.

5. Consent Agenda.

5.a. Minutes from the Board Meeting Held on October 12, 2020.

5.b. Bill Listing for the Weeks of October 12 and October 19, 2020 in the Total Amount of \$1,272,559.19.

Motion to approve Consent Agenda was made by Trustee Cuzzone and seconded by Trustee Cilella. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Patrick, Wagner, Tucker, Murphy, Cuzzone, Cilella and President Bulthuis. There were no nays. Motion carried.

6. Ordinances.

6.a. Ordinance of the Village of Villa Park, DuPage County, Illinois, Establishing Temporary Executive Powers Pursuant to Chapter 8, Article III, Sections 8-301 – 308 of the Villa Park Municipal Code, 65 ILCS 5/11-1-6 of the Illinois Municipal Code and 20 ILCS 3305-11 of the Illinois Emergency Management Act.

It is the policy of the Village of Villa Park that the Village be prepared to address any emergency. Therefore, in response to the new and significant outbreak of the Coronavirus (COVID-19) in the United States, pursuant to Chapter 8, Article III Sections 8-301 – 8-308 of the Village of Villa Park Municipal Code, 65 ILCS 5/11-1-6 of the Illinois Municipal Code and 20 ILCS 3305-11 of the Illinois Emergency Management Agency Act, it is necessary and appropriate to authorize the Village President to exercise extraordinary power and authority, by executive order, during this state of disaster/emergency to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the Village remain safe and secure.

This ordinance extends the Temporary Executive Powers contained in Ordinance 4168, approved by the Village Board on October 12, 2020, until such time that the Village Board can reconvene in an open meeting.

Motion to approve the ordinance was made by Trustee Wagner and seconded by Trustee Tucker. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Murphy, Tucker, Patrick, Wagner, Cuzzone and President Bulthuis. There were no nays. Motion carried.

7. Resolutions.

7.a. Resolution of the Village of Villa Park, DuPage County, Illinois, Approving Change Order Number 3 to the Contract with Michels Corporation of Brownsville, Wisconsin, for Construction of the 2019 Sewer Rehabilitation Program for a Deduction in the Amount of \$22,935.79.

The Village has a contract with Michels Corporation of Brownsville, Wisconsin, in the amount of \$1,140,385.70 for construction of the 2019 Sewer Rehabilitation Program. Proposed Change Order Number 3 consists of additional sanitary sewer point repairs, sewer lining and heavy cleaning, as well as the balancing of contract quantities as measured in the field to date. The net amount of proposed Change Order Number 3 is a deduction in the amount of \$22,935.79, for an adjusted contract amount of \$1,117,449.91.

Motion to approve the resolution was made by Trustee Wagner and seconded by Trustee Cuzzone. Trustee Tucker asked for clarification of the three (3) change orders. Public Works Director Guerra provided the information. Trustee Cuzzone asked if this was the final change order. Director Guerra said it was. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Murphy, Tucker, Patrick, Wagner, Cuzzone and President Bulthuis. There were no nays. Motion carried.

8. Public Comments on Non-Agenda Items.

Resident Robert Smith spoke about the hazardous condition of North Charles Avenue and questioned why the Village didn't have funds for the street reconstruction.

Resident Kelly Smith expressed her concerns about the hazardous conditions of the North Charles Avenue street and sidewalks.

Resident Gus Rolf referred to the recent storm event and the need for sewer replacement on North Charles Avenue. He said he and his wife regularly clear debris from the sewer grates.

Resident Joe Amori provided the board members with information on providing data on stalled trains blocking the crossings. He said he attended a recent DuPage Real Estate Council seminar on Preventing Tragedies on the Tracks. He asked that suicide prevention signs be posted by all train crossings in the Village. He also asked the Village to start the process for a pedestrian underpass with Metra and the Union Pacific because funds are available.

Resident John Contri spoke about letters from the Village regarding the parking of his work truck in his driveway. He also explained recent problems from parking his vehicle at a different location.

9. Village Clerk's Report.

Clerk Korynecky informed residents that early voting ends on Saturday, October 31, 2020. She said Elmhurst City Hall and the Addison Township Office are open Monday through Friday from 8:30 a.m. to 7 p.m. and from 9 a.m. to 5 p.m. on Saturday.

10. Village Trustees' Report.

Trustee Cilella wished residents a safe Halloween.

Trustee Murphy thanked Holly Sloan for making and distributing free face masks made by her sewing team.

Trustee Patrick had no report or recommendations.

Trustee Cuzzone said the Community Pride Commission will meet on October 27 at 5 p.m. at Village Hall and are accepting nominations for their Halloween decorating awards. He also said the Dan Gibbons Turkey Trot will be a virtual event this year. The App is available at www.dangibbonsturkeytrot.com.

Trustee Wagner thanked TriTown YMCA for their recent Nourished & Healthy Drive-thru Pantry and Flu Shot Clinic. He said the Villa Park Junior Women's Club Trick or Trot event is cancelled for this year but asked residents to support them and their programs. He said the Elmhurst Citizens Climate Lobby gave a presentation to the Environmental Concerns Commission on the non binding climate resolution that will be on the ballot. He also wished residents a happy and safe Halloween.

Trustee Tucker wished residents a safe Halloween and reminded them about All Saints Day on November 1.

11. Village President's Report.

President Bulthuis provided an update on COVID-19 from the DuPage County Health Department. He said the DuPage County Board plans to vote on October 27 on a resolution authorizing an additional \$2.5M for a new phase of the DuPage County Small Business Grant Relief Program to be designated exclusively to restaurants. Requirements for the program are on www.choosedupage.com/reinvest-dupage/. President Bulthuis encouraged residents to patronize local restaurants. He said the Census is over and the Villa Park response was at 80%. He announced the passing of Sid Bergh, a long time resident who had served on the board and the Cable Commission. He was a WWII Navy veteran and an active VFW member. President Bulthuis also wished residents a safe Halloween and reminded participants to turn on their front porch lights.

12. Village Manager's Report.

Manager Keehner had no report or recommendations.

13. Executive Session.

13.a. Pursuant to the General Provisions of the Open Meetings Act:

- a. 5ILCS 120/2 (c)(1) Personnel Matters
- b. 5ILCS 120/2 (c)(2) Collective Bargaining Matters
- c. 5ILCS 120/2 (c)(5) Purchase or Lease of Property
- d. 5ILCS 120/2 (c)(6) Sale or Lease of Property
- e. 5ILCS 120/2 (c)(11) Pending Litigation
- f. 5ILCS 120/2 (c)(21) Discussion of Closed Session Minutes

14. Motions.

14.a. Motion to Approve a Successor Labor Agreement between the Village of Villa Park and the American Federation of State, County and Municipal Employees, Local 964 Council 31, AFL-CIO Effective May 1, 2020 through April 30, 2022.

Motion to approve the Agreement was made by Trustee Cuzzone and seconded by Trustee Wagner. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Murphy, Tucker, Patrick, Wagner, Cuzzone and President Bulthuis. There were no nays. Motion carried.

15. Adjournment.

Motion to adjourn was made by Trustee Cuzzone and seconded by Trustee Wagner. Voice vote passed with all ayes. Motion carried. Meeting adjourned at 7:43 p.m.

Respectfully submitted,

Hosanna Korynecky
Village Clerk

Next Meeting is Scheduled for November 9, 2020.

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Kelly Kuechle

Submitting Department: Finance Department

Item Type: Bill Listing

Agenda Section: Consent Agenda

Subject:

Bill Listing for the Weeks of October 26 and November 2, 2020 in the Total Amount of \$1,700,291.21

Suggested Action:

Attachments:

[2020-1102 CY20 Weekly Check Report](#)

[2020-1026 CY20 Weekly Check Report](#)



VILLAGE OF VILLA PARK

List of Bills Presented to the Board of Trustees at its Meeting on November 9, 2020

Covering weekly check runs dated for:

November 2, 2020/CY20..... \$236,752.91

1 of 1

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Invoice.Batch = "WF1102","1026INT","110201"

Invoice.Detail.Type = {<>} "Adjustment"

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.210508 ESCROW: P. W. PROJECTS								
G-CAT CONSTRUCTION	PRFW20-1239	0	PUBLIC SIDEWALK BOND RLS; 504 N HARVA	1,000.00	.00		110201	
PAHNKE, NADINE	PRFW20-0767	0	PARKWAY BOND RLS; 420 S SUMMIT	450.00	.00		110201	
Total 10.210508 ESCROW: P. W. PROJECTS:				1,450.00	.00			
10.231145 P&Z DEPOSIT: MISCELLANEOUS								
COUNTY COURT REPORTERS INC	128387	0	MINUTES PZ-20-0014	305.80	.00		WF1102	
WRIGHT, DAVID	PZ20-0014	0	REFUND OF ESCROW ACCOUNT PZ-20-0014	111.40	.00		110201	
Total 10.231145 P&Z DEPOSIT: MISCELLANEOUS:				417.20	.00			
Total :				1,867.20	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.511.00.211 LEGAL SERVICES								
GARDINER KOCH WEISBERG	815	0	LEGAL SERVICES - RL MATTER	374.00	.00		WF1102	
GARDINER KOCH WEISBERG	816	0	LEGAL SERVICES - RL MATTER	22.00	.00		WF1102	
Total 10.511.00.211 LEGAL SERVICES:				396.00	.00			
10.511.00.212 LEGAL SERVICES-POLICE								
RAINES, SHAWNTE M	20-7	0	ADJUDICATORY HEARINGS 10.2020	1,020.00	.00		WF1102	
Total 10.511.00.212 LEGAL SERVICES-POLICE:				1,020.00	.00			
10.511.00.399 OTHER SUPPLIES								
VILLA PARK VFW 2801	DONATION	0	SID BERGH MEMORIAL DONATION	100.00	.00		110201	
Total 10.511.00.399 OTHER SUPPLIES:				100.00	.00			
10.511.00.655 PLANNING & ZONING COMMISSION								
COUNTY COURT REPORTERS INC	128387	0	MINUTES OCTOBER 8 2020	276.40	.00		WF1102	
Total 10.511.00.655 PLANNING & ZONING COMMISSION:				276.40	.00			
10.511.00.671 PARKS & REC ADVISORY COMMISSION								
RUIZ, PATTY	10.13.20	0	RECORDING SERV FOR PRAC	75.00	.00		WF1102	
Total 10.511.00.671 PARKS & REC ADVISORY COMMISSION:				75.00	.00			
Total PUBLIC AFFAIRS:				1,867.40	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.512.00.299 OTHER CONTRACTUAL SERVICES								
KEEHNER JR, RICH	RK 9.2020	0	PERS PHONE REIMB; SEPT 2020	35.89	.00		WF1102	
KEEHNER JR, RICH	RK 9.2020	0	PHONE USAGE REIMB; SEPT 2020	40.00	.00		WF1102	
Total 10.512.00.299 OTHER CONTRACTUAL SERVICES:				75.89	.00			
Total MANAGER:				75.89	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.513.00.210 TELEPHONE								
BAIG,RANA	SEPT-OCT 2020	0	PERS DEVICE PHONE REIM; SEPT 2020	24.99	.00		110201	
BAIG,RANA	SEPT-OCT 2020	0	PERS DEVICE PHONE REIM; OCT 2020	24.99	.00		110201	
BAIG,RANA	SEPT-OCT 2020	0	PERS USAGE PHONE REIM; SEPT 2020	24.99	.00		110201	
BAIG,RANA	SEPT-OCT 2020	0	PERS USAGE PHONE REIM; OCT 2020	24.99	.00		110201	
Total 10.513.00.210 TELEPHONE:				99.96	.00			
10.513.00.317 OFFICE SUPPLIES								
AMERICAN PRINTING TECHNOLOGIE	20-VP10B	0	UTILITY BILL ENVELOPES	1,129.78	.00		110201	
Total 10.513.00.317 OFFICE SUPPLIES:				1,129.78	.00			
Total FINANCE:				1,229.74	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.514.00.303 DUES & PUBLICATIONS								
ROTARY CLUB OF VILLA PARK	442	0	APRIL-JUNE 2020 DUES - PB	50.00	.00		110201	
Total 10.514.00.303 DUES & PUBLICATIONS:				50.00	.00			
Total COMMUNITY DEVELOPMENT:				50.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.518.00.215 SHOP SERVICES								
CINTAS CORPORATION #344	4065233938	0	UNIFORMS, TOWELS	47.30	.00		WF1102	
Total 10.518.00.215 SHOP SERVICES:				47.30	.00			
Total GARAGE:				47.30	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.520.01.263 POST RETIREMENT BENEFITS								
BREGMAN, MARC	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
DE FILIPPIS, BENJAMIN	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
MCNAMARA, JAMES J	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
ZORICH, EDWARD	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
Total 10.520.01.263 POST RETIREMENT BENEFITS:				500.00	500.00			
10.520.09.299 OTHER CONTRACTUAL SERVICES								
ILLINOIS SECRETARY OF STATE	DISBURSEMENT102120	0	TITLE AND PLATES FOR 197 & 198	316.00	.00		WF1102	
Total 10.520.09.299 OTHER CONTRACTUAL SERVICES:				316.00	.00			
10.520.09.320 K-9								
AMERICAN ALUMINUM ACCESSORIES	98325	0	VAULT BASKET FOR K9 VEHICLE	1,713.00	.00		WF1102	
Total 10.520.09.320 K-9:				1,713.00	.00			
Total POLICE:				2,529.00	500.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.521.01.263 POST RETIREMENT BENEFITS								
BYRON, MICHAEL	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
DUSKI, MARK	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
VICELLI, LOUIS	OCT 2020	0	POST RETIREMENT BENEFIT; OCT 2020	125.00	125.00	10/26/2020	1026INT	
Total 10.521.01.263 POST RETIREMENT BENEFITS:				375.00	375.00			
Total FIRE:				375.00	375.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.524.02.299 OTHER CONTRACTUAL SERVICES								
KUUSAKOSKI US LLC	A-7765	0	ELECTRONIC RECYCLING	1,458.09	.00		110201	
Total 10.524.02.299 OTHER CONTRACTUAL SERVICES:				1,458.09	.00			
Total GARBAGE:				1,458.09	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.525.25.219 UTILITY - ELECTRIC								
CONSTELLATION NEW ENERGY INC	18429202801 10/20	0 0 E WISCONSIN AVE ; 7/21-8/19/20		362.90	.00		110201	
CONSTELLATION NEW ENERGY INC	18502482001 10/20	0 1 S CENTRAL AVE; 9/10-10/6/20		20.11	.00		110201	
Total 10.525.25.219 UTILITY - ELECTRIC:				383.01	.00			
10.525.25.299 OTHER CONTRACTUAL SERVICES								
H & H ELECTRIC COMPANY	35632	0 SEPTEMBER TRAFFIC SIGNAL MAINTENAN		832.00	.00		110201	
Total 10.525.25.299 OTHER CONTRACTUAL SERVICES:				832.00	.00			
Total STREET:				1,215.01	.00			
Total CORPORATE FUND:				10,714.63	875.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
19.520.01.212 LEGAL SERVICES - POLICE DUI								
SMITH & FULLER	3658	0	LEGAL - DUI PROSECUTION	3,705.30	.00		WF1102	
Total 19.520.01.212 LEGAL SERVICES - POLICE DUI:				3,705.30	.00			
19.520.01.401 DUI TECHNOLOGY CAPITAL OUTLAY								
CURRIE MOTORS	E8293E8292	0	2 2020 FORD UTILITY POLICE INTERCEPTO	66,108.00	.00		WF1102	
Total 19.520.01.401 DUI TECHNOLOGY CAPITAL OUTLAY:				66,108.00	.00			
Total POLICE:				69,813.30	.00			
Total DUI TECHNOLOGY FUND:				69,813.30	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
28.502.01.401 CAPITAL OUTLAY								
A LAMP CONCRETE CONTRACTORS I	16705	0	631 WILDWOOD AVE & ROTARY PARK SITE I	20,000.00	.00		WF1102	
Total 28.502.01.401 CAPITAL OUTLAY:				20,000.00	.00			
Total GENERAL:				20,000.00	.00			
Total TIF 4 FUND - ST. CHARLES RD:				20,000.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
29.502.01.299 OTHER CONTRACTUAL SERVICES								
GARDINER KOCH WEISBERG	814	0	LEGAL SERVICES - N. AVE TIF	858.00	.00		WF1102	
Total 29.502.01.299 OTHER CONTRACTUAL SERVICES:				858.00	.00			
Total GENERAL ADMINISTRATION:				858.00	.00			
Total TIF 3 FUND - NORTH AVENUE:				858.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
35.502.36.299 OTHER CONTRACTUAL SERVICES								
LABOUNTY, KIMBERLY	VPPR1003	0	CONTRACTUAL ADULT YOGA	384.60	.00		WF1102	
Total 35.502.36.299 OTHER CONTRACTUAL SERVICES:				384.60	.00			
35.502.36.311 PROGRAM SUPPLIES								
MICHAEL ANTHONY'S PIZZA	210129	0	OCT BIRTHDAY BUNCH LUNCH	85.00	.00		WF1102	
MICHAEL ANTHONY'S PIZZA	210839	0	SEP BIRTHDAY BUNCH LUNCH	68.00	.00		WF1102	
Total 35.502.36.311 PROGRAM SUPPLIES:				153.00	.00			
Total GENERAL:				537.60	.00			
Total RECREATION FUND:				537.60	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
60.502.03.292 ENGINEERING SERVICES								
CLARK DIETZ INC	429552	0	2020 STREET IMPROVEMENT-PHASE 3	22,514.49	.00		WF1102	
STRAND ASSOCIATES, INC.	0165232	0	MICHIGAN AVE (CENTRAL TO KENILWORTH)	14,855.29	.00		WF1102	
Total 60.502.03.292 ENGINEERING SERVICES:				37,369.78	.00			
60.502.10.292 ENGINEERING SERVICES								
CLARK DIETZ INC	429552	0	2020 STREET IMPROVEMENT-PHASE 3	19,543.89	.00		WF1102	
ILLINOIS EPA	ILR10BQ78	0	NOI FOR PLYMOUTH STREET PROJECT	250.00	.00		110201	
Total 60.502.10.292 ENGINEERING SERVICES:				19,793.89	.00			
Total GENERAL:				57,163.67	.00			
Total STREET IMPROVEMENT FUND:				57,163.67	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
68.502.02.292 ENGINEERING SERVICES								
V3 COMPANIES OF ILLINOIS	920324	0	PLAN REVIEW; 743 W NORTH AVE	5,229.95	.00		WF1102	
V3 COMPANIES OF ILLINOIS	920325	0	WETLAND FIELD VERIFICATION; HARVARD	440.75	.00		WF1102	
Total 68.502.02.292 ENGINEERING SERVICES:				5,670.70	.00			
Total GENERAL:				5,670.70	.00			
Total STORMWATER BUYOUT FUND:				5,670.70	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
82.502.02.292 ENGINEERING SERVICES								
STRAND ASSOCIATES, INC.	0165232	0	MICHIGAN AVE (CENTRAL TO KENILWORTH)	8,284.69	.00		WF1102	
Total 82.502.02.292 ENGINEERING SERVICES:				8,284.69	.00			
82.502.02.299 OTHER CONTRACTUAL SERVICES								
PRECISE MRM, LLC	200-1027751	0	AUTOMATIC VEHICLE LOCATION (AVL) MON	510.00	.00		WF1102	
Total 82.502.02.299 OTHER CONTRACTUAL SERVICES:				510.00	.00			
82.502.02.401 CAPITAL OUTLAY								
BME ELECTRIC, INC	6626709-2	0	CORNELL PUMP STATION GENERATOR REP	27,343.35	.00		WF1102	
BME ELECTRIC, INC	6626709-3	0	CORNELL PUMP STATION GENERATOR REP	12,798.97	.00		WF1102	
Total 82.502.02.401 CAPITAL OUTLAY:				40,142.32	.00			
Total GENERAL:				48,937.01	.00			
Total WATER SUPPLY FUND:				48,937.01	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
83.45108 RESIDENT FEES-WASTEWATER								
EDGAR, JASON	130 N SUMMIT REFUND	0	REFUND FOR COMPLIANCE INSPECTION	50.00	.00		110201	
Total 83.45108 RESIDENT FEES-WASTEWATER:				50.00	.00			
Total :				50.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
83.502.02.292 ENGINEERING SERVICES								
STRAND ASSOCIATES, INC.	0165232	0	MICHIGAN AVE (CENTRAL TO KENILWORTH)	1,142.71	.00		WF1102	
Total 83.502.02.292 ENGINEERING SERVICES:				1,142.71	.00			
83.502.02.299 OTHER CONTRACTUAL SERVICES								
PRECISE MRM, LLC	200-1027751	0	AUTOMATIC VEHICLE LOCATION (AVL) MON	510.00	.00		WF1102	
Total 83.502.02.299 OTHER CONTRACTUAL SERVICES:				510.00	.00			
83.502.02.401 CAPITAL OUTLAY								
A LAMP CONCRETE CONTRACTORS I	16679	0	RESTRICTOR REPLACEMENT; MICHIGAN @	6,500.00	.00		WF1102	
Total 83.502.02.401 CAPITAL OUTLAY:				6,500.00	.00			
83.502.04.292 ENGINEERING SERVICES								
STRAND ASSOCIATES, INC.	0165232	0	MICHIGAN AVE (CENTRAL TO KENILWORTH)	14,855.29	.00		WF1102	
Total 83.502.04.292 ENGINEERING SERVICES:				14,855.29	.00			
Total GENERAL:				23,008.00	.00			
Total WASTEWATER FUND:				23,058.00	.00			
Grand Totals:				236,752.91	875.00			

	<u>Amount Paid</u>
CORPORATE FUND	
Total CORPORATE FUND:	<u>10,714.63</u>
DUI TECHNOLOGY FUND	
Total DUI TECHNOLOGY FUND:	<u>69,813.30</u>
TIF 4 FUND - ST. CHARLES RD	
Total TIF 4 FUND - ST. CHARLES RD:	<u>20,000.00</u>
TIF 3 FUND - NORTH AVENUE	
Total TIF 3 FUND - NORTH AVENUE:	<u>858.00</u>
RECREATION FUND	
Total RECREATION FUND:	<u>537.60</u>
STREET IMPROVEMENT FUND	
Total STREET IMPROVEMENT FUND:	<u>57,163.67</u>
STORMWATER BUYOUT FUND	
Total STORMWATER BUYOUT FUND:	<u>5,670.70</u>
WATER SUPPLY FUND	
Total WATER SUPPLY FUND:	<u>48,937.01</u>
WASTEWATER FUND	
Total WASTEWATER FUND:	<u>23,058.00</u>
Grand Totals:	<u><u>236,752.91</u></u>

Amount Paid

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE

10/28/2020

APPROVED BY



Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Invoice Detail.Adjustmentid = {IS NULL}

Invoice.Batch = "WF1102","1026INT","110201"



VILLAGE OF VILLA PARK

List of Bills Presented to the Board of Trustees at its Meeting on November 9, 2020

Covering weekly check runs dated for:

October 26, 2020/CY20\$1,463,538.30

1 of 1

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Invoice.Batch = "102601","WF1026","1016INT"

Invoice.Detail.Type = {<>} "Adjustment"

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.210508 ESCROW: P. W. PROJECTS								
MANCO HOMES	PRNC19-1646	0	REIMB RE BND PMT; 1516 S EUCLID	3,127.58	.00		102601	
THORNTON, MICHAEL	PRFW20-1208	0	REIMB PRKWY BOND; 1105 S EUCLID	135.00	.00		102601	
Total 10.210508 ESCROW: P. W. PROJECTS:				3,262.58	.00			
10.231106 UNCLAIMED PROPERTY								
TREASURER, STATE OF ILLINOIS	FY2019-7/30/17	0	FY2016-07/30/17 UNCLAIMED PROPERTY RE	1,558.35	.00		102601	
Total 10.231106 UNCLAIMED PROPERTY:				1,558.35	.00			
Total :				4,820.93	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.511.00.211 LEGAL SERVICES								
ROBBINS SCHWARTZ	874715	0	LEGAL SERVICES - PROSECUTIONS	2,925.00	.00		WF1026	
ROBBINS SCHWARTZ	874716	0	LEGAL SERVICES - FM PROP VIOLATIONS	1,125.00	.00		WF1026	
Total 10.511.00.211 LEGAL SERVICES:				4,050.00	.00			
10.511.00.299 OTHER CONTRACTUAL SERVICES								
FEDEX	7-150-21043	0	BOARD PACKET MAILING TO ATTY	9.19	.00		WF1026	
SUNCOM.TV	3579	0	BOARD MEETING PRODUCTION AUG SEPT	900.00	.00		WF1026	
Total 10.511.00.299 OTHER CONTRACTUAL SERVICES:				909.19	.00			
10.511.00.653 SENIOR CITIZENS COMMISSION								
KORYNECKY, HOSANNA	101420SALT	0	REIM SALT MTG LUNCHEON - DILEO'S	298.00	.00		WF1026	
Total 10.511.00.653 SENIOR CITIZENS COMMISSION:				298.00	.00			
Total PUBLIC AFFAIRS:				5,257.19	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.512.00.299 OTHER CONTRACTUAL SERVICES								
COMCAST INTERNET	89958757 10/20	0	INTERNET SERVICE; 10/15-11/14/20	2,492.70	.00		102601	
Total 10.512.00.299 OTHER CONTRACTUAL SERVICES:				2,492.70	.00			
10.512.01.299 OTHER CONTRACTUAL SERVICES								
CURRENT TECHNOLOGIES CORP	725733	0	ONSITE IT CONSULTANT	437.50	.00		WF1026	
Total 10.512.01.299 OTHER CONTRACTUAL SERVICES:				437.50	.00			
Total MANAGER:				2,930.20	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.513.00.299 OTHER CONTRACTUAL SERVICES								
CONNECT SEARCH LLC	S1016947	0	TEMPORARY STAFF SERVICES	1,122.00	.00		102601	
CONNECT SEARCH LLC	S1017768	0	TEMPORARY STAFF SERVICES	1,320.00	.00		102601	
CONNECT SEARCH LLC	S1018957	0	TEMPORARY STAFF SERVICES	1,287.00	.00		102601	
Total 10.513.00.299 OTHER CONTRACTUAL SERVICES:				3,729.00	.00			
Total FINANCE:				3,729.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.515.00.270 MAINT OF OFFICE EQUIPMENT								
GFC LEASING	100613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	2,043.00	.00		102601	
Total 10.515.00.270 MAINT OF OFFICE EQUIPMENT:				2,043.00	.00			
Total CENTRAL SERVICES:				2,043.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.516.00.299 OTHER CONTRACTUAL SERVICES								
JOHNSON CONTROLS SECURITY SOL	34950102	0	VH FIRE ALARM WIRELESS MONITORING	173.35	.00		WF1026	
JOHNSON CONTROLS SECURITY SOL	34950103	0	MUSEUM FIRE ALARM WIRELESS MONIT.	173.35	.00		WF1026	
Total 10.516.00.299 OTHER CONTRACTUAL SERVICES:				346.70	.00			
Total BUILDINGS & GROUNDS:				346.70	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.518.00.215 SHOP SERVICES								
CINTAS CORPORATION #344	4063831711	0	UNIFORM, TOWELS	47.30	.00		WF1026	
CINTAS CORPORATION #344	4064544644	0	MATS, UNIFORMS, TOWELS	57.30	.00		WF1026	
Total 10.518.00.215 SHOP SERVICES:				104.60	.00			
Total GARAGE:				104.60	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.519.00.299 OTHER CONTRACTUAL SERVICES								
B & F CONSTRUCTION CODE SERVIC	13517	0	PLUMBING INSPECTIONS SEPT 2020	618.40	.00		WF1026	
MINUTEMAN PRESS	41219	0	BUILDING PERMIT ENVELOPES	444.00	.00		WF1026	
Total 10.519.00.299 OTHER CONTRACTUAL SERVICES:				1,062.40	.00			
Total ENGINEERING:				1,062.40	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.520.07.280 DUCOMM								
DU-COMM	17320	0	QUARTLY SHARES NOV/DEC/JAN 2021	18,312.25	.00		WF1026	
Total 10.520.07.280 DUCOMM:				18,312.25	.00			
Total POLICE:				18,312.25	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.521.01.210 TELEPHONE								
STAPLETON, STEVEN	CELL PHONE REIM SEPT	0	PERS DEVICE PHONE REIMB; SEPT 2020	24.99	.00		WF1026	
STAPLETON, STEVEN	CELL PHONE REIM SEPT	0	PERS DEVICE USAGE REIMB; SEPT 2020	24.99	.00		WF1026	
STAPLETON, STEVEN	CELL PHONE REIM SEPT	0	PERS DEVICE USAGE REIMB; OCT 2020	24.99	.00		WF1026	
STAPLETON, STEVEN	CELL PHONE REIM SEPT	0	PERS DEVICE PHONE REIMB; OCT 2020	24.99	.00		WF1026	
Total 10.521.01.210 TELEPHONE:				99.96	.00			
10.521.22.202 TRAINING & CONFERENCES								
ROMEDEVILLE, VILLAGE OF	2020-302	0	CLAIRARDIN TO INCIDENT SAFETY OFFICE	345.00	.00		WF1026	
ROMEDEVILLE, VILLAGE OF	2020-302	0	MITSUKA TO INCIDENT SAFETY OFFICER CL	345.00	.00		WF1026	
Total 10.521.22.202 TRAINING & CONFERENCES:				690.00	.00			
10.521.22.299 OTHER CONTRACTUAL SERVICES								
ACE HARDWARE, VILLA PARK	17029	0	FUEL FOR SMALL TOOL MAIN	30.36	.00		WF1026	
Total 10.521.22.299 OTHER CONTRACTUAL SERVICES:				30.36	.00			
Total FIRE:				820.32	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.523.02.280 DUCOMM								
DU-COMM	17362	0	FACILITY COSTS NOV/DEC/JAN 2021	847.22	.00		WF1026	
Total 10.523.02.280 DUCOMM:				847.22	.00			
10.523.02.399 OTHER SUPPLIES								
TERRACE SUPPLY COMPANY	70482054	0	THERAPY OXYGEN CYLINDERS	45.58	.00		WF1026	
Total 10.523.02.399 OTHER SUPPLIES:				45.58	.00			
Total AMBULANCE/PARAMEDIC:				892.80	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.524.02.299 OTHER CONTRACTUAL SERVICES								
ROY STROM REFUSE REMOVAL INC	0000108900	0	TRASH AND BRUSH REMOVAL	122,248.10	.00		WF1026	
Total 10.524.02.299 OTHER CONTRACTUAL SERVICES:				122,248.10	.00			
Total GARBAGE:				122,248.10	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
10.525.01.270 MAINT OF OFFICE EQUIPMENT								
GFC LEASING	100613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	139.93	.00		102601	
Total 10.525.01.270 MAINT OF OFFICE EQUIPMENT:				139.93	.00			
10.525.28.287 TREE REMOVAL & TRIMMING								
SITE ONE LANDSCAPE SUPPLY	10393385-001	0	MAPLE FREEMAN TREE	195.00	.00		102601	
SITE ONE LANDSCAPE SUPPLY	103973366-001	0	8 MAPLE FREEMAN TREES, 7 MAPLE RED T	2,925.00	.00		102601	
Total 10.525.28.287 TREE REMOVAL & TRIMMING:				3,120.00	.00			
Total STREET:				3,259.93	.00			
Total CORPORATE FUND:				165,827.42	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
35.502.01.270 MAINT OF OFFICE EQUIPMENT								
GFC LEASING	I00613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	223.89	.00		102601	
GFC LEASING	I00613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	307.16	.00		102601	
Total 35.502.01.270 MAINT OF OFFICE EQUIPMENT:				531.05	.00			
35.502.01.299 OTHER CONTRACTUAL SERVICES								
GORDON FLESCH CO., INC	IN13084656	0	SEP ICC COPIER IMAGES	481.97	.00		WF1026	
Total 35.502.01.299 OTHER CONTRACTUAL SERVICES:				481.97	.00			
35.502.01.303 DUES & PUBLICATIONS								
KIWANIS CLUB OF VILLA PARK	21-103	0	ANNUAL CLUB DUES,GOLA	135.00	.00		WF1026	
Total 35.502.01.303 DUES & PUBLICATIONS:				135.00	.00			
35.502.16.299 OTHER CONTRACTUAL SERVICES								
JOHNSON CONTROLS SECURITY SOL	34950101	0	ICC FIRE ALARM WIRELESS MONITORING	173.35	.00		WF1026	
Total 35.502.16.299 OTHER CONTRACTUAL SERVICES:				173.35	.00			
35.502.36.299 OTHER CONTRACTUAL SERVICES								
DUPAGE COUNTY HEALTH	JU11256	0	SEP MANDATED DCFS NURSE VISIT	100.00	.00		WF1026	
Total 35.502.36.299 OTHER CONTRACTUAL SERVICES:				100.00	.00			
35.502.36.311 PROGRAM SUPPLIES								
HOLY COW SPORTS INC	201253	0	PART TIME STAFF SHIRTS	72.00	.00		WF1026	
Total 35.502.36.311 PROGRAM SUPPLIES:				72.00	.00			
Total GENERAL:				1,493.37	.00			
Total RECREATION FUND:				1,493.37	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
36.502.01.270 MAINT OF OFFICE EQUIPMENT								
GFC LEASING	I00613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	111.94	.00		102601	
Total 36.502.01.270 MAINT OF OFFICE EQUIPMENT:				111.94	.00			
Total GENERAL:				111.94	.00			
Total PARKS FUND:				111.94	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
60.502.03.292 ENGINEERING SERVICES								
CIVILTECH ENGINEERING INC	49303	0	PLYMOUTH ST IMPROVEMENT PROJECT BI	1,069.38	.00		WF1026	
SOIL & MATERIAL CONSULTANTS	45748	0	2020 ASTOR MYRTLE EUCLID - MATERIALS	736.00	.00		WF1026	
Total 60.502.03.292 ENGINEERING SERVICES:				1,805.38	.00			
60.502.03.299 OTHER CONTRACTUAL SERVICES								
UNITED ENTERPRISE LLC	2020-Mich-1	0	MICHIGAN AVE. IMPROVEMENT PROJECT	161,866.26	.00		WF1026	
Total 60.502.03.299 OTHER CONTRACTUAL SERVICES:				161,866.26	.00			
60.502.10.299 OTHER CONTRACTUAL SERVICES								
A LAMP CONCRETE CONTRACTORS I	16696	0	2020 STREET IMPROVEMENT PROJECT	750,169.84	.00		WF1026	
UNITED ENTERPRISE LLC	2020-Mich-1	0	MICHIGAN AVE. IMPROVEMENT PROJECT	197,836.53	.00		WF1026	
Total 60.502.10.299 OTHER CONTRACTUAL SERVICES:				948,006.37	.00			
Total GENERAL:				1,111,678.01	.00			
Total STREET IMPROVEMENT FUND:				1,111,678.01	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
65.502.02.402 NON-CAPITAL OUTLAY								
MAC'S FIRE & SAFETY, INC.	123754	0	(6) RED FIRE HOSE 1.75"X50'	952.00	.00		WF1026	
Total 65.502.02.402 NON-CAPITAL OUTLAY:				952.00	.00			
Total GENERAL:				952.00	.00			
Total EQUIPMENT REPLACEMENT FUND:				952.00	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
68.502.02.292 ENGINEERING SERVICES								
V3 COMPANIES OF ILLINOIS	820413	0	PLAN REVIEW; BONE ROOFING	1,897.42	.00		WF1026	
V3 COMPANIES OF ILLINOIS	920322	0	PLAN REVIEW; 923 S VILLA	748.98	.00		WF1026	
V3 COMPANIES OF ILLINOIS	920323	0	PLAN REVIEW; BONE ROOFING	299.59	.00		WF1026	
Total 68.502.02.292 ENGINEERING SERVICES:				2,945.99	.00			
68.502.10.299 OTHER CONTRACTUAL SERVICES								
FRENCH, CLAYTON	636 S HARVARD-1	0	VILLAGE SHARE OF DRAINAGE ASST PROG	5,962.50	.00		102601	
Total 68.502.10.299 OTHER CONTRACTUAL SERVICES:				5,962.50	.00			
Total GENERAL:				8,908.49	.00			
Total STORMWATER BUYOUT FUND:				8,908.49	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
82.502.01.270 MAINT OF OFFICE EQUIPMENT								
GFC LEASING	I00613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	139.93	.00		102601	
Total 82.502.01.270 MAINT OF OFFICE EQUIPMENT:				139.93	.00			
82.502.01.299 OTHER CONTRACTUAL SERVICES								
COMCAST INTERNET	89958757 10/20	0	INTERNET SERVICE; 10/15-11/14/20	65.60	.00		102601	
Total 82.502.01.299 OTHER CONTRACTUAL SERVICES:				65.60	.00			
82.502.02.299 OTHER CONTRACTUAL SERVICES								
UNITED ENTERPRISE LLC	2020-Mich-1	0	MICHIGAN AVE. IMPROVEMENT PROJECT	100,565.67	.00		WF1026	
Total 82.502.02.299 OTHER CONTRACTUAL SERVICES:				100,565.67	.00			
Total GENERAL:				100,771.20	.00			
Total WATER SUPPLY FUND:				100,771.20	.00			

Vendor Name	Invoice Number	Activity	Description	Invoice Amt	Amount Paid	Date Paid	Batch	Voided
83.502.01.105 SALARIES: PART-TIME								
CONNECT SEARCH LLC	S1019016	0	TEMPORARY STAFF SERVICES	990.00	.00		102601	
Total 83.502.01.105 SALARIES: PART-TIME:				990.00	.00			
83.502.01.270 MAINT OF OFFICE EQUIPMENT								
GFC LEASING	I00613903	0	COPIERS/PRINTERS LEASE; 11/5-12/4/20	139.93	.00		102601	
Total 83.502.01.270 MAINT OF OFFICE EQUIPMENT:				139.93	.00			
83.502.01.299 OTHER CONTRACTUAL SERVICES								
COMCAST INTERNET	89958757 10/20	0	INTERNET SERVICE; 10/15-11/14/20	65.60	.00		102601	
Total 83.502.01.299 OTHER CONTRACTUAL SERVICES:				65.60	.00			
83.502.02.299 OTHER CONTRACTUAL SERVICES								
B & F CONSTRUCTION CODE SERVIC	13517	0	INI INSPECTIONS SEPT 2020	278.40	.00		WF1026	
CN	YALE IMP PROJ	0	LICENSE AGREEMENT FEES TO CN FOR YA	4,800.00	4,800.00	10/16/2020	1016INT	
U.S. BANCORP GOVERNMENT	2ND PMT	0	SECOND PAYMENT - SEWER TV TRUCK LEA	49,878.52	.00		102601	
UNITED ENTERPRISE LLC	2020-Mich-1	0	MICHIGAN AVE. IMPROVEMENT PROJECT	17,643.42	.00		WF1026	
Total 83.502.02.299 OTHER CONTRACTUAL SERVICES:				72,600.34	4,800.00			
Total GENERAL:				73,795.87	4,800.00			
Total WASTEWATER FUND:				73,795.87	4,800.00			
Grand Totals:				1,463,538.30	4,800.00			

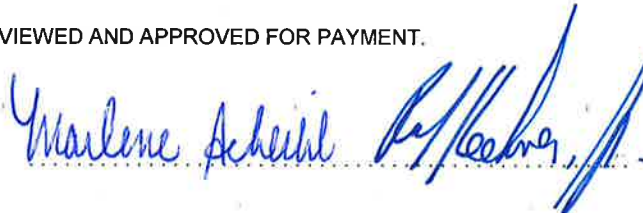
	<u>Amount Paid</u>
CORPORATE FUND	
Total CORPORATE FUND:	<u>165,827.42</u>
RECREATION FUND	
Total RECREATION FUND:	<u>1,493.37</u>
PARKS FUND	
Total PARKS FUND:	<u>111.94</u>
STREET IMPROVEMENT FUND	
Total STREET IMPROVEMENT FUND:	<u>1,111,678.01</u>
EQUIPMENT REPLACEMENT FUND	
Total EQUIPMENT REPLACEMENT FUND:	<u>952.00</u>
STORMWATER BUYOUT FUND	
Total STORMWATER BUYOUT FUND:	<u>8,908.49</u>
WATER SUPPLY FUND	
Total WATER SUPPLY FUND:	<u>100,771.20</u>
WASTEWATER FUND	
Total WASTEWATER FUND:	<u>73,795.87</u>
Grand Totals:	<u><u>1,463,538.30</u></u>

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE

10-21-2020

APPROVED BY


.....
.....

Amount Paid

Report Criteria:

Invoices with totals above \$0 included. -

Paid and unpaid invoices included.

Invoice Detail.Adjustmentid = {IS NULL}

Invoice.Batch = "102601","WF1026","1016INT"

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Kelly Kuechle

Submitting Department: Village Manager's Office

Item Type: Report/Presentation

Agenda Section: Presentations

Subject:

Community Pride Commission's Halloween Decoration Awards

Suggested Action:

Representatives of the Community Pride Commission will present the 2020 Halloween Decoration Awards.

Attachments:

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Kelly Kuechle

Submitting Department: Village Board

Item Type: Ordinances

Agenda Section: Ordinances

Subject:

Ordinance of the Village of Villa Park, DuPage County, Illinois, Establishing Temporary Executive Powers Pursuant to Chapter 8, Article III, Sections 8-301 - 308 of the Villa Park Municipal Code, 65 ILCS 5/11-1-6 of the Illinois Municipal Code, and 20 ILCS 3305-11 of the Illinois Emergency Management Act

Suggested Action:

It is the policy of the Village of Villa Park that the Village be prepared to address any emergency. Therefore, in response to the significant outbreak of the Coronavirus (COVID-19) in the United States, pursuant to Chapter 8, Article III Sections 8-301 – 8-308 of the Village of Villa Park Municipal Code, 65 ILCS 5/11-1-6 of the Illinois Municipal Code, and 20 ILCS 3305-11 of the Illinois Emergency Management Agency Act, it is necessary and appropriate to authorize the Village President to exercise extraordinary power and authority, by executive order, during this state of disaster/emergency to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the Village remain safe and secure.

This ordinance extends the Temporary Executive Powers contained in Ordinance 4169, approved by the Village Board on October 26, 2020, until such time that the Village Board can reconvene in an open meeting.

Attachments:

[ORD - Exec Powers - COVID-19](#)

ORDINANCE NO. _____

**ORDINANCE OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS,
ESTABLISHING TEMPORARY EXECUTIVE POWERS PURSUANT TO CHAPTER 8,
ARTICLE III, SECTIONS 8-301 – 8-308 OF VILLA PARK MUNICIPAL CODE, 65 ILCS
5/11-1-6 AND SECTION 11 OF THE ILLINOIS MUNICIPAL CODE, AND THE
ILLINOIS EMERGENCY MANAGEMENT AGENCY ACT, 20 ILCS 3305/11**

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged in China; and

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions with symptoms similar to those of influenza; and

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and

WHEREAS, we are continuing our efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and

WHEREAS, the United States Centers for Disease Control (CDC), the United States Department of Health and Human Services (HHS), and the World Health Organization (WHO) have each determined that SARS-CoV-2 virus causes the COVID-19 respiratory disease, a new strain of coronavirus that had not been previously identified in humans and is easily spread from person to person which can result in serious illness or death; and

WHEREAS, thousands of confirmed cases of COVID-19 have been identified in the State of Illinois; to date, all of the cases in Illinois are in the greater Chicagoland area. On January 31, 2020, the Secretary of HHS declared a public health emergency for the entire United States of America concerning COVID-19. On March 9, 2020, Governor Pritzker issued a disaster proclamation concerning the spread of COVID-19 in Illinois. On March 11, 2020, WHO declared that the spread of COVID-19 is a global pandemic. On March 13, 2020, President Trump declared a national emergency concerning the COVID-19 pandemic. Finally, on March 15, 2020 DuPage County Board Chairman Cronin issued a disaster proclamation concerning the spread of COVID-19 in DuPage County; and

WHEREAS, the Illinois Department of Public Health has now confirmed localized community person-to-person transmission of COVID-19 in Illinois, significantly increasing the risk of exposure and infection to Illinois' general public and creating an extreme public health risk in the Village and throughout the State. As has been experienced in other locales in the United States and around the world, the SARS-CoV-2 virus has the potential to infect large numbers of people in a short amount of time, placing extreme burdens on the health care system and the economy; and

Ordinance No.: _____

WHEREAS, despite the best efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to spread; and

WHEREAS, as of November 1, 2020, there were 9,105,230 confirmed cases in the United States and 229,932 deaths; and

WHEREAS, as of November 1, 2020, there were 417,280 confirmed cases of COVID-19 in Illinois and 24,042 cases in DuPage County; and

WHEREAS, based on the foregoing, the corporate authorities of the Village of Villa Park recognize the potential of a public health emergency in the Village; and

WHEREAS, it is the policy of the Village of Villa Park that the Village will be prepared to address any emergencies and, therefore, pursuant to Chapter 8, Article III, Sections 8-3-01 – 8-3-08 of the Village of Villa Park municipal code and pursuant to 5/11-1-6 of the Illinois Municipal Code, it is necessary and appropriate to establish standards for the determination of whether a state of emergency exists authorizing the Village President to exercise extraordinary power and authority, by executive order, during the possible state of emergency, to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the Village remain safe and secure.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

SECTION ONE: The corporate authorities hereby establish standards for the determination of whether a state of disaster/emergency exists within the Village of Villa Park:

1. The existence of federal, state, or county directives or advisories on COVID-19 which impact any activities within the Village or specific instances of COVID-19 within the Village require action to ensure the safety of the general public or of Village officials and staff: and
2. The need for immediate, emergency action, which must occur before the next regular meeting of the Village Board of Trustees.

SECTION TWO: The standards enumerated in Section One having been met, the Village President shall provide, under oath, a statement declaring that a local state of disaster/emergency exists. This statement shall be filed with the Village Clerk as soon as practicable.

SECTION THREE: The corporate authorities hereby grant to the Village President, the extraordinary power and authority to exercise, by executive order, during the state of disaster/emergency, the powers of the corporate authorities as may be reasonably necessary to respond to the emergency to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the Village remain safe and secure.

Ordinance No.: _____

Emergency Regulations and Orders include:

1. *Emergency Purchasing.* The Village President directs that the Village may enter into contracts for the emergency purchase of goods and services that may be necessary for the preparation for, response to, and recovery from, the COVID-19 pandemic. The Village and the Village Manager are hereby authorized to execute such contracts in accordance with applicable law.
2. *Emergency Staffing.* This Ordinance constitutes a declaration of disaster/civil emergency under the Village's collective bargaining agreements. Accordingly, the Village President directs the Village Manager to implement such emergency staffing protocols and procedures as may be necessary for the preservation of public health and safety, and for the preservation of the health of Village employees. Specifically, and without limitation of the foregoing, the Village Manager is authorized to implement alternative staffing protocols, procedures, and shifts for the Village Fire, Police, and Public Works Departments.
3. *Cooperation with Other Government Agencies.* The Village President directs all Village officials and employees to take all practicable steps to coordinate the Village's resources and emergency operations with the State of Illinois, the County of DuPage, and other local governments in and around the Village, to best utilize resources of all agencies in the area for the preparation for, response to, and recovery from, the COVID-19 pandemic.

SECTION FOUR: The state of disaster/emergency and the Village President's extraordinary power and authority provided in Section Three shall expire not later than the adjournment of the first regular meeting of the corporate authorities after the state of disaster/emergency is declared.

SECTION FIVE: As the state of disaster/emergency has been declared, at the first regular meeting of the corporate authorities, the corporate authorities may ratify the actions taken by the Village President during the state of disaster/emergency, and determine, by resolution, whether the state of emergency should continue and any extension of the Village President's temporary extraordinary powers.

SECTION SIX: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such as decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION SEVEN: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of conflict or inconsistency.

SECTION EIGHT: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Ordinance No.: _____

APPROVED this ____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

Albert Bulthuis, Village President
Village of Villa Park, DuPage County, Illinois

ATTESTED and filed in my office,
This _____ day of _____, 2020

Hosanna Korynecky, Village Clerk
Village of Villa Park, DuPage County, Illinois

November 2020

Ordinance for Sale of Village Vehicles

1. PW Unit #27 1995 GMC P3500 VIN: ***1397 (9,945 miles) minimum bid \$500
2. PW Unit #31 1999 Ford F350 VIN: ***5237 (52,029 miles) minimum bid \$500

Descriptions of Vehicles

1. Used for recording video of sewer lines, truck is a bread truck style body, camera equipment is still on truck but is not working and needs repair. The vehicle was replaced with a new box truck and new camera equipment so the old one is being sold at auction as it is no longer needed and is twenty five years old.
2. Used by the sign shop. The vehicle has dual rear wheels and has an aluminum utility body, vehicle has some small dents and scratches and rusting of body. This truck was replaced with a new bucket truck and is no longer needed in the fleet, truck is twenty one years old.

ORDINANCE NO. _____

**ORDINANCE AUTHORIZING THE SALE BY PUBLIC AUCTION OF PERSONAL
PROPERTY AND SEIZED VEHICLES OWNED BY THE VILLAGE OF VILLA PARK**

WHEREAS, in the opinion of at least three-fourths of the corporate authorities of the Village of Villa Park, DuPage County, Illinois, it is no longer necessary or useful to or for the best interests of the Village of Villa Park, Illinois, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the President and Board of Trustees of the Village of Villa Park, Illinois, to sell said personal property by internet public auction conducted by an Online Auction Service.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Villa Park as follows:

Section One: Pursuant to 65 ILCS 5/11-76-4 the President and Board of Trustees of the Village of Villa Park find that the following described personal property now owned by the Village of Villa Park, is no longer necessary or useful to the Village of Villa Park and the best interests of the Village of Villa Park will be served by its sale:

VEHICLE TYPE	YEAR	MAKE	MODEL	LAST 4 OF VIN	MIN. PRICE
#27	1995	GMC	P350	1397	\$500
#31	1999	FORD	F350	5237	\$500

Section Two: Pursuant to said 65 ILCS 5/11-76-4, the Village Manager is hereby authorized and directed to sell the aforementioned personal property now owned by the Village of Villa Park, at a live internet public auction, being conducted by an Online Auction Service at the Villa Park Municipal Garage of Villa Park, Illinois, to the highest bidder on said property.

Section Three: The Village Manager is hereby authorized and may direct the Online Auction Service to enter into an agreement for the sale of said personal property. The Online Auction Service will charge a nominal administrative fee which will come out of the proceeds from the sale of surplus vehicles and/or equipment.

Section Four: Upon payment of the full auction price, the Village Manager is hereby authorized and directed to convey and transfer title to the aforesaid personal property, to the successful bidder.

Ordinance No: _____

Section Five: This Ordinance shall be in full force and effect from and after its passage, by a vote of a majority of the corporate authorities holding office, and approval in the manner provided by law.

ADOPTED this __ day of _____, 2020, pursuant to a roll call vote as follows:

PASSED and **APPROVED** this _ day of _____, 2020.

VILLAGE OF VILLA PARK

President, Village of Villa Park

ATTEST:

Clerk, Village of Villa Park

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Consuelo Arguilles

Submitting Department: Community Development

Item Type: Ordinances

Agenda Section: Ordinances

Subject:

Ordinance of the Village of Villa Park, DuPage County, Illinois Granting a Variance to Allow a Pool in the Front Yard and a Variance to Allow a Six Foot (6') Tall Fence in the Front Yard at 580 E. Kolberg Court (David and Amy Wright, Petitioners)

Suggested Action:

The owners of 580 E. Kolberg Court (at the corner of Kolberg Court and Wayside Drive) would like to install an above-ground pool in their front yard surrounded by a six-foot tall privacy fence. Village Code allows up to a three-foot (3') privacy fence and up to a four-foot (4') open fence in the front yard. The petitioners therefore seek a variance to install a 15'x30' above-grade pool east of the home in the front yard, as well as a second variation allowing a six foot (6') fence in the front yard. Following a Public Hearing held on October 8, 2020, the Planning and Zoning Commission unanimously recommended approval of this request.

Attachments:

[MEMO - PZ-20-0014 - Variations - 580 E. Kolberg Ct](#)

[Plat of Survey - Site Plan](#)

[Minutes PZ-20-0014](#)

[ORD - Kolberg Fence and Pool Variation](#)

[Exhibit A](#)

[Exhibit B](#)

Village of Villa Park

Community Development Department, 11 W. Home Avenue, Villa Park, IL 60181



TO: Planning & Zoning Commission
FROM: Community Development Department
DATE: October 28, 2020
RE: Petition PZ-20-0014 / 580 Kolberg Court / Variations / Wright Residence

Property Address: 580 E. Kolberg Court
Petition: PZ-20-0014
PIN: 06-15-402-012

Petitioner/Owner: David and Amy Wright
VB Meeting: November 9, 2020
Lot Size: ± 10,699 square feet, 0.24 acres

Present Zoning / Land Use: RS-10 Residential Single-Dwelling District / Single-Family Home
Surrounding Zoning / Land Uses: RS-10 Residential Single-Dwelling District / Residential uses

Comprehensive Plan Designation

Single-Family Residential – This land use category is intended for detached single-family residential dwellings of generally one to two stories in height. This classification encompasses most of the Village's established residential neighborhoods.

Zoning Requests

- 1) Variation to allow a pool in the front yard.
- 2) Variation to allow a six foot (6') privacy fence in the front yard.

Location Map



Background

The subject property is on the south end of the block located on the west side of Wayside Drive in-between E. Lane Drive and Kolberg Court. The block was previously made up of two lots, but is now made up of three lots. This occurred when the lot fronting Kolberg was subdivided into two, which are now the subject property and the adjacent lot known as 1242 Wayside Drive.

The subject property's lot line abutting Wayside Drive yard is considered the front because it is the shorter street lot line on the corner lot. The side lot line facing Kolberg Court is considered the side street yard.

Per the York Township Assessor's Office, the subject property was built in 1954. The property was recently was remodeled, including the addition of a three car garage.

Summary of Request:

The Petitioners would like to install a 15'x30' above grade pool east of the home and in the front yard (Wayside Drive). Village Code does not permit pools in the front yard; only in the rear yard. Therefore, the petitioners seek a Variation to allow a swimming pool in the front yard.

The Petitioners' proposal also includes a six foot (6') vinyl fence in the front yard. The vinyl fence would be a privacy/solid fence for most of the fence line and will change to an open vinyl fence. Code defines solid fences as less than seventy-five (75) percent open when viewed from an angle of ninety (90) degrees. An open fence is any fence that when viewed from an angle of ninety (90) degrees, is at least seventy-five (75) percent open. Village Code allows up to a three foot (3') privacy fence and up to a four foot (4') open fence in the front yard. The petitioners seek a Variation to allow a six foot (6') fence in the front yard.

The petitioners' application reference three other corner lots in the Village of Villa Park with fences in the street side yards – 400 E. Riordan Road, 430 Kolberg Court, and 405 S. Villa Avenue. Village staff reviewed and found a fence permit for 430 Kolberg Court was issued in 2004. This fence is considered legal nonconforming as it was permitted prior to the current zoning ordinance (effective date of July 1, 2018). Record of fence permits or Variations granted for 400 E. Riordan Road or 405 S. Villa Avenue were not found.

Standards for Variation:

- 1. That the proposed variance at the proposed location is necessary to overcome a particular hardship or practical difficulty;**
The subject property was subdivided prior to the Petitioners purchasing the property. The front yard as Village Code defines is the only space for outdoor activities.
- 2. That a reasonable return or use of the property is not possible under the existing regulations;**
Village Code does not permit pools or a six foot (6') privacy fences in the front yard.
- 3. The existing situation is unique (not applicable in other properties in the area or zoning)S;**

The subject property is unique because it is a corner lot with no practical rear yard and not much of an interior side yard. What is considered a backyard consists of the garage. When the property was subdivided it converted the only usable open space into the front yard.

4. **That the proposed variation will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property; not increase hazard from fire; not impair property values in the neighborhood; not unduly increase congestion on the streets, or otherwise impair public safety; health and convenience;**
- It is unlikely that the variances will not alter the essential character of the area. The property at the opposite end of the block has a privacy fence enclosing their street yard and does not pose a safety concern, alter the essential character of the property. Instead the proposed fence improves the property with white vinyl fencing.

On the October 8th, 2020 public hearing, the Planning & Zoning Commission unanimously recommended approval of the variances without conditions of approval, with a finding of fact that variance meets the standards enumerated in Article 11.5 of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance.

Attached to this memo is the plat of survey/site plan, fence and pool exhibits, and minutes from the Planning & Zoning Commission meeting.

Requested Action:

If the Village Board finds in support of the applicant's request, they should approve the attached ordinance:

To approve Application PZ-20-0014 for the following:

1. Variation to allow a pool in the front yard; and
2. Variation to allow a six foot (6') tall fence in the front yard.

For the property located at 580 E. Kolberg Court, PIN: 06-15-402-012.

With a finding of fact that such variance meets the standards enumerated in Article 11.5. of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance.

ZONING AND PLANNING ACTION:

Majority of quorum.

 7 AYES, NAYS

VILLAGE BOARD VOTE REQUIRED:

Two-thirds of all member of the Village Board.

 AYES, NAYS

PLAT OF SURVEY

LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262

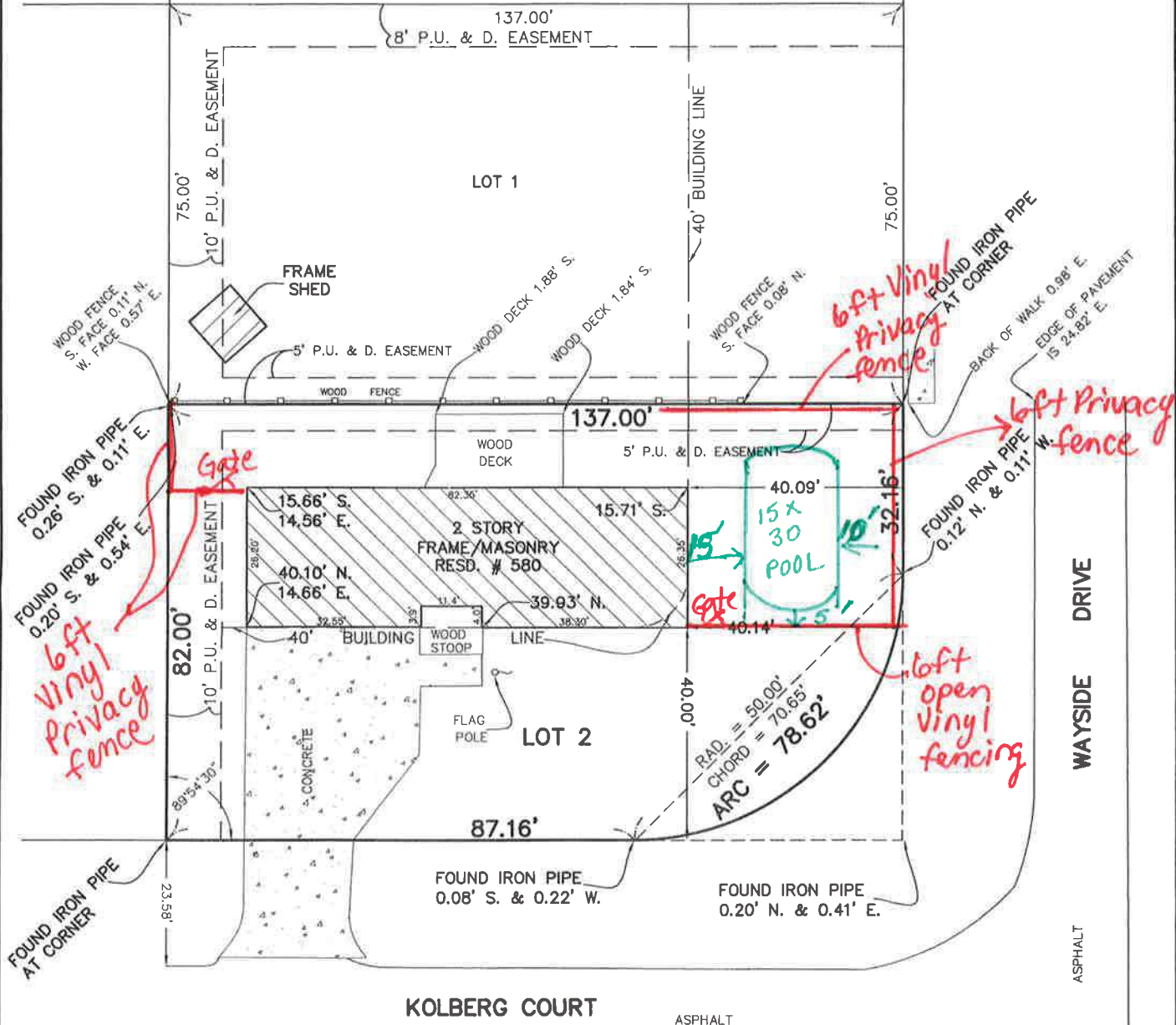


BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

LOT 2 IN NELSON'S RESUBDIVISION OF LOT 10 IN BLOCK 9 IN ARTHUR T. McINTOSH & COMPANY'S WESTLANDS UNIT NO. 2, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 2001, AS DOCUMENT NUMBER R2001-163817, IN DuPAGE COUNTY, ILLINOIS.

TOTAL AREA: 10699.48 SQ FT., 0.24 AC. (MORE OR LESS)

COMMONLY KNOWN AS: 580 EAST KOLBERG COURT, VILLA PARK, ILLINOIS.



NOTE:

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES, RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

STATE OF ILLINOIS
COUNTY OF DuPAGE S.S.

BASE SCALE : 1 INCH = 20 FEET

DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF

ORDERED BY : AMY WRIGHT

DRAWN BY : LMH/MMG

CHECKED BY : JFG

SURVEYED BY : KT-MN/RWG

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT DEED.

WE, GENTILE AND ASSOCIATES, INC. HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE AT AND UNDER MY DIRECTION, OF THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT CONFORMS TO THE MINIMUM STANDARD REQUIREMENTS FOR A BOUNDARY SURVEY.

AUGUST 12, A.D. 2020

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance to allow a pool)
in the front yard, and)
variance to allow a six) Petition PZ-20-0014
foot privacy fence in)
the front yard for a)
property located at 580)
East Kolberg Court.)

PUBLIC HEARING BEFORE THE
PLANNING & ZONING COMMISSION
OCTOBER 8, 2020
7:30 P.M.

PROCEEDINGS HAD and testimony taken before
the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
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Variance to allow a pool)
in the front yard, and)
variance to allow a six) Petition PZ-20-0014
foot privacy fence in)
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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
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Variance to allow a pool)
in the front yard, and)
variance to allow a six) Petition PZ-20-0014
foot privacy fence in)
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East Kolberg Court.)

PUBLIC HEARING BEFORE THE
PLANNING & ZONING COMMISSION
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COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT, Chairman

3 MR. MIKE ORLOWSKI

4 MR. LARRY CALVERT

5 MR. JACK LANENGA

6 MR. DOMINICK ROMANO

7 MR. EDWARD HOFSTRA

8 MR. JUSTIN SHLENSKY

9
10 ALSO PRESENT:

11 MS. CONSUELO ARGUILLES, Director of Community
Development

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1 CHAIRMAN JARRETT: The next order of business
2 will be Petition PZ-20-0014, 580 East Kolberg
3 Court. Variation for a six foot fence and to
4 allow a pool in the front yard. Petitioner, David
5 and Amy Wright.

6 So the way the process will work is
7 we'll start with Staff input, then move to
8 presentation of the petitioner, which at that time
9 the petitioner can come up and speak at the
10 podium, or if they're more comfortable speaking
11 from where they're at, that's fine. Just speak
12 loudly so we can hear you.

13 Public participation and questions. If
14 you're from the public and you want to speak at
15 that point, same thing, you can speak from where
16 you're at, or you can come up to the podium. Just
17 speak loudly so we can hear you. State your name
18 and address for the record.

19 Questions from the Commission, closing
20 comments of the petitioner, then we'll close the
21 public hearing, discuss up here amongst ourselves,
22 and have a motion if we get to that point.

1 So if you're expecting to speak tonight
2 on the agenda item, I'd have you stand now and be
3 sworn in by the court reporter. Whether you're
4 for, against, or you're the applicant, please rise
5 now, and the court reporter will swear you in.

6 (Whereupon, the witnesses were
7 sworn in under oath.)

8 COMMISSIONER HOFSTRA: I should just make a
9 note. I live on Lane Drive. I was notified
10 because I'm in close proximity to it. If the
11 applicant objects or the Commission objects, I
12 will gladly refuse myself.

13 CHAIRMAN JARRETT: It's my understanding that
14 you're behind or there's a property between you
15 and theirs, right?

16 COMMISSIONER HOFSTRA: Yes.

17 CHAIRMAN JARRETT: So I will leave it up to
18 you, or if anybody else has an objection on that.

19 COMMISSIONER SHLENSKY: No objection.

20 COMMISSIONER LANENGA: No objection.

21 COMMISSIONER ORLOWSKI: No objection.

22 CHAIRMAN JARRETT: Okay. So we'll start with

1 Staff input.

2 MS. ARGUILLES: Thank you. The petition
3 before you tonight for consideration is
4 PZ-20-0014, and this is variation request to allow
5 a fence in the front yard, and another variation
6 to allow a pool in the front yard facing Wayside.
7 The aerial image shown on this slide indicates
8 where the subject property is located at the
9 northwest corner of Wayside and Kolberg.

10 This is an image of the front elevation
11 of the home which faces Kolberg. According to the
12 York Township Assessor's office, the subject
13 property was built in 1954. However, in recent
14 years, the home was remodeled to include an
15 addition of a three-car garage.

16 This is a view of the property facing
17 northwest from Wayside Drive. As you can see, the
18 subject property is facing Kolberg and adjacent
19 property is facing Wayside. The subject
20 property's north side yard is considered the
21 interior side yard, and as seen on the slide in
22 between the fence that is on the property line

1 between the subject property and the property to
2 the north.

3 The petitioners would like to install a
4 15 foot by 30 foot above-grade pool on the east
5 side of the home, which would be considered the
6 front yard per Code. In addition to the pool, the
7 petitioners are proposing to install a fence. A
8 six-foot-tall fence. It will be a vinyl fence at
9 that northwest corner of the property, and along
10 the northeast corner of the site. The fence line
11 would be six feet tall, but would open -- would be
12 different in style. It would move from the vinyl
13 privacy fence to an open vinyl fence along the
14 south lot line, which would be even with the
15 house. Both the pool in the front yard and the
16 fence in the front yard requires variation
17 approval.

18 The petitioner did submit some elevation
19 drawings of what the fence would look like. Like
20 I mentioned, the fence would be a vinyl fence and
21 would measure six feet tall, privacy for most of
22 the fence line except at the south line of the

1 fence where it would be a picket fence but with
2 the height of six feet.

3 The image shown on the slide indicates
4 what the pool will look like. It would be an
5 above-grade pool, a round pool that would be in
6 their front yard.

7 The standards for considering to approve
8 a variation can be found in the Zoning Ordinance
9 and include findings of fact which include that
10 the proposed variance at the subject location is
11 necessary to overcome a particular hardship or
12 practical difficulty that a reasonable return or
13 use of the property is not possible under the
14 existing regulations. The existing situation is
15 unique, and that the proposed variation will not
16 alter the essential character of the locality,
17 impair an adequate supply of light and air to the
18 adjacent property, nor increase hazards from fire,
19 or impair property values in the neighborhood.
20 Lastly, it must be found that the proposal will
21 not increase congestion on the streets, or
22 otherwise impair public safety, health, and

1 convenience.

2 Staff has reviewed the variation
3 requests and believes that it is a hardship
4 because of the unique property characteristics.
5 The subject property was previously part of a
6 larger lot that is now two separate lots. The
7 subject property ended up as a corner lot with
8 little to none of a rear yard. The front yard is
9 the best useable yard the petitioners have.
10 Normally there is sufficient space in the rear
11 yard or interior yard to allow for a pool and a
12 privacy fence. However, that is not possible due
13 to the unique lot conditions on the subject
14 property.

15 The petitioner did submit responses to
16 the standard and are here to answer any questions
17 that the Commission may have. Should the request
18 be approved, a building permit will be required
19 for the proposed improvements.

20 Part of the public notice that was
21 issued for this request did include notifying the
22 adjacent property owners within 250 feet of the

1 subject property. We did receive one letter with
2 concerns from an adjacent property owner that I
3 would like to go ahead and summarize here tonight.

4 One of the concerns was that it was
5 going to displace or disrupt the flow of water and
6 water drainage in the area or encroach onto the
7 property. Our Village Engineer did review the
8 comments and proposes the following. Based on the
9 review, the fence would be located about 20 feet
10 west of the drainage ditch center line. It will
11 not effect the flow of storm water.

12 Another comment we received had to do
13 with available space between north and south of
14 the fence. We did review and found that the iron
15 pipes along the east property line do not
16 represent that this is between the north and the
17 south fence line. Therefore, Staff's review finds
18 that there would be enough space to accommodate
19 the pool and the fence that is proposed.

20 Another comment that we received had to
21 do with the pool's location in the side yard, or
22 front yard in this case. We did find that it will

1 be meeting our setback requirements, which would
2 be five feet from the north property line, outside
3 of the east fence line.

4 Further, another concern we received was
5 regarding the stakes of the property. The Village
6 does not service properties or do construction
7 layouts. It is a resident's responsibility
8 following the approved plans.

9 Another comment we received had to do
10 with the pool and the available green space, and
11 it does have concerns with drain water obstruction
12 and flooding issues in the area. Based on our
13 engineer's review, he found that it is very
14 minimal impact of the proposed impervious area,
15 which is about 450 square feet with the pool. On
16 the overall drainage of the water shed, any storm
17 water modeling software will show zero impact. In
18 general, drainage ditches are designed not only to
19 move storm water but also to hold water during
20 significant storm events. Further, based on the
21 review of the proposal, it would meet their lot
22 coverage variations permitted for the residential

1 zoning district.

2 Based on this, Staff is making a
3 recommendation that the Planning & Zoning
4 Commissioner adopts Staff's findings as the
5 findings of the Planning & Zoning Commission and
6 recommend approval of the following motion. To
7 approve variation to allow a pool in the front
8 yard, and a variation to allow a six-foot-tall
9 fence in the front yard, subject to the conditions
10 of landscaping, including evergreen shrubs,
11 planted to screen the fence line. Village Board's
12 decision is final for this case.

13 CHAIRMAN JARRETT: Consuelo, how many
14 different people did we receive comments from?
15 And do you happen to have the addresses of those
16 available?

17 MS. ARGUILLES: I just received one letter,
18 and that's the neighbor to the north, which I
19 believe is here tonight.

20 CHAIRMAN JARRETT: Okay. Thank you so much.

21 COMMISSIONER SHLENSKY: Mr. Jones is here?

22 MR. JONES: Yes, I am.

1 COMMISSIONER SHLENSKY: Thank you.

2 CHAIRMAN JARRETT: All right. So next would
3 be presentation of petitioner. If the petitioner
4 wants to speak now, you can come up to the podium
5 or rise.

6 MR. WRIGHT: She did a great job. Thank you.

7 MS. WRIGHT: She did a great job.

8 CHAIRMAN JARRETT: I'm just going to need you
9 though to -- since you're on the record now, just
10 state your names and address for the record so the
11 court reporter can get that down.

12 MR. WRIGHT: David Wright. My wife, Amy.
13 580 Kolberg.

14 MS. WRIGHT: Amy Wright.

15 CHAIRMAN JARRETT: Okay. And you were both
16 sworn in.

17 MS. WRIGHT: Yes.

18 CHAIRMAN JARRETT: Because we may have
19 questions of you.

20 MS. WRIGHT: Okay.

21 CHAIRMAN JARRETT: So, at this time, I will
22 take any public participation or questions. You

1 can speak from where you're at if you want. Just
2 speak up so we can hear you and the court
3 reporter, state your name and address for the
4 record, or you can come up here front and center
5 if you prefer.

6 MR. JONES: My name is David Jones. I live
7 at 1241 South Wayside Drive, Villa Park. I am the
8 neighbor to the north. My wife and I live at that
9 address or the adjacent property. The
10 petitioner's exterior side yard basically faces
11 our front yard. So our living room window, our
12 upstairs bedroom window, the office where I work
13 from home at is going to be looking out at
14 whatever is constructed there. You gentlemen can
15 hear me okay; is that correct?

16 CHAIRMAN JARRETT: Yeah.

17 MR. JONES: Okay. Thanks. We're not opposed
18 to an installation of a fence as long as it's
19 installed in a way to not displace or disrupt the
20 flow of green water and encroach onto our
21 property.

22 We question the lack of completeness of

1 the fence in the back based on the plan. While we
2 do not plan to replace our fence at this time, we
3 are not adverse to the petitioner installing a
4 whole system fence on their side of the property.

5 We have concerns regarding the
6 installation of a pool. The dimensions of the
7 pool and the fence line represented in the plan,
8 the lack of defined setback in the plans from our
9 property line for the pool, and the larger issue
10 as to the impact of the possible reduction of the
11 green space or permeable surface of the property
12 as already discussed by the Director. And bear
13 with me here. You gentlemen have a copy of what I
14 submitted via e-mail to the Director of Community
15 Development.

16 My wife and I looked at the plans at
17 Community Development. The plans provided by the
18 Village show the available space between the north
19 and south fence at 32 feet, the pool dimensions
20 are at 30 feet, 15 feet wide. The pool dimensions
21 in the plan show space between the south fence and
22 the pool of five feet, but there's no documented

1 setback from our property line for the pool. We
2 have concerns about that, that there's no setback
3 defined.

4 We also -- on the subject that just came
5 up at this meeting, the plans depict on
6 oval-shaped pool, hence the dimensions of 30 by
7 15. 30 foot length, 15 feet wide. The graphic
8 showed a round pool. I'm not sure which one's
9 correct in this case here.

10 If do you the math, you take the 32 foot
11 pool, you subtract five feet setback from the
12 fence on either side, you basically have exceeded
13 it now by a total of 18. At the property line
14 there appears to be what appears to be service
15 stakes on the petitioners' property. They have
16 appeared to have been moved twice. I'm not sure
17 how they've been moved or why they've been moved.
18 Obviously we're not suggesting anybody's moved
19 them. We're not suggesting the petitioners moved
20 them, but we have concern that the placement of
21 the stakes may result in encroachment onto our
22 property if and when that fence is installed.

1 The green space reduction possibly to
2 increase in neighborhood flooding and property
3 damage. The culvert drainage system at the corner
4 of Kolberg and Wayside already plugs a minimum of
5 once a year, pushing water up towards the
6 petitioners' home as well as onto our lot, towards
7 our home, into the street, and into the
8 neighboring lawn. So even the houses across
9 Wayside Drive and those lawns are subject to water
10 that flows from the culvert across the street.
11 I've attached pictures to this document. In the
12 back where you can see a couple of instances where
13 that culvert has flooded and backed water up.

14 In addition to that, there's been a
15 recent remodeling project, as mentioned by
16 Community Development. Additional green space has
17 been taken up by the addition of a three-car
18 garage and a partial three-car garage and two-car
19 driveway where there used to exist, I believe, a
20 two-car garage, detached, and now it is an
21 attached garage.

22 Our ask is basically that the petitioner

1 revise and resubmit, per review, corrected plans
2 for the fence line and the appropriate required
3 setback from our property. Planning & Zoning
4 Commission review and validate the corrected
5 plans, and study the impact on the permeable
6 surface. Planning & Zoning Commission and the
7 engineering department review the corrected plans
8 and determine the impact of the fence and the
9 swimming pool on storm water drainage and the
10 potential impact on our property as well as the
11 neighboring properties.

12 And with that, if you have any
13 questions, I'll take your questions.

14 CHAIRMAN JARRETT: Thank you. I appreciate
15 that.

16 MR. JONES: Thank you.

17 CHAIRMAN JARRETT: All right. Anyone else
18 wishing to speak on this item.

19 Okay. Seeing none, I'll move to
20 questions from the Commission. Who would like to
21 start?

22 COMMISSIONER SHLENSKY: If I could.

1 CHAIRMAN JARRETT: Go ahead.

2 COMMISSIONER SHLENSKY: Thank you. Possibly
3 questions for both the petitioner/homeowners and
4 also Consuelo.

5 So Mr. Jones brings up a valid point
6 that at some point on the plat of survey it does
7 appear the way that I read this is that the
8 northeast-most iron stake to the -- let's call it
9 the eastern stake line. To the south of that,
10 that kind of starts where your property arcs or
11 it's kind of where that starts to arc, and that's
12 what should read 32.16 feet. The 32.16 feet is
13 not the north to south red line.

14 MR. WRIGHT: Are you talking about the plans
15 on where the fence is going to go?

16 COMMISSIONER SHLENSKY: Correct.

17 MR. WRIGHT: The fence is going up even with
18 the house. It's not even coming close to the
19 corner. It's stopping at the house.

20 COMMISSIONER SHLENSKY: Okay. Consuelo, is
21 there any way you can put this photo up on the
22 screen?

1 MS. ARGUILLES: Sure.

2 CHAIRMAN JARRETT: I can tell you that the
3 plan is not to scale. The pool is not to scale.
4 A couple of pencil lines will tell you that.

5 COMMISSIONER SHLENSKY: Okay. So what I'm
6 indicating is that where the two red lines that
7 cross at the northeast corner right there, if you
8 drag your cursor down to right there, that is the
9 surveyed 32.16 feet, correct, on your plat?

10 MR. WRIGHT: I can't see it from here.

11 COMMISSIONER SHLENSKY: Consuelo, is there
12 any way you can validate that for the record?

13 CHAIRMAN JARRETT: What I can tell you is
14 that the western dimension is 82 feet on the
15 western property line right there, so that gives
16 you a pretty good idea.

17 COMMISSIONER SHLENSKY: It's about 40, not
18 32, right? That's the way that I read it. So
19 that if there is a 30-foot-long north to south
20 pool, potential clearance of five feet to the
21 south and five feet from the two proposed fence
22 lines; correct?

1 MR. WRIGHT: I believe so.

2 COMMISSIONER SHLENSKY: Okay. And then to
3 Mr. Jones' point, for clarification, the 15 by 30
4 oval-shaped pool, is that your intention or --

5 MR. WRIGHT: Yes.

6 COMMISSIONER SHLENSKY: Okay. So the graphic
7 is just inaccurate. It's just not an exact --

8 MS. WRIGHT: Correct. It looks round, but
9 it's oval.

10 COMMISSIONER SHLENSKY: That's fine. So,
11 Consuelo, is there any requirement that the pool
12 has to be -- the edge of the pool -- let's call it
13 the north end of the pool -- has to be five feet
14 from the easement line, or can it be sufficient to
15 be five feet from the proposed fence line?

16 MS. ARGUILLES: So it definitely has to be
17 out of the five foot easement. So it could be up
18 to it. It could not be on the line. So it
19 definitely has to be outside of that.

20 COMMISSIONER SHLENSKY: So that brings me to
21 my next consideration. If we are talking about
22 approximately 40 feet from the north end of the

1 fence to the south end of the fence as clearance
2 space, and a 30-foot pool, and there's proposed
3 five feet of clearance from the south end of the
4 pool to the south end of the fence, simple math
5 gives us five feet to work with from the north end
6 of the fence to the north end of the pool. It
7 appears there's already a five-foot easement from
8 the north end of the fence or the proposed fence
9 line, so that would put you right up to the
10 easement line for a 30-foot-long pool. So I don't
11 know if this needs to be revised or the pool would
12 need to be shrunk down to allow -- if there's a
13 25-foot-long pool to allow for a five-foot gap
14 from the easement to the north end of the pool and
15 also provide clearance for five feet from the
16 south end of the pool to the south end of the
17 fence line, or alternatively if there's no
18 requirement for a setback from the south end of
19 the pool to the south end of the proposed fence
20 line, you would basically be looking at the south
21 end of the pool abutting the south end of the
22 fence line. That's the way that I read this, just

1 based on the estimation of about 40-foot clearance
2 gap between the proposed north end of the fence
3 line and the south end of the fence line. Is that
4 accurate?

5 MS. ARGUILLES: It is accurate.

6 COMMISSIONER HOFSTRA: If you look, the lot
7 is 82 feet deep, okay, and then the house is set
8 40 feet back. That gives you 42 feet left. The
9 house is 26.3 feet. If you run that number, you
10 end up with it being 16 feet between the back of
11 the house to the lot line.

12 MS. WRIGHT: Correct.

13 COMMISSIONER HOFSTRA: Okay. Then you take
14 the five feet, and out of that you've got 11 feet
15 left in there to add to the house. So you're at
16 37 feet of workable space.

17 COMMISSIONER ORLOWSKI: Can we determine the
18 type of pool? Is this a round pool?

19 MR. WRIGHT: Oval.

20 COMMISSIONER ORLOWSKI: What size is it?

21 MR. WRIGHT: 15 by 30.

22 COMMISSIONER ORLOWSKI: 15 by 30 is not oval.

1 That's oblong, okay.

2 MS. WRIGHT: Okay. They call it oval in the
3 store.

4 MR. WRIGHT: It's in our garage. It's an
5 indoor pool right now.

6 COMMISSIONER SHLENSKY: Okay. In any event,
7 there's a fine point in regard to the 42 usable
8 feet. The 42 minus five for the easement gives us
9 37, minus 30 for the pool gives us seven feet.

10 COMMISSIONER HOFSTRA: You've got two feet to
11 spare.

12 COMMISSIONER SHLENSKY: Right. Two feet to
13 the south end.

14 COMMISSIONER HOFSTRA: No.

15 COMMISSIONER SHLENSKY: Consuelo is
16 indicating that there must be a five-foot
17 clearance.

18 MS. ARGUILLES: I'm indicating that from the
19 south lot line, the petitioners are proposing five
20 feet. So if that's not accurate, that's something
21 we can definitely address as part of the building
22 permit application. What's here before you

1 tonight is a variation for side yard setback --
2 the side yard setback variation and the fence
3 height.

4 COMMISSIONER SHLENSKY: Right. But I just --
5 if I'm clear on this, you're indicating that there
6 is a requirement for a five-foot clearance from
7 the --

8 MS. ARGUILLES: I would have to go back and
9 look at the Building Code to see if there's an
10 exception to the fence line versus the accessory
11 -- the building -- principal building versus the
12 fence.

13 COMMISSIONER SHLENSKY: I'm asking about
14 easements.

15 COMMISSIONER HOFSTRA: You've got to satisfy
16 easements.

17 COMMISSIONER ROMANO: It could abut to the
18 easement.

19 MS. ARGUILLES: It could be up to it.

20 COMMISSIONER SHLENSKY: Okay. That's what
21 I'm seeking clarity on right there. Any other
22 requirements besides the fact that they clearly

1 can't put it on an easement.

2 MS. WRIGHT: It has to be 10 foot from the
3 house also.

4 COMMISSIONER SHLENSKY: Which is fine,
5 because your proposal is 15 feet.

6 MS. WRIGHT: Right.

7 COMMISSIONER SHLENSKY: Okay. I just want to
8 make sure that we meet all the easement lines and
9 any other requirements, that the proposed location
10 and size of the pool meets all those requirements.

11 COMMISSIONER ROMANO: Consuelo, if you could
12 put that graphic. The number that we are just
13 missing that we're going of going around on is
14 between the north end of the pool and the easement
15 would be two feet.

16 MS. WRIGHT: Yes.

17 COMMISSIONER HOFSTRA: The dotted line
18 easement.

19 COMMISSIONER ROMANO: Correct. So it's not
20 on the easement, and that could give five feet of
21 clearance from the side fence and two feet to the
22 easement, which is another five feet to the fence

1 line.

2 COMMISSIONER SHLENSKY: So just as a comment.
3 I have no issues between the open and the privacy
4 versions or portions of the fence. It's your
5 property, and regardless if you have children or
6 not, I can understand the need for privacy just
7 for the two of you yourselves if you don't have a
8 larger family. And from the photos, I think you
9 have done a wonderful job on the upkeep of your
10 house. I mean, they look beautiful from the
11 exterior, so I commend you on that.

12 MR. WRIGHT: Thank you.

13 MS. WRIGHT: Thank you.

14 COMMISSIONER SHLENSKY: With regard to the
15 concern which has been partially addressed by
16 Staff comments with the water drainage. You know,
17 we've all had the flash floods. We all know
18 exactly what the sewers can do when they back up
19 to us, and I just want to make sure that the
20 concern has been addressed from yourselves as
21 homeowners in the event of another backup that
22 it's not going to take out any pumps or

1 electronics or anything else you might have
2 situated in the yard such that it starts to tip
3 the pool in any capacity or ruin the exterior of
4 the pool, you know.

5 MS. WRIGHT: Our property has flooded since
6 we've lived there, because we're the lowest one of
7 the whole subdivision, so one of the problems
8 we've been having is with the garage flooding.

9 MR. WRIGHT: Which is why we built the new
10 one.

11 MS. WRIGHT: Yeah. We used to have to leave
12 the garage door open to let the water run out. We
13 noticed that the garage was getting ready to go,
14 and basically fall. It was sinking. So that was
15 our option was to build a new garage. So we do
16 realize that that corner does flood. That's why
17 we would like to do an above ground, because, you
18 know, it's going to happen, because it has every
19 year, so --

20 MR. WRIGHT: Almost every year.

21 MS. WRIGHT: Well, pretty much every year.

22 COMMISSIONER HOFSTRA: How long does it

1 flood?

2 MS. WRIGHT: I mean, it goes down within a
3 couple hours. I mean, it has never come up to our
4 house.

5 COMMISSIONER HOFSTRA: That's my
6 understanding talking to Mike.

7 MR. WRIGHT: Yeah. I mean, we've been there
8 18 years. We know the situation. If we thought
9 it was going to damage the pool, we wouldn't put
10 one in.

11 COMMISSIONER HOFSTRA: Were you there in
12 1987?

13 MR. WRIGHT: I don't think so. No.

14 MS. WRIGHT: No.

15 COMMISSIONER HOFSTRA: That's the worst case.
16 Lived through it in Elmhurst. I'm well acquainted
17 with 1987.

18 MS. WRIGHT: We usually can tell when the
19 flood gates are open, because it goes down within
20 a half an hour.

21 COMMISSIONER HOFSTRA: Well, the drainage
22 from that corner is actually through the yards and

1 towards 83.

2 MS. WRIGHT: Right. Yes.

3 COMMISSIONER HOFSTRA: And it's picked up by
4 a culvert on 83 and into Sugar Creek.

5 MR. WRIGHT: You know, when they open the
6 grates, it's --

7 MS. WRIGHT: That whole area just drains
8 right to our -- the Village elevation map. It
9 drains through the whole -- right to our house.

10 COMMISSIONER HOFSTRA: I'm well acquainted
11 where my storm water drains.

12 COMMISSIONER ORLOWSKI: I got a question.
13 Did you live in this house whenever the lot was
14 subdivided?

15 MS. WRIGHT: No.

16 MR. WRIGHT: Yes, we did.

17 MS. WRIGHT: Well, we bought it subdivided.

18 COMMISSIONER ORLOWSKI: So it was already
19 subdivided when you purchased it.

20 MR. WRIGHT: Yes.

21 CHAIRMAN JARRETT: That's the question I've
22 got. So you said you've been in the house about

1 18 years. So it was subdivided immediately before
2 you purchased it. You guys built the larger
3 garage on the west side; correct?

4 MR. WRIGHT: It's about four feet larger.

5 CHAIRMAN JARRETT: Okay. When was that?

6 MS. WRIGHT: Last year.

7 CHAIRMAN JARRETT: Okay.

8 MS. WRIGHT: And it used to be a walkway in
9 between the house and the garage, and now it's
10 attached.

11 MR. WRIGHT: So that's the difference. That
12 was the difference in size.

13 COMMISSIONER SHLENSKY: There's no sidewalk?

14 MS. WRIGHT: There's no sidewalk. Not now.

15 MR. WRIGHT: No.

16 CHAIRMAN JARRETT: Let's try not to talk over
17 each other, because the court reporter has got to
18 capture everything.

19 Questions?

20 COMMISSIONER ORLOWSKI: No. I said the -- if
21 you go back one slide. Right there. There used
22 to be the walkway there, and you just made it --

1 MR. WRIGHT: Correct. And we moved the front
2 door also. The front door used to be to the right
3 of that picture window.

4 COMMISSIONER ORLOWSKI: I remember when you
5 were doing it, so --

6 MR. WRIGHT: And just to the left of the
7 front door now is where the sidewalk went, between
8 the house and the garage.

9 COMMISSIONER ORLOWSKI: Okay.

10 MR. WRIGHT: The garage isn't any further to
11 the west.

12 COMMISSIONER ORLOWSKI: Okay.

13 MS. WRIGHT: And it's actually closer to the
14 house now.

15 MR. WRIGHT: Yeah. We moved it forward from
16 the south probably two feet.

17 COMMISSIONER CALVERT: Jason, I have a
18 question.

19 CHAIRMAN JARRETT: Go ahead.

20 COMMISSIONER CALVERT: How is the maintenance
21 done on the pool in terms of -- is it something
22 that remains in place for all four seasons, or do

1 you have to drain it each year?

2 MR. WRIGHT: No. You don't drain it
3 completely.

4 COMMISSIONER CALVERT: How much do you have
5 to drain?

6 MS. WRIGHT: A quarter of the way.

7 COMMISSIONER ORLOWSKI: You've got to drain
8 below the skimmer. I've never had a pool.

9 MR. WRIGHT: She's had one all her life.

10 COMMISSIONER CALVERT: And there's adequate
11 drainage for that?

12 MS. ARGUILLES: Yes. The Village Engineer
13 did not see any concerns from a drainage
14 perspective.

15 COMMISSIONER CALVERT: And where would you
16 locate the utility -- like the pump and things?

17 MR. WRIGHT: Between the -- around the
18 backside of the house, I would think. Yes.
19 Correct. Where the air conditioner unit is.
20 Further back. You can't see it from here.

21 MS. WRIGHT: Where that big tree is on the
22 corner there.

1 MR. WRIGHT: Correct.

2 MR. JONES: May I ask a question regarding
3 the utilities?

4 CHAIRMAN JARRETT: Yeah. I'll allow you to.

5 MR. JONES: Thank you. With regards to
6 utilities, when you say maybe they'll be around
7 the air conditioner, does that mean the utilities,
8 meaning the pool pump and the furnace and the
9 filter by the air conditioner, or closer to the
10 pool, closer to our property line? What are the
11 plans for that?

12 MR. WRIGHT: Within Code. We don't know
13 until we get the pool up where it's going to go.

14 CHAIRMAN JARRETT: And we do have both a
15 Building Code and Zoning Ordinance which dictates
16 where they could put those. Like they couldn't
17 put them on the fence line, for instance. I
18 understand your concern though, because you could
19 have utilities right outside one of your home
20 windows, depending on exactly where they're
21 located. I assume that's your concern.

22 MR. JONES: That is my concern.

1 CHAIRMAN JARRETT: Noise.

2 MR. JONES: Yeah.

3 COMMISSIONER ORLOWSKI: I know the new pool
4 pumps are actually quieter than air conditioning
5 units that are outside.

6 COMMISSIONER ROMANO: I have a question for
7 you. Should in the future Mr. Jones decide to
8 take down his fence, will your future plans then
9 be to continue yours?

10 MR. WRIGHT: Yes.

11 MS. WRIGHT: We would like to do a white
12 vinyl fence all the way across now. We do have a
13 dog, so -- just because the white vinyl looks nice
14 and complete. It doesn't wear out or --

15 MR. WRIGHT: Low maintenance.

16 COMMISSIONER HOFSTRA: So your plan currently
17 is to do the fence the whole way across the back?

18 MS. WRIGHT: Well, when we get there. With
19 the price of fencing that's gone up because of
20 this pandemic, we hope that we can do the whole
21 thing, but the material keeps going up and going
22 up and going up. The first quote we got, we were

1 going to go all the way across, and now all the
2 material costs are going up, so -- whenever we get
3 it approved. We don't want to purchase anything
4 that we don't get approved. So that's why we hope
5 to go all the way across, but we have to wait to
6 see when we get there. If we get there.

7 CHAIRMAN JARRETT: Any other questions?

8 All right. Does the petitioner have any
9 closing comments at this time?

10 MR. WRIGHT: No.

11 CHAIRMAN JARRETT: Okay. All right. With
12 that, we'll close the public hearing and move to
13 discussion. Anybody have any?

14 COMMISSIONER ORLOWSKI: I'll start. I spent
15 a lot of time up there. There's a lot of yards in
16 that whole area that pretty much have side yards
17 fenced in in the same manner. Maybe not with such
18 a small back yard, but as far as the side yard
19 being along the side of the house, most of them,
20 they all have a larger backyard. You have a
21 residence that actually took up a part of that
22 back yard. I don't think anything with the pool,

1 only because I've been up there when it was
2 flooding. I don't think anything with the fence
3 or the pool would hinder or make worse any of the
4 flooding that occurs in that area already.

5 The only question that I had was if you
6 had purchased the property and then subdivided it.
7 Other than that, I have no issues.

8 CHAIRMAN JARRETT: Other comments?

9 COMMISSIONER SHLENSKY: I can appreciate the
10 uniqueness of the size of the lot, and because of
11 the subdivision that happened prior to your home
12 ownership, I do see the hardship that you have for
13 that.

14 One comment for Staff. And, again, with
15 regard to the variance. It's my understanding
16 with a zoning variance, we can't condition it, but
17 I believe that I heard you say something about
18 having some landscaping done as a potential
19 condition if it helped. If it doesn't have to be
20 a condition, it's just voluntary. Just fine with
21 that. Just wondering if, you know, we truly are
22 going to condition additional landscaping as a --

1 condition the landscaping as a condition of the
2 variance approval. Can you provide clarity on
3 that?

4 MS. ARGUILLES: Yeah. Like I mentioned in
5 the past, we could add conditions to variations.
6 This is Staff's recommendation, but it is
7 definitely before your consideration, should be
8 adopt it as recommended by Staff, or should you
9 amend the motion to eliminate that. That's
10 definitely within the Commission's power.

11 COMMISSIONER SHLENSKY: Okay. I hate to
12 reopen this for comment to the petitioner, but can
13 you just indicate what your potential landscaping
14 proposal would be then?

15 MS. WRIGHT: I would hate to cover up the
16 vinyl fence with bushes, but, I mean, if, you
17 know, that's something that --

18 MR. WRIGHT: As far as landscaping around the
19 fence?

20 COMMISSIONER SHLENSKY: Correct. Because
21 that's what Staff has indicated. I would just
22 like to get your perspective on that.

1 MR. WRIGHT: Flowers, if anything.

2 COMMISSIONER SHLENSKY: If we were to get
3 into that discussion.

4 MR. WRIGHT: Yeah. Flowers, if anything.

5 MS. WRIGHT: Just to match the rest of our
6 house, because it's all landscaped.

7 COMMISSIONER SHLENSKY: Okay. So I guess
8 I'll just open it up for the rest of the
9 Commission as to how we feel about a landscaping
10 condition.

11 COMMISSIONER ROMANO: I don't think it's
12 necessary. I'm looking at a Google map, and their
13 house has nice landscaping. It looks like they
14 put a lot of money into renovations. I don't
15 think it's necessary.

16 COMMISSIONER SHLENSKY: I tend to agree on
17 that. I don't necessarily feel that there's a
18 need for conditions of landscaping with the fence.

19 COMMISSIONER HOFSTRA: I think if you look at
20 the other corner lots around that whole block,
21 there's no landscaping alongside the fence.
22 You're viewing from the street a straight-line

1 fence. I don't see any need.

2 COMMISSIONER ORLOWSKI: I'll agree. Stick
3 with the flowers. It looks very nice.

4 CHAIRMAN JARRETT: Any other comments or
5 discussion?

6 All right. So I would entertain a
7 motion.

8 COMMISSIONER LANENGA: Move to approve
9 PZ-20-0014 for the following. One, variation to
10 allow a pool in the front yard, and, two,
11 variation to allow a six-foot-tall fence in the
12 front yard for the property located at 580 East
13 Kolberg Court, PIN 06-15-402-012. With a finding
14 of fact that such variance meets the standards
15 enumerated in Article 11.5 of Appendix C of the
16 Municipal Code, Village of Villa Park Basic Zoning
17 Ordinance.

18 COMMISSIONER ORLOWSKI: I'll second that.

19 CHAIRMAN JARRETT: We have a motion and a
20 second. Any questions or comments on the motion?

21 All right. Hearing none, roll call
22 vote.

1 Calvert.

2 COMMISSIONER CALVERT: Yes.

3 CHAIRMAN JARRETT: Hofstra.

4 COMMISSIONER HOFSTRA: Yes.

5 CHAIRMAN JARRETT: Lanenga.

6 COMMISSIONER LANENGA: Yes.

7 CHAIRMAN JARRETT: Orłowski.

8 COMMISSIONER ORŁOWSKI: Yes.

9 CHAIRMAN JARRETT: Romano.

10 COMMISSIONER ROMANO: Yes.

11 CHAIRMAN JARRETT: Shlensky.

12 COMMISSIONER SHLENSKY: Yes.

13 CHAIRMAN JARRETT: I too vote yes. With
14 that, our recommendation will pass to the Village
15 Board. They can accept, reject, or modify as they
16 see fit.

17 And one thing I would reassure the
18 neighbor on. If this does get approved by the
19 Village, they have to file a permit for the pool
20 and all the equipment. So all of that would have
21 to meet any of the regulations that were being
22 built anywhere else on their property or any other

1 -- they're putting pumps. They can't put them on
2 the fence line. And obviously if there are noise
3 issues or whatever, then that would be something
4 that would have to be raised with Staff, but I
5 hope you guys will work with your neighbor.

6 MR. WRIGHT: Absolutely.

7 CHAIRMAN JARRETT: And I hope you work with
8 the Village, if it ultimately gets approved, and
9 make the best situation for everybody.

10 MR. WRIGHT: Absolutely.

11 MR. JONES: Thank you.

12 CHAIRMAN JARRETT: Thank you for your time,
13 and thank you for coming up with your concerns. I
14 appreciate it.

15 MR. JONES: Thank you for your consideration
16 in this matter.

17 MR. WRIGHT: Thank you all.

18 MS. WRIGHT: Thank you.

19 (Whereupon, the public hearing was
20 concluded.)
21
22

1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

5 I, MARY FAILLO, C.S.R. No. 084-004565,
6 duly qualified by the State of Illinois, County of
7 Du Page, do hereby certify that at the request of
8 the VILLAGE OF VILLA PARK PLANNING & ZONING
9 COMMISSION, subject to the usual terms and
10 conditions of County Court Reporters, Inc.,
11 reported in shorthand the proceedings had and
12 testimony taken at the public hearing of the
13 above-entitled cause, and that the foregoing
14 transcript is a true, correct and complete report
15 of the entire testimony so taken at the time and
16 place hereinabove set forth.

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22

MARY FAILLO, CSR, RPR



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Ordinance No. _____

ORDINANCE OF THE VILLAGE OF VILLA PARK, ILLINOIS GRANTING VARIATIONS TO ALLOW A POOL IN THE FRONT YARD; AND A VARIATION TO ALLOW A SIX FOOT (6') TALL FENCE IN THE FRONT YARD AT 580 E. KOLBERG COURT (DAVID AND AMY WRIGHT, PETITIONERS).

WHEREAS, the Village of Villa Park, DuPage County, Illinois (the Village) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to the Illinois Municipal Code (65 ILCS 5/11-13-5) the President and Board of Trustees of the Village (the “Corporate Authorities”) may determine and vary the regulations relating to its zoning ordinances; and,

WHEREAS, Application PZ-20-0014, filed by David and Amy Wright (the “Petitioners”) requested 1) a variation to allow a pool in the front yard as required by Section 14.1.9 of the Villa Park Zoning Ordinance (the “Zoning Ordinance”); and 2) a variation to allow a six foot (6') privacy fence in the front yard as required by Section 9.2.2 of the Zoning Ordinance), with respect to the real property described in Section 1 herein (the “Subject Property”) located in the RS-10 Residential Single-Dwelling District: and,

WHEREAS, Notice of a Public Hearing on said petition was published on September 23rd, 2020 in the Daily Herald, a newspaper having general circulation within the Village, all as required by the State statutes and the ordinances of the Village, and

WHEREAS, pursuant to said notice, the Planning and Zoning Commission of the Village conducted a public hearing on October 8, 2020, on said application in accordance with the State statutes and the ordinances of the Village; and

Ordinance No.: _____

WHEREAS, the Planning and Zoning Commission reviewed the standards set forth in Section 11.5 of the Villa Park Zoning Ordinance and made the recommendation that the variations of the Subject Property be granted; and

WHEREAS, the Corporate Authorities of the Village of Villa Park have received and considered the recommendation of the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

Section 1: That this Ordinance shall apply to the Subject Property legally described as follows:

LOT 2 IN NELSON'S RESUBVISION OF LOT 10 IN BLOCK 9 IN ARTHUR T. MCINTOSH & COMPANY'S WESTLANDS UNIT NO. 2, BEING A SUBDIVISION IN THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 2001, AS DOCUMENT NUMBER R2001-163817, IN DUPAGE COUNTY, ILLINOIS.

The property is commonly known as 580 E. Kolberg Court, Villa Park, Illinois.

PIN No.: 06-15-402-012

Section 2: That subject to the conditions set forth in Section 3 hereof, variations pursuant to Article 7, Section 7.8.2. H of the Villa Park Zoning Ordinance to allow 1) a pool in the front yard; and 2) a six foot (6') privacy fence in the front yard are hereby granted for the Subject Property.

Section 3: That the variation shall be constructed, operated and maintained in accordance with the attached plans (Exhibits A & B):

Ordinance No.: _____

Section 4: That ordinances or parts of ordinances in conflict with the provisions hereof, are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

Passed this _____ day of _____, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

Approved this _____ day of _____, 2020.

Village President

Attest:

Village Clerk

Published in pamphlet form:

_____, 2020.

PLAT OF SURVEY

LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262

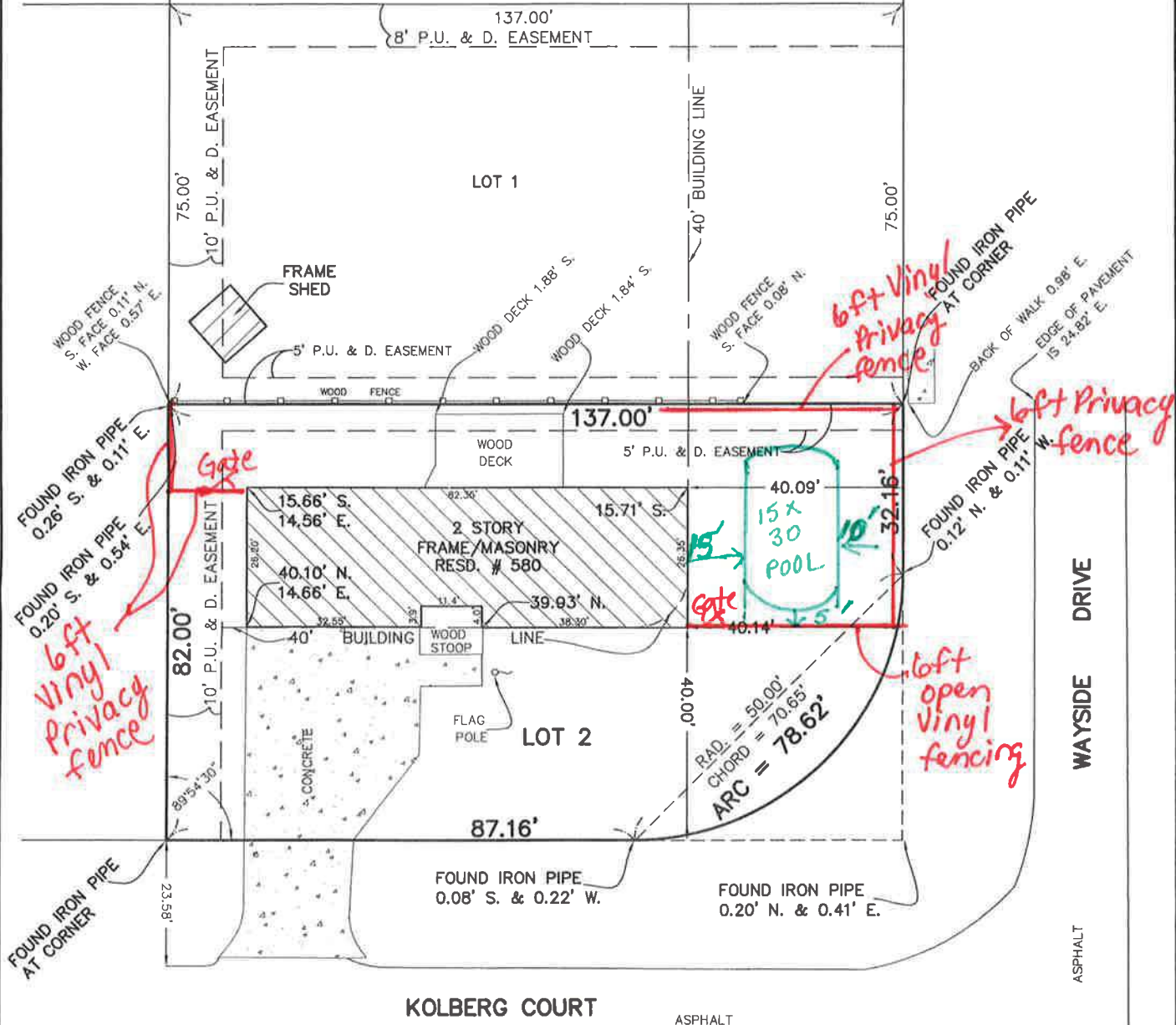


BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

LOT 2 IN NELSON'S RESUBDIVISION OF LOT 10 IN BLOCK 9 IN ARTHUR T. McINTOSH & COMPANY'S WESTLANDS UNIT NO. 2, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 2001, AS DOCUMENT NUMBER R2001-163817, IN DuPAGE COUNTY, ILLINOIS.

TOTAL AREA: 10699.48 SQ FT., 0.24 AC. (MORE OR LESS)

COMMONLY KNOWN AS: 580 EAST KOLBERG COURT, VILLA PARK, ILLINOIS.



NOTE:

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES, RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

STATE OF ILLINOIS S.S.
COUNTY OF DuPAGE

BASE SCALE : 1 INCH = 20 FEET

DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF

ORDERED BY : AMY WRIGHT

DRAWN BY : LMH/MMG

CHECKED BY : JFG

SURVEYED BY : KT-MN/RWG

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT DEED.

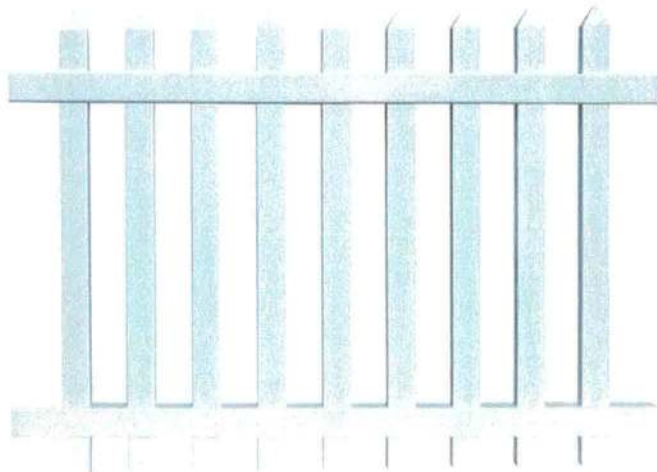
WE, GENTILE AND ASSOCIATES, INC. HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE AT AND UNDER MY DIRECTION, OF THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT CONFORMS TO THE MINIMUM STANDARD REQUIREMENTS FOR A BOUNDARY SURVEY.

AUGUST 12, A.D. 2020

Azembla 4 x 6 White Vinyl Cape Cod Picket Fence Panel

(Actual Size 46" H x 67-3/4" W)

Model Number: 1728200AP | Menards® SKU: 1728220



EVERYDAY LOW PRICE

\$34.99

11% MAIL-IN REBATE Good Through 10/10/20

\$3.85

FINAL PRICE

\$31¹⁴ each

You Save \$3.85 After Mail-In Rebate

* Mail-in Rebate is in the form of merchandise credit check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®.

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Check out our Buying Guides![VIEW NOW](#)

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22 In-Stock at **GLENDAL HEIGHTS**
[Check Another Store for Availability](#)

Shipping & Delivery

Available

Description & Documents

Discover the many benefits of vinyl fencing. From innovative design to durable construction to a neighborhood-friendly appearance, this four-by-six Cape Cod picket panel by Azembla is the perfect solution to your fence project. This panel is made of low-maintenance vinyl and built to last for years of enjoyment.

Shipping Dimensions: 67.70 H x 46.00 W x 1.58 D**Shipping Weight:** 19.4375 lbsBrand Name: **AZEMBLA**

Features

- Low maintenance
- Easy to install
- Insect proof
- Rust free
- No painting required
- Durable

Specifications

Product Type	Vinyl Picket Fence Panel	Material	Vinyl
Thickness	0.075 inch	Special Features	Low maintenance
Overall Height	46 inch	Weight	19.4 pound
Overall Width	67-3/4 inch	Color/Finish	White
Installed Height	48 inch	View Return Policy	Regular Return

Yardworks® Richmond 6 x 8 White Privacy Vinyl Fence Panel

(Actual Size 69-1/2"H x 89-3/8"W)

Model Number: CMCFWL1118 | Menards® SKU: 1728651



EVERYDAY LOW PRICE

\$79.96

11% MAIL-IN REBATE Good Through 10/10/20

\$8.80

FINAL PRICE

\$71¹⁶ each

You Save \$8.80 After Mail-In Rebate

* Mail-in Rebate is in the form of merchandise credit check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®.

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[Check Another Store for Availability](#)

Description & Documents

This low-maintenance vinyl fence panel features a unique design that securely locks pickets into place providing strength and complete privacy. Its fastener-free connection between pickets and rails provides a clean and stylish neighbor-friendly appearance that is the same on both sides. The routed post design allows fence rails to securely lock into place without brackets or hardware. To complete your fence project you will also need the 5 x 5 - 8' Routed Post (#1728652).

Brand Name: **Yardworks**

Features

- Designed for use with the 5" x 5" - 96" Richmond Routed Post (#1728652).
- Coordinating Gate Kit: Richmond Gate Kit (SKU #1728653) will transform a panel into a custom walk-through gate. Panel and Gate kit sold separately.
- Features a neighbor-friendly design that is the same on both sides.
- Made of durable, low-maintenance vinyl
- Post and post caps are sold separately.
- Limited Lifetime Warranty

Specifications

Product Type	Vinyl Privacy Fence Panel	Material	Vinyl
Thickness	1-1/2 inch	Special Features	UV Resistant
Overall Height	69-1/2 inch	Weight	48 pound
Overall Width	89-3/8 inch	Color/Finish	White
Top Style	Flat	Installed Height	72 inch
View Return Policy	Regular Return		

The Athena offers an amazing experience in your own backyard. With its performance graphic and the structural components, the Athena provides an attractive environment. Indulge yourself and enjoy unforgettable summer days dipping into your above ground pool. A perfect combination for an exceptional summer experience!

ATHENA™



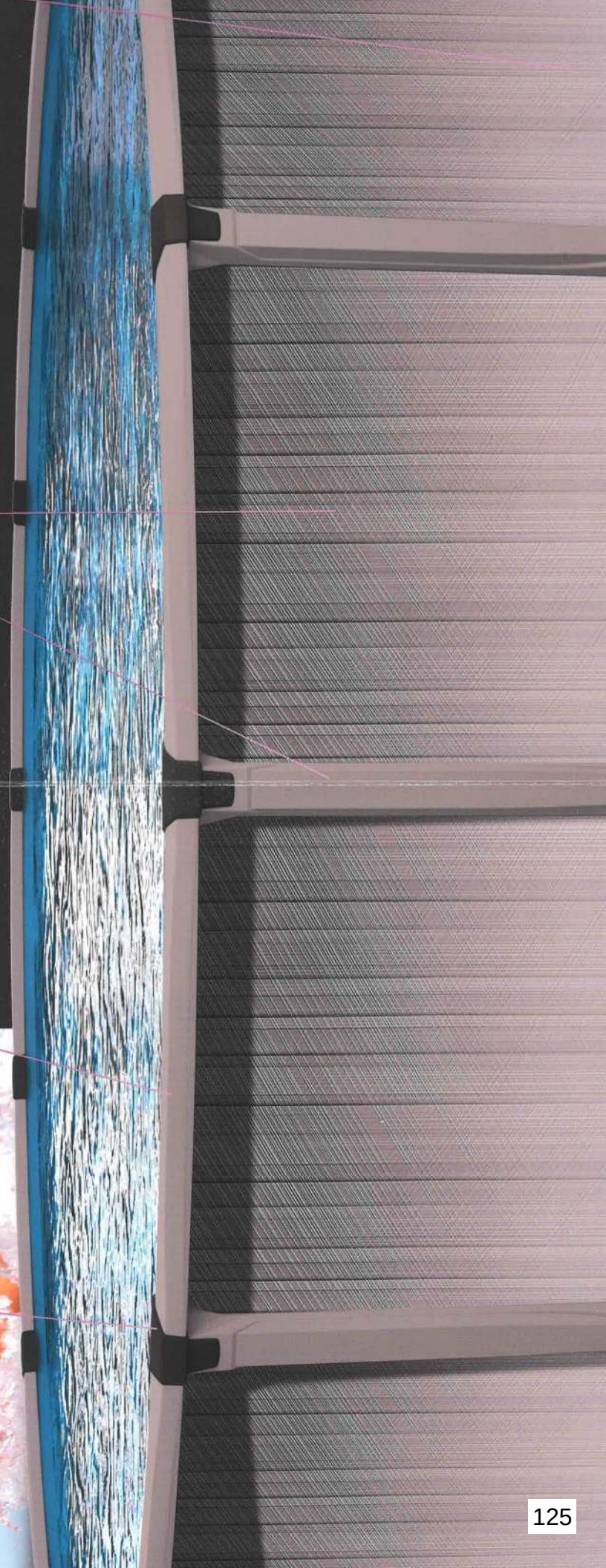
LEDGE COVERS / One-piece

TOP LEDGES / Resin

UPRIGHTS / Resin

DESIGNER Wall Pattern

STABILIZERS/ Resin



Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Consuelo Arguilles

Submitting Department: Community Development

Item Type: Ordinances

Agenda Section: Ordinances

Subject:

Ordinance of the Village of Villa Park, DuPage County, Illinois, Granting a Variation to Allow for a Tent-Covered Outdoor Seating Area During the Winter Months (November 1 - April 30) at 324 E. Central Boulevard (Jack Kozar, Petitioner)

Suggested Action:

The petitioner, Jack Kozar, seeks approval of three variations for the business known as Fuel and Crème, which is a bar and ice cream stand. This ordinance would allow the business to seat customers in a temporary tent structure on the property between the months of November and April, which is currently prohibited by Village Code. The Planning and Zoning Commission voted in opposition of this variance. The petitioner indicates that the variance is necessary for Fuel and Crème to continue to thrive and grow as a business.

Attachments:

[MEMO - PZ-20-0003 - FC Variation](#)

[Application - Tent - 324 E. Central](#)

[PZ Minutes 6.11.2020](#)

[PZ Minutes 9.10.2020](#)

[PZ Public Comments 324 E. Central](#)

[Sample Images and Drawings - PZ-20-0003 - 324 E. Central](#)

[Tent Information 324 E. Central Blvd.pdf](#)

[4-12-2018 P&Z Minutes Petition No. PZ 18-0004](#)

[VP Fire Comments 10-23-20](#)

[VP Police Comments 10-23-2020](#)

[PZ Minutes 01-09-2020](#)

[4-12-2018 P&Z Minutes Petition No. PZ 18-0004](#)

[ORD - PZ-20-0003 - Outdoor Tent - 324 E. Central](#)

Village of Villa Park

11 W. Home Avenue, Villa Park, Illinois 60181



TO: Manager Keehner
FROM: Community Development Department
DATE: October 28, 2020
RE: Petition PZ-20-0003 / 324 E. Central Blvd. / Jack Kozar / Variation – Tent

Petition: PZ-20-0003

VB Meeting: November 9, 2020

Property Address: 324 E. Central Blvd.

Petitioner/Owner: Jack Kozar/Jack Kozar

PIN: 06-10-115-005

Lot Size: ± 6,369 square feet, 0.15 acres

Present Use/Zoning: Fuel & Crème/MX-T Mixed Transitional District

Surrounding Zoning / Land Uses

North: C-2 Neighborhood Business District / Proposed office uses
East: C-3 Service Business District / Private parking
West: R-4 Multi-Family Residence District / Residential uses
South: C-2 Neighborhood Business District / Open Space (Prairie Path)

Comprehensive Plan Designation

Business District Mixed Use – This land use category is intended for a mixture of multi-family residential, business district commercial and institutional uses in a relatively compact, pedestrian-oriented activity node. This classification encompasses the Village’s business districts.

Zoning Request

The petitioner, Jack Kozar, is seeking a variance to allow for a tent-covered outdoor seating area during the winter months (November 1st to April 30th).

Information submitted to the Village indicates the tent will measure 20 ft. x 20 ft. and will be 12 ft. high. Attached is a Plat of Survey showing two possible locations for the tent. Option 1 shows the tent to the east of the Fuel building. Option 2 shows the tent adjacent to the south of the Fuel building. The petitioner also submitted sample images and drawings.

Background

The property was formerly occupied by a gas station before it was converted to the present use as Fuel and Crème, which is a bar and ice-cream businesses. A building that currently serves as a bar (Fuel) is approximately 784 square feet and is located on the northwest corner of the property. The building that currently serves ice cream (Crème) is a little over 316 square feet and is located to the east of Fuel.

The subject request is one of four variations the petitioner originally requested. A variance to utilize a shipping container as a storage unit for the subject property was approved July 13, 2020 (Ord. 4158). The

Petitioner is currently pursuing review and approval of a variance to allow a tent for an outdoor seating area during the winter months (November 1st to April 30th). The other two variances, a parking variance for a roof-top patio and a variance to have outdoor entertainment are continued until further notice to allow the petitioner to provide additional information.

Early in 2020, the subject property was notified that a 20 ft. x 20 ft. tent that had been erected without a permit and was not in compliance. The tent's eave height was noted as 10 ft. and the overall height approximately 15'. The tent was anchored by spikes of approximately 3 ft. in length and included manufactured side walls. The petitioner applied for a permit indicating use of the tent year round and that it would not be heated. The permit application was not approved because Village code did not allow for the placement of tent for the intended use.

Village Code as it relates to outdoor seating was originally made part of the zoning code in 1996 following repeated requests for outdoor seating. This provision was amended again in 2006 by adding time frames and some additional restrictions. When the zoning code was updated in 2018, this provision was carried over verbatim from the previous ordinance as there had not been any problems related to how outdoor seating was being utilized.

There was a definite appeal to outdoor seating relative to food establishments, which is why the Village allowed for this provision in 1996 after repeated variations had been granted to restaurants for outdoor seating. The provisions made in 2006 were the result of a survey of outdoor seating that had been recommended as part of the Transit Oriented Design (TOD) study.

The attachments to this memo include the minutes of the public hearing held on April 12, 2018 for the variances relative to parking and fence height. Petitioner indicated in his testimony that he was not looking to have a tavern here, and that there would be no tables or chairs inside the building. He also indicated that he did not want late night hours and that the extent of music on site would be acoustic guitars. Minutes of the January 9, 2020 Planning and Zoning Commission meeting included concerns with a tent, preference for a masonry addition, and encouraged petitioner to get architect.

Staff Review:

Village Code limits outdoor seating areas to March 1 thru November 30 and requires these areas to be open to the sky, with the exception that it may have a retractable awning, umbrella, or be placed under a building canopy. Village Code also prohibits any type of entertainment, whether live, recorded or otherwise in the outdoor seating areas. Village Code, Section 6.11.2.H of the Zoning Ordinance, regulates outdoor seating accessory to an eating or drinking establishments:

1. The outdoor seating area must be open to the sky with the exception that it may have a retractable awning, umbrella, or be placed under a building canopy and may contain furniture, including tables, chairs, railings, planters, and other features that are readily movable.
2. The seating may be located on public property or a public right-of-way provided that at least four (4) feet of the public sidewalk remains obstruction-free. If seating is provided on public sidewalk a certificate of insurance with the Village of Villa Park listed as an additional non-contributory insured and a certificate holder is required. The seating may be located on private sidewalks or pedestrian walkways provided that at least four (4) feet of the walkway remains obstruction-free.

If alcohol is to be served, a fence or similar barrier must be constructed around the outdoor seating area where liquor is served.

3. The outdoor seating area may be located in a yard or required building setback.
4. The seating may not occupy or interfere with the use of required parking spaces, aisles, driveways, fire lanes or fire exits.
5. The seating may not occupy or interfere with the use of building entrances, exits and pedestrian walkways.
6. Lighting related to the operation of the outdoor seating area must be directed away from adjacent properties to avoid creation of a public nuisance.
7. No entertainment, whether live, recorded or otherwise, is permitted in the outdoor seating area.
8. The outdoor seating area must be immediately adjacent to the principal building. If the outdoor seating area only includes tables and/or seating immediately adjacent to the exterior wall of the principal building, no fencing is required. If the outdoor seating includes tables and/or seating not immediately adjacent to the exterior wall of the principal building, fencing is required.
9. The outdoor seating area must conform to the approved site plan and be landscaped and/or screened as determined necessary by the community development director.
10. All outdoor seating must be placed on an all-weather hard surface area.
11. All outdoor seating areas must comply with life safety and exit code requirements.
12. An occupancy permit is required prior to the opening of the outdoor seating area. The occupancy permit is valid from March 1 through November 30 and must be renewed annually. All outdoor furniture must be removed within twenty-four (24) hours of permit expiration.
13. Picnic tables located at a park, golf course, or recreation center are not deemed to be "outdoor seating" and are exempt from the regulations of this section.

As part of the application, Mr. Kozar answered the following questions related to his variation request for **tent covered outdoor seating area during the winter months (November 1st to April 30th)**.

1. State the particular hardship and/or practical difficulty created for you in carrying out the strict letter of the zoning regulations to wit:
Due to the small footprint of the property, the uniqueness of the property including having two principal buildings, and with limited indoor seating available on the property, the use of a covered seating area is necessary to accommodate patrons during the winter months and increase tax revenue for the Village. Additionally, the use of the tent would allow the property to maintain the historic and iconic aesthetic of the buildings by not requiring any alternations to the existing structures.
2. A reasonable return or use of your property is not possible under the existing regulations because:
Ownership is desirous of maintaining the historic and iconic look of the original two buildings during the majority of the year.
3. Your situation is unique (not applicable in other properties in the area or zoning classification) in the following respect:
The uniqueness of the location and design, and historic and iconic nature of this property and its current use will continue to be a destination for families and individuals using the Prairie Path & Great Western Trail. The allowance of the tent would ensure that this patronage continues throughout the winter months as well, creating additional tax revenue, employment opportunities, and additional prestige for the Village.

4. The variation will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property; not increase hazard from fire; not impair property values in the neighborhood; not unduly increase congestion in the streets, or otherwise impair public safety; health and convenience because:

The variation will not impact the essential character of the locality and would instead ensure the continued flow of revenue and jobs to the area, even during the winter months. There would not be any impact on the light or air as the tent is not taller than the existing structures on the property, and the variation will not exceed the photometric code. The tent would not impair property values in the neighborhood as it would be completely contained on the property itself and would not extend beyond the parcel. Additionally, the use of the tent would likely increase property values as it would enhance the prestige of the neighborhood. Similarly, it would not increase congestion as it would not be additional seating beyond what is presently there. Finally, we will work directly with Village Staff and the Fire Department to ensure that the tent will comply with all applicable fire codes.

Findings of Fact:

1. **The proposed variations will not impair an adequate supply of light and air to the adjacent property;**

The placement of a tent from November 1st to April 30th could impair the supply of light and air to adjacent property. Option 2 in particular shows the tent placed at the southwest corner of the property. This location is closest to the residential on Myrtle and closest to the Central Boulevard and Myrtle Avenue public right-of-way.

2. **The proposed variations will not increase the hazard from fire and other dangers to said adjacent property;**

The petitioner has not demonstrated how the value or use ability of neighboring property will not be caused appreciable injury because of the proposed improvement or demonstrated how they will comply with all other requirements of the Village, such as noise or parking.

3. **The proposed variations will not diminish the taxable value of lands and buildings throughout the village;**

There is no evidence that the proposed variation will not diminish the taxable value of land and building throughout the Village. It is likely that this variation may increase the taxable value of subject property but may negatively impact the general vicinity because there may be an increase of pedestrian and vehicular traffic, parking and noise.

4. **The proposed variations will not unduly increase the congestion in the public streets; and**

The petitioner has not demonstrated that the variation will not unduly increase the congestion in the public streets. The subject property provides no on-site parking. The proposed improvements has the potential to increase the parking demand in the area.

5. **The proposed variation will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of the village;**

The petitioner has not demonstrated that granting the variance will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of the Village.

Village staff has reviewed the petitioner's request and has concerns with the variance to allow for a tent-covered outdoor seating area during November 1st to April 30th. Tents are temporary structures typically

meant to be up for a short period of time, especially not during the winter months. Concerns of a tent up during inclement weather include structural integrity, wind and snow load capabilities, and general upkeep/condition of the tent. Past comments from the Planning and Zoning Commission have indicated concerns with a temporary tent and preference for a masonry building addition instead.

Should the petitioner pursue variations to parking to allow a rooftop deck and/or outdoor entertainment, Village staff offers the following comments for reference. The original drawings from 2018 showed a rooftop deck over the west building only and a food truck to be located between the two buildings. The current drawings received in October 2020, show a storage container between the two buildings and a rooftop deck over the west building and extending over the storage container. The Petitioner shall provide details regarding the rooftop deck and if it will extend over the storage container. Roof decks and roof coverings shall be designed for wind loads in accordance with IBC Chapter 16 and Sections 1504.3 and 1504.4. The drawing shall be signed and stamped by an architect licensed in the State of Illinois and comply with all required codes. A building permit will be required for the rooftop patio/dining area. This will include review of means of ingress/egress to the rooftop patio. Verification will be needed that the roof was constructed in a way to be able to be used as a rooftop patio.

The Fire Department reviewed and had no issues with the tent covered seating or the outdoor entertainment request, but indicated there would need to be several items that will need to be addressed for a variation regarding the required minimum parking to account for the rooftop deck. Comments included requiring architectural drawings to be submitted by a licensed design professional showing that all applicable Codes, Standards, and Village Code Amendments are met.

Fuel was not required to install fire sprinklers when it opened in 2019 because of its square footage and occupant load (Under 49). It is currently classified as a Business and not an Assembly. If they add anymore square footage to the building that would be occupied by the public, including a rooftop deck, Villa Park Municipal Code requires them to install a fire sprinkler system and a fire alarm system.

Compliance with the Illinois Accessibility Code will be required, including providing an accessible means of egress from the rooftop deck, which may require the use of an elevator, lift, or ramp. They may also have to provide a secondary means of egress from the rooftop deck. There are also design requirements for the stairway that must be met including, but not limited to Stair construction materials, minimum widths, and landing size. It is difficult to ascertain if this concept meets the minimum code requirements based on the incomplete drawings submitted.

The Police Department indicated a discussion with the Jack and Karen Kozar took place on July 22, 2020. The Kozar's questioned noise complaints and F.O.I.A requests revealing complaints the PD received. The Kozar's advised of several other issues and incidents that took place at or near the business and believe they are victims of unwarranted harassment. This information is being provided as additional information in regards to the police department receiving several complaints of noise coming from the business.

Additionally, the Kozar's wanted to point out that their request for a variance for the number of parking spaces should be separate from the information about the potential noise that may result from the addition of a roof-top deck. Their opinion is that the details regarding the addition and construction of a roof-top deck should be kept separate. The police department would have no issues with the required number of parking spaces being reduced to zero spaces due to the additional parking areas that have been

created in the area. If the roof-top deck is also being considered, the police department would like to know the details of how potential noise coming from the roof-top deck would be mitigated

Memos from the Fire and Police Department are attached.

Planning and Zoning Action:

On the September 10, 2020 public hearing, the Planning and Zoning Commission motioned to adopt staff's findings as the findings of fact of the Planning and Zoning Commission and made the following recommendation relevant to the tent request:

Majority of quorum.

 2 AYES, 4 NAYS

Requested Action:

If the Village Board finds in support of the applicant's request, they should approve the attached ordinance for PZ-20-0003 for the following request:

- 2) Variation to allow a tent-covered outdoor seating area during the winter months (November 1st to April 30th), subject to the following condition:
 - a) Compliance will all applicable Village Code, Building, and Fire Codes.

Village Board Vote Required:

Two-thirds of all member of the Village Board.

 AYES, NAYS

105 S. Adell Place
Elmhurst, IL 60126
Ph 630 834 7500 | Fax 630 834 2393
KozarLawOffice.com

Principal Attorney
Jack Kozar
Licensed in Illinois and Wisconsin

Associate Attorneys
Jay D. Kostecki
Justin J. Shlensky
Licensed in Illinois

11 March 2020

Mr. Patrick Grill AICP
Director of Community Development
325 E. North Avenue
Villa Park, Illinois 60181

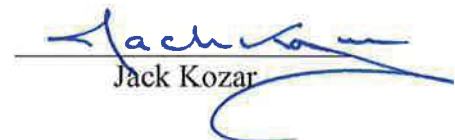
**Re: Variance Applications for the Property located
at 324 E. Central Avenue in Villa Park, Illinois**

Director Grill,

I am writing to you to briefly highlight the purposes of my corresponding variance applications. We are seeking four variances for the above-listed property, namely a variance pertaining to the parking requirements of the zoning ordinance, a variance to allow for a storage unit to be placed on the property, a variance to allow for outdoor entertainment, and a variance to allow for a tent-covered seating area on the property's patio.

Each of these variances is necessary to allow for Fuel and Crème to continue to thrive and grow as a business, and as an asset for Villa Park. Fuel and Crème have generated a significant amount of business, interest, and revenue for the Village. These variations would also allow for Fuel and Crème to maintain the historic and iconic nature of the buildings on the property, while also allowing for the continued growth of the business and its contributions to the Village itself.

Please consider the enclosed variations and the benefits that they could provide to the Village and its citizens. Please do not hesitate to contact me with any additional questions or concerns regarding this matter.


Jack Kozar



Village of Villa Park

325 East North Avenue, Villa Park, Illinois 60181-2696

COMMUNITY DEVELOPMENT DEPARTMENT
Director • Patrick M. Grill, AICP

Phone (630) 433-4300
Fax (630) 941-5979
TDD (630) 834-8589

PIN: <u>0610115005</u> Acreage: <u>.14</u>	Application #/Name: _____
Address: <u>324 E. Central Villa Park</u>	Hearing Date: _____
Zoning: _____ ELU: _____	Fee Paid: _____ Date Received: _____
FP/Wetlands: _____	Received By: _____

Zoning Request:

Request to allow for an outdoor seating area to be covered by a tent

Legal Description:

See attached

(*Please Note: for each zoning request the appropriate application needs to be filled out)

- **HEREBY AFFIRM:** That I am the owner or agent authorized to make this application and that the information that I have provided in this application and all supporting documentation is correct to the best of my knowledge
- That any zoning relief granted does not authorize construction without appropriate permits or the use thereof in violation of any code or ordinance in the Village of Villa Park

John Kezar / [Signature]
Print/Signature of Applicant
(Owner/Authorized Agent)
PO Box 705
Street

1
Print/Signature of Owner
(If in a trust, trust disclosure form required)

Street

City, State, ZIP

Phone Number/Fax Number

Please Provide Name & Phone Number	Subscribed and sworn to before me this:
Developer: _____	<u>11th</u> Day of <u>March</u> , 2020
Attorney: <u>Kezar Law Office</u> [Redacted]	<u>[Signature]</u>
Land Planner: _____	Notary Public
Engineer: _____	
Architect/Landscape Architect: _____	

OFFICIAL SEAL
JAY D. KOSTECKI
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES JUL. 26, 2023

PARCEL 1:

THE SOUTH 5 FEET OF LOT 1 IN BLOCK 4 IN CALHOUN'S RESUBDIVISION OF LOTS 3 TO 6, INCLUSIVE, AND LOTS 8 TO 16, INCLUSIVE, TOGETHER WITH PORTIONS OF THE ALLEY ADJACENT THERETO IN CALHOUN'S ADDITION TO VILLA PARK, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED DECEMBER 8, 1921 AS DOCUMENT 15282, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:

LOT 17 IN CALHOUN'S ADDITION TO VILLA PARK, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID LOT 17 THAT PART THEREOF LING EAST OF THE WEST LINE OF NEW STREET, EXTENDED SOUTH) ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1910 AS DOCUMENT 100980, IN DU PAGE COUNTY, ILLINOIS.

Variation

Please fill out the following information, for multiple variation requests please make additional copies and submit the following for each request. The Petitioner must list below FACTS and REASONS substantially supporting the following conclusions or the petition for variance cannot be granted. "Yes" and "no" answers or Petitioner's opinions will not be accepted.

For a Variation from Article ^{Appendix C} 6 Section 6.11.2.6.1 of Zoning Ordinance to wit:

1. State the particular hardship and/or practical difficulty created for you in carrying out the strict letter of the zoning regulations to wit:

See attached.

2. A reasonable return or use of your property is not possible under the existing regulations, because:

See attached.

3. Your situation is unique (not applicable in other properties in the area or zoning classification) in the following respect:

See attached.

4. The variation will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property; not increase hazard from fire; not impair property values in the neighborhood; not unduly increase congestion in the streets, or otherwise impair public safety; health and convenience because:

See attached.

Notice: Section 6-13. No application for a variation shall be accepted until a period of one (1) year has elapsed from the date that a final decision rendered by the Board of Trustees relating to the property for which the application being submitted for such variation.

VARIATION

For a Variation from Section 6.11.2 (G) (1), to allow for the use of a tent during the winter months (approximately November 1st to April 30th) by allowing for a covered seating area on the property.

1. State the particular hardship and/or practical difficulty created for you in carrying out the strict letter of the zoning regulation to wit:

Due to the small footprint of the property, the uniqueness of the property including having two principal buildings, and with limited indoor seating available on the property, the use of a covered seating area is necessary to accommodate patrons during the winter months and increase tax revenue for the Village. Additionally, the use of the tent would allow the property to maintain the historic and iconic aesthetic of the buildings by not requiring any alterations to the existing structures.

2. A reasonable return or use of your property is not possible under the existing regulations, because:

Ownership is desirous of maintaining the historic and iconic look of the original two buildings during the majority of the year.

3. Your situation is unique (no applicable to other properties in the area or zoning classification) in the following respect:

The uniqueness of the location and design, and historic and iconic nature of this property and its current use will continue to be a destination for families and individuals using the Prairie Path and Great Western Trail. The allowance of the tent would ensure that this patronage continues throughout the winter months as well, creating additional tax revenue, employment opportunities, and additional prestige for the Village.

4. The variance will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property; not increase hazard from fire; not impair property values in the neighborhood; not unduly increase congestion in the streets, or otherwise impair public safety; health and convenience because:

The variation will not impact the essential character of the locality and would instead ensure the continued flow of revenue and jobs to the area, even during the winter months. There would not be any impact on the light or air as the tent is not taller than the existing structures on the property, and the variation will not exceed the photometric code. The tent would not impair property values in the neighborhood as it would be completely contained on the property itself and would not extend beyond the parcel. Additionally, the use of the tent would likely increase property values as it would enhance the prestige of the neighborhood. Similarly, it would not

increase congestion as it would not be adding additional seating beyond what is presently there. Finally, we will work directly with Village Staff and the Fire Department to ensure that the tent will comply with all applicable fire codes.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance to allow for)
shipping container as)
storage, variance from)
minimum required parking)
from 16 to 0 spaces,) Petition PZ-20-0003
variance to allow for a)
tent-covered seating)
area, and variance to)
allow outdoor)
entertainment for)
property located at 324)
East Central Boulevard.)

PUBLIC HEARING BEFORE THE
PLANNING & ZONING COMMISSION
JUNE 11, 2020
7:30 P.M.

PROCEEDINGS HAD and testimony taken before
the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

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PUBLIC HEARING BEFORE THE
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South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT, Chairman

3 MR. DOMINICK ROMANO

4 MR. EDWARD HOFSTRA

5 MR. JACK LANENGA

6 MR. MIKE ORLOWSKI

7
8
9 ALSO PRESENT:

10 MS. CONSUELO ARGUILLES, Director of Community
Development
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1 CHAIRMAN JARRETT: First order of business will
2 be Petition PZ-20-0003, variance to allow for a
3 shipping container as storage, a variance from
4 minimum required parking from 16 spaces to 0 spaces,
5 a variance to allow for a tent-covered seating area,
6 and variances to allow outdoor entertainment for
7 property located at 324 East Central Boulevard, Jack
8 Kozar, Petitioner.

9 And just so everyone present and anyone
10 watching knows, our order of business will be to
11 start with Staff input, then move to presentation of
12 petitioner. We'll move into public participation
13 and questions. I understand there have been a large
14 number of e-mails received on this agenda item, so
15 once anyone from the public wishes to speak has
16 spoken, Staff will read those comments into the
17 record. Then we'll move to questions from the
18 Commission, closing comments of the petitioner, if
19 you have any, close the public hearing, and then
20 discussion amongst Commission members, and then
21 motion and vote, if we get to that point this
22 evening. So when you're ready, director.

1 MS. ARGUILLES: Thank you. I created a
2 PowerPoint presentation for purposes of this case,
3 and moving forward I'd like to present to you a
4 PowerPoint.

5 So for tonight's Zoning & Planning
6 Commission meeting we have one case for your review
7 and consideration. That's a petition known as
8 PZ-20-0003 for the property at 324 East Central
9 Boulevard, which includes four variation requests.

10 The first one is to allow for a shipping
11 container as storage along the north property line.
12 The second variation request is to the required
13 minimum parking stalls from 16 spaces to 0 spaces to
14 account for a rooftop deck. The third variation
15 request before you tonight is a request to the
16 required minimum parking spaces. The third one is a
17 variation to allow a tent-covered seating area. And
18 the fourth would be a variation to allow outdoor
19 entertainment.

20 The aerial map here on the right side of
21 the slide is an aerial perspective drawing of --
22 aerial image of the property. As you can see on the

1 property, it is a corner property with three street
2 frontages that fronts Myrtle Avenue, Central
3 Boulevard, and Cortesi Avenue.

4 The northerly boundary abuts the former
5 United States Post Office building, which is
6 currently vacant. Parking for the Historical Museum
7 and the Prairie Path is located south of the subject
8 property.

9 Some quick background on the property.
10 The lot was created back in 1921 and measures just
11 over 6,300 square feet in area, which equates to
12 about .45 acres. The property was formerly occupied
13 by a gas station for many decades before it was
14 converted to the present use.

15 Today there are two buildings on the
16 property that are located along the north lot line.
17 There's a larger building that serves as a bar,
18 otherwise known as Fuel, and is approximately 784
19 square feet that's along the west property line.
20 East of that building there is a building that's
21 serves as an ice cream shop known as Creme. This
22 building is just over 200 square feet in area. The

1 zoning for the subject property is MX-T, mixed
2 transitional business.

3 This is a plat of survey the petitioner
4 submitted to show the location of the proposed
5 storage shipping container. The proposed location
6 would be along the north property line, in between
7 the two buildings that are on the property. The
8 shipping container would measure about eight feet
9 wide by nine feet, ten and-a-half inches deep and
10 would measure just over eight feet and eight inches
11 in height.

12 The petitioner's requests also include a
13 proposal to install a tent. It would be a 20 by 20
14 tent that would measure 12 feet in height. The
15 sides would be clear and would be removable to allow
16 for removing the sides, should the weather require
17 it. The image shown on the north part of the -- the
18 slide here, on the top part, is a survey of the
19 property with two locations as options for the
20 location of the tent. Options one and two. Option
21 one would be in between the two buildings, and
22 option two would be placing the tent just south of

1 the existing Fuel building.

2 Should the Zoning & Planning Commission
3 wish to make a positive recommendation on the
4 various requests, they may consider the following
5 findings of fact. The first one is the proposed
6 variation will not impair an adequate supply of
7 light or air to the adjacent property. Number two,
8 that the proposed variations will not increase the
9 hazards from fire and other dangers to said adjacent
10 properties. The third would be the proposed
11 variations will not diminish the taxable value of
12 lands and buildings throughout the Village. Four,
13 the proposed variations will not unduly increase the
14 congestion of the public streets, and the proposed
15 variation will not otherwise impair the public
16 health, safety, comfort, morals, and welfare of the
17 Village.

18 Staff has reviewed the proposal and has
19 received comments from the fire chief, police, and
20 public works. The fire chief indicates that there
21 are no issues with the outside storage, but the
22 temporary tent cover with rooftop would require

1 installation of a fire sprinkler system and a fire
2 alarm system.

3 The comments from the police chief
4 indicates concerns with the parking variation. The
5 Village has recently created additional parking at
6 110 South Villa and on Park Boulevard. However,
7 adding the rooftop deck has a potential to increase
8 the noise coming from the business. The police
9 department to this date has received several
10 complaints of noise coming from the business last
11 year and has concerns regarding an increase of the
12 complaints. The business is located directly across
13 from a residential area, and permitting a crowd to
14 gather at a higher ratio will most likely cause the
15 problems to elevate into trouble. Regarding the
16 noise complaints the police department has received,
17 the property is subject to comply with Chapter 15,
18 Article 6, noise variation, to make sure the outdoor
19 entertainment that is proposed would be in
20 compliance with the variation. A variation, should
21 it get approved, would have to have some type of
22 location for entertainment and hours.

1 Finally, the public works department has
2 reviewed the request and has concerns regarding the
3 rooftop deck. A building permit would be required
4 for such an addition, and verification that the roof
5 was constructed in a way to allow for the rooftop
6 patio would be required. Public works also
7 commented that we've received several comments
8 regarding the parking at the South Villa Business
9 District. The Village has added additional parking
10 mostly in the municipal lot across from Ovaltine and
11 continues to work with owners in the area to address
12 parking issues.

13 Based on Staff's review of the
14 petitioner's request, Staff finds that the requests
15 for variations have not been met, and based on these
16 findings, Staff recommends that the Planning &
17 Zoning Commission stand behind Staff's findings and
18 recommend denial of the following variations. A
19 variation to allow for a shipping container storage,
20 a variance to the required minimum parking from 16
21 to 0 spaces to allow for a rooftop deck, a variation
22 to allow a tent-covered seating area, and a

1 variation to allow outdoor entertainment. This case
2 is Village Board final.

3 Should the Commission recommend approval
4 of the requests, Staff is recommending some
5 additions be added to the request, and this would be
6 the following. That the site shall be developed
7 generally in conformance with Exhibit A, that the
8 storage shipping container be erected generally as
9 shown on Exhibit B, that the site will comply with
10 the Noise Ordinance in Chapter 15, and that the days
11 and hours of operation for the outdoor entertainment
12 be limited to Fridays and Saturdays until 11:00 p.m.
13 ending time. This is a Village Board final case.
14 And I could answer any questions that you have for
15 Staff or have the petitioner come up and make his
16 presentation before you.

17 CHAIRMAN JARRETT: I think we'll wait and have
18 all the questions at once.

19 MS. ARGUILLES: Okay. Is petitioner here?

20 MR. KOZAR: Yes.

21 MR. ARGUILLES: Would you like to step up and
22 present your case?

1 MR. KOZAR: Sure.

2 CHAIRMAN JARRETT: We'll need you to be sworn
3 in. And I don't know if Karen expects to speak or
4 not, but if so, we should have her sworn in too.

5 (Whereupon, the witnesses were sworn
6 in under oath.)

7 MR. KOZAR: So you're all aware and familiar
8 with the property that we're talking about here at
9 324 East Central. It's been a wonderful addition to
10 Villa Park. It brings in people from the
11 surrounding communities. We have families on the
12 property. It's taken an area that really a couple
13 years ago has been blighted to a real destination.
14 People are really enjoying it. We get a lot of
15 bikers, a lot of people walking down the path. It's
16 just revitalized that whole path section right
17 there, you know, and I think esthetically it just
18 looks great.

19 So I'm asking for four different things.
20 The container, the tent, the parking, and the
21 ability to have entertainment on the property. So
22 I'll just take those in turn.

1 The container. Simply we just need a
2 little extra storage on the property, and to clean
3 it up. I think a container will provide security
4 because of just the rigidity of, you know, a
5 shipping container. We're not asking for any sort
6 of occupancy for the container. The business won't
7 be run out of the container in any way. It's just
8 going to be used for storage. Surrounding
9 communities allow shipping containers on their
10 properties. In terms of utilities on the property,
11 we will need some lighting inside just so it's not
12 dark, but my understanding, that would be the extent
13 of it. We're not planning on running any plumbing
14 to it. You know, I don't know what we would need
15 for that anyway, but, you know, any utilities in it
16 was to be plumbing or electric would be very
17 minimal. In my travels around Villa Park, I have
18 found 23 other shipping containers that are in Villa
19 Park on properties. So I don't think what we're
20 asking for in terms of a shipping container and
21 using it for storage is necessarily, you know,
22 something that's novel in Villa Park.

1 Number two is the tent. I think you all
2 saw the tent there over the winter. We're asking
3 that we have the option to either put it in either
4 of the two spots that you saw on the PowerPoint
5 presentation. In light of COVID, we're seeing tents
6 pop up all over the place, and people enjoy that. I
7 mean, people like to sit under them. They protect
8 people from the elements. You know, I think
9 esthetically the tent that we have is a good-looking
10 tent. You know, based on how our property looks, we
11 would maintain that tent to always be a good-looking
12 tent. That's very important. We are competing --
13 Villa Park and 324 East Central competes not only
14 with the other businesses in Villa Park, but Villa
15 Park as a whole competes with the other communities
16 around. So Villa Park competes with Elmhurst, with
17 Naperville as a destination, Addison, you know.
18 Where do you want to go in the evening or in the
19 day? Let's bring it to Villa Park. Addition of the
20 tent will allow us to accommodate those people in
21 inclement weather, cold, rain, all of that.
22 Primarily we're thinking that we'd use the tent in

1 the winter. You know, if down the road, you know,
2 we want to be able to put the tent up to keep rain
3 out, or, you know, at least the top of the tent
4 perhaps in the summer, I would like to be able to
5 entertain that. And it really benefits the
6 residents of the Villa Park. The whole property
7 does. But especially having that ability to have a
8 covered area, or, you know, something that keeps you
9 out of the elements. You know, a lot of people in
10 Villa Park, just one more thing to do when they come
11 home from work and want to take the family for a
12 walk and go get an ice cream, and mom and dad maybe
13 want to have a drink while the kids are having an
14 ice cream, or, you know, a little bite to eat, or
15 something like that. As much as possible, it's
16 going to be a ploy to the local Villa Park
17 residents, so, you know, that's also a positive for
18 the community.

19 Number three is the parking. So we would
20 like to be able to put a rooftop deck up there. Of
21 course that rooftop deck would be in compliance to
22 the Building Code, you know, so I think that is

1 assumed. We're not looking to deviate from what is
2 safe and what is proper and what is standard for a
3 building. It will come with architectural drawings.
4 It would go through a permit process. It would be
5 able to support what we're requesting there. It
6 would have proper egress. That is without doubt.
7 We have a new lot where the Village bought from AK
8 Mulch. Currently there's 48 new parking spots.
9 That lot can accommodate 200 to possibly 250.
10 They've only striped it for 48. So that's a
11 considerable number of parking in that area, and I
12 think it's great. I commend Villa Park for having
13 the foresight to put something like that together.
14 That's going to greatly help. I believe it will
15 alleviate any sort of parking problem. In previous
16 -- you know, in the last couple years, various
17 people have said, you know, we've got a parking
18 problem, and if the Village could just add 20 or 30
19 more parking spots we would be in good shape. Well,
20 the Village has more than added 20 or 30 more
21 parking spots, and, you know, it's great.

22 So a rooftop deck would be unique in Villa

1 Park. It would draw people from other communities.
2 There aren't -- I am not aware of any other rooftop
3 decks in and around other communities, so Villa Park
4 would be the draw. Everybody would see that on the
5 Prairie Path. They would know about it. They would
6 come in and -- what's the advantage, you know, for
7 other people coming into Villa Park? Places for
8 eating tax. That's a big part of it. The Village
9 gets more revenue from it. So there's some degree
10 of partnership between our property and the Village
11 that, you know, better than the businesses in Villa
12 Park do. Especially those, you know, that pay the
13 places for eating taxes. The better the Village
14 does itself would increase the tax base.

15 Additionally, the comment was posed to me
16 that, you know, certain people don't want to pay for
17 the parking that is used up by 324 East Central.
18 But, again, the tax revenue more than compensates
19 that, or at least adds to that. So even without the
20 new lot, which is so great to have, you know, an
21 additional 50 to 250 in parking, walking, you know,
22 riding your bike, coming down the Prairie Path. As

1 far as we're concerned, if you have a hard time
2 finding parking, which I don't at all believe
3 there's a hard time finding parking in that downtown
4 area, but should you, I encourage you, ride your
5 bike, take a walk down to, you know, come visit us.

6 If you go to Chicago you're doing great if
7 you find a parking spot eight blocks away from
8 wherever your destination is. Here in Villa Park,
9 worst-case scenario, you end up walking a block or
10 two. So I think it would be a lovely addition to
11 that downtown business district. I think it would
12 be a lot of fun. People really enjoy it.

13 And as far as the decibel levels or the
14 sound from the music or any of that, of course we
15 would leave that, you know, under acceptable levels
16 according to whatever the Code is. As it stands
17 right now, you know, I know that they said that the
18 Village has had numerous complaints in terms of
19 noise. I did do a FOIA request on some of that, and
20 I received 190 pages of complaints from one
21 individual. So I think that should be taken into
22 consideration, you know, as to who is complaining.

1 But it is virtually impossible to have that property
2 and add parking on that property. So really the
3 question becomes does Villa Park want to have a
4 rooftop deck, and would that benefit the residents,
5 and would that be an attraction to bring more people
6 in. That's just the three-point corner. Once you
7 come into Villa Park, once you're in that area,
8 maybe you frequent 324, but then you go over to
9 More, and maybe you go to Demito's, and maybe you
10 grab a pizza from Michael Anthony's, maybe you go to
11 Josephine's, or, you know, any of the other bars,
12 and Mijo's Tacos. If they frequent the area,
13 everyone benefits. So a rising time, you know,
14 rises all ships. So the more business that we can
15 do from anybody down in Villa Park helps everybody
16 down in Villa Park in that business district, and
17 this would definitely do that.

18 Lastly, as to the entertainment.
19 Entertainment is vague in it's definition. So last
20 year -- you know, when we say entertainment, right
21 away perhaps we jump in and we think, you know, live
22 bands, Lollapalooza. That's not our intent.

1 Entertainment is also -- you know, last summer we
2 had a lady come in, and she would make balloons for
3 the kids, funny hats and swords, and things like
4 that. I think of that as entertainment. But we
5 would like to have speakers, piped-in music. We
6 would occasionally like to have somebody playing
7 live music on our patio. We did have some live
8 music last year, and all of our live music last year
9 was volunteer. People would come up with their
10 local bands or little group, guitar player, and they
11 would just want to play on the patio for exposure.
12 One guy I met, he used to play at the pagoda over at
13 the museum, and I saw him one morning, and he was
14 just playing by himself, and I introduced myself,
15 and he would just come here in the morning under the
16 pagoda just to practice his guitar. He liked the
17 acoustics, and he liked being outside. So I invited
18 him on the patio, and he would come, and he would
19 get himself a coffee, and he would sit, and he would
20 practice his guitar. It reminded me of being in
21 Ireland where, you know, just spontaneously people
22 pull up a chair and a couple of them start, you

1 know, playing and performing their art, and that's
2 what we like to see more of.

3 If the Board thinks that there should be,
4 you know, set hours, I think -- as I recall seeing
5 on the PowerPoint, it said, 11:00. I think that's
6 very fair. As it is right now, you know, during
7 COVID time, we're required to basically shut down
8 operations at 11:00, and, you know, I have no
9 objection to that. It kind of makes for a nice
10 evening. Shutting down at 11:00, no issues.

11 You know, entertainment could also be
12 sporting events. There's some bars here in Villa
13 Park that when game season is in, they roll out
14 multiple TVs on one part basically, and people can
15 sit outside, and they can, you know, watch the Bears
16 game, they can watch baseball games. We'd like to
17 be able to watch the World Series outside, watch the
18 Superbowl outside. It would be a lot of fun
19 sitting, having a bite to eat, watching the game,
20 having the family kind of run around, and, you know,
21 a little something for everybody. So all those
22 things fall under the purview of entertainment, so

1 we would ask that you allow us to have that
2 entertainment.

3 We have an odd-shaped lot, you know. It's
4 a tiny property. We're doing the best that we can
5 with the lot that we have, and we're being creative,
6 and we're trying. Like every business, you've got
7 to be flexible. You've got to try stuff. You've
8 got to be able to take risks and take changes. And
9 sometimes they work, and sometimes they don't. But
10 if you don't give it a shot and if you're not
11 willing to adapt, there is -- this is not a
12 franchise, and we don't have a long history of being
13 -- you know, how this works. So, you know, we try
14 different things. And if it doesn't work, we have
15 to adapt, and that's the only way to succeed in
16 business is to be able to adapt and to be able to
17 overcome.

18 These four items that I bring to you would
19 help us in that goal of being able to adapt and
20 being able to overcome. And now we've been in
21 business for not even one full year. We are
22 learning what the market is, as weird as it is in

1 COVID time. You know, I appreciate the Village
2 supporting businesses and doing what they can for
3 their businesses and their residents, because a
4 thriving business market in our town, you know,
5 helps the residents as well, helps property values.
6 You know, if you've got a thriving downtown business
7 market, not only does it offset some of the taxes
8 that the residents pay, but it also creates a
9 destination for people that live in that town,
10 because they can walk to the fun events that, you
11 know, are down there on the weekends and during
12 evenings and stuff when they come home from work.
13 So having variety, having offerings for the people
14 who live in Villa Park, not to mention all the
15 people in the surrounding communities, but the
16 people who live in Villa Park. That's a very
17 positive thing for the community, and we try very
18 hard to do what we can to make a positive impact on
19 our community.

20 Thank you.

21 CHAIRMAN JARRETT: Thank you.

22 MR. KOZAR: Will you be asking me questions, or

1 should I sit down? What is protocol?

2 CHAIRMAN JARRETT: We'll be asking questions
3 after public participation, so go ahead and have a
4 seat, and probably you can be able to answer
5 questions from your seat, but we'll see as we move
6 along how many questions we have.

7 Okay. So next would be public
8 participation and questions. Looks like maybe we've
9 got it set up for people to speak from the back.

10 MS. ARGUILLES: So we have a group of attendees
11 in the back. I would like to go and ask them to
12 start approaching if they would like to have some
13 comments, but I will ask one person from this room
14 to exit so there's not more than 10 people here.

15 CHAIRMAN JARRETT: Okay.

16 MS. ARGUILLES: So now we can start with the
17 first person that would like to speak.

18 MS. HALLORAN: My name is Kathy Halloran.

19 CHAIRMAN JARRETT: One second here. So we're
20 going to need everybody that comes in to be sworn
21 in, so -- I don't know if they can hear us in here,
22 but when you come up to speak, be sworn in, state

1 your name and address for the record, and then go
2 from there.

3 (Whereupon, the witness was sworn in
4 under oath.)

5 MR. HALLORAN: My name is Kathy Halloran. I
6 live 538 East Wildwood Avenue. Wildwood and
7 Monterey. So there are two sides to every story.
8 I'm not sure where things really have gone sideways
9 in Villa Park, but they have gone sideways. This is
10 a residential community. You talk yourself as a
11 residential community.

12 AK Mulch moved down the street, I don't
13 know, February, middle of winter. I have no idea.
14 But now I have semi trucks up and down the street,
15 and I mean semis, landscape trucks. I'll just show
16 you the little TIF District. TIF, both Fuel and
17 Creme right here. Great. Good for them. I like
18 them. AK Mulch, very glad to see them go. Oh,
19 parking lot, great. Great for the businesses.
20 Where did AK Mulch go that the Village paid \$1.1
21 million to buy out AT&T, \$2.2 million to buy out AK
22 Mulch to move them down -- I live here. This is

1 where AK Mulch is. Semi trucks can only come down
2 Wildwood, Oakland, or Monterey. There's a
3 four-year-old boy that lives right here. There's a
4 nine-year-old boy that lives right here. Besides
5 the flooding, which that's a whole other story, my
6 property has been devalued. And I don't know what
7 is the solution. There is none right now, because
8 they're here. They're here. Somebody -- I have no
9 idea whose bright idea it was, but they're here. My
10 home. I've lived here 20 years. My children grew
11 up here. I want out in a big way. I don't want to
12 live in Villa Park. Villa Park has betrayed me as a
13 property owner, as a taxpayer, as a citizen. And
14 it's really -- you know, the funny part is -- it's
15 not funny, but 1908 when Villa Park and the
16 historical museum -- my community is the Woodruff
17 subdivision. The original. It's got signs. It was
18 celebrated. This is the original subdivision,
19 Woodruff, our homes. And, I mean, semi trucks.
20 Come Saturday morning -- you know, here's the
21 Prairie Path. There's signs that connect the Salt
22 Creek Trail. This is the entrance. Fairfield and

1 Wildwood is the entrance. Saturday mornings there
2 are barge trucks, there are semi trucks zooming down
3 the street. Not zooming, because they don't go
4 fast, but they're loud, and I have my windows open
5 trying to get fresh air. I can't even sit on my
6 front porch. So I'm really happy that Villa Park
7 has 48 new parking spots. That's awesome for
8 businesses. What am I supposed to do? Where do I
9 go? How to do I sell my house that's flooded.
10 2008, four and-a-half feet of water in my basement.
11 2010, four and-a-half feet of water in my basement.
12 2013, four and-a-half feet of water in my basement.
13 Last week I barely saved our basement, or three
14 weeks ago. My neighbor who just moved in from
15 Elmhurst in October, four and-a-half feet of sludge,
16 sewer water, in his basement. He had to vacate. I
17 don't know what he's going to do. He paid \$315,000.
18 It's really unconscionable that the Village would
19 even have that property for sale. And I'm telling
20 you, nobody would want to live on my street, nobody,
21 and nobody on my street does. Basically our
22 conversations with my neighbors have been what the

1 heck is going on.

2 So I went to the Traffic & Safety
3 Commission meeting. I spoke there. We have an
4 agenda item, but they seem to be clueless as to what
5 we're talking about. You know, they don't even know
6 that AK Mulch is down the street. So I don't think
7 they were even consulted at all. I don't know why
8 they were left out of the picture, but it seems they
9 were.

10 So I really don't know where the Village
11 is going, but it's not the Village I moved into,
12 that we wanted to raise our children, and now I
13 can't get out. My husband and I joke. It's like
14 the roach motel. We move in, and we don't leave. I
15 really do want out. That's all I got. Thank you.

16 CHAIRMAN JARRETT: Thank you.

17 (Whereupon, the witness was sworn in
18 under oath.)

19 MS. GREGORY: My name is BJ Gregory, and I have
20 lived for the past 22 years at 306 East Central.
21 This is the residential property closest to Fuel and
22 Creme, and the most impacted by the influx of foot,

1 bicycle, and automotive traffic. I would like to
2 state that I think that Fuel and Creme to the east
3 is a lovely concept and very well executed.
4 However, there is just too much going on in such a
5 small parcel of land. The overflow is seriously
6 impacting those of us who live so close. Cars
7 searching for parking, children running back and
8 forth to the Prairie Path, bikes parked on the
9 sidewalks, and people leaning on the planters
10 chatting with their neighbors seated on the patio
11 all lead to a very chaotic and potentially dangerous
12 scene. What some people would see as a lively
13 gathering place takes on a very different feel when
14 it is on your doorstep.

15 Now with nowhere to go, they plan to
16 expand upwards. This will only increase the need
17 for parking, pushing people into private parking
18 lots. We already have a constant stream of people
19 using our parking lot to turn around in in their
20 search for parking and regularly have to chase out
21 people parked in our lot. Recently, 10 to 12 spots
22 on Central between Myrtle and Villa have been

1 removed to ease the congestion, but the spots remain
2 directly in front of our property. There is just
3 barely enough room for two-way traffic. So leaving
4 our lot and turning right often results in a head-on
5 confrontation with cars heading east. In addition,
6 the high planters that surround the patio at Fuel
7 and Creme completely obscure the sight line of cars
8 turning onto Central from Myrtle. This is the point
9 where the Great Western Trail connects with the
10 Illinois Prairie Path. I am asking that the
11 variance for 0 parking spots not be granted.

12 I have no opinion on the storage
13 container. And although I am not a fan of the tent,
14 it does not really impact me. The live music and
15 entertainment on the patio, however, is another
16 matter entirely. The openness of the area combined
17 with the pavement and the brick building with little
18 vegetation act as a sound barrier. Live or recorded
19 music is very intrusive. Even inside our apartment.
20 I'm on the far west end of the building. Last year
21 they had several performers on the patio, and there
22 was no way to get away from the sound. I am asking

1 that the variance for the outside entertainment not
2 be granted. Thank you.

3 CHAIRMAN JARRETT: Thank you.

4 (Whereupon, the witness was sworn in
5 under oath.)

6 MS. GABRIEL: Hi everybody. My name is Tracy
7 Gabriel. I live at 306 East Central, and I am the
8 unit that is east of -- I'm the most east unit. My
9 windows look out on Myrtle. My neighbor is Fuel and
10 Creme. Less than a hundred feet away from me.

11 It's not the first time I'm speaking in
12 front of you guys. It's not the first time I'm
13 presenting obstacles, or challenges, or whatever you
14 want to say, against some of the improvements that
15 Fuel and Creme want to do. I have no problem with
16 the storage unit. I am hoping that that would solve
17 some of their challenges that they're having with
18 their business growing and having a lot of business.
19 I think that's a great idea for the storage unit.

20 I am not a fan of the big white tent. It
21 was put up in December, and it didn't come down
22 until May, April. Something around there. I don't

1 even know what day it is anymore. How many of us
2 don't know what day it is?

3 CHAIRMAN JARRETT: You're not alone.

4 MS. GABRIEL: I understand that there's a need
5 for protection of their patrons, and to use the tent
6 to protect them or get people out of the elements,
7 but that's not what Fuel and Creme is. It's an
8 outdoor property, so having a tent kind of goes
9 against having that outdoor property feel. If you
10 want to go indoors, go to Demito's, go to
11 Josephine's, go to Mahoney's, go to More. More is
12 not even open right now, because they don't have an
13 outdoor lot. So they're taking a bigger hit with
14 any of their financials than anybody else here in
15 Villa Park by not being able to be open because they
16 don't have an outdoor property.

17 The fence. That would have to go along
18 with it. The variance. That would have to go along
19 with the storage container, because the variance
20 would have to be two feet higher is fine.

21 The no parking. So Fuel and Creme opened
22 on July 3rd. 2nd, 3rd, 4th, something like that.

1 The very first meeting for Traffic & Safety, I was
2 there to present the dangers that are occurring
3 within the first 30 days of being open. And as my
4 neighbor BJ has stated, the Western Trail connects
5 to Prairie Path, and that intersection has got to be
6 the biggest intersection with the most ADHD. There
7 is so much stuff going on. You don't even know what
8 to look at, let alone walking, driving, cars,
9 anything. I have videos from standing on my
10 property showing how people have to walk in the
11 street, not even on the sidewalk, because bikes are
12 parked on the sidewalk at Fuel and Creme. Not in
13 the bike racks that are provided by the Village, but
14 on the sidewalks, leaning against their planters.
15 People have to walk in the street. That's a danger.
16 They do the same thing. They park their bikes up
17 against the planters on Myrtle, and that blocks the
18 traffic that can go on the Western Trail. There is
19 no four foot allowance on any of those sidewalks
20 when bikes are parked.

21 Let's talk about the signs in that area.
22 You can't even see the signs coming east on Central,

1 because the trees are in the way. You don't know
2 how many people have made a left turn -- I'm sorry
3 -- a right turn the wrong way down Myrtle because
4 it's a one-way street, because you can't read the no
5 left turn -- whatever -- no right turn. No right.
6 The tree's too big. The intersection's got 11
7 vertical posts. Want to know how many have signs on
8 them? Eight. Eight signs for drivers to pay
9 attention to. It's a little much. All I've ever
10 asked for is a three-way stop to be put in there.
11 Yesterday I come home from work. I went to the
12 city. I came home from work. I changed my clothes,
13 and I hear screeching. Car's coming zooming down
14 over 25 miles an hour, skids at the crosswalk
15 because there was a kid riding their bike across
16 Central to the Prairie Path from the Western Trail.
17 No accident, thank goodness. Who's at fault? Both
18 people. But who's going to get hurt? The person on
19 the bike. And as fast as that person was going,
20 that person would have gotten run over. Not even
21 hit by the car. It would have gotten run over. My
22 fear is a deadly accident in that area.

1 Adding a rooftop deck to increase the more
2 people at Fuel. Do you guys know how much the Fuel
3 place can sit, how many people that Fuel and Creme
4 can have in their property at one time? They have
5 seating for 156 people. Add at least 10 staff.
6 We're talking 166 people inside their property.
7 Parking problems, traffic problems, pedestrian
8 problems, over-stacked bike racks, people stacking
9 bike racks on the property. None of that adds up to
10 anything good except for profit and taxes. But
11 that's more important than human safety. I'm sure
12 that's Code violation by the fire department if you
13 have close to 166 people in that small property.
14 I'm not sure what their occupancy is.

15 Let's talk about entertainment. Because I
16 am the east property. My two bedroom windows sit
17 directly looking into the property. It looks better
18 than the old garage. Trust me. Love it. I can't
19 watch TV with any of my windows open when there's
20 entertainment outside. There was five shows. I
21 believe I called four times for a Noise Ordinance.
22 Four times. One night I called twice. The sheriff,

1 whoever the most highest police officer, came out
2 from Villa Park. He parked his car, he walked over
3 to Fuel and Creme. He spoke to Jack and Karen. He
4 came back and told me that they told him they had a
5 permit with FOIA. I looked it up, and there was no
6 permit ever asked for. In his original proposal for
7 Fuel and Creme it was supposed to be acoustic shows
8 with a guitar. So he knew how to define
9 entertainment, because he already said he was going
10 to have acoustic guitars and entertainment. A band
11 -- a five-piece band playing for six hours is not
12 acceptable in a residential area. Especially when
13 it abuts up to a business area. My neighbor can't
14 play his music for six hours that loud. If I call
15 on my neighbor, the police would knock on his door
16 and tell him to turn it down. That's not what
17 happened on any of my phone calls about the Noise
18 Ordinance. None of them.

19 Removing the parking from Central, from
20 Myrtle, all the way to Villa. You removed 12
21 parking spaces. I say you. It's not you. The
22 Village removed 12 parking spaces. The width of the

1 road in front of his property on Central is the same
2 width as it is in front of our building that BJ
3 discussed, but we can still have parking in front of
4 our building. The reason it was removed, for
5 safety. So the people that attend or go to a
6 business are more important than the residents that
7 actually live in Villa Park. When I pull out of my
8 driveway and go right, which is west, if there's
9 parking there and somebody is coming down Central
10 and headed east, you have a head-on collision,
11 because the street is not wide enough for three cars
12 side by side. That's a danger. The planters at
13 Fuel and Creme are way over height, and it blocks
14 that corner at Myrtle to be able to pull out from
15 Myrtle and pull onto Central. I don't care which
16 way I pull out onto Central. Half your car is in
17 the intersection. All of this is all related to the
18 no parking or the absence of looking at the property
19 as a whole before approving it. If 90 percent of
20 their traffic is supposed to be bike traffic, then
21 why do I have a safety concern with vehicles in the
22 area parking in front of my building? And why did

1 the Village remove the parking in front of his
2 building if 90 percent of his traffic is supposed to
3 come from bikes? I understand this is a business.
4 I wish them the best, but he's got to play by the
5 same rules as every other business as well as the
6 residents. I can't park on my grass wherever I
7 want. I can't play the music however I want. I
8 can't put a shipping container in the middle of my
9 yard and go oopsy, sorry. That's basically what he
10 did with the tent. Oopsy, sorry. Let's figure this
11 out.

12 My last point is this is a huge community,
13 and it's not just about this area. But if you do
14 something special for one, you're only going to end
15 up with more people wanting to do special things on
16 their lots as well. And it kind of gets away from
17 kind of structure and why Villa Park is the place to
18 come.

19 So I thank you guys for your time. I
20 appreciate your guys' effort. It's a lot of energy
21 and a lot of time for you guys to do what you do.
22 All of this has made me nothing but smarter, because

1 I have read Ordinance after Ordinance after
2 Ordinance about his, and I'm not uneducated about
3 it, but it is really frustrating that something is
4 taking up this much time of my personal life just so
5 that I can live a peaceful life and not have to live
6 in screeching and screaming kids about to get hit
7 for entertainment. Thank you.

8 CHAIRMAN JARRETT: Thank you.

9 Okay. So at this time I'm going to ask
10 that the Staff read the e-mails into the record. I
11 understand a copy of those have also been given to
12 the court reporter, so that will make her job
13 easier. And then we also have comments from
14 Commissioner Jackson, and when we move into
15 Commissioner comments, I would ask that Staff read
16 that into the record as well when we move into
17 Commissioner comments. I'll let you know when,
18 but --

19 MS. ARGUILLES: Okay.

20 CHAIRMAN JARRETT: That way they're not read in
21 the voice of another Commissioner.

22 MS. ARGUILLES: So in no particular order, I'm

1 going to read comments that we received from the
2 public regarding this case.

3 First one came from Jeffrey Rio, and his
4 comments read, hello Mr. Keehner. I own the
5 building at 207 South Villa. Also the parking lot
6 across the street on west side of Villa. I
7 understand that there's going to be an application
8 to waive the parking for the ice cream place and
9 also to put a storage container in between the
10 buildings. I have problems with parking all the
11 time. I have spent over \$20,000 in the last five
12 years maintaining my parking lot because the Village
13 of Villa Park comes out and writes me tickets for my
14 weeds and patching. But that's not the point. How
15 come I have to keep up a parking lot for my building
16 and they can go ahead and try to get parking waived
17 according to the Village Code? I believe the
18 parking was already waived when they first opened it
19 up. And it's not right that everybody uses the
20 Historical Society's parking just for his ice cream
21 place or liquor place. That is a public lot and was
22 also made for all the other businesses on Villa

1 Avenue that don't have parking. There's parking
2 down at 110 Villa. Why can't they walk from there
3 over to the place? The Village is already giving
4 additional parking in front on the street. And now
5 there's picnic tables on the Prairie Path. And do
6 you really think it's responsible to put people up
7 on that small building on the roof? How are they
8 going to access it? From the inside or from the
9 outside? There needs to be parking provided for any
10 kind of addition going on there.

11 Now I will continue to read comments
12 received from Frank Carlson who is a property owner
13 at 212 South Villa. So Kozar wants to add 50
14 percent more customer space without any parking. He
15 has two rows of bike racks and three tables on the
16 Prairie Path. I have photos that shows he's using
17 other property for his use now. The museum, comic
18 book store, Cater Fitness, and the law office
19 building have no parking except to share the same
20 lot that Kozar now is using and is full most
21 evenings and weekends.

22 Now lets add entertainment to the mix.

1 They will most likely sit on the green Prairie Path
2 to listen, adding more parking problems. Cortesi
3 Park has concerts in the summer. Will he interfere
4 with that Village entertainment? A vote no is
5 required. Frank Carlson.

6 Now I'm going to move on to the numerous
7 comments that we received from the public in support
8 of the petitioner's request in no particular.

9 The first one came from Jennifer Damitz.
10 And I apologize if I'm mispronouncing the name here,
11 but it goes like this. Good evening. I am writing
12 to support Fuel and Creme and their case PZ-20-0003.
13 I think that this business has some great ideas and
14 would love to see them continue to grow.

15 The next one came from Jill Walsh. My
16 family, along with so many others, have enjoyed Fuel
17 and Creme and the family atmosphere they have
18 uniquely crafted over the last year. I fully
19 support their ideas of expansion. They are a great
20 addition to that little corner of Villa Park.
21 Sincerely, Jill Walsh.

22 The other one came from Joseph Bingaman.

1 I wanted to reach out to you today in regards to
2 Case PZ-20-0003, which I believe you will be hearing
3 today at 7:00 p.m. I am very much in support of the
4 four items that Fuel is requesting. They are a
5 great business, and we want them to be able to
6 expand, grow, and be successful even during these
7 very difficult times for all businesses. Thank you
8 so much for your consideration and hard work. He
9 then references the petitioner's requests.

10 The other comments that we received via
11 e-mail came from Joyce Nordensten, a Villa Park
12 resident for over 40 years. And she says, please
13 consider and approve the requests made by Fuel.
14 What a great addition Fuel and Creme have been to
15 the Prairie Path and Villa Park. It is so wonderful
16 to see so many families enjoying the facilities.

17 Another comment was provided from Karen
18 Hayley over at 115 North Princeton. I would like to
19 send my request in favor of Fuel Villa Park to be
20 able to do the expansion of their business. We have
21 lived in Villa Park for 58 years and enjoy eating at
22 local establishments. Fuel has an atmosphere like

1 we visit while on vacation around the U.S., and to
2 think they opened right here in our small town of
3 Villa Park. The added bonus of Creme is amazing. A
4 walk down the Great Western path brings us to our
5 favorite place to eat and enjoy a beer. Please let
6 them expand and continue to bring in diners from
7 neighboring communities. Like we shared our table
8 with two ladies who drove 30 minutes to check out
9 the place they heard about. This place is a gem.

10 Moving on. These comments come from Katie
11 Dehnke. I wanted to write in support of the zoning
12 variances that Fuel is requesting. We live in the
13 immediate neighborhood at 220 South Illinois Avenue,
14 and are absolutely overjoyed about the recent
15 developments in the Villa Avenue area of Villa Park.
16 More, Fuel and Creme have been valuable additions to
17 some long-standing businesses, and the fact that the
18 Village recently expanded parking into the old AK
19 Mulch lot is very promising for the future of our
20 town.

21 As I understand it, Fuel is requesting the
22 following. Use of a tent on the property for more

1 seating, booking parties, and shelter from the
2 elements for our guests. Two, adding a shipping
3 container with attractive shiplap siding for
4 storage. Number three, a parking variance if they
5 extend their usable property to include more seating
6 on the rooftop. This is particularly important to
7 us as that area is dangerous from a pedestrian
8 perspective. Given the new parking lot and safety
9 concerns, it feels reasonable to allow them to
10 expand without additional required parking. Four,
11 music be allowed on the property. I think music is
12 a natural pairing with a business like Fuel. It
13 attracts customers and makes the entire ambiance
14 more appealing. Being a residential neighborhood,
15 it seems logical to have an end time later in the
16 evening. 10:00 p.m., perhaps.

17 As a town, especially given the current
18 circumstances, we should do everything we can to
19 support our local businesses and help them thrive.
20 Thank you for your consideration.

21 Moving along. We received another e-mail
22 from Kristine Ippolito, resident for 12 years. I'm

1 writing you in regards to the improvements over at
2 Fuel and Creme. We will be thrilled to enjoy all
3 the new and exciting changes they are proposing.
4 This establishment has been our go to for the past
5 year. People go where they feel known and
6 appreciated. The Fuel and Creme team has built a
7 strong relationship within the community. I love
8 where I live. We have a wonderful community, and
9 what better way to improve it. When people start to
10 take community pride in their town, everything
11 changes. For people to love where they live, it has
12 to be a loveable place. Let's continue to do great
13 things in Villa Park.

14 Another e-mail came from Lisa Grover at
15 335 South Villa Avenue, Villa Park. I wanted to
16 voice my support for the requests by the owners of
17 Fuel and Creme to support their expansion. They
18 have been such a positive addition to the community,
19 and as an owner of a house on Villa and Highland, I
20 am so grateful to have great and
21 environmentally-responsible businesses to support
22 locally. My family and I love to visit their

1 establishment and would love to see it continue to
2 grow and hopefully provide incentive to other
3 businesses to really build up that area. I hope you
4 will approve their request and support this local
5 business in their improvement efforts.

6 Moving along. There's another e-mail from
7 Liz Marnell. We have lived on Villa Avenue for four
8 years now and have seen a lot of changes in the
9 downtown area. The most recent we were excited for
10 was Fuel and Creme being built and opened. It has
11 been a great addition for everyone of all ages.
12 Drinks, ice cream, and food trucks. I am writing
13 today to help support their proposal for the few
14 changes they would like to implement to make Fuel
15 and Creme an even better experience. This past
16 winter we were able to go enjoy a drink inside the
17 tent area they opened, allowing for a few more
18 people to enjoy an evening in the cold. We
19 appreciate the Village support for rearranging the
20 parking, allowing more people to enjoy the downtown
21 area. Makes it a lot safer for everyone, especially
22 when going with small children, to minimize any

1 potential accidents. Thank you for your time.

2 Another e-mail we received from Rachel
3 Mavros. Hi. Just wanted to quickly write in
4 support of the proposals for Fuel and Creme, Case
5 PZ-20-0003. I'm a lifetime resident of Lombard.
6 However, I am a quick 10-minute bike ride away. I
7 frequent that area often and was delighted when Fuel
8 and Creme first opened. It's such a unique
9 business. Outdoor drinks, ice cream, food trucks
10 that I have yet to find similar anywhere else, and
11 it brings so much charm and fun to the area that
12 otherwise was not there before. I fully support any
13 improvements proposed for their business, and I
14 wouldn't want to see the development in the area
15 stop where it is.

16 We received comments from Russ Wajda at
17 240 North Laverne Avenue, Hillside. Allow me to
18 introduce myself to you. My name is Russ Wajda. My
19 wife, Mary, and I are frequent users of the Prairie
20 Path and Great Western Trails. I am a resident of
21 the Village of Hillside and also the village
22 administrator of Hillside. I have watched Fuel,

1 Creme, and the food truck have developed along the
2 pathways. They have been a welcomed stop for us on
3 our return to Hillside after some of our longer bike
4 rides and are a wonderful reuse of a property that
5 had become worn and tired.

6 During a recent visit, I met with the
7 owners, Mr. Jack Kozar, and his wife, Karen. I had
8 a wonderful discussion with them on their business
9 plan and their desire for growth and expansion of
10 the site. Mr. Kozar informed me of the scheduled
11 hearing tonight and the variances that they are
12 requesting. I want to add my voice in support of
13 the granting of the variances. A tent over the
14 seating area would allow for greater use of the
15 establishment by it's patrons, and music is always a
16 draw. I know that parking is always a concern, but
17 there appears to be sufficient public parking in the
18 area, and a substantial number of their patrons are
19 not driving here, but rather come off the paths.
20 Space is tight and they are endeavoring to use it to
21 the highest and best use.

22 I hope that you will look favorably upon

1 their request and grant them the relief they have
2 requested. Establishments like theirs can be
3 tremendous assets to a community. In fact, I wish
4 that we had this in my town. I thank you for
5 allowing me to add my voice to your process.

6 Moving along. We received comments from
7 Sarah Rodriguez who is a life-long Villa Park
8 resident. She writes, I am writing to share my
9 support for the proposals being brought forth
10 regarding Fuel and Creme's outdoor seating, music,
11 rooftop, and storage unit. These places have served
12 the community for over a year and brought new life
13 into that area of town. People of all ages enjoy
14 the two establishments, and these additions will
15 only bring better service and more people to the
16 area.

17 And now Stephanie Blossomgame over at 709
18 South Riverside Drive. She shares, I wanted to send
19 an e-mail in support of all Fuel is trying to do to
20 better Villa Park. Please support their agenda
21 items, including attempts at more seating, music,
22 and rooftop dining. As someone who used to live in

1 Ovaltine, behind Mahoney's, music frequently would
2 play until late hours, so approving music does not
3 seem like a difficult request. There could easily
4 be a cutoff time.

5 Supporting Fuel's initiatives only helps
6 the Village of Villa Park continue to progress as a
7 community. As a runner frequently on the Prairie
8 Path, seeing other communities like Glen Ellyn and
9 Wheaton support businesses along the path has always
10 been inspiring. Some people only see a community
11 from the Prairie Path, including the runners in my
12 50 to 100 person running group. Having an
13 attractive incentive like Fuel right off the Prairie
14 Path is a great way to encourage runners, bikers to
15 return later to our community. Thank you for your
16 time in helping Fuel.

17 Moving along. Another e-mail came from
18 Sue Martellotta. I live on Highland Avenue in Villa
19 Park, and I support the expansion that is proposed
20 by Fuel in Villa Park. They are a lively business
21 and have brought good business to our town. Thank
22 you.

1 Another e-mail came from Teresa McBride
2 who is a Villa Park resident over at 253 North
3 Harvard. I am e-mailing to support the new updates
4 that Fuel is requesting. It has been such a boost
5 to the community. It really has become a gem in
6 Villa Park for adults and kids. All of the changes
7 sound amazing, and for Villa Park to have one of the
8 first or first rooftop dining in the area would be
9 incredible. Thank you for your time and
10 consideration.

11 Moving along. Another e-mail came from
12 Tom and Lisa Grover at 335 South Villa Avenue in
13 Villa Park. I am writing in my support of the Creme
14 and Fuel requests. This business is adding a
15 critical positive attraction to a previously
16 stagnant area of Villa Park. My extended family
17 would take walks to Creme for Sunday ice cream
18 pre-COVID. I feel that their requests are extremely
19 reasonable and will continue to be a net positive to
20 the Prairie Path area. I do also love that the
21 parking in front of here was closed off during peak
22 times to give a clearer sight line for families

1 crossing the street. The owners of Creme and Fuel
2 took an abandoned-looking area along the Prairie
3 Path and turned it into a great community
4 attraction. I have even had business meetings at
5 Fuel to help the community. Again, I think we need
6 to help these businesses in this time of need to
7 ensure they are here later.

8 Another e-mail came from Vicky Turk, a
9 Villa Park resident. I am writing to show my
10 support for Case No. PZ-20-0003. Fuel is a
11 fantastic addition to this community. Thank you for
12 taking the time to consider the proposal.

13 Another e-mail came from Aimee Zajc over
14 at 440 South Summit Avenue. I am a Villa Park
15 resident and want to give input on this request. I
16 urge you to approve these requests. Number one,
17 requesting use of our tent on the property for more
18 seating, booking parties, and shelter from the
19 elements for our guests. Number two, adding a
20 shipping container in order to add more storage to
21 the property located between the buildings with wood
22 shiplap to hide the container. Number three, we are

1 requesting no parking be required on the property
2 with rooftop dining for safety reasons and
3 logistically lack of space due to the irregular
4 shape of our property, pie-shaped, as we did last
5 year before we opened. Number four, lastly, we are
6 requesting that music be allowed on the property.
7 This could be specified to certain hours.

8 Another e-mail came from Andrea Brock and
9 family. Hi there. I would like to voice my
10 absolute support for Fuel and Creme in Villa Park.
11 We feel they are a wonderful addition to the
12 community, and we fully support their desire to use
13 their tent, add a shipping container for storage,
14 have music, and also add rooftop seating without the
15 need for additional parking. We and our friends and
16 family always walk, bike to Fuel. Thanks for your
17 time.

18 Moving along. Another e-mail came in from
19 Brooke Bingaman. It looks like it's some of the
20 comments that were provided to the residents. I'll
21 just repeat what they said.

22 Many of you have asked about the Village

1 public notice sign posted on our property. We are
2 moving into the next step of our build out and are
3 approaching the Village regarding the following.
4 Number one, requesting use of our tent on our
5 property for more seating, booking parties and
6 shelter from the elements for our guests. Number
7 two, adding a shipping container in order to add
8 more storage to the property located between the two
9 buildings with wood shiplap to hide the container.
10 Number three, while no approval is needed for a
11 proposal of rooftop dining to Fuel -- you heard that
12 right. Hopefully by next year -- additional parking
13 spaces would be required. We are requesting no
14 parking be required to the property for safety
15 reasons and logistically lack of space due to the
16 irregular shape of our property, pie shaped, as we
17 did last year before we opened. FYI, the Village
18 has now provided 48 new parking spaces that are now
19 striped on the old AK Mulch property, located north
20 of More Brewing Co. for public use. Lastly, we are
21 requesting that music be allowed on the property, as
22 no entertainment of any sort is currently how the

1 Ordinance reads for outside seating throughout the
2 Village, including speakers with piped-in music. We
3 will be approaching Planning & Zoning tomorrow,
4 Thursday evening, June 11th at 7:00 p.m. to make the
5 above requests as step one of the process.

6 Following that, as step two, we will be approaching
7 the Village Board at their next meeting, to be
8 allowanced. We will let you know when they set the
9 date. And hopefully receive final approval. Would
10 you like to support us with the above items? If so,
11 that would be terrific. The meetings are currently
12 restricted to only 10 people, so the best way to
13 have your voice heard is to send an e-mail by 4:45
14 p.m. tomorrow, Thursday, June 11 to our new Village
15 Director of Community Development, Consuelo
16 Arguilles, at carguilles@invillapark.com referencing
17 our Case No. PZ-20-0003. This will be the
18 equivalent of you being there in person.

19 Another e-mail sent from Christine Lau.
20 Hello. I am writing with regard to Case PZ-20-0003
21 and want to express my support of the build out of
22 Fuel. Fuel has been a wonderful addition to our

1 community, and I'm hoping for a lot more places like
2 it in downtown Villa Park. Thank you. Christine
3 Lau.

4 Another e-mail came from Christine Voss
5 who is a Villa Park resident. I just wanted to take
6 a moment and voice my support for Fuel and Creme,
7 Case PZ-20-0003. I am excited to see their plans
8 for the future become a reality. They have been a
9 wonderful addition to Villa Park and have a
10 fantastic location along the Prairie Path that
11 brings in people from surrounding communities. It
12 has been exciting to see the downtown Villa Park
13 area get some life back.

14 Another e-mail came from Colleen Syron.
15 I'm e-mailing my support for Fuel and Creme. Please
16 grant their zoning request as they are such a
17 welcomed addition to our neighborhood. It's
18 wonderful to have such a thriving business in that
19 area. I hope they have continued success.

20 Another e-mail came from Courtney Navarro.
21 I would like to express my strong support for the
22 improvements that Fuel is looking to make. Fuel has

1 been such a great addition to Villa Park as it
2 stands. The addition of music and extra space would
3 draw in more business from outside towns and people
4 utilizing the path. Please consider helping this
5 business grow.

6 Another e-mail came from Elizabeth Romer.
7 I support Fuel and Creme and all the ideas they have
8 for expanding their business. They have made a
9 major importance on our historical Villa Park area.
10 Please approve their planning and zoning so we can
11 make Villa Park great and hopefully attract more
12 businesses and more customers.

13 Another e-mail came from Eric Yopchick at
14 437 South Villa Avenue. I wanted to voice that I am
15 in favor of all of the changes and additions Fuel
16 and Creme are coming in front of the Village to
17 propose. They have been a great addition to town.
18 These changes will only make it better.

19 Another e-mail from Erin Loniello, Villa
20 Park resident. Dear Consuelo, in advance of your
21 planned meeting tomorrow, I wanted to provide my
22 opinion on the request for Fuel and Creme to be able

1 to use their tent. Number two, add the disguised
2 shipping container for storage. Three, outdoor
3 music. These two establishments have catapulted
4 Villa Park into a true family destination for not
5 only our community but for our neighboring
6 communities. The Village should do everything
7 possible to help this business expand and offer a
8 more welcoming and comfortable environment for their
9 patrons. I fully support all of their requests and
10 as a citizen of the community ask that you grant
11 them their request to further the enjoyable
12 experience for our entire community. I appreciate
13 the opportunity to share my support with Fuel and
14 Creme owners.

15 Another e-mail came from Heather Porter
16 over at 235 West Adams. I am sending this e-mail in
17 support of the owners of Fuel and their request for
18 phase one of their build out to the Zoning Board. I
19 am in full support of any of the additional
20 recommendations that they are thinking of making to
21 their wonderful establishment. We love Fuel and
22 think it is a very welcome addition to our Village.

1 I'm especially eager for any music being allowed at
2 the patio or inside. There is nothing better than
3 live music, and it would be a great addition. A
4 rooftop for dining would be incredible, and I think
5 the Village could only benefit from the updates
6 planned. Please consider the request and know that
7 the Village residents would love and frequent this
8 establishment.

9 Moving along. Another e-mail from Jack
10 and Laura Friend, residents of Villa Park. We are
11 so happy to have Fuel and Creme in our community.
12 It is a family-friendly business that has brought
13 many new customers to the downtown area. They
14 provide a much needed refreshment stop on the
15 Prairie Path and represent Villa Park in a very
16 positive light to all those passing through. We
17 support their requests to the city for a canopy, for
18 an exemption for the required parking, allowance of
19 music on the outdoor patio, and permission for the
20 shipping container.

21 Lastly, we received an e-mail from Jenelle
22 Hardtke. Good morning. My name is Jenelle Hardtke

1 and I am a resident in Addison. I am 100 percent in
2 support of Case PZ-20-0003 regarding the
3 improvements to Fuel in Villa Park. While I no
4 longer live in town, I patronize Fuel at least once
5 a week. It's a great atmosphere and accessible by
6 bike, which is awesome. Please take into
7 consideration their requests as I do feel it would
8 improve their business during an already difficult
9 time. Also, it does drive non-residents like myself
10 and my family to your city for entertainment. Thank
11 you for your time.

12 That concludes the public comments that we
13 received.

14 CHAIRMAN JARRETT: Okay. Thank you. Next time
15 anyone up here complains about having to read half a
16 page into the record, I would just like you to take
17 note of what she just did. Thank you and the court
18 reporter.

19 All right. So are there any more public
20 participation and questions? Anybody show up in the
21 last couple minutes? Seeing no one, we will move to
22 questions from the Commission. Who would like to

1 start?

2 COMMISSIONER ROMANO: The last time we saw each
3 other I know you had some concept elevation drawings
4 for the fencing, and I know it was still a very
5 early concept at the time. Is that still what the
6 current thought is of what it will look like?

7 MR. KOZAR: It's still generally the same,
8 yeah.

9 MS. ARGUILLES: If you don't mind coming to the
10 podium. Thank you.

11 MR. KOZAR: Sure. No problem.

12 MS. ARGUILLES: Mr. Romano, if you could repeat
13 your question, that would be great. Thank you.

14 COMMISSIONER ROMANO: I believe it was in the
15 April meeting. This proposal came up in a purely
16 concept form, but there were elevation drawings that
17 came, and we aren't on this topic, so we don't have
18 those at this time, but there's what the fencing
19 would be like on the container and what the concept
20 was of the deck. Has anything changed?

21 MR. KOZAR: So, generally speaking, the look of
22 it is the same. In terms of the shipping container,

1 we're basically suggesting that we screen it with
2 the same fencing material. So really as you stand
3 on the Prairie Path, you know, my feeling is that
4 you wouldn't really notice there was a shipping
5 container there, because it would blend in
6 essentially perfectly. Same materials, you know
7 color, everything that the fence is. Blends right
8 in there.

9 In terms of the concept of the rooftop
10 deck, it is basically what I had presented in that
11 earlier -- if you want to call it a workshop -- you
12 know, the look of it. So, yes.

13 COMMISSIONER HOFSTRA: In the answers you gave
14 all this information, you mention that -- you
15 mention two or three times in there that the rooftop
16 deck would generally be limited to adults. What is
17 that supposed to mean?

18 MR. KOZAR: So our concept would be, and I
19 would like to make it just a 21 or older. But, you
20 know, I don't want to say that if it was reserved
21 for a private party or, you know, on certain
22 occasions that we would -- you know, if parents were

1 there or something like that, we wouldn't allow a
2 child to go out, I don't want to be on record and
3 come to the Board to pigeon hole me into going
4 against my words, I never allowed somebody under 21
5 with -- you know, for a specific reason. But it is
6 our intent to have that be an adults only property.
7 But, like I said, I mean, I could see the occasion
8 where somebody rented that space for a birthday
9 party or something like that and it was a private
10 gathering, but, you know, we have ice cream down on
11 the patio. We have kids running around. We have
12 sidewalk chalk out there. But, you know, there may
13 be an occasion -- or not maybe an occasion. I think
14 there is an occasion where maybe the adults just
15 kind of want to get away, and that's the environment
16 that we would like to have up there. We absolutely
17 don't want to have free rein for kids being up
18 there. It is not our intent.

19 COMMISSIONER HOFSTRA: As I looked at the whole
20 surrounding area, I see those parking areas that
21 apparently certain businesses have purchased or
22 maintained, and it says, you know, this parking is

1 reserved for such and such. What is your proposal
2 to keep your people out of parking in those spaces?
3 Because they're a whole lot closer than AK Mulch. I
4 mean, those businesses invested in their parking,
5 and you're asking us to say, yeah, it's okay for you
6 to have none, okay, but I don't think your people
7 are going to walk a block and-a-half from AK Mulch.

8 MR. KOZAR: Well, I think that the majority of
9 our people do come on foot and on bike.

10 COMMISSIONER HOFSTRA: I don't think that
11 you're entertaining they're not all coming in on
12 bike and foot.

13 MR. KOZAR: So in order to keep them off of
14 other people's property, there are a number of signs
15 that say, you know, for XYZ establishment, all
16 others will be towed. If you'd like us to put a
17 sign up or something, you know, tastefully on the
18 property that says, please don't park in private
19 lots or something like that, you know, I -- I don't
20 know --

21 COMMISSIONER HOFSTRA: I know there's a lot of
22 them within that business district. I talked to

1 several of them as I frequented their shops and
2 asked that question. There's a lot of hard feelings
3 about the original 0 parking requirement for your
4 property, because they had to invest in order to
5 have their businesses be present. And I would like
6 to see how that's protected. You're free riding the
7 Village's investment of AK Mulch. These people had
8 to invest their own money, their own profits to
9 provide parking and maintain it. I think you can
10 see in the one write up we had. I'm concerned what
11 we're creating in that business district when we say
12 now let's add another 45 or 50 people on a rooftop.
13 I came to this meeting, I came up Villa, I turned on
14 Central, okay. I don't think I was driving 10 or 15
15 miles an hour down Central, and I dodged three kids
16 on bikes. I had to slam on my brakes for kids that
17 came running out from the Prairie Path. And we're
18 going to add 50 more people to this mix with no
19 parking. That's a big concern for me.

20 MR. KOZAR: So I do support a three-way stop
21 right there. Always have. I think that would be a
22 great addition, and that would help with traffic

1 flow. In terms of free riding, I don't think -- I
2 don't view it as free riding, because we are paying
3 you the tax base for --

4 COMMISSIONER HOFSTRA: They pay the same taxes;
5 do they not?

6 MR. KOZAR: Who is they?

7 COMMISSIONER HOFSTRA: The other businesses.

8 MR. KOZAR: They do pay taxes.

9 COMMISSIONER HOFSTRA: And they have to provide
10 their own parking, so they have an expense in
11 addition to their taxes.

12 MR. KOZAR: And some of those businesses have
13 taken variances, so they have less parking than is
14 required, which is very similar. And other
15 businesses have made arrangements so that there's
16 limited parking that's essentially designated for
17 them right on Villa that is not their own. So there
18 have been accommodations made.

19 Also, if you look at the property, the
20 question that gets what -- how many cars could be
21 parked on that property, and is the alternative to
22 either have -- I don't know -- however many cars

1 parked on that property versus not having the
2 business there. Because if that property was all
3 full of cars, we couldn't have the business there.
4 So there is some give or take right there. And I
5 don't dispute that certain businesses down there
6 have purchased property and had parking, but there
7 is definitely a precedence for not accommodating
8 everybody's patrons in their own parking lot. More,
9 Demito's.

10 COMMISSIONER HOFSTRA: Except you're asking to
11 add another 50 people to that problem. I understand
12 where we're at. I think what you've done is
13 wonderful. I think it's a beautiful addition. I
14 saw the energy of people going there and getting ice
15 cream tonight on this beautiful night, okay. I'm
16 just concerned with putting a rooftop on and moving
17 this to what one person said is 150 people. We're
18 going to 200 people.

19 MR. KOZAR: So I disagree with that, right.
20 Tracy, who is the tenant across the street, said
21 that -- gave this number. We have a 30-person
22 occupancy in that building. That's the occupancy in

1 that building, and we do not exceed that. On a
2 patio, an outdoor patio such as ours, there isn't an
3 occupancy, so I just want to set that clear.
4 Certainly now, during COVID, we don't have anywhere
5 near that. I would dispute that that number is even
6 accurate. So I just don't see what the alternative
7 is. I know you're saying that we're adding 50 more
8 people, but we're -- if -- and I disagree that
9 there's even a parking issue down there. Perhaps
10 there's a walking issue, but it's only busy in terms
11 of parking when the businesses are busy. So if you
12 look out your window and you say, boy, there's
13 limited parking or a lot of parking spaces are
14 filled up, you can also turn around and look at your
15 own business. Not yours, but any of the businesses
16 down there, and they will be busy, and that's a good
17 problem to have. So it's not that people can't go
18 down there, find a place to park, park in the new
19 lot that is provided, walk a block, go and frequent
20 in the various businesses down there. Not just
21 mine. They are frequenting those businesses, and
22 that is why there are cars down there. And I still

1 maintain that the majority of our people are coming
2 off the Prairie Path, and even late at night are
3 riding their bikes still or walking. It's a nice
4 destination after work.

5 Our busiest peak time for ice cream is
6 7:00, 8:00 at night for ice cream, and that's
7 families walking down and getting ice cream. So,
8 sure, there will always be some people who walk or
9 who want to drive and don't want to walk. I don't
10 know how to fix that other than to encourage people
11 to get out.

12 COMMISSIONER HOFSTRA: So when you have
13 entertainment until 10:00 or 11:00 at night, you're
14 going to encourage people to walk.

15 MR. KOZAR: I will always encourage people to
16 walk.

17 COMMISSIONER HOFSTRA: I'm a walker, so that's
18 okay. I understand people walking. But people
19 aren't going to go walking when you're looking to
20 have tents up from December to May, okay. I don't
21 think people are walking in the middle of winter.

22 MR. KOZAR: But we don't have a parking problem

1 from December to May. There's ample parking out
2 there from December to May. That's not what we're
3 concerned about. All the complaints that are coming
4 from the two people, I guess, four people who have
5 negative thoughts on the parking issue that
6 presented here tonight are not talking about limited
7 parking in the winter. There's plenty of parking in
8 the winter. It's in the summer when you should be
9 walking or you should be riding your bike.

10 COMMISSIONER HOFSTRA: Except we can't dictate
11 people walk. I understand you want to encourage
12 people to walk, but you can't dictate people walk.
13 You know, you're saying it's not an issue because
14 people should be walking, but we don't require
15 people to walk.

16 MR. KOZAR: But what is the alternative? If
17 you come down in a car and you can't park, so you
18 park a couple blocks away.

19 COMMISSIONER HOFSTRA: I don't think you're
20 listening to me.

21 MR. KOZAR: Well, your comment was that you
22 can't dictate people to walk. Like, I mean,

1 maybe --

2 COMMISSIONER HOFSTRA: You're presenting this
3 nirvana that the vast majority of people walk to me
4 and ride bikes to me, so therefore I don't need
5 parking. That's how you got the 0 variance. And
6 you're saying that's still the case, but I want to
7 put 50 more people on my rooftop, and I want to put
8 entertainment in there that goes until 10:00 or
9 11:00 at night.

10 My belief is that the vast majority of
11 those people aren't going to be walking. That's my
12 opinion.

13 CHAIRMAN JARRETT: Other questions? Do you
14 have any other questions?

15 COMMISSIONER HOFSTRA: So the other piece I saw
16 in the fire department was the recommendation that
17 we add sprinklers to the facility if you're going to
18 increase the capacity. Is that part of your
19 proposal now or --

20 MR. KOZAR: My proposal has always been I would
21 adhere to any sort of permit requirement.

22 COMMISSIONER HOFSTRA: Okay.

1 CHAIRMAN JARRETT: Is that it on the questions?

2 COMMISSIONER HOFSTRA: For right now.

3 CHAIRMAN JARRETT: Okay. Any other questions?

4 COMMISSIONER LANENGA: The shipping container.

5 Is there going to be inside egress? In other words,
6 could somebody get locked in there? When I think of
7 a shipping container I think of a truck body that
8 locks up and closes up, which to me -- maybe I'm
9 watching too many TV shows lately.

10 MR. KOZAR: Sure. I suppose -- I mean,
11 somebody could get locked into a bathroom too if
12 somebody was being nefarious and wanted to do that,
13 but that shipping container would not be of access
14 to the public. That's why we want to screen it off.
15 The occasion where somebody would be locked in would
16 be an intentional thing, and it would be a crime to
17 do that. It would be, you know, some sort of
18 battery, so --

19 COMMISSIONER LANENGA: Something to think
20 about.

21 MR. KOZAR: Yeah. I think in the world of cell
22 phones, you know, if somebody was playing a prank or

1 being nefarious, you know, you would pull out your
2 cell phone and call 9-1-1 or, you know, call
3 somebody, but --

4 COMMISSIONER HOFSTRA: Well, from inside this
5 totally steel shipping container -- having worked in
6 cellular telephone for 30 years, you are not making
7 a cellular telephone call. Especially if you put
8 electric in there and ground it with conduit. Your
9 signal will not carry outside of that box.

10 MR. KOZAR: Is that a concern of the Board that
11 we will lock people into the shipping container?

12 COMMISSIONER HOFSTRA: Well, there's a clariant
13 on the walk-in freezers that's a way to open that
14 freezer door from the inside if somebody shuts it on
15 them.

16 MR. KOZAR: But I think the concern there would
17 be that you would go into hypothermia and freeze.
18 Whereas, in a shipping container you use outside, it
19 would presumably be an outdoor temperature.

20 COMMISSIONER LANENGA: It's something to ask
21 the supplier. I'm sure they've had the question
22 before.

1 MR. KOZAR: If that's a concern, I would be
2 more than happy to work out some sort of solution on
3 that. I don't know what that solution would be at
4 this moment here, because it's a novel issue.

5 CHAIRMAN JARRETT: Any questions, Mike?

6 COMMISSIONER ORLOWSKI: Yeah. Actually, I do.
7 I want to say, from our last -- if you want to call
8 it -- workshop there was somebody here from Traffic
9 & Safety that stated he works either for you or with
10 you or something. I'm kind of curious as to why at
11 this time there's still not a stop sign. Because
12 I've sat on a picnic table on the Prairie Path
13 several times and I've watched the traffic. I watch
14 people constantly go the wrong way down the road. I
15 watch cars almost skid at the crosswalk because
16 they're not sure if there is a stop sign, if they
17 have to stop, if they don't have to stop, because of
18 the amount of people that are congregating between
19 the bike rack and the corner of your property.
20 There is some safety issues there. They need a stop
21 sign, period. And I was under the assumption with
22 somebody from Traffic & Safety being there that that

1 would have been a recommendation that they already
2 would have supported.

3 MR. KOZAR: So if there was a question posed in
4 that, I believe that the question was way is there
5 not a stop sign there.

6 COMMISSIONER ORLOWSKI: Correct.

7 MR. KOZAR: Number one, I think it's outside of
8 the scope of what I could answer, because I don't
9 have direct control over putting a stop sign in
10 there. If the underlying question is would I
11 support a stop sign there or a three-way stop sign,
12 by all means, if it would help, I would pay for the
13 stop sign or, you know, just -- I'm on record right
14 now. I would love to have a three-way stop sign
15 there. I've always thought that that would be a
16 good idea, but I don't have control over that. I
17 couldn't come before you and ask Planning & Zoning
18 to put a stop sign in there. It's beyond my purview
19 and beyond the scope of what I'm able to answer or
20 achieve.

21 COMMISSIONER ROMANO: I actually had the exact
22 same question, but I was going to pose it for Staff.

1 What is the protocol, do you know offhand, to get
2 Public Safety involved? Because since I really
3 moved to the area, I didn't know the parking spots
4 were removed in front of the business, and it seems
5 that they should really be removed from the front of
6 the apartment building as well and stop some
7 scattered residents that -- love the establishment.
8 My kids are now riding their bikes there. And I
9 know -- I've done the same thing at that
10 intersection. I've slammed on the brakes to avoid
11 kids that just dart out. What do we have to do to
12 get Public Safety involved? Because that's not
13 Mr. Kozar's business to make sure that happens.

14 MS. ARGUILLES: Right. That's outside of
15 petitioner's request that is before you here. That
16 situation is something that Staff has noted, and
17 we'll definitely be calling on internal public
18 works, police, you know, the Traffic & Safety
19 Commission as well. That's something that possibly
20 at a Village Board meeting we could address to
21 respond to you and anyone else. So we could
22 definitely follow up.

1 AUDIENCE MEMBER: Can I respond to that since
2 I've been to every freaking Traffic Safety meeting
3 since August?

4 CHAIRMAN JARRETT: If you've got a quick
5 answer, yes.

6 AUDIENCE MEMBER: Yes. I do have a quick
7 answer. The answer from the Traffic & Safety
8 Committee is they have to perform a traffic study,
9 an official traffic study, during the peak time of
10 business in order to get good results that a stop
11 sign is needed. Let alone all of us saying we need
12 it because we actually see it every day, they want
13 to spend money on a traffic study. That's the
14 answer that they give us every single time.

15 CHAIRMAN JARRETT: Thank you. Any other
16 questions?

17 Okay. If you want to have a seat, then
18 we'll move into -- we'll close the public hearing
19 and move to discussion. Actually, you know, before
20 we do that, if you have any closing comments, now
21 would be the time to make them.

22 MR. KOZAR: So, in closing, I really appreciate

1 the 30 plus people that have supported this petition
2 this evening. And there were four that spoke
3 against it, but there were 30 that spoke in favor of
4 it. So 30 people that took the time to say
5 something positive and show that they encourage and
6 support and, you know, are fans of what we're trying
7 to do.

8 It seems like the parking is the biggest
9 issue. The Village is working to resolve that. The
10 container. Like I said, there's counted 23 other
11 shipping containers around. This is going to be
12 very low impact. I think that, you know, we can
13 address the concerns of somebody getting stuck in
14 the shipping container. The tent. It will always
15 be tasteful and clean and looking good. You know, I
16 can assure the Board that it will not fall into
17 disrepair. The parking. I mean, we've talked about
18 it, and there's growing pains, but all in all Villa
19 Park continues to get better and become more of a
20 destination, and property values continue to go up.
21 Downtown continues to get nicer and nicer. It
22 becomes a destination for people, and it's such a

1 great representation when you're coming down that
2 Prairie Path. One of the e-mailers, supporters, had
3 said, you know, that's their impression of Villa
4 Park when they come down that Prairie Path. And
5 then entertainment. I mean, I fully agree that
6 entertainment should have boundaries and time
7 limits. I think it should be, you know, tasteful.
8 But the opinions of one or two people should not
9 outweigh the overwhelming support and opinions of
10 the majority of the people, and that's what we've
11 seen tonight. So I appreciate the consideration,
12 and thank you.

13 CHAIRMAN JARRETT: Thank you. So we'll close
14 the public hearing and move to discussion by
15 Commission members.

16 Director, can I ask you to read
17 Commissioner Jackson's comments into the record,
18 please, if you would, and I can give a copy to the
19 court reporter. I think I have one here.

20 MS. ARGUILLES: So we received comments from
21 Commissioner Jackson, and I'll read them to you.

22 Regarding Petition PZ-20-0003 for Fuel and

1 Creme. Number one, variation to allow for shipping
2 containers as storage. I do not agree with the
3 request for shipping containers to be permitted for
4 year-round storage. The lot size is too small to
5 accommodate this type of request, as well as a food
6 truck and seating area too that will allow them to
7 continue to serve the client base the petitioner
8 originally speculated to serve children and
9 families. I am therefore against allowing such a
10 variance.

11 Number two, variation to require a minimum
12 parking from 16 to 0 spaces to account for rooftop
13 deck. As for a rooftop deck, although it would
14 allow for more patrons, I believe it would end up
15 being a seating area for more bar patrons than
16 family patrons, and, thus, might detract from the
17 children and family atmosphere the petitioner sold
18 us on when he initially proposed the project. I do
19 not think it would be a welcomed addition to the
20 path to have intoxicated patrons cat calling,
21 yelling comments, and whistling at the residents of
22 Villa Park as they run, walk, or ride the path. I'm

1 not saying that this would happen, but we all know
2 what can happen in a bar top roof on a nice Saturday
3 afternoon. But I'm sure the petitioner would never
4 allow that to happen and refuse service to rowdy
5 guests. I do think, however, that this deck is a
6 great idea, and I would welcome such an addition of
7 a deck to the Fuel side of the business, and I
8 believe it would be a great way for the petitioner
9 to serve more clients that would stay longer and
10 spend more. I am on the fence with this one, but
11 unfortunately we have offered this type of parking
12 variance in the past to the petitioner and think the
13 parking is an issue. I am adverse to allowing
14 petitioner yet another parking variance. I think
15 there needs to be some compromise here, and possibly
16 give up some patio space for parking if he wants a
17 rooftop deck. I am therefore against allowing such
18 a parking variance.

19 Number three, variation to allow a tent
20 covered seating area. I do not agree that covered
21 seating areas or permanent tents would add any
22 esthetic value to this property and would not keep

1 the historic and iconic look of the property and the
2 buildings, as the petitioner comments, he is trying
3 to maintain, mentioned in his response to question
4 one in the packet. I am not opposed to the current
5 use of shade umbrellas or some types of seasonal
6 structures to allow a respite from occasional rain
7 showers, but to have big, white tents along the
8 patio all year long are in my opinion such an
9 eyesore. I am therefore against allowing such a
10 variance.

11 Number four, variation to allow outdoor
12 entertainment. I believe we were happy with the
13 petitioner's original business plan, which was to
14 create a family friendly atmosphere near the Prairie
15 Path that would be available for a children and
16 teenager friendly hangout. Addition of a deck to
17 the bar with a band playing is not what I imagine
18 would be conducive to the children and adolescence
19 atmosphere. Allowing outdoor entertainment can
20 prove to be an issue. I hope some of you remember
21 that last conversation about this topic. I am not
22 opposed to some low volume ambiance music, but to

1 have live bands outside is another issue. One of
2 which I believe should require a permit each and
3 every time for any business wanting to provide this
4 type of venue. I do not think we need another bar
5 in the area with live bands and music. Especially
6 one so close to the path and the residents' homes.
7 Many of the nearby residents would be bothered by
8 the noise, and some have commented to me that this
9 would not be a welcomed outcome. I am therefore
10 against allowing such a variance.

11 I appreciate you all for considering my
12 comments, and I hope you all vote for what is best
13 for the Village and remember the original objective
14 of this business, and I hope that Fuel and Creme can
15 continue to be a place for children, teens, and
16 families to frequent. My sincere thank you.
17 Commissioner Jackson.

18 CHAIRMAN JARRETT: Thank you. Okay. One thing
19 I want to stress when we start here is that having
20 the sentiment of the public is important, but a
21 variation is not a matter of opinion really. It's
22 not. Just because somebody wants a variance, the

1 public thinks a variance is a good idea, there are
2 certain standards that have to be met. I just want
3 to make sure everybody understands that. So it's
4 not like a popularity contest or that we get
5 approval from the public for whatever we've got
6 going on.

7 In January -- in way of background, in
8 January, we discussed a number of potential
9 Ordinance changes, things the applicant wanted to
10 potentially do on their property, some issues they
11 saw with our Ordinances. In February, we were
12 presented with a pre-application for a Planned
13 Development where some of those ideas were brought
14 together for us in a fairly well thought out package
15 I thought. And then in March we went through a very
16 specific list of Ordinances that we as a Board
17 thought should be handled, how they should be
18 handled, what needed to be sorted out. Now we're
19 here in June with variation requests with less
20 detail than we had in Planned Development. In some
21 cases, almost no detail. And while I understand why
22 the applicant wants to move ahead because he has a

1 business to maintain, and he can't wait for the
2 Village to move on certain Ordinances, issues like
3 outdoor seating, outdoor entertainment, storage
4 container, and the Special Use, even the tent
5 Ordinance are Ordinances that, A, I'm not sure that
6 if we approve a variation for are existing Village
7 Ordinances. B, that there aren't existing Village
8 Ordinances that that variation might go against.
9 And I do think some of these are issues that we as a
10 Village need to approach as a Village
11 comprehensively. Not on a case-by-case basis.
12 Outdoor seating, especially now, is more important
13 than it's ever been, but it's something I'm sure
14 other businesses downtown would like to have, and
15 that's why -- I know it's not a variation he's
16 asking for, but that is something that we've
17 discussed before, because you're not allowed to have
18 outdoor seating technically in the winter as the
19 Ordinance is written. Now, that's one of the issues
20 that we've discussed. But the outdoor
21 entertainment, I'm sure you're not alone. I'm sure
22 Demito's would like to have outdoor entertainment.

1 I'm sure More potentially, you know, if they could
2 have outdoor seating, if we had better rules in
3 place about those things, they might have
4 opportunities. And the storage container, we
5 discussed having that as a Special Use in specific
6 districts with very specific guidelines on how or
7 where they would be placed, and to me, I think, for
8 those issues that's a better way to handle those. I
9 said that in March. I think I said it in February.
10 I can't remember what I said in January, to be
11 honest. That's a long time ago.

12 On a case-by-case here, storage container
13 as a storage unit, if it's done well, I don't have
14 an issue with that. What I don't have, any evidence
15 up here, is how that would look. We've been told it
16 would have a fence, which I would trust that you
17 would do, but this just is a storage container,
18 what's before us tonight, which is why I'm sure
19 Staff put that condition in there about the fence,
20 which I appreciate. The rooftop deck. We're being
21 asked to grant a variation for the rooftop deck. We
22 have concerns about noise with neighbors. We have

1 no understanding of what that rooftop deck, how it
2 might function, beyond what you presented in March.
3 I guess that was in February. It's now not before
4 us. So on the storage container, I don't have an
5 issue. If I had more detail on how it would look or
6 the condition as presented by Staff, but I would
7 prefer in the future that we find a way, if we're
8 going to allow that to be a Special Use and not a
9 variation process. I thinks that was the consensus
10 of the Board a few months ago. On the issue of the
11 parking variance, me personally, I'm more concerned
12 about the traffic than the parking itself, and some
13 of that is you've been cursed by your own success.
14 You're very popular when you're very popular, and
15 there are a lot of cars. There's probably more the
16 Village can do to alleviate that problem. I don't
17 think we've done all we can do to solve that, and
18 I've said this every meeting up here. We need to
19 find ways to get the Planning & Zoning Commission
20 involved in some of these things before they're a
21 problem. The AK Mulch property, parking, traffic
22 downtown. We can help solve those, and I also

1 believe that a traffic study or a parking study is
2 probably required with the complexity that we're
3 dealing with here. We're doing this piecemeal, and
4 we're trying to -- I'm not at every meeting that
5 goes on between Staff, but as a citizen, a citizen
6 who is pretty connected and in the know, it feels
7 really piecemeal to me. And this Villa Avenue
8 district is an opportunity we can't just let slip
9 away. So on that, I'm not okay with approving this
10 based on the lack of information I have and the lack
11 of any sort of traffic, parking study, be it site
12 specific or generally something that Staff -- that
13 the Village would undertake for the neighborhood.
14 That's my personal opinion on that. The outdoor
15 entertainment. I don't have a problem with outdoor
16 entertainment. And I said this in past meetings,
17 generally speaking, and I get why you want it. You
18 do have residential to the west of you, but our
19 Ordinances aren't clear on what entertainment is, as
20 you said, and what is a permitting process for that,
21 and who can weigh in, and I think that's outside of
22 our purview, generally speaking. Maybe I'm wrong.

1 And Staff can correct me on that, but I think it
2 should be something that's either open to most uses
3 in this area, because you're not drastically
4 different than Demito's back patio. I mean, you
5 are, but as far as noise and that, you're not. And
6 you're not a convention center, you're not a stadium
7 where you're going to have rock concerts. And I get
8 what you want to do, and I like a lot about it, but
9 it's something we as a Village need to think about
10 deeper. And I'm on the same way with the tent.
11 It's the same issue with the tent. It's what our
12 Ordinance says and what they're allowing for how
13 long. And granting you a variation to have a tent
14 up for six months, and what's going to happen?
15 Demito's going to come ask for one for six months in
16 the winter, and somebody else, and somebody else,
17 and somebody else, and we've got four, five, six,
18 eight tent variations in here, and everybody's
19 trying to find out why their site is unique so they
20 can have a tent. That's not the purpose of the
21 variation, really. Again, to me, that should be a
22 Text Amendment that we as a Village need to decide

1 what do we want to allow for tents, and it should be
2 consistent across the businesses in the Village. I
3 don't like the tent. No offense to your tent. When
4 it's between the two buildings, I don't have a lot
5 of problem with it. When it's in front of Fuel, I
6 don't like the look of it. I've said that. But if
7 we're going to allow temporary tents in the winter
8 for a bar, why one and not another? And that's
9 where I stand on those issues. So I've said a lot.
10 I'll pass it on to anybody else who wants to make
11 comments.

12 COMMISSIONER ORLOWSKI: Are we on Commissioner
13 comments now?

14 CHAIRMAN JARRETT: Yes. In case, you're
15 curious. You might not have been able to tell from
16 the mask.

17 COMMISSIONER ORLOWSKI: Okay. I've spent a lot
18 of time on everything over there. Just this
19 Sunday -- I think it was Sunday. I've lost track of
20 days. I was over there, and I think it's funny that
21 he's asking for a parking variation, but he drove
22 over there himself from his house, because he lives

1 across the Prairie Path. So he drove to his own
2 business.

3 MR. KOZAR: On a scooter.

4 COMMISSIONER ORLOWSKI: Okay. Well, you still
5 drove.

6 MR. KOZAR: And I parked on the property.

7 COMMISSIONER ORLOWSKI: Okay. Well, I'm just
8 saying, you still drove. But, anyways, I agree with
9 Jason. I think a lot of these items, the shipping
10 container, we already have a lot of them in the
11 Village. The Village has to figure out how they're
12 going to handle shipping containers. I don't think
13 the proper way is to give everybody a citation that
14 has a shipping container, because some of the
15 businesses that are out there have had them well
16 over for 15 years. Tents, outdoor entertainment.
17 To me, these are all things that I think we should
18 look into inviting our businesses that would benefit
19 for any of that and sit down and discuss what
20 they're looking for as far as entertainment, tents,
21 and then figure out how we want to try to maintain
22 that in the Village. Whether it be by Zoning, Text

1 Amendments, but not just for one business. I'm not
2 in favor of the tent. I'm definitely not in favor
3 of a 0 parking requirement. I've made that known
4 from day one. It's too hard to have a business and
5 say, well, none of my customers are going to drive
6 here. And we've held all the other businesses to
7 the fire and said, oh, you've got to have some kind
8 of parking. And I've made it clear as far as the
9 tent, how I feel about the tent. I don't agree with
10 the tent. But the Village -- I was actually looking
11 in the packet hoping that there would be more detail
12 on the shipping container, as far as what it would
13 look like, because I know we discussed it at two
14 other meetings. I don't have that big of a deal
15 with that. But the 0 parking, the tent, and the
16 outdoor entertainment, those all have to be
17 addressed in a different manner than what we're
18 looking at tonight. And I do think that we should
19 put a stop sign there without a driving study just
20 for the safety of everybody that's either biking
21 between paths or walking back and forth from Fuel
22 and Creme to the Prairie Path to sit in the shade or

1 the picnic table or wherever.

2 CHAIRMAN JARRETT: I think there are
3 possibilities there that we haven't really thought
4 of as well as we could have. I know some folks are
5 for a three-way stop and others think it's an issue,
6 but as much as no Village wants to spend money they
7 don't have to spend, there are people who get paid
8 -- some of them are on Village Staff -- who get paid
9 to solve these issues. It could be involved one-way
10 streets or reflowing the way one-way streets flow.
11 There's got to be a better way for that area to
12 function than it did late last summer, and I've
13 already seen kind of this summer already, and it's
14 not even really -- a lot of people are still staying
15 home.

16 Any other comments?

17 COMMISSIONER LANENGA: Jason, it's hard to
18 argue with what you said about having to look at
19 everything in a bigger picture. They're looking at
20 a big problem.

21 CHAIRMAN JARRETT: I understand.

22 COMMISSIONER LANENGA: It seems to me that the

1 storage container is something that we've at least
2 established isn't a huge deal, but we need to see it
3 as a bigger deal obviously in the Village, but it
4 would seem like that would be something that we
5 could agree on as well as the stipulations as he
6 described, and we've certainly done that before.
7 The parking. While we certainly have to look at the
8 safety issues, but that's really out of our purview,
9 we bought a really large parking lot, and it would
10 seem like that was the purpose of the parking lot
11 was to make for places like More, who have virtually
12 no parking, for Demito's, which lost their private
13 parking lots, which is the old post office, and
14 Creme and Fuel. It seems like that's what it was
15 there for. And I think you said it numerous times,
16 that people walking isn't a bad deal, and it adds to
17 everything in the area. That it's not a deterrent
18 but an attraction. And I observed that since you
19 made that observation several years ago, and it's
20 true. You create an atmosphere, environment for
21 people to walk. So from my perspective, we approved
22 0 parking for the original plan. We've got a new

1 parking lot, that's only added to the number of
2 parking spaces now, and so I don't have a problem
3 with the parking. We need to stress to the safety
4 folks that they need to look at that area. There's
5 no doubt about that. Getting rid of all the parking
6 on Central wouldn't be a bad idea, which would force
7 people to the new parking lot, because that is a
8 very congested area in the summertime. The tent and
9 the outdoor entertainment. I don't think we're in a
10 position to make a decision, because as soon as we
11 do we've opened a really new can of worms that we
12 need to get a handle on.

13 So I'm in favor of the storage container
14 with the stipulations, and I think they've proven
15 themselves to do things right, so I don't think that
16 will be a problem. And parking, I just think we
17 bought that -- the Village bought that parking lot
18 for a reason, and I think that would be part of the
19 solution, not the problem.

20 CHAIRMAN JARRETT: I would agree with you,
21 generally speaking, on the parking, and I've said
22 before, and I'll say again that -- and, actually,

1 I've had business owners from the area talk to me
2 various times about parking in the area, and I do
3 firmly believe that after 4:00 on Friday, if you
4 don't have to look for a parking spot then we're not
5 doing something right. We're either over-parked or
6 under-businessed. And I'm not saying you should
7 have to driver around for 15 minutes, but if you
8 don't have to drive past a parking spot for a
9 business, something's not right. So I fully agree
10 with you on that. It's the same in all the downtown
11 areas that are successful. Whether you talk about
12 downtown Naperville or downtown Elmhurst, you have
13 to look a little bit for a parking spot on a Friday
14 night, and that's the way you want it. I don't have
15 an issue with that. But the addition of 48 people
16 to the occupancy -- it's 48; correct -- isn't just
17 an issue with parking. It's an issue with traffic.
18 It's an issue of congestion. Both pedestrian
19 congestion and vehicular congestion, and it is an
20 additional aspect of noise as was noted by the
21 police department. In my opinion, whether or not I
22 think people walking from that parking lot to there

1 is the way it should go, there's not enough
2 presented to me here in way of evidence that it
3 won't be a noise issue and that it won't be a
4 pedestrian issue. And I'm not just talking about
5 vehicles or even parking. I'm talking generally.
6 We're talking about the site.

7 Mr. Kozar, how many four-tops do you put
8 out on your patio on a nice Friday evening?
9 Non-COVID Friday evening, roughly. Doesn't have to
10 be an exact number. I'm not going to hold you to
11 it, but is it 15, 30, 50?

12 MR. KOZAR: I would think 15, but I'm just kind
13 of going off the top of my head. I could get back
14 to you.

15 CHAIRMAN JARRETT: Yeah. So without the 166
16 number that was quoted, and even if you're just
17 talking about 45 people outside, 10 or 15 inside,
18 you're going to have some at the bar and some at
19 some tables, and these could be low. It's his
20 business. He can correct me if I'm wrong in this
21 one. What do you got, a half dozen employees on a
22 Friday night?

1 MR. KOZAR: Six.

2 CHAIRMAN JARRETT: Yeah. Roughly.

3 MR. KOZAR: True.

4 CHAIRMAN JARRETT: So you're talking potential
5 50, 70 plus people on the site, and then adding 50
6 to that, and then you're at 120. It's just a lot of
7 potential issues beyond just the parking. And
8 there's no evidence at all submitted to us in any
9 form that it won't be an issue. Staff feels that
10 way too. So I'm not really sure -- I have some
11 thoughts about the motion, if we make a motion
12 tonight. But go ahead, if you have some additional
13 comments. Do you have some additional comments?

14 COMMISSIONER LANENGA: I don't.

15 CHAIRMAN JARRETT: Any comments down at this
16 end?

17 COMMISSIONER ROMANO: Yeah. I mean, I'll just
18 briefly beat the same drum. The container, I
19 believe it would be done -- tastefully done with the
20 fence. And maybe the Village needs to address it,
21 but I would be okay with a variance for that. The
22 tent. As I said last time, I don't really like the

1 tent. I think it's a way to circumvent service to
2 the building by keeping a tent up. I've been
3 telling people for a long time, I don't think it's
4 safe. I mean, my kids were there the other night
5 when an umbrella went up over the building, let
6 alone one of these things. They can be fire
7 hazards. You have people outside. They think it's
8 okay to smoke, and then these things go up as well.
9 So I don't think there's anything that could make me
10 get behind the tent. Deck. I love it. I love the
11 idea of a deck. I think the parking kind of has
12 been solved, but to everyone's point, it's not just
13 parking. It's the area. And Public Safety should
14 take a look at what's going on down there. There
15 are solutions. And if there were some other
16 solutions, I don't think I would have a problem with
17 additional occupancy. The last thing you guys want
18 is any person, let alone a child, run over right in
19 front of your business. I mean, you don't get over
20 something like that. People don't forget it.
21 They're not going to sit outside and be feet away
22 from where a child was mowed down in the street.

1 MR. KOZAR: That's why we put the bollards
2 under those planters. To protect them so they can't
3 get in there. They're not just regular planters.

4 COMMISSIONER ROMANO: But, again, if they run
5 out into traffic. And as far as outdoor
6 entertainment, yes, but there are Noise Ordinances
7 already. And as I think we talked about the last
8 time, it's permitted by permit, as I believe. It is
9 a permit process, and it has to be obeyed by the
10 Noise Ordinances, so I think that's something that's
11 already out there that can be dealt with. Now, you
12 probably know more than I do about having
13 entertainment outside, and I think it is six of one,
14 half a dozen of the other when you're talking about
15 somebody playing outside versus somebody playing
16 inside with the garage doors open. That really is a
17 wash right there. So something does need to be done
18 to address that. But, yeah, there's just certain
19 things I couldn't grant the variance on now as it is
20 in front of us.

21 CHAIRMAN JARRETT: Okay. So I have a question
22 that Staff might be able to answer. They might not.

1 Because these are all one application, correct -- or
2 are they separate applications?

3 MS. ARGUILLES: They're separate applications.

4 CHAIRMAN JARRETT: Okay. So we can vote on
5 them all separately.

6 MS. ARGUILLES: Correct.

7 CHAIRMAN JARRETT: And we could theoretically
8 either -- okay. That's what I want to know. We can
9 part them out separately. That's good. Because I
10 do believe -- as much as I want to see shipping
11 containers handled as a Special Use as we discussed
12 two months ago, assuming that that's something the
13 Board wants to forward to us, or we take out on our
14 own to forward on to them, I think there's consensus
15 up here that the storage container is not an issue;
16 is that correct?

17 COMMISSIONER ROMANO: Yes.

18 CHAIRMAN JARRETT: Okay. And the other three I
19 don't think there's a strong consensus either way on
20 the specific -- if we vote on an item and it fails,
21 then as the Code says here, they cannot reapply for
22 a variation for a year for the same variation. So

1 if we're going to vote in the negative on something
2 or if we're unsure on something, then it would be
3 better to continue it and give them a chance to
4 present additional information. If we're strongly
5 opposed to something, then we should have a motion
6 to vote it down. If we're in favor of it, then we
7 should vote for it.

8 So on the variation required minimum
9 parking from 16 spaces to 0 spaces, there's a lot
10 going on up here. Based on what I have now on the
11 roof deck -- because, again, we're not just talking
12 about 16 spaces to 0 spaces for an indoor use.
13 We're talking about an indoor use that we don't have
14 anything in front of us showing us what that use
15 will look like. We have something from two or three
16 months ago that wasn't on the record. I would need
17 to see a minimum of that, but probably a traffic
18 study, personally, to approve that. I don't know
19 how everybody else feels. I know how Mike feels.

20 COMMISSIONER ORLOWSKI: Well, I mean, I'll get
21 in here real quick. I don't even know how we can
22 even vote on a variance for a shipping container

1 when the Village already has shipping containers out
2 there by businesses that are using them for storage.
3 So, me personally, I wouldn't even feel
4 comfortable voting. I mean, that's -- I know what
5 the Village has done in the past with other
6 businesses. So the problem that I have is if
7 they've already allowed it to happen, we really have
8 to not look at it, to me, as a variance, but we have
9 to put something either in a Text Amendment or an
10 Ordinance or somewhere in zoning, because there are
11 -- I walk the Village constantly, and I know there's
12 well over 30 containers out there between small
13 businesses, large businesses. Target uses them.
14 Walmart uses them. Some businesses have them
15 stacked two high. So to say that we're going to
16 make one do this --

17 COMMISSIONER LANENGA: You can't just say go
18 ahead and do it.

19 COMMISSIONER ORLOWSKI: Right. So my thing is
20 we've got to find a way to make things correct in
21 the Village.

22 COMMISSIONER LANENGA: Nobody disagrees with

1 that.

2 COMMISSIONER ORLOWSKI: So are we saying that
3 all the other businesses that are out there are
4 going to have to come do the same process?

5 CHAIRMAN JARRETT: Right. That's what I was
6 saying earlier that I want to avoid. The fact that
7 I'm in favor of it, I'm hesitant to cast a vote to
8 allow a variation to permit a shipping container,
9 because there are other businesses within two blocks
10 of them that have them with very similar conditions.

11 COMMISSIONER ORLOWSKI: I honestly feel as far
12 as the shipping container is that I think between
13 Fuel and Creme, the Village, they can come up with
14 something in writing and hold them to what he wants,
15 because I know he needs the storage. I have no
16 problem with that. I have issues with the rest, but
17 I think if we do this on a shipping container we're
18 going to have a whole bunch more.

19 CHAIRMAN JARRETT: Right. That's what I was
20 saying earlier too. That's the trick on it, and
21 it's really the trick with covered tent seating and
22 outdoor entertainment as well.

1 COMMISSIONER ORLOWSKI: Correct.

2 CHAIRMAN JARRETT: I mean, like I said in my
3 opening statement there, I'm not even really sure
4 that we're qualified to grant these as variations,
5 because I think some of them go specifically against
6 other Village Ordinances.

7 COMMISSIONER ORLOWSKI: Correct. So, me
8 personally, I don't think we can even -- we couldn't
9 take -- we would have to move this -- I mean, we
10 couldn't take a vote.

11 CHAIRMAN JARRETT: Well, we could vote to deny
12 them all, or we could vote to approve some, or we
13 could continue the whole thing, which leaves the
14 applicant hanging, but --

15 COMMISSIONER ORLOWSKI: Right. Let me ask
16 Staff. Is there any -- knowing -- I think everybody
17 kind of knows the way we feel. Is there anything
18 that we can do to allow the shipping container to
19 move forward without voting on it?

20 MS. ARGUILLES: No. As the Code stands today,
21 it would require a variation. That is one of the
22 reasons why the petitioner has asked for a variation

1 to allow that shipping container. Until -- you
2 know, we could definitely look at it from the COVID
3 update perspective, and we can just base that on
4 history of not only shipping containers, but other
5 items as well. But as is now, it would require a
6 variation, and Mr. Kozar has applied for a variation
7 for that.

8 In terms of the motion, we could decide to
9 make separate motions on the request, modify the
10 conditions, add conditions, not add them. The
11 Commission has that authority to separate them.
12 Likewise, the Commission can continue it and request
13 more details. There's various options.

14 CHAIRMAN JARRETT: It makes it a little
15 trickier, because we're all over the place on this.

16 MR. KOZAR: As petitioner, can I just make a
17 suggestion that you vote to allow me to have the
18 container, and even by my own motion we continue the
19 tent, the entertainment, and the parking, and work
20 to either get you further information on it as you
21 request, or we allow time to do a Text Amendment on
22 any of these different matters, or a combination of

1 both. I bring you information. We do whatever
2 studies. You know, I work to do what you ask of me
3 in terms of studies, more information, things of
4 that sort, you know. I don't know what all I could
5 do, but I will be as cooperative as I could be.

6 Mike is right that, you know, in terms of
7 the container, you know, I'm here because I was told
8 you can't just do something and then, you know, not
9 go through the procedure, and since I don't have
10 control over the Text Amendment I'm doing my best to
11 go through the procedure. I paid \$1,300 to be
12 before you today, so, you know, the container is
13 something that you already generally allow in the
14 Village, you know. Like Mike said, having 30 plus
15 containers all over the place, you know where mine
16 is going to be, and it's to aid in the business, you
17 know, and just allow me to get stuff off the patio,
18 and, you know, it's going to be right there. I'm
19 not going to abuse that. The other three, let's
20 continue those and get more information to you, do
21 studies, work with Consuelo on a Text Amendment, you
22 know, however you want, and at least allow that to

1 be out there, you know, to get whatever it is that
2 you guys need, and during that time, you know,
3 perhaps put something together for the other
4 businesses at large that -- the 30 businesses or
5 whatever it is that need a shipping container, but,
6 you know, allow me to do what is requested of me and
7 go through the process and at least, you know, have
8 one of the four requests, which all of you in
9 principal don't have an argument with, you know,
10 don't have a necessary problem with the container.
11 Clad and same fencing, and it's all very tasteful.
12 Karen would never allow me to do something on that
13 property that wasn't tasteful, and I can assure you
14 of that.

15 MS. ARGUILLES: Mr. Kozar, if you're going to
16 continue, I would ask you to come and approach the
17 podium.

18 CHAIRMAN JARRETT: That's fine. You beat me to
19 my question, which was would you be okay -- and we
20 can continue whether or not you want us to, or we
21 could vote whether or not you want us to, but,
22 technically speaking, you're okay with us continuing

1 the other three if that's the way we decide?

2 MR. KOZAR: I want to work with the Village.

3 CHAIRMAN JARRETT: I just want to know, because
4 as an applicant, you have a right to a vote.

5 MR. KOZAR: Succinctly speaking, yes.

6 CHAIRMAN JARRETT: You have the right to a
7 vote, whether or not we have to revote again, is
8 what I'm getting at. But I would like to make sure
9 if we're going to continue something that you're
10 comfortable with that, because it does not affect
11 the Board if we don't vote.

12 Okay. So hearing Mr. Kozar's comments, he
13 gets the point that I was getting to -- Mike and I
14 discussed a little bit -- that we have a consensus
15 here that there's not an issue with the storage
16 container. I would like to see the storage
17 container. If we have a motion on that tonight, and
18 I think we have consensus on that motion if somebody
19 makes it, that we need to include the condition B.
20 And then do I have consensus that continuing the
21 other three to give the applicant an opportunity to
22 either present more evidence or to work with Staff

1 to find a -- or for Staff to work with us? Because
2 if you haven't read the March transcript, the one
3 that we have not approved yet, there's a lot of
4 detail in that. Discussions on the Special Use and
5 discussion on the number of items that were either a
6 conflict in the Village Code and the Zoning
7 Ordinance or things that we thought as a Commission
8 could be updated to reflect the new image of Villa
9 Park, because many of them were put in in the
10 mid '90s to respond to one specific use, because we
11 didn't have any Ordinances, and they weren't
12 particularly well thought out. For instance, we
13 have an Ordinance in place that prohibits all
14 outdoor seating during the winter months. There is
15 a bullet point list of those items that some of them
16 are strictly in the Zoning Code that could come back
17 to us, but some of them like the outdoor
18 entertainment, the tent variation, they also
19 incorporate the Village Ordinances outside of the
20 Zoning Ordinance, the specific Village Code, and
21 those need to match, right, so we also need to then
22 put -- and this was expressed back in March from the

1 Village Board on whether or not they want to pursue,
2 because we don't want to go around granting a bunch
3 of variations for outdoor entertainment that fly on
4 the basis of what the Village Board would approve
5 anyway, if that makes sense.

6 Okay. So I think we have consensus here
7 for a motion to approve. Who wants to read it? For
8 the first variation we need to make sure the
9 findings of fact are included, and then a separate
10 motion -- we can do it in one motion to approve --
11 actually, let's approve one, and then we can
12 continue the other ones. Two separate motions.

13 COMMISSIONER LANENGA: I'd like to move for
14 approval of variation one of application PZ-20-0003,
15 the variation to allow for a shipping container as
16 storage with the following conditions. That the
17 storage shipping container be erected generally as
18 shown on Exhibit B and screened from view by a fence
19 similar in all aspects to the existing fence located
20 on the north property line running east to west
21 between the two principal buildings, but I'd also
22 like to move that variations two, three, and four,

1 minimum parking, tent covered seating area, and
2 outdoor entertainment be continued to our next
3 meeting.

4 CHAIRMAN JARRETT: All right. So we have two
5 motions. Can I have a second on the first motion?

6 COMMISSIONER ORLOWSKI: Second that.

7 CHAIRMAN JARRETT: Okay. Any questions or
8 comments on the first motion to approve variation to
9 allow for a shipping container as storage with the
10 conditions and finding of fact as described in the
11 motion?

12 MS. ARGUILLES: Commissioner, Chairman Jarrett,
13 if I may interject, condition A is specific to
14 Exhibit A, which shows the shipping container. So
15 if I may suggest that it's conditions A and B.

16 COMMISSIONER LANENGA: I'd like to amend my
17 motion to include A, that the site be developed
18 generally as shown in Exhibit A as submitted by the
19 petitioner.

20 CHAIRMAN JARRETT: Is there a second on that
21 amendment?

22 COMMISSIONER ORLOWSKI: I'll second it.

1 CHAIRMAN JARRETT: All right. So questions or
2 comment on the first motion to approve the variation
3 to allow a shipping container? Okay. Roll call
4 vote.

5 Hofstra.

6 COMMISSIONER HOFSTRA: Yes.

7 CHAIRMAN JARRETT: Lanenga.

8 COMMISSIONER LANENGA: Yes.

9 CHAIRMAN JARRETT: Orłowski.

10 COMMISSIONER ORŁOWSKI: Yes.

11 CHAIRMAN JARRETT: Romano.

12 COMMISSIONER ROMANO: Yes.

13 CHAIRMAN JARRETT: And I too vote yes.

14 The second motion is to continue the
15 variation requests two, three, and four, the
16 requirement of parking, tent covered seating area,
17 and allow outdoor entertainment.

18 Any questions or comments on that motion?
19 No. Okay. Roll call vote.

20 Hofstra.

21 COMMISSIONER HOFSTRA: Yes.

22 CHAIRMAN JARRETT: Lanenga.

1 COMMISSIONER LANENGA: Yes.

2 CHAIRMAN JARRETT: Orłowski.

3 COMMISSIONER ORLOWSKI: Yes.

4 CHAIRMAN JARRETT: Romano.

5 COMMISSIONER ROMANO: Yes.

6 CHAIRMAN JARRETT: And I too vote yes. So with
7 that, our recommendation on variation one will
8 advance to the Village Board who can accept, reject,
9 or modify as they see fit, and we will continue two,
10 three, and four. We did not continue it to a date
11 certain, and so that will need to be republished at
12 a time when we rehear that. Correct?

13 MS. ARGUILLES: That's correct.

14 CHAIRMAN JARRETT: Okay. Thank you.

15 MR. KOZAR: Thank you gentlemen.

16 (Whereupon, the public hearing was
17 concluded.)
18
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2 | COUNTY OF DU PAGE)

MARY FAILLO, CSR, RPR

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1

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variation to required minimum)
parking, variation to allow) PZ-20-0003
a tent-covered seating area,) Continuation
variation to allow outdoor)
entertainment.)

PUBLIC HEARING
PLANNING & ZONING COMMISSION
SEPTEMBER 10, 2020
7:30 P.M.

PROCEEDINGS HAD and testimony taken before
the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at the Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
before LINDA M. CIOSEK, C.S.R., qualified in the
State of Illinois.

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State of Illinois.

1 CHAIRMAN JARRETT: We're back in session.
2 The next item of business will be the continuance
3 of Petition PZ-20-0003, 324 East Central
4 Boulevard, variation to required minimum parking
5 from 16 spaces to zero spaces for a rooftop deck;
6 variation to allow a tent-covered seating area;
7 variation to allow outdoor entertainment.

8 The petitioner is Jack Kozar.
9 This is continued from the last hearing -- from
10 two months ago.

11 I know that before we get too
12 deep into this, Commissioner Shlensky had a
13 comment he wanted to make.

14 COMMISSIONER SHLENSKY: I am currently
15 employed by the law office that represents the
16 petitioner, and I have had knowledge of the prior
17 petitions filed by the petitioner on this, so I
18 think it is only proper and best that I
19 respectfully recuse myself.

20 CHAIRMAN JARRETT: I appreciate that.

21 (Whereupon, Commissioner
22 Shlensky recused himself from

1 the Commission for this public
2 hearing.)

3 CHAIRMAN JARRETT: Because this is a
4 continuation, I'm just going to ask that -- I
5 don't think anybody from the public here is
6 wishing to speak, I don't see anyone, but that
7 both, to the degree possible, the applicant and
8 anybody wishing to speak, try to limit testimony
9 to testimony that we haven't heard previously to
10 the extent that that doesn't hurt your own case of
11 the applicant.

12 Staff input, is there anything
13 you wanted to add at this point?

14 MS. ARGUILLES: There is really nothing to
15 add at this point.

16 CHAIRMAN JARRETT: Okay, thank you.

17 MS. ARGUILLES: Actually, I take that back.
18 I'm sorry, I did want to make sure that you
19 received one set of comments that we received from
20 the resident in Elmhurst in support of the
21 request?

22 CHAIRMAN JARRETT: Could you do me a favor,

1 and did everybody up here see that?

2 (All Commissioners responded in
3 the affirmative.)

4 CHAIRMAN JARRETT: So if everybody up here
5 saw that, just make sure that goes into the
6 record.

7 MS. ARGUILLES: Yep.

8 CHAIRMAN JARRETT: Did the applicant get a
9 chance to see that?

10 MS. ARGUILLES: No, he did not.

11 CHAIRMAN JARRETT: It was pro your
12 application. There was an email sent that the
13 village received today in support of your
14 application. Please do make sure they get a copy
15 of that.

16 MS. ARGUILLES: We received that a couple
17 days ago, but I was waiting to see if we received
18 additional comments before I forwarded it, so I
19 just forwarded it today since I didn't receive
20 anything else besides that.

21 CHAIRMAN JARRETT: Okay, thank you. There
22 is no need to read that into the record if

1 everybody has seen it.

2 So, Mr. Kozar, if you would
3 like to come up.

4 MR. KOZAR: Did Chief Lay have a
5 conversation with you? He said he was going to.

6 MS. ARGUILLES: I received no additional
7 staff comments for this request.

8 MR. KOZAR: All right. So there wasn't
9 really overwhelming clear direction on what it was
10 that you were asking for. I did see three things:
11 Either -- and this is your quote, Jason. Either
12 present more evidence, number one; work with
13 staff, number two; or for staff to work with us,
14 meaning the Board at large.

15 I attempted to work with staff,
16 but it didn't go well. I didn't know if staff had
17 worked with you all.

18 CHAIRMAN JARRETT: No, not at this point.

19 MR. KOZAR: Okay. So, one of the things
20 you had wanted was perhaps some pictures. We've
21 got three things going on: One is the rooftop
22 deck, one is the tent, and the third is the

1 outdoor entertainment.

2 So, you all talked about doing
3 a text amendment with regard to the tent and the
4 outdoor entertainment, so let's start with the
5 rooftop deck and address that.

6 CHAIRMAN JARRETT: Okay.

7 MR. KOZAR: This is what I had presented to
8 you back in February was it, just some ideas of
9 what a rooftop deck would look like. Although
10 we're looking for a parking variance, it's not a
11 PUD in terms of what a rooftop deck would look
12 like. But, you said you wanted to see what it
13 would look like, so these are some ideas.

14 Additionally, this is an idea
15 of what a rooftop deck might look like and what a
16 tent between the two properties might look like.
17 This was also presented to you back six months
18 ago.

19 This is a sketch, a staircase
20 going up to a rooftop deck. Further sketch on the
21 stairs itself.

22 And this is my plat of survey,

1 but we can go over this when we talk about the
2 tent.

3 CHAIRMAN JARRETT: Okay.

4 MR. KOZAR: Do you have questions for me?

5 CHAIRMAN JARRETT: First of all, I just
6 want to make sure is there anyone from the public
7 wishing to speak on this before -- I don't want to
8 go too far out of the order of our public hearing.
9 I don't see anyone, so let's tackle these one at a
10 time.

11 Anyone from the Commission have
12 questions on this particular portion of the
13 application, the rooftop deck and the -- the
14 rooftop deck which technically -- the rooftop deck
15 does not require a variation, it is the added
16 space that -- the added occupancy would require
17 additional parking that is not currently provided.
18 And a variation was granted previously when the
19 ice cream shop and bar were added to reduce it to
20 zero spaces.

21 So, are there any questions
22 specifically on this part of it?

1 COMMISSIONER ORLOWSKI: The parking
2 requirement that was reduced to zero was for a
3 seasonal business, not a full year-round business.

4 CHAIRMAN JARRETT: Well, I understand what
5 you're saying, Mike, but the ice cream shop and a
6 bar, you know, in that regard, whether or not it's
7 seasonal, I mean we can't tell him how to run his
8 business.

9 COMMISSIONER ORLOWSKI: No, but that was --

10 CHAIRMAN JARRETT: We knew what the uses
11 were.

12 COMMISSIONER ORLOWSKI: When he came to us
13 before.

14 MR. KOZAR: But I think it's irrelevant.

15 CHAIRMAN JARRETT: I understand what you're
16 saying, and I agree with you. Whether or not he
17 has three parking spaces, I don't remember what
18 the requirement was, but --

19 COMMISSIONER ROMANO: Originally it was
20 three.

21 COMMISSIONER HOFSTRA: I thought that was
22 the rooftop deck.

1 CHAIRMAN JARRETT: Right, but I'm talking
2 there was a previous variation agreement, whatever
3 the variation was there. Whether or not that's 9
4 months or 12 months is kind of irrelevant. It's
5 the way his business operates, and we knew that
6 the bar would draw people year-round. I did, at
7 least. The ice cream shop maybe not, but that --
8 regardless, that variation was granted, so we're
9 dealing with this one now.

10 And, short-term, let's stick to
11 questions. Are there any questions on this?

12 COMMISSIONER ROMANO: I'll just put it out
13 there, make sure I'm understanding clear. What
14 we're looking at is the variation. The building
15 of the deck is within -- fits within building
16 codes. We have no say so on that, but what we are
17 strictly talking about is the parking requirement,
18 whether we grant the variation for that.

19 CHAIRMAN JARRETT: Right. The reality is
20 yes. And, right, he's not asking for a variation
21 to the height of the building or --

22 COMMISSIONER ROMANO: We don't need to go

1 into aesthetics of the deck and all that business.
2 There's going to be more people seated, he needs
3 more parking, are we going to a grant an
4 additional variation for parking?

5 CHAIRMAN JARRETT: Correct. Are there any
6 questions on this? What I'm going to do, because
7 I think we may have different opinions on some of
8 these items, I'm going to suggest that we make
9 motions on each one separately, as well, as we go
10 through to avoid complicating anything.

11 So are there any questions on
12 this?

13 (Whereupon, there was no
14 response.)

15 CHAIRMAN JARRETT: Does anybody have any
16 comments on this particular aspect of it?

17 COMMISSIONER ROMANO: As I recall, this was
18 not on Mr. Kozar, but last time we talked about
19 this, the bigger concern that bubbled up was that
20 intersection right there, that public safety. And
21 I think, Consuelo, you were going to talk about
22 public safety, about a three-way stop which

1 clearly has not been added, so it again is not on
2 Mr. Kozar's shoulders, that's on the village to
3 put a stop sign at an unsafe intersection. So, I
4 don't know is there any update on that?

5 MS. ARGUILLES: I have no updates besides
6 the Public Works has been reviewing it as part of
7 this request in general, so they're still looking
8 at that. I don't know that that's been finalized
9 at the Board meeting.

10 MR. KOZAR: At the last Traffic & Safety
11 they were amenable to put the three-way stop sign
12 in. We've always supported that.

13 COMMISSIONER ROMANO: I assume you would
14 be. The last thing you want is somebody run over.

15 MR. KOZAR: I also suggested speed bumps;
16 they would prefer to do a three-way stop sign.

17 COMMISSIONER ROMANO: That's the only
18 comment I have regarding this particular
19 variation.

20 CHAIRMAN JARRETT: I guess my comments on
21 this are: I know in the past there have been
22 complaints from your neighbor to the west about

1 noise. I'm there in the evening in that area
2 fairly frequently throughout the summer, I know
3 it's not the same as it was a year ago, which you
4 guys are still doing decent business, but I know
5 it's not as busy as it was a year ago, both
6 because of the grand opening and because of Covid.
7 Generally I've not noticed noise problems, though
8 one comment I would make is that the food truck
9 you had there yesterday was -- their P.A. was
10 really loud, so I'm just pointing that out to you.
11 They were calling out orders from the P.A. and I
12 could hear.

13 MR. KOZAR: I don't care for the P.A. I
14 don't care for the truck.

15 CHAIRMAN JARRETT: I could hear it blocks
16 away. So, that's -- I know that's not --

17 MR. KOZAR: They originally didn't start
18 with that, and then they had pizzas and nobody
19 heard them yelling out, and they're just looking
20 for a solution.

21 CHAIRMAN JARRETT: This was at 9:30 maybe.

22 MR. KOZAR: No, they leave at 8:00. So it

1 was like 7:30. They leave at 8:00.

2 CHAIRMAN JARRETT: No, it was last night at
3 -- if it was after 8:00, it wasn't much after
4 8:00.

5 MR. KOZAR: It was prior to 8:00. I can
6 show you the text messages for them saying we're
7 done and we're leaving.

8 CHAIRMAN JARRETT: I'm not going to argue
9 the exact time, but it was after dark, and if I
10 was settled into my house and the P.A. was going
11 off and it was a nice night with the windows open
12 -- you said you don't like it yourself, so if you
13 could get them to maybe -- I don't know if there's
14 a volume on that thing, but it was loud last
15 night. That's the only complaint I've ever
16 personally noticed with the noise, otherwise I
17 think your property functions fairly quietly.

18 MR. KOZAR: And I'd just like to note we've
19 never been cited for any sort of noise violation.

20 CHAIRMAN JARRETT: I don't doubt that.

21 MR. KOZAR: And that's what Chief Lay and I
22 and Karen had a conversation about, and Chief Lay

1 had told me that he was going to retract his
2 earlier statement where he says that there were
3 complaints because, as he agreed, it's not fair
4 that we are penalized for complaints. If there's
5 an issue, we should be cited for it. But if we're
6 not cited for it, you can't hold us because we
7 have one or two pesty neighbors that complain who
8 rent across the street from us. And that's all
9 that it is.

10 CHAIRMAN JARRETT: The fact they rent is
11 irrelevant, just for the record.

12 MR. KOZAR: Well --

13 CHAIRMAN JARRETT: It is.

14 MR. KOZAR: But they've been offered a
15 different unit in the same building and wouldn't
16 take it, so that is relevant, because solutions
17 have been presented to them.

18 COMMISSIONER HOFSTRA: The noise wasn't
19 there until you opened, okay?

20 CHAIRMAN JARRETT: They live there, those
21 buildings exist.

22 MR. KOZAR: I'm not violating any noise

1 variance.

2 CHAIRMAN JARRETT: My point would be is if
3 you're within your legal -- if you're not a
4 nuisance and they don't like it, that's not your
5 fault, you're correct.

6 If you are creating a nuisance
7 -- I'm not saying that you are, I believe that
8 you're not -- if you are creating a nuisance, them
9 moving is not a solution. You understand that?

10 MR. KOZAR: I agree.

11 CHAIRMAN JARRETT: Okay.

12 MR. KOZAR: And that's what I was trying to
13 express to them.

14 CHAIRMAN JARRETT: Right, right. So, my
15 comment on this would be that if you were to get a
16 roof deck, I would hope that you would be
17 considerate of the additional sound that might
18 carry from that because you are elevating, you are
19 going above tree lines, and you are going above
20 some rooftops. And people on roof decks do tend
21 to be louder and more rambunctious than they might
22 if they were indoors because they're yelling at

1 their friend across the deck, "Hey, how's it
2 going", and those sort of things.

3 So, the design of that space
4 should take that into consideration, how are ways
5 that you can dampen sound travel from that space.

6 MR. KOZAR: Uh-huh.

7 CHAIRMAN JARRETT: Knee-high walls and a
8 metal rail don't do that. And I know you -- I saw
9 your picture, and especially in the areas where
10 sound would travel to your immediate neighbors to
11 the west especially --

12 MR. KOZAR: This is one of the concepts.

13 CHAIRMAN JARRETT: Yeah, and those kinds of
14 details are really common on modern high-end
15 rooftop decks, both commercial and residential.
16 So there's a lot of solutions to that. I would
17 hope you would do that, because if complaints do
18 become an issue, then you might have to do
19 retrofitting that would be more expensive than
20 doing it right the first time. And you guys have
21 done things right the first time, and I appreciate
22 that. That's one of the things I appreciate most

1 about your development is you did not take the
2 cheap ways out.

3 MR. KOZAR: Thank you.

4 CHAIRMAN JARRETT: And I've always
5 appreciated that.

6 Okay, so any comments up here?

7 COMMISSIONER HOFSTRA: We're just dealing

8 --

9 CHAIRMAN JARRETT: We're just going to
10 motion and vote on each of them. Well, we'll do
11 the motion and votes at the end, unless there's an
12 objection to that way of dealing with it.

13 So if there's no other
14 questions or comments on that, do you have
15 anything you want to add on that before we move on
16 to the next one?

17 MR. KOZAR: No. But to your point, I think
18 we should have a motion and a vote. Since they're
19 three separate variances, can't we just have a
20 motion on the rooftop right now, handle each one

21 --

22 CHAIRMAN JARRETT: I would rather do all

1 the votes at the end. We legally need to close
2 the public hearing, and comments may come up
3 throughout this that would -- I don't want to
4 complicate what might come. We're going to hold
5 the votes at the end. And we will vote on all
6 three of them tonight, assuming there are motions.

7 The variation to allow a
8 tent-covered seating area. We went over that
9 pretty extensively last time. Do you have any new
10 comments or details you want to bring to that?

11 MR. KOZAR: I mean a big part of the tent
12 is to be able to survive through the Chicagoland
13 winter, and we are learning in our business. I
14 know Mike likes to think we have one business plan
15 and it's unchangeable, and we've had this
16 conversation in front of my property. But a
17 business plan needs to be flexible, and we need
18 the ability to learn. And if you look at that
19 initial transcript from when I was before you,
20 many of the comments was, "This is what we're
21 thinking", "The current plan is", and I've got a
22 list of about 15 comments to that point, that this

1 is an evolution that we're learning how to take
2 the property that we're given that we have and
3 make it efficient.

4 We want to be able to retain
5 employees, and to do that, we need a way to
6 survive, to some degree, over the less or more
7 inclement weather. If every day was like it was
8 in August, it may be a little bit hot, but it's a
9 different story. But that's not where we live.
10 We live in Chicagoland and we're learning.

11 We've also seen, because of
12 Covid, a lot of tents that are out there: Manny's
13 Ale House, Simons, Las Islas Marias. They've got
14 tents out there and people enjoy them and, you
15 know, they're tasteful and they look all right.

16 You've seen the tent that I
17 have. It's a quality tent, made in Germany. It's
18 fire rated, it's safety rated, it's wind rated.
19 This is not a Menards tent, this is a quality
20 structure to go in between the buildings for a few
21 months throughout the year. We're not looking to
22 keep it up all year round, but you know, retention

1 of employees is important for that so we can have
2 our core management team and still have events and
3 whatnot on the weekends.

4 There was also, I think, an
5 error in the original expression of what the
6 comments were, staff comments. There was a
7 positive finding of facts, if you go back into the
8 transcript, where you know -- I know you've
9 already -- well, I would assume you've looked at
10 the transcript, but a positive finding of facts,
11 but there was a misrepresentation that the staff
12 did not support the tent.

13 The Villa Park Fire Department
14 says: "The fire department has no issues with the
15 temporary tent request." The Police Chief said,
16 "has no issue with the variance for the
17 tent-covered seating", and Public Works also
18 didn't have any issue with the tent.

19 COMMISSIONER HOFSTRA: That was on a
20 temporary basis.

21 CHAIRMAN JARRETT: My point to that would
22 be that the staff recommendation refers to

1 planning staff, not down the line. The fire
2 chief, they have their points and they were for
3 it. For whatever reason, based on the memo, the
4 planning department and the community development
5 staff was not in favor of it. So, we had that
6 memo, and maybe it felt like a misrepresentation
7 to you because three or four people supported it
8 and another aspect of the village did not. But,
9 we had that memo, we read that, and I believe that
10 memo was probably read to us, but I certainly --

11 MR. KOZAR: I don't believe the memo was
12 read.

13 CHAIRMAN JARRETT: Usually they are. And
14 the presentation is usually fairly detailed in
15 terms of whether there are comments or not.

16 Just like with the parking lot
17 earlier today, we were informed of who commented,
18 who didn't, and what their recommendations were.
19 So, I wouldn't call that a misrepresentation as
20 much as staff is the community development staff.
21 The Community Development Director, more
22 specifically, is what that staff recommendation

1 usually means in the course of this memo because
2 they are the ones that are reporting to us. So, I
3 understand your concern.

4 MR. KOZAR: That just wasn't explained
5 anywhere in the explanation, it's not in the
6 transcript, it just talks about the fire
7 department, the police department, Public Works,
8 and then is followed up by staff.

9 CHAIRMAN JARRETT: Right, but --

10 MR. KOZAR: As to imply that that was
11 staff. That's my confusion on it.

12 CHAIRMAN JARRETT: Right, I understand.

13 MR. KOZAR: I tried to ask Consuelo to
14 better explain it.

15 CHAIRMAN JARRETT: That's typical. That's
16 the way the process works.

17 MR. KOZAR: So staff is Community
18 Development is what you're saying?

19 CHAIRMAN JARRETT: Yes.

20 MR. KOZAR: Okay. Is there a memo from
21 Community Development?

22 CHAIRMAN JARRETT: Yes.

1 MR. KOZAR: That I'm missing?

2 CHAIRMAN JARRETT: I don't know if you're
3 missing it or not.

4 MR. KOZAR: I did a request.

5 CHAIRMAN JARRETT: It's the memo that's
6 given to us with every package of every hearing
7 for every item that we've ever heard.

8 MR. KOZAR: Is that something you can
9 provide for me later?

10 MS. ARGUILLES: Absolutely.

11 CHAIRMAN JARRETT: Generally speaking, it
12 is the testimony that staff reads into the record
13 at the start of the public hearing.

14 MS. ARGUILLES: Jack, I believe you have a
15 copy of it, but I'll provide it again. It's the
16 last staff report.

17 MR. KOZAR: That would be helpful.

18 CHAIRMAN JARRETT: The memo that we're
19 given has the findings of facts, the standards,
20 all the details about the property.

21 MR. KOZAR: So, nevertheless, the fire
22 department has no issue with it, the police

1 department has no issue with it, and Public Works
2 has no issue with it, and it is on a temporary
3 basis.

4 CHAIRMAN JARRETT: Any other --

5 COMMISSIONER HOFSTRA: When you say
6 temporary, what are you referring to?

7 CHAIRMAN JARRETT: Hang on one second. I
8 want to try to keep this order. Is there any
9 other input you want to give before I ask for
10 questions or comments up here?

11 MR. KOZAR: No, I don't think so. I think
12 that covers it.

13 CHAIRMAN JARRETT: Any questions on this?
14 I think we've covered it pretty well, if there are
15 any questions.

16 (Whereupon, there was no
17 response.)

18 CHAIRMAN JARRETT: Any comments on this?

19 COMMISSIONER ORLOWSKI: I have comments.

20 CHAIRMAN JARRETT: Go ahead.

21 COMMISSIONER ORLOWSKI: As far as you keep
22 making comments that you're trying to keep

1 employees all year round. Every business in
2 Northern Illinois does the same thing; around the
3 holidays, Christmas. All businesses encounter
4 issues as far as employing employees during slow
5 times out of the year. You're not the only one
6 that has to deal with that or plan for that.

7 As I've said in the past, me
8 personally, no, I don't like the tent. I
9 understand that it's learning, you're trying to
10 develop the business and everything else, but
11 you're outgrowing your piece of property. That's
12 my point is the Fuel & Creme, it's nice just the
13 way it is, and you can't keep adding and adding
14 and adding and adding. It's not going to work.

15 Other businesses in the village
16 have been told, "No, you ain't having a tent."
17 So that's where I'm looking at it.

18 CHAIRMAN JARRETT: Okay. Any other
19 comments up here?

20 COMMISSIONER LANENGA: I started to ask
21 what was the temporary nature? What time frame
22 are you looking at?

1 MR. KOZAR: The general winter months.

2 COMMISSIONER LANENGA: So November --

3 COMMISSIONER HOFSTRA: What, November,
4 December, January?

5 MR. KOZAR: Yeah.

6 CHAIRMAN JARRETT: What were the specific
7 dates that were requested in the original
8 variation on that?

9 MS. ARGUILLES: I don't believe there were
10 specific dates.

11 MR. KOZAR: Yeah, I think there was.

12 CHAIRMAN JARRETT: There were specific
13 dates, yes.

14 MR. KOZAR: So it would be approximately
15 November 1st through April 30th.

16 MS. ARGUILLES: So I guess I should clarify
17 that during the summertime we allow temporary
18 installations of temporary structures.

19 CHAIRMAN JARRETT: But we do not during the
20 winter months?

21 MS. ARGUILLES: They are limited to a time
22 frame, so this would be in addition to the

1 temporary time frame.

2 CHAIRMAN JARRETT: What's the time frame on
3 those permits, do you know?

4 I'm going to make a comment
5 while we she looks. My comment is not going to
6 change from before. I do not like tent structures
7 as a year-round or even a six-months-
8 out-of-the-year thing, especially if you can then
9 turn around and apply for a permit in the summer
10 which then gets you a year-round tent. It's no
11 longer temporary.

12 My concern is not that you want
13 a tent. I understand that you want a tent, and I
14 understand why you want a tent. In the winter
15 months, I don't necessarily even dislike the idea
16 of a tent. I've been in your tent at Halloween,
17 around Halloween when it would have been cold and
18 wet without it. That said, I don't believe that
19 there is anything special, for lack of a better
20 term -- I think your property is very special in a
21 lot of ways, but there's nothing about your
22 property that's special, which is what's required

1 of a variation, that you should have extra
2 privileges to a tent that other neighbors in other
3 similar districts don't.

4 And to me, the problem, if
5 there is a problem -- again, and I've said this
6 every public hearing since this has happened, is
7 not how long you can have the tent up, it's -- I
8 know you would like to have it up year-round.

9 MR. KOZAR: I disagree with that. I don't
10 want to have it up year-round.

11 CHAIRMAN JARRETT: You don't want to have
12 it up year-round?

13 MR. KOZAR: No.

14 CHAIRMAN JARRETT: Even between the
15 buildings?

16 MR. KOZAR: Even between. The property is
17 much nicer when it's open.

18 CHAIRMAN JARRETT: Regardless of that, the
19 village has a process by which you go apply for a
20 permit. If that process doesn't work, it needs to
21 be fixed. Us sitting up here can't fix it.

22 MR. KOZAR: I disagree there's a process

1 for that, because originally when I thought about
2 getting this tent, I brought the tent, all the
3 specs to Patrick Grill, and I said, "This is what
4 I'm looking to get, I want to make sure it's okay
5 before I go ahead and purchase this tent." He
6 then said, "Yeah, this looks good. You'll have to
7 get a permit for it, but everything checks out."
8 So I got it. I was limited to this very small
9 window to put it up. I applied for a permit, and
10 I started erecting the tent. Then it came out my
11 property is not zoned to have a tent like that,
12 and that's why I'm here now.

13 So, I cannot just apply for a
14 permit to get a tent.

15 COMMISSIONER ORLOWSKI: It's not that the
16 property is zoned for the tent, we don't allow
17 tents.

18 CHAIRMAN JARRETT: Hang on. Consuelo, is
19 there a specific zoning designation that doesn't
20 allow temporary tent structures?

21 MS. ARGUILLES: There isn't a specific --

22 CHAIRMAN JARRETT: Okay. So the issue is

1 specifically that you have is with our ordinance
2 for permitting a tent. You don't believe -- and
3 you may be right. You may believe that that
4 ordinance is inadequate. We cannot change that
5 ordinance. We could issue you a variation to have
6 a tent, but what makes -- seriously. I'm asking
7 you seriously, what makes your ability to have a
8 tent six months out of the year different than
9 DeMito's or Moore, or Pioneer for that instance,
10 or any business, or the guys who just opened the
11 meatery down the street?

12 MR. KOZAR: I don't have an issue with them
13 having a tent.

14 CHAIRMAN JARRETT: Is your property
15 distinctly different?

16 MR. KOZAR: I do, I have a very unique
17 property.

18 CHAIRMAN JARRETT: You do have a unique
19 property.

20 MR. KOZAR: I don't have the ability to
21 build out on that property.

22 CHAIRMAN JARRETT: Right, but you have a

1 small property.

2 MR. KOZAR: Right.

3 CHAIRMAN JARRETT: I mean there is a reason
4 there's a zoning code, it's so the properties
5 aren't overbuilt. And you have essentially a
6 percentage of that area vertically and
7 horizontally that you can develop. How far you
8 choose to develop that is up to you, but a
9 temporary structure is different than developing
10 the property. And a tent is -- whether it's a
11 good tent or a Menards tent, it's a temporary
12 structure. Everybody has the same right in the
13 village to a temporary structure.

14 You believe, and you may be
15 right --

16 MR. KOZAR: I don't understand what your
17 position is on it because if I can't get a permit
18 for it --

19 CHAIRMAN JARRETT: Why can't you get a
20 permit for it?

21 MR. KOZAR: I have been denied a permit.
22 They said I have to change the variance for it.

1 So Consuelo is -- Consuelo, are you saying that I
2 can apply for a permit and put that tent up on a
3 temporary basis?

4 MS. ARGUILLES: I'm saying that the
5 (inaudible) --

6 THE COURT REPORTER: Excuse me, can you
7 lower your mask?

8 MS. ARGUILLES: I'm saying the village code
9 restricts the time of the outdoor dining to March
10 1st to November 30th. This petitioner is here
11 because he seeks to have that after that to allow
12 for the winter time.

13 COMMISSIONER ORLOWSKI: That's the
14 discussion.

15 CHAIRMAN JARRETT: And my point would be:
16 So your issue is with that ordinance, that
17 specific code and that language that says in the
18 winter you cannot have a tent. It says that for
19 everybody, not just you. DeMito's cannot have a
20 tent in the winter for the same reason that you
21 can't without getting a variation. And variations
22 are not something as a village to just be granted

1 on the fact that it's an inconvenience to you. It
2 has to be more than a mere inconvenience.

3 MR. KOZAR: A hardship. It is a hardship.

4 COMMISSIONER ORLOWSKI: It's a hardship for
5 everybody.

6 CHAIRMAN JARRETT: It's a hardship for
7 everybody. It's an equal hardship. It is not
8 unique to your property.

9 MR. KOZAR: My property is unique because
10 of the small size of the buildings there.

11 CHAIRMAN JARRETT: But that's true of
12 everybody that's developed in that area.

13 MR. KOZAR: But it's not true of everybody.
14 I mean, DeMito's has considerable space that they
15 can have indoor seating, dining, everything else.

16 COMMISSIONER ORLOWSKI: But that was their
17 business plan.

18 CHAIRMAN JARRETT: Let's try not to talk
19 over each over.

20 They also have a larger
21 building, they have a larger lot. So having a
22 small lot in and of itself is not a reason for a

1 variation.

2 And I understand what you're
3 looking for, but this is my opinion.

4 Are there other comments,
5 questions, or are we --

6 COMMISSIONER HOFSTRA: I agree with you.

7 COMMISSIONER ROMANO: I think the wheels
8 are spinning, it can be settled now with a vote.

9 CHAIRMAN JARRETT: That's where we're
10 getting. The issue with this, to my mind -- to my
11 mind, and we'll vote on this tonight, is not
12 whether or not you should be able to have a tent
13 in the winter, but that's what the variation is
14 for and that's what we'll ultimately vote on. We
15 have to address the standards that are laid out.
16 But, in my mind, the question is whether any
17 business in the village should be able to have a
18 tent for outdoor dining in the winter. I would
19 argue that they should.

20 MR. KOZAR: Why not?

21 CHAIRMAN JARRETT: I would argue that they
22 should. I can't change that code.

1 MR. KOZAR: But if they come in and ask for
2 that variance --

3 COMMISSIONER ORLOWSKI: That's not the way
4 it works.

5 MR. KOZAR: Why not promote business? Why
6 not take in those tax dollars?

7 COMMISSIONER ORLOWSKI: That's not the
8 process.

9 CHAIRMAN JARRETT: That's not the way a
10 variation works. If you hand out a variation to
11 everyone, it is no longer a variation. A
12 variation is a specific amendment -- it's a
13 specific allowing of someone to do something
14 outside the bounds of an existing ordinance that
15 they would not be able to do because there's
16 something that physically constrains their
17 property from doing that specific use with.

18 You can put a tent on your
19 property, you're not looking for a change to a
20 setback to put a tent on your property. You can
21 put a tent on your property for six months out of
22 the year just like every other business. And

1 that's fair.

2 Now, if you think it should be
3 a longer window, and I think it should, I would
4 agree with you. The Village Board needs to change
5 that ordinance, and we're not the Village Board.

6 Can he apply for a text
7 amendment? He can; correct?

8 MS. ARGUILLES: It's the village staff that
9 will put together a proposal.

10 MR. KOZAR: I'm not able to apply for a
11 text amendment.

12 CHAIRMAN JARRETT: That's in the village
13 codes; right, not the zoning code?

14 MS. ARGUILLES: That's in the village
15 codes.

16 CHAIRMAN JARRETT: Okay. So, I understand
17 why you're frustrated, and I don't see any reason
18 -- and I've said this every time we've been up
19 here -- I don't see any reason, if you want to
20 apply for a tent on a temporary basis in the
21 winter, you should be able to. But if you're able
22 to, so should DeMito's.

1 MR. KOZAR: I agree. Let them do it, let
2 anybody who wants to.

3 CHAIRMAN JARRETT: Right, but that is not
4 how a variation works.

5 MR. KOZAR: But I don't have the ability to
6 do a text amendment. I don't have the ability to
7 change it. One of the things you guys wanted was
8 staff to present you with some ideas for text
9 amendments, which hasn't been done.

10 CHAIRMAN JARRETT: It hasn't happened,
11 you're right.

12 MR. KOZAR: It hasn't been done on your
13 end, it hasn't been done on the staff's end.

14 CHAIRMAN JARRETT: I agree with you.

15 MR. KOZAR: I'm stuck. I'm stuck by people
16 surrounding me that aren't doing it.

17 CHAIRMAN JARRETT: Let me speak for one
18 minute. This is not a part of the code that we
19 can change. This is not in the Zoning Ordinance,
20 it is in the village code, outside the Zoning
21 Ordinance. The only people that can change this
22 is the Village Board.

1 MR. KOZAR: So let's just be clear.

2 CHAIRMAN JARRETT: I have made
3 recommendations -- let me finish. I have made
4 recommendations up here over and over again that
5 this particular ordinance, if you believe it needs
6 to be changed, needs to be changed by the Village
7 Board. We can't do it.

8 MR. KOZAR: So which particular ordinance
9 are you referring to?

10 CHAIRMAN JARRETT: I don't have the number
11 in front of me. There is an ordinance --

12 MR. KOZAR: Well, Consuelo has it.

13 CHAIRMAN JARRETT: Is there an ordinance
14 that does not permit tents in the winter months?

15 COMMISSIONER ORLOWSKI: For outdoor dining.

16 CHAIRMAN JARRETT: For outdoor dining.

17 MS. ARGUILLES: You're referring to the
18 code section I just referred to?

19 CHAIRMAN JARRETT: Yes.

20 MS. ARGUILLES: That's in the zoning code.

21 CHAIRMAN JARRETT: Is that in the zoning
22 ordinance?

1 MS. ARGUILLES: Yeah (inaudible) --

2 MR. KOZAR: Which puts it in your purview.

3 CHAIRMAN JARRETT: That does. I

4 misunderstood what she was saying.

5 MR. KOZAR: What is the code that you're
6 referring to, just so we can all be on the same
7 page?

8 MS. ARGUILLES: So that's in the Zoning
9 Ordinance, what I just referenced, regarding
10 outdoor temporary dining areas.

11 MR. KOZAR: Section which one are you
12 referring to?

13 MS. ARGUILLES: I can encourage everyone to
14 take a look at the Zoning Ordinance, Section 6.11,
15 Temporary Uses.

16 CHAIRMAN JARRETT: Maybe that's something
17 we should look at. It still has to come up from
18 the Village Board. We can't take it up on our
19 own. I can encourage staff -- I think I have
20 encouraged staff because --

21 COMMISSIONER ORLOWSKI: I think we both
22 have.

1 CHAIRMAN JARRETT: I know, Consuelo, you
2 have not been involved in this from the beginning,
3 and maybe the Village Board doesn't have any
4 interest in doing it, I don't know if there are
5 political reasons it didn't come up before your
6 time maybe. Who knows. But, I have said from the
7 beginning, my issue with the tent is less about
8 the tent and more that everyone has full access to
9 it. The only way to get there is changing that
10 ordinance. I can't personally vote in favor of a
11 variation for a six-month winter tent on a single
12 property. I just can't. And if we could change
13 the code --

14 COMMISSIONER ORLOWSKI: That's not what a
15 variance is made for.

16 CHAIRMAN JARRETT: Right. The code may be
17 broken. I mean, maybe it's only broken in your
18 eyes because the Village Board would have to
19 openly vote on it. They may think outdoor dining
20 in the winter is a bad idea because they would
21 hold the ultimate vote, but --

22 COMMISSIONER LANENGA: If I can say

1 something a little bit different, it seems to me
2 in this Covid time that restaurants are failing at
3 a huge rate. And it seems like anything we can do
4 to keep a restaurant viable, through what promises
5 to be another bleak winter in a lot of ways, it
6 just seems to me a six-months variance with an
7 expiration.

8 COMMISSIONER ORLOWSKI: That's not what the
9 variance is designed for.

10 CHAIRMAN JARRETT: The variation would go
11 forward.

12 COMMISSIONER LANENGA: We have a right to
13 put conditions on it; right?

14 COMMISSIONER ORLOWSKI: No.

15 MS. ARGUILLES: Typically for variations
16 you could put conditions if you choose to. I will
17 say that the Board will be considering an
18 extension of the temporary ordinance dining areas
19 outdoor.

20 COMMISSIONER LANENGA: I wasn't the first
21 one to have this idea?

22 COMMISSIONER ORLOWSKI: You're in the same

1 boat with the next variance also.

2 CHAIRMAN JARRETT: Consuelo, maybe you
3 could answer this: The permitting process through
4 the village code, that is separate from the Zoning
5 Ordinance. How long is someone allowed to have a
6 tent erected with a permit? Is there a specific
7 amount of time that the permit runs for?

8 MS. ARGUILLES: For the outdoor dining?

9 CHAIRMAN JARRETT: Yeah. Well, the tent is
10 part of the outdoor --

11 MS. ARGUILLES: Yeah, so that's the March
12 1st to November 30th time frame.

13 CHAIRMAN JARRETT: Right, but what I'm
14 asking is on March 1st, if somebody comes in and
15 requests a permit for a tent --

16 MS. ARGUILLES: It's part of an outdoor
17 application.

18 CHAIRMAN JARRETT: The tent application is
19 part of the outdoor dining application?

20 MS. ARGUILLES: Correct. So, the plan will
21 show what they're proposing. It may include a
22 tent, it may not include a tent, and it may just

1 include seating areas, so that's subjective to the
2 individual business outdoor operations.

3 COMMISSIONER ORLOWSKI: Hang on, let me ask
4 you --

5 CHAIRMAN JARRETT: So if somebody came in
6 and applied for a -- currently requested a tent
7 from the first day to the last day for outdoor
8 dining, they could have a tent up for the entire
9 summer season with outdoor dining?

10 MS. ARGUILLES: Yeah, that's in the code.

11 CHAIRMAN JARRETT: So, in theory, if we
12 permit it could be done in the winter, then they
13 could request the plan to have a tent up
14 year-round. You understand what I'm saying;
15 right?

16 If we said it's fine to do the
17 outdoor dining in the winter, they would still
18 have to apply, but is that an annual --

19 MS. ARGUILLES: Okay, so we restrict the
20 time of the outdoor seating, and part of the
21 reason is because it's winter time, and typically
22 outdoor areas are not utilized. With the addition

1 of a tent, there might be some concerns with the
2 load, the snow load on the tent, heating that tent
3 operation, so there's other concerns that we would
4 have regarding that.

5 MR. KOZAR: But that would be based on the
6 rating of tent, not the zoning.

7 COMMISSIONER ORLOWSKI: Hang on. Let me
8 ask this: So, if he was to apply for outdoor
9 dining for summertime right now, is the village
10 looking to extend any outdoor dining because of
11 Covid situations?

12 MS. ARGUILLES: Yes. You have to go to the
13 Board for approval.

14 COMMISSIONER ORLOWSKI: Hang on. Because
15 you have two issues, and neither one of them are
16 going to be resolved by a variance; that is
17 outdoor entertainment and the tent. So, I can't
18 help you on the outdoor entertainment, but I can
19 suggest ask for the permit for the tent. If they
20 do the extension, you'll get the extension.
21 Meanwhile, maybe the village needs to look at not
22 just changing things for Jack, but changing things

1 village-wide as far as tents and how they can be
2 used and when they can be used because asking me
3 for a variance to get this done is not the correct
4 way.

5 CHAIRMAN JARRETT: You may disagree with
6 me, and I understand that as a business owner you
7 have your business in mind, but there's nothing
8 distinctly unique about -- your business is very
9 unique, don't get me wrong, but there's nothing
10 distinctly unique about your use that makes it
11 different than other similar uses in the village
12 in terms of their right, for lack of a better
13 term, to use a tent. You should be on equal
14 footing, and your point is that you should be able
15 to do it in the winter.

16 MR. KOZAR: The uniqueness is my inability
17 to build out on that property given all the
18 setbacks in the village.

19 COMMISSIONER ORLOWSKI: But that would be
20 like somebody taking a ten-by-ten square foot area
21 and saying, "Well, I've already built it all now,
22 you should allow me to build more on it."

1 MR. KOZAR: No, it's not like that at all.

2 CHAIRMAN JARRETT: But you could build a
3 second floor.

4 MR. KOZAR: Can I?

5 CHAIRMAN JARRETT: I would assume.

6 MR. KOZAR: I'm trying to get a rooftop
7 deck.

8 CHAIRMAN JARRETT: You would probably need
9 a variance for the parking, but when you buy a
10 unique property, there are aspects that come
11 about.

12 MR. KOZAR: Right, and that's why the
13 village should work with me on a unique property
14 that has radically transformed that downtown area.

15 CHAIRMAN JARRETT: I don't disagree, but
16 I'm not on the Village Board.

17 MR. KOZAR: But Villa Park has a reputation
18 for being difficult to do business in. It has
19 that reputation. Everybody on this Board knows
20 that it has that reputation, and it's because of
21 conversations like this where a business -- are
22 any of you business owners? Okay. Where a

1 business is coming before the village at large and
2 saying, "I need help to make my business viable",
3 and the village, rather than saying, "Okay, let's
4 work on it, let's figure that out, let's do a text
5 amendment, let's give you a variance, let's put
6 conditions on it, let's make sure that tent looks
7 good, let's maybe have you reapply on an annual
8 basis", something. I don't know what that
9 solution is, "Let's work towards a solution."
10 Because Villa Park doesn't compete. I don't
11 compete with DeMito's, I don't compete with
12 Josephine's, I don't complete with any local
13 business. Villa Park competes with Elmhurst,
14 Villa Park competes with Naperville, Villa Park
15 competes with Lombard. We want that revenue in
16 Villa Park. Right now Villa Park is broke. We
17 want that revenue, we want that tax money, we want
18 that kept in Villa Park.

19 Somebody will come to Fuel &
20 Creme, and they will say, "Oh, there's a brewery
21 right around the corner, let's do more." "Hey,
22 what's this place on the corner? It looks kind of

1 cool, they're playing bags, they got gambling
2 machines, it's kind of what I'm into." "Let's go
3 to DeMito's." "I like martinis, let's go to the
4 martini bar."

5 They don't come down the
6 prairie path, stop, open up their wallets in Villa
7 Park and only stay at 324 East Central. Once we
8 get them, we get them there, and that's what this
9 is about, is promoting business in Villa Park, not
10 limiting and hampering and taking somebody who is
11 coming in with essentially a good idea, a theory
12 of an idea, and just trying to make it work. The
13 village should be all hands on deck saying, "Let's
14 figure out how to do this."

15 COMMISSIONER ORLOWSKI: I have to disagree
16 with you.

17 COMMISSIONER HOFSTRA: I have to disagree.

18 COMMISSIONER ORLOWSKI: I'm sorry, but I
19 have to disagree.

20 MR. KOZAR: You don't have to, you choose
21 to. You choose to disagree with me.

22 COMMISSIONER HOFSTRA: You saw yourself

1 that the very first thing we dealt with tonight
2 was the man with the auto place. He's trying to
3 crowd so many cars in his lot that we have a fire
4 hazard.

5 MR. KOZAR: And you made a solution, talk
6 with the fire department, makes lanes so that the
7 fire trucks can get through.

8 COMMISSIONER HOFSTRA: I understand, but
9 you're trying to now make everything you can in
10 this room look away because you bought a little
11 piece of land.

12 MR. KOZAR: No, I'm trying to just put a
13 tent up in the winter time.

14 COMMISSIONER HOFSTRA: No, you're bringing
15 more and more into your little piece of land --

16 MR. KOZAR: And that's good.

17 COMMISSIONER HOFSTRA: But we have to also
18 think about everything else around there and be
19 standardized across the fairness for all business.

20 MR. KOZAR: So let's look at the analogy
21 with the car thing. We don't have a fire hazard,
22 we don't have an over --

1 COMMISSIONER HOFSTRA: Come on.

2 MR. KOZAR: Well, this is the analogy.

3 COMMISSIONER HOFSTRA: You understand what
4 I'm saying, I'm talking about crowding into some
5 little space.

6 MR. KOZAR: It's positive.

7 COMMISSIONER ORLOWSKI: This ain't going
8 nowhere.

9 CHAIRMAN JARRETT: Yes. So, my comment is
10 if there's an issue, it's not on the variation.
11 We're in the comments portion here, clearly. If
12 there's an issue, it's an issue with that
13 ordinance in my mind. It is not this is -- to my
14 mind, this is not a requested variation scenario.
15 It is with that specific piece of code. It needs
16 to be thought about in terms of the village codes
17 and the village zoning ordinance, and what makes
18 sense. It sounds like some evaluation of that
19 being that can done with Covid. I mentioned in
20 the beginning that needs to be looked at on a
21 permanent basis. From the beginning I have not
22 been in favor of a tent year-round. I understand

1 you're not asking for that, but to get one for six
2 months out of the year, I do not believe that this
3 property is unique in that regard.

4 There are certainly places
5 where variations could be appropriate on this
6 property because of its shape and size.

7 MR. KOZAR: So, I just want to be clear.
8 It's three months, not six months.

9 CHAIRMAN JARRETT: I'm going to ask you to
10 stop. We're in our comments right now. The
11 back-and-forth is done on this one.

12 There are places on this
13 property where a variation is appropriate. When
14 the initial application for the variation for this
15 use for no parking came before us, because of the
16 shape of the size and the size of the site and the
17 existing businesses and existing buildings on the
18 site, I agreed that the uniqueness of that
19 property made it appropriate for a variation.
20 Because to get any parking on that would make, A,
21 the use impossible, and the use seemed
22 appropriate. And, the shape of the lot makes any

1 kind of parking on it pretty much impossible,
2 regardless of whether or not the size is there.

3 Are there any other comments on
4 that on this particular item before we go on to
5 the last one?

6 (Whereupon, there was no
7 response.)

8 CHAIRMAN JARRETT: Okay. There's a
9 variation to allow outdoor entertainment.

10 COMMISSIONER ORLOWSKI: We're in the same
11 boat.

12 CHAIRMAN JARRETT: They're in the same
13 boat. That's another one where the permit falls
14 in the village ordinance; correct -- I mean the
15 village code to get a permit for any kind of
16 outdoor entertainment?

17 MS. ARGUILLES: There's no restrictions in
18 the zoning ordinance.

19 CHAIRMAN JARRETT: We don't allow outdoor
20 entertainment at all; correct?

21 MS. ARGUILLES: Right.

22 CHAIRMAN JARRETT: Is that the zoning

1 ordinance?

2 MS. ARGUILLES: There's no use restricted
3 (inaudible) in the zoning ordinance. It might be
4 village code.

5 CHAIRMAN JARRETT: I believe it's in the
6 village code and that's the conversation --

7 MR. KOZAR: It's not, it's in the zoning.

8 CHAIRMAN JARRETT: Is it?

9 MR. KOZAR: It's number 7, G-7. 611.2,
10 G-7.

11 CHAIRMAN JARRETT: This is another one
12 again where the village code, outside the zoning
13 ordinance, overlaps the village ordinance, and I
14 did specifically request that we -- that Scott
15 and/or the Village Board investigate that one.

16 But as Mike alluded to, we're
17 in the same boat as the previous one because in
18 terms of outdoor entertainment, your property is
19 not different than DeMito's. It's not different
20 than anybody who might want to do outdoor
21 entertainment. A variation isn't appropriate. An
22 amendment to that ordinance would need to be

1 forwarded to us by staff, by the Village Board,
2 and put into the context of our existing nuisance
3 ordinances.

4 Again, I've said that at every
5 public hearing since this has come up to the point
6 that I'm as frustrated as you are on that.

7 MR. KOZAR: I doubt it.

8 CHAIRMAN JARRETT: And --

9 MR. KOZAR: The hardship in this case is
10 the ordinance.

11 COMMISSIONER ORLOWSKI: It's not a
12 hardship.

13 CHAIRMAN JARRETT: Right, the ordinance
14 being broken in and of itself is not -- it's
15 equally broken for everyone, unfortunately.

16 If the way it was broken was
17 uniquely affecting your property, I would agree
18 that a variation was appropriate. For instance,
19 if we had an ordinance that said you could only
20 have a max sign size of a certain -- for a certain
21 size and then you had some mammoth property where
22 the building is way off and you wanted to have a

1 larger sign than that to make your sign visible,
2 then that ordinance might be broken because it
3 needs to be amended to fit properties like yours.
4 But it only affects the property like yours and
5 there may not be others like yours in the village.

6 But in terms of outdoor
7 entertainment, your property is not really
8 different than any of the others.

9 MR. KOZAR: I disagree. I think it is
10 different.

11 CHAIRMAN JARRETT: I know you're
12 disagreeing that you are.

13 MR. KOZAR: There's nobody that is as patio
14 heavy as we are in the village.

15 CHAIRMAN JARRETT: That may be, but --

16 MR. KOZAR: The ability not to have some
17 music outside --

18 CHAIRMAN JARRETT: But DeMito's could have
19 music on their patio; right?

20 MR. KOZAR: They cannot.

21 CHAIRMAN JARRETT: What I'm saying is if
22 everything was equal, they have the same right to

1 use their patio for music that you do. Their
2 patio is -- they could put a band on their patio
3 physically, just like you could. They can't by
4 ordinance, and that's what needs to be fixed.

5 So that you're aware, I have
6 had conversations with multiple trustees about
7 both of these specific issues, where in one case I
8 went to them, and two other cases they came to me
9 and said what is the standard you think we need to
10 look at? And I said, "These are the things you
11 need to consider to make sure the ordinance is
12 met." I'm sure largely because of Covid, maybe
13 not, at this point it's gone on long enough it's
14 not really an excuse anymore. They probably have
15 been focused on other things, but to my mind and
16 -- we're in comments up here, so I'm going to
17 request no back-and-forth really -- the text needs
18 to be changed. It's not a variation.

19 Any other comments on this?

20 COMMISSIONER ROMANO: Let me just -- I mean
21 I'm on board with what you're saying about the
22 tents probably needs to change, the outdoor

1 entertainment code needs to change, but in the
2 meantime, I remember everything we've said every
3 time we're up here has been that -- most of us on
4 this Board said it needs to be changed, it doesn't
5 seem right, that's not fair versus everything
6 else. People are doing it anyway. Whatever
7 reasons we keep saying things need to change,
8 nothing has been done.

9 CHAIRMAN JARRETT: I agree.

10 COMMISSIONER ROMANO: That is all outside
11 the wheelhouse of what we do on this Board, but in
12 light of that it's not Mr. Kozar's fault either
13 that things aren't happening, but it is affecting
14 his business.

15 COMMISSIONER ORLOWSKI: Right, but it
16 affects all the other businesses the same way.

17 COMMISSIONER ROMANO: And it does, but Mr.
18 Kozar is here asking for something. Nobody else
19 is lined up asking.

20 COMMISSIONER ORLOWSKI: But you can't do a
21 variation based on that, otherwise you'd have to
22 do a variation at every business who wants it.

1 COMMISSIONER ROMANO: And every business is
2 welcome to come before the Board and ask for that.

3 CHAIRMAN JARRETT: If you give a variation
4 to a business, that's completely against what a
5 variation represents.

6 COMMISSIONER ORLOWSKI: It's not what it's
7 designed for.

8 CHAIRMAN JARRETT: If you have to give any
9 business a variation --

10 COMMISSIONER ROMANO: But most of us have
11 sat here and said continually this should be
12 allowed. So we're, in essence, saying this should
13 be allowed or -- if it was allowed, it wouldn't
14 even be before us, but we're not going to grant a
15 variance based on that.

16 That to me does fall -- we're
17 allowing -- we want these things, we want to have
18 this discussion, but that is not happening for
19 whatever reasons.

20 CHAIRMAN JARRETT: But granting a variation
21 is essentially kicking the problem under the rug.

22 COMMISSIONER ROMANO: I don't argue that

1 point at all, but we are making that Mr. Kozar's
2 problem instead of ours.

3 CHAIRMAN JARRETT: There was a neighboring
4 village that had a sign ordinance that was very,
5 very poorly crafted requiring dozens of major
6 retailers to come in and request variations, all
7 of which were denied. At some point the political
8 pressure was enough that the Village Board
9 reconsidered the ordinance. I know Mr. Kozar is
10 one user, so whether or not that's enough
11 political pressure, I don't know.

12 And on the tent issue, I don't
13 have a problem with the tent in winter. In fact,
14 other than the snow load, which I know can be an
15 issue, a tent in the winter makes more sense than
16 a tent in the summer. But I understand why the
17 ordinance was probably crafted the way it was,
18 because tents stay up in the winter and they don't
19 get used, they fall in disuse, they get snow
20 loads, and they're dangerous if you're not doing
21 it right, and then that's added enforcement on the
22 village, which is probably when the ordinance was

1 crafted the reason it was crafted that way.
2 Mostly these ordinances go back to before a lot of
3 current ideas on them. Outdoor dining in the
4 suburbs of Chicago was not a thing 20 years ago in
5 most communities. Some were ahead of the game.

6 I understand what you're
7 saying, but to my mind, if we have to issue
8 variation after variation after variation, then
9 that's not the way.

10 COMMISSIONER ORLOWSKI: It's not what the
11 process is.

12 CHAIRMAN JARRETT: If either of these two
13 issues was unique to this property, I would agree.
14 But they're not.

15 COMMISSIONER JACKSON: We agree the only
16 one unique to this property is the parking
17 variance, and that's the only thing we're going to
18 vote on tonight?

19 CHAIRMAN JARRETT: I think we need to vote
20 on all three, I mean because if the solution to
21 this is changing the code, the variation is
22 irrelevant. If we have consensus up here that the

1 variations are appropriate based on the standards
2 before us, then it's affirmed and maybe the code
3 still needs to be changed. But kicking the can
4 down the road on this doesn't get us anywhere.

5 So any other comments up here
6 from those three things?

7 (Whereupon, there was no
8 response.)

9 CHAIRMAN JARRETT: So before we close the
10 public hearing, I'm going to ask if you have any
11 closing comments about these three items, last
12 chance because I have feeling we're going to vote
13 on all three tonight; is that correct?

14 So there will be a motion made,
15 there will be a vote. Do you have any --

16 MR. KOZAR: Yes. Orłowski's comment was
17 there's a process. There is no process. No
18 process has been done. If you change the
19 variance, maybe that's the wake-up call that the
20 village at large needs to see. And maybe if other
21 people are coming in to change the same variance,
22 that's what the village will need to say let's

1 change everything.

2 COMMISSIONER JACKSON: You mean change the
3 code?

4 MR. KOZAR: If that's what needs to be
5 done.

6 CHAIRMAN JARRETT: Let Mr. Kozar have his
7 time, please.

8 MR. KOZAR: But right now there is a
9 problem with no solution, and there is no process.
10 Nothing is being done, period. It's the only way
11 for one of your residents and businesses to come
12 in to try to make their business viable in the
13 winter time. And that's where this Board should
14 be. It should be promoting and supporting
15 business and giving them the tools that they need
16 to benefit the community at large, to bring tax
17 money in. You have the ability to do it, and if
18 the Board then says we don't like that variance,
19 we don't like the fact that six other businesses
20 want to have this variance and we want to change
21 it, then maybe that's what they need to motivate
22 and change things. But you have the ability.

1 The hardship is the property.
2 The hardship is that all I'm trying to do is run
3 the business and simply have outdoor
4 entertainment, simply have music outside, simply
5 have a place for customers to go in the winter
6 time.

7 Those aren't big asks, those
8 are just having a business. And the village
9 benefits in multiple ways from doing it, and you
10 have the power to grant that.

11 CHAIRMAN JARRETT: Is that it?

12 MR. KOZAR: Uh-huh.

13 CHAIRMAN JARRETT: I appreciate that. I'm
14 going to close the public hearing now, and we will
15 move into our final discussion.

16 My feeling on variations, I've
17 made it pretty clear, is generally speaking, the
18 variation should be something that's unique to
19 this property and not generally applicable to
20 other properties. And to that mind, to that end,
21 I do not feel that the tent and the outdoor
22 entertainment are appropriate uses for a

1 variation. Others up here can disagree, but I
2 don't. I do believe that whether or not you're in
3 favor of the variation itself, that the parking
4 deck and the reduced parking for the variation for
5 the roof deck is appropriate, to whether or not we
6 believe all the standards are met, I do believe
7 that's appropriate, there is uniqueness there
8 maybe in that case.

9 So, I'm going to request that
10 -- let's see. I'm going to ask somebody to make a
11 motion on each of the three. I don't have the
12 language of the motion in front of me, though.
13 Those were in the other package.

14 COMMISSIONER LANENGA: I got them.

15 CHAIRMAN JARRETT: Do you have that packet
16 in front of you?

17 COMMISSIONER LANENGA: I do.

18 CHAIRMAN JARRETT: So I would say this:
19 Let's go through them in order, make the motion as
20 you wish. If the motion fails, then we can make a
21 motion in the counter.

22 COMMISSIONER LANENGA: I move to approve

1 application PZ-20-0003, Number two, variation to
2 required minimum parking from 16 spaces to zero
3 spaces to account for a rooftop deck.

4 CHAIRMAN JARRETT: Did we have conditions
5 in that original?

6 COMMISSIONER LANENGA: No.

7 CHAIRMAN JARRETT: Okay. So we have a
8 motion on this. Is there a second?

9 COMMISSIONER ROMANO: I'll second it.

10 CHAIRMAN JARRETT: We have a second. That
11 was a motion to approve; correct?

12 COMMISSIONER LANENGA: Yes.

13 CHAIRMAN JARRETT: So that's a motion to
14 approve the variation to parking spaces for a
15 rooftop deck.

16 Any questions or comments on
17 that motion?

18 (Whereupon, there was no
19 response.)

20 CHAIRMAN JARRETT: So we'll do a roll call
21 vote on this.

22 Jackson?

1 COMMISSIONER JACKSON: No.

2 CHAIRMAN JARRETT: Hofstra?

3 COMMISSIONER HOFSTRA: No.

4 CHAIRMAN JARRETT: Lanenga?

5 COMMISSIONER LANENGA: Yes.

6 CHAIRMAN JARRETT: Orłowski?

7 COMMISSIONER ORŁOWSKI: No.

8 CHAIRMAN JARRETT: Shlensky is recused.

9 Romano?

10 COMMISSIONER ROMANO: Yes.

11 CHAIRMAN JARRETT: And I, too, vote yes on
12 that.

13 And with that, our
14 recommendation will pass to the Village Board.
15 They can accept, reject or modify as they see fit.
16 Actually, no, that failed. I'm sorry, we need to
17 do that as a counter, don't we?

18 MS. ARGUILLES: So the motion fails to
19 pass.

20 CHAIRMAN JARRETT: Okay, so the motion
21 fails to pass. That recommendation passes to the
22 Village Board. They can accept, reject or modify

1 as they see fit.

2 Motion for the tent covered
3 seating area, please?

4 COMMISSIONER LANENGA: Move to approve
5 application PZ-20-0003, Number three, variation to
6 allow a tent-covered seating area.

7 CHAIRMAN JARRETT: We have a motion. Is
8 there a second?

9 COMMISSIONER HOFSTRA: Second.

10 CHAIRMAN JARRETT: Roll call vote, if there
11 are no questions or comments.

12 (Whereupon, there was no
13 response.)

14 CHAIRMAN JARRETT: Hearing none.
15 Jackson?

16 COMMISSIONER JACKSON: No.

17 CHAIRMAN JARRETT: Hofstra?

18 COMMISSIONER HOFSTRA: No.

19 CHAIRMAN JARRETT: Lanenga?

20 COMMISSIONER LANENGA: Yes.

21 CHAIRMAN JARRETT: Orłowski?

22 COMMISSIONER ORLOWSKI: No.

1 Romano?

2 COMMISSIONER ROMANO: Yes.

3 CHAIRMAN JARRETT: And I'm going to vote no
4 on that one.

5 With that, our recommendation
6 passes to the Village Board. They can accept,
7 reject or modify as they see fit.

8 The third issue on outdoor
9 entertainment?

10 COMMISSIONER LANENGA: I move to approve
11 the application PZ-20-0003, Number four, variation
12 to allow outdoor entertainment with the following
13 conditions: The site will comply with the noise
14 ordinance Chapter 15, Article 6, and limiting the
15 days and hours of operation for the outdoor
16 entertainment and outdoor seating area to Fridays
17 and Saturdays at an 11:00 P.M. ending time.

18 CHAIRMAN JARRETT: We have a motion. Is
19 there a second?

20 COMMISSIONER ROMANO: Yes.

21 CHAIRMAN JARRETT: We have a second.

22 Questions or comments?

1 (Whereupon, there was no
2 response.)

3 CHAIRMAN JARRETT: Jackson?

4 COMMISSIONER JACKSON: No.

5 CHAIRMAN JARRETT: Hofstra?

6 COMMISSIONER HOFSTRA: No.

7 CHAIRMAN JARRETT: Lanenga?

8 COMMISSIONER LANENGA: No.

9 CHAIRMAN JARRETT: Orłowski?

10 COMMISSIONER ORLOWSKI: No.

11 CHAIRMAN JARRETT: Romano?

12 COMMISSIONER ROMANO: Yes.

13 CHAIRMAN JARRETT: And I vote no on that
14 one.

15 So that concludes the public
16 hearing.

17 (Whereupon, the public hearing
18 was concluded.)

19

20

21

22

1 STATE OF ILLINOIS)

) SS.

2 COUNTY OF DU PAGE)

3 I, LINDA M. CIOSEK, C.S.R. No.

4 084-2892, duly qualified and commissioned for the

5 State of Illinois, County of DuPage, do hereby

6 certify that at the request of the VILLAGE OF

7 VILLA PARK PLANNING & ZONING COMMISSION, subject

8 to the usual terms and conditions of County Court

9 Reporters, Inc, reported in shorthand the

10 proceedings had and testimony taken at the public

11 hearing of the above-entitled cause, and that the

12 foregoing transcript is a true, correct and

13 complete report of the testimony so taken at the

14 time and place hereinabove set forth.

15

16

17

18

19

CERTIFIED SHORTHAND REPORTER

20

21 My Commission Expires:

22 July 3, 2022.

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Arguilles, Consuelo

From: Stacy Krueger LAST_NAME [REDACTED]
Sent: Tuesday, September 8, 2020 4:58 PM
To: Arguilles, Consuelo
Subject: In support of Fuel/Creme

[EXTERNAL EMAIL]

My name is Stacy Krueger and I am writing in support of changes sought by Fuel/Creme. My husband and I have been frequent customers at Fuel since it opened last year. Villa Park has a gem of a business in Fuel. Fuel elevates all the surrounding businesses, a real plus for Villa Park.

While we live in Elmhurst, we make a point of patronizing Fuel because of the terrific ambiance and service there. Even in bad weather, we enjoyed going to their tented area last spring. It was a wonderful way to spend a cold but sunny day or hunker down in bad weather. We urge you to approve the use of a tent and other adjustments to their space to account for the upcoming colder seasons and Covid 19 restrictions so customers can continue to frequent this great Villa Park business.

We also would love to see Fuel's plans for roof top dining proceed without the requirement for additional parking. There is plenty of parking surrounding this location, we've never had an issue with parking, our car or our bikes. We look forward to the Fuel roof top experience! And in the meantime, we love the live entertainment offered on the Fuel patio.

Here's hoping Villa Park rewards Fuel with the changes it seeks. It is certainly deserved.

Stacy Krueger

Arguilles, Consuelo

From: Heather Porter [REDACTED]
Sent: Wednesday, June 10, 2020 7:19 PM
To: Arguilles, Consuelo
Subject: pZ20-003

[EXTERNAL EMAIL]

Hello,

I am sending this email in support of The owners of Fuel and their request For phase 1 of their build-out to the zoning board. I am I full support of any of the additional recommendations that are thinking of making to their wonderful establishment. We love Fuel and think it is a very welcome addition to our village. I am especially eager for any music being allowed at the patio or inside. There is nothing better than live music and it would be a great addition! A roof top for dining would be incredible and I think the village could only benefit From the updates planned. Please consider the request and know that the village residents would love and frequent this establishment.

Sincerely,

Heather Porter
[REDACTED]
[REDACTED]

Sent from my iPhone

Arguilles, Consuelo

From: Sarah Rodriguez [REDACTED]
Sent: Wednesday, June 10, 2020 7:22 PM
To: Arguilles, Consuelo
Subject: Fuel/creme PZ 20-003

[EXTERNAL EMAIL]

I am writing to share my support for the proposals being brought forth regarding Fuel and Creme's outdoor seating, music, rooftop and storage unit.

These places have served the community for over a year and brought new life into that area of town. People of all ages enjoy the two establishments and these additions will only bring better service and more people to the area.

Regards,
Sarah Rodriguez - life long VP resident

Sent from my iPhone

Arguilles, Consuelo

From: Stephanie Daniel [REDACTED]
Sent: Wednesday, June 10, 2020 7:25 PM
To: Arguilles, Consuelo
Subject: PZ20-003

[EXTERNAL EMAIL]

Dear Consuelo,

I wanted to send an email in support of all that FUEL is trying to do to better Villa Park.

Please support their agenda items including attempts at more seating, music, and rooftop dining. As someone who used to live in Ovaltine behind Mahoneys, music frequently would play until late hours so approving music does not seem like a difficult request. There could easily be a cutoff time.

Supporting FUEL's initiatives only helps the village of Villa Park continue to progress as a community. As a runner frequently on the prairie path, seeing other communities like Glen Ellyn & Wheaton support businesses along the path, has always been inspiring. Some people only see a community from the prairie path including the runners in my 50-100 person running group! Having an attractive incentive, like FUEL, right off the prairie path, is a great way to encourage runners, bikers to return later to our community.

Thank you for your work in helping FUEL.

Sincerely,
Stephanie Blossomgame
[REDACTED]

Sent from my iPhone

Arguilles, Consuelo

From: Eric Yopchick [REDACTED]
Sent: Wednesday, June 10, 2020 7:36 PM
To: Arguilles, Consuelo
Subject: Fuel/Creme. #PZ20-003

[EXTERNAL EMAIL]

I wanted to voice that I am in favor of all of the changes and additions Fuel/Creme are coming in front of the village to propose. They have been a great addition to town these changes will only make it better.

Eric Yopchick
[REDACTED]

Get [Outlook for iOS](#)

[REDACTED]

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Arguilles, Consuelo

From: Laura Friend [REDACTED]
Sent: Wednesday, June 10, 2020 7:42 PM
To: Arguilles, Consuelo
Subject: Case #P220-003

[EXTERNAL EMAIL]

Dear Village of Villa Park,

We are so happy to have Fuel and Creme in our community. It is a family friendly business that has brought many new customers to the downtown area. They provide a much needed refreshment stop on the prairie path And represent Villa Park in a very positive light to all those passing through.

We support their requests to the city for a canopy, for an exemption for the required parking, allowance of music on the outdoor patio, and permission for the shipping container.

Thank you very much,
Sincerely,
Jack and Laura Friend
Residents of Villa Park

Arguilles, Consuelo

From: Lisa Grover [REDACTED]
Sent: Wednesday, June 10, 2020 7:43 PM
To: Arguilles, Consuelo
Subject: case #PZ20-003

[EXTERNAL EMAIL]

Hi Consuelo,

I wanted to voice my support for the requests by the owners of Fuel and Creme to support their expansion.

They have been such a positive addition to the community, and as an owner of a house on Villa and Highland, I'm so grateful to have great and environmentally responsible businesses to support locally. My family and I love to visit their establishment and would love to see it continue to grow and hopefully provide incentive to other businesses to really build up that area.

I hope you will approve their requests and support this local business in their improvement efforts.

Thank you,
Lisa Grover
[REDACTED]

Arguilles, Consuelo

From: Rachel Mavros [REDACTED]
Sent: Wednesday, June 10, 2020 7:46 PM
To: Arguilles, Consuelo
Subject: Supporting proposals for Fuel & Creme

[EXTERNAL EMAIL]

Hi!

Just wanted to quickly write in in support of the proposals for Fuel & Creme, case PZ20-003. I'm a lifetime resident of Lombard, however I am a quick 10 minute bike ride away, I frequent that area often, and was delighted when Fuel & Creme first opened! It's such a unique business (outdoor drinks/ice cream/food trucks) that I have yet to find similar anywhere else, and it brings so much charm and fun to the area that otherwise was not there before.

I fully support any improvements proposed for their business and I wouldn't want to see the development in the area stop where it is.

Best,

Rachel Mavros

--

Rachel Mavros
[REDACTED]

Arguilles, Consuelo

From: Elizabeth Niziolek [REDACTED]
Sent: Wednesday, June 10, 2020 9:15 PM
To: Arguilles, Consuelo
Subject: Case Pz20-003

[EXTERNAL EMAIL]

We have lived on Villa Ave for 4 years now and have seen alot of changes in the downtown area. The most recent we were excited for was fuel and creme being built and opened! It has been a great addition for everyone of all ages. Drinks, ice cream, and food trucks. I am writing today to help support their proposal for the few changes they would like to implement to make fuel and creme an even better experience. This past winter we were able to go enjoy a drink inside the tent area they opened allowing for a few more people to enjoy an evening in the cold. We appreciate the village support for rearranging the parking allowing more people to enjoy the down town area. Makes it alot safer for everyone especially when going with small children to minimize any potential accidents.

Thank you for your time.

Liz Marnell

Arguilles, Consuelo

From: Christine Voss [REDACTED]
Sent: Wednesday, June 10, 2020 9:27 PM
To: Arguilles, Consuelo
Subject: Case #PZ20-003

[EXTERNAL EMAIL]

Hello Consuelo,

I just wanted to take a moment and voice my support for Fuel and Creme (Case [#PZ20-003](#)). I am excited to see their plans for the future become a reality. They have been a wonderful addition to Villa Park and have a fantastic location along that Prairie Path that brings in people from surrounding communities. It has been exciting to see the downtown Villa Park area get some life back!

Sincerely,
Christine Voss
Villa Park Resident

Arguilles, Consuelo

From: Sue Martellotta [REDACTED]
Sent: Wednesday, June 10, 2020 9:42 PM
To: Arguilles, Consuelo
Subject: PZ20-003

[EXTERNAL EMAIL]

I live on Highland Avenue in Villa Park and I support the expansion that is proposed by FUEL in Villa Park. They are a lively business and have brought good business to our town.

Thank you,
Sue Martellotta

Sent from my iPhone

Arguilles, Consuelo

From: Jill Walsh [REDACTED]
Sent: Wednesday, June 10, 2020 9:44 PM
To: Arguilles, Consuelo
Subject: CASE #PZ20-003

[EXTERNAL EMAIL]

To Consuelo Arguilles;

My family along with so many others have enjoyed Fuel and Creme and the family atmosphere they have3 uniquely crafted over the last year. I fully support their ideas of expansion. They are a great addition to that little corner of Villa Park.

Sincerely,
Jill Walsh

Sent from my iPad

Arguilles, Consuelo

From: Elizabeth Contri [REDACTED]
Sent: Wednesday, June 10, 2020 10:12 PM
To: Arguilles, Consuelo
Subject: PZ20-003

[EXTERNAL EMAIL]

I support Fuel & Creme and all the ideas they have for expanding their business. They have made a major important on our Historical Villa Park area. Please approve their planning and zoning so we can make Villa Park great and hopefully attract more businesses and more consumers.

Elizabeth Romer

Sent from my iPhone

Arguilles, Consuelo

From: Vicky Turk [REDACTED]
Sent: Wednesday, June 10, 2020 10:25 PM
To: Arguilles, Consuelo
Subject: case #PZ20-003

[EXTERNAL EMAIL]

Good morning,

I am writing to show my support for case #PZ20-003. Fuel is a fantastic addition to this community. Thank you for taking the time to consider their proposal.

Vicky Turk, Villa Park resident

Arguilles, Consuelo

From: Teresa McBride [REDACTED]
Sent: Thursday, June 11, 2020 8:16 AM
To: Arguilles, Consuelo
Subject: #pz20~oo3 fuel

[EXTERNAL EMAIL]

I am emailing to support the new updates that Fuel is requesting. It has been such a boost to the community! It really has become a gem in villa park, for adults and kids. All of the changes sound amazing and for Villa park to have one of the first or first roof top dining in the area would be incredible!

Thank you for your time and consideration,

Teresa McBride
Villa park resident
[REDACTED]

Sent from my iPhone

Arguilles, Consuelo

From: Jenelle Hardtke [REDACTED]
Sent: Thursday, June 11, 2020 9:12 AM
To: Arguilles, Consuelo
Subject: In Support of Fuel - Case #PZ20-003

[EXTERNAL EMAIL]

Good Morning,

My name is Jenelle Hardtke and I am a resident in Addison. I am 100% in support of Case [#PZ20-003](#) regarding the improvements to Fuel in Villa Park. While I no longer live in town, I patronize Fuel at least once a week. It's a great atmosphere and accessible by bike (which is awesome!)

Please take into consideration their requests as I do feel it would improve their business during an already difficult time. Also, it does drive non-residents like myself and my family to your city for entertainment.

Thank you for your time and consideration,
Jenelle Hardtke
Addison, IL

Arguilles, Consuelo

From: Bingaman, Joseph [REDACTED]
Sent: Thursday, June 11, 2020 9:34 AM
To: Arguilles, Consuelo
Subject: case #PZ20-003

[EXTERNAL EMAIL]

Mr. Arguilles,

I wanted to reach out to you today in regards to case #PZ20-003 which I believe you will be hearing today at 7pm.

I am very much in support of the 4 items below that Fuel is requesting. They are a great business and we want them to be able to expand, grow, and be successful, even during these very difficult times for all businesses.

Thank you so much for your consideration and hard work.

...

Many of you have asked about the Village public notice sign posted on our property. We are moving into the next step of our build-out and are approaching the Village regarding the following:

1. Requesting use of our tent on our property for more seating, booking parties and shelter from the elements for our guests.
2. Adding a shipping container in order to add more storage to the property, (located between the buildings) with wood ship-lap to hide the container.
3. While no approval is needed for a proposal of roof-top dining to FUEL, (you...you heard that right! Hopefully, by next year!) - additional parking spaces would be required. We are requesting no parking be required to the property for safety reasons and logistically lack of space due to the irregular shape of our property (pie shaped), as we did last year before we opened. (FYI, the Village has now provided 48+ NEW parking spaces that are now striped on the old AK Mulch property, located north of More Brewing Co. for public use).
4. Lastly, we are requesting that music be allowed on the property, as no entertainment of any sort is currently how the ordinance reads for outside seating throughout the Village, including speakers with piped in music.

We will be approaching Planning and Zoning tomorrow, Thurs evening 06/11, at 7pm, to make the above requests as "step one" of the process. Following that, as step two, we will be approaching the Village Board at their next meeting (to be announced, we will let you know when they set the date), and hopefully receive final approval!

Would you like to support us with the above items? If so, that would be terrific! **The meetings are currently restricted to only 10 people, so the best way to have your voice heard is to send an email by 4:45pm tomorrow (Thurs 6/11) to our new Village Director of Community Development, Consuelo Arguilles at: carguilles@invillapark.com referencing our**

case #PZ20-003. This will be the equivalent of you being there in person.

Thanks,

Joe

[REDACTED]



Arguilles, Consuelo

From: Colleen Syron [REDACTED]
Sent: Thursday, June 11, 2020 10:08 AM
To: Arguilles, Consuelo
Subject: #PZ20-003

[EXTERNAL EMAIL]

Good Morning

I'm emailing my support for Fuel and Crème please grant their zoning request as they are such a welcomed addition to our neighborhood. Its wonderful to have such a thriving businesses in that area. I hope they have continued success.

Thank you

Colleen

Arguilles, Consuelo

From: Jeffrey Rio [REDACTED]
Sent: Thursday, June 11, 2020 12:54 PM
To: Arguilles, Consuelo
Subject: Fwd: Variance for cream ice cream shop

[EXTERNAL EMAIL]

Sent from my iPhone

Begin forwarded message:

From: Jeffrey Rio [REDACTED]
Date: June 11, 2020 at 12:46:25 PM CDT
To: rkeehnerjr@invillapark.com
Subject: Variance for cream ice cream shop

Hello Mr. Keehner

I own the building at [REDACTED] [REDACTED]

[REDACTED] I understand that there's going to be an application to waive the parking for the ice cream place and also to put a storage container in between the buildings. I have problems with parking all the time I have spent over \$20,000 in the last five years maintaining my parking lot because the village of Villa Park comes out and writes me tickets for my weeds and patching. But that's not the point how come I have to keep up a parking lot for my building and they can go ahead and try and get parking waved According to the village code. I believe the parking was already waved when they first opened it up. And it's not right that everybody uses the historical society's parking just for his ice cream place or liquor place. That is a public lot was also made for all the other businesses on Villa Avenue that don't have parking. There's parking down at 110 Villa. Why can't they walk from there over to the place. The village is already giving additional parking in front on the street and now there's picnic tables in the prairie path. And do you really think it's responsible to put people up on that small building on the roof how are they going to access it from the inside or from the outside there needs to be parking provided for any kind of addition going on there.

ARTEN PARTNERSHIP

Jeff Rio

Sent from my iPhone

Arguilles, Consuelo

From: Aimee zajc [REDACTED]
Sent: Thursday, June 11, 2020 2:41 PM
To: Arguilles, Consuelo
Subject: #PZ20-003 Fuel and Creme

[EXTERNAL EMAIL]

Consuelo Arguilles,

I am a Villa Park Resident and want to give input on this request.

I urge you to approve these requests.

1. Requesting use of our tent on our property for more seating, booking parties and shelter from the elements for our guests.
2. Adding a shipping container in order to add more storage to the property, (located between the buildings) with wood ship-lap to hide the container.
3. We are requesting no parking be required to the property w roof top dining, for safety reasons and logistically lack of space due to the irregular shape of our property (pie shaped), as we did last year before we opened.
4. Lastly, we are requesting that music be allowed on the property. This could be specified to certain hours.

Thank you,
Aimee Zajc
[REDACTED]

Sent from my iPhone

Arguilles, Consuelo

From: Russ Wajda [REDACTED]
Sent: Thursday, June 11, 2020 3:25 PM
To: Arguilles, Consuelo
Subject: Zoning Hearing for 324 E. Central Blvd

[EXTERNAL EMAIL]

Ms. Arguilles,

Allow me to introduce my self to you. My name is Russ Wajda. My wife Mary and I are frequent users of the Prairie Path and Great Western Trails. I am a resident of the Village of Hillside and also the Village Administrator of Hillside. I have watched as Fuel, Crème, and the Food Truck have developed along the pathways. They have been a welcome stop for us on our return to Hillside after some of our longer bike rides and are a wonderful reuse of a property that had become worn and tired.

During a recent visit I met the owners, Mr. Jack Kozar and his wife Karen. I had a wonderful discussion with them on their business plan and their desire for growth and expansion of the site. Mr. Kozar informed me of the scheduled hearing tonight and the variances that they are requesting. I want to add my voice in support of the granting of the variances. A tent over the seating area would allow for greater use of the establishment by its patrons, and music is always a draw. I know that parking is always a concern, but there appears to be sufficient public parking in the area, and a substantial number of their patrons are not driving here, but rather come off the paths. Space is tight and they are endeavoring to use it to the highest and best use.

I hope that you will look favorably upon their requests and grant them the relief they have requested. Establishments like theirs can be tremendous assets to a community. In fact, I wish that we had this in my town. I thank you for allowing me to add my voice to your process.

Russ Wajda
[REDACTED]

Arguilles, Consuelo

From: FRANK CARLSON [REDACTED]
Sent: Thursday, June 11, 2020 4:13 PM
To: Arguilles, Consuelo
Subject: Re: 324 E. Central Blvd_FUEL_Tent Variance

Consuelo,

Thank you for the information on the tent.

Frank Carlson
Property owner at [REDACTED] Villa Park, IL

So Kozar wants to add 50% more customers space without any parking.

He has 2 rows of bike racks, and 3 tables on the Prairie Path (I have photos) shows he's using other property for his use now.

The Museum, Comic Book store, Caters Fitness, and the Law Office building have no parking except to share the same lot that Kozar now is using and is full most evenings and week ends.

Now lets add entertainment to the mix! They will most likely sit on the green Prairie Path to listen adding more parking problems. Cortesi Park has concerts in the summer, will he interfere with that Village entertainment.

A vote no is required

Frank Carlson

On June 11, 2020 at 12:26 PM "Arguilles, Consuelo" <carguilles@invillapark.com> wrote:

Hi Frank,

Just getting back to you regarding the subject request. The proposed tent will measure 20'x20'x12'h. 2 possible locations: south or east of fuel building.

Thank you,

Consuelo Arguilles

Community Development Director | Village of Villa Park

11 W. Home Avenue | Villa Park, IL 60181 | Ph: (630) 433-4300



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Arguilles, Consuelo

From: andrea brock [REDACTED]
Sent: Thursday, June 11, 2020 4:31 PM
To: Arguilles, Consuelo
Subject: Case #PZ20-003

[EXTERNAL EMAIL]

Hi there!

I would like to voice my absolute support for Fuel and Crème in Villa Park. We feel they are a wonderful addition to the community and we fully support their desire to use their tent, add a shipping container for storage, have music and also add rooftop seating without the need for additional parking (we and our friends and family always walk/bike to Fuel!).

Thanks for your time!
Andrea Brock and Family

Sent from my iPhone

Arguilles, Consuelo

From: Kristine Ippolito [REDACTED]
Sent: Thursday, June 11, 2020 4:49 PM
To: Arguilles, Consuelo
Subject: Case #PZ20-003

[EXTERNAL EMAIL]

Dear Consuelo,

I'm writing you in regards to the improvements over at Fuel and Creme. We will be thrilled to enjoy all the new and exciting changes they are proposing. This establishment has been our go to for the past year. People go where they feel known and appreciated. The Fuel and Creme team has built a strong relationship within the community. I love where I live. We have a wonderful community and what better way to improve it! When people start to take community pride in their town, everything changes. For people to love where they live, it has to be a love able place. Let's continue to do great things in Villa Park.

Warm Regards,
Kristine Ippolito
Resident for 12years

Sent from my iPhone

Arguilles, Consuelo

From: Kenneth Jackson [REDACTED]
Sent: Wednesday, June 10, 2020 3:29 PM
To: Jason Jarrett; Boksha, Pat
Cc: Arguilles, Consuelo
Subject: Ken's Comments RE: Planning and Zoning Meeting June 11th

Hi Pat,
I know we are trying to limit large groups, and I have no issue with not attending the meeting on the 11th.

Jason,
If you pleas, make sure my remarks are read on record:
Ken Jackson

Commissioner Jackson emailed his comments...

Regarding Petition PZ-20-0003 For Fuel and Crème:

1) Variation to allow for Shipping Containers as storage:

I do not agree with the request for Shipping Containers to be permitted for year round storage, the lot size is too small to accommodate this type of request, as well as a food truck and seating area too that will allow them to continue to serve the client base the petitioner originally speculated to serve: Children and Families. I am therefore against allowing such a variance.

2) Variation to require a minimum parking from 16 to 0 spaces to account for rooftop deck:

As for a rooftop deck, although it would allow for more patrons, I believe it would end up being a seating area for more bar patrons than family patrons and thus might detract from the children and family atmosphere the petitioner "sold" us on when he initially proposed the project. I do not think it would be a welcomed addition to the path to have intoxicated patrons "cat calling", yelling comments and whistling at the residents of Villa Park as they run walk or ride the path. I'm not saying that this would happen, but we all know what can happen in a bar top roof on a nice Saturday after noon, but I'm sure the Petitioner would never allow that to happen and refuse service to rowdy guests. I do think, however, that this deck is a great idea and I would welcome such an addition of a deck to the Fuel side of the business, and I believe it would be a great way for the petitioner to serve more clients that would stay longer and spend more. I am on the fence with this one, but unfortunately we have offered this type of parking variance in the past to the petitioner and I think the parking is an issue. I am adverse to allowing the petitioner yet another parking variance, I think there needs to be some compromise here, and possibly give up some patio space for parking if he wants a rooftop deck. I am therefore against allowing such a parking variance.

3) Variation to allow a tent-covered seating area:

I do not agree that covered seating areas or permanent tents would add any aesthetic value to this property and would not keep the "Historic and iconic look of the property and the buildings" as the petitioner comments he is trying to maintain mentioned in his response to question one in the packet. I am not opposed to the current use of shade umbrellas or some types of seasonal structures to allow a respite from occasional rain showers, but to have big white tents along the patio all year long are in my opinion an eyesore. I am therefore against allowing such a variance.

4) Variation to allow outdoor entertainment:

I believe we were very happy with the Petitioner's original business plan, which was to create a family friendly atmosphere near the Prairie Path that would be available for a children and teen ager friendly hang out. Addition of a deck to the bar with a band playing is not what I imagine would be conducive to the children and adolescent's atmosphere. Allowing Outdoor entertainment can prove to be an issue...I hope some of you remember that last conversation about this topic. I am not apposed to some low volume ambiance music, but to have live band outside is another issue, one of which I believe should require a permit each and every time for any business wanting to provide this type of venue. I do not think we need another bar in the area with live bands and music especially one so close to the path and the residents homes. Many of the nearby residents would be bothered by the noise and some have commented to me that this would not be a welcomed outcome. I am therefore against allowing such a variance.

I appreciate you all for considering my comments, and I hope you all vote for what is best for the village and remember the original objective of this business, and I hope that Fuel and Crème can continue to be a place for children, teens, and families to frequent.

My sincere thank you,
Commissioner Jackson

Arguilles, Consuelo

From: Hayley [REDACTED]
Sent: Wednesday, June 10, 2020 4:45 PM
To: Arguilles, Consuelo
Subject: Case #Pz20-003

[EXTERNAL EMAIL]

I would like to send my request in favor of Fuel Villa Park to be able to do the expansion of their business. We have lived in Villa Park for 58 years and enjoy eating at local establishments. Fuel has an atmosphere like we visit while on vacation around the US. And to think they opened right here in our small town of VP. The added bonus of Creme is amazing. A walk down the Great Western Path brings us to our favorite place to eat and enjoy a beer. Please let them expand and continue to bring in diners from neighboring communities ,like we shared our table with 2 ladies who drove 30 minutes to check out the place they heard about. This place is a GEM

Karen Hayley
[REDACTED]

Sent from my iPad

Arguilles, Consuelo

From: Jennifer Damitz [REDACTED]
Sent: Wednesday, June 10, 2020 4:50 PM
To: Arguilles, Consuelo
Subject: Support for Fuel/Creme

[EXTERNAL EMAIL]

Good Evening Consuelo Arguilles,

I am writing to support Fuel and Creme and their case #PZ20-003. I think that this businesses has some great ideas and would love to see them continue to grow.

Thanks,

Jenn Damitz

Arguilles, Consuelo

From: Dehnke, Katie [REDACTED]
Sent: Wednesday, June 10, 2020 5:24 PM
To: Arguilles, Consuelo
Subject: Case #PZ20-003

[EXTERNAL EMAIL]

Hello Consuelo!

I wanted to write in support of the zoning variances that Fuel is requesting. We live in the immediate neighborhood [REDACTED] and are absolutely overjoyed about the recent new developments in the Villa Ave area of Villa Park. More, Fuel and Crème have been valuable additions to some long-standing businesses and the fact that the Village recently expanded parking into the old AK Mulch lot is very promising for the future of our town!

As I understand it, Fuel is requesting the following:

1. Use of a tent on their property for more seating, booking parties and shelter from the elements for our guests.
2. Adding a shipping container with attractive ship-lap siding for storage.
3. A parking variance if they extend their usable property to include more seating on the roof-top – this is particularly important to us, as that area is dangerous from a pedestrian perspective. Given the new parking lot and safety concerns, it feels reasonable to allow them to expand without additional required parking.
4. Music be allowed on the property – I think music is a natural pairing with a business like Fuel – it attracts customers and makes the entire ambiance more appealing. Being in a residential neighborhood, it seems logical to have an end-time later in the evening – 10pm, perhaps.

As a town, especially given the current circumstances, we should do everything we can to support our local businesses and help them thrive!!

Thank you for your consideration,

~ Katie Dehnke | [REDACTED]

Arguilles, Consuelo

From: Erin Loniello [REDACTED]
Sent: Wednesday, June 10, 2020 5:56 PM
To: Arguilles, Consuelo
Subject: Regarding Case: PZ20-003

[EXTERNAL EMAIL]

Dear Consuelo,

In advance of your planned meeting tomorrow, I wanted to provide my opinion on the request for Fuel/Creme to be able to:

1. Use their tent
2. Add the disguised shipping container for storage
3. Parking
4. Outdoor Music

These two establishments have catapulted Villa Park into a true family destination for not only our community, but for our neighboring communities. The Village should do everything possible to help this business expand and offer a more welcoming and comfortable environment for their patrons.

I fully support all of their requests and as a citizen of the community ask that you grant them their requests to further the enjoyable experience for our entire community.

I appreciate the opportunity to share my support with Fuel/Creme owners.

Erin Loniello
Villa Park Resident

Arguilles, Consuelo

From: Thomas Grover [REDACTED]
Sent: Wednesday, June 10, 2020 6:15 PM
To: Arguilles, Consuelo
Subject: case #PZ20-003

[EXTERNAL EMAIL]

Consuelo,

I am writing in my support of the Creme/Fuel requests. This business is adding a critical positive attraction to a previously stagnant area of Villa Park. My extended family would take walks to Creme for Sunday Ice cream (pre-Covid). I feel that their requests are extremely reasonable and will continue to be a net positive to the prairie path area. I do also love that the parking in front of here was closed off during peak times to give a clearer site line for families crossing the street. The owners of Creme/Fuel took an abandoned looking area along the prairie path and turned it into a great community attraction. I have even had business meetings at Fuel to help the community. Again I think we need to help these businesses in this time of need to ensure they are here later.

Tom and Lisa Grover
[REDACTED]

Arguilles, Consuelo

From: Brooke Bingaman [REDACTED]
Sent: Wednesday, June 10, 2020 6:14 PM
To: Arguilles, Consuelo
Subject: case #PZ20-003 — I am in support of all the following below. Thank you!

[EXTERNAL EMAIL]

...

Many of you have asked about the Village public notice sign posted on our property. We are moving into the next step of our build-out and are approaching the Village regarding the following:

1. Requesting use of our tent on our property for more seating, booking parties and shelter from the elements for our guests.
2. Adding a shipping container in order to add more storage to the property, (located between the buildings) with wood ship-lap to hide the container.
3. While no approval is needed for a proposal of roof-top dining to FUEL, (you...you heard that right! Hopefully, by next year!) - additional parking spaces would be required. We are requesting no parking be required to the property for safety reasons and logistically lack of space due to the irregular shape of our property (pie shaped), as we did last year before we opened. (FYI, the Village has now provided 48+ NEW parking spaces that are now striped on the old AK Mulch property, located north of More Brewing Co. for public use).
4. Lastly, we are requesting that music be allowed on the property, as no entertainment of any sort is currently how the ordinance reads for outside seating throughout the Village, including speakers with piped in music. We will be approaching Planning and Zoning tomorrow, Thurs evening 06/11, at 7pm, to make the above requests as "step one" of the process. Following that, as step two, we will be approaching the Village Board at their next meeting (to be announced, we will let you know when they set the date), and hopefully receive final approval!

Would you like to support us with the above items? If so, that would be terrific! **The meetings are currently restricted to only 10 people, so the best way to have your voice heard is to send an email by 4:45pm tomorrow (Thurs 6/11) to our new Village Director of Community Development, Consuelo Arguilles at: carguilles@invillapark.com referencing our case #PZ20-003. This will be the equivalent of you being there in person.**

Arguilles, Consuelo

From: Chris [REDACTED]
Sent: Wednesday, June 10, 2020 6:22 PM
To: Arguilles, Consuelo
Subject: case #PZ20-003.

[EXTERNAL EMAIL]

Hello,

I am writing with regard to case PZ20-003 and want to express my support of the build out of Fuel.

Fuel has been a wonderful addition to our community and I am hoping for a lot more places like it in downtown Villa Park.

Thank you,
Christine Lau

Sent from my iPhone

Arguilles, Consuelo

From: Courtney Navarro [REDACTED]
Sent: Wednesday, June 10, 2020 6:42 PM
To: Arguilles, Consuelo
Subject: Thursday meeting

[EXTERNAL EMAIL]

I would like to express my strong support for the improvements that Fuel is looking to make. Fuel has been such a great addition to Villa Park as it stands. The addition of music and extra space would draw in more business from outside towns and people utilizing the path. Please consider helping this business grow.

Sincerely,
Courtney Navarro

Sent from my iPhone

Arguilles, Consuelo

From: Joyce Nordensten [REDACTED]
Sent: Wednesday, June 10, 2020 6:46 PM
To: Arguilles, Consuelo
Subject: Fuel Case #PZ20-003

[EXTERNAL EMAIL]

To: Consuelo Arguilles

Please consider and approve the requests made by Fuel.

What a great addition Fuel and Creme has been to the Prairie Path and Villa Park.

It is so wonderful to see so many families enjoying the facilities.

Joyce Nordensten
Villa Park Resident for over 40 years

Arguilles, Consuelo

From: Karen Solem [REDACTED]
Sent: Friday, October 16, 2020 2:14 PM
To: 'Jack Kozar'; Jay; Arguilles, Consuelo
Cc: Boksha, Pat
Subject: Re: October 26th VB Agenda Docs/Images attached
Attachments: 1 (1)small_JPG; 1 (6)small_JPG; 1 (19)small_JPG; 1 (21)small_JPG; 1 (23)small_JPG; 1 (24)small_JPG; 1 (32)small_JPG; 1 (33)small_JPG; 1 (34)small_JPG; IMG_5723.jpg; Jack Kozar Stair layout 1-26-20 2-20 PM.pdf; JackK. Fuel_Cre'me deck plan #3 2-8-20 5-45 PM.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Consuelo,

As per your request, attached are the sample images/drawings from the boards we had on display at the last P&Z meeting. I have reduced the size of the files for email purposes. If you need larger files, or anything further, just let me know.

Thank you,
~Karen

[REDACTED]

Jack

[REDACTED]

On Wednesday, October 14, 2020, 10:17:03 AM CDT, Arguilles, Consuelo <carguilles@invillapark.com> wrote:

Thank you. The letter in support and staff memo is attached.

Can I have copies of the boards you presented at the P&Z meeting? I have not received as I requested at the P&Z meeting.

Thank you,

Consuelo Arguilles

Community Development Director | Village of Villa Park

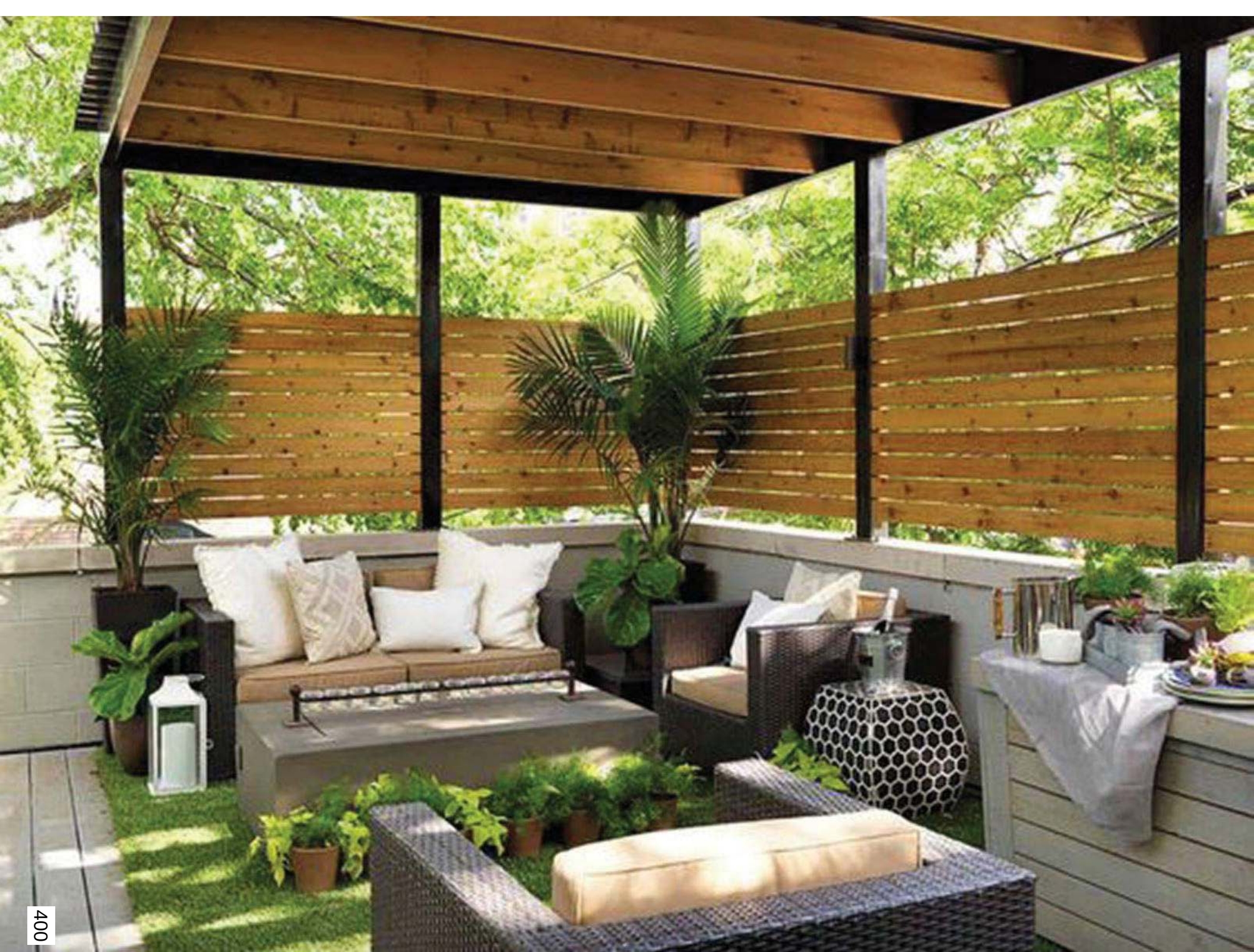
11 W. Home Avenue | Villa Park, IL 60181 | Ph: (630) 433-4300

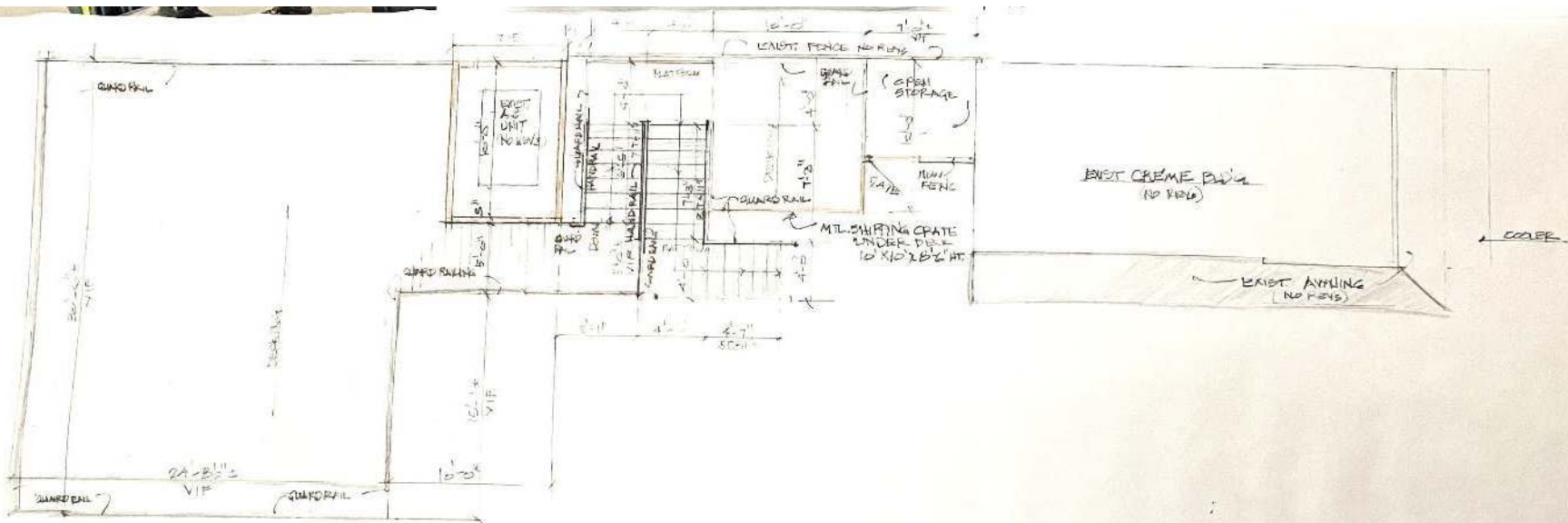




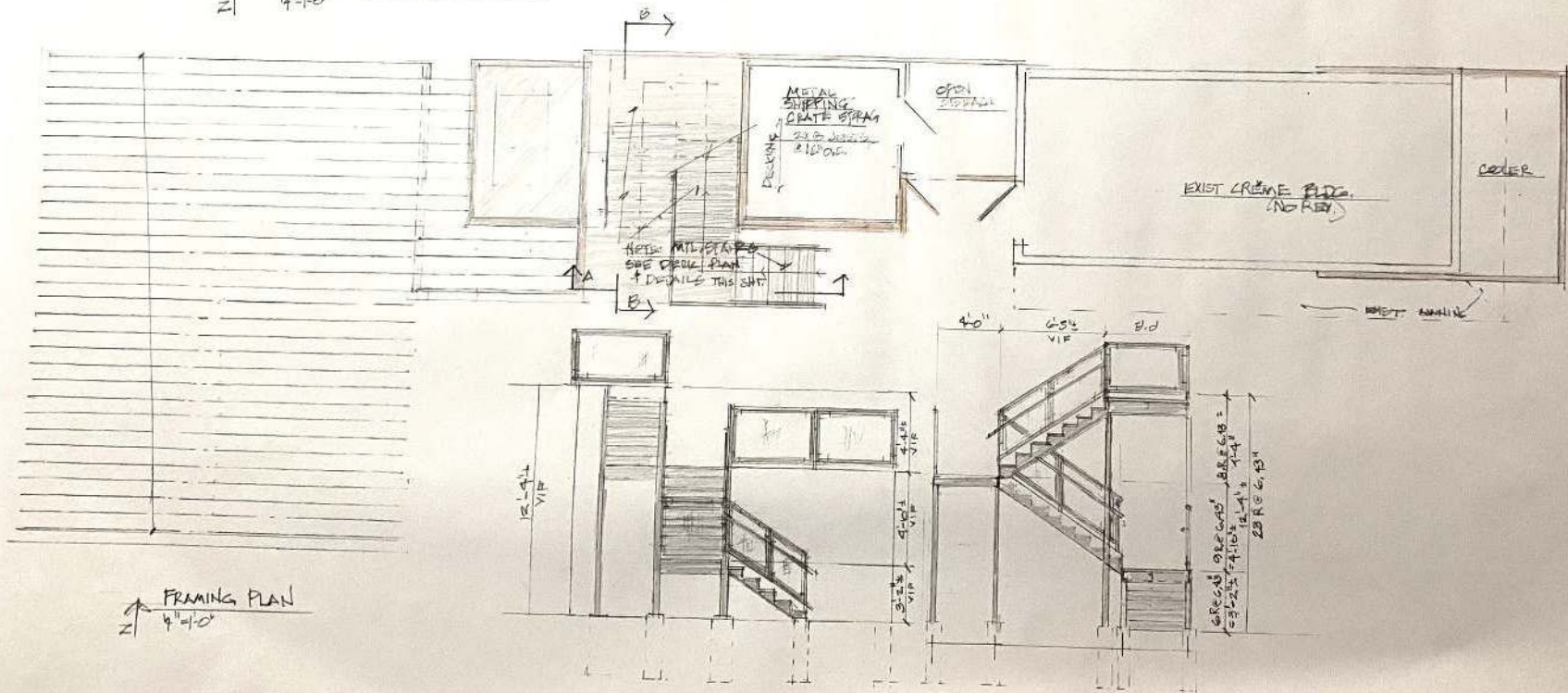
FUEL







DECK + STAIR PLAN
1/4" = 1'-0"



FRAMING PLAN
1/4" = 1'-0"

STAIR SECTION "A-A"

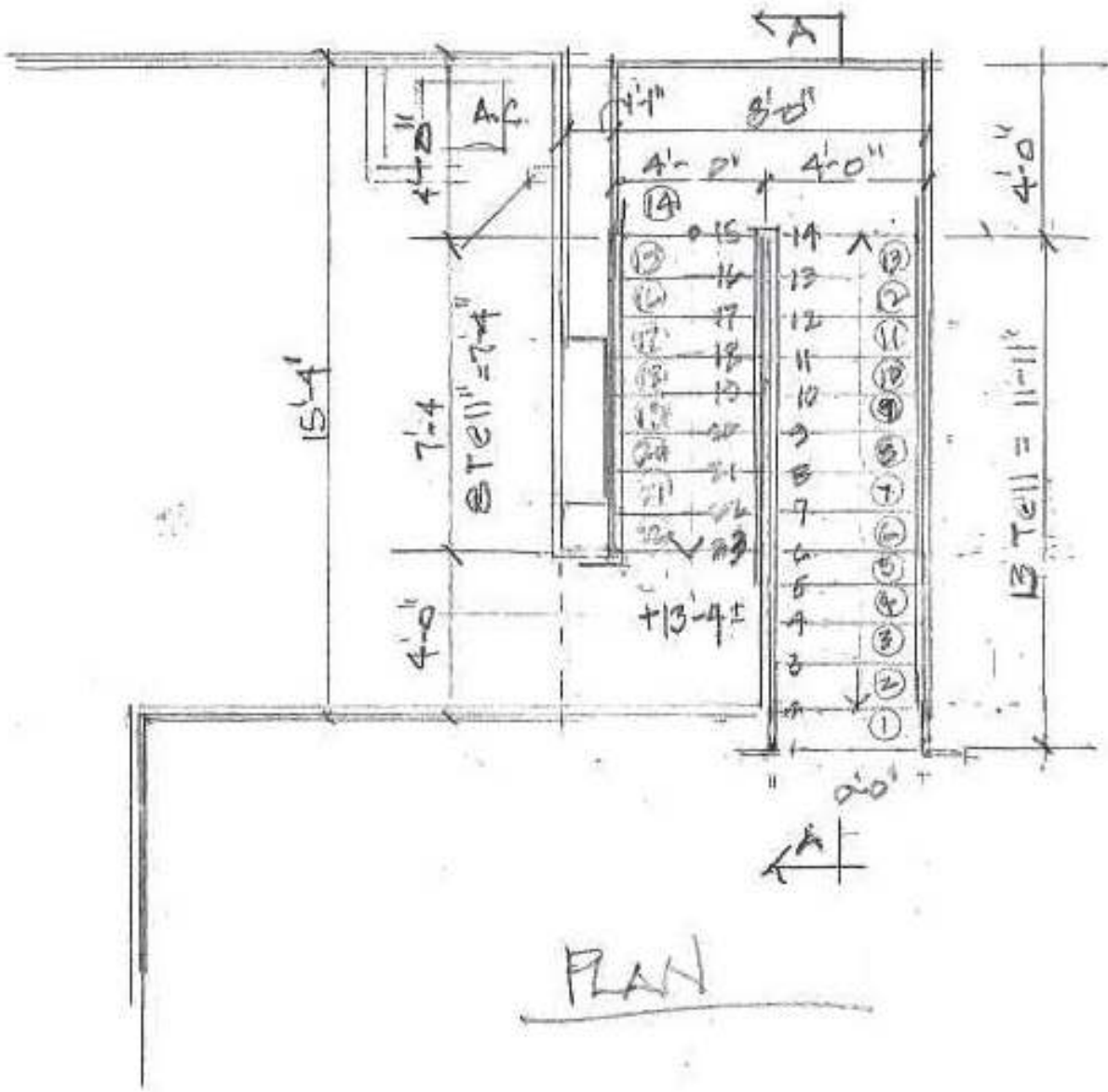
STAIR SECTION "B-B"

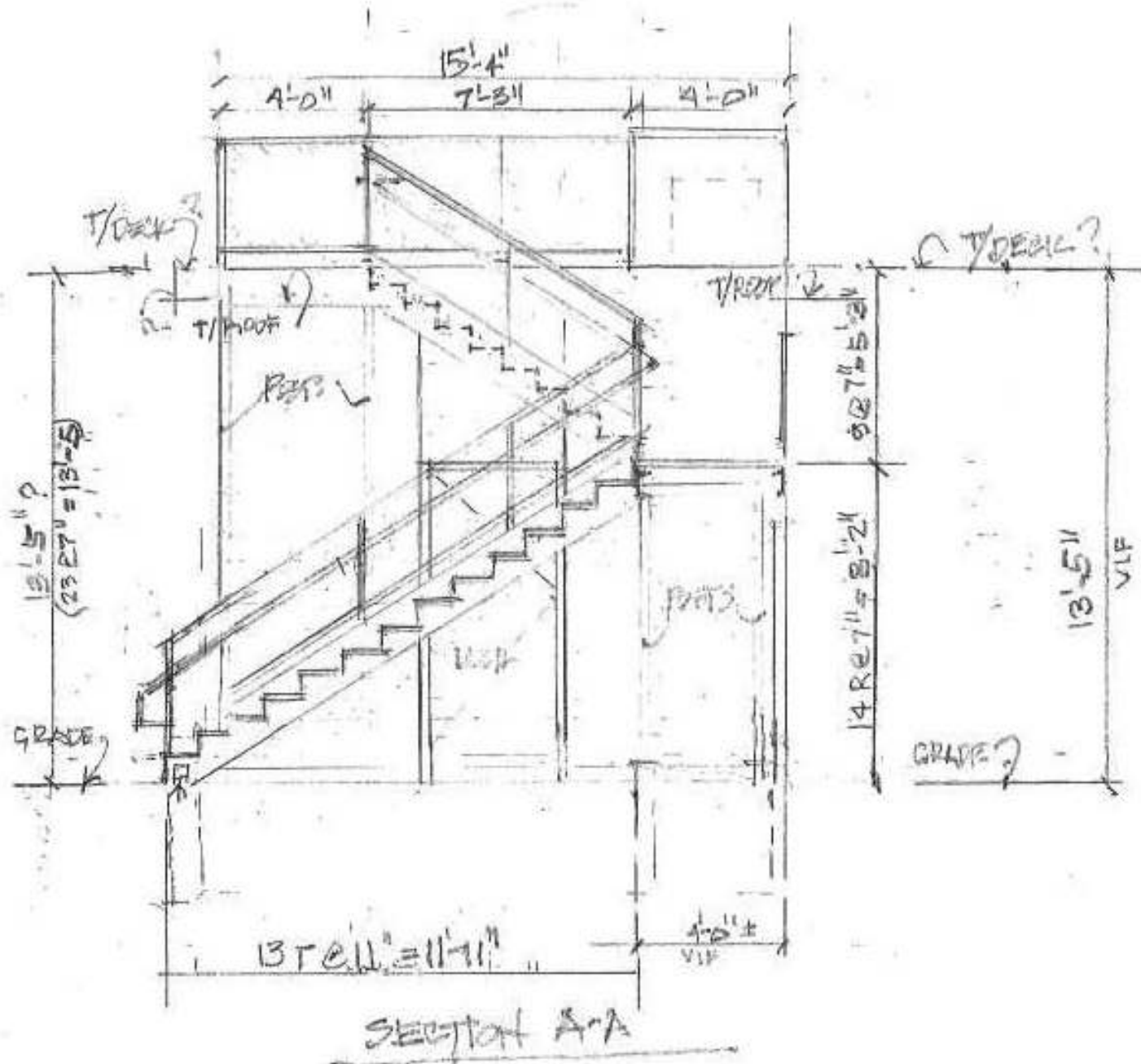












IBC CODE
 R/RISE WILL DEPEND
 ON T/DECK
 THE MAX RISE
 IS 7"
 THE TREAD MIN IS 11"
 GUARD RAIL IS 42" MIN
 ABOVE LEADING EDGE OF TREAD
 USE 45" TO TOP OF RAIL
 IBC CODE
 HANDRAIL IS 34-38"
 USE 36" TO T/RAIL
 IN ACCESSIBILITY CODE
 MAX CLEARANCE AT
 B/RAIL IS 4"
 USE A MEMO FROM
 B/RAIL TO T/RAIL
 OR USE VERTICAL RAILS
 NO MORE THAN 4" SPACE (MAX)

Arguilles, Consuelo

From: Karen Solem <ksolem@sbcglobal.net>
Sent: Thursday, June 11, 2020 11:30 AM
To: Arguilles, Consuelo
Cc: Jack Kozar; Jay
Subject: Plat of Survey 324 E. Central Blvd_FUEL_Tent Variance
Attachments: Plat of Survey_324 E. Central_FUEL Tent Vari.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL]

Good morning Consuelo,

Attached you will find our Plat of Survey for our property, FUEL, with 2 proposed sites indicated for our 20'x20'x12'h tent. Clear sides are removable for clement weather enjoyment.

Please let me know if you need any further documentation required for the meeting this evening. I'm happy to help.

Wishing you a wonderful day,
~Karen



LEGEND

A - ASSUMED
C - CALCULATED
CH - CHORD
CL - CENTERLINE
D = DEED
E = EAST
F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
FT. = FEET/FOOT
L = ARC LENGTH
M = MEASURED
N = NORTH
NE = NORTHEAST

NW = NORTHWEST
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R = RECORD
RAD = RADIUS
R.O.W. = RIGHT OF WAY
S = SOUTH
S.I.P. = SET IRON PIPE
S.I.R. = SET IRON ROD
SE = SOUTHEAST
SW = SOUTHWEST
W = WEST

CHAIN LINK FENCE
WOOD FENCE
METAL FENCE
VINYL FENCE
EASEMENT LINE
SETBACK LINE
INTERIOR LOT LINE

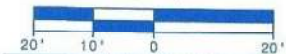
PLAT OF SURVEY OF

PARCEL 1:
THE SOUTH 5 FEET OF LOT 1 IN BLOCK 4 IN CALHOUN'S RESUBDIVISION OF LOTS 3 TO 6, INCLUSIVE, AND LOTS 8 TO 16, INCLUSIVE, TOGETHER WITH PORTIONS OF THE ALLEY ADJACENT THERETO IN CALHOUN'S ADDITION TO VILLA PARK, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED DECEMBER 8, 1921 AS DOCUMENT 152582, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:
LOT 17 IN CALHOUN'S ADDITION TO VILLA PARK, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID LOT 17 THAT PART THEREOF LYING EAST OF THE WEST LINE OF NEW STREET, EXTENDED SOUTH) ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1910 AS DOCUMENT 100980, IN DUPAGE COUNTY, ILLINOIS.

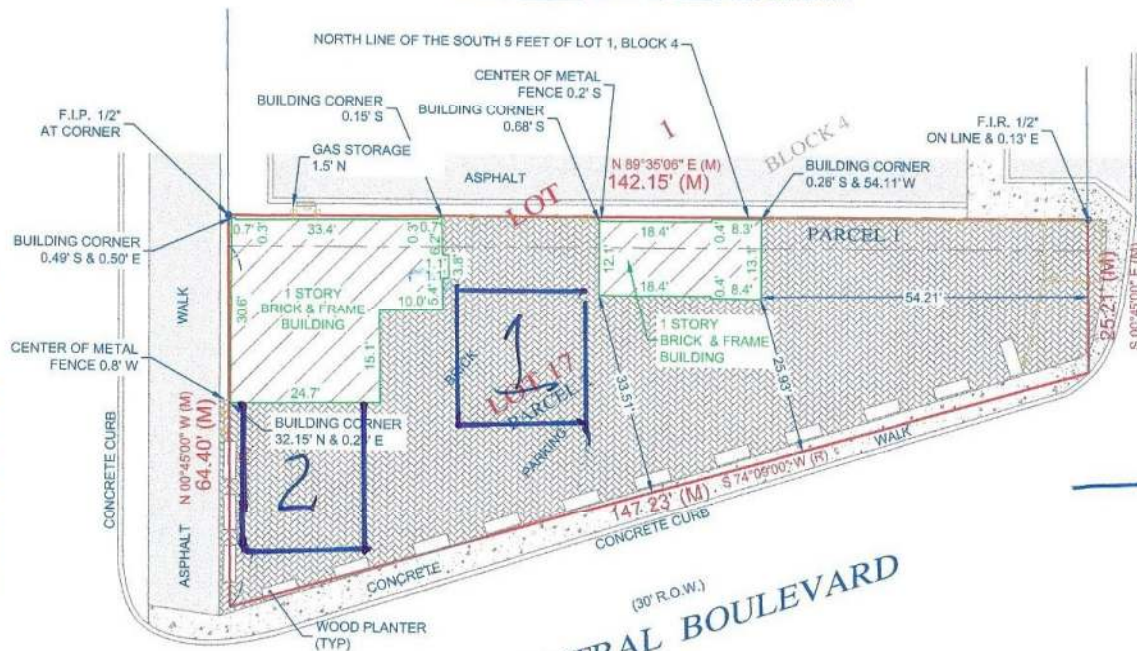
AREA OF SURVEY:

CONTAINING 6,369 SQ. FT. OR 0.15 ACRES MORE OR LESS



BASIS OF BEARING:
NORTHWEST LINE OF E. CENTRAL BOULEVARD AS FOUND MONUMENTED AND OCCUPIED PER RECORD SUBDIVISION.
S 74°09'00" W (R)

MYRTLE AVENUE
(60' R.O.W.)



CORTES AVENUE
(40' R.O.W.)

E. CENTRAL BOULEVARD
(30' R.O.W.)



Morris Engineering, Inc.
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
FAX: (630) 271-0774
WEBSITE: WWW.MECIVIL.COM

STATE OF ILLINOIS
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 7TH DAY OF JANUARY, A.D., 2020,
AT Lisle, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3253
LICENSE EXPIRATION DATE NOVEMBER 30, 2020
ILLINOIS BUSINESS REGISTRATION NO. 184-003245



NOTE: SOME IMPROVEMENTS MAY NOT BE SHOWN HEREON DUE TO SNOW COVER AT TIME OF SURVEY.

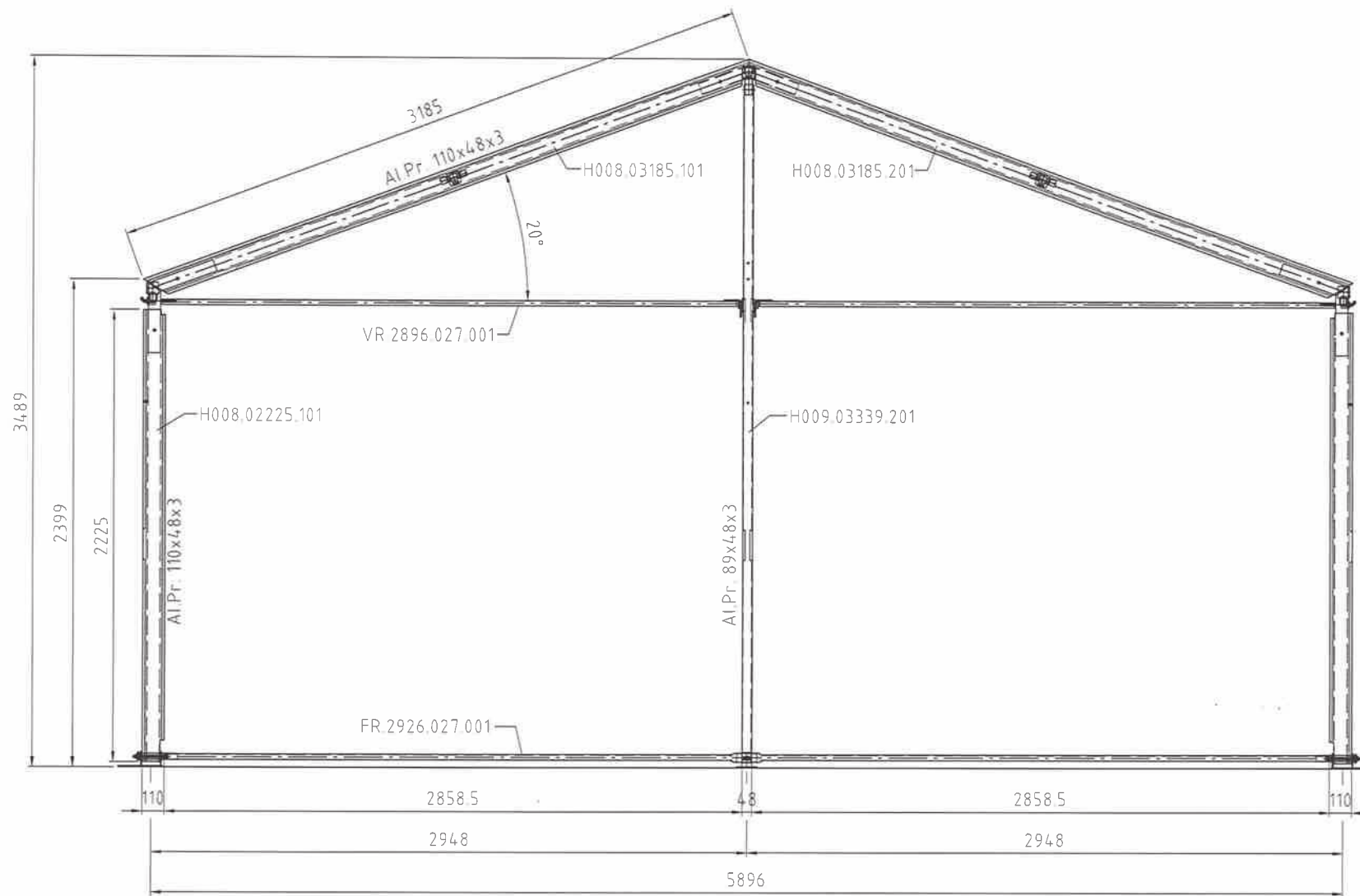
NOTE:

1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 324 E. CENTRAL BOULEVARD
VILLA PARK, ILLINOIS

CLIENT KOZAR LAW OFFICE LLC

FIELDWORK DATE (GROW) 01/09/2020 BY/MM
DRAWN BY: NG REVISED: JOB NO. 19-12-0398



Alle Maße sind rechnerisch ermittelte Werte
 Die tatsächlichen Maße sind direkt am Objekt zu nehmen!

Verwendungszweck				Allgemeintoleranzen				Maßstab		1:20		Gewicht	
Partyzelt Höcker 6m SH=2,4m				nach									
Expanderabspannung				DIN7168 -m-									
					Datum	Name		Giebelansicht					
				Bearb.	29.06.2011	ddoepp							
				Gepr.									
				Ers f.									
								4-Nut					
								PZ_H.0600.240.002_A_01					
01 Traufpette korrigiert				07.02.17		alef		Blatt					
Zust. Änderungen				Datum		Name		A3					
								Dateiname					

Arguilles, Consuelo

From: Karen Solem <ksolem@sbcglobal.net>
Sent: Monday, November 2, 2020 8:59 AM
To: 'Jack Kozar'; Jay; Arguilles, Consuelo
Cc: Boksha, Pat
Subject: Re: October 26th VB Agenda Docs/Images attached
Attachments: PZ_H.0600.300.006_A Giebelansicht.pdf; PZ_H.0600.300.006_B Seitenansicht.pdf; PZ_H.0600.300.006_C Ankerplattenplan.pdf; PZ_H.0600.300.006_D Mittelbinder.pdf

Good morning Consuelo,

The documents previously sent to you are the relevant documents we will be bringing to the Nov 9th Trustee meeting.

Attached are the tent specs in English. Sorry for the delay, it was sitting in my Spam folder.

Please let us know if there is anything else you'd like to see.

Wishing you a great day,

~Karen

[REDACTED]

Jack

[REDACTED]

On Thursday, October 29, 2020, 12:23:28 PM CDT, Arguilles, Consuelo <carguilles@invillapark.com> wrote:

Good afternoon,

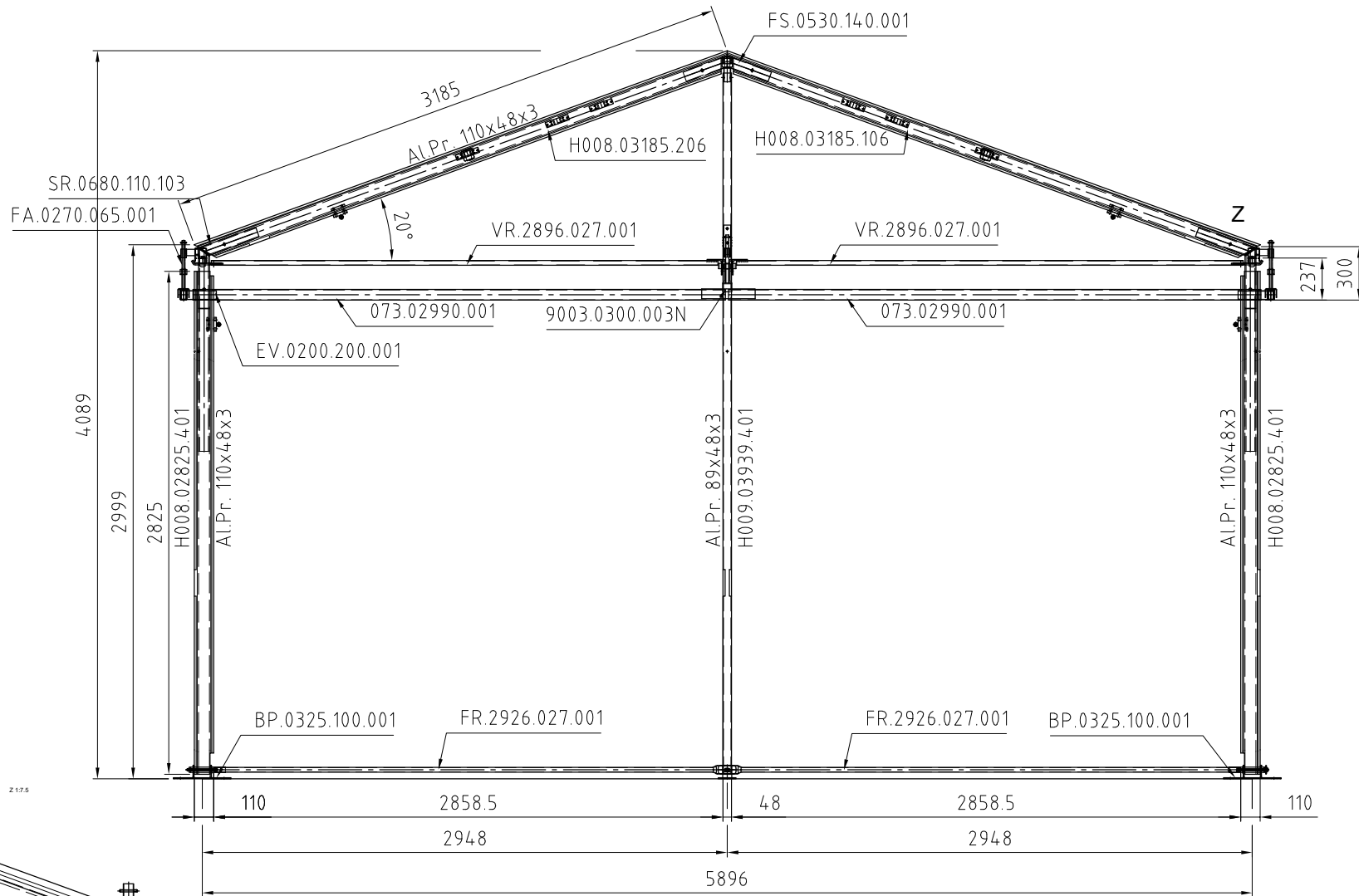
My understanding is you have requested the VB consider your outdoor tent request on the upcoming November 9 VB meeting. Attached are the exhibits we have received. Please confirm these are the relevant documents for your outdoor tent request. Can you please provide the tent drawing in English.

Thank you,

Consuelo Arguilles

Community Development Director | Village of Villa Park

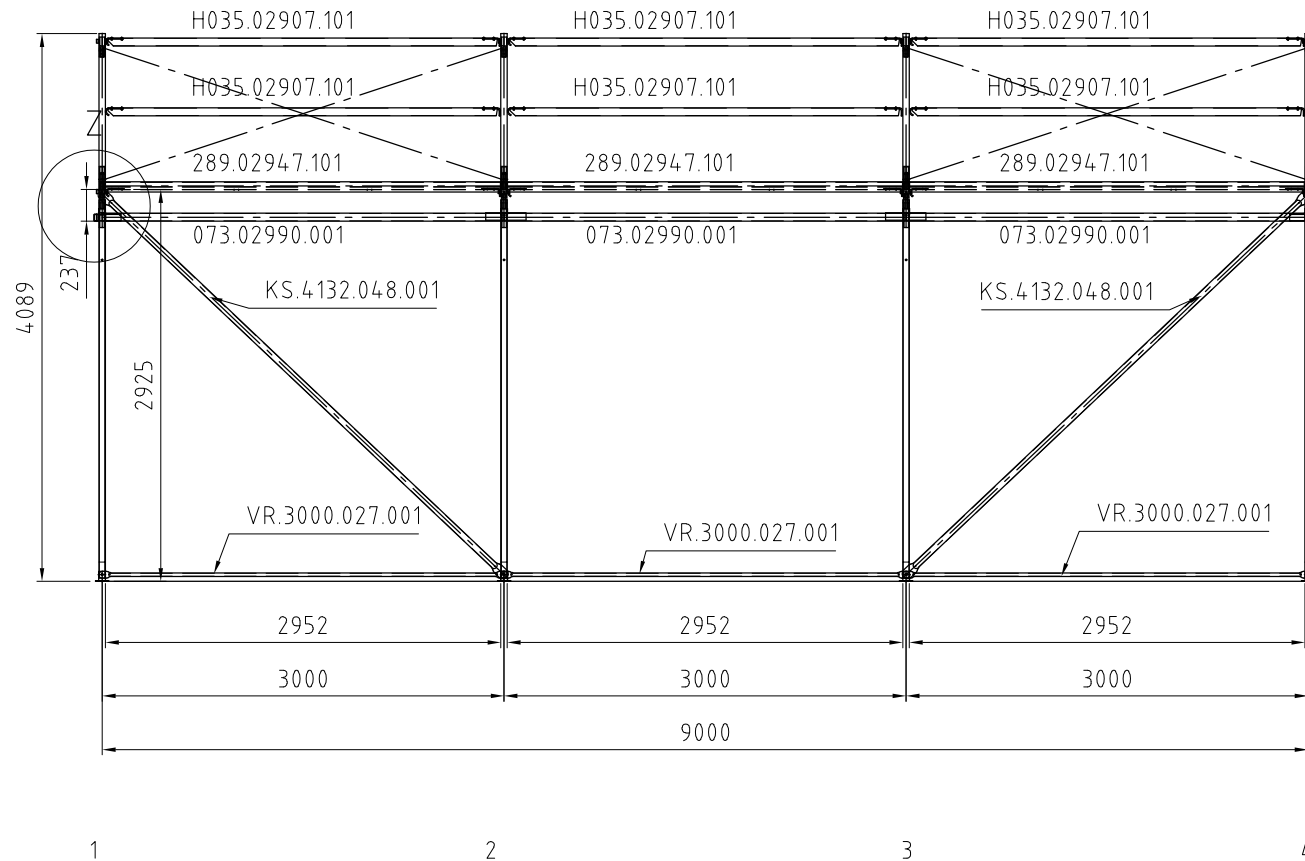
11 W. Home Avenue | Villa Park, IL 60181 | Ph: (630) 433-4300



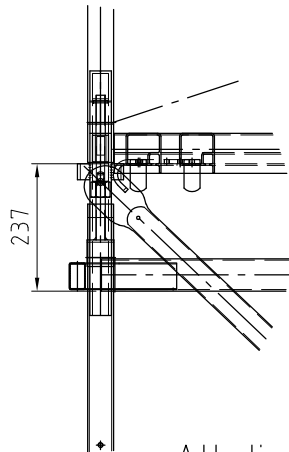
Z 17.5

All dimension are calculated values.
Please, check them directly at the object.

Verwendungszweck PZ Höcker 6x9m, SH=3m AB 201676				Allgemeintoleranzen nach DIN7168 -m-		Maßstab 1:25	Gewicht
				Datum	Name	Gable view 4-Nut	
				Bearb.	Jballau		
				Gepr.			
				Ers.f.		PZ_H.0600.300.006_A	
Zust.	Änderungen	Datum	Name			Dateiname	Blatt A3 B1



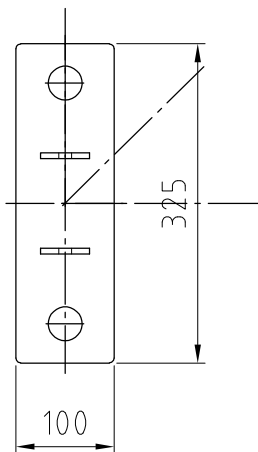
Z 1:10



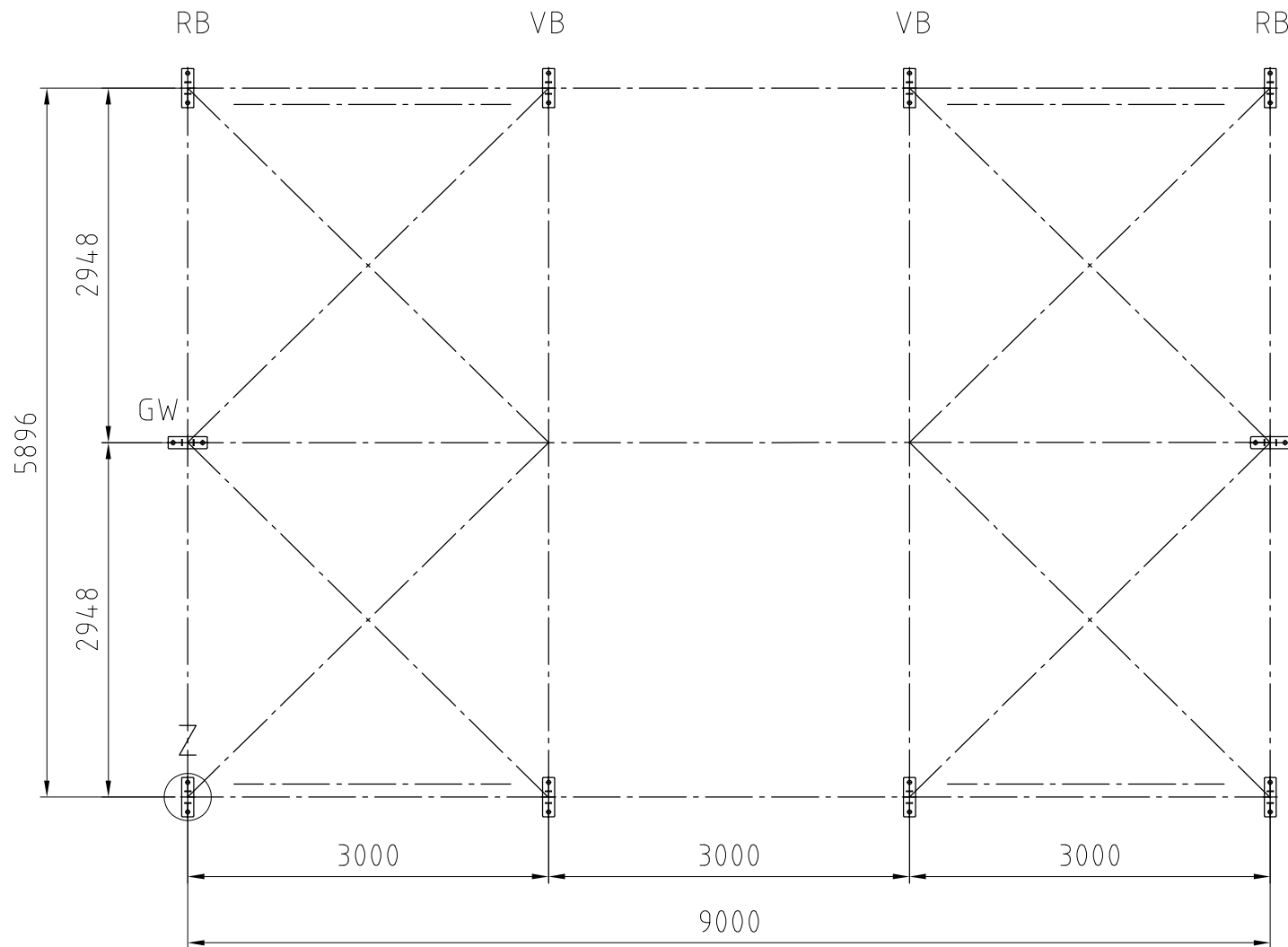
All dimension are calculated values.
Please, check them directly at the object.

Verwendungszweck PZ Höcker 6x9m, SH=3m AB 201676				Allgemeintoleranzen nach DIN7168 -m-		Maßstab 1:40	Gewicht
				Datum	Name	Side view	
				Bearb.	Jballau		
				Gepr.			
				Ers.f.			
						PZ_H.0600.300.006_B	
						DateinameZeichnung5	
Zust.	Änderungen	Datum	Name	HTS tentia		Blatt -	

Z 1:7.5

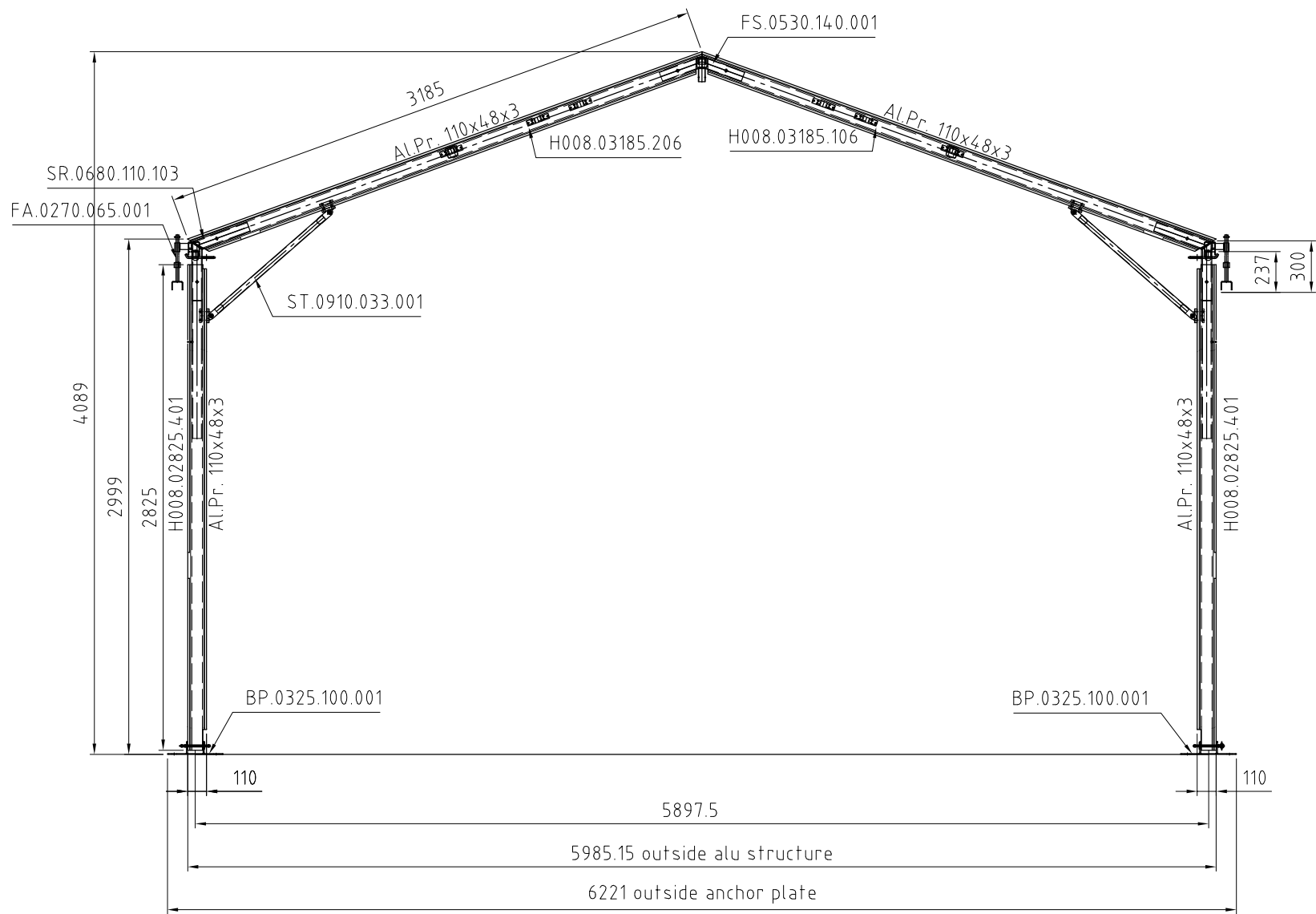


RB, VB, NB, GW
BP.0325.100.001



All dimension are calculated values.
Please, check them directly at the object.

Verwendungszweck				Allgemeintoleranzen		Maßstab	1:40	Gewicht
PZ Höcker 6x9m, SH=3m				nach				
AB 201676				DIN7168 -m-				
				Datum	Name	Base plate view		
				Bearb.	Jballau			
				Gepr.				
				Ers.f.				
				HTS tentiq			PZ_H.0600.300.006_C	
Zust.	Änderungen	Datum	Name	DateinameZeichnung6				Blatt
								-



All dimension are calculated values.
Please, check them directly at the object.

Verwendungszweck				Allgemeintoleranzen		Maßstab	1:25	Gewicht
PZ Höcker 6x9m, SH=3m				nach				
AB 201676				DIN7168 -m-				
				Datum	Name	Gable view		
				Bearb.	21.10.2020			
				Gepr.	Jballau			
				Ers.f.				
				HTS tentiq			4-Nut	
							PZ_H.0600.300.006_D	
Zust.	Änderungen	Datum	Name	Dateiname			Blatt A3	

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:

)
)
) Variance from required maximum permitted fence height of six feet to eight feet, and a variance from minimum required parking from 20 spaces to zero spaces for property located at 325 East Central Boulevard.) Petition PZ-18-0004

PUBLIC HEARING
PLANNING & ZONING COMMISSION
APRIL 12, 2018
7:30 P.M.

PROCEEDINGS HAD and testimony taken before the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, taken at Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, Illinois, before MARY E. FAILLO, C.S.R., qualified in the State of Illinois.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance from required)
maximum permitted fence)
height of six feet to)
eight feet, and a) Petition PZ-18-0004
variance from minimum)
required parking from 20)
spaces to zero spaces)
for property located at)
325 East Central)
Boulevard.)

PUBLIC HEARING
PLANNING & ZONING COMMISSION
APRIL 12, 2018
7:30 P.M.

PROCEEDINGS HAD and testimony taken before
the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance from required)
maximum permitted fence)
height of six feet to)
eight feet, and a) Petition PZ-18-0004
variance from minimum)
required parking from 20)
spaces to zero spaces)
for property located at)
325 East Central)
Boulevard.)

PUBLIC HEARING
PLANNING & ZONING COMMISSION
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PROCEEDINGS HAD and testimony taken before
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COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance from required)
maximum permitted fence)
height of six feet to)
eight feet, and a) Petition PZ-18-0004
variance from minimum)
required parking from 20)
spaces to zero spaces)
for property located at)
325 East Central)
Boulevard.)

PUBLIC HEARING
PLANNING & ZONING COMMISSION
APRIL 12, 2018
7:30 P.M.

PROCEEDINGS HAD and testimony taken before
the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT

3 MR. VINCE GATTO

4 MR. MIKE ORLOWSKI

5 MR. KEN JACKSON

6 MS. LINDA BELLOW

7 MR. JACK LANENGA

8 MR. DOMINICK ROMANO

9 MS. MORGAN RICKEL

10
11
12 ALSO PRESENT:

13 MR. PATRICK GRILL, Director of Community
14 Development
15
16
17
18
19
20
21
22
23
24

1 COMMISSIONER JARRETT: We will now enter the
2 public hearing section of our hearing. I see a lot
3 of people here this evening. I imagine some of you
4 will want to speak. If you've got the agenda in
5 front of you, it has an order that we follow. If
6 you don't have it in front of you, I'll go over it
7 briefly. We will start with presentation of the
8 petitioner. We'll move into Staff input, and then
9 public participation and questions. That's where
10 anybody from the public wishing to speak will have
11 their opportunity to speak, and then questions from
12 the Commission, closing comments of the petitioner.
13 Then we'll close the public hearing and discuss and
14 vote, if we get to that point.

15 If you think you're going to speak
16 tonight, what I want you to do now is stand, be
17 sworn in. We have a court reporter here. Please
18 don't talk over each other. We need to come up to
19 the podium to speak. But if you think you're going
20 to speak, now is the time to stand and be sworn in.
21 She'll do that everybody at once, and then when you
22 come up to the podium, state your name and address
23 for the record.

24

1 (Whereupon, the public members and
2 petitioner were sworn in under oath.)

3 COMMISSIONER JARRETT: Thank you. All right.
4 Petitioner, whenever you're ready.

5 MR. KOZAR: Great. Thank you very much for
6 coming. I'm going to move these out over here so
7 everybody can kind of see what we're doing here.
8 Just bear with me. I'm going to face this towards
9 our Board members, and then as we kind of go through
10 them I'll show everybody as we do them. We were
11 going to do a PowerPoint, but these are a lot less
12 technical.

13 All right. So as you all are aware, there
14 was a gas station over at 324 Central, and I bought
15 that last year, or I should say Karen and I bought
16 that last year, and this is basically what it looks
17 like. So when we bought it, we were under the
18 understanding that there was a couple underground
19 gas tanks there, so I hired an environmental
20 company, Eagle Environmental, and we worked with the
21 fire marshal, and we worked with the Illinois EPA
22 and started testing and started digging. Three
23 tanks became seven. And apparently what happened
24 back in the day was when a tank didn't work, instead

1 of pulling that tank out they just put another one
2 in. And when that tank didn't work, they put
3 another one in with no, you know, thought that
4 eventually these are going to degrade, they're going
5 to leak, they're going to contaminate the soil. So
6 voluntarily, we decided, let's get these tanks out.

7 We love the property. We live directly
8 across the street at 329 Park. So this is -- this
9 is our view from our front porch. You know, we look
10 at this from our front porch, and that's what really
11 interested us in this property and gave us this
12 vision of what we wanted to do. So voluntarily we
13 contracted with Eagle Environmental to come in and
14 start digging tanks. And once you step into it,
15 there's no turning back. So this is a 6,000 gallon
16 tank that was under the ground. We pulled that. A
17 couple of 3,000 gallon tanks. A couple of 1,000
18 gallon tanks. If you guys can all see this, this is
19 a semi truck. We loaded 25 of these of contaminated
20 soil and brought it to a hazmat site. We have a
21 \$200,000 contract to decontaminate this soil, and
22 that's what we're working at. And at the end of
23 \$200,000, when all is spent, this is what we're left
24 with. It looks the same as when we started. But

1 what our vision is is to turn what was at one time a
2 contaminated site into a family-oriented, green,
3 healthy, fun space, and that's what we have here.

4 So with the two buildings, we want to put
5 on the one side an ice cream shop, and we'll call it
6 Creme. We're open to some name suggestions and
7 ideas if anybody has any. And in the other building
8 what we want to do is have that be kind of our
9 beverage center. We'd like to have eventually beer
10 and wine. We'd like to have iced tea, lemonade,
11 Kombucha, energy drinks, sport drinks, things like
12 that.

13 Our business model is to cater to people
14 that are on the Prairie Path and the Great Western.
15 This property is at the convergence of where the
16 Great Western and the Prairie Path come in.

17 They did the study a few years ago, which
18 you guys may be aware of, that at that corner of
19 Villa and the Prairie Path is the highest traffic --
20 the most traffic on the Prairie Path is at Villa and
21 the Prairie Path, and the study was something like
22 over 290,000 people traffic that on the path every
23 year. That's our business model. Those are our
24 clients.

1 So what we want to do is -- we've got the
2 two existing buildings, which are represented right
3 here, if everybody can see that. In the middle we
4 think it would be fun to have a food truck. I have
5 a friend that does competition barbecue, and it
6 would be a perfect fit, and that kind of ties in
7 with the beverage thing with the beer and wine
8 license. We're not looking to open up a bar. We're
9 not looking to have a tavern there. But it would be
10 nice in this fenced-in area if you could come in,
11 get a pulled pork sandwich, sit outside on a picnic
12 bench, have a beer. The kids can get ice cream.
13 Everybody's contained in here safe. We've got bike
14 racks over on this side. And that's the idea.

15 So given the fact that in the bigger
16 building we want to have kind of a setup in here,
17 you'll see inside the building are no tables. This
18 is simply a carryout from the food truck. You can
19 go in here. You can get a beverage. The only
20 additional building that we want to do on here is to
21 build an additional bathroom. So you can go inside
22 and use the ADA bathroom that's here, but if we are
23 going to get a beer and wine license we don't want
24 to have to have the kids going inside the building

1 to use the restroom. So we're building another
2 bathroom outside that opens to the outside. So if
3 you're a parent and you're sitting outside on one of
4 the picnic benches, you can still keep an eye on
5 your kids as they're going into the restroom.

6 Additionally, you'll see that we have some
7 planters around here. So the idea behind these
8 planters is not just that they're going to be on the
9 surface of the ground. We want these planters to
10 actually be sunk into the ground, made of cement, so
11 that if some goofball happens to jump the curb,
12 these planters are properly spaced to stop any
13 vehicle from jumping up on the curb and coming in
14 there. Another safety feature. But cement is kind
15 of ugly, so we're going to wrap them in the pavers
16 that we're going to use along the whole driveway,
17 you know, base of the property. The reason we're
18 going with pavers is we want to create as close to a
19 zero storm water return as possible so that all the
20 water that we get on the property absorbs into the
21 property and it's not a drain to the community. You
22 know, to the community sewers. It doesn't drain to
23 the community sewers. So, in short, that's our
24 vision for this property.

1 Villa Park desperately needs a location
2 that people can go down on the Prairie Path, get an
3 ice cream, get a pulled pork sandwich, have a drink,
4 and have a family-friendly environment. Karen and I
5 are both cyclists. We love to ride the Prairie
6 Path. That's part of the reason we bought the house
7 where we did. We love the proximity to the Prairie
8 Path. We want to draw all our clients or as many of
9 our clients as possible on the Prairie Path. We're
10 not competing with the local taverns in town. And a
11 topic that came up multiple times is the topic of
12 gaming. Will you have gaming on the property? And
13 the answer to that is no. Gaming is not family
14 friendly. It's just not a family-friendly thing.
15 If you want to do gaming, you can go to DeMito's.
16 You can go to the other locations that have it. Not
17 to us. And, I mean, we feel strongly about that.

18 So we're here today to ask for two
19 variances. The most important variance that we're
20 asking for is, according to the Ordinance, you're
21 required to have parking on the property. Parking
22 -- in this case, I believe it's 25 percent of
23 whatever tables that you would have. So those
24 tables -- if you were to count the picnic tables as

1 tables, that's where you get the parking count from.
2 This is a small, tiny footprint of a property for
3 anybody who's ever seen it. It just doesn't make
4 sense to try to have kids come in here to get ice
5 cream, running around the property, fencing it off,
6 trying to create safety, and then having parking
7 over here. And at maximum, what could we fit?
8 Maybe three cars. So that's variance number one.

9 Variance number two is -- a fence is going
10 to go up behind here, and we thought that since we
11 were doing the variance process anyway, it's a small
12 extra feat to ask for another variance. We wanted
13 to change the height of the fence from the six foot
14 that's permitted in the Ordinance as it is to an
15 eight foot fence. An extra two feet high. Reason
16 being, for esthetic purposes. Eight feet kind of
17 fits better between the two buildings. The fence
18 would only go from building to building. It doesn't
19 wrap the whole distance. Our property line is right
20 where the buildings are set, so there is no space
21 behind there. So it would go building to building,
22 and then from building to the end right there. The
23 design of the fence is either a wooden fence, or
24 what Karen likes more is a synthetic stylish type

1 fence. No maintenance, right. And the good --
2 typically when you build a fence, the good side
3 faces out, so we would do a double fence. So the
4 good side faces out, and we would put another siding
5 on there so the good side faces in as well.

6 The parking -- parking is the real issue
7 here. There is a parking issue in downtown Villa
8 Park. I mean, I hear about it. I've tried my best
9 to talk to all the local business owners and
10 everybody involved. So what we've done for the last
11 several weeks is at 2:00 -- roughly at 2:00 in the
12 afternoon and 7:00 in the evening we've taken
13 pictures of the parking from our front porch. And
14 let me just backtrack a little bit. Our tentative
15 hours of operation on this would be the daylight
16 hours. We're thinking right now from 9:00 to 9:00,
17 but we're actually thinking maybe we would open up
18 earlier and open at like 6:00 and be able to serve
19 coffee out of the ice cream shop for the early
20 morning, you know, summer walkers and stuff like
21 that. Go up, get a coffee, go for a stroll on the
22 path. So we thought 2:00 and 7:00 is a good
23 representation of, you know, when are the most cars
24 there. So this is the view from our front porch.

1 If you're sitting on our front porch, looking at the
2 traffic, you can see the building in the background
3 right here. The Village just built 20 new spots on
4 Park Avenue. And, in addition, there's eight spots
5 right over here. This is the museum right here.
6 There's eight spots existing for the museum. Right
7 behind the Prairie Path here -- right behind the
8 Prairie Path are the 30 -- how many spots there?
9 That would be 30 spots are in the historical museum
10 parking spot right here. When you have a moment --
11 I know it's kind of hard to see that, all of these,
12 but this represents the last two weeks of parking,
13 which included Good Friday and Easter, which is a
14 busy weekend. It is so underutilized, these parking
15 spots, that we feel there certainly wouldn't be a
16 problem for people to park here. We also considered
17 though that we're going to have employees, and the
18 employees may not take the Prairie Path down, so we
19 have to accommodate our employee parking. We don't
20 want -- if we're going to ask the Village to not
21 require us to have parking on the property itself,
22 it's only fair that we accommodate our own
23 employees. So right behind our house is the Syrian
24 Orthodox Church, and we have a great relationship

1 with them. They're very good people. They agreed
2 to a license to keep all our employees on the
3 parking lot, on their parking lot, which is private
4 property, which then doesn't have our employees park
5 anywhere on the public spots for -- you know, for
6 the Village. So we've tried to -- we've alleviated
7 entirely the employee parking. Now all we're
8 talking about is cyclists, bikers, joggers. Those
9 people on the Prairie Path. That's our client base.
10 That's what we want. But even for some of those
11 that, you know, insist on driving over there, there
12 is such ample parking in the front that we think
13 that we can accommodate that. Additionally, what
14 I've heard is that on Central, just recently they
15 passed to allow parking on Central Avenue, and
16 they're also considering putting extra parking on
17 Central, west of the intersection where the Prairie
18 Path -- let me see if I have a good picture that
19 represents that. So just west of -- west of where
20 the Great Western Trail links into the Prairie Path
21 there's a crosswalk right there, and that would be
22 at the corner of Myrtle and Central, if you guys
23 kind of know where I'm talking about. There's some
24 talk that the Village is thinking of increasing the

1 parking and basically replicating what we have on
2 Park, which they did a great job on, going west from
3 that intersection, and put another 10, 20, whatever
4 spots. There's a lot of room down there. So if the
5 Village wanted us to lease those or do something
6 with that, we would be very open to doing that. You
7 know, have no problem with that whatsoever.

8 Additionally, because of the residences on
9 Myrtle, we thought if the Village would like or
10 would allow us to do it, we can put a sign on that
11 west part of the building that says, please don't
12 park on Myrtle, you know, and with an arrow that
13 says, parking available on Park, parking available
14 on Central. Something to that effect. And, you
15 know, we'd follow your lead on that. That would be
16 no problem.

17 We're trying to get community tie-in, so
18 we'd like to partner with local businesses. One
19 local business that said they would love to partner
20 with us is J & R Cycle. What we talked about is
21 including on the corner of the building -- maybe
22 you've seen them. It's like nine basic bicycle
23 tools, and they're all on a chain, and then a
24 compressor so people can fill up their tires, and

1 then we'll carry some very limited tire tubes and,
2 you know, basic things that people need when they
3 kind of run into trouble, but then J & R would put a
4 small sign over there where the compressor and the
5 tools are so that if somebody has something bigger,
6 they know they can call up J & R and run over there,
7 or maybe J & R can come pick them up or something
8 like that. We encourage and we love community
9 tie-in. So any other community businesses that
10 somehow want to tie in, partner up with us, do
11 things with us, let's do it.

12 This is going to be a great community
13 project. I see fundraisers happening here. I see
14 people coming in in September. They're having the
15 breast cancer ride. So far they've got 200 bicycles
16 or cyclists signed up for it. We've talked to Lorna
17 over at J & R bicycle about either starting or
18 ending at the property right there. Other tie-ins
19 like that would be great.

20 It's a wonderful property in a wonderful
21 location that has sat totally underutilized, and for
22 people in Elmhurst and people in Lombard and Glen
23 Ellyn and Wheaton, let alone everybody here in Villa
24 Park, if you want to jump on your bike, and you want

1 to go somewhere, and you just kind of want to do
2 something, how great to ride into Villa Park or jog
3 into Villa Park and get your coffee or get your tea,
4 get a pulled pork sandwich, get an ice cream cone.
5 You know, I can totally see families walking over,
6 you know, as a group and sitting down and -- there's
7 a little bit for everybody in there. But I
8 emphasize this is a family-friendly place, so we
9 don't want to turn it into a tavern. We don't want
10 to have late night hours. We don't want to have
11 bands playing, you know, and music late at night.
12 You know, we did a fundraiser for the Presbyterian
13 Church, and we had a guy who was just fantastic. He
14 played Spanish guitar. Acoustic Spanish guitar.
15 That would probably be the extent of our music.
16 Something like that, or teaming up with the high
17 school and having some of the young talent that's in
18 the high school come and do a quartet or something
19 like that. Tying in with the artist guild and doing
20 first Fridays. Karen used to own an art gallery.
21 The first Friday of every month, come in, hang your
22 artwork, open it up. People can come in. If we
23 have a beer and wine license, we can do a little
24 wine tasting. Maybe team up with Sal's, or

1 something like that to come in and do a wine
2 tasting. That would be a fun date night.

3 There's so much opportunity here. Villa
4 Park is growing. It's a wonderful community. I own
5 multiple properties in Villa Park. I live in Villa
6 Park. I've been here for over 20 years. I love it.
7 I mean, this is my town. This is my community. I
8 think this is going to be a great asset. And then
9 you guys have all probably seen this. One of the 10
10 best places to raise a family. Villa Park is doing
11 well. But this is family right here. This is in
12 the heart of Villa Park. So I'm asking you all to
13 consider this and give us the ability to open up as
14 we want to. Make suggestions, but don't force us to
15 have parking on the property, because it will
16 completely change the dynamic of it. We've covered
17 the employee parking situation. We believe there's
18 ample parking on this side. Well, I should say the
19 south side of the Prairie Path right there. It
20 doesn't interfere with the businesses. More,
21 DeMito's, all the parking on Villa. We think we're
22 kind of in a different section. So we ask you to,
23 you know, vote in our favor, and consider what an
24 asset this can become. Thank you very much.

1 COMMISSIONER JARRETT: Thank you. So we'll
2 move on to Staff input. Director Grill, whenever
3 you're ready.

4 MR. GRILL: Good evening. Mr. Kozar made a
5 very nice presentation about how he plans on
6 utilizing this property, which has been in the
7 Village many, many decades. It's unique from the
8 standpoint it's a rather small site.
9 Uniquely-oriented towards the Prairie Path.

10 One thing that I don't think he quite
11 mentioned, and it certainly didn't show up in any of
12 his drawings, was the fact that he's also going to
13 be utilizing a food truck, and it might be the same
14 food truck for a while. He might bring a different
15 food truck in, you know, given maybe the time of
16 year or something like that. So that would also be
17 part of this project, and it is shown on the site
18 plan that was included in your packet.

19 Again, this is a fairly small site, and
20 because of that, the petitioner is asking for a
21 variation to the parking. The Parking Code for the
22 Village requires that you have three -- that you
23 provide one parking space for every three seats, and
24 given the amount of seating that he showed on the

1 site, Staff estimated there would be the need for 20
2 parking spaces. The Code also provides that you
3 must provide at least 25 percent of your spaces on
4 site, and it does give you the ability to seek up to
5 75 percent of your required parking off site, if
6 it's within 300 feet. But given what the petitioner
7 has requested doing, and having an ice cream shop,
8 and likely having lots and children and families,
9 mixing lots of children and family with vehicular
10 traffic is probably not the most ideal situation.
11 And, therefore, that's why he is asking for this
12 variance request.

13 From a Village perspective, Staff has
14 spent a considerable amount of time looking for
15 additional parking spaces in this area. We've had
16 many meetings with the local business district about
17 how to accomplish that. We have talked at length
18 about having, you know, 15-minute parking here,
19 30-minute parking there, three-hour parking here,
20 and how it's all to be enforced. The Village has
21 added additional parking on Park Avenue. It also
22 added additional on-street parking on Central Avenue
23 that is all in an attempt to try to alleviate
24 whatever parking situations that people may think

1 exist in the Villa Park Business District, and the
2 Village is not done yet. The Village is still
3 seeking out additional opportunities providing more
4 parking in this area.

5 I am going to read several letters that
6 Staff has received from individuals who could not be
7 here tonight, but I did want to read them in the
8 record. I will start with an individual named
9 Christine. She says, thank you for your message.
10 We appreciate the time you took to share your
11 opinion on the matter. Oh, Christine Staunton who
12 says, for the Planning & Zoning Commission, I am
13 nearly a 20-year resident of Villa Park. I cannot
14 make the Zoning Commission meeting on April 12th,
15 but I would like to express my support for Jack
16 Kozar and his plans for the property at 324 East
17 Central Boulevard. I do not think that a few
18 parking spaces outweigh the benefits of having more
19 outdoor gathering, entertainment, and eating space.
20 In fact, I would like to suggest that the Village
21 purchase the empty property just east of 324 East
22 Central and make that additional downtown parking.
23 I believe in Mr. Kozar's plan and think it will help
24 revitalize the area and bring pedestrians and

1 cyclists from the Prairie Path. Please consider
2 approving his request to modify the zoning for the
3 property. Thank you.

4 And I do want to comment to her statement
5 about the Village purchasing the empty property just
6 east at 324 East Central. The Village has had many,
7 many, many conversations with the owner of this
8 property. He seems to flip flop back and forth
9 depending on the day that you talk to him, but the
10 Village is still trying to seek out that property.

11 The second letter is from Jess Spivak.
12 Hi. My name is Jessica Jess Spivak, and I am a
13 chairwoman of Villa Park's Environmental Concerns
14 Commission. After a recent presentation to the ECC
15 by Jack Kozar, manager of 324 East Central
16 Development, I support Kozar's aims and goals of his
17 apparent concern to beautify the Village with an
18 environmental approach.

19 If you are unaware of the location, it
20 once housed a gas station. I was impressed by the
21 different facets of Mr. Kozar's business being earth
22 friendly from the removal of many underground
23 storage tanks filled with fuel and the remediation
24 of tanks and surrounding soil to the choice of

1 placing bike racks on the premises for the patrons
2 who ride on the Prairie Path and Great Western
3 Trail, to the permeable pavers and up-cycled
4 materials planned to be used with a refurbishing of
5 two buildings on the property. Not to mention the
6 sustainable practices Kozar plans to implement with
7 providing food from an organic farm which he owns at
8 the end of the Great Western Trail in Sycamore, as
9 well as his plan to work with local businesses to
10 support local commerce.

11 It's clear Kozar has made a concerted
12 effort in being environmentally friendly. It would
13 be an asset for the Village to allow such
14 development to move forward. It could be one more
15 reason for folks to come visit Villa Park. Thank
16 you for your time. Sincerely, Jess Spivak.

17 I also got an e-mail from Joseph
18 Montgomery who says, I hope all finds you well.
19 Just a note to let you know that we support the
20 inclusion and addition of proposed ice cream behind
21 the old post office and by the gas station repair
22 shop located along East Central Boulevard between
23 Villa and Euclid. It should be a nice addition to
24 the neighborhood. As always, please feel free to

1 contact me any time you should have further
2 requests, comments, or questions. Have a safe and
3 healthy day. Joseph J. Montgomery.

4 And the last was an e-mail I received just
5 moments before the start of the meeting that says --
6 if you'd bear with me just a moment. Got to love
7 technology.

8 COMMISSIONER JARRETT: While we're waiting,
9 would it be possible to get that letter of the
10 parking agreement just to look at it, and then also
11 the parking -- photographs of the parking that you
12 took? That would be great. Thanks.

13 MR. GRILL: Okay. This is from Sandra Simon
14 Nichols. Hi, Mr. Grill. I am a 16-year Villa Park
15 resident, and I wanted to voice my support for the
16 ice cream shop that wants to go in near the Prairie
17 Path. I would appreciate it if you would support it
18 too. I believe it will add to the charm of our town
19 and make myself and my children very happy to have
20 somewhere where we can enjoy ice cream after our
21 walks on the path. Thank you. And kindest regards.
22 Sandra Simon Nichols.

23 So I just wanted to make sure that those
24 got read into the record. In the Staff memo you

1 will find questions that Mr. Kozar answered relative
2 to why he believes he needs -- why he has a
3 hardship, and why he needs these variances. The
4 Staff did put together a finding of fact, should the
5 Planning & Zoning Commission wish to make a positive
6 recommendation on this. As always, you always have
7 the ability to change, modify, or completely rewrite
8 these as you see fit. I also wanted to mention that
9 this was properly published in the March 22nd -- the
10 public hearing was properly published in the March
11 22nd, 2018 edition of the Daily Herald.

12 If this Commission does find in support of
13 the applicant's request, the following motion could
14 been entertained, and that would be to approve
15 application PZ-18-0004 for requests that include a
16 variation to the maximum permitted fence height from
17 six feet to eight feet along the north side of the
18 property, and a variation to required minimum
19 parking from 20 spaces to zero spaces, with the
20 following conditions. That the site be developed
21 generally as shown on Exhibit A, as submitted by the
22 petitioner, that the fence be erected generally as
23 shown on Exhibit B to a height of eight feet with a
24 finished side facing north. Obviously, if

1 petitioner wants to put a finished side on the south
2 side, that's certainly up to him. And with a
3 finding of fact that was included in the Staff memo
4 dated April 6th, 2018.

5 With that, I'll turn it back over to the
6 Commission. If they have any questions, I'll be
7 happy to answer them.

8 COMMISSIONER JARRETT: All right. Thank you.
9 So with that, we'll move into public participation
10 and questions. If you weren't here at the
11 beginning, anybody that wanted to speak was sworn
12 in. If you think you would like to speak and you
13 weren't sworn in, is there anybody here? If you're
14 the only one, then you can be sworn in when you come
15 up and speak.

16 So at this time, anybody wishing to speak
17 should come up to the podium, and try to limit
18 yourself to a couple of minutes, two or three
19 minutes, so everybody has a chance. And, I mean, if
20 you support the project, please come up and say so,
21 but if somebody makes a point, you don't need to,
22 you know, spend three minutes redoing the point.
23 Let all of your neighbors have a chance to speak as
24 well. And just state your name and address when you

1 come up to the podium.

2 So with that, we'll take the first
3 comment. Who wants to be first?

4 MS. STIEBER: Hi. Name is Michelle Stieber --
5 and do I have to say my address -- at 405 South
6 Cornell in Villa Park. So Jack and I are business
7 associates, and I just learned of this project
8 actually yesterday. I am a -- maybe what they call
9 a towny. I was raised here and have seen the
10 Village change. I went to school here, and I came
11 back to raise my family here.

12 Right before this we were at a baseball
13 game, and we got ice cream at Dairy Queen, and I
14 parked in their parking lot, and I urged my son to
15 not run out and -- you know, because there are cars,
16 and I made, you know, that, you know, statement to
17 him, and we dodged in and out of the drive-through
18 traffic and got our ice cream.

19 What Jack is proposing is, you know, just
20 an amazing vision, and I was instantly impressed
21 when he showed me the documentation. I believe that
22 this Village is on a, you know, upwards trajectory
23 in being -- you know, making a name for ourselves.
24 That area is certainly a hot area right now, and

1 this would only add to the improvement. You know,
2 down the block I actually owned a store on Park
3 Boulevard, and I had a children's store called Brown
4 Bear Boutique, and that area has turned over a lot,
5 and there's not a lot going on, so maybe if this
6 kind of family-friendly business comes in, then the
7 growth would continue down the line, down the path.
8 That would be -- you know, not only that Villa
9 district being successful, but then also bringing,
10 you know, that success near Ardmore as well.

11 So fully support his initiative and really
12 believe in the outdoor space and utilizing all that
13 space for people, not cars. Thanks.

14 COMMISSIONER JARRETT: Thank you. Whoever is
15 next. And you'll need to be sworn in. The court
16 reporter here will help you with that.

17 (Whereupon, the witness was sworn in
18 under oath.)

19 MR. OBYRNE: Hello. My name is Charles Obyrne,
20 and I live on 726 South Cornell Avenue. I would
21 like to say that as a cyclist and a skateboarder,
22 this is a very good idea, because it's very
23 accessible for me to get there and all my friends to
24 get there, because places like McDonald's or

1 Mickey's, it's on a very busy road, and I do not
2 feel safe at all to be riding on the sidewalk,
3 because the sidewalk, you know -- I just don't want
4 -- I just don't want to be next to it. I would also
5 like to say that this is a place that I feel safe
6 also going to, because places around there like
7 DeMito's or More, I would not go in alone to
8 DeMito's. I would not go alone to More. But I
9 would go in alone to this new establishment, because
10 it sounds great, and it sounds family friendly. I
11 feel safe. I feel I can go in there, you know, feel
12 great, get some stuff and then leave. I don't have
13 to, you know -- yeah. And I just think -- I just
14 think it's a really good idea for this to be in
15 there.

16 COMMISSIONER JARRETT: Okay. Thank you.
17 Whoever is next. Please.

18 (Whereupon, the witness was sworn in
19 under oath.)

20 MS. MURPHY: My name is Fiona Murphy. I live
21 at 233 South Oakland Grove in Elmhurst, which is
22 technically Villa Park. We're like right there, so
23 I can walk anywhere, but -- so I'm a high school
24 student at Willowbrook, and I think this would be a

1 great place for my friends and I to go over the
2 summer, because I know I'm always on the Prairie
3 Path. I do track, and a lot of my friends do, so
4 we're always on the Prairie Path. And then we also
5 use it to get around, and it would be a great place
6 to go get ice cream and just hang out, and we feel
7 safe and be away from the cars, and I think it would
8 really add to our town and make it more unique.

9 COMMISSIONER JARRETT: Thank you. Whoever is
10 next. Yeah. You don't have to wait for me to --
11 come up.

12 MR. MEEKER: Hi. My name is Kevin Meeker. I
13 live at 318 South Myrtle, and I'm actually right
14 down the street. I see it -- from the front of my
15 street I see the property that we're talking about
16 there. So Jack is actually my neighbor at the end
17 of the block there.

18 We moved here approximately six and-a-half
19 years ago, and when we moved here I really got
20 involved in the community. So much that I wanted to
21 be a Commissioner, so I'm part of the Traffic &
22 Safety Commission as well too. Did that for my
23 family that's here. So when I look down the street
24 and I see this, and I talked with Jack, and I saw

1 the opportunity that this property has and what this
2 gentleman wants to do for the area, not just for the
3 people that live in this area, but also bringing
4 other people into the community that travel
5 constantly back and forth on the Prairie Path.

6 My family and I use the Prairie Path
7 ourselves, and when we do sometimes we'll go all the
8 way out to Geneva. We never see anything like this
9 along the path. So just imagine people stopping
10 along the path in our area, seeing things like this.
11 Bringing more people to the community that like to
12 have the activity of the Prairie Path, buy more
13 homes possibly in the area, bringing more businesses
14 to the area, more revenue, more taxes as well too.

15 So I hope that you support this very small
16 request of not having this very limited parking. I
17 believe that Jack had shown that he can accommodate
18 the parking for his employees as well as the
19 additional parking that has already been put in by
20 the city just south on Park as well as the new
21 parking restrictions put in into that area. So
22 supporting this PZ-18-0004 I think would be a
23 benefit for the community, for our families, as well
24 as your families as well, and I hope that you

1 support this. Thank you for your time.

2 COMMISSIONER JARRETT: Thank you.

3 MS. MURPHY: Hi.

4 (Whereupon, the witness was sworn in
5 under oath.)

6 MS. MURPHY: So my twin sister just talked. My
7 name is Maeve Murphy, and I live at 223 South
8 Oakland Road. Being a new driver -- I also go to
9 Willowbrook -- it's hard, especially in this area,
10 to find some place if you just want to go for ice
11 cream or just hang out, because I don't always have
12 the car, and we have to go to places like Elmhurst
13 or Lombard and not accessible to walk. It would be
14 really nice to have something in the area that would
15 be safe to get to and not have to bring a car to,
16 so -- yeah.

17 COMMISSIONER JARRETT: Thank you.

18 MS. CHILDRESS: Hi. My name is Meg Childress.
19 I live at 240 East Oak Street, and I guess I -- you
20 know, I moved to Villa Park about nine years ago,
21 and one of the things I really liked about it is
22 it's location. It's such a great location. There's
23 lots of walkable and bike-able places to go, and I
24 just -- I totally support this. I think it's such a

1 great -- that intersection of the two paths is like
2 -- this is perfect, so I'm in.

3 COMMISSIONER JARRETT: Who's next? Anyone?

4 MR. ODDO: My name is Anthony Oddo, 211 South
5 Villa Avenue, representing Michael Anthony's Pizza.
6 I've spoken with Jack. I've spoken with many of the
7 other business owners in the area. We think the
8 idea is -- would be a welcomed idea or addition to
9 the area, but the parking is a major concern. It's
10 not something that we think is a problem. It is
11 truly a problem. And some of our concerns are if
12 the variance is granted for this petitioner, what
13 happens to other businesses in the area that want to
14 come in and possibly ask for the same variance. We
15 hope that the area does get more business and
16 increases the traffic down there, but without more
17 parking it's going to be a problem, so that's all.

18 COMMISSIONER JARRETT: Thank you.

19 (Whereupon, the witness was sworn in
20 under oath.)

21 MS. MEEKER: My name is Andrea Meeker, and I
22 live at 318 South Myrtle Avenue. A point that I
23 don't think a lot of people touched on was -- is
24 this on -- okay.

1 I'm a mother of a young son, and I see a
2 lot of kids in the community that don't have any
3 place to play, or not to play but to hang out. I'm
4 an employee of Villa Park Public Library, and the
5 only place that I feel like children have to go that
6 is safe and they feel comfortable is the library.
7 And while I'm a big advocate of that and I think
8 it's great that they come to the library after
9 school, I think it would be good to have an
10 alternative to be somewhere else besides the
11 library, because, as far as I know, there's nowhere
12 for children to go in this town that is safe and
13 that they can be children. There's no pizza place.
14 Well, I mean, there is pizza places, but even the
15 parks. I don't really feel like the children feel
16 safe, that they have a place to call their own or to
17 just go get an ice cream. So as a mother of a young
18 child here in the community, I think this would be
19 really great for them, and I hope the community
20 supports it. I think it will be good for us. Thank
21 you.

22 (Whereupon, the witness was sworn in
23 under oath.)

24 MR. GOLES: Hello. My name is Frankie Goles.

1 I live at 424 South Ardmore Avenue. I'm in eighth
2 grade, and I don't -- I can't drive a car or
3 anything, so the only way of transportation I have
4 is either bike, skateboard, or walk with all my
5 friends, so I think that if I want to go to play
6 basketball at Lions Park and go to 7-Eleven, I think
7 that instead of going somewhere just to play
8 basketball I think we should be able to have like a
9 food place to go to that has everything. Like you
10 can go there for lunch and dinner and dessert and
11 anything. So I just think that it will help a lot
12 for our community.

13 COMMISSIONER JARRETT: Thank you.

14 MS. GOLES: Hi. My name is Riley Goles. I
15 live at 424 South Ardmore. That's my brother. I
16 feel that there's a lot of kids who cannot drive yet
17 in Villa Park that don't have anywhere to go, and
18 usually they have to have rides to get to other
19 places like in Elmhurst or in Lombard where there
20 are things to do for people, and they're safer
21 places for kids to go and hang out and do more
22 things. There's more opportunities. And I think
23 that if we have this opportunity that we don't take
24 we're not going to have any more after that. I feel

1 like if we have more people coming in and we have
2 more traffic coming into -- like, there's places to
3 go in Villa Park, that opens up more opportunities,
4 because other businesses are going to see him taking
5 these chances, and they're going to take more
6 chances, and soon we can have like way more places
7 to go for students and people who can't drive yet,
8 and I always think that -- I don't know if anyone
9 else like thinks of these things, but there's a lot
10 of the basketball courts that are like in like
11 little, tiny places that are unsafe, and my mom
12 doesn't usually let my brother go to Lions Park
13 because of other kids that come in and do things
14 that are illegal, or there's bullying that happens
15 there, and I think that if we have more people
16 coming in, families around in like restaurants, we
17 can have more places around that are more public.
18 Like maybe someone can build a basketball court
19 after that that's where people can see. They can
20 see their children playing. And I go to Willowbrook
21 also. I'm a runner on track and field, and I love
22 to run, and usually I always have to run to Elmhurst
23 to get a coffee or something, and I feel like it
24 would be really nice if we had a place in Villa Park

1 that's local, that we can have way more access to,
2 and then I just think that will be great.

3 MS. PINGEL: Hello. My name is Meagan. I'm
4 from 335 East Kenilworth. First off, I would like
5 to say I love the idea. I think it's great. I
6 think it's beautiful. It would be wonderful for the
7 neighborhood. I love everything that everyone here
8 has to say. I would love for there to be a place
9 for people who don't drive to have a place to go to
10 or be able to go to. It's wonderful. However, the
11 parking issue, again, is a problem. I'm sorry.
12 Yes, there's a spot for your employees to park. The
13 post office just sold. That was a lot of parking.
14 They are now fencing that off, and that is no
15 parking right now. I love that, you know, you guys
16 have been doing your homework. You have your
17 pictures of the parking right now. We have not hit
18 summer yet. We do not have an issue yet with
19 parking. We do -- let me take that back. We have
20 an issue with parking right now. The summertime is
21 a whole other ball game, okay. We have absolutely
22 no parking. Saturday and Sunday days there is not a
23 parking spot in all of Villa Park. People are
24 driving around. I get it all the time. It is not

1 fair to current businesses that have been open for
2 all these years in Villa Park that are now suffering
3 because -- I would love to support it. I cannot
4 support it. There is a problem that has not yet
5 been taken care of. Once that is taken care of, I
6 would love to have more business in Villa Park. I
7 think it's a beautiful design, everything. I love
8 it.

9 This is a seasonal business that you're
10 looking to have. Our problem is our seasonal
11 business too. Saturday, Sunday mornings in the
12 summer. Those pictures -- we don't even have a
13 parking issue so much right now as far as in a few
14 weeks you will not be able to park anywhere. I
15 understand that this is a bike-friendly Prairie Path
16 focused business. However, I hope, plan you're
17 going to have great food, you're going to have a
18 great atmosphere from the looks of it. I want to go
19 there. However -- yes, maybe I'll go there on my
20 bike, but tomorrow after I had a beef sandwich or a
21 barbecue, this, that, or the other, maybe I want to
22 drive back the next day and I'm in my car.

23 Once again, I would love to be able to
24 support this. I cannot. We have a problem in the

1 Village right now currently existing. It is not
2 okay or fair to the existing businesses that have
3 been here for years to now suffer even more than we
4 already have been, because it has not been taken
5 care of yet. And once the parking situation is
6 taken care of, I'll high five you. Let's do it. I
7 can't wait to have another business. Let's make
8 downtown Villa Park awesome. Right now we have a
9 problem. Thank you.

10 COMMISSIONER JARRETT: Thank you.

11 MS. KRIEGER: Hi. My name is Kim Krieger. I
12 have a little business on Villa Avenue and several
13 other properties in the area. I love your idea. I
14 do have a problem with the parking. I drove past
15 there tonight, because I actually came here half an
16 hour early, so I thought let's go see what's there.
17 I looked in the museum parking lot. There were five
18 spaces open, okay. There were maybe three or four
19 on -- I think that little street is Cortesi.
20 Everything else was full. I would a hundred percent
21 support your idea, but we really need the backing of
22 the Village to put in additional parking. I really
23 feel like it's up to you guys to make that happen.

24 Have any of you gone down there in the

1 evening on a Friday or a Thursday night? Linda,
2 have you gone?

3 COMMISSIONER BELLOW: Yes.

4 MS. KRIEGER: And did you see a parking
5 problem?

6 COMMISSIONER BELLOW: Yep.

7 MS. KRIEGER: Okay. How about you, Jason?
8 Have you gone down there on a Thursday or a Friday
9 night, let's say 6:00, 7:00? How about you, Vince?
10 Have you gone?

11 COMMISSIONER GATTO: Yeah. And I haven't seen
12 a parking problem.

13 MS. KRIEGER: You haven't? Well, then you
14 haven't been down there on the right night. How
15 about you Mike? Have you gone down there?

16 COMMISSIONER ORLOWSKI: Every day.

17 MS. KRIEGER: Well, I think honestly because I
18 do own a business there, there is a parking problem.
19 If you can put in another 20 spots along somewhere,
20 that would really resolve it. I also love the idea
21 that you have your employees going to park out of
22 the area. I don't really hear that from some of the
23 other businesses. I personally have enough parking
24 for my employees, but that's not the case for many

1 businesses. I support them if they can get the
2 additional parking, but that you guys have to make
3 happen.

4 AUDIENCE MEMBER: Are we allowed to go back up
5 to just kind of comment on something that was made?

6 COMMISSIONER JARRETT: Not really.

7 MR. GOLES: Can I make a comment?

8 COMMISSIONER JARRETT: Yeah.

9 MR. GOLES: I swear to tell the truth. My name
10 is Steve Goles. I'm at 424 Ardmore. And there
11 really isn't a parking problem. I mean, I've gone
12 there at night. I've driven by. If you have to
13 walk half a block, okay. So, I mean, I'm sure
14 there's some people that are handicapped, and things
15 like that, and they're going to have a little
16 trouble, but in general there's really not a parking
17 problem, if you're willing to walk a half a block or
18 a block. But more importantly, there's literally no
19 businesses to go to. Especially for kids. I mean,
20 I don't know anyone's business here, but most of the
21 businesses up and down, they're not retail friendly
22 to walk. You know, if you go to one place maybe
23 you'll go to More, but -- unless you're drinking and
24 want to do gambling or, you know, things like that,

1 there's really nowhere to go. Especially for the
2 kids. It's really sad when I have kids over and
3 they're like, oh, where do you want to go, and
4 they're like, you know, I want candy. Oh, let's go
5 to the liquor store down the street. I'm not
6 kidding. This has been going on for years. And
7 once the kids hit about sixth grade, you know,
8 before that they're -- they don't know what's going
9 on, but once they hit sixth grade, it's like, oh, my
10 God, what's going on in this town, why isn't there
11 anywhere to go. Why do we have to drive into
12 Chicago, Oak Park, Downers Grove, Lombard, Elmhurst.
13 I mean, pretty much any other town around has more
14 to do for the kids. So we need this, you know. If
15 there's three parking spots or four, whatever it is,
16 I would take this business, you know. If you had to
17 put 10, 20 other businesses here, I would take this
18 for the kids. Do it for the kids, you know. And
19 like my daughter said, when the kids even go to play
20 basketball, there's always an issue. I drive by
21 that court right now, and it looks like they fixed
22 it up. Last year I drove by month to month, and it
23 looks like tree branches were laying there. I got
24 pictures it. Tree branches laying on the court.

1 There's cracks in the court. The kids go there, and
2 they steal your basketball. Kids are doing drugs or
3 whatever. It's horrible. The parks are terrible.
4 Give them something, please. Thank you.

5 COMMISSIONER JARRETT: I would ask that we not
6 applaud. I know you guys support the project, but
7 this is a public hearing, and there are different
8 sides, and we're all neighbors, and some people
9 might feel that it's adversary. I mean, it's not
10 meant that way. I understand that. And it hasn't
11 happened much, but --

12 MS. SOLEM: Karen Solem, 329 East Park
13 Boulevard. I personally took 90 percent of all of
14 those photos that you're looking at. They were
15 taken at 2:00, 7:00, every day for at least two
16 weeks. Over that course, we covered Easter. Easter
17 weekend. Everybody is home from college, and
18 they're visiting the local taverns, coming into
19 Villa Park and parking. There is a 10:30 p.m.
20 Saturday night photo. It's larger, because you
21 can't do panoramic once it gets dark. So it's
22 printed, put together. There's two different
23 evenings that I printed that way. You can see in
24 front of our house these new parking spots that you

1 so graciously put in for people to use are
2 underused. If not, not used. The problem is that
3 people aren't coming over to utilize them and just
4 complaining that now a semi-congested area is now
5 being congested, and this is called growth. New
6 business cannot move into towns and have ample
7 parking. You just have to expand, and you have to
8 understand that if you're driving a car you may not
9 be able to park right outside or where you normally
10 park, because you have new business coming in.

11 In front of our house on Park Boulevard
12 you have provided 23 new spots. The only time I
13 have seen more than two spots being used is when
14 More Brewing has their new release early in the
15 morning on a Saturday. We have parking everywhere.
16 I honestly did not know what was going on in our
17 town, and I saw people standing on the Great Western
18 lined up. I thought there was a rally. This was
19 when Trump was brought into office, and I seriously
20 thought something was happening that we didn't know
21 about. Then I found out.

22 If someone wants to find parking, they
23 will find parking. These spots are not being used.
24 They're not being used by employees of businesses in

1 the area. They don't know about them yet or haven't
2 been told. This spot right south of and adjacent to
3 these on the same road that have been existing, five
4 spots by the historical museum. Typically there's
5 one car in there, and that's the employee of the
6 historical museum that's parking there. Four other
7 spots are open except for the workers for the new
8 vegetation that you've put in on that greenery. Our
9 front of our house, the windows overlook this view
10 all day long. Morning, noon, night. I work from
11 home. I see it. Those spots are available. You
12 have ample parking. You also have street parking
13 right in front of there. The existing spots that
14 you have on the path, it's not on a road, it's a
15 parking lot right west of the historical museum.
16 There's 30 spots. So together in just those two,
17 within maybe 25 feet of each other, there are 58
18 total underused parking spots. I would encourage
19 any other business that exists to use those spots.
20 That's where your employees should be parking so
21 that your clients or your customers can park closer
22 to your business. Utilize the existing that Villa
23 Park has provided. Utilize them. They're not being
24 utilized. I see it. And that's all that I have to

1 say. Thank you.

2 COMMISSIONER JARRETT: Thank you.

3 MR. KOZAR: Can I ask a question, or --

4 COMMISSIONER JARRETT: You'll get a chance for
5 final comments, and we'll probably have questions
6 for you, so there will be plenty of chance for you
7 to speak. Please, go ahead.

8 (Whereupon, the witness was sworn in
9 under oath.)

10 MR. FLEMING: So I really like the idea and --

11 COMMISSIONER JARRETT: Could you state your
12 name and address?

13 MR. FLEMING: Oh, sorry.

14 COMMISSIONER JARRETT: Thank you.

15 MR. FLEMING: Bennett Fleming, 707 South Summit
16 Avenue.

17 COMMISSIONER JARRETT: Thank you.

18 MR. FLEMING: Like Charlie, I and all of my
19 friends, we're always on the Prairie Path walking
20 pretty much everywhere, because we can't drive, and
21 this would be an amazing idea, because not only it's
22 open for kids, it's open for everyone. It's also a
23 more affordable option, better than like More, which
24 is good, but it's really expensive, and same with

1 McDonald's, and most kids get paid allowance, and
2 some don't even get paid allowance, so better
3 option.

4 COMMISSIONER JARRETT: Thank you. Anyone else
5 wishing to speak at this time?

6 All right. Seeing none, I will close the
7 public participation and questions and move to
8 questions from the Commission. I have a list, but
9 if anybody else wants to start.

10 COMMISSIONER GATTO: Yeah. I have a list too.
11 I'll start. You're talking about a eight foot fence
12 along the whole back of the property. Are you just
13 talking between the two buildings and then you would
14 drop it down to a six foot fence the rest of the way
15 to the trash corral?

16 MR. KOZAR: So the thinking was eight foot
17 fence right here in the middle, and eight foot fence
18 over here as well. So you're going to have -- which
19 is represented here in this picture. This is the
20 property right here. The fence would be back here,
21 and back here these are the bike racks. This is the
22 little fenced in area for the garbage. So, yeah, we
23 were actually thinking of continuing this fence, you
24 know. Having it all just be the same height.

1 COMMISSIONER GATTO: Okay. Did you consider
2 six feet to the east of that building and just have
3 eight feet between the two buildings? The reason
4 why I'm asking is your trash corral only has to be
5 six feet tall. Would that be a change you would
6 make?

7 MR. KOZAR: I would consider it. This is --
8 the fence was really a secondary issue, so -- you
9 know, we were just trying to keep it all -- like the
10 continuity of it together.

11 MS. SOLEM: Uniformed.

12 MR. KOZAR: Yeah. And uniform. So that's why
13 we were thinking just continue with the full eight
14 foot fence down to the trash corral, so --

15 COMMISSIONER GATTO: I understand. I mean, the
16 building breaks it up, so it really might not even
17 be noticeable to the eye that one fence is lower. I
18 was just wondering if you would entertain that.

19 MR. KOZAR: Sure. What's your -- if I may ask,
20 what's your concern on the fence?

21 COMMISSIONER GATTO: Because it's a variance.
22 It's a tall fence, and, as you know from your own
23 property, they start to lean the higher they go.
24 You have a six foot fence at your property, and

1 there's parts that are leaning right now. So you
2 could only imagine an eight foot fence, how much
3 that will lean over time. So maintenance would be
4 the thing. Maintenance free, esthetics, and I don't
5 think it's necessary to have, you know, a wall that
6 high, you know. It would make the variance even a
7 little easier to grant for that particular item.

8 COMMISSIONER JARRETT: Yeah. While we're on
9 the fences, I was kind of wondering the same thing.
10 What do you feel that you gain? Is there anything
11 beyond esthetics for you that an eight foot fence
12 gives you that a six foot fence doesn't?

13 MR. KOZAR: It's only for esthetics. I mean, I
14 would hope that nobody's jumping the fence. A six
15 foot fence or an eight foot fence, you know. I
16 mean, maybe if they got enough, you know -- I don't
17 know. Whatever they're doing. But I shouldn't
18 think that anybody would be hopping that fence, you
19 know.

20 COMMISSIONER GATTO: Six or eight.

21 MR. KOZAR: Right. But especially between the
22 two buildings. I think that, you know, number one,
23 having a fence of any size back there kind of brings
24 out the building, and, you know, it kind of contains

1 everything. So, I mean, it has to be big enough
2 that it isn't appealable like -- it's not appealing
3 to anybody to try to jump over the fence. You know,
4 like a four foot fence might be or something like
5 that. So that was kind of our thinking with the
6 eight foot fence.

7 COMMISSIONER GATTO: All right. Then are you
8 going to be open in the winter?

9 MR. KOZAR: So I don't think that we're going
10 to have much business in January, February, and
11 March. You know, the Prairie Path -- like, I can't
12 bike typically in those months, you know, because of
13 the ice on the path and stuff, and there just isn't
14 much path, so what our thinking is is that we would
15 close down for those three months. You know, we
16 would button up the property, remove -- you know, if
17 there's a food truck on there. I have a warehouse
18 up in Wisconsin, just outside Lake Geneva, you know,
19 so if we housed it in there, we would get everything
20 off the property, button it up. So our current
21 business plan is that we would close January,
22 February, and March. I think that November and
23 December can be a lot of fun, because you're
24 getting, you know, the Thanksgiving holiday, you got

1 Christmas in there. I think we could do a lot of
2 fun stuff in December. Even if we cut our hours and
3 only did Friday, Saturday, and Sunday, you know,
4 doing hot chocolate and putting Christmas trees on
5 the property. And I don't know if they still do it
6 but there used to be a sleigh ride on the Prairie
7 Path. So, you know, probably weekends in December.
8 But that's what we're thinking.

9 COMMISSIONER GATTO: Okay. In one of your
10 drawings -- it was the interior of the garage -- you
11 had a square in the middle of the floor, and I saw
12 it. It looked like it had bar stools, and then
13 there was a square in the middle of the floor. And
14 we don't have that drawing.

15 MR. KOZAR: You're looking at this drawing
16 right here?

17 COMMISSIONER GATTO: Yeah. What is that
18 square?

19 MR. KOZAR: Yeah. So, for everybody else to
20 see it, what I wanted to do was just put a table, a
21 large table, right in the middle. So the thinking
22 is if you grab something from the food truck, you
23 know, right here, you can walk into the building,
24 and it's kind of just this large public table where

1 you can put your stuff down on the table and you can
2 stand around it. That's what I was thinking with
3 this. And then on the sides of the building here we
4 would have kind of, you know, like a ledge of some
5 sort. That was our thinking behind it.

6 COMMISSIONER GATTO: Okay. And that would be
7 standing room?

8 MR. KOZAR: Yeah. Kind of like standing room
9 only type situation.

10 COMMISSIONER GATTO: 20 parking spaces based on
11 the amount of tables you have, but really five is
12 what he would need on site. 25 percent of 20 is
13 five; correct?

14 MR. GRILL: Correct.

15 COMMISSIONER GATTO: So he would need to have
16 five -- if he came up with five spots on site and
17 didn't ask for an eight foot fence, he could open up
18 his business tomorrow; correct?

19 MR. GRILL: Not necessarily. We would have to
20 ascertain whether or not there were another 15
21 spaces within 300 feet of this site.

22 COMMISSIONER GATTO: Would that include the
23 unused spaces on the south side of the Prairie Path?

24 MR. GRILL: Any public space, yes.

1 COMMISSIONER GATTO: So even if the 300 feet
2 meant you were walking across the Prairie Path.

3 MR. GRILL: Yes.

4 COMMISSIONER GATTO: Okay.

5 MR. KOZAR: So, if I may, it's 25 percent of
6 the number of tables?

7 MR. GRILL: No. 25 percent of the required
8 parking has to be provided on site. You can seek
9 the ability to count off site spaces if they're
10 public and within 300 feet of your property.

11 COMMISSIONER JARRETT: And then the parking
12 requirement, if I'm recalling, was one per seat or
13 one per every three seats; correct?

14 MR. GRILL: Correct. Yes.

15 MR. KOZAR: So based on this drawing, that
16 would be -- we've got one, two, three, four, five,
17 six, seven, eight, nine, ten, eleven, twelve,
18 thirteen. So we're looking at, based on this
19 drawing, four spots. How are you coming up with 20?
20 Oh, seats. Not tables. Seats.

21 MR. GRILL: No. Spaces. Parking spaces.

22 COMMISSIONER JARRETT: How many spaces do you
23 have inside roughly? I mean, how many chairs do you
24 have?

1 MR. KOZAR: I have no seats inside. Everything
2 is picnic benches outside.

3 COMMISSIONER GATTO: You don't have any stools?

4 MR. KOZAR: There are stools.

5 COMMISSIONER JARRETT: Does that count, or is
6 it just tables?

7 MR. KOZAR: I just put a couple stools up by
8 the -- you know, the beverage bar.

9 COMMISSIONER GATTO: Well, it's easy. You have
10 15 tables.

11 COMMISSIONER JARRETT: So basically you have
12 about 60 seats.

13 MR. KOZAR: Correct.

14 MR. GRILL: So 60 seats divided by three, 20
15 spaces.

16 MR. KOZAR: I got yah.

17 COMMISSIONER GATTO: I mean, just based on your
18 outside tables, without even going to the inside,
19 you need 20 spots.

20 MR. KOZAR: Okay.

21 MS. SOLEM: Every business in Villa Park needs
22 that?

23 COMMISSIONER GATTO: I'm sorry. What?

24 MS. SOLEM: Every business in Villa Park needs

1 that?

2 COMMISSIONER JARRETT: The way the Zoning Code
3 works is every use is different. Uses are
4 different. Uses are broken into categories. Each
5 use has a different parking requirement.

6 MS. SOLEM: So food or restaurants or --

7 COMMISSIONER JARRETT: I'm guessing that's what
8 this is based on.

9 MR. GRILL: Yes.

10 COMMISSIONER JARRETT: But we are -- I'm not
11 sure about our Ordinance -- but some even break it
12 down into quick-serve restaurant versus other types
13 of restaurants, but then you -- I mean, every use is
14 different.

15 MS. SOLEM: Okay.

16 MR. KOZAR: If I can ask a follow-up question
17 on that to Patrick. Are all the establishments in
18 that downtown district in Villa Park in compliance?

19 COMMISSIONER GATTO: You know, I'm asking the
20 questions here. Let me finish my questions.

21 MR. KOZAR: Sure. I'm sorry.

22 COMMISSIONER GATTO: You anticipate most of
23 your customers being on foot or cyclists, right?

24 MR. KOZAR: Right. That is our business model.

1 COMMISSIONER GATTO: And on the thing that the
2 church gave you, they didn't specify how many spots.

3 MR. KOZAR: They don't have a requirement as
4 long as it's our employees. And from my
5 understanding as well, the church has expressed that
6 the Village of Villa Park can have overflow parking
7 in their parking lot as well.

8 COMMISSIONER GATTO: So they'll give you
9 24-hour access.

10 MR. KOZAR: Correct.

11 COMMISSIONER GATTO: Now, are you talking about
12 parking where the camper is behind your property?
13 Is that -- there's a camper behind your property.

14 MR. KOZAR: Right. That's my camper.

15 COMMISSIONER GATTO: So is that where the --

16 MR. KOZAR: No. It's the parking lot proper
17 that's there. They just repaved it, re-blacktopped
18 it, and put new lines on it. That's the parking lot
19 that they have. That's what they're referring to.

20 COMMISSIONER GATTO: Okay. One thing that was
21 mentioned a lot here, and there's been a lot of kids
22 that have said, you know, this is the place for us.

23 MR. KOZAR: Uh-huh.

24 COMMISSIONER GATTO: But there's also going to

1 be alcohol served. That's kind of a tough scenario.
2 It looks like you made accommodations with the
3 washroom, so the kids aren't walking through the
4 bar.

5 MR. KOZAR: Right.

6 COMMISSIONER GATTO: I think you might have to
7 go above and beyond what the Village is going to
8 provide you as far as keeping the kids safe. If you
9 do have people that are going there solely to ride
10 their bike across town and, you know, a bunch of
11 middle-aged adults are going to go to a bar or go to
12 your place, drink, hop back on the Prairie Path,
13 and, you know, you're going to have kids that you're
14 going to have to look out for, because it's obvious
15 there's a lot of kids here. So do you have a plan
16 in place for that? Because that would be key, I
17 would think.

18 MR. KOZAR: Okay. So -- well, one thing that I
19 didn't mention -- I forgot to mention a couple
20 things. One is the organic farm that I'm invested
21 in up in Sycamore, which was briefly mentioned, but
22 the other item was in our plan which -- I mean, you
23 can't really show it on here, but we want to have
24 security cameras on the buildings, and on those

1 security cameras, the video access will be posted on
2 line, and our thinking was that we could just post
3 that, and people could look at the outdoor security
4 camera. So, you know, if their kids are up there
5 and they -- you know, if the kid says, hey, we're
6 going up to, you know, Creme to get ice cream, 3:00
7 in the afternoon or something like that, and the
8 parents want to check in and say, you know, is he
9 really in there, they can go to the website and
10 check it out. Like, for example, on my house I've
11 got security cameras all around the perimeter. At
12 any point I can pick up my phone, hit the app. I
13 can see exactly what's going on in my own yard.
14 Same general concept. So, you know, I thought that
15 would be a -- you know, that's a good security
16 measure.

17 COMMISSIONER GATTO: Yeah. That seems like a
18 -- that seems pretty good, actually, you know. I
19 mean, I don't know -- you know, I mean, it's kind of
20 an after the fact thing, but it's still better than
21 nothing, so --

22 MR. KOZAR: Yeah. And I think the bathroom
23 too, you know. I know the price to having a
24 bathroom that opens to the outside is that everybody

1 on the Prairie Path is going to use it like a public
2 restroom. I fear that, but so be it. That's what
3 it is. But, you know, we want it to open from the
4 outside, you know, so kids don't have to go in here.
5 You know, and if their parents are sitting at a
6 picnic bench, they're still line of sight, and they
7 can see what's going on.

8 COMMISSIONER GATTO: Okay. Thank you. Then I
9 have a question of Meagan. Is she still -- you're
10 with DeMito's, right?

11 MS. PINGEL: Yes.

12 COMMISSIONER GATTO: How many parking spots
13 does DeMito's have on site?

14 MS. PINGEL: I want to say it's about seven.

15 COMMISSIONER GATTO: So seven that DeMito's
16 owns, right? It's DeMito's parking.

17 MS. PINGEL: Yes.

18 COMMISSIONER GATTO: And then do you know how
19 far off the parking variance you are based on the
20 tables you have?

21 MS. PINGEL: I don't know how far off it is,
22 but I know when the business was opened, there
23 wasn't a parking issue, and that was at the time,
24 whatever it was, taken care of.

1 COMMISSIONER GATTO: Yeah. I actually remember
2 when Debbie came in here and asked for the variance,
3 and the other businesses were like it's a parking
4 issue. It's going to be a parking issue. And my
5 response was a parking problem is a good thing, and
6 we have to have faith in the town to solve it. But
7 I'm just -- I needed to know your parking ratio.

8 Tony, you're -- outside of the parking
9 behind you, do you have any --

10 MR. ODDO: That lot. The big lot across the
11 street.

12 COMMISSIONER GATTO: Is that something --

13 MR. ODDO: Our sign is posted on it. They have
14 an agreement with 207 South Villa.

15 COMMISSIONER GATTO: Okay. But didn't somebody
16 buy that building and then tear it down or
17 something, or turn it into a lot and gave you guys
18 access because --

19 MR. ODDO: No. I'm talking about the bank
20 building where Ballroom City is next door.

21 AUDIENCE MEMBER: Where Josephine's is.

22 MR. ODDO: Where Josephine's is. Their parking
23 lot --

24 MR. KOZAR: Directly across the street.

1 MR. ODDO: It's all one parcel.

2 AUDIENCE MEMBER: The long parking lot that you
3 can enter the one way and exit on the other way.

4 COMMISSIONER GATTO: Yeah. That's the one I'm
5 thinking of. That was -- somebody provided that.
6 Who owned the building over there?

7 MR. ODDO: It's a private lot.

8 COMMISSIONER GATTO: Yeah. I'm saying, he --

9 MR. ODDO: Jeffry O. owns that lot, and he
10 owned previously my building I purchased from him 11
11 years ago, and he owns the building next door at
12 204. He owns those four parcels. Two on the east
13 side. Two on the west side.

14 COMMISSIONER GATTO: And he opened that parking
15 up to everybody, right?

16 MR. ODDO: No. There's specific signage on it
17 for who is allowed to use it.

18 COMMISSIONER GATTO: Do you guys like pay for
19 that parking spot or -- you have an agreement,
20 right?

21 MR. ODDO: Yeah. We have an agreement that
22 we're allowed to park there.

23 COMMISSIONER GATTO: Okay. Now, the reason why
24 I'm -- it's getting to your parking problem, which

1 is --

2 MS. KRIEGER: Kim.

3 COMMISSIONER GATTO: Kim, are you also -- do
4 you get to use that lot too?

5 MS. KRIEGER: I can use that lot, but I have
6 parking for nine on my property.

7 COMMISSIONER GATTO: Okay. Because I'm
8 wondering if you were to build, could that lot be
9 buildable and we would lose that parking too?

10 MR. ODDO: What lot are you talking about?

11 COMMISSIONER GATTO: Your parking lot across
12 the street.

13 COMMISSIONER JACKSON: Shared parking lot.

14 COMMISSIONER GATTO: No. But I'm saying if it
15 were sold, you would lose the rights to park.

16 MR. ODDO: It's the same parcel --

17 (Whereupon, there was an inaudible
18 public discussion.)

19 MS. KRIEGER: And then the little bird
20 sanctuary that used to be on the corner which is now
21 vacant, that little section of that square that's
22 fenced off over there goes with that property.

23 AUDIENCE MEMBER: Like in the first --

24 COMMISSIONER ORLOWSKI: Right. But what Vince

1 is trying to say is like today it's a parking lot.
2 If the property was sold tomorrow and they built a
3 building there and eliminate the parking lot.

4 AUDIENCE MEMBER: I get what the parking -- I
5 see --

6 AUDIENCE MEMBER: No. That won't happen,
7 because it's one -- it's one tax ID number for --
8 the bank building, and the parking lot are one
9 parcel. It will not be separated.

10 COMMISSIONER JARRETT: The owner could have it
11 subdivided.

12 AUDIENCE MEMBER: Well, right now it's one
13 parcel, so --

14 (Whereupon, there was an inaudible
15 public discussion.)

16 MS. KRIEGER: If they could just provide some
17 more parking just -- you know where the museum
18 parking lot, there's 35 cars that dead ends right at
19 Cortesi. There's a little path there. I don't know
20 why they couldn't do like they did on the other side
21 and put either parallel parking or put another 20
22 spaces there. I don't see why that's --

23 AUDIENCE MEMBER: And that's just paint.

24 MS. KRIEGER: Well, no. They would have to dig

1 it out, put blacktop in. I mean, they did it on the
2 other side. I think that would solve a lot of
3 people's -- and also I know they do have --

4 COMMISSIONER GATTO: You know, I lost track of
5 what you were saying. Could you start over?

6 MS. KRIEGER: Sure. So you know where the
7 historical museum is. There's a parking lot there,
8 right?

9 COMMISSIONER GATTO: Right.

10 MS. KRIEGER: Okay. Then it used to be longer,
11 and they used to be able to drive all the way
12 through. Now you've got to go back out the other
13 way, but there's a little sidewalk there that goes
14 -- kind of trails over to Cortesi and kind of takes
15 it to the other park, to Lions Park. I don't see
16 why they couldn't take that space that's all just
17 green and some trees and actually make it another 20
18 spots like they did on the south side of the path
19 there. I think that would help a lot, because it's
20 kind of crazy, because there are some spots where I
21 know where she's talking that a lot of people, I
22 just don't know if they don't know they're there.
23 There are times when we're coming into the season
24 where that's going to be crazy over there.

1 AUDIENCE MEMBER: Those spots weren't even put
2 in until November, so they're covered with snow half
3 the time.

4 MS. KRIEGER: Yeah. They haven't even been
5 found really, I think. And there isn't any signage.
6 I mean, there's signage that it's Village parking.
7 My other question is the 321 apartment building on
8 the corner of Park and Villa. They put parking in
9 there. Is that also Village parking, or is that for
10 the apartment building?

11 COMMISSIONER JARRETT: That's not the
12 Village's. Is it, Patrick? Is it?

13 COMMISSIONER GATTO: That's Village's.

14 MS. KRIEGER: Okay. Because to me I think
15 people think that is parking for the apartment
16 building. I would like to see some signs there that
17 say Village parking. There isn't any there. It
18 would help, I think, when people come in, because I
19 think they think that's apartment building parking.

20 COMMISSIONER GATTO: Patrick, I have a question
21 for you. Is the outside of the lot that the owner
22 goes back and forth on, has there been any talks of
23 identifying more spots, more parking in the area?

24 MR. GRILL: Yes.

1 COMMISSIONER GATTO: If you had to guess, I
2 mean, how much parking do you think you would be
3 adding in the area? And if you had to give a time
4 frame, when do you think it would show up? I mean,
5 I don't mean to make you stick your neck out. I'm
6 sorry.

7 MR. GRILL: This is well beyond me. It's taken
8 lots of discussions, a lot of different Village
9 departments, a lot of discussions with the County,
10 because the Prairie Path is owned by the County, yet
11 the Village does own property like on the south side
12 along Park where we had the ability to add that
13 additional parking. We are trying to identify other
14 places where we have that opportunity. We are also
15 anticipating going to the County if we need to,
16 seeing if we can reach some sort of an arrangement.
17 We're looking at purchasing multiple properties in
18 that area to add additional parking, but to say how
19 many more that we could add at this point, I don't
20 know what that number is other than the Village is
21 intent on adding more parking in this area.

22 COMMISSIONER JARRETT: Patrick, while you're
23 up, the food truck in the current Code, current
24 Zoning Code, or even the pending Zoning Code, is

1 there any specific references to food trucks? I
2 mean, beyond whatever the County Health Code is.

3 MR. GRILL: Nothing beyond the County Health
4 Code. So long as it has a license from the Du Page
5 County Health Department and it's parked on private
6 property and it's not causing a nuisance, the
7 Village believes it's okay.

8 COMMISSIONER JARRETT: Okay. That's what I
9 thought. I wanted to verify that with you. How
10 about live music? I know he said it's not something
11 that would be a big part of his, you know, deal, but
12 -- and I'm not opposed to live music necessarily,
13 but is that -- does that put things into a different
14 category?

15 MR. GRILL: Well, I mean, we have performance
16 standards in the Code that address that, and
17 certainly if somebody called and complained we would
18 have to run out there with our little noise meter.

19 COMMISSIONER JARRETT: I know we had that. I
20 didn't know, as far as uses, if that would, you
21 know --

22 MR. GRILL: No. That I'm aware of, there is
23 nothing in the Code that addresses whether or not
24 you can pipe music outside.

1 COMMISSIONER LANENGA: Can you address the US
2 Post Office, abandoned post office, that's been
3 sold? What's going to happen with all that parking?

4 MR. GRILL: That is -- the entity that
5 purchased that is planning on rehabbing and
6 restoring that building to its former prominence,
7 and all of the parking that is there is going to be
8 for their employees only, or at least that's the
9 plan right now.

10 COMMISSIONER ROMANO: Is there currently
11 parking down Central? Can you park on the street
12 there?

13 MR. GRILL: Yes. You can park on the south
14 side of Central now.

15 COMMISSIONER JARRETT: There's also parking
16 currently on the west side of Myrtle. That's if
17 Myrtle is one way south and there's parking along
18 the west side. I looked into that. There would not
19 be room to park both sides of Myrtle. It's too
20 narrow.

21 COMMISSIONER JACKSON: What about on Park? Is
22 there parking there as well?

23 MR. GRILL: On Park? The Village just added 20
24 some odd spaces.

1 COMMISSIONER JACKSON: I mean, street parking.

2 Is there street parking?

3 MR. GRILL: Yes.

4 COMMISSIONER JARRETT: He's talking about
5 parallel parking beyond the parking lot.

6 MR. GRILL: I would have to get back to you on
7 that. I'm not certain off the top of my head.

8 AUDIENCE MEMBER: During Summerfest at least
9 they have parking on Park Avenue.

10 COMMISSIONER JARRETT: I think there is allowed
11 on the north side of Park. I know there is west of
12 Harvard there is on the north side. I don't know
13 about east, but --

14 COMMISSIONER GATTO: I know there is parking on
15 the north side of Park, you know, in between Summit
16 and Villa.

17 COMMISSIONER JACKSON: And that's street
18 parking that's open.

19 COMMISSIONER GATTO: Yeah. And then we're
20 going to allow that on Central?

21 COMMISSIONER JACKSON: Now it's open on
22 Central. That's street parking. That's a lot of
23 street parking.

24 AUDIENCE MEMBER: I think you can solve the

1 problem. It's just, you know --

2 COMMISSIONER JACKSON: I'm assuming that maybe
3 the problem was solved when Central opened up the
4 street parking perhaps.

5 AUDIENCE MEMBER: I don't know exactly what it
6 is, but when the post office decides to close all
7 the parking, how many spots is that going negative?
8 So all of this that we're adding, is it a wash at
9 this point?

10 COMMISSIONER JARRETT: But here's the thing.
11 The post office parking has never legally been part
12 of that parking.

13 (Whereupon, there was an inaudible
14 public discussion.)

15 COMMISSIONER JARRETT: Please stop for a
16 second. She's trying to record everything that we
17 say, and we have three people talking at once, so
18 one at a time for her, please. Thanks.

19 AUDIENCE MEMBER: I know it may not have been
20 legal parking at the post office or allowed or not.
21 However, there were cars parked there, and that is
22 -- you have to keep in account that is what makes it
23 sufficient parking for the area. And if we just
24 lost 50, 60 spaces and we just added 60 spaces, but

1 60 spaces wasn't enough before, are we at a wash and
2 it's still not enough spaces?

3 AUDIENCE MEMBER: I mean, there isn't always
4 constant parking problems out here. It's certain
5 days, certain times. And I think trying to
6 accommodate those times is where we need those extra
7 20 spots.

8 COMMISSIONER JARRETT: Right. Okay. Vince,
9 did you have any other questions?

10 COMMISSIONER GATTO: I do. Are we losing the
11 parking from the street along the post office, if
12 the post office develops? Is that all gone too or
13 just the parking lot?

14 COMMISSIONER JARRETT: No. That's Villa
15 Park's.

16 AUDIENCE MEMBER: Oh, that's Villa Park's?

17 COMMISSIONER GATTO: So this strip of --

18 COMMISSIONER ORLOWSKI: East of the sidewalk
19 and the post office.

20 AUDIENCE MEMBER: They already have signs up
21 that they're towing.

22 MR. KOZAR: That's not on the street. That's
23 in the lot.

24 COMMISSIONER JACKSON: South Cortesi Avenue?

1 Is that what you're talking about?

2 COMMISSIONER GATTO: Yeah.

3 (Whereupon, there was an inaudible
4 public discussion.)

5 COMMISSIONER JACKSON: Between the street and
6 the sidewalk. That's owned by the post office.

7 MR. GRILL: The west side of Cortesi between
8 Central and Kenilworth, it is the Village opinion
9 that that is public parking.

10 COMMISSIONER JARRETT: Well, the Village
11 contends it's their parking, and I'm guessing
12 they're prepared to fight for it. I mean, that's
13 not up to Patrick, obviously, but --

14 AUDIENCE MEMBER: Well, there's no plat of
15 survey or --

16 COMMISSIONER JARRETT: Well, that I don't know.
17 That's not in our purview at all.

18 MR. GRILL: There are documents that exist that
19 the Village is standing by that believes it gives
20 the Village the right to call that public parking.

21 COMMISSIONER JARRETT: Thank you.

22 COMMISSIONER GATTO: Looks like there's 26 in
23 the post office parking lot. That's a lot of
24 parking.

1 COMMISSIONER JARRETT: But it's on private
2 property, so --

3 COMMISSIONER GATTO: Right. I mean, that's a
4 lot of parking they're going to lose. Those
5 businesses are going to lose that.

6 COMMISSIONER JACKSON: That's always been
7 private property.

8 COMMISSIONER JARRETT: Correct.

9 MR. KOZAR: So technically they're not losing
10 it. They were just trespassing before.

11 AUDIENCE MEMBER: No. They give us permission
12 to use it.

13 COMMISSIONER JARRETT: We're actually
14 technically at questions, and I don't want to shut
15 all the conversation down, but we've got too many
16 people trying to talk at once.

17 COMMISSIONER GATTO: I'm done.

18 COMMISSIONER JARRETT: Okay. So I have a
19 couple questions. I think most of them have been
20 answered. I'm going to start with a bit of a
21 comment.

22 When I first heard about the post office
23 being for sale I started thinking what could happen
24 with this area. Like I had a conversation with a

1 friend who's an architect, and to turn that part of
2 the south into a beer garden, your property, not
3 knowing -- I mean, or some sort of open outdoor
4 seating area. That's about all it's good for. It's
5 a small site. It can't be parked. You would
6 probably be hard pressed to develop it as anything
7 with the parking that would be required. You
8 couldn't even -- if you went up and you wanted to
9 invest in a parking deck, it's not feasible, and I
10 don't know how many legal parking spots you could
11 get on there, even with the buildings that were
12 there.

13 So I'm glad to see this concept. I really
14 like the concept. I had a couple specific questions
15 about the concept. Not necessarily related to the
16 variance. Just maybe things to think about moving
17 forward. First is a question.

18 You're showing the planters around the
19 south and the west sides. Do you intend to do
20 anything between the planters? Because on the plan
21 it kind of looks like there's a line running between
22 them.

23 MR. KOZAR: Yeah. If you look at the planters
24 there's actually cable in between.

1 COMMISSIONER JARRETT: Okay. So it's the kind
2 of thing that theoretically --

3 MR. KOZAR: So the tables will go in -- so
4 you've got the forms that are built there. The
5 cable actually goes inside, through the cement
6 forms, and then on the backside there's rebar in the
7 planter itself, which is just metal that goes in the
8 cement, and then sticking through goes the cable,
9 and then on the backside is another piece of metal
10 that basically, you know, abuts it. So if those
11 cables are pulled, it has to pull the whole planter
12 back, and that's part of the safety feature on it.

13 COMMISSIONER JARRETT: Okay. So one of my
14 design questions sort of related to that is you have
15 the west end walled off completely, but that
16 sidewalk there that people keep talking about the
17 sidewalk, that's actually the connection -- that's a
18 connection right between the Great Western and the
19 Prairie Path. So you're going to have a lot of bike
20 traffic theoretically that might take that crosswalk
21 and then have to come all the way down to the other
22 end and come in. Have you thought about that?

23 MR. KOZAR: We have. And that's actually a
24 flaw in our drawing, because we need to put an

1 entranceway right here so that people can come down
2 the Great Western and get in here. The picture just
3 doesn't really show it, but right here is -- you
4 know, we need an entrance right here, so that is
5 what we would have.

6 COMMISSIONER JARRETT: Yeah. That's one of the
7 things that I saw. Also, when you get to the
8 eastern end of the property it doesn't really show
9 up well in your site plan, but the eastern end of
10 your property actually, the triangle point of the
11 wedge as it approaches Cortesi, actually just beyond
12 the sidewalk. The sidewalk cuts around it.

13 MR. KOZAR: Right.

14 COMMISSIONER JARRETT: That's where you're
15 putting your dumpster. And I know you have to put
16 it somewhere, but that -- I don't like it there.
17 Can I be honest?

18 MR. KOZAR: I don't either. I don't like it.
19 When I went with the architect -- because the
20 garbage company has to come down and be able to pull
21 that dumpster out to be able to dump it. I don't
22 like it here either. So, I mean, we're pushing it
23 right to the corner. We're going to use, you know,
24 same or similar material that we're doing with the

1 fence to try to blend it in there. I don't like it
2 either, but there just isn't another good place for
3 it on this property. So, I mean, this is kind of
4 the best we can do next to the bike racks and
5 whatnot.

6 COMMISSIONER JARRETT: Right. When I
7 originally saw the plan you have here before the
8 bike rack, my thought was, you know, maybe you'd do
9 a bump out on the east end of the smaller building,
10 and then you might have to roll it to the street on
11 garbage days or whatever, but -- and there are -- we
12 have plenty of business owners that have to do that,
13 but --

14 MR. KOZAR: Sure. So the problem with that --
15 and I think, if I understand your point, is you're
16 saying put it over here, but this is where the kids
17 come to order their ice cream.

18 COMMISSIONER JARRETT: Okay.

19 MR. KOZAR: So maybe I just don't understand
20 the concept.

21 COMMISSIONER JARRETT: Yeah. We don't really
22 have -- I guess that's the thing. We don't really
23 have the floor plans that you're showing. We don't
24 have those.

1 MR. KOZAR: Okay.

2 COMMISSIONER JARRETT: So my understanding
3 would have been that, you know, orders would be
4 taken on the south side of the building, but you're
5 saying orders would be on the east end of the
6 building.

7 MR. KOZAR: Right. The idea is that you come
8 in on the east, you place your order, and then, you
9 know, order 21, chocolate milk, whatever. You pick
10 it up at the service end.

11 COMMISSIONER JARRETT: Okay. So you've got
12 ordering on one end, and then moving around the
13 building to pick up.

14 MR. KOZAR: Correct. Right. This is going to
15 be an open like wrap around window.

16 COMMISSIONER JARRETT: Okay.

17 COMMISSIONER BELLOW: Could a garbage truck --
18 could the pavers withstand it?

19 MR. KOZAR: We would not allow a garbage truck
20 driving on them. Yeah. Nor would we want the
21 garbage truck right next to where, you know, people
22 are. You know, in every building project there's
23 always something that you just kind of have to
24 accommodate, and the best thing that we thought that

1 we could come up with was fencing that off and just
2 kind of putting it in the back right there, you
3 know -- you know, in the corner. It's going to be
4 the least traffic spot. It's going to where the
5 bike racks and all the bikes are going to, you know,
6 kind of be, so the best that we can. Out of sight,
7 out of mind the best that we can.

8 COMMISSIONER JACKSON: Because you're fencing
9 off that corner there where the sidewalk comes in,
10 and then heads from south, and then heads east.
11 You're fencing that off, and that's where you want
12 to keep the dumpster, right?

13 COMMISSIONER JARRETT: The dumpster is just in
14 the corner. There's no fence south of the dumpster
15 enclosure.

16 COMMISSIONER JACKSON: There's no fence in the
17 dumpster enclosure? I'm sorry?

18 COMMISSIONER JARRETT: No. The dumpster
19 enclosure in the northeast corner. The fence does
20 not extend south beyond the -- the dumpster is
21 enclosed. There's no fence along the east edge
22 other than the dumpster.

23 MR. KOZAR: Correct.

24 COMMISSIONER JACKSON: And you're putting a

1 fence here where the sidewalk comes in and to the
2 left.

3 MR. KOZAR: No. I'm putting a fence from here
4 to here.

5 COMMISSIONER JARRETT: Yeah. But you would be
6 walking towards -- you would be walking south on the
7 sidewalk towards the fence.

8 MR. KOZAR: So the fence would stop right
9 there.

10 COMMISSIONER JACKSON: At the sidewalk?

11 MR. KOZAR: Yes. And the way that the property
12 is structured, it kind of meets right on the corner
13 at the sidewalk, you know.

14 COMMISSIONER JACKSON: That would be an
15 entrance for your area.

16 MR. KOZAR: Right. This is our only curb cut
17 right down here, so, you know, you come in here.

18 COMMISSIONER JACKSON: So this is an opening
19 right here. There is no fence right here.

20 MR. KOZAR: No. There is a fence right there.

21 COMMISSIONER JACKSON: Well then, this is
22 Cortesi.

23 MR. KOZAR: That's Cortesi. The dumpster is
24 going to be right here, and your fence ends right

1 there in the grass. That's the grass. And it abuts
2 the -- it abuts this dumpster.

3 COMMISSIONER JARRETT: The sidewalk makes two
4 90 degree turns. You come south, you turn to go
5 east, you turn, you go south.

6 COMMISSIONER JACKSON: That would not be an
7 entrance then to go to the property. If you have a
8 fence, you would have to go walk around all the way
9 to Central to get into the property, right?

10 MR. KOZAR: No.

11 COMMISSIONER JACKSON: All right. So then --
12 yeah. All right. He's saying no, so it's not going
13 all the way -- the fence is not going to go all the
14 way to the end of their property. All the way to
15 Central.

16 MR. KOZAR: No. It won't, because it stops at
17 the --

18 COMMISSIONER JARRETT: No. That's not what I'm
19 saying. I'm saying as it goes -- just because the
20 way the dumpster is in that corner, if you're
21 walking south on the sidewalk on Cortesi towards
22 Central, you're going to be walking at a dumpster
23 enclosure essentially. It would be the fence side
24 of it.

1 MR. KOZAR: You won't realize it's a dumpster
2 necessarily.

3 COMMISSIONER JARRETT: No. You're walking
4 towards the fence and then go around it.

5 MR. KOZAR: Right. Which you have to anyway,
6 because that's the way the sidewalk goes. So if you
7 are just on the sidewalk, there will be no change in
8 what you're doing.

9 COMMISSIONER JARRETT: I think that's all my
10 questions for the moment. Anybody else have
11 questions?

12 COMMISSIONER RICKEL: I do. I'm curious. How
13 are you able to -- it wasn't readily obvious from
14 the drawings. How is the food truck coming on and
15 off of your property?

16 MR. KOZAR: So there is a curb cut. The only
17 curb cut on the property is right here.

18 COMMISSIONER RICKEL: Okay.

19 MR. KOZAR: So it would come in, and then we
20 would park it right here, and then we would put the
21 tables back all in.

22 COMMISSIONER RICKEL: Okay. That makes sense.

23 COMMISSIONER GATTO: Is that a planting bed in
24 front of the food truck, that rectangle?

1 MR. KOZAR: The one that comes out like this?
2 No. It's just an architectural thing. It's
3 identifying what these boxes are. It says,
4 landscaped flower bed, fence, typical. So it's just
5 an illustration, you know. An explanation of the
6 illustration.

7 COMMISSIONER GATTO: I got it.

8 COMMISSIONER JARRETT: Any other questions?

9 COMMISSIONER LANENGA: A question for Patrick.

10 COMMISSIONER JARRETT: Go ahead.

11 COMMISSIONER LANENGA: Has More addressed this
12 at all? I don't think we've heard from them. More,
13 with the parking. Do they have any issue with this?
14 Have they addressed it?

15 MR. GRILL: I have not heard anything from More
16 Brewery, no.

17 MR. KOZAR: I can speak to that. So I called
18 Sonny at More, and I showed him and told him, you
19 know, everything that we were doing, and he said he
20 loves the idea. He supports it. And his words
21 were, anything I can do to help, let me know.

22 COMMISSIONER ROMANO: Question. So fence. The
23 two issues I'm focusing on are clearly the
24 variances, of course, but the fence is an esthetic

1 issue. So if variance was denied to that because
2 just because you wanted it, that's not a big deal to
3 you at all?

4 MR. KOZAR: Sure. The question is, you know, a
5 six foot versus an eight foot fence.

6 COMMISSIONER ROMANO: Just more privacy in back
7 is essentially what I see from the parking lot.

8 MR. KOZAR: Right. Right. And then I guess
9 eventually, from what I understand, is that the
10 Gross family is going to be building garages back
11 there as well. So once they do that I think the
12 fence will be nice to kind of block the back of
13 their garage.

14 COMMISSIONER ROMANO: That's all.

15 MR. GRILL: At this point there have been no
16 submittals for a garage back there. They did ask
17 about it and wanted to know what processes they
18 would have to take to do it, but we have not had any
19 additional discussions about them adding a garage in
20 the backside of their property, at the south side.

21 COMMISSIONER JARRETT: All right. Any other
22 questions?

23 COMMISSIONER JACKSON: I have one. So he would
24 need -- if he didn't want to go for his variance he

1 would need to have five parking spots on his
2 premises, right? Would the food truck count as a
3 parking spot? I'm just curious. So four parking
4 spots over on the far end.

5 COMMISSIONER JARRETT: No. It's not
6 accessible. It's not proper lane width. No.

7 COMMISSIONER JACKSON: Okay.

8 COMMISSIONER JARRETT: Mike, looks like you
9 have some questions.

10 COMMISSIONER ORLOWSKI: Well, me and Vince have
11 been sharing some plans here. Me personally, I
12 would like to see at least four parking spots on the
13 property, unless the Village can come up with a plan
14 for the businesses in that area to accommodate
15 parking. I've spent many, many days, many weeks,
16 all hours of the day and night in that area. I've
17 watched one of your customers drive around for 25
18 minutes trying to figure out where he's going to
19 park to pick up his pizza. It's -- to me personally
20 it is an issue over there that the Village or
21 somebody within the Village needs to come up with a
22 solution. Whether it be the business owners in that
23 area get together with the Village as a group and
24 come up with some kind of a parking plan, but each

1 business over there have different parking
2 requirements as far as are they -- they're going to
3 pull up for 10 minutes to walk in, they're going to
4 pick up their pizza, they're going to leave. That
5 type of parking -- if he doesn't have that type of
6 parking, he's going to lose business. And my thing
7 is I don't want to approve anything else for that
8 area that's going to damage any of the existing
9 businesses that are already there. We need to find
10 out a solution that works for everybody over there,
11 and bringing new business -- I love your concept. I
12 love everything about it, but we already have some
13 issues that haven't been resolved yet. So, you
14 know, me personally, I don't want to add to the
15 issues unless we come up with some kind of a plan
16 that's going to take care of it. Would the parking
17 spots that we would require you to have, would that
18 be really utilized for parking? Probably not.

19 MR. KOZAR: How do you mean? I mean, if you
20 require them --

21 COMMISSIONER ORLOWSKI: No. That's --

22 MR. KOZAR: If you're saying I have to have
23 these spots --

24 COMMISSIONER ORLOWSKI: Correct. So what I'm

1 really trying to say is I would love to say, yeah,
2 let's do a zero parking, but --

3 MR. KOZAR: But it isn't. We have the license.

4 COMMISSIONER ORLOWSKI: Well, that's not a
5 clear solution to me for the piece of property. My
6 mind, what I'm really looking for is a solution for
7 the area in general, because as the last -- the last
8 one that we approved now has become a problem for
9 all the other business owners, so now we go to
10 approve another one. We're not sure. You might
11 have more customers than you know what to do with.

12 MR. KOZAR: That would be a blessing for Villa
13 Park.

14 COMMISSIONER ORLOWSKI: Correct. I agree.

15 MR. KOZAR: It would also bring revenue into
16 Villa Park, and we will all work towards that end to
17 make Villa Park accommodate.

18 COMMISSIONER ORLOWSKI: So that's my whole deal
19 right now is that I need to know that somebody in
20 the Village -- and I have several Board members, the
21 president, and everybody in the room that needs to
22 be here. We need to come up with -- and I know
23 several of you have been over there different times
24 of the day and seen the same thing I have. So I'm

1 just looking --

2 AUDIENCE MEMBER: Once they start music in the
3 park on Thursday night there will be no parking
4 there.

5 COMMISSIONER ORLOWSKI: No. I understand that,
6 but -- so that's where I'm looking is I need someone
7 to try to resolve some of it. I know we're not
8 going to resolve it all, but we've got to look to
9 work to make it a happy home for everybody there.

10 AUDIENCE MEMBER: It would be if they could put
11 in another 20 or 30 spots. It was my understanding
12 that the Prairie Path -- 10 feet on each side of the
13 Prairie Path is owned by the Prairie Path, and the
14 rest of that property is Village property. I may be
15 wrong, but that is what I was told. So to me, there
16 is room there.

17 COMMISSIONER JARRETT: I appreciate your
18 comments, but we are in our questions and -- do you
19 have any further questions, Mike?

20 COMMISSIONER ORLOWSKI: No. I would agree with
21 -- in between your two buildings I have no issue
22 with the eight foot fence, but east of the last --
23 where the actual office building was, I would like
24 to see that -- I would be more happy if it was just

1 only six feet. And I have a hard time with the
2 trash where it's located.

3 COMMISSIONER JARRETT: Yeah. We can discuss
4 that in comments.

5 COMMISSIONER ORLOWSKI: Other than that, no.
6 That's all I have.

7 COMMISSIONER JARRETT: Any other questions from
8 the Commission? Seeing none, we'll move to closing
9 comments from the petitioner. If you've got
10 anything you want to say, now is your chance.

11 MR. KOZAR: Sure. So a question that I don't
12 think really directly has been asked --

13 COMMISSIONER JARRETT: If you could step to the
14 mic. We are on TV, so --

15 MR. KOZAR: Yeah. No problem. So a question
16 that hasn't directly been asked, which I think
17 should be asked is one of planning -- or the
18 director of Planning & Zoning, Patrick Grill.
19 Patrick -- you know, my question for Patrick would
20 be, does Patrick think there is a parking problem in
21 Villa Park in this area. May I ask him that
22 question?

23 COMMISSIONER JARRETT: How about I ask him when
24 we move into comments.

1 MR. KOZAR: Okay. So Villa Park is a growing
2 and dynamic community. We hold ourselves out -- we
3 hold ourselves out to be one of the 10 best places
4 in America to raise a family. Villa Park is going
5 through some growing pains. I live in Villa Park.
6 I own property in Villa Park. I'm part of those
7 growing pains. I want to help resolve those growing
8 pains, but Villa Park, it wasn't just created and,
9 you know, all these parking spots and everything was
10 just planned by whoever created the town back in the
11 '20s. It's going through growing pains. We can
12 solve these growing pains. If there's enough
13 business, we can fix anything. If there's a will,
14 we can fix anything. I want to be part of that fix.
15 I don't want to add to the problem, but I want to be
16 part. I want to fix it. I want to come up with
17 solutions. We are coming up with solutions, but
18 it's short-sided and narrow-minded to say let's put
19 a prohibition on doing any more business in Villa
20 Park until we solve this problem. I say, let's join
21 as a community and get together and go through the
22 growing pains and support each other and push good
23 business and good families and have a community
24 space together. This is our community. This is our

1 town. Let's not stifle what is becoming a wonderful
2 town. Let's not stifle what is one of the 10 best
3 places to raise a family. Let's give a family place
4 to Villa Park. That's what I'm asking for here.
5 This will be a wonderful place. And we've heard
6 from some extremely articulate, bright, young
7 people, and I'm just thinking employment opportunity
8 here. I mean, this is our future. These kids right
9 here. They want this here. Their parents want this
10 here. This is what we're about. This is why you
11 guys put in all the hard time and thankless hours
12 into being on a Commission, being board members,
13 going through this, because you're part of this
14 community with us all, and we appreciate, even if
15 you don't hear it enough, that you do spend this
16 time and you do have this consideration to make
17 Villa Park better. Every one of you want to make
18 Villa Park better. If you didn't, you wouldn't be
19 on this Board. I want to make Villa Park better.
20 They want to make Villa Park better. Everybody here
21 wants to make Villa Park better. With more
22 business, more money, we can make Villa Park better.
23 Let's keep working at it. But let's not stifle what
24 is growing here. We're on a trajectory for success.

1 Let's keep the focus on success. This is part of
2 Villa Park's success.

3 COMMISSIONER JARRETT: Thank you. Okay. With
4 that, we're going to close the public hearing, move
5 into discussion by Commission members.

6 As I mentioned earlier, since the post
7 office was up for sale I've thought about this area
8 a lot. It would have been nice to see those two
9 properties work together in some way. With what I
10 believe is a business office, right, engineering
11 office moving into the post office, it's not
12 necessarily the ideal use in terms of -- that I
13 would have chosen, but I'm glad somebody is finally
14 doing something with it. I know that was a tough
15 piece of property.

16 This piece of property is even tougher.
17 It's a wedge that's not useful for a lot. I've been
18 on this Commission for about 10 years now. Vince, a
19 lot longer than that.

20 COMMISSIONER GATTO: Yeah.

21 COMMISSIONER JARRETT: But if even five years
22 ago if somebody had said we're going to have a
23 parking problem on Villa Avenue, I don't think
24 anybody in this room would have believed that was

1 going to happen. So things that are happening on
2 Villa Avenue are positive. This is -- in my
3 opinion, it's a very positive use for, let's say, a
4 very tricky site to work with. I understand the
5 parking concerns, but I go to Villa Avenue. I pick
6 up pizza. I go to More. I'll even admit I go to
7 Unicorn Comics every now and then. And my wife
8 works up the street at Cornerstone Books, so -- you
9 know, Pioneer. I know a lot of people that have
10 businesses on here. I don't want to see anybody's
11 business get hurt. But the other side of that is as
12 a planner there is a sweet spot in parking. Having
13 lots of available parking means you're doing it
14 wrong. Go to downtown Naperville, downtown Elmhurst
15 on a Friday night and try to find a parking spot in
16 front of the business that you're trying to go to.
17 You will not find one. You could drive around for a
18 half hour and a parking spot will not open up. Now,
19 they've built garages. They've done other things to
20 alleviate the parking, but it draws parking away
21 from the central area. People have to walk to the
22 businesses, and then they spend more time there
23 because they're on foot. We're used to having Villa
24 Avenue and Villa Park as a community be a completely

1 drivable community, and that's -- Villa is not going
2 to work that way and be a successful business
3 community. You can drive near your business, but to
4 expect to park in front of it on a business strip
5 like that, it's just not realistic. I know some
6 people don't want to hear that probably, but that's
7 my opinion on it. The question is do we have enough
8 parking capacity in the area. I think we do. I
9 haven't done a parking study, but I've never gone
10 there and not been able to find a parking space. I
11 may have had to walk 500, 600 feet to get where I
12 wanted to go, and I think there are more solutions
13 the Village can do. Most of those are above our pay
14 grade. Sure, we can brainstorm ideas and come up
15 with ideas all day, but it's up to the Village Board
16 and, you know, engineering to figure all that out.

17 So, generally speaking, I'm in favor of
18 this project. I don't have an issue with the
19 parking. I do have an issue with the eight foot
20 fence, particularly on the east end. When you're
21 requesting a variation, part of that is proving that
22 you have a hardship, that the site is unique. I
23 believe this site is unique. But saying that you
24 want it because it looks better or -- it's not

1 really how that works. And for me personally, I
2 think if I'm walking south towards Central on
3 Cortesi, looking at an eight foot fence versus a six
4 foot fence, it's going to make a big difference.
5 Especially as you approach it and round that corner.
6 So that's my take on that. I would be okay with the
7 fence, the eight foot fence, between the buildings.
8 I kind of understand the esthetics of that. I sort
9 of understand creating a room. Basically an outdoor
10 space. I heard mention from somebody else when they
11 heard this project that, well, you're going to
12 string outdoor lights and -- maybe. I mean, you've
13 got a fence and you created an outdoor room in that
14 area around your food truck. There's a lot that you
15 could do to really draw attention without being
16 gaudy or cheesy. I really do like the idea, and I
17 applaud you for doing what you've done with this
18 site. And I've spoken a long time, but -- if
19 anybody else has comments or discussion.

20 COMMISSIONER BELLOW: Well, you pretty much
21 said what I was going to say. You know, I am in
22 agreement that it's much better use of the property.
23 I'm tired of looking at that awful eyesore, and I
24 would venture to say that Elmhurst, Lombard,

1 Naperville, all those communities, all the
2 downtowns, until they put in their garages or raised
3 the building and made a parking lot, they all
4 suffered. I was raised in Elmhurst.

5 MS. SOLEM: We were too.

6 COMMISSIONER BELLOW: As a kid, you couldn't
7 park. You know, you had to drive around or
8 illegally park. So, yeah, I'm in favor of it. And
9 I agree about the fencing. Eight in the middle, six
10 on the side.

11 MR. SHLENSKY: Mr. Chair, you had indicated
12 that --

13 COMMISSIONER JARRETT: Go ahead. I mean, we're
14 in our comments, but go ahead.

15 MR. SHLENSKY: Remember, you would propose the
16 question that my client asked to Mr. Grill, that you
17 would ask that question as well.

18 COMMISSIONER JARRETT: Oh, yes. I will.
19 Anybody else have any other comments?

20 COMMISSIONER ROMANO: I'm on the side of -- I
21 don't see any variation for the eight foot fence.
22 Esthetically, I don't see that. But the one thing I
23 will say about the parking is with the addition of
24 the new parking on Park that was done as of fall, so

1 we really don't know how much that will alleviate
2 yet, and I got the impression that it's kind of new
3 along Central now too. So there is new parking that
4 has not been taken into account for neighborhood
5 traffic flow. The seasonality stuff, the music in
6 the park, I mean, yeah, those are always going to be
7 crowded. The Fest, that's always going to be
8 crowded. That's never going to be good, but -- and
9 you're targeting a lot of bike traffic too, so I
10 would be okay with the variation on parking, but I
11 don't see the need for it for the fence. So that's
12 where I stand.

13 COMMISSIONER RICKEL: I am also not in favor of
14 the fence. I think as soon as kids start to figure
15 out that there's cameras on the property side,
16 that's going to be a great place to hide is behind
17 the fence, so --

18 COMMISSIONER JARRETT: Just so you know, the
19 six foot fence along the entire property line is
20 permitted as of right.

21 COMMISSIONER RICKEL: No. That's fine. I'm
22 just saying the eight foot is just going to make it
23 a little bit more --

24 COMMISSIONER JARRETT: And you would be against

1 eight foot on any portion of it.

2 COMMISSIONER RICKEL: On any portion of it.

3 COMMISSIONER LANENGA: So a lot of my friends
4 -- I have some friends that play at DeMito's from
5 time to time, and I had occasion to look for a
6 parking spot at 8:00 on a Saturday night, and I
7 found a place in the post office lot illegally.
8 Twice illegally. It was an illegal parking spot,
9 and an illegal parking spot in there. I know. I'm
10 sorry. It was a church group too. And so I didn't
11 get a ticket, but three of my friends got tickets.
12 A couple people left because they couldn't find a
13 parking space. Whether it was an illegal spot or a
14 legal spot, with the post office going, I'd be more
15 than ample -- it's about a break even point, if we
16 added spots, and we've lost the illegal, however
17 used, post office. I'll ask the question of
18 Patrick. I still see a parking issue in downtown
19 Villa Park. Do you?

20 MR. GRILL: Whether there's a parking issue or
21 not a parking issue is more about perception, I
22 think, than anything else.

23 COMMISSIONER LANENGA: Although, it's a reality
24 when you're driving around.

1 MR. GRILL: Right. No. But I don't know of
2 any time when it's really busy, say a Saturday
3 night, that there aren't spaces available that you
4 have to walk to, and you might have to walk 500
5 feet. But, you know, we're so used in the suburbs
6 to being able to park right in front of our place of
7 business that we want to go to, and for decades that
8 has not been an issue in the South Villa District
9 area. Now that we have more successful businesses
10 down there, we've reached a point where it's more
11 difficult to park right in front of the businesses
12 that we want to. But you almost have to equate it
13 with say in the mornings, in the evening, at rush
14 hour, the expressways cannot accommodate the amount
15 of traffic that's trying to utilize it at those
16 particular times, but you don't build a 12 lane
17 highway in each direction, because you don't build
18 to accommodate the worst case scenario. You build
19 to accommodate the 75 percent scenario understanding
20 that at times when it's really busy or really
21 popular that it's going to be difficult to find a
22 parking space, and maybe we were approaching that,
23 but at the same time the Village is desperately
24 seeking out other places in that area to park.

1 COMMISSIONER LANENGA: Okay. Patrick, I'm
2 sorry, are they also looking at temporary parking in
3 front of Michael Anthony's Pizza? 10 minutes, 15
4 minute limited parking.

5 MR. GRILL: Well, it was my understanding that
6 we had a plan that all the businesses always
7 supported, and that's what the Village did.

8 COMMISSIONER JARRETT: Other comments.
9 Discussion.

10 COMMISSIONER ORLOWSKI: I think I've made most
11 of my comments. I really want the business owners
12 and the Village, whether it be Village Staff,
13 Village Board, business owners to figure out what's
14 necessary to accommodate the majority of the needs
15 moving forward. I love your concept, but what I
16 look at for myself sitting up here is if I approve
17 zero parking for your business and then the next guy
18 that comes in, he's going to want zero parking for
19 his business based on, well, he got it, why can't I
20 have it. Can't keep approving zero parking
21 requirements. That's all I got.

22 COMMISSIONER JARRETT: Okay.

23 COMMISSIONER ROMANO: I'm going to just throw a
24 quick statement out there. But the new post office

1 is an engineering firm, because clearly that's not
2 going to be a night time business, so has there been
3 any discussion that maybe to use it at night? Has
4 that come up at all?

5 MR. GRILL: The discussions that we've had with
6 them is that it is their desire to place a fence
7 around the property, because they'll park their vans
8 which are full of technical equipment, and they
9 aren't willing to share that parking in the back,
10 even in the evenings.

11 COMMISSIONER GATTO: I have a couple comments.
12 The eight foot fence, I'm fine with it between the
13 two buildings. Six feet to the east of the furthest
14 east Central building. The other thing that I'm
15 having a hard time with is I think you can put
16 parking on there. You might not be able to fit
17 five. Looks like you could fit four. I think you
18 have to have -- I'm not comfortable -- with parking
19 being an issue, I'm not comfortable with you not
20 having parking at all. Especially when you have the
21 ability to have it. So I would -- I think you could
22 fit four from the east building to the trash corral.

23 MR. KOZAR: Where?

24 COMMISSIONER GATTO: It would eliminate those

1 tables you're talking, and maybe it couldn't be
2 four, maybe it could be three, but I think you need
3 to share in the problem.

4 MR. KOZAR: You're saying here where the tables
5 and the bike rack are?

6 COMMISSIONER GATTO: Yes.

7 MR. KOZAR: And how would they be positioned?

8 COMMISSIONER GATTO: I would think that the
9 cars would be straight in, the bike rack would be
10 eliminated, and then -- or not eliminated but
11 relocated.

12 COMMISSIONER JARRETT: I think that's a bad
13 idea. I see it being chaos.

14 MR. KOZAR: You've got kids roaming around
15 there.

16 COMMISSIONER JARRETT: I mean, I could see --
17 if we're going to move to saying that they should
18 have parking, then I would rather see head-in
19 parking on Central.

20 COMMISSIONER JACKSON: Yep. Or Cortesi right
21 there. Just add on four or more spots or three
22 spots to the end.

23 COMMISSIONER GATTO: Head-in parking on
24 Central? That's interesting.

1 COMMISSIONER JARRETT: Or on Cortesi. Because
2 once you start putting cars across that -- at the
3 end of that property, no bigger than it is, you're
4 going to have the same issue that always occurs at
5 Dairy Queen where you have cars trying to get in,
6 cars trying to get out, cars backed up onto
7 St. Charles, kids trying not to fall off the
8 sidewalk onto St. Charles, kids crossing traffic to
9 get to the limited eating area there is, and I'm not
10 talking just kids, I'm talking you're going to
11 have --

12 COMMISSIONER GATTO: It's not just St. Charles
13 Road. I mean, we're talking Central.

14 COMMISSIONER JARRETT: No. It's not
15 St. Charles Road. I understand that. But you're
16 going to have cars trying to back out from here as
17 people are entering here to try to get -- it just
18 seems -- it seems not a great solution to me. I
19 mean, I can see head-in parking on the east end
20 theoretically. I mean, there's probably room to do
21 head-in along Central to some degree.

22 MR. KOZAR: Can you see the lot measurements?
23 I know you're looking at something small, but the
24 lot measurements. This is 16 feet minus 9.7 feet

1 for the dumpster, so you're looking at seven feet to
2 get a car in, and then you're looking here. From
3 here to here is 28.6 minus 12.

4 COMMISSIONER GATTO: What's the distance from
5 the building? From there to the end of your
6 property line.

7 COMMISSIONER JARRETT: I mean, on this end you
8 could barely park legal. What are we -- Patrick, we
9 have what -- how deep do we require a parking spot
10 to be?

11 MR. GRILL: 9 by 18 with a 24-foot drive aisle.

12 COMMISSIONER BELLOW: Can there be no
13 consideration for the fact that this is such a small
14 lot and so odd shaped?

15 COMMISSIONER ROMANO: I was going to say if you
16 -- three spots on the lot, let's say your employees
17 parked there, you accommodated for that already with
18 the church's lot, so he's sharing in some of that.
19 He's made arrangements to share some of that
20 already.

21 MR. GRILL: No. There are engineering
22 standards just like there are building standards,
23 and you don't vary those.

24 COMMISSIONER JARRETT: Right. Because if you

1 vary a 24-foot drive aisle to 20 feet and two cars
2 run into each other --

3 MR. KOZAR: And that's -- it's just not the
4 size. I don't have 24 feet, period. I mean, I
5 can't make it. I don't have it. This is the
6 hardship, right. This is the hardship.

7 MS. SOLEM: That's the hardship, because of the
8 way that that wedge is on the end.

9 COMMISSIONER BELLOW: And I'm guessing the
10 prior business didn't have this issue because they
11 had no seating, and they were a car-related
12 business, so --

13 COMMISSIONER JARRETT: Okay. So --

14 COMMISSIONER GATTO: So back to my comment. I
15 don't think we made an effort to try to find some
16 kind of parking here. I think most of your activity
17 is going to happen between the --

18 COMMISSIONER JARRETT: How much space is there
19 -- how much space do you have between the east end
20 of the building and the --

21 COMMISSIONER GATTO: 54 feet.

22 COMMISSIONER JARRETT: It's 54 feet?

23 MR. KOZAR: The east end of the building.

24 COMMISSIONER GATTO: To the property line. 54.

1 COMMISSIONER JARRETT: On the east end of that,
2 it's not even deep enough to put a legal parking
3 spot.

4 COMMISSIONER GATTO: Yeah. But it's 16 plus
5 the trash corral. So the trash corral is, what,
6 nine? So you're --

7 COMMISSIONER JARRETT: I just -- I hate that
8 idea. As a planner, I hate everything about that.
9 I would rather see the Village find a way to create
10 four more parking spaces somewhere than to try to
11 jam four on there and create a site that doesn't
12 work. A site that won't be safe.

13 COMMISSIONER GATTO: Well, you know --

14 COMMISSIONER JARRETT: And a site that is --

15 COMMISSIONER GATTO: -- if this were my site,
16 you know, if this were my development, I would want
17 to do exactly what he's doing, because it's
18 beautiful. Any time you don't have to accommodate
19 cars is a great thing. Life is good. But that's
20 the problem we're talking about. I mean, the fence
21 -- I think we can all agree on the fence. There's
22 not an issue there. It's just the parking, and I
23 think the way I would -- the way I would like to see
24 this go is you accommodate some parking, and then if

1 the Village were to increase the parking in the area
2 some way, some how, then your parking could go away
3 or something like that. I know the other businesses
4 in the area don't have parking of their own. They
5 have access to lots, so technically you may be able
6 to work out the same deal as them and have your
7 customers park in that parking lot.

8 MR. KOZAR: I'm in parity with them.

9 MR. SHLENSKY: I mean, we've already negotiated
10 a license for employee parking. I don't think many
11 other businesses have negotiated licenses sworn for
12 employee parking.

13 MR. KOZAR: So they have enough parking to
14 accommodate their employees only, and I have enough
15 parking to accommodate my employees. We're in
16 parity.

17 COMMISSIONER GATTO: Yeah. But they're kind of
18 grandfathered in. They're an existing business.
19 They were buying into this whole thing before, you
20 know, the area started to bloom. I can't just say
21 -- you know, what they have, you know, they've lived
22 with it, so, you know, I want to support -- I want
23 to support them as much as I want to support you,
24 because 10 years from now, you know, there might be

1 a change, and you'll be sitting on this side of the
2 aisle, and you're going to want -- you're going to
3 want consideration, you know.

4 MR. KOZAR: I don't think I will. I will want
5 business. I will want progress.

6 COMMISSIONER GATTO: I understand that, and I
7 agree with the -- you know, I mean, we're all in
8 agreement that a parking problem is a good thing. I
9 said that years ago when DeMito's wanted to go in
10 here. You know, I said, you know, it would be great
11 if we have a parking problem. So here we are with a
12 parking problem. Life is good. We can't -- just so
13 you guys know, we can't have parking lots all over,
14 because if businesses start to go away, then we have
15 parking lots, and it starts -- it will pull away
16 from your business. It will not attract to your
17 business. It's kind of a better thing to have a
18 little bit of a struggle. And I think Michael
19 Anthony's is the one who struggles the most, because
20 people want to park, run in, and leave, so --

21 MR. KOZAR: And they now have 30-minute parking
22 in front of the --

23 COMMISSIONER GATTO: And that might be too
24 long, you know. It might have to be 10 or 15, you

1 know.

2 MR. KOZAR: I think there's two 15-minute
3 parking spots there as well.

4 COMMISSIONER GATTO: So getting back to you. I
5 mean, if there's a way -- Patrick, have you guys --
6 has engineering or anybody looked at this site for
7 on-site parking?

8 COMMISSIONER JARRETT: It's not our job to
9 design a site.

10 COMMISSIONER GATTO: No. But I'm saying --

11 COMMISSIONER JARRETT: It's not Staff's job.
12 It's not engineering's job. We have a job up here.
13 It's either to approve these variations or not.

14 COMMISSIONER GATTO: I hear yah. I'm just
15 saying, has anybody --

16 MR. GRILL: We do not design sites.

17 COMMISSIONER GATTO: The parking issue is a
18 problem. Has anybody said, you know, he could get
19 three spots on there. He could get four.

20 MR. GRILL: No. Because it's not Staff's job
21 to design a site for a developer. We review it
22 based on our standards, but we don't design it for
23 them.

24 COMMISSIONER JARRETT: And I'm sure Patrick has

1 made suggestions at times. Not necessarily with
2 this, but when it makes sense.

3 MR. GRILL: Right.

4 COMMISSIONER JARRETT: But we could sit up and
5 try to design it for him. We can vote on -- we've
6 got two variations. We can vote on them together,
7 we can vote on them separately, or we can say
8 there's consensus up here that it's not going to
9 pass, come back to us with a different plan. But I
10 don't think I would vote for a plan that tries to
11 throw parking on this site that we draw up tonight.
12 It's not something that I would do. And I don't
13 know if there's room for head-in parking or if the
14 Village would permit that, because it would require
15 curb cuts to do head-in parking. That puts them --
16 it's not even something we could design tonight and
17 vote on.

18 COMMISSIONER GATTO: Well, you know what then.
19 Here's kind of where I'm at, and maybe you take a
20 consensus with the group. This works for this
21 building, especially with the post office gone. It
22 really -- now we have this weird parcel. I mean, I
23 like the use. I like -- you know, it just brings a
24 lot of energy. I think when the dust settles we'll

1 all be happy that you're there. Including the
2 existing businesses. What I'd like to see is you
3 taking a run at getting some parking on this. I
4 think you could arrange the east side of your lot,
5 because to me the activity is going to happen
6 between those two buildings, within the building
7 lines, and it's not necessary that people are
8 ordering from the south, or, excuse me, from the
9 east, you know.

10 MR. KOZAR: But they aren't.

11 COMMISSIONER GATTO: Well, I'm just saying it's
12 not necessary. I know that's the way you have it
13 drawn, but we're taking a gas station.

14 MR. KOZAR: Then where do you suggest I put the
15 bike rack?

16 COMMISSIONER GATTO: I don't know. I would
17 like -- what I think is I think the bike rack is
18 huge, first of all. I'd like to see -- you know,
19 your bike rack could go against the planters,
20 something like that. Like I said, I'm not going to
21 -- we can't design it, and I'm the last person that
22 should be designing it anyways, but --

23 COMMISSIONER JACKSON: No. I think I would be
24 the last person, but I have a comment I'd like to

1 throw your way. If he does put a few parking spots
2 down on that east end and he's got three, four, five
3 spots right down there, then he's going to have to
4 put up signs, because that's his property. He's
5 going to have to enforce that. Everybody's going to
6 want to park there and go to the surrounding stuff
7 as well. So we're going to have a parking problem
8 for him, because his patrons won't be able to park
9 there, because everybody will be parking there to
10 walk down here or walk down there.

11 COMMISSIONER GATTO: Well, you know, that's
12 just kind of the flavor of the area. I mean, people
13 are parking behind buildings.

14 COMMISSIONER JACKSON: It's a parking
15 enforcement problem for him. If parents want to
16 pick up their kids or something like that, they
17 can't go in there, so maybe we should have like a 15
18 -minute sign up there for him too then. I'm just
19 proving a point.

20 MR. KOZAR: Let me put up signs here that just
21 say park on the other side of the Prairie Path, ride
22 your bike, walk here, don't drive.

23 COMMISSIONER JACKSON: That's his clientele
24 anyway.

1 MR. KOZAR: Let me anger people who drive to my
2 establishment, and let me put up a sign that says
3 don't drive your car.

4 COMMISSIONER JARRETT: I appreciate your
5 comments, but we are --

6 COMMISSIONER GATTO: So I'll just tell you
7 where I'm at. I'd like to see --

8 COMMISSIONER JARRETT: Let me say one thing
9 though. So we are worried about parking. I
10 understand that. And we would all like to see
11 parking added. Some of us want to see parking on
12 the site, but the reality is somebody is not going
13 to be parking in front of probably -- just blanked
14 on the name of -- Michael Anthony's. I wanted to
15 call it Marco Anthony's for some reason. Michael
16 Anthony's. Somebody is not going to be parking in
17 front of Pioneer to walk down here.

18 COMMISSIONER JACKSON: Exactly. Yes.

19 COMMISSIONER JARRETT: They're going to park on
20 Central, maybe on Myrtle or Cortesi, if there's
21 parking available, or west on Central. You're
22 parking at DeMito's that's on your site it's marked;
23 correct?

24 MS. PINGEL: I will leave work on Friday, and

1 when I get to Ardmore and Kenilworth, there are
2 groups of people walking. We have people on feet.
3 We have people in cars. People for all the
4 businesses are parking past your property.

5 COMMISSIONER JARRETT: Right. But what I'm
6 saying is people are not going to park up there to
7 walk down here.

8 MS. PINGEL: I see people walk out of my
9 parking lot and go into More. It's obviously an
10 issue all over the place. We all share the same
11 issue.

12 COMMISSIONER JARRETT: Right. But is it an
13 issue? Because people are parked --

14 MS. PINGEL: It is an issue.

15 COMMISSIONER JARRETT: Hear me out.

16 MS. PINGEL: I'm sorry.

17 COMMISSIONER JARRETT: I'm not trying to cut
18 you off, but hear me out. Is it an issue? Because
19 people are parking at More and then walking over to
20 your place, or people are stopping to get a pizza at
21 Michael Anthony's and walking over to More to get
22 beer to take home with them, or they're going to
23 Pioneer, and they're picking up a pizza at Michael
24 Anthony's and then coming to your place to eat the

1 pizza. I'm just saying, that's what you want. What
2 you don't want is somebody parking in front of your
3 place -- maybe you do, but as a Village -- now, I
4 don't mean you. I just mean an individual business
5 owner. What we as a community don't want is
6 somebody parking in front of business A, walking in,
7 getting their stuff, walking out, and driving home.
8 We want them going into business A, walking from
9 their car to business A, pass business B, C, D, and
10 E, and hopefully stopping in two or three of those
11 on the way, or even just one, or just knowing that
12 that business is there. You could go to Michael
13 Anthony's, park in front of Michael Anthony's, drive
14 off, and never know this place is there, because you
15 don't have to walk past it, or not know Unicorn is
16 there because you're driving, looking straight
17 ahead, you get your pizza, and you're gone. If you
18 don't want those places to disappear, you want a
19 critical mass of people there. That's what drives
20 business. Now, whether there's a parking issue, we
21 have to decide.

22 COMMISSIONER JACKSON: Well spoken, Jason.

23 COMMISSIONER JARRETT: But that's the way I see
24 it. And on this site, I don't see how we drive

1 parking.

2 MS. PINGEL: You asked if there's an issue.

3 Walkability right now is not an issue. There are X
4 amount of people that are in this area with X amount
5 of parking spaces. Whether they're parking in front
6 of Mahoney's and walking by us and walking by all
7 the stores on the way over, or if they're parking in
8 my parking lot and walking by all the stores all the
9 way over to Michael Anthony's, walkability is not an
10 issue. The problem is there are X amount of people
11 coming to this area, and there are X amount of
12 spots.

13 COMMISSIONER JARRETT: Right. And that's a
14 problem that as a Village we have to solve.

15 MS. PINGEL: I get out of work, and it's not
16 500 feet, it's not 600 feet, it's not a thousand
17 feet. People are parking down the street illegally
18 all the way down Kenilworth, not even where there's
19 parking spots. All the way down. When I get to
20 Ardmore --

21 MR. KOZAR: I live there. Every day I see it.

22 COMMISSIONER JARRETT: We can't talk over each
23 other. I'm sorry.

24 MS. PINGEL: Kenilworth, there are groups of

1 people walking out of their cars. It's not 500
2 feet. It's not 600 feet. It's three blocks down
3 people are parking.

4 COMMISSIONER JARRETT: And that's what it may
5 be.

6 MS. PINGEL: But they're not walking by any
7 businesses on their way over. They're walking by
8 three to four blocks of homes.

9 COMMISSIONER JARRETT: We can have different
10 opinions on what drives business, and we've had
11 similar conversations, not you and I, but as a
12 community when it comes to signage. Some businesses
13 think they should be able to have all the signs they
14 want. Some businesses think they should be able to
15 put a sign in the middle of the street if they want.
16 And as a community, we have to decide what that
17 standard is. And for me, I do go to these
18 businesses. I go to this neighborhood on Friday
19 nights and Saturday nights, and when events are
20 going on, and sometimes, yeah, I have to drive
21 around for five or ten minutes and find a parking
22 space. Sometimes I have to go a couple blocks down
23 into a residential neighborhood, and maybe somebody
24 doesn't like it that I'm parked in front of their

1 house, but it's a legal parking spot, and I'm quiet,
2 and I go get my stuff, and I come back, and it's
3 not -- can we do better as a community? I hope so.
4 But this is the kind of use that all the plans that
5 we worked for -- I mean, I don't see any -- I don't
6 have an issue with it. And I know you want to
7 comment, and I appreciate that, but we have to kind
8 of try to keep it up here and get this wrapped up or
9 we'll be here all night debating this.

10 COMMISSIONER GATTO: I'm even open to Central
11 parking.

12 COMMISSIONER JARRETT: Central parking?
13 Patrick, that was -- parking along Central. When --
14 how recent is that?

15 MR. GRILL: Very recent.

16 COMMISSIONER GATTO: Like days? Like a month
17 or so?

18 MR. GRILL: Yes.

19 COMMISSIONER GATTO: Okay.

20 COMMISSIONER JARRETT: And I do think there are
21 ways that we could probably squeeze some more street
22 parking. Like, I don't know if it would gain more
23 spots, but I was noticing we park on the west side
24 of Myrtle, but there are like four or five curb cuts

1 there. There's one curb cut on the east side of
2 Myrtle. Myrtle is a little shorter there, but we
3 may be able to squeeze a couple more parking there.
4 And it moves those parking spaces out from in front
5 of the residential when most of those probably are
6 not being used for the residences. Those are the
7 kind of things where I think that as a Village we
8 might be able to squeeze out a few more spots just
9 by paying for some signs, you know -- I didn't do
10 the math on that to see if that actually adds spots
11 or not, but it's worth looking at. You have a quick
12 comment.

13 MS. KRIEGER: Yeah. If you could just maybe --
14 like I said, the 321 apartment building where you
15 did put in that parking. It needs to be publicized
16 that that is for the Village. I don't see it there.

17 COMMISSIONER JARRETT: Yeah. What we all as a
18 community and business community --

19 MS. KRIEGER: Because I think people assume
20 that's apartment building parking.

21 COMMISSIONER JARRETT: What we have to remember
22 is how long has More been there.

23 AUDIENCE MEMBER: A year.

24 COMMISSIONER JARRETT: A year. One season.

1 And in planning terms, one season is nothing. It
2 takes -- it's going to take us -- I know. Every
3 business wishes they had parking right in front of
4 their business. Every business wishes they had as
5 many signs as they want, but we can't do that in
6 downtown Villa, because that's how --

7 AUDIENCE MEMBER: It's really looking ugly.

8 COMMISSIONER JARRETT: That's how we kill the
9 area.

10 MS. PINGEL: I don't know if you know this, but
11 More this year, downtown Chicago, out of 250
12 breweries, More beer came in number one.

13 COMMISSIONER JARRETT: That's good.

14 MS. PINGEL: And you thought that this year was
15 going to be --

16 COMMISSIONER JARRETT: That's good. I'm glad
17 to hear it. That's fantastic.

18 MS. PINGEL: It's great. I love it. If we had
19 enough parking for everybody. This first year they
20 were busy. Let's try year two, three, and four.

21 MR. KOZAR: So I'm listening from Meagan who is
22 not a property owner and does not live in Villa
23 Park. I think that's important.

24 COMMISSIONER JARRETT: I don't think that

1 matters.

2 COMMISSIONER GATTO: No. He's complimenting
3 her saying she's not a --

4 MS. PINGEL: Yeah. He shouldn't have gone in
5 there.

6 COMMISSIONER GATTO: You know, she's the type
7 of person we want to attract. Somebody who is
8 coming from out of the town.

9 COMMISSIONER JARRETT: I'm sorry. I
10 misunderstood your comment, I think.

11 MR. KOZAR: No. You didn't. She doesn't own
12 DeMito's. She's a manager of DeMito's.

13 MS. PINGEL: My mom owns DeMito's.

14 MR. KOZAR: Right. I think that has some
15 validity here.

16 COMMISSIONER JARRETT: The public comment is
17 done, and unless I call on you we're done with that.
18 We're getting a little back and forth here that I
19 don't like.

20 COMMISSIONER GATTO: Back to us.

21 COMMISSIONER JARRETT: Yes.

22 COMMISSIONER JACKSON: Yeah. I've weighed in a
23 few things on this, and it did get a little heated,
24 but I agree that there really isn't a place for

1 parking. The clientele that he's trying to pull in,
2 most of them don't need a parking spot. They're
3 going to be bike traffic. They're going to be on
4 their feet. There are going to be people walking,
5 running. A lot of kids that don't drive. We saw a
6 slew of them just come up and tell us, hey, I don't
7 drive. Every single one of those kids said I don't
8 drive. So why do we need parking for his clientele
9 when there's so much street parking on Central and
10 Park Boulevard? So that's my thoughts. That's my
11 feelings. I think we can go the way it is. Eight
12 feet between the buildings, six feet to the east,
13 and call it a day. Good luck to you.

14 COMMISSIONER JARRETT: Okay. Here's what we've
15 got. We've got two variations. As they're written,
16 petitioner is requesting a variation for an eight
17 foot fence along the entire property line. My
18 understanding of that is I don't believe anyone here
19 is in favor of an eight foot fence along the entire
20 property. Is that correct?

21 COMMISSIONER JACKSON: Eight foot between the
22 buildings. That's fine.

23 COMMISSIONER JARRETT: So we have -- so I have
24 two that would like to see six foot along the whole

1 thing at least. I think we've got six in favor of
2 -- I'm just doing a consensus. It's not a vote, but
3 -- we would have six in favor of an eight and six
4 split. So I think if we voted tonight, which I
5 think we probably will, if we have the right
6 motions, that's what we've got for that. On the
7 parking, where do we stand right now?

8 COMMISSIONER JACKSON: I don't think it's a
9 problem. I think it's a good thing that there
10 aren't enough spots.

11 COMMISSIONER BELLOW: I think we have to take
12 into account that his clientele will be heavier on
13 the foot traffic, bike traffic, and maybe reduce
14 the --

15 COMMISSIONER LANENGA: I'm against the idea of
16 putting extra parking on the lot. No offense, but
17 it just spoils the whole idea of it. It's an
18 idealistic thing, and putting parking on it kind of
19 diminishes that a lot.

20 COMMISSIONER ROMANO: I think it's been
21 accommodated for already with the church parking.

22 COMMISSIONER JARRETT: Okay. So here's what --
23 we could do this two ways. We can break the
24 variations up into two variations, vote on them, or

1 we can combine them into one if we think -- but I
2 would need -- for the first variation we'd have a
3 variation for maximum permitted fence height from
4 six feet to eight feet for the -- let's say --
5 what's the distance between your buildings?

6 MR. KOZAR: 26.5.

7 COMMISSIONER JARRETT: Okay. So we would have
8 a variation from the maximum permitted fence height
9 from six feet to eight feet for the 26.5 feet
10 between the two buildings. That would be the first
11 variation or first part of the variation, and then
12 we have a variation to require -- required minimum
13 parking from 20 spaces to zero spaces.

14 So I would entertain a motion or motions,
15 depending on how anybody wants to make them.

16 COMMISSIONER JACKSON: I'll make a motion.

17 COMMISSIONER JARRETT: Oh, hang on. Patrick.

18 MR. GRILL: Variations cannot be conditioned,
19 so if it's going to be your intent to allow him to
20 have an eight foot fence between the buildings and
21 then drop it down to a six foot fence, he has to be
22 willing to stand here in front of you and modify his
23 request.

24 MR. SHLENSKY: So modified.

1 MR. KOZAR: I move to modify my current request
2 to allow for a variance between the two buildings
3 as -- I believe it was 24.5 feet --

4 COMMISSIONER BELLOW: 26.

5 MR. KOZAR: -- 26 -- 26 and-a-half feet between
6 the two buildings, a variance requesting a change
7 from a six foot to an eight foot fence between the
8 two buildings, and then to the east of the smaller
9 building, 50 whatever feet it is, would then be a
10 six foot fence. No variation on that. Just
11 according to what's currently in the books.

12 COMMISSIONER JARRETT: And this is good,
13 Patrick?

14 MR. GRILL: Yes. So long as the petitioner is
15 willing to modify the request, then yes.

16 COMMISSIONER JARRETT: Okay.

17 COMMISSIONER GATTO: All right. I'll do the
18 motion then. I'll make a motion to approve
19 application PZ-18-0004 for a single request that
20 include a variation to the maximum permitted fence
21 height from six feet to eight feet between the
22 buildings on the furthest-east and middle -- excuse
23 me -- furthest-west and middle, east of the lot,
24 eight feet of 26 and-a-half -- eight feet, 26

1 and-a-half feet long on the north side of the
2 property, with the following conditions. That the
3 site be developed generally as shown on Exhibit A as
4 submitted by the petitioner. Two, that the fence be
5 erected generally as shown on Exhibit B to the
6 height, eight feet, with the finished side facing
7 north. With a finding of fact that such variations
8 meet the standards enumerated in Action 6.7.B of
9 Appendix C of the Municipal Code of Village of Villa
10 Park Zoning Ordinance.

11 COMMISSIONER JARRETT: We have a variation -- a
12 motion for a variation --

13 MR. GRILL: It needs to be as modified by the
14 petitioner, not as included in Exhibit B, because
15 Exhibit B shows it as the entire length being eight
16 feet in height.

17 COMMISSIONER GATTO: Okay. Let me correct my
18 motion. I'm just going to read that one part.

19 MR. GRILL: Okay. That's fine.

20 COMMISSIONER GATTO: Okay. To approve the
21 requests that include a variation to the maximum
22 permitted fence height as modified by the petitioner
23 from six feet to eight feet.

24 MR. GRILL: Well, the first part was when you

1 got down to the conditions where you said that the
2 fence be erected generally as shown on Exhibit B.
3 What it should be is the fence shall be erected as
4 modified by the petitioner.

5 COMMISSIONER GATTO: All right. Sorry.

6 MR. GRILL: That's fine.

7 COMMISSIONER GATTO: With the following
8 conditions. I'm going to amend number two. That
9 the fence be erected as modified by the petitioner
10 to a height of eight feet with the finished side
11 facing north.

12 COMMISSIONER JARRETT: Okay. So, just to
13 clarify, we have a motion to vary the fence height
14 from six feet to eight feet for the 26 and-a-half
15 feet between the two buildings.

16 Now we have a motion. Is there a second?

17 COMMISSIONER BELLOW: I'll second it.

18 COMMISSIONER JARRETT: We have a second on that
19 motion. Roll call vote.

20 Jackson.

21 COMMISSIONER JACKSON: Sure.

22 COMMISSIONER JARRETT: Orłowski.

23 COMMISSIONER ORŁOWSKI: Yes.

24 COMMISSIONER JARRETT: Gatto.

1 COMMISSIONER GATTO: Yes.

2 COMMISSIONER JARRETT: Bellow.

3 COMMISSIONER BELLOW: Yes.

4 COMMISSIONER JARRETT: Lanenga.

5 COMMISSIONER LANENGA: Yes.

6 COMMISSIONER JARRETT: Rickel.

7 COMMISSIONER RICKEL: Yes.

8 COMMISSIONER JARRETT: Romano.

9 COMMISSIONER ROMANO: No.

10 COMMISSIONER JARRETT: And I will vote yes. So
11 with that, that will pass to the Village Board. We
12 are a recommending body. They can accept, reject,
13 or modify the proposal.

14 So then we have the second variation in
15 front of us for the required minimum parking from 20
16 spaces to zero. I would entertain a motion on that.

17 COMMISSIONER JACKSON: I'll make a motion to
18 approve application PZ-18-0004 for the request that
19 includes the variation to the required minimum
20 parking spots from 20 spaces to zero spaces with no
21 conditions. Finding of fact that such variation
22 meets the standards enumerated in Article 6.7.B of
23 Appendix C of the Municipal Code of Village of Villa
24 Park Basic Planning & Zoning Ordinance.

1 COMMISSIONER JARRETT: I have a motion. Is
2 there a second?

3 COMMISSIONER BELLOW: I'll second.

4 COMMISSIONER JARRETT: Any questions or
5 comments on the motion as read? None. Roll call
6 vote.

7 Jackson.

8 COMMISSIONER JACKSON: Yes.

9 COMMISSIONER JARRETT: Orłowski.

10 COMMISSIONER ORŁOWSKI: No.

11 COMMISSIONER JARRETT: Gatto.

12 COMMISSIONER GATTO: (No response.)

13 COMMISSIONER JARRETT: I'll give you a minute.

14 Bellow.

15 COMMISSIONER BELLOW: Yes.

16 COMMISSIONER JARRETT: Lanenga.

17 COMMISSIONER LANENGA: Yes.

18 COMMISSIONER JARRETT: Rickel.

19 COMMISSIONER RICKEL: Yes.

20 COMMISSIONER JARRETT: Romano.

21 COMMISSIONER ROMANO: Yes.

22 COMMISSIONER JARRETT: Gatto.

23 COMMISSIONER GATTO: I'll abstain.

24 COMMISSIONER JARRETT: And I will vote yes.

1 With that, our recommendation will pass to the --
2 please hold off on the applause. I appreciate the
3 enthusiasm, but -- will pass to the Village Board.
4 They can accept, reject, or modify our
5 recommendation.

6 One comment in closing. I just -- I've
7 never seen so many kids turn out for one of these
8 things before, and I guess ice cream gets them out
9 here, but to those of you that are still here and
10 for the ones that have come and gone, I'm glad to
11 see you come out and participate in this democracy,
12 and it's -- it's rare we even have people here, but
13 to have kids here is almost unheard of. Thanks.

14 MR. KOZAR: Thank you, Board. We appreciate
15 it.

16 COMMISSIONER JARRETT: So that is the -- that
17 closes the public hearing for this evening.

18 (Whereupon, the public hearing was
19 concluded.)
20
21
22
23
24

1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

3

4

5 I, MARY FAILLO, C.S.R. No. 084-004565,
6 duly qualified by the State of Illinois, County of
7 Du Page, do hereby certify that at the request of
8 the VILLAGE OF VILLA PARK PLANNING & ZONING
9 COMMISSION, subject to the usual terms and
10 conditions of County Court Reporters, Inc., reported
11 in shorthand the proceedings had and testimony taken
12 at the public hearing of the above-entitled cause,
13 and that the foregoing transcript is a true, correct
14 and complete report of the entire testimony so taken
15 at the time and place hereinabove set forth.

16

17

18

19

Mary Faillo
MARY FAILLO, CSR, RPR



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Villa Park Fire Department

20 S. Ardmore, Villa Park, IL 60181

Phone (630) 833-5350

Fax (630) 941-5978

October 23, 2020

Re: ***Petition PZ-20-0003***

Fuel & Creme

324 E. Central

Consuelo,

The fire department has no issues with the tent covered seating area or the outdoor entertainment request, but there would need to be several items that are addressed for the variation regarding the required minimum parking to account for the rooftop deck, such as architectural drawings submitted by a licensed design professional showing that all applicable Codes, Standards, and Village Code Amendments are met.

Fuel was not required to install fire sprinklers when it opened in 2019 because of its square footage and occupant load (Under 49). It is currently classified as a Business and not an Assembly. If they add anymore square footage to the building that would be occupied by the public, including a rooftop deck, Villa Park Municipal Code requires them to install a fire sprinkler system and a fire alarm system.

They would also have to comply with the Illinois Accessibility Code and provide an accessible means of egress from the rooftop deck, which may require the use of an elevator, lift, or ramp. They may also have to provide a secondary means of egress from the rooftop deck. There are also design requirements for the stairway that must be met including, but not limited to Stair construction materials, minimum widths, and landing size. It is difficult to ascertain if this concept meets the minimum code requirements based on the incomplete drawings submitted.

Please let me know if you have any questions.

Sincerely,

Steve Stapleton

Steve Stapleton

Deputy Fire Chief

Villa Park Fire Department

630-833-5350

sstapleton@invillapark.com

INTERDEPARTMENTAL MEMORANDUM

Villa Park Police Department

TO: Director Arguilles

FROM:  Michael Lay
Chief of Police

DATE: October 23, 2020

SUBJECT: Zoning Case #PZ-20-0003 / 324

Please allow this memo to serve as my comments for the above listed zoning case.

After submitting my original memo I had a conversation with Jack and Karen Kozar regarding the memo that I submitted. This conversation took place on July 22nd.

The Kozar's were questioning my memo regarding the police department's receipt of several complaints related to noise coming from the business. They were aware of only 2 complaints that had been made about their business. A F.O.I.A. request for the complaint information was submitted revealing two complaints the PD received from 2019. I advised of a third complaint that had been received that was inadvertently left off the F.O.I.A. request. I then advised of several other complaints that were received by the village through email, via trustees or village complaint forms in June and July of 2020. Most of the complaints were submitted by one individual. The Kozar's advised of several other issues and incidents that took place at or near the business and believe they are victims of unwarranted harassment. This information is being provided as additional information in regards to the police department receiving several complaints of noise coming from the business.

Additionally, the Kozar's wanted to point out that their request for a variance for the number of parking spaces should be separate from the information I included in my memo about the potential noise that may result from the addition of a roof-top deck. Their opinion is that the details regarding the addition and construction of a roof-top deck should be kept separate. It is unclear whether these items are being considered separately or not. If they are separate, the police department would have no issues with the required number of parking spaces being reduced to zero spaces due to the additional parking areas that have been created in the area. If the roof-top deck is also being considered, the police department would like to know the details of how potential noise coming from the roof-top deck would be mitigated.

Sincerely,


Michael Lay
Chief of Police

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)

)

Regular meeting minutes.)

REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION

JANUARY 9, 2020

7:30 P.M.

PROCEEDINGS HAD and testimony taken before

the VILLAGE OF VILLA PARK PLANNING & ZONING

COMMISSION, taken at Villa Park Village Hall, 20

South Ardmore Avenue, Villa Park, Illinois, before

MARY E. FAILLO, C.S.R., R.P.R., qualified in the

State of Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT, Chairman

3 MR. ROBIN WHITEHURST

4 MR. MIKE ORLOWSKI

5 MR. KEN JACKSON

6 MR. EDWARD HOFSTRA

7 MR. JACK LANENGA

8 MR. BENJAMIN KESKIC

9
10
11
12 ALSO PRESENT:

13 MR. PATRICK GRILL, Director of Community
Development

14 MR. ALBERT BULTHUIS, Village President
15
16
17
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22

1 CHAIRMAN JARRETT: I call this regular meeting
2 of the Village of Villa Park Planning & Zoning
3 Commission to order. Let's start with a roll call.

4 Hofstra.

5 COMMISSIONER HOFSTRA: Here.

6 CHAIRMAN JARRETT: Jackson.

7 COMMISSIONER JACKSON: Present.

8 CHAIRMAN JARRETT: Orłowski.

9 COMMISSIONER ORŁOWSKI: Here.

10 CHAIRMAN JARRETT: Whitehurst.

11 COMMISSIONER WHITEHURST: Here.

12 CHAIRMAN JARRETT: Lanenga.

13 COMMISSIONER LANENGA: Here.

14 CHAIRMAN JARRETT: Keskic.

15 COMMISSIONER KESKIC: Here.

16 CHAIRMAN JARRETT: Calvert.

17 (Whereupon, there was no response.)

18 CHAIRMAN JARRETT: Romano.

19 (Whereupon, there was no response.)

20 CHAIRMAN JARRETT: Okay. We have a quorum.

21 So first order of business will be
22 approval of minutes.

1 COMMISSIONER LANENGA: Move to approve all the
2 minutes of 12/12/2019.

3 CHAIRMAN JARRETT: We have a motion. Is there
4 a second?

5 COMMISSIONER HOFSTRA: Second.

6 CHAIRMAN JARRETT: All in favor.

7 (Whereupon, there was a collective
8 aye response from the Board.)

9 CHAIRMAN JARRETT: Motion passes.

10 So the way the agenda will work tonight is
11 we will start with presentation of petitioner, Staff
12 input, then public participation and questions. At
13 that point, if you're from the public and you wish
14 to speak, you will come up and state your name and
15 address for the record, and we'll give you a couple
16 of minutes to talk, questions from the Commission,
17 closing comments of the petitioner, then we'll close
18 the public hearing, discuss amongst ourselves, and
19 if there's a motion to be made tonight on the
20 matter, then we'll make that motion at that time.

21 If you're expecting to speak tonight on
22 any of the agenda items, whether you're the

1 petitioner or from the public, please rise now. The
2 court reporter will swear you in, and then we'll get
3 into the agenda items one at a time tonight.

4 (Whereupon, the witnesses were sworn
5 in under oath.)

6 (Whereupon, the public hearings were
7 held.)

8 CHAIRMAN JARRETT: All right. Public comments
9 on non-agenda items. Are you guys here to speak on
10 something specific this evening or --

11 MR. KOZAR: Not really. I wanted to find out
12 what the Text Amendment process was. I saw that it
13 was on the agenda. We're going to hopefully be
14 before you in the next month or so, so I'm just kind
15 of doing my homework right now.

16 I mean, if you'd like to hear kind of the
17 preliminary of what we're wanting to do in regards
18 to 324 East Central, it's not particularly why I
19 came, but I'd be happy to speak with you, you know.

20 CHAIRMAN JARRETT: And just make sure that the
21 court reporter has your name and address, please.

22 MR. KOZAR: Sure. I'm kind of swinging from

1 the hip here. It's Jack Kozar. My residence is 329
2 East Park Boulevard, and this is in regards to 324
3 East Central, which is, I'd like to say, factually
4 known as Fuel and Creme.

5 So, like I said, I wasn't planning on
6 speaking tonight. I saw that there was a Text
7 Amendment, and we're looking for some solutions, so
8 I just thought I'd -- you know, for my own
9 edification. So I happen to have a couple copies of
10 -- it's a little packet that I put together. If I
11 could hand it up, and maybe you could just pass it
12 around. The first two pages are just a narrative
13 that -- I mean, I don't want to waste your time to
14 have to read it at this point, but the following is
15 basically an index one through nine, and then one
16 through nine corresponds with my rough drawing on
17 the survey that follows.

18 So just to kind of give you a road map, if
19 you look at the survey on the last page you'll see
20 markings number one, number one, number two, three,
21 four, five, and so on. Make sense, kind of?

22 CHAIRMAN JARRETT: Uh-huh.

1 MR. KOZAR: Okay. So I've been working with
2 the Village at large to come up with some solutions
3 on our property at 324 East Central. It's an
4 odd-shaped lot. As you guys know, it used to be an
5 old gas station. We've done an environmental
6 remediation on it, and we're working hard to just
7 make it a financially viable business, and I think
8 we're doing a good job. I mean, we're working our
9 tails off doing it. But there's no model to follow,
10 and it's one of those things where, you know, I feel
11 like I kind of put a blindfold on and wrote a blank
12 check and jumped into it. And, you know, Karen and
13 I have been Villa Park residents for 20 years. I'm
14 fully invested in Villa Park. You know, this is
15 where I live. This is where I want to live. This
16 is where I'm investing my life savings, our life
17 savings, on this property.

18 So really in order to make it financially
19 viable, what we've come to the conclusion of is that
20 we need to survive the winter, and, you know, I'm
21 setting the bar rather low. I just want to survive
22 the winter, because what that means to us is that we

1 have to be able to afford the staff that we have
2 trained so that we don't lose them in November,
3 October, or something like that, and then have to
4 rehire and reinvent the wheel come March, April,
5 something to that effect. So if I can pay my staff
6 and stay open, we're ahead of the game. That's how
7 I feel about it.

8 In order to do that, what we're learning
9 is that -- I have occupancy of 30 people inside of
10 Fuel, and there's no occupancy inside of Creme.
11 It's just a carryout ice cream place that does very
12 little business in the winter. Maybe on a night
13 like this, you know, we might sell a little bit of
14 ice cream, but generally speaking, it's ice cream.

15 So we have found that really what it
16 amounts to is being able to do events or do private
17 parties. So we've had wedding showers, we've had
18 baby showers, we've had birthday parties. I had my
19 office party there, which is great. And they bring
20 in enough revenue to basically support that week
21 and, you know, pay for my employees, you know, and
22 not have to just continually be subsidizing this

1 property.

2 So we've erected a tent up there, and that
3 would be great for being able to house these
4 parties, as we can put it in the tent, but we need
5 to kind of change the rules, the Code, or go through
6 a PUD or a Text Amendment. That's what interested
7 me in coming here today, you know. Kind of what's
8 the process of a Text Amendment. Pros and cons to a
9 Text Amendment is that it's -- you know, if you make
10 a Text Amendment, it's good for everybody, and maybe
11 that doesn't necessarily work, you know, for every
12 property in the Village. You know, it may just not
13 kind of fit the overall picture of what, you know,
14 you all on the Board and the Village at large, you
15 know, want.

16 So perhaps the right route to go, and this
17 is what we're working on, is a PUD. So we, you
18 know, put everything collectively into a package and
19 say, this is to the best of our knowledge what we
20 think, and we're going to need to do it. So what
21 I've done in that packet is, just in the spirit of
22 trying to be transparent with every idea that we

1 have, I've put them down here, and then we're trying
2 to figure out how best to approach this.

3 So the tents are really important, because
4 we've got a party booked on the 17th, the 18th, and
5 the 24th, if I'm not mistaken, plus or minus a day,
6 but it's right there, of this month, and we've had
7 18 other inquiries of people that want to book their
8 parties, whatever they may be. We want to
9 accommodate them. We can't do it in little, tiny
10 Fuel.

11 Additionally, too, in the summertime
12 people want to come in, they want to bring a group
13 in, maybe it's a, you know, biking group, a pub
14 crawl, something like that. They're afraid of kind
15 of booking it at Fuel and Creme, because what if it
16 rains that day, you know. It could be beautiful all
17 week, and then you want to bring 30 people over for
18 a couple hours, but it's going to rain. You know,
19 you don't know. Maybe we'll go somewhere else.
20 Maybe they'll go to Elmhurst, or they'll go to
21 Lombard. Something like that. We want to keep them
22 in Villa Park. Not only for the purposes of Fuel

1 and Creme, but other places too. So the Village
2 participates in that and creates revenue with that.

3 So those tents would be useful, or at
4 least in the summertime just the top of the tent and
5 taking out the sides. So that's, you know,
6 something to consider. I encourage all of you, if
7 you go by Fuel and Creme, to go take a look at the
8 tent that we have. I mean, it's a super high
9 quality, made in Germany, engineered tent. It's not
10 like a Menards tent. Oh, thank you, Patrick. It's
11 winter rated, it's snow rated, it's fire rated.

12 Like I said, it's super high quality, and it's got
13 clear panels all around, so it doesn't look boxed
14 in. It adds, I think, to the overall look of it.
15 I've gotten a lot of positive comments that people
16 just like the look of it. So our tent is an issue,
17 and we're trying to overcome that. Specifically, I
18 believe it's under the Code 6.11.2.

19 Another issue that we've kind of learned
20 about is on the patio. According to the Code,
21 6.11.2.G.7, no entertainment of any sort is allowed
22 on a patio, which just seems very restrictive. So

1 that, in theory, through the black letter of the
2 Code, that could mean a speaker outside, that could
3 mean live entertainment. Taken to the extreme, it
4 could be one of my servers telling a joke on the
5 patio. But, you know, that brings it to the
6 extreme.

7 We'd like to have speakers out on the
8 patio, you know. We don't play loud, ruckus music.
9 There's other bars that you can go to for that.
10 That's not our scene. But we would like to have,
11 you know, a guitarist out there, a small band,
12 something like that. Not playing until 2:00 a.m.,
13 but, you know, maybe shutting down at dark or
14 something like that, which we did in the summer,
15 before we kind of realized this.

16 Additionally, in the Code, under
17 6.11.2.G.12, there is a prohibition of sitting on
18 the patio from December 1st through April 30th. I
19 don't understand that. It's not -- you know, one
20 reason for that that was brought to me was maybe
21 originally the Village didn't want patio furniture
22 just sitting out all winter, but that's not what the

1 Code says. So, you know, if the Code prohibits
2 patio furniture, there would be a direct reason for
3 it, but we've had -- you know, I mean, soon people
4 will be moving to Chicago for their mild winters,
5 but -- you know, we've had some nice weather, and we
6 set out some gas fire pits out there, and people
7 love to, you know, sit out there all bundled up,
8 and, you know, just hang out. We feel that if --
9 you know, if you're hearty enough, you're Midwestern
10 hearty enough to go sit outside, you know, you
11 should be able to. So, you know, that's an issue,
12 and that's something that we'd like to talk about.

13 Additionally, Illinois law requires that
14 all our alcohol and liquor remain on the property.
15 So if we had backup, you know, bottle supplies, you
16 know, it has to be on the property. So given that
17 that property is as small as it is and confined as
18 it is, and we didn't do an addition, we kept the
19 original buildings to kind of keep that look, you
20 know, storage is a challenge. So what we would like
21 to do is put some sort of secure storage back up
22 against the fence.

1 If you look on the map, that would be item
2 number three. And what I've basically drawn in, to
3 my best of scale, is like an 8 by 10 shipping
4 container. The reason for a shipping container is
5 that it's solid. It's hard to break into a shipping
6 container. You'd have to, you know, torch it out.
7 But then if you look at item number four, the
8 thought there is screen it with the same style of
9 fence, looking exactly the same as the one that is
10 directly to the north of it. So from the look of
11 it, if you're looking down the street, you wouldn't
12 really notice any difference. You would just have
13 this secure container in the back which we could
14 store supplies in. There's some challenge with that
15 under 6.11.12.H, which prohibits storage containers
16 or temporary storage containers, you know, on the
17 property. But there are some examples where there
18 are storage containers in Villa Park, but this one
19 would absolutely be screened off, and you wouldn't
20 see it.

21 If we were to screen it off, that would
22 pose another problem, which is 9.2.2, which says, a

1 fence needs to be only six feet tall. We've already
2 done a variance for an eight-foot-tall fence between
3 the two buildings. And if any of you have seen the
4 fence, I mean, it's a high quality fence. It's a
5 nice looking fence, and we intend to keep it that
6 way. So the screening fence that would be right
7 there would just mimic what's in back there.

8 If you're looking on the map, number five.
9 Not necessarily doing it, but I'm just trying to be
10 transparent and put everything out that I can.
11 Possibly an awning. I don't know that we need
12 special permission for that, but an awning over the
13 doors. So like the French doors where you walk in.
14 If it's raining and you want to put your umbrella
15 down or take your coat off or something. So you're
16 just sheltered a little bit, you know, temporarily
17 before you walk into the property. That would be
18 number five.

19 Six, that little green six, is a walk-in
20 cooler. So they make a walk-in cooler that could go
21 on the side of the building. We have a big window
22 right there. So we thought if we reconfigured --

1 it's like a membrane that goes around it, and you
2 can put in a walk-in cooler right there just to
3 enlarge our cooler space. You know, we'd keep kegs
4 cold, you know, and everything. So that would be
5 number six.

6 I'm not sure, and I'm still researching,
7 and Patrick's been extremely helpful with trying to
8 guide me in the right direction on the Code and
9 everything else, but I think that would be standard
10 permitting for that. That's still kind of open.

11 Number seven is a longer term pipe dream.
12 I don't see it on my radar right now, but it is a
13 potential rooftop deck. When we built the property
14 it was advisable to redo the roof structure as it
15 was. So when we did, we built it up to the Code for
16 the weight. So, again, I think that's just standard
17 permitting. However, we will need a stairway to go
18 up there, and we're trying to learn what the
19 occupancy limit would be on that. But, again, I
20 would just want to put all this into a larger plan
21 and present it to you. So seven is the rooftop
22 deck.

1 Eight is the stairs going up there. The
2 stairs would be in the back, basically where number
3 three, number four is, kind of creeping up there. I
4 think it would be a great attraction in Villa Park.
5 Everybody coming off the Prairie Path, doing stuff,
6 and then you have this little rooftop deck, you
7 know, with whatever occupancy. Is it 15? Is it 20?
8 I don't know. You know, whatever it would be
9 allowed. It would be a lot of fun.

10 And then, lastly, number nine is -- with
11 that tent there, it blocks our sign, so we would
12 simply like to take our Fuel sign, that red Fuel
13 sign that's lit up, and just simply move it up four
14 feet. By doing that, we interfere with the Code,
15 which is 8.6.5, subparagraph 8, which says, no signs
16 on the roof. So I think, you know, if we did move
17 that up, we would fall under that category.

18 So these are the things we're working on.
19 This is what we think we need to be viable, and, you
20 know, it benefits everybody. This property is not
21 -- it's not only this property that's really kind of
22 become a destination, and people enjoy it -- and

1 when I say people, it's not just Villa Park
2 residents. I mean, we're getting people from
3 Elmhurst, and Glen Ellyn, and Lombard, and stuff
4 like that, but taking a whole new look at what Villa
5 Park is. You know, two years ago they were driving
6 by an abandoned gas station, and let's cut through
7 Villa Park quickly on the Prairie Path and get on
8 out. Now it's, hey, Villa Park has something here,
9 you know. What have we got going? You know, I know
10 people that are moving into Villa Park. We've been
11 voted number 28 great places to live. I mean, we
12 choose to live here, you know. We could live
13 anywhere that we want. We choose Villa Park. It's
14 a great community. I think this is helping, you
15 know, just the visual of Villa Park, coming down
16 that Prairie Path. It just looks great. The
17 Prairie Path is a great asset for us.

18 So having this property be financially
19 viable not only helps us, but, you know, I think
20 it's a positive for Villa Park. So I'm just trying
21 to make this work. I don't have the answers. You
22 know, I'm learning as I go. I'm taking my licks

1 along the way. I'm investing my life savings.

2 COMMISSIONER LANENGA: Was that a very bad pun?

3 I'm taking my licks along the way?

4 MR. KOZAR: I wish I was smart enough to have
5 thought that out, but, yeah, thanks for giving me
6 that scoop. Sorry. But I truly am investing my
7 life savings on here, and, you know, I believe in
8 it. I believe in Villa Park.

9 So we're looking for a way to just make
10 this work, and looking for your guidance, and
11 looking to work with, you know, the Village at
12 large, being transparent with them, and, you know,
13 I'm completely open to suggestions if you've got
14 ideas and that. You know, I'd like to give you all
15 my phone number, and then if you do have, you know,
16 ideas, or you'd like to come by the property and
17 take a look at it, you know, and really see kind of
18 what I drew here, I welcome you to do that, and I
19 don't mind putting my number on record if you guys
20 want it. It's (630) 561-1408. Please, you know, by
21 all means, I'd be happy to entertain any questions
22 or thoughts that you guys might have. Let me know.

1 COMMISSIONER WHITEHURST: So just from a
2 general principle standpoint, typically we don't
3 want to do a Text Amendment to benefit one property
4 or because of one property. A PUD is the more
5 likely of a situation to me to come through and ask
6 for things under a PUD, specific to this property
7 and specific to this operation. It's a separate
8 approval, and a separate ordinance is written for
9 it.

10 CHAIRMAN JARRETT: The other advantage of the
11 municipality in that position is that if we make a
12 Text Amendment you kind of get to do whatever you
13 want within that Code, right. With a PUD, when you
14 start, you know -- you're asking for a lot of little
15 alterations, variations, changes.

16 COMMISSIONER WHITEHURST: It's operational.

17 MR. KOZAR: Right.

18 CHAIRMAN JARRETT: And what that allows us to
19 do is have input on what the final product is. And
20 a lot of this makes sense to me. I mean, a lot of
21 it seems kind of basic, and I'm personally not a big
22 fan of the tent in front on the outside, because to

1 me part of the charm is the Fuel and the garage and
2 the two doors and all that work, and it looks
3 amazing from the Prairie Path. Not as amazing as
4 the tent.

5 COMMISSIONER WHITEHURST: Is the tent seasonal?
6 Does it come down?

7 MR. KOZAR: So I would like to have a solution,
8 and maybe it's a two-part solution, and that's why I
9 wrote in -- on here you have the two number ones,
10 which would be two tents. Between the buildings
11 perhaps you could leave the tent up. Perhaps the
12 one on the south that you mentioned would just be
13 seasonal.

14 COMMISSIONER WHITEHURST: So I'm going to
15 encourage you to get an architect and have them look
16 at the Building Code for a tent structure, because
17 they're temporary structures typically by the Code
18 because of what they're made of, and you're
19 connecting to other structures with a tent. It's
20 really a temporary structure. There's some
21 difficulties with that if you're talking about
22 something that's year round and more permanent

1 that's made out of a tent material. So that's where
2 I have problems with it, because when I just look at
3 the plan, you've got more square footage in the
4 tent, it looks like, than we have in the building,
5 and, you know, you've got of it. It is very
6 charming, what you've done with the buildings there,
7 and I would hate that then I don't see the buildings
8 because it's all tent. Especially when I think when
9 you look at Building Code and compliance for a tent
10 that's attached to a building, it doesn't work. So
11 you need to look at that. Because I did a study for
12 a client, and it didn't work, so --

13 CHAIRMAN JARRETT: I could see Fire Code issues
14 and all sorts of things, potentially.

15 COMMISSIONER WHITEHURST: That's technically a
16 temporary structure.

17 MR. KOZAR: Sure. And that front one then, to
18 the south, is not attached to the building. There's
19 a separation. From the look of it on my --

20 COMMISSIONER WHITEHURST: The one that you have
21 now, there's a separation?

22 MR. KOZAR: Correct. There is a separation.

1 COMMISSIONER WHITEHURST: I guess I was
2 commenting on the one that looks like it's touching
3 the ice cream shop and then touching Fuel. The big
4 number one, right? Is that intended to -- maybe I'm
5 reading this wrong.

6 MR. KOZAR: Yeah. You're reading it correctly,
7 yeah. This one right here.

8 COMMISSIONER WHITEHURST: Yeah.

9 MR. KOZAR: And your thought is, you know,
10 perhaps don't have it touch?

11 COMMISSIONER WHITEHURST: Well, I think you're
12 going to find, with the separations and everything,
13 it's going to make it so that being a permanent tent
14 isn't going to work from a Code compliance
15 standpoint. Maybe if it's seasonal and you're going
16 in for an annual permit, you can't, so --

17 MR. KOZAR: Okay. Over in -- I'm trying to
18 think where it is in Lombard, and it's at the pool.
19 They have basically an awning. It comes out, and
20 it's -- I don't know how they do it. It's kind of
21 like cantilevered on. They have a giant post, and
22 the top of the awning just comes out. So there

1 aren't four corners to it. There's only two.

2 Perhaps something like that.

3 If you look -- only because I see it over
4 at Demito's. They've extended their roof line, and
5 then they drop down to like a tent. I mean, for all
6 purposes, it's not that much different. So, you
7 know, to your thoughts right there, maybe something
8 like that would be more imitable.

9 COMMISSIONER WHITEHURST: Yeah. Like I say, I
10 think you need to get an accurate, you know, Fire
11 Code complaint thing like we were talking about for
12 occupancy, places where people gather. But those
13 are my two concerns is I would want to see it be a
14 PUD. I think, yeah, having people sit outside and
15 having some great fire pits year round, that makes
16 complete sense. And being able to have performances
17 out there. I mean, my family and I talked about,
18 you know, wouldn't it be great if there was music
19 out here right now, you know, because it's a great
20 patio. So things like that I think are really cool
21 ideas.

22 I'm just cautious about -- you've done a

1 great job on the buildings and putting these other
2 things in. It kind of junks up the beautiful stuff
3 that you've got. That would be the concern.

4 CHAIRMAN JARRETT: Yeah. And that's kind of
5 the point I'm making too. Tent on the front.
6 There's nothing wrong with the tent. It's a nice
7 tent, but it's a tent. And I understand seasonal
8 needs, you know, to keep the business running. You
9 know, maybe -- there may be other options that I'm
10 not thinking about off the top of my head that makes
11 more sense than a tent, or maybe there's seasonal
12 permits. I don't know how all of our ordinance
13 works with any sort of a tent like that. It's
14 probably temporary or short term, right?

15 COMMISSIONER WHITEHURST: Because, again, that
16 ties into Building Code. That's where it comes
17 from.

18 CHAIRMAN JARRETT: Because if you're connecting
19 two buildings to a tent that's highly flammable, you
20 know. I'm not saying you are, but somebody might.

21 COMMISSIONER WHITEHURST: We get it, and we
22 want you to be year round successful, but, you know,

1 it's got to work within Codes and everything.

2 MR. KOZAR: Right.

3 COMMISSIONER WHITEHURST: And I do think a PUD
4 is the right way to go, just because we can write
5 specific to this property, and then if somebody else
6 wants to come in and do something similar, that's
7 the precedence of the process.

8 MR. KOZAR: Right. Okay.

9 CHAIRMAN JARRETT: Here's a question. The
10 tents that you have now, are you leasing them?

11 MR. KOZAR: No. I purchased it.

12 CHAIRMAN JARRETT: Okay. I was just curious,
13 because I know some people lease tents for a long
14 time, and they could have built something permanent
15 for a lot less money.

16 MR. KOZAR: I purchased that. It was a \$10,000
17 tent.

18 CHAIRMAN JARRETT: Yeah. As far as the
19 entertainment on the patio, that's kind of a --
20 that's almost a Village Board/Community
21 Development --

22 COMMISSIONER WHITEHURST: Didn't he say it's in

1 the Zoning Code? Right?

2 MR. KOZAR: Yes.

3 COMMISSIONER WHITEHURST: Is there a companion
4 ordinance, Patrick, in the Municipal Code about
5 outdoor performances or needing a special license or
6 something?

7 CHAIRMAN JARRETT: Just for example, Chicago
8 recently started a public place of amusement
9 license, which has a lot of rules and requirements,
10 and they treat it as a Special Use actually, and
11 there's certain requirements you have to meet, and
12 you go through the Special Use process.

13 MR. GRILL: We have what's known as a special
14 event application process, and that allows you when
15 you're having special events to have, you know,
16 outdoor music and things like that.

17 COMMISSIONER WHITEHURST: But you have to get a
18 permit every time.

19 MR. GRILL: But you have to get a permit every
20 time. It's for a specified period of time, and
21 things like that. And then you also have the
22 nuisance ordinance that if you're making too much

1 noise you call the cops and they say turn your music
2 down.

3 COMMISSIONER WHITEHURST: Couldn't we through a
4 PUD process say this is an event?

5 MR. GRILL: Through the PUD process you
6 could --

7 COMMISSIONER WHITEHURST: And then we can
8 condition hours of operation and stuff like that, so
9 we could mitigate any impact on surrounding
10 neighbors, which I'm sure you're going to be cool
11 with. That might be a way to do it. Then that way
12 there would be a series of conditions. So, again, a
13 PUD allows the Village to have some conditions on
14 the operation.

15 MR. KOZAR: Sure.

16 CHAIRMAN JARRETT: I'm just going to say that
17 the December 1st to April 30th, whatever the point
18 of that text is, seems poorly thought out.

19 MR. GRILL: The whole outdoor patio process
20 came into effect in 1996. There had been requests
21 for a restaurant to have outdoor seating, and
22 Mr. Whitehurst's name was actually on the minutes

1 from the meeting.

2 COMMISSIONER WHITEHURST: And what did I say?

3 I didn't like it?

4 MR. GRILL: No. You actually were for it, but,
5 you know, at the time it was fairly new, but because
6 there had been repeated requests for it, the Village
7 Board decided to make it, you know, part of the
8 Code, and wrote a set of rules and regulations to
9 follow, with the understanding that typically no one
10 wants to really be outside, you know, in wintertime,
11 and so, we'll make sure -- and usually the furniture
12 that you put outside is not the nice stuff, and so
13 in the wintertime when people aren't eating outside,
14 you pull that stuff inside, so it's, you know, not
15 out weathering and looks bad, but -- and the last
16 time there's been any amendments to it was 13 years
17 ago. So we haven't looked at this for a long time,
18 and perhaps it's time to look at it again.

19 COMMISSIONER WHITEHURST: Yeah. I think
20 there's some big difference with like the patio
21 heaters he's talking about. Everybody's trying to
22 extend the season, which wasn't happening even 13

1 years ago, so --

2 MR. GRILL: Right.

3 CHAIRMAN JARRETT: Chicago, they do something
4 similar. I don't think those were the dates, but
5 they do something similar with street cafes where
6 after a certain date, it's probably November 1st,
7 December 1st maybe, all public street cafes are
8 gone.

9 COMMISSIONER WHITEHURST: Except for the
10 subway.

11 CHAIRMAN JARRETT: Except for the subway.
12 Which, you know, for snow removal and stuff, which
13 on a private patio, you know, is not quite the same
14 issue. So that may be something worth --

15 MR. GRILL: And, like I say, you didn't have
16 those patio heaters, you know, 20 years ago when we
17 initially talked about this.

18 COMMISSIONER WHITEHURST: So, again, the
19 petitioner will come in and say, I want to be
20 operational. I'm going to have this type of
21 furniture. I'm going to have patio heaters and even
22 have, you know, gas-fired fire pits or whatever.

1 Then it's a whole operation. That's a perfect
2 thing, again, to a PUD to say, okay, you're set up
3 correctly. We're not going to have this ugly
4 furniture stacked up all winter long with snow all
5 over it. It's a different thing. So I think
6 looking at the Text Amendment separate from this
7 petition is a separate exercise.

8 MR. GRILL: Yes.

9 CHAIRMAN JARRETT: And storage containers
10 generally is not something we want to encourage,
11 though there are some very creative and very
12 interesting uses of them around. But that's a good
13 place for a PD as far as that goes.

14 COMMISSIONER WHITEHURST: Like what do we want
15 to see, what are we going to do, what's the
16 enclosure look like. If it's attractive and it ties
17 into the overall esthetic, that's a classic PD thing
18 for us to say, okay, but here's the condition on
19 that.

20 CHAIRMAN JARRETT: Yeah. I think fences
21 generally -- there's no consensus here, but
22 generally that would be something we probably would

1 not want to change, because an eight foot fence is
2 tall, but for a PD/variance, it's a different
3 question. Awnings, walk-in cooler, yeah.

4 COMMISSIONER WHITEHURST: Again, the walk-in
5 cooler looks like it's part of the building.

6 MR. KOZAR: Yeah. It would be.

7 COMMISSIONER WHITEHURST: And if you show us
8 elevations and we condition those elevations, it's a
9 different situation than trying to --

10 MR. KOZAR: What's that one Chinese restaurant
11 that had the storage container?

12 MS. SOLEM: It's on St. Charles Road. Red
13 Dragon.

14 MR. KOZAR: Red Dragon. They have a modified
15 shipping container that is a walk-in cooler. But, I
16 mean, that's actually a big --

17 MR. GRILL: Where?

18 MS. SOLEM: Villa Park.

19 MR. KOZAR: I don't bring it up to like get on
20 them, but they're taking storage containers, and
21 they insulate them, and they make them into portable
22 walk-in coolers. Like, it's efficient. It's

1 effective, you know.

2 CHAIRMAN JARRETT: Using them specifically for
3 crew staging. They've got air conditions and like
4 an outside --

5 MR. KOZAR: They're like \$20,000. I mean --

6 CHAIRMAN JARRETT: Down towards the east end of
7 the Riverwalk in Chicago, there are a number of bars
8 operating out of shipping containers.

9 MR. KOZAR: There's one in Elmhurst in what
10 they call the doughnut hole behind the theater.
11 It's not a walk-in cooler, but it's essentially a
12 bar is what it is.

13 CHAIRMAN JARRETT: Yeah. And then the rooftop
14 and stairs, I know it was under construction, and
15 you showed me around the site, you mentioned that,
16 and I think that's a really cool idea. The only
17 issue is how you get the stairs to work to Code,
18 because you've got to be able to get potential first
19 responders up and down the stairs, if you had a
20 health emergency or something, evacuations, and so
21 on.

22 COMMISSIONER WHITEHURST: The number of

1 occupants is going to be -- if you can get over a
2 certain threshold, you're going to need two stairs,
3 because you'll need two means of egress. So that's
4 why you're going to have to look really closely with
5 an architect, I think, to work through some of these
6 issues just to get it so that it's safe and it works
7 to Code.

8 MR. KOZAR: Right. That's one of the open
9 questions that I'm trying to just figure out.

10 COMMISSIONER WHITEHURST: We give sign
11 variation. Again, if it ties into the overall
12 appearance, esthetic, theme, and we do that all the
13 time where we look at it, and we go, okay, this is a
14 little bit different, but, look, it ties in. It
15 looks fantastic. So, again, that's another thing
16 that could be in a PD. The sign can be part of the
17 PD.

18 MR. KOZAR: And that could be something that
19 we'd move too, because we have the sign, as you've
20 seen it, and then maybe seasonally the tent goes up,
21 the sign goes up, the tent comes down, the sign goes
22 back down.

1 COMMISSIONER WHITEHURST: I would encourage you
2 to set a theme there and an approach. Anything you
3 do, I would try to just play with that or stay
4 within that, because obviously it's been well
5 received, and I think it fits right in. So keeping
6 that quality level in mind, I think there's things
7 that could be worked out. Out of everything, my
8 biggest concern is just the tent, so --

9 CHAIRMAN JARRETT: Yeah. And my thoughts on
10 the whole thing generally is when you guys came
11 before us with the idea, I had a vision in my head
12 of what it would be, and I thought it would be
13 awesome. And what you guys did is not what I
14 envisioned, but it's better.

15 MR. KOZAR: Thank you.

16 CHAIRMAN JARRETT: I mean, generally it is.
17 But I imagined you guys taking away buildings,
18 cleaning up the brick, patching up the masonry,
19 painting everything white, throwing a couple signs
20 on it, throwing some pavers down and picnic tables,
21 and calling it a day, which would've been nice. But
22 what you've done is so much more. So just make sure

1 that whatever you're thinking about, you keep going
2 down that route instead of thinking, maybe we'll
3 just throw a tent here and a tent here.

4 MR. KOZAR: Like hodgepodge. No. We want to
5 avoid that.

6 CHAIRMAN JARRETT: Yeah. What you've done is
7 great. I'd hate to see anything, you know, go the
8 other way with it.

9 MR. KOZAR: Yeah. Karen would never allow it.

10 MS. SOLEM: No. I lobby and I lobby and I
11 lobby until I get my way.

12 MR. KOZAR: And then we can talk about 324.

13 MS. SOLEM: I have one comment. The location
14 of the current tent, the white tent with the clear
15 sides. To heat it in the winter so that people are
16 not out there bundled, because they can do that
17 outside, we have two air curtains that were required
18 by the health department, and we have those in the
19 bifolds, and the bump up that we did has got those
20 heated. So we have a heating element, and then
21 there's vents that can push that heated air inside
22 or outside or straight, so we pushed it into the

1 tent. And we've had the Luurs Floral from Hillside,
2 she had her daughter's bridal shower in there. They
3 loved it. It was perfect. So it really was
4 topnotch. They could just walk in and out, and our
5 servers can go in and out of those eight foot
6 bifolds. But that's the purpose for the location
7 where it is today. And preferably in the summer we
8 can move it between the buildings so that if you're
9 having an outside event or if we do any of our
10 vendors that are the craft beer people that come
11 out, we can put those people underneath the tent,
12 and if it does rain, it's not a washout, because we
13 have to book those like six weeks in advance.

14 MR. KOZAR: We have a concept that -- it's kind
15 of fun, and we've done a few where we do patio
16 takeovers of local breweries. We had Kinslahger, we
17 had Church Street, we had Noon Whistle. There was
18 one other too that would just come and basically
19 take over our patio. So rather than going to the
20 brewery, the brewery comes to you. It's a good
21 co-marketing thing. It's fun.

22 MS. SOLEM: We tied it in with the Brewfest

1 day, so that they were over at Cortesi Park, and
2 then they came over by us, and then that just
3 brought the people, and we kept them in Villa Park.
4 But, anyway, having an event, if anyone in this room
5 wanted to rent our space, you know, in two weeks,
6 four weeks, an anniversary, a birthday party for
7 your significant other, your first question would be
8 what if it rains, because you never know, and you
9 don't want to put that much money in and invite that
10 many people into something, and so this will allow
11 us to be able to say we can fit X amount of people
12 in this 20 by 20, and it's a make or break element
13 for being able to have -- and, typically, when
14 people call or come in or e-mail or contact us on
15 Facebook, it's between -- never really 10 to 15
16 people. It's 20 to 30 people. It's 40 people. We
17 have a pub crawl coming through. They're hitting
18 all the places, and they stop in for even an hour
19 and-a-half. It's significant. But these parties
20 that -- it's really, really picking up. There's not
21 -- today we had one or two requests even. So people
22 really are keeping us in mind, and it's a little bit

1 different, and it's not just all enclosed. They
2 have that feel that Fuel has, and that's the
3 esthetic, but it's also the backyard feel, but you
4 don't have to have it in your backyard. We can
5 accommodate, and you don't have to do anything but
6 show up and pay for it. But, anyway, that's what I
7 did want to mention, and that is why we have it
8 right there. I didn't want it there, but -- believe
9 me.

10 CHAIRMAN JARRETT: Okay. Any other questions,
11 comments? Can you give the reporter your name,
12 please?

13 MS. SOLEM: Sure. Karen Solem, S-O-L-E-M, 329
14 East Park Boulevard, Villa Park.

15 CHAIRMAN JARRETT: All right. Is that it for
16 this evening?

17 MR. KOZAR: Would you like me to -- or maybe go
18 through the Village and get, you know, like an
19 electronic copy of this and send it to you first for
20 review, or just wait until I kind of get --

21 COMMISSIONER WHITEHURST: I think you want to
22 wait until you do something formal, because it has

1 to get referred formally to us and to the Board, so

2 -- this is a good informational --

3 MR. KOZAR: Okay. Sure.

4 CHAIRMAN JARRETT: Yeah. And we do allow for
5 these types of reviews here. So, I mean, if you've
6 got an interim before a Planned Development where
7 you say this is what I'm really thinking, you know,
8 at that point you could communicate that to Patrick,
9 but I think just seeing this is probably enough, and
10 that's good for your --

11 MR. KOZAR: Good.

12 CHAIRMAN JARRETT: And if anybody wants to see
13 it or take a picture of some part of it, it's right
14 here, so --

15 MR. KOZAR: Thank you very much for your time.
16 I appreciate it.

17 CHAIRMAN JARRETT: Thank you.

18 COMMISSIONER WHITEHURST: Thank you.

19 CHAIRMAN JARRETT: All right. Commissioner
20 comments.

21 No Village Board liaison comments?

22 Any Village Staff comments, upcoming

1 public hearings, et cetera, Patrick?

2 MR. GRILL: No. At this point, we don't have
3 any new applications for February.

4 CHAIRMAN JARRETT: All right. Motion to
5 adjourn. All in favor.

6 (Whereupon, there was a collective
7 aye response from the Board.)

8 CHAIRMAN JARRETT: All right. We're adjourned.

9 (Whereupon, the meeting was
10 adjourned.)

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1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

5 I, MARY FAILLO, C.S.R. No. 084-004565,
6 duly qualified by the State of Illinois, County of
7 Du Page, do hereby certify that at the request of
8 the VILLAGE OF VILLA PARK PLANNING & ZONING
9 COMMISSION, subject to the usual terms and
10 conditions of County Court Reporters, Inc., reported
11 in shorthand the proceedings had and testimony taken
12 at the public hearing of the above-entitled cause,
13 and that the foregoing transcript is a true, correct
14 and complete report of the entire testimony so taken
15 at the time and place hereinabove set forth.

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22

MARY FAILLO, CSR, RPR



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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance from required)
maximum permitted fence)
height of six feet to)
eight feet, and a) Petition PZ-18-0004
variance from minimum)
required parking from 20)
spaces to zero spaces)
for property located at)
325 East Central)
Boulevard.)

PUBLIC HEARING
PLANNING & ZONING COMMISSION
APRIL 12, 2018
7:30 P.M.

PROCEEDINGS HAD and testimony taken before
the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

[illegible]

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
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Variance from required)
maximum permitted fence)
height of six feet to)
eight feet, and a) Petition PZ-18-0004
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spaces to zero spaces)
for property located at)
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South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Variance from required)
maximum permitted fence)
height of six feet to)
eight feet, and a) Petition PZ-18-0004
variance from minimum)
required parking from 20)
spaces to zero spaces)
for property located at)
325 East Central)
Boulevard.)

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PLANNING & ZONING COMMISSION
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PROCEEDINGS HAD and testimony taken before
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COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT

3 MR. VINCE GATTO

4 MR. MIKE ORLOWSKI

5 MR. KEN JACKSON

6 MS. LINDA BELLOW

7 MR. JACK LANENGA

8 MR. DOMINICK ROMANO

9 MS. MORGAN RICKEL

10

11

12 ALSO PRESENT:

13 MR. PATRICK GRILL, Director of Community
Development

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1 COMMISSIONER JARRETT: We will now enter the
2 public hearing section of our hearing. I see a lot
3 of people here this evening. I imagine some of you
4 will want to speak. If you've got the agenda in
5 front of you, it has an order that we follow. If
6 you don't have it in front of you, I'll go over it
7 briefly. We will start with presentation of the
8 petitioner. We'll move into Staff input, and then
9 public participation and questions. That's where
10 anybody from the public wishing to speak will have
11 their opportunity to speak, and then questions from
12 the Commission, closing comments of the petitioner.
13 Then we'll close the public hearing and discuss and
14 vote, if we get to that point.

15 If you think you're going to speak
16 tonight, what I want you to do now is stand, be
17 sworn in. We have a court reporter here. Please
18 don't talk over each other. We need to come up to
19 the podium to speak. But if you think you're going
20 to speak, now is the time to stand and be sworn in.
21 She'll do that everybody at once, and then when you
22 come up to the podium, state your name and address
23 for the record.

24

1 (Whereupon, the public members and
2 petitioner were sworn in under oath.)

3 COMMISSIONER JARRETT: Thank you. All right.
4 Petitioner, whenever you're ready.

5 MR. KOZAR: Great. Thank you very much for
6 coming. I'm going to move these out over here so
7 everybody can kind of see what we're doing here.
8 Just bear with me. I'm going to face this towards
9 our Board members, and then as we kind of go through
10 them I'll show everybody as we do them. We were
11 going to do a PowerPoint, but these are a lot less
12 technical.

13 All right. So as you all are aware, there
14 was a gas station over at 324 Central, and I bought
15 that last year, or I should say Karen and I bought
16 that last year, and this is basically what it looks
17 like. So when we bought it, we were under the
18 understanding that there was a couple underground
19 gas tanks there, so I hired an environmental
20 company, Eagle Environmental, and we worked with the
21 fire marshal, and we worked with the Illinois EPA
22 and started testing and started digging. Three
23 tanks became seven. And apparently what happened
24 back in the day was when a tank didn't work, instead

1 of pulling that tank out they just put another one
2 in. And when that tank didn't work, they put
3 another one in with no, you know, thought that
4 eventually these are going to degrade, they're going
5 to leak, they're going to contaminate the soil. So
6 voluntarily, we decided, let's get these tanks out.

7 We love the property. We live directly
8 across the street at 329 Park. So this is -- this
9 is our view from our front porch. You know, we look
10 at this from our front porch, and that's what really
11 interested us in this property and gave us this
12 vision of what we wanted to do. So voluntarily we
13 contracted with Eagle Environmental to come in and
14 start digging tanks. And once you step into it,
15 there's no turning back. So this is a 6,000 gallon
16 tank that was under the ground. We pulled that. A
17 couple of 3,000 gallon tanks. A couple of 1,000
18 gallon tanks. If you guys can all see this, this is
19 a semi truck. We loaded 25 of these of contaminated
20 soil and brought it to a hazmat site. We have a
21 \$200,000 contract to decontaminate this soil, and
22 that's what we're working at. And at the end of
23 \$200,000, when all is spent, this is what we're left
24 with. It looks the same as when we started. But

1 what our vision is is to turn what was at one time a
2 contaminated site into a family-oriented, green,
3 healthy, fun space, and that's what we have here.

4 So with the two buildings, we want to put
5 on the one side an ice cream shop, and we'll call it
6 Creme. We're open to some name suggestions and
7 ideas if anybody has any. And in the other building
8 what we want to do is have that be kind of our
9 beverage center. We'd like to have eventually beer
10 and wine. We'd like to have iced tea, lemonade,
11 Kombucha, energy drinks, sport drinks, things like
12 that.

13 Our business model is to cater to people
14 that are on the Prairie Path and the Great Western.
15 This property is at the convergence of where the
16 Great Western and the Prairie Path come in.

17 They did the study a few years ago, which
18 you guys may be aware of, that at that corner of
19 Villa and the Prairie Path is the highest traffic --
20 the most traffic on the Prairie Path is at Villa and
21 the Prairie Path, and the study was something like
22 over 290,000 people traffic that on the path every
23 year. That's our business model. Those are our
24 clients.

1 So what we want to do is -- we've got the
2 two existing buildings, which are represented right
3 here, if everybody can see that. In the middle we
4 think it would be fun to have a food truck. I have
5 a friend that does competition barbecue, and it
6 would be a perfect fit, and that kind of ties in
7 with the beverage thing with the beer and wine
8 license. We're not looking to open up a bar. We're
9 not looking to have a tavern there. But it would be
10 nice in this fenced-in area if you could come in,
11 get a pulled pork sandwich, sit outside on a picnic
12 bench, have a beer. The kids can get ice cream.
13 Everybody's contained in here safe. We've got bike
14 racks over on this side. And that's the idea.

15 So given the fact that in the bigger
16 building we want to have kind of a setup in here,
17 you'll see inside the building are no tables. This
18 is simply a carryout from the food truck. You can
19 go in here. You can get a beverage. The only
20 additional building that we want to do on here is to
21 build an additional bathroom. So you can go inside
22 and use the ADA bathroom that's here, but if we are
23 going to get a beer and wine license we don't want
24 to have to have the kids going inside the building

1 to use the restroom. So we're building another
2 bathroom outside that opens to the outside. So if
3 you're a parent and you're sitting outside on one of
4 the picnic benches, you can still keep an eye on
5 your kids as they're going into the restroom.

6 Additionally, you'll see that we have some
7 planters around here. So the idea behind these
8 planters is not just that they're going to be on the
9 surface of the ground. We want these planters to
10 actually be sunk into the ground, made of cement, so
11 that if some goofball happens to jump the curb,
12 these planters are properly spaced to stop any
13 vehicle from jumping up on the curb and coming in
14 there. Another safety feature. But cement is kind
15 of ugly, so we're going to wrap them in the pavers
16 that we're going to use along the whole driveway,
17 you know, base of the property. The reason we're
18 going with pavers is we want to create as close to a
19 zero storm water return as possible so that all the
20 water that we get on the property absorbs into the
21 property and it's not a drain to the community. You
22 know, to the community sewers. It doesn't drain to
23 the community sewers. So, in short, that's our
24 vision for this property.

1 Villa Park desperately needs a location
2 that people can go down on the Prairie Path, get an
3 ice cream, get a pulled pork sandwich, have a drink,
4 and have a family-friendly environment. Karen and I
5 are both cyclists. We love to ride the Prairie
6 Path. That's part of the reason we bought the house
7 where we did. We love the proximity to the Prairie
8 Path. We want to draw all our clients or as many of
9 our clients as possible on the Prairie Path. We're
10 not competing with the local taverns in town. And a
11 topic that came up multiple times is the topic of
12 gaming. Will you have gaming on the property? And
13 the answer to that is no. Gaming is not family
14 friendly. It's just not a family-friendly thing.
15 If you want to do gaming, you can go to DeMito's.
16 You can go to the other locations that have it. Not
17 to us. And, I mean, we feel strongly about that.

18 So we're here today to ask for two
19 variances. The most important variance that we're
20 asking for is, according to the Ordinance, you're
21 required to have parking on the property. Parking
22 -- in this case, I believe it's 25 percent of
23 whatever tables that you would have. So those
24 tables -- if you were to count the picnic tables as

1 tables, that's where you get the parking count from.
2 This is a small, tiny footprint of a property for
3 anybody who's ever seen it. It just doesn't make
4 sense to try to have kids come in here to get ice
5 cream, running around the property, fencing it off,
6 trying to create safety, and then having parking
7 over here. And at maximum, what could we fit?
8 Maybe three cars. So that's variance number one.

9 Variance number two is -- a fence is going
10 to go up behind here, and we thought that since we
11 were doing the variance process anyway, it's a small
12 extra feat to ask for another variance. We wanted
13 to change the height of the fence from the six foot
14 that's permitted in the Ordinance as it is to an
15 eight foot fence. An extra two feet high. Reason
16 being, for esthetic purposes. Eight feet kind of
17 fits better between the two buildings. The fence
18 would only go from building to building. It doesn't
19 wrap the whole distance. Our property line is right
20 where the buildings are set, so there is no space
21 behind there. So it would go building to building,
22 and then from building to the end right there. The
23 design of the fence is either a wooden fence, or
24 what Karen likes more is a synthetic stylish type

1 fence. No maintenance, right. And the good --
2 typically when you build a fence, the good side
3 faces out, so we would do a double fence. So the
4 good side faces out, and we would put another siding
5 on there so the good side faces in as well.

6 The parking -- parking is the real issue
7 here. There is a parking issue in downtown Villa
8 Park. I mean, I hear about it. I've tried my best
9 to talk to all the local business owners and
10 everybody involved. So what we've done for the last
11 several weeks is at 2:00 -- roughly at 2:00 in the
12 afternoon and 7:00 in the evening we've taken
13 pictures of the parking from our front porch. And
14 let me just backtrack a little bit. Our tentative
15 hours of operation on this would be the daylight
16 hours. We're thinking right now from 9:00 to 9:00,
17 but we're actually thinking maybe we would open up
18 earlier and open at like 6:00 and be able to serve
19 coffee out of the ice cream shop for the early
20 morning, you know, summer walkers and stuff like
21 that. Go up, get a coffee, go for a stroll on the
22 path. So we thought 2:00 and 7:00 is a good
23 representation of, you know, when are the most cars
24 there. So this is the view from our front porch.

1 If you're sitting on our front porch, looking at the
2 traffic, you can see the building in the background
3 right here. The Village just built 20 new spots on
4 Park Avenue. And, in addition, there's eight spots
5 right over here. This is the museum right here.
6 There's eight spots existing for the museum. Right
7 behind the Prairie Path here -- right behind the
8 Prairie Path are the 30 -- how many spots there?
9 That would be 30 spots are in the historical museum
10 parking spot right here. When you have a moment --
11 I know it's kind of hard to see that, all of these,
12 but this represents the last two weeks of parking,
13 which included Good Friday and Easter, which is a
14 busy weekend. It is so underutilized, these parking
15 spots, that we feel there certainly wouldn't be a
16 problem for people to park here. We also considered
17 though that we're going to have employees, and the
18 employees may not take the Prairie Path down, so we
19 have to accommodate our employee parking. We don't
20 want -- if we're going to ask the Village to not
21 require us to have parking on the property itself,
22 it's only fair that we accommodate our own
23 employees. So right behind our house is the Syrian
24 Orthodox Church, and we have a great relationship

1 with them. They're very good people. They agreed
2 to a license to keep all our employees on the
3 parking lot, on their parking lot, which is private
4 property, which then doesn't have our employees park
5 anywhere on the public spots for -- you know, for
6 the Village. So we've tried to -- we've alleviated
7 entirely the employee parking. Now all we're
8 talking about is cyclists, bikers, joggers. Those
9 people on the Prairie Path. That's our client base.
10 That's what we want. But even for some of those
11 that, you know, insist on driving over there, there
12 is such ample parking in the front that we think
13 that we can accommodate that. Additionally, what
14 I've heard is that on Central, just recently they
15 passed to allow parking on Central Avenue, and
16 they're also considering putting extra parking on
17 Central, west of the intersection where the Prairie
18 Path -- let me see if I have a good picture that
19 represents that. So just west of -- west of where
20 the Great Western Trail links into the Prairie Path
21 there's a crosswalk right there, and that would be
22 at the corner of Myrtle and Central, if you guys
23 kind of know where I'm talking about. There's some
24 talk that the Village is thinking of increasing the

1 parking and basically replicating what we have on
2 Park, which they did a great job on, going west from
3 that intersection, and put another 10, 20, whatever
4 spots. There's a lot of room down there. So if the
5 Village wanted us to lease those or do something
6 with that, we would be very open to doing that. You
7 know, have no problem with that whatsoever.

8 Additionally, because of the residences on
9 Myrtle, we thought if the Village would like or
10 would allow us to do it, we can put a sign on that
11 west part of the building that says, please don't
12 park on Myrtle, you know, and with an arrow that
13 says, parking available on Park, parking available
14 on Central. Something to that effect. And, you
15 know, we'd follow your lead on that. That would be
16 no problem.

17 We're trying to get community tie-in, so
18 we'd like to partner with local businesses. One
19 local business that said they would love to partner
20 with us is J & R Cycle. What we talked about is
21 including on the corner of the building -- maybe
22 you've seen them. It's like nine basic bicycle
23 tools, and they're all on a chain, and then a
24 compressor so people can fill up their tires, and

1 then we'll carry some very limited tire tubes and,
2 you know, basic things that people need when they
3 kind of run into trouble, but then J & R would put a
4 small sign over there where the compressor and the
5 tools are so that if somebody has something bigger,
6 they know they can call up J & R and run over there,
7 or maybe J & R can come pick them up or something
8 like that. We encourage and we love community
9 tie-in. So any other community businesses that
10 somehow want to tie in, partner up with us, do
11 things with us, let's do it.

12 This is going to be a great community
13 project. I see fundraisers happening here. I see
14 people coming in in September. They're having the
15 breast cancer ride. So far they've got 200 bicycles
16 or cyclists signed up for it. We've talked to Lorna
17 over at J & R bicycle about either starting or
18 ending at the property right there. Other tie-ins
19 like that would be great.

20 It's a wonderful property in a wonderful
21 location that has sat totally underutilized, and for
22 people in Elmhurst and people in Lombard and Glen
23 Ellyn and Wheaton, let alone everybody here in Villa
24 Park, if you want to jump on your bike, and you want

1 to go somewhere, and you just kind of want to do
2 something, how great to ride into Villa Park or jog
3 into Villa Park and get your coffee or get your tea,
4 get a pulled pork sandwich, get an ice cream cone.
5 You know, I can totally see families walking over,
6 you know, as a group and sitting down and -- there's
7 a little bit for everybody in there. But I
8 emphasize this is a family-friendly place, so we
9 don't want to turn it into a tavern. We don't want
10 to have late night hours. We don't want to have
11 bands playing, you know, and music late at night.
12 You know, we did a fundraiser for the Presbyterian
13 Church, and we had a guy who was just fantastic. He
14 played Spanish guitar. Acoustic Spanish guitar.
15 That would probably be the extent of our music.
16 Something like that, or teaming up with the high
17 school and having some of the young talent that's in
18 the high school come and do a quartet or something
19 like that. Tying in with the artist guild and doing
20 first Fridays. Karen used to own an art gallery.
21 The first Friday of every month, come in, hang your
22 artwork, open it up. People can come in. If we
23 have a beer and wine license, we can do a little
24 wine tasting. Maybe team up with Sal's, or

1 something like that to come in and do a wine
2 tasting. That would be a fun date night.

3 There's so much opportunity here. Villa
4 Park is growing. It's a wonderful community. I own
5 multiple properties in Villa Park. I live in Villa
6 Park. I've been here for over 20 years. I love it.
7 I mean, this is my town. This is my community. I
8 think this is going to be a great asset. And then
9 you guys have all probably seen this. One of the 10
10 best places to raise a family. Villa Park is doing
11 well. But this is family right here. This is in
12 the heart of Villa Park. So I'm asking you all to
13 consider this and give us the ability to open up as
14 we want to. Make suggestions, but don't force us to
15 have parking on the property, because it will
16 completely change the dynamic of it. We've covered
17 the employee parking situation. We believe there's
18 ample parking on this side. Well, I should say the
19 south side of the Prairie Path right there. It
20 doesn't interfere with the businesses. More,
21 DeMito's, all the parking on Villa. We think we're
22 kind of in a different section. So we ask you to,
23 you know, vote in our favor, and consider what an
24 asset this can become. Thank you very much.

1 COMMISSIONER JARRETT: Thank you. So we'll
2 move on to Staff input. Director Grill, whenever
3 you're ready.

4 MR. GRILL: Good evening. Mr. Kozar made a
5 very nice presentation about how he plans on
6 utilizing this property, which has been in the
7 Village many, many decades. It's unique from the
8 standpoint it's a rather small site.
9 Uniquely-oriented towards the Prairie Path.

10 One thing that I don't think he quite
11 mentioned, and it certainly didn't show up in any of
12 his drawings, was the fact that he's also going to
13 be utilizing a food truck, and it might be the same
14 food truck for a while. He might bring a different
15 food truck in, you know, given maybe the time of
16 year or something like that. So that would also be
17 part of this project, and it is shown on the site
18 plan that was included in your packet.

19 Again, this is a fairly small site, and
20 because of that, the petitioner is asking for a
21 variation to the parking. The Parking Code for the
22 Village requires that you have three -- that you
23 provide one parking space for every three seats, and
24 given the amount of seating that he showed on the

1 site, Staff estimated there would be the need for 20
2 parking spaces. The Code also provides that you
3 must provide at least 25 percent of your spaces on
4 site, and it does give you the ability to seek up to
5 75 percent of your required parking off site, if
6 it's within 300 feet. But given what the petitioner
7 has requested doing, and having an ice cream shop,
8 and likely having lots and children and families,
9 mixing lots of children and family with vehicular
10 traffic is probably not the most ideal situation.
11 And, therefore, that's why he is asking for this
12 variance request.

13 From a Village perspective, Staff has
14 spent a considerable amount of time looking for
15 additional parking spaces in this area. We've had
16 many meetings with the local business district about
17 how to accomplish that. We have talked at length
18 about having, you know, 15-minute parking here,
19 30-minute parking there, three-hour parking here,
20 and how it's all to be enforced. The Village has
21 added additional parking on Park Avenue. It also
22 added additional on-street parking on Central Avenue
23 that is all in an attempt to try to alleviate
24 whatever parking situations that people may think

1 exist in the Villa Park Business District, and the
2 Village is not done yet. The Village is still
3 seeking out additional opportunities providing more
4 parking in this area.

5 I am going to read several letters that
6 Staff has received from individuals who could not be
7 here tonight, but I did want to read them in the
8 record. I will start with an individual named
9 Christine. She says, thank you for your message.

10 We appreciate the time you took to share your
11 opinion on the matter. Oh, Christine Staunton who
12 says, for the Planning & Zoning Commission, I am
13 nearly a 20-year resident of Villa Park. I cannot
14 make the Zoning Commission meeting on April 12th,
15 but I would like to express my support for Jack
16 Kozar and his plans for the property at 324 East
17 Central Boulevard. I do not think that a few
18 parking spaces outweigh the benefits of having more
19 outdoor gathering, entertainment, and eating space.
20 In fact, I would like to suggest that the Village
21 purchase the empty property just east of 324 East
22 Central and make that additional downtown parking.
23 I believe in Mr. Kozar's plan and think it will help
24 revitalize the area and bring pedestrians and

1 cyclists from the Prairie Path. Please consider
2 approving his request to modify the zoning for the
3 property. Thank you.

4 And I do want to comment to her statement
5 about the Village purchasing the empty property just
6 east at 324 East Central. The Village has had many,
7 many, many conversations with the owner of this
8 property. He seems to flip flop back and forth
9 depending on the day that you talk to him, but the
10 Village is still trying to seek out that property.

11 The second letter is from Jess Spivak.
12 Hi. My name is Jessica Jess Spivak, and I am a
13 chairwoman of Villa Park's Environmental Concerns
14 Commission. After a recent presentation to the ECC
15 by Jack Kozar, manager of 324 East Central
16 Development, I support Kozar's aims and goals of his
17 apparent concern to beautify the Village with an
18 environmental approach.

19 If you are unaware of the location, it
20 once housed a gas station. I was impressed by the
21 different facets of Mr. Kozar's business being earth
22 friendly from the removal of many underground
23 storage tanks filled with fuel and the remediation
24 of tanks and surrounding soil to the choice of

1 placing bike racks on the premises for the patrons
2 who ride on the Prairie Path and Great Western
3 Trail, to the permeable pavers and up-cycled
4 materials planned to be used with a refurbishing of
5 two buildings on the property. Not to mention the
6 sustainable practices Kozar plans to implement with
7 providing food from an organic farm which he owns at
8 the end of the Great Western Trail in Sycamore, as
9 well as his plan to work with local businesses to
10 support local commerce.

11 It's clear Kozar has made a concerted
12 effort in being environmentally friendly. It would
13 be an asset for the Village to allow such
14 development to move forward. It could be one more
15 reason for folks to come visit Villa Park. Thank
16 you for your time. Sincerely, Jess Spivak.

17 I also got an e-mail from Joseph
18 Montgomery who says, I hope all finds you well.
19 Just a note to let you know that we support the
20 inclusion and addition of proposed ice cream behind
21 the old post office and by the gas station repair
22 shop located along East Central Boulevard between
23 Villa and Euclid. It should be a nice addition to
24 the neighborhood. As always, please feel free to

1 contact me any time you should have further
2 requests, comments, or questions. Have a safe and
3 healthy day. Joseph J. Montgomery.

4 And the last was an e-mail I received just
5 moments before the start of the meeting that says --
6 if you'd bear with me just a moment. Got to love
7 technology.

8 COMMISSIONER JARRETT: While we're waiting,
9 would it be possible to get that letter of the
10 parking agreement just to look at it, and then also
11 the parking -- photographs of the parking that you
12 took? That would be great. Thanks.

13 MR. GRILL: Okay. This is from Sandra Simon
14 Nichols. Hi, Mr. Grill. I am a 16-year Villa Park
15 resident, and I wanted to voice my support for the
16 ice cream shop that wants to go in near the Prairie
17 Path. I would appreciate it if you would support it
18 too. I believe it will add to the charm of our town
19 and make myself and my children very happy to have
20 somewhere where we can enjoy ice cream after our
21 walks on the path. Thank you. And kindest regards.
22 Sandra Simon Nichols.

23 So I just wanted to make sure that those
24 got read into the record. In the Staff memo you

1 will find questions that Mr. Kozar answered relative
2 to why he believes he needs -- why he has a
3 hardship, and why he needs these variances. The
4 Staff did put together a finding of fact, should the
5 Planning & Zoning Commission wish to make a positive
6 recommendation on this. As always, you always have
7 the ability to change, modify, or completely rewrite
8 these as you see fit. I also wanted to mention that
9 this was properly published in the March 22nd -- the
10 public hearing was properly published in the March
11 22nd, 2018 edition of the Daily Herald.

12 If this Commission does find in support of
13 the applicant's request, the following motion could
14 been entertained, and that would be to approve
15 application PZ-18-0004 for requests that include a
16 variation to the maximum permitted fence height from
17 six feet to eight feet along the north side of the
18 property, and a variation to required minimum
19 parking from 20 spaces to zero spaces, with the
20 following conditions. That the site be developed
21 generally as shown on Exhibit A, as submitted by the
22 petitioner, that the fence be erected generally as
23 shown on Exhibit B to a height of eight feet with a
24 finished side facing north. Obviously, if

1 petitioner wants to put a finished side on the south
2 side, that's certainly up to him. And with a
3 finding of fact that was included in the Staff memo
4 dated April 6th, 2018.

5 With that, I'll turn it back over to the
6 Commission. If they have any questions, I'll be
7 happy to answer them.

8 COMMISSIONER JARRETT: All right. Thank you.
9 So with that, we'll move into public participation
10 and questions. If you weren't here at the
11 beginning, anybody that wanted to speak was sworn
12 in. If you think you would like to speak and you
13 weren't sworn in, is there anybody here? If you're
14 the only one, then you can be sworn in when you come
15 up and speak.

16 So at this time, anybody wishing to speak
17 should come up to the podium, and try to limit
18 yourself to a couple of minutes, two or three
19 minutes, so everybody has a chance. And, I mean, if
20 you support the project, please come up and say so,
21 but if somebody makes a point, you don't need to,
22 you know, spend three minutes redoing the point.
23 Let all of your neighbors have a chance to speak as
24 well. And just state your name and address when you

1 come up to the podium.

2 So with that, we'll take the first
3 comment. Who wants to be first?

4 MS. STIEBER: Hi. Name is Michelle Stieber --
5 and do I have to say my address -- at 405 South
6 Cornell in Villa Park. So Jack and I are business
7 associates, and I just learned of this project
8 actually yesterday. I am a -- maybe what they call
9 a towny. I was raised here and have seen the
10 Village change. I went to school here, and I came
11 back to raise my family here.

12 Right before this we were at a baseball
13 game, and we got ice cream at Dairy Queen, and I
14 parked in their parking lot, and I urged my son to
15 not run out and -- you know, because there are cars,
16 and I made, you know, that, you know, statement to
17 him, and we dodged in and out of the drive-through
18 traffic and got our ice cream.

19 What Jack is proposing is, you know, just
20 an amazing vision, and I was instantly impressed
21 when he showed me the documentation. I believe that
22 this Village is on a, you know, upwards trajectory
23 in being -- you know, making a name for ourselves.
24 That area is certainly a hot area right now, and

1 this would only add to the improvement. You know,
2 down the block I actually owned a store on Park
3 Boulevard, and I had a children's store called Brown
4 Bear Boutique, and that area has turned over a lot,
5 and there's not a lot going on, so maybe if this
6 kind of family-friendly business comes in, then the
7 growth would continue down the line, down the path.
8 That would be -- you know, not only that Villa
9 district being successful, but then also bringing,
10 you know, that success near Ardmore as well.

11 So fully support his initiative and really
12 believe in the outdoor space and utilizing all that
13 space for people, not cars. Thanks.

14 COMMISSIONER JARRETT: Thank you. Whoever is
15 next. And you'll need to be sworn in. The court
16 reporter here will help you with that.

17 (Whereupon, the witness was sworn in
18 under oath.)

19 MR. OBYRNE: Hello. My name is Charles Obyrne,
20 and I live on 726 South Cornell Avenue. I would
21 like to say that as a cyclist and a skateboarder,
22 this is a very good idea, because it's very
23 accessible for me to get there and all my friends to
24 get there, because places like McDonald's or

1 Mickey's, it's on a very busy road, and I do not
2 feel safe at all to be riding on the sidewalk,
3 because the sidewalk, you know -- I just don't want
4 -- I just don't want to be next to it. I would also
5 like to say that this is a place that I feel safe
6 also going to, because places around there like
7 DeMito's or More, I would not go in alone to
8 DeMito's. I would not go alone to More. But I
9 would go in alone to this new establishment, because
10 it sounds great, and it sounds family friendly. I
11 feel safe. I feel I can go in there, you know, feel
12 great, get some stuff and then leave. I don't have
13 to, you know -- yeah. And I just think -- I just
14 think it's a really good idea for this to be in
15 there.

16 COMMISSIONER JARRETT: Okay. Thank you.
17 Whoever is next. Please.

18 (Whereupon, the witness was sworn in
19 under oath.)

20 MS. MURPHY: My name is Fiona Murphy. I live
21 at 233 South Oakland Grove in Elmhurst, which is
22 technically Villa Park. We're like right there, so
23 I can walk anywhere, but -- so I'm a high school
24 student at Willowbrook, and I think this would be a

1 great place for my friends and I to go over the
2 summer, because I know I'm always on the Prairie
3 Path. I do track, and a lot of my friends do, so
4 we're always on the Prairie Path. And then we also
5 use it to get around, and it would be a great place
6 to go get ice cream and just hang out, and we feel
7 safe and be away from the cars, and I think it would
8 really add to our town and make it more unique.

9 COMMISSIONER JARRETT: Thank you. Whoever is
10 next. Yeah. You don't have to wait for me to --
11 come up.

12 MR. MEEKER: Hi. My name is Kevin Meeker. I
13 live at 318 South Myrtle, and I'm actually right
14 down the street. I see it -- from the front of my
15 street I see the property that we're talking about
16 there. So Jack is actually my neighbor at the end
17 of the block there.

18 We moved here approximately six and-a-half
19 years ago, and when we moved here I really got
20 involved in the community. So much that I wanted to
21 be a Commissioner, so I'm part of the Traffic &
22 Safety Commission as well too. Did that for my
23 family that's here. So when I look down the street
24 and I see this, and I talked with Jack, and I saw

1 the opportunity that this property has and what this
2 gentleman wants to do for the area, not just for the
3 people that live in this area, but also bringing
4 other people into the community that travel
5 constantly back and forth on the Prairie Path.

6 My family and I use the Prairie Path
7 ourselves, and when we do sometimes we'll go all the
8 way out to Geneva. We never see anything like this
9 along the path. So just imagine people stopping
10 along the path in our area, seeing things like this.
11 Bringing more people to the community that like to
12 have the activity of the Prairie Path, buy more
13 homes possibly in the area, bringing more businesses
14 to the area, more revenue, more taxes as well too.

15 So I hope that you support this very small
16 request of not having this very limited parking. I
17 believe that Jack had shown that he can accommodate
18 the parking for his employees as well as the
19 additional parking that has already been put in by
20 the city just south on Park as well as the new
21 parking restrictions put in into that area. So
22 supporting this PZ-18-0004 I think would be a
23 benefit for the community, for our families, as well
24 as your families as well, and I hope that you

1 support this. Thank you for your time.

2 COMMISSIONER JARRETT: Thank you.

3 MS. MURPHY: Hi.

4 (Whereupon, the witness was sworn in
5 under oath.)

6 MS. MURPHY: So my twin sister just talked. My
7 name is Maeve Murphy, and I live at 223 South
8 Oakland Road. Being a new driver -- I also go to
9 Willowbrook -- it's hard, especially in this area,
10 to find some place if you just want to go for ice
11 cream or just hang out, because I don't always have
12 the car, and we have to go to places like Elmhurst
13 or Lombard and not accessible to walk. It would be
14 really nice to have something in the area that would
15 be safe to get to and not have to bring a car to,
16 so -- yeah.

17 COMMISSIONER JARRETT: Thank you.

18 MS. CHILDRESS: Hi. My name is Meg Childress.
19 I live at 240 East Oak Street, and I guess I -- you
20 know, I moved to Villa Park about nine years ago,
21 and one of the things I really liked about it is
22 it's location. It's such a great location. There's
23 lots of walkable and bike-able places to go, and I
24 just -- I totally support this. I think it's such a

1 great -- that intersection of the two paths is like
2 -- this is perfect, so I'm in.

3 COMMISSIONER JARRETT: Who's next? Anyone?

4 MR. ODDO: My name is Anthony Oddo, 211 South
5 Villa Avenue, representing Michael Anthony's Pizza.
6 I've spoken with Jack. I've spoken with many of the
7 other business owners in the area. We think the
8 idea is -- would be a welcomed idea or addition to
9 the area, but the parking is a major concern. It's
10 not something that we think is a problem. It is
11 truly a problem. And some of our concerns are if
12 the variance is granted for this petitioner, what
13 happens to other businesses in the area that want to
14 come in and possibly ask for the same variance. We
15 hope that the area does get more business and
16 increases the traffic down there, but without more
17 parking it's going to be a problem, so that's all.

18 COMMISSIONER JARRETT: Thank you.

19 (Whereupon, the witness was sworn in
20 under oath.)

21 MS. MEEKER: My name is Andrea Meeker, and I
22 live at 318 South Myrtle Avenue. A point that I
23 don't think a lot of people touched on was -- is
24 this on -- okay.

1 I'm a mother of a young son, and I see a
2 lot of kids in the community that don't have any
3 place to play, or not to play but to hang out. I'm
4 an employee of Villa Park Public Library, and the
5 only place that I feel like children have to go that
6 is safe and they feel comfortable is the library.
7 And while I'm a big advocate of that and I think
8 it's great that they come to the library after
9 school, I think it would be good to have an
10 alternative to be somewhere else besides the
11 library, because, as far as I know, there's nowhere
12 for children to go in this town that is safe and
13 that they can be children. There's no pizza place.
14 Well, I mean, there is pizza places, but even the
15 parks. I don't really feel like the children feel
16 safe, that they have a place to call their own or to
17 just go get an ice cream. So as a mother of a young
18 child here in the community, I think this would be
19 really great for them, and I hope the community
20 supports it. I think it will be good for us. Thank
21 you.

22 (Whereupon, the witness was sworn in
23 under oath.)

24 MR. GOLES: Hello. My name is Frankie Goles.

1 I live at 424 South Ardmore Avenue. I'm in eighth
2 grade, and I don't -- I can't drive a car or
3 anything, so the only way of transportation I have
4 is either bike, skateboard, or walk with all my
5 friends, so I think that if I want to go to play
6 basketball at Lions Park and go to 7-Eleven, I think
7 that instead of going somewhere just to play
8 basketball I think we should be able to have like a
9 food place to go to that has everything. Like you
10 can go there for lunch and dinner and dessert and
11 anything. So I just think that it will help a lot
12 for our community.

13 COMMISSIONER JARRETT: Thank you.

14 MS. GOLES: Hi. My name is Riley Goles. I
15 live at 424 South Ardmore. That's my brother. I
16 feel that there's a lot of kids who cannot drive yet
17 in Villa Park that don't have anywhere to go, and
18 usually they have to have rides to get to other
19 places like in Elmhurst or in Lombard where there
20 are things to do for people, and they're safer
21 places for kids to go and hang out and do more
22 things. There's more opportunities. And I think
23 that if we have this opportunity that we don't take
24 we're not going to have any more after that. I feel

1 like if we have more people coming in and we have
2 more traffic coming into -- like, there's places to
3 go in Villa Park, that opens up more opportunities,
4 because other businesses are going to see him taking
5 these chances, and they're going to take more
6 chances, and soon we can have like way more places
7 to go for students and people who can't drive yet,
8 and I always think that -- I don't know if anyone
9 else like thinks of these things, but there's a lot
10 of the basketball courts that are like in like
11 little, tiny places that are unsafe, and my mom
12 doesn't usually let my brother go to Lions Park
13 because of other kids that come in and do things
14 that are illegal, or there's bullying that happens
15 there, and I think that if we have more people
16 coming in, families around in like restaurants, we
17 can have more places around that are more public.
18 Like maybe someone can build a basketball court
19 after that that's where people can see. They can
20 see their children playing. And I go to Willowbrook
21 also. I'm a runner on track and field, and I love
22 to run, and usually I always have to run to Elmhurst
23 to get a coffee or something, and I feel like it
24 would be really nice if we had a place in Villa Park

1 that's local, that we can have way more access to,
2 and then I just think that will be great.

3 MS. PINGEL: Hello. My name is Meagan. I'm
4 from 335 East Kenilworth. First off, I would like
5 to say I love the idea. I think it's great. I
6 think it's beautiful. It would be wonderful for the
7 neighborhood. I love everything that everyone here
8 has to say. I would love for there to be a place
9 for people who don't drive to have a place to go to
10 or be able to go to. It's wonderful. However, the
11 parking issue, again, is a problem. I'm sorry.
12 Yes, there's a spot for your employees to park. The
13 post office just sold. That was a lot of parking.
14 They are now fencing that off, and that is no
15 parking right now. I love that, you know, you guys
16 have been doing your homework. You have your
17 pictures of the parking right now. We have not hit
18 summer yet. We do not have an issue yet with
19 parking. We do -- let me take that back. We have
20 an issue with parking right now. The summertime is
21 a whole other ball game, okay. We have absolutely
22 no parking. Saturday and Sunday days there is not a
23 parking spot in all of Villa Park. People are
24 driving around. I get it all the time. It is not

1 fair to current businesses that have been open for
2 all these years in Villa Park that are now suffering
3 because -- I would love to support it. I cannot
4 support it. There is a problem that has not yet
5 been taken care of. Once that is taken care of, I
6 would love to have more business in Villa Park. I
7 think it's a beautiful design, everything. I love
8 it.

9 This is a seasonal business that you're
10 looking to have. Our problem is our seasonal
11 business too. Saturday, Sunday mornings in the
12 summer. Those pictures -- we don't even have a
13 parking issue so much right now as far as in a few
14 weeks you will not be able to park anywhere. I
15 understand that this is a bike-friendly Prairie Path
16 focused business. However, I hope, plan you're
17 going to have great food, you're going to have a
18 great atmosphere from the looks of it. I want to go
19 there. However -- yes, maybe I'll go there on my
20 bike, but tomorrow after I had a beef sandwich or a
21 barbecue, this, that, or the other, maybe I want to
22 drive back the next day and I'm in my car.

23 Once again, I would love to be able to
24 support this. I cannot. We have a problem in the

1 Village right now currently existing. It is not
2 okay or fair to the existing businesses that have
3 been here for years to now suffer even more than we
4 already have been, because it has not been taken
5 care of yet. And once the parking situation is
6 taken care of, I'll high five you. Let's do it. I
7 can't wait to have another business. Let's make
8 downtown Villa Park awesome. Right now we have a
9 problem. Thank you.

10 COMMISSIONER JARRETT: Thank you.

11 MS. KRIEGER: Hi. My name is Kim Krieger. I
12 have a little business on Villa Avenue and several
13 other properties in the area. I love your idea. I
14 do have a problem with the parking. I drove past
15 there tonight, because I actually came here half an
16 hour early, so I thought let's go see what's there.
17 I looked in the museum parking lot. There were five
18 spaces open, okay. There were maybe three or four
19 on -- I think that little street is Cortesi.
20 Everything else was full. I would a hundred percent
21 support your idea, but we really need the backing of
22 the Village to put in additional parking. I really
23 feel like it's up to you guys to make that happen.

24 Have any of you gone down there in the

1 evening on a Friday or a Thursday night? Linda,
2 have you gone?

3 COMMISSIONER BELLOW: Yes.

4 MS. KRIEGER: And did you see a parking
5 problem?

6 COMMISSIONER BELLOW: Yep.

7 MS. KRIEGER: Okay. How about you, Jason?
8 Have you gone down there on a Thursday or a Friday
9 night, let's say 6:00, 7:00? How about you, Vince?
10 Have you gone?

11 COMMISSIONER GATTO: Yeah. And I haven't seen
12 a parking problem.

13 MS. KRIEGER: You haven't? Well, then you
14 haven't been down there on the right night. How
15 about you Mike? Have you gone down there?

16 COMMISSIONER ORLOWSKI: Every day.

17 MS. KRIEGER: Well, I think honestly because I
18 do own a business there, there is a parking problem.
19 If you can put in another 20 spots along somewhere,
20 that would really resolve it. I also love the idea
21 that you have your employees going to park out of
22 the area. I don't really hear that from some of the
23 other businesses. I personally have enough parking
24 for my employees, but that's not the case for many

1 businesses. I support them if they can get the
2 additional parking, but that you guys have to make
3 happen.

4 AUDIENCE MEMBER: Are we allowed to go back up
5 to just kind of comment on something that was made?

6 COMMISSIONER JARRETT: Not really.

7 MR. GOLES: Can I make a comment?

8 COMMISSIONER JARRETT: Yeah.

9 MR. GOLES: I swear to tell the truth. My name
10 is Steve Goles. I'm at 424 Ardmore. And there
11 really isn't a parking problem. I mean, I've gone
12 there at night. I've driven by. If you have to
13 walk half a block, okay. So, I mean, I'm sure
14 there's some people that are handicapped, and things
15 like that, and they're going to have a little
16 trouble, but in general there's really not a parking
17 problem, if you're willing to walk a half a block or
18 a block. But more importantly, there's literally no
19 businesses to go to. Especially for kids. I mean,
20 I don't know anyone's business here, but most of the
21 businesses up and down, they're not retail friendly
22 to walk. You know, if you go to one place maybe
23 you'll go to More, but -- unless you're drinking and
24 want to do gambling or, you know, things like that,

1 there's really nowhere to go. Especially for the
2 kids. It's really sad when I have kids over and
3 they're like, oh, where do you want to go, and
4 they're like, you know, I want candy. Oh, let's go
5 to the liquor store down the street. I'm not
6 kidding. This has been going on for years. And
7 once the kids hit about sixth grade, you know,
8 before that they're -- they don't know what's going
9 on, but once they hit sixth grade, it's like, oh, my
10 God, what's going on in this town, why isn't there
11 anywhere to go. Why do we have to drive into
12 Chicago, Oak Park, Downers Grove, Lombard, Elmhurst.
13 I mean, pretty much any other town around has more
14 to do for the kids. So we need this, you know. If
15 there's three parking spots or four, whatever it is,
16 I would take this business, you know. If you had to
17 put 10, 20 other businesses here, I would take this
18 for the kids. Do it for the kids, you know. And
19 like my daughter said, when the kids even go to play
20 basketball, there's always an issue. I drive by
21 that court right now, and it looks like they fixed
22 it up. Last year I drove by month to month, and it
23 looks like tree branches were laying there. I got
24 pictures it. Tree branches laying on the court.

1 There's cracks in the court. The kids go there, and
2 they steal your basketball. Kids are doing drugs or
3 whatever. It's horrible. The parks are terrible.
4 Give them something, please. Thank you.

5 COMMISSIONER JARRETT: I would ask that we not
6 applaud. I know you guys support the project, but
7 this is a public hearing, and there are different
8 sides, and we're all neighbors, and some people
9 might feel that it's adversary. I mean, it's not
10 meant that way. I understand that. And it hasn't
11 happened much, but --

12 MS. SOLEM: Karen Solem, 329 East Park
13 Boulevard. I personally took 90 percent of all of
14 those photos that you're looking at. They were
15 taken at 2:00, 7:00, every day for at least two
16 weeks. Over that course, we covered Easter. Easter
17 weekend. Everybody is home from college, and
18 they're visiting the local taverns, coming into
19 Villa Park and parking. There is a 10:30 p.m.
20 Saturday night photo. It's larger, because you
21 can't do panoramic once it gets dark. So it's
22 printed, put together. There's two different
23 evenings that I printed that way. You can see in
24 front of our house these new parking spots that you

1 so graciously put in for people to use are
2 underused. If not, not used. The problem is that
3 people aren't coming over to utilize them and just
4 complaining that now a semi-congested area is now
5 being congested, and this is called growth. New
6 business cannot move into towns and have ample
7 parking. You just have to expand, and you have to
8 understand that if you're driving a car you may not
9 be able to park right outside or where you normally
10 park, because you have new business coming in.

11 In front of our house on Park Boulevard
12 you have provided 23 new spots. The only time I
13 have seen more than two spots being used is when
14 More Brewing has their new release early in the
15 morning on a Saturday. We have parking everywhere.
16 I honestly did not know what was going on in our
17 town, and I saw people standing on the Great Western
18 lined up. I thought there was a rally. This was
19 when Trump was brought into office, and I seriously
20 thought something was happening that we didn't know
21 about. Then I found out.

22 If someone wants to find parking, they
23 will find parking. These spots are not being used.
24 They're not being used by employees of businesses in

1 the area. They don't know about them yet or haven't
2 been told. This spot right south of and adjacent to
3 these on the same road that have been existing, five
4 spots by the historical museum. Typically there's
5 one car in there, and that's the employee of the
6 historical museum that's parking there. Four other
7 spots are open except for the workers for the new
8 vegetation that you've put in on that greenery. Our
9 front of our house, the windows overlook this view
10 all day long. Morning, noon, night. I work from
11 home. I see it. Those spots are available. You
12 have ample parking. You also have street parking
13 right in front of there. The existing spots that
14 you have on the path, it's not on a road, it's a
15 parking lot right west of the historical museum.
16 There's 30 spots. So together in just those two,
17 within maybe 25 feet of each other, there are 58
18 total underused parking spots. I would encourage
19 any other business that exists to use those spots.
20 That's where your employees should be parking so
21 that your clients or your customers can park closer
22 to your business. Utilize the existing that Villa
23 Park has provided. Utilize them. They're not being
24 utilized. I see it. And that's all that I have to

1 say. Thank you.

2 COMMISSIONER JARRETT: Thank you.

3 MR. KOZAR: Can I ask a question, or --

4 COMMISSIONER JARRETT: You'll get a chance for
5 final comments, and we'll probably have questions
6 for you, so there will be plenty of chance for you
7 to speak. Please, go ahead.

8 (Whereupon, the witness was sworn in
9 under oath.)

10 MR. FLEMING: So I really like the idea and --

11 COMMISSIONER JARRETT: Could you state your
12 name and address?

13 MR. FLEMING: Oh, sorry.

14 COMMISSIONER JARRETT: Thank you.

15 MR. FLEMING: Bennett Fleming, 707 South Summit
16 Avenue.

17 COMMISSIONER JARRETT: Thank you.

18 MR. FLEMING: Like Charlie, I and all of my
19 friends, we're always on the Prairie Path walking
20 pretty much everywhere, because we can't drive, and
21 this would be an amazing idea, because not only it's
22 open for kids, it's open for everyone. It's also a
23 more affordable option, better than like More, which
24 is good, but it's really expensive, and same with

1 McDonald's, and most kids get paid allowance, and
2 some don't even get paid allowance, so better
3 option.

4 COMMISSIONER JARRETT: Thank you. Anyone else
5 wishing to speak at this time?

6 All right. Seeing none, I will close the
7 public participation and questions and move to
8 questions from the Commission. I have a list, but
9 if anybody else wants to start.

10 COMMISSIONER GATTO: Yeah. I have a list too.
11 I'll start. You're talking about a eight foot fence
12 along the whole back of the property. Are you just
13 talking between the two buildings and then you would
14 drop it down to a six foot fence the rest of the way
15 to the trash corral?

16 MR. KOZAR: So the thinking was eight foot
17 fence right here in the middle, and eight foot fence
18 over here as well. So you're going to have -- which
19 is represented here in this picture. This is the
20 property right here. The fence would be back here,
21 and back here these are the bike racks. This is the
22 little fenced in area for the garbage. So, yeah, we
23 were actually thinking of continuing this fence, you
24 know. Having it all just be the same height.

1 COMMISSIONER GATTO: Okay. Did you consider
2 six feet to the east of that building and just have
3 eight feet between the two buildings? The reason
4 why I'm asking is your trash corral only has to be
5 six feet tall. Would that be a change you would
6 make?

7 MR. KOZAR: I would consider it. This is --
8 the fence was really a secondary issue, so -- you
9 know, we were just trying to keep it all -- like the
10 continuity of it together.

11 MS. SOLEM: Uniformed.

12 MR. KOZAR: Yeah. And uniform. So that's why
13 we were thinking just continue with the full eight
14 foot fence down to the trash corral, so --

15 COMMISSIONER GATTO: I understand. I mean, the
16 building breaks it up, so it really might not even
17 be noticeable to the eye that one fence is lower. I
18 was just wondering if you would entertain that.

19 MR. KOZAR: Sure. What's your -- if I may ask,
20 what's your concern on the fence?

21 COMMISSIONER GATTO: Because it's a variance.
22 It's a tall fence, and, as you know from your own
23 property, they start to lean the higher they go.
24 You have a six foot fence at your property, and

1 there's parts that are leaning right now. So you
2 could only imagine an eight foot fence, how much
3 that will lean over time. So maintenance would be
4 the thing. Maintenance free, esthetics, and I don't
5 think it's necessary to have, you know, a wall that
6 high, you know. It would make the variance even a
7 little easier to grant for that particular item.

8 COMMISSIONER JARRETT: Yeah. While we're on
9 the fences, I was kind of wondering the same thing.
10 What do you feel that you gain? Is there anything
11 beyond esthetics for you that an eight foot fence
12 gives you that a six foot fence doesn't?

13 MR. KOZAR: It's only for esthetics. I mean, I
14 would hope that nobody's jumping the fence. A six
15 foot fence or an eight foot fence, you know. I
16 mean, maybe if they got enough, you know -- I don't
17 know. Whatever they're doing. But I shouldn't
18 think that anybody would be hopping that fence, you
19 know.

20 COMMISSIONER GATTO: Six or eight.

21 MR. KOZAR: Right. But especially between the
22 two buildings. I think that, you know, number one,
23 having a fence of any size back there kind of brings
24 out the building, and, you know, it kind of contains

1 everything. So, I mean, it has to be big enough
2 that it isn't appealable like -- it's not appealing
3 to anybody to try to jump over the fence. You know,
4 like a four foot fence might be or something like
5 that. So that was kind of our thinking with the
6 eight foot fence.

7 COMMISSIONER GATTO: All right. Then are you
8 going to be open in the winter?

9 MR. KOZAR: So I don't think that we're going
10 to have much business in January, February, and
11 March. You know, the Prairie Path -- like, I can't
12 bike typically in those months, you know, because of
13 the ice on the path and stuff, and there just isn't
14 much path, so what our thinking is is that we would
15 close down for those three months. You know, we
16 would button up the property, remove -- you know, if
17 there's a food truck on there. I have a warehouse
18 up in Wisconsin, just outside Lake Geneva, you know,
19 so if we housed it in there, we would get everything
20 off the property, button it up. So our current
21 business plan is that we would close January,
22 February, and March. I think that November and
23 December can be a lot of fun, because you're
24 getting, you know, the Thanksgiving holiday, you got

1 Christmas in there. I think we could do a lot of
2 fun stuff in December. Even if we cut our hours and
3 only did Friday, Saturday, and Sunday, you know,
4 doing hot chocolate and putting Christmas trees on
5 the property. And I don't know if they still do it
6 but there used to be a sleigh ride on the Prairie
7 Path. So, you know, probably weekends in December.
8 But that's what we're thinking.

9 COMMISSIONER GATTO: Okay. In one of your
10 drawings -- it was the interior of the garage -- you
11 had a square in the middle of the floor, and I saw
12 it. It looked like it had bar stools, and then
13 there was a square in the middle of the floor. And
14 we don't have that drawing.

15 MR. KOZAR: You're looking at this drawing
16 right here?

17 COMMISSIONER GATTO: Yeah. What is that
18 square?

19 MR. KOZAR: Yeah. So, for everybody else to
20 see it, what I wanted to do was just put a table, a
21 large table, right in the middle. So the thinking
22 is if you grab something from the food truck, you
23 know, right here, you can walk into the building,
24 and it's kind of just this large public table where

1 you can put your stuff down on the table and you can
2 stand around it. That's what I was thinking with
3 this. And then on the sides of the building here we
4 would have kind of, you know, like a ledge of some
5 sort. That was our thinking behind it.

6 COMMISSIONER GATTO: Okay. And that would be
7 standing room?

8 MR. KOZAR: Yeah. Kind of like standing room
9 only type situation.

10 COMMISSIONER GATTO: 20 parking spaces based on
11 the amount of tables you have, but really five is
12 what he would need on site. 25 percent of 20 is
13 five; correct?

14 MR. GRILL: Correct.

15 COMMISSIONER GATTO: So he would need to have
16 five -- if he came up with five spots on site and
17 didn't ask for an eight foot fence, he could open up
18 his business tomorrow; correct?

19 MR. GRILL: Not necessarily. We would have to
20 ascertain whether or not there were another 15
21 spaces within 300 feet of this site.

22 COMMISSIONER GATTO: Would that include the
23 unused spaces on the south side of the Prairie Path?

24 MR. GRILL: Any public space, yes.

1 COMMISSIONER GATTO: So even if the 300 feet
2 meant you were walking across the Prairie Path.

3 MR. GRILL: Yes.

4 COMMISSIONER GATTO: Okay.

5 MR. KOZAR: So, if I may, it's 25 percent of
6 the number of tables?

7 MR. GRILL: No. 25 percent of the required
8 parking has to be provided on site. You can seek
9 the ability to count off site spaces if they're
10 public and within 300 feet of your property.

11 COMMISSIONER JARRETT: And then the parking
12 requirement, if I'm recalling, was one per seat or
13 one per every three seats; correct?

14 MR. GRILL: Correct. Yes.

15 MR. KOZAR: So based on this drawing, that
16 would be -- we've got one, two, three, four, five,
17 six, seven, eight, nine, ten, eleven, twelve,
18 thirteen. So we're looking at, based on this
19 drawing, four spots. How are you coming up with 20?
20 Oh, seats. Not tables. Seats.

21 MR. GRILL: No. Spaces. Parking spaces.

22 COMMISSIONER JARRETT: How many spaces do you
23 have inside roughly? I mean, how many chairs do you
24 have?

1 MR. KOZAR: I have no seats inside. Everything
2 is picnic benches outside.

3 COMMISSIONER GATTO: You don't have any stools?

4 MR. KOZAR: There are stools.

5 COMMISSIONER JARRETT: Does that count, or is
6 it just tables?

7 MR. KOZAR: I just put a couple stools up by
8 the -- you know, the beverage bar.

9 COMMISSIONER GATTO: Well, it's easy. You have
10 15 tables.

11 COMMISSIONER JARRETT: So basically you have
12 about 60 seats.

13 MR. KOZAR: Correct.

14 MR. GRILL: So 60 seats divided by three, 20
15 spaces.

16 MR. KOZAR: I got yah.

17 COMMISSIONER GATTO: I mean, just based on your
18 outside tables, without even going to the inside,
19 you need 20 spots.

20 MR. KOZAR: Okay.

21 MS. SOLEM: Every business in Villa Park needs
22 that?

23 COMMISSIONER GATTO: I'm sorry. What?

24 MS. SOLEM: Every business in Villa Park needs

1 that?

2 COMMISSIONER JARRETT: The way the Zoning Code
3 works is every use is different. Uses are
4 different. Uses are broken into categories. Each
5 use has a different parking requirement.

6 MS. SOLEM: So food or restaurants or --

7 COMMISSIONER JARRETT: I'm guessing that's what
8 this is based on.

9 MR. GRILL: Yes.

10 COMMISSIONER JARRETT: But we are -- I'm not
11 sure about our Ordinance -- but some even break it
12 down into quick-serve restaurant versus other types
13 of restaurants, but then you -- I mean, every use is
14 different.

15 MS. SOLEM: Okay.

16 MR. KOZAR: If I can ask a follow-up question
17 on that to Patrick. Are all the establishments in
18 that downtown district in Villa Park in compliance?

19 COMMISSIONER GATTO: You know, I'm asking the
20 questions here. Let me finish my questions.

21 MR. KOZAR: Sure. I'm sorry.

22 COMMISSIONER GATTO: You anticipate most of
23 your customers being on foot or cyclists, right?

24 MR. KOZAR: Right. That is our business model.

1 COMMISSIONER GATTO: And on the thing that the
2 church gave you, they didn't specify how many spots.

3 MR. KOZAR: They don't have a requirement as
4 long as it's our employees. And from my
5 understanding as well, the church has expressed that
6 the Village of Villa Park can have overflow parking
7 in their parking lot as well.

8 COMMISSIONER GATTO: So they'll give you
9 24-hour access.

10 MR. KOZAR: Correct.

11 COMMISSIONER GATTO: Now, are you talking about
12 parking where the camper is behind your property?
13 Is that -- there's a camper behind your property.

14 MR. KOZAR: Right. That's my camper.

15 COMMISSIONER GATTO: So is that where the --

16 MR. KOZAR: No. It's the parking lot proper
17 that's there. They just repaved it, re-blacktopped
18 it, and put new lines on it. That's the parking lot
19 that they have. That's what they're referring to.

20 COMMISSIONER GATTO: Okay. One thing that was
21 mentioned a lot here, and there's been a lot of kids
22 that have said, you know, this is the place for us.

23 MR. KOZAR: Uh-huh.

24 COMMISSIONER GATTO: But there's also going to

1 be alcohol served. That's kind of a tough scenario.
2 It looks like you made accommodations with the
3 washroom, so the kids aren't walking through the
4 bar.

5 MR. KOZAR: Right.

6 COMMISSIONER GATTO: I think you might have to
7 go above and beyond what the Village is going to
8 provide you as far as keeping the kids safe. If you
9 do have people that are going there solely to ride
10 their bike across town and, you know, a bunch of
11 middle-aged adults are going to go to a bar or go to
12 your place, drink, hop back on the Prairie Path,
13 and, you know, you're going to have kids that you're
14 going to have to look out for, because it's obvious
15 there's a lot of kids here. So do you have a plan
16 in place for that? Because that would be key, I
17 would think.

18 MR. KOZAR: Okay. So -- well, one thing that I
19 didn't mention -- I forgot to mention a couple
20 things. One is the organic farm that I'm invested
21 in up in Sycamore, which was briefly mentioned, but
22 the other item was in our plan which -- I mean, you
23 can't really show it on here, but we want to have
24 security cameras on the buildings, and on those

1 security cameras, the video access will be posted on
2 line, and our thinking was that we could just post
3 that, and people could look at the outdoor security
4 camera. So, you know, if their kids are up there
5 and they -- you know, if the kid says, hey, we're
6 going up to, you know, Creme to get ice cream, 3:00
7 in the afternoon or something like that, and the
8 parents want to check in and say, you know, is he
9 really in there, they can go to the website and
10 check it out. Like, for example, on my house I've
11 got security cameras all around the perimeter. At
12 any point I can pick up my phone, hit the app. I
13 can see exactly what's going on in my own yard.
14 Same general concept. So, you know, I thought that
15 would be a -- you know, that's a good security
16 measure.

17 COMMISSIONER GATTO: Yeah. That seems like a
18 -- that seems pretty good, actually, you know. I
19 mean, I don't know -- you know, I mean, it's kind of
20 an after the fact thing, but it's still better than
21 nothing, so --

22 MR. KOZAR: Yeah. And I think the bathroom
23 too, you know. I know the price to having a
24 bathroom that opens to the outside is that everybody

1 on the Prairie Path is going to use it like a public
2 restroom. I fear that, but so be it. That's what
3 it is. But, you know, we want it to open from the
4 outside, you know, so kids don't have to go in here.
5 You know, and if their parents are sitting at a
6 picnic bench, they're still line of sight, and they
7 can see what's going on.

8 COMMISSIONER GATTO: Okay. Thank you. Then I
9 have a question of Meagan. Is she still -- you're
10 with DeMito's, right?

11 MS. PINGEL: Yes.

12 COMMISSIONER GATTO: How many parking spots
13 does DeMito's have on site?

14 MS. PINGEL: I want to say it's about seven.

15 COMMISSIONER GATTO: So seven that DeMito's
16 owns, right? It's DeMito's parking.

17 MS. PINGEL: Yes.

18 COMMISSIONER GATTO: And then do you know how
19 far off the parking variance you are based on the
20 tables you have?

21 MS. PINGEL: I don't know how far off it is,
22 but I know when the business was opened, there
23 wasn't a parking issue, and that was at the time,
24 whatever it was, taken care of.

1 COMMISSIONER GATTO: Yeah. I actually remember
2 when Debbie came in here and asked for the variance,
3 and the other businesses were like it's a parking
4 issue. It's going to be a parking issue. And my
5 response was a parking problem is a good thing, and
6 we have to have faith in the town to solve it. But
7 I'm just -- I needed to know your parking ratio.

8 Tony, you're -- outside of the parking
9 behind you, do you have any --

10 MR. ODDO: That lot. The big lot across the
11 street.

12 COMMISSIONER GATTO: Is that something --

13 MR. ODDO: Our sign is posted on it. They have
14 an agreement with 207 South Villa.

15 COMMISSIONER GATTO: Okay. But didn't somebody
16 buy that building and then tear it down or
17 something, or turn it into a lot and gave you guys
18 access because --

19 MR. ODDO: No. I'm talking about the bank
20 building where Ballroom City is next door.

21 AUDIENCE MEMBER: Where Josephine's is.

22 MR. ODDO: Where Josephine's is. Their parking
23 lot --

24 MR. KOZAR: Directly across the street.

1 MR. ODDO: It's all one parcel.

2 AUDIENCE MEMBER: The long parking lot that you
3 can enter the one way and exit on the other way.

4 COMMISSIONER GATTO: Yeah. That's the one I'm
5 thinking of. That was -- somebody provided that.
6 Who owned the building over there?

7 MR. ODDO: It's a private lot.

8 COMMISSIONER GATTO: Yeah. I'm saying, he --

9 MR. ODDO: Jeffry O. owns that lot, and he
10 owned previously my building I purchased from him 11
11 years ago, and he owns the building next door at
12 204. He owns those four parcels. Two on the east
13 side. Two on the west side.

14 COMMISSIONER GATTO: And he opened that parking
15 up to everybody, right?

16 MR. ODDO: No. There's specific signage on it
17 for who is allowed to use it.

18 COMMISSIONER GATTO: Do you guys like pay for
19 that parking spot or -- you have an agreement,
20 right?

21 MR. ODDO: Yeah. We have an agreement that
22 we're allowed to park there.

23 COMMISSIONER GATTO: Okay. Now, the reason why
24 I'm -- it's getting to your parking problem, which

1 is --

2 MS. KRIEGER: Kim.

3 COMMISSIONER GATTO: Kim, are you also -- do
4 you get to use that lot too?

5 MS. KRIEGER: I can use that lot, but I have
6 parking for nine on my property.

7 COMMISSIONER GATTO: Okay. Because I'm
8 wondering if you were to build, could that lot be
9 buildable and we would lose that parking too?

10 MR. ODDO: What lot are you talking about?

11 COMMISSIONER GATTO: Your parking lot across
12 the street.

13 COMMISSIONER JACKSON: Shared parking lot.

14 COMMISSIONER GATTO: No. But I'm saying if it
15 were sold, you would lose the rights to park.

16 MR. ODDO: It's the same parcel --

17 (Whereupon, there was an inaudible
18 public discussion.)

19 MS. KRIEGER: And then the little bird
20 sanctuary that used to be on the corner which is now
21 vacant, that little section of that square that's
22 fenced off over there goes with that property.

23 AUDIENCE MEMBER: Like in the first --

24 COMMISSIONER ORLOWSKI: Right. But what Vince

1 is trying to say is like today it's a parking lot.
2 If the property was sold tomorrow and they built a
3 building there and eliminate the parking lot.

4 AUDIENCE MEMBER: I get what the parking -- I
5 see --

6 AUDIENCE MEMBER: No. That won't happen,
7 because it's one -- it's one tax ID number for --
8 the bank building, and the parking lot are one
9 parcel. It will not be separated.

10 COMMISSIONER JARRETT: The owner could have it
11 subdivided.

12 AUDIENCE MEMBER: Well, right now it's one
13 parcel, so --

14 (Whereupon, there was an inaudible
15 public discussion.)

16 MS. KRIEGER: If they could just provide some
17 more parking just -- you know where the museum
18 parking lot, there's 35 cars that dead ends right at
19 Cortesi. There's a little path there. I don't know
20 why they couldn't do like they did on the other side
21 and put either parallel parking or put another 20
22 spaces there. I don't see why that's --

23 AUDIENCE MEMBER: And that's just paint.

24 MS. KRIEGER: Well, no. They would have to dig

1 it out, put blacktop in. I mean, they did it on the
2 other side. I think that would solve a lot of
3 people's -- and also I know they do have --

4 COMMISSIONER GATTO: You know, I lost track of
5 what you were saying. Could you start over?

6 MS. KRIEGER: Sure. So you know where the
7 historical museum is. There's a parking lot there,
8 right?

9 COMMISSIONER GATTO: Right.

10 MS. KRIEGER: Okay. Then it used to be longer,
11 and they used to be able to drive all the way
12 through. Now you've got to go back out the other
13 way, but there's a little sidewalk there that goes
14 -- kind of trails over to Cortesi and kind of takes
15 it to the other park, to Lions Park. I don't see
16 why they couldn't take that space that's all just
17 green and some trees and actually make it another 20
18 spots like they did on the south side of the path
19 there. I think that would help a lot, because it's
20 kind of crazy, because there are some spots where I
21 know where she's talking that a lot of people, I
22 just don't know if they don't know they're there.
23 There are times when we're coming into the season
24 where that's going to be crazy over there.

1 AUDIENCE MEMBER: Those spots weren't even put
2 in until November, so they're covered with snow half
3 the time.

4 MS. KRIEGER: Yeah. They haven't even been
5 found really, I think. And there isn't any signage.
6 I mean, there's signage that it's Village parking.
7 My other question is the 321 apartment building on
8 the corner of Park and Villa. They put parking in
9 there. Is that also Village parking, or is that for
10 the apartment building?

11 COMMISSIONER JARRETT: That's not the
12 Village's. Is it, Patrick? Is it?

13 COMMISSIONER GATTO: That's Village's.

14 MS. KRIEGER: Okay. Because to me I think
15 people think that is parking for the apartment
16 building. I would like to see some signs there that
17 say Village parking. There isn't any there. It
18 would help, I think, when people come in, because I
19 think they think that's apartment building parking.

20 COMMISSIONER GATTO: Patrick, I have a question
21 for you. Is the outside of the lot that the owner
22 goes back and forth on, has there been any talks of
23 identifying more spots, more parking in the area?

24 MR. GRILL: Yes.

1 COMMISSIONER GATTO: If you had to guess, I
2 mean, how much parking do you think you would be
3 adding in the area? And if you had to give a time
4 frame, when do you think it would show up? I mean,
5 I don't mean to make you stick your neck out. I'm
6 sorry.

7 MR. GRILL: This is well beyond me. It's taken
8 lots of discussions, a lot of different Village
9 departments, a lot of discussions with the County,
10 because the Prairie Path is owned by the County, yet
11 the Village does own property like on the south side
12 along Park where we had the ability to add that
13 additional parking. We are trying to identify other
14 places where we have that opportunity. We are also
15 anticipating going to the County if we need to,
16 seeing if we can reach some sort of an arrangement.
17 We're looking at purchasing multiple properties in
18 that area to add additional parking, but to say how
19 many more that we could add at this point, I don't
20 know what that number is other than the Village is
21 intent on adding more parking in this area.

22 COMMISSIONER JARRETT: Patrick, while you're
23 up, the food truck in the current Code, current
24 Zoning Code, or even the pending Zoning Code, is

1 there any specific references to food trucks? I
2 mean, beyond whatever the County Health Code is.

3 MR. GRILL: Nothing beyond the County Health
4 Code. So long as it has a license from the Du Page
5 County Health Department and it's parked on private
6 property and it's not causing a nuisance, the
7 Village believes it's okay.

8 COMMISSIONER JARRETT: Okay. That's what I
9 thought. I wanted to verify that with you. How
10 about live music? I know he said it's not something
11 that would be a big part of his, you know, deal, but
12 -- and I'm not opposed to live music necessarily,
13 but is that -- does that put things into a different
14 category?

15 MR. GRILL: Well, I mean, we have performance
16 standards in the Code that address that, and
17 certainly if somebody called and complained we would
18 have to run out there with our little noise meter.

19 COMMISSIONER JARRETT: I know we had that. I
20 didn't know, as far as uses, if that would, you
21 know --

22 MR. GRILL: No. That I'm aware of, there is
23 nothing in the Code that addresses whether or not
24 you can pipe music outside.

1 COMMISSIONER LANENGA: Can you address the US
2 Post Office, abandoned post office, that's been
3 sold? What's going to happen with all that parking?

4 MR. GRILL: That is -- the entity that
5 purchased that is planning on rehabbing and
6 restoring that building to its former prominence,
7 and all of the parking that is there is going to be
8 for their employees only, or at least that's the
9 plan right now.

10 COMMISSIONER ROMANO: Is there currently
11 parking down Central? Can you park on the street
12 there?

13 MR. GRILL: Yes. You can park on the south
14 side of Central now.

15 COMMISSIONER JARRETT: There's also parking
16 currently on the west side of Myrtle. That's if
17 Myrtle is one way south and there's parking along
18 the west side. I looked into that. There would not
19 be room to park both sides of Myrtle. It's too
20 narrow.

21 COMMISSIONER JACKSON: What about on Park? Is
22 there parking there as well?

23 MR. GRILL: On Park? The Village just added 20
24 some odd spaces.

1 COMMISSIONER JACKSON: I mean, street parking.

2 Is there street parking?

3 MR. GRILL: Yes.

4 COMMISSIONER JARRETT: He's talking about
5 parallel parking beyond the parking lot.

6 MR. GRILL: I would have to get back to you on
7 that. I'm not certain off the top of my head.

8 AUDIENCE MEMBER: During Summerfest at least
9 they have parking on Park Avenue.

10 COMMISSIONER JARRETT: I think there is allowed
11 on the north side of Park. I know there is west of
12 Harvard there is on the north side. I don't know
13 about east, but --

14 COMMISSIONER GATTO: I know there is parking on
15 the north side of Park, you know, in between Summit
16 and Villa.

17 COMMISSIONER JACKSON: And that's street
18 parking that's open.

19 COMMISSIONER GATTO: Yeah. And then we're
20 going to allow that on Central?

21 COMMISSIONER JACKSON: Now it's open on
22 Central. That's street parking. That's a lot of
23 street parking.

24 AUDIENCE MEMBER: I think you can solve the

1 problem. It's just, you know --

2 COMMISSIONER JACKSON: I'm assuming that maybe
3 the problem was solved when Central opened up the
4 street parking perhaps.

5 AUDIENCE MEMBER: I don't know exactly what it
6 is, but when the post office decides to close all
7 the parking, how many spots is that going negative?
8 So all of this that we're adding, is it a wash at
9 this point?

10 COMMISSIONER JARRETT: But here's the thing.
11 The post office parking has never legally been part
12 of that parking.

13 (Whereupon, there was an inaudible
14 public discussion.)

15 COMMISSIONER JARRETT: Please stop for a
16 second. She's trying to record everything that we
17 say, and we have three people talking at once, so
18 one at a time for her, please. Thanks.

19 AUDIENCE MEMBER: I know it may not have been
20 legal parking at the post office or allowed or not.
21 However, there were cars parked there, and that is
22 -- you have to keep in account that is what makes it
23 sufficient parking for the area. And if we just
24 lost 50, 60 spaces and we just added 60 spaces, but

1 60 spaces wasn't enough before, are we at a wash and
2 it's still not enough spaces?

3 AUDIENCE MEMBER: I mean, there isn't always
4 constant parking problems out here. It's certain
5 days, certain times. And I think trying to
6 accommodate those times is where we need those extra
7 20 spots.

8 COMMISSIONER JARRETT: Right. Okay. Vince,
9 did you have any other questions?

10 COMMISSIONER GATTO: I do. Are we losing the
11 parking from the street along the post office, if
12 the post office develops? Is that all gone too or
13 just the parking lot?

14 COMMISSIONER JARRETT: No. That's Villa
15 Park's.

16 AUDIENCE MEMBER: Oh, that's Villa Park's?

17 COMMISSIONER GATTO: So this strip of --

18 COMMISSIONER ORLOWSKI: East of the sidewalk
19 and the post office.

20 AUDIENCE MEMBER: They already have signs up
21 that they're towing.

22 MR. KOZAR: That's not on the street. That's
23 in the lot.

24 COMMISSIONER JACKSON: South Cortesi Avenue?

1 Is that what you're talking about?

2 COMMISSIONER GATTO: Yeah.

3 (Whereupon, there was an inaudible
4 public discussion.)

5 COMMISSIONER JACKSON: Between the street and
6 the sidewalk. That's owned by the post office.

7 MR. GRILL: The west side of Cortesi between
8 Central and Kenilworth, it is the Village opinion
9 that that is public parking.

10 COMMISSIONER JARRETT: Well, the Village
11 contends it's their parking, and I'm guessing
12 they're prepared to fight for it. I mean, that's
13 not up to Patrick, obviously, but --

14 AUDIENCE MEMBER: Well, there's no plat of
15 survey or --

16 COMMISSIONER JARRETT: Well, that I don't know.
17 That's not in our purview at all.

18 MR. GRILL: There are documents that exist that
19 the Village is standing by that believes it gives
20 the Village the right to call that public parking.

21 COMMISSIONER JARRETT: Thank you.

22 COMMISSIONER GATTO: Looks like there's 26 in
23 the post office parking lot. That's a lot of
24 parking.

1 COMMISSIONER JARRETT: But it's on private
2 property, so --

3 COMMISSIONER GATTO: Right. I mean, that's a
4 lot of parking they're going to lose. Those
5 businesses are going to lose that.

6 COMMISSIONER JACKSON: That's always been
7 private property.

8 COMMISSIONER JARRETT: Correct.

9 MR. KOZAR: So technically they're not losing
10 it. They were just trespassing before.

11 AUDIENCE MEMBER: No. They give us permission
12 to use it.

13 COMMISSIONER JARRETT: We're actually
14 technically at questions, and I don't want to shut
15 all the conversation down, but we've got too many
16 people trying to talk at once.

17 COMMISSIONER GATTO: I'm done.

18 COMMISSIONER JARRETT: Okay. So I have a
19 couple questions. I think most of them have been
20 answered. I'm going to start with a bit of a
21 comment.

22 When I first heard about the post office
23 being for sale I started thinking what could happen
24 with this area. Like I had a conversation with a

1 friend who's an architect, and to turn that part of
2 the south into a beer garden, your property, not
3 knowing -- I mean, or some sort of open outdoor
4 seating area. That's about all it's good for. It's
5 a small site. It can't be parked. You would
6 probably be hard pressed to develop it as anything
7 with the parking that would be required. You
8 couldn't even -- if you went up and you wanted to
9 invest in a parking deck, it's not feasible, and I
10 don't know how many legal parking spots you could
11 get on there, even with the buildings that were
12 there.

13 So I'm glad to see this concept. I really
14 like the concept. I had a couple specific questions
15 about the concept. Not necessarily related to the
16 variance. Just maybe things to think about moving
17 forward. First is a question.

18 You're showing the planters around the
19 south and the west sides. Do you intend to do
20 anything between the planters? Because on the plan
21 it kind of looks like there's a line running between
22 them.

23 MR. KOZAR: Yeah. If you look at the planters
24 there's actually cable in between.

1 COMMISSIONER JARRETT: Okay. So it's the kind
2 of thing that theoretically --

3 MR. KOZAR: So the tables will go in -- so
4 you've got the forms that are built there. The
5 cable actually goes inside, through the cement
6 forms, and then on the backside there's rebar in the
7 planter itself, which is just metal that goes in the
8 cement, and then sticking through goes the cable,
9 and then on the backside is another piece of metal
10 that basically, you know, abuts it. So if those
11 cables are pulled, it has to pull the whole planter
12 back, and that's part of the safety feature on it.

13 COMMISSIONER JARRETT: Okay. So one of my
14 design questions sort of related to that is you have
15 the west end walled off completely, but that
16 sidewalk there that people keep talking about the
17 sidewalk, that's actually the connection -- that's a
18 connection right between the Great Western and the
19 Prairie Path. So you're going to have a lot of bike
20 traffic theoretically that might take that crosswalk
21 and then have to come all the way down to the other
22 end and come in. Have you thought about that?

23 MR. KOZAR: We have. And that's actually a
24 flaw in our drawing, because we need to put an

1 entranceway right here so that people can come down
2 the Great Western and get in here. The picture just
3 doesn't really show it, but right here is -- you
4 know, we need an entrance right here, so that is
5 what we would have.

6 COMMISSIONER JARRETT: Yeah. That's one of the
7 things that I saw. Also, when you get to the
8 eastern end of the property it doesn't really show
9 up well in your site plan, but the eastern end of
10 your property actually, the triangle point of the
11 wedge as it approaches Cortesi, actually just beyond
12 the sidewalk. The sidewalk cuts around it.

13 MR. KOZAR: Right.

14 COMMISSIONER JARRETT: That's where you're
15 putting your dumpster. And I know you have to put
16 it somewhere, but that -- I don't like it there.
17 Can I be honest?

18 MR. KOZAR: I don't either. I don't like it.
19 When I went with the architect -- because the
20 garbage company has to come down and be able to pull
21 that dumpster out to be able to dump it. I don't
22 like it here either. So, I mean, we're pushing it
23 right to the corner. We're going to use, you know,
24 same or similar material that we're doing with the

1 fence to try to blend it in there. I don't like it
2 either, but there just isn't another good place for
3 it on this property. So, I mean, this is kind of
4 the best we can do next to the bike racks and
5 whatnot.

6 COMMISSIONER JARRETT: Right. When I
7 originally saw the plan you have here before the
8 bike rack, my thought was, you know, maybe you'd do
9 a bump out on the east end of the smaller building,
10 and then you might have to roll it to the street on
11 garbage days or whatever, but -- and there are -- we
12 have plenty of business owners that have to do that,
13 but --

14 MR. KOZAR: Sure. So the problem with that --
15 and I think, if I understand your point, is you're
16 saying put it over here, but this is where the kids
17 come to order their ice cream.

18 COMMISSIONER JARRETT: Okay.

19 MR. KOZAR: So maybe I just don't understand
20 the concept.

21 COMMISSIONER JARRETT: Yeah. We don't really
22 have -- I guess that's the thing. We don't really
23 have the floor plans that you're showing. We don't
24 have those.

1 MR. KOZAR: Okay.

2 COMMISSIONER JARRETT: So my understanding
3 would have been that, you know, orders would be
4 taken on the south side of the building, but you're
5 saying orders would be on the east end of the
6 building.

7 MR. KOZAR: Right. The idea is that you come
8 in on the east, you place your order, and then, you
9 know, order 21, chocolate milk, whatever. You pick
10 it up at the service end.

11 COMMISSIONER JARRETT: Okay. So you've got
12 ordering on one end, and then moving around the
13 building to pick up.

14 MR. KOZAR: Correct. Right. This is going to
15 be an open like wrap around window.

16 COMMISSIONER JARRETT: Okay.

17 COMMISSIONER BELLOW: Could a garbage truck --
18 could the pavers withstand it?

19 MR. KOZAR: We would not allow a garbage truck
20 driving on them. Yeah. Nor would we want the
21 garbage truck right next to where, you know, people
22 are. You know, in every building project there's
23 always something that you just kind of have to
24 accommodate, and the best thing that we thought that

1 we could come up with was fencing that off and just
2 kind of putting it in the back right there, you
3 know -- you know, in the corner. It's going to be
4 the least traffic spot. It's going to where the
5 bike racks and all the bikes are going to, you know,
6 kind of be, so the best that we can. Out of sight,
7 out of mind the best that we can.

8 COMMISSIONER JACKSON: Because you're fencing
9 off that corner there where the sidewalk comes in,
10 and then heads from south, and then heads east.
11 You're fencing that off, and that's where you want
12 to keep the dumpster, right?

13 COMMISSIONER JARRETT: The dumpster is just in
14 the corner. There's no fence south of the dumpster
15 enclosure.

16 COMMISSIONER JACKSON: There's no fence in the
17 dumpster enclosure? I'm sorry?

18 COMMISSIONER JARRETT: No. The dumpster
19 enclosure in the northeast corner. The fence does
20 not extend south beyond the -- the dumpster is
21 enclosed. There's no fence along the east edge
22 other than the dumpster.

23 MR. KOZAR: Correct.

24 COMMISSIONER JACKSON: And you're putting a

1 fence here where the sidewalk comes in and to the
2 left.

3 MR. KOZAR: No. I'm putting a fence from here
4 to here.

5 COMMISSIONER JARRETT: Yeah. But you would be
6 walking towards -- you would be walking south on the
7 sidewalk towards the fence.

8 MR. KOZAR: So the fence would stop right
9 there.

10 COMMISSIONER JACKSON: At the sidewalk?

11 MR. KOZAR: Yes. And the way that the property
12 is structured, it kind of meets right on the corner
13 at the sidewalk, you know.

14 COMMISSIONER JACKSON: That would be an
15 entrance for your area.

16 MR. KOZAR: Right. This is our only curb cut
17 right down here, so, you know, you come in here.

18 COMMISSIONER JACKSON: So this is an opening
19 right here. There is no fence right here.

20 MR. KOZAR: No. There is a fence right there.

21 COMMISSIONER JACKSON: Well then, this is
22 Cortesi.

23 MR. KOZAR: That's Cortesi. The dumpster is
24 going to be right here, and your fence ends right

1 there in the grass. That's the grass. And it abuts
2 the -- it abuts this dumpster.

3 COMMISSIONER JARRETT: The sidewalk makes two
4 90 degree turns. You come south, you turn to go
5 east, you turn, you go south.

6 COMMISSIONER JACKSON: That would not be an
7 entrance then to go to the property. If you have a
8 fence, you would have to go walk around all the way
9 to Central to get into the property, right?

10 MR. KOZAR: No.

11 COMMISSIONER JACKSON: All right. So then --
12 yeah. All right. He's saying no, so it's not going
13 all the way -- the fence is not going to go all the
14 way to the end of their property. All the way to
15 Central.

16 MR. KOZAR: No. It won't, because it stops at
17 the --

18 COMMISSIONER JARRETT: No. That's not what I'm
19 saying. I'm saying as it goes -- just because the
20 way the dumpster is in that corner, if you're
21 walking south on the sidewalk on Cortesi towards
22 Central, you're going to be walking at a dumpster
23 enclosure essentially. It would be the fence side
24 of it.

1 MR. KOZAR: You won't realize it's a dumpster
2 necessarily.

3 COMMISSIONER JARRETT: No. You're walking
4 towards the fence and then go around it.

5 MR. KOZAR: Right. Which you have to anyway,
6 because that's the way the sidewalk goes. So if you
7 are just on the sidewalk, there will be no change in
8 what you're doing.

9 COMMISSIONER JARRETT: I think that's all my
10 questions for the moment. Anybody else have
11 questions?

12 COMMISSIONER RICKEL: I do. I'm curious. How
13 are you able to -- it wasn't readily obvious from
14 the drawings. How is the food truck coming on and
15 off of your property?

16 MR. KOZAR: So there is a curb cut. The only
17 curb cut on the property is right here.

18 COMMISSIONER RICKEL: Okay.

19 MR. KOZAR: So it would come in, and then we
20 would park it right here, and then we would put the
21 tables back all in.

22 COMMISSIONER RICKEL: Okay. That makes sense.

23 COMMISSIONER GATTO: Is that a planting bed in
24 front of the food truck, that rectangle?

1 MR. KOZAR: The one that comes out like this?
2 No. It's just an architectural thing. It's
3 identifying what these boxes are. It says,
4 landscaped flower bed, fence, typical. So it's just
5 an illustration, you know. An explanation of the
6 illustration.

7 COMMISSIONER GATTO: I got it.

8 COMMISSIONER JARRETT: Any other questions?

9 COMMISSIONER LANENGA: A question for Patrick.

10 COMMISSIONER JARRETT: Go ahead.

11 COMMISSIONER LANENGA: Has More addressed this
12 at all? I don't think we've heard from them. More,
13 with the parking. Do they have any issue with this?
14 Have they addressed it?

15 MR. GRILL: I have not heard anything from More
16 Brewery, no.

17 MR. KOZAR: I can speak to that. So I called
18 Sonny at More, and I showed him and told him, you
19 know, everything that we were doing, and he said he
20 loves the idea. He supports it. And his words
21 were, anything I can do to help, let me know.

22 COMMISSIONER ROMANO: Question. So fence. The
23 two issues I'm focusing on are clearly the
24 variances, of course, but the fence is an esthetic

1 issue. So if variance was denied to that because
2 just because you wanted it, that's not a big deal to
3 you at all?

4 MR. KOZAR: Sure. The question is, you know, a
5 six foot versus an eight foot fence.

6 COMMISSIONER ROMANO: Just more privacy in back
7 is essentially what I see from the parking lot.

8 MR. KOZAR: Right. Right. And then I guess
9 eventually, from what I understand, is that the
10 Gross family is going to be building garages back
11 there as well. So once they do that I think the
12 fence will be nice to kind of block the back of
13 their garage.

14 COMMISSIONER ROMANO: That's all.

15 MR. GRILL: At this point there have been no
16 submittals for a garage back there. They did ask
17 about it and wanted to know what processes they
18 would have to take to do it, but we have not had any
19 additional discussions about them adding a garage in
20 the backside of their property, at the south side.

21 COMMISSIONER JARRETT: All right. Any other
22 questions?

23 COMMISSIONER JACKSON: I have one. So he would
24 need -- if he didn't want to go for his variance he

1 would need to have five parking spots on his
2 premises, right? Would the food truck count as a
3 parking spot? I'm just curious. So four parking
4 spots over on the far end.

5 COMMISSIONER JARRETT: No. It's not
6 accessible. It's not proper lane width. No.

7 COMMISSIONER JACKSON: Okay.

8 COMMISSIONER JARRETT: Mike, looks like you
9 have some questions.

10 COMMISSIONER ORLOWSKI: Well, me and Vince have
11 been sharing some plans here. Me personally, I
12 would like to see at least four parking spots on the
13 property, unless the Village can come up with a plan
14 for the businesses in that area to accommodate
15 parking. I've spent many, many days, many weeks,
16 all hours of the day and night in that area. I've
17 watched one of your customers drive around for 25
18 minutes trying to figure out where he's going to
19 park to pick up his pizza. It's -- to me personally
20 it is an issue over there that the Village or
21 somebody within the Village needs to come up with a
22 solution. Whether it be the business owners in that
23 area get together with the Village as a group and
24 come up with some kind of a parking plan, but each

1 business over there have different parking
2 requirements as far as are they -- they're going to
3 pull up for 10 minutes to walk in, they're going to
4 pick up their pizza, they're going to leave. That
5 type of parking -- if he doesn't have that type of
6 parking, he's going to lose business. And my thing
7 is I don't want to approve anything else for that
8 area that's going to damage any of the existing
9 businesses that are already there. We need to find
10 out a solution that works for everybody over there,
11 and bringing new business -- I love your concept. I
12 love everything about it, but we already have some
13 issues that haven't been resolved yet. So, you
14 know, me personally, I don't want to add to the
15 issues unless we come up with some kind of a plan
16 that's going to take care of it. Would the parking
17 spots that we would require you to have, would that
18 be really utilized for parking? Probably not.

19 MR. KOZAR: How do you mean? I mean, if you
20 require them --

21 COMMISSIONER ORLOWSKI: No. That's --

22 MR. KOZAR: If you're saying I have to have
23 these spots --

24 COMMISSIONER ORLOWSKI: Correct. So what I'm

1 really trying to say is I would love to say, yeah,
2 let's do a zero parking, but --

3 MR. KOZAR: But it isn't. We have the license.

4 COMMISSIONER ORLOWSKI: Well, that's not a
5 clear solution to me for the piece of property. My
6 mind, what I'm really looking for is a solution for
7 the area in general, because as the last -- the last
8 one that we approved now has become a problem for
9 all the other business owners, so now we go to
10 approve another one. We're not sure. You might
11 have more customers than you know what to do with.

12 MR. KOZAR: That would be a blessing for Villa
13 Park.

14 COMMISSIONER ORLOWSKI: Correct. I agree.

15 MR. KOZAR: It would also bring revenue into
16 Villa Park, and we will all work towards that end to
17 make Villa Park accommodate.

18 COMMISSIONER ORLOWSKI: So that's my whole deal
19 right now is that I need to know that somebody in
20 the Village -- and I have several Board members, the
21 president, and everybody in the room that needs to
22 be here. We need to come up with -- and I know
23 several of you have been over there different times
24 of the day and seen the same thing I have. So I'm

1 just looking --

2 AUDIENCE MEMBER: Once they start music in the
3 park on Thursday night there will be no parking
4 there.

5 COMMISSIONER ORLOWSKI: No. I understand that,
6 but -- so that's where I'm looking is I need someone
7 to try to resolve some of it. I know we're not
8 going to resolve it all, but we've got to look to
9 work to make it a happy home for everybody there.

10 AUDIENCE MEMBER: It would be if they could put
11 in another 20 or 30 spots. It was my understanding
12 that the Prairie Path -- 10 feet on each side of the
13 Prairie Path is owned by the Prairie Path, and the
14 rest of that property is Village property. I may be
15 wrong, but that is what I was told. So to me, there
16 is room there.

17 COMMISSIONER JARRETT: I appreciate your
18 comments, but we are in our questions and -- do you
19 have any further questions, Mike?

20 COMMISSIONER ORLOWSKI: No. I would agree with
21 -- in between your two buildings I have no issue
22 with the eight foot fence, but east of the last --
23 where the actual office building was, I would like
24 to see that -- I would be more happy if it was just

1 only six feet. And I have a hard time with the
2 trash where it's located.

3 COMMISSIONER JARRETT: Yeah. We can discuss
4 that in comments.

5 COMMISSIONER ORLOWSKI: Other than that, no.
6 That's all I have.

7 COMMISSIONER JARRETT: Any other questions from
8 the Commission? Seeing none, we'll move to closing
9 comments from the petitioner. If you've got
10 anything you want to say, now is your chance.

11 MR. KOZAR: Sure. So a question that I don't
12 think really directly has been asked --

13 COMMISSIONER JARRETT: If you could step to the
14 mic. We are on TV, so --

15 MR. KOZAR: Yeah. No problem. So a question
16 that hasn't directly been asked, which I think
17 should be asked is one of planning -- or the
18 director of Planning & Zoning, Patrick Grill.
19 Patrick -- you know, my question for Patrick would
20 be, does Patrick think there is a parking problem in
21 Villa Park in this area. May I ask him that
22 question?

23 COMMISSIONER JARRETT: How about I ask him when
24 we move into comments.

1 MR. KOZAR: Okay. So Villa Park is a growing
2 and dynamic community. We hold ourselves out -- we
3 hold ourselves out to be one of the 10 best places
4 in America to raise a family. Villa Park is going
5 through some growing pains. I live in Villa Park.
6 I own property in Villa Park. I'm part of those
7 growing pains. I want to help resolve those growing
8 pains, but Villa Park, it wasn't just created and,
9 you know, all these parking spots and everything was
10 just planned by whoever created the town back in the
11 '20s. It's going through growing pains. We can
12 solve these growing pains. If there's enough
13 business, we can fix anything. If there's a will,
14 we can fix anything. I want to be part of that fix.
15 I don't want to add to the problem, but I want to be
16 part. I want to fix it. I want to come up with
17 solutions. We are coming up with solutions, but
18 it's short-sided and narrow-minded to say let's put
19 a prohibition on doing any more business in Villa
20 Park until we solve this problem. I say, let's join
21 as a community and get together and go through the
22 growing pains and support each other and push good
23 business and good families and have a community
24 space together. This is our community. This is our

1 town. Let's not stifle what is becoming a wonderful
2 town. Let's not stifle what is one of the 10 best
3 places to raise a family. Let's give a family place
4 to Villa Park. That's what I'm asking for here.
5 This will be a wonderful place. And we've heard
6 from some extremely articulate, bright, young
7 people, and I'm just thinking employment opportunity
8 here. I mean, this is our future. These kids right
9 here. They want this here. Their parents want this
10 here. This is what we're about. This is why you
11 guys put in all the hard time and thankless hours
12 into being on a Commission, being board members,
13 going through this, because you're part of this
14 community with us all, and we appreciate, even if
15 you don't hear it enough, that you do spend this
16 time and you do have this consideration to make
17 Villa Park better. Every one of you want to make
18 Villa Park better. If you didn't, you wouldn't be
19 on this Board. I want to make Villa Park better.
20 They want to make Villa Park better. Everybody here
21 wants to make Villa Park better. With more
22 business, more money, we can make Villa Park better.
23 Let's keep working at it. But let's not stifle what
24 is growing here. We're on a trajectory for success.

1 Let's keep the focus on success. This is part of
2 Villa Park's success.

3 COMMISSIONER JARRETT: Thank you. Okay. With
4 that, we're going to close the public hearing, move
5 into discussion by Commission members.

6 As I mentioned earlier, since the post
7 office was up for sale I've thought about this area
8 a lot. It would have been nice to see those two
9 properties work together in some way. With what I
10 believe is a business office, right, engineering
11 office moving into the post office, it's not
12 necessarily the ideal use in terms of -- that I
13 would have chosen, but I'm glad somebody is finally
14 doing something with it. I know that was a tough
15 piece of property.

16 This piece of property is even tougher.
17 It's a wedge that's not useful for a lot. I've been
18 on this Commission for about 10 years now. Vince, a
19 lot longer than that.

20 COMMISSIONER GATTO: Yeah.

21 COMMISSIONER JARRETT: But if even five years
22 ago if somebody had said we're going to have a
23 parking problem on Villa Avenue, I don't think
24 anybody in this room would have believed that was

1 going to happen. So things that are happening on
2 Villa Avenue are positive. This is -- in my
3 opinion, it's a very positive use for, let's say, a
4 very tricky site to work with. I understand the
5 parking concerns, but I go to Villa Avenue. I pick
6 up pizza. I go to More. I'll even admit I go to
7 Unicorn Comics every now and then. And my wife
8 works up the street at Cornerstone Books, so -- you
9 know, Pioneer. I know a lot of people that have
10 businesses on here. I don't want to see anybody's
11 business get hurt. But the other side of that is as
12 a planner there is a sweet spot in parking. Having
13 lots of available parking means you're doing it
14 wrong. Go to downtown Naperville, downtown Elmhurst
15 on a Friday night and try to find a parking spot in
16 front of the business that you're trying to go to.
17 You will not find one. You could drive around for a
18 half hour and a parking spot will not open up. Now,
19 they've built garages. They've done other things to
20 alleviate the parking, but it draws parking away
21 from the central area. People have to walk to the
22 businesses, and then they spend more time there
23 because they're on foot. We're used to having Villa
24 Avenue and Villa Park as a community be a completely

1 drivable community, and that's -- Villa is not going
2 to work that way and be a successful business
3 community. You can drive near your business, but to
4 expect to park in front of it on a business strip
5 like that, it's just not realistic. I know some
6 people don't want to hear that probably, but that's
7 my opinion on it. The question is do we have enough
8 parking capacity in the area. I think we do. I
9 haven't done a parking study, but I've never gone
10 there and not been able to find a parking space. I
11 may have had to walk 500, 600 feet to get where I
12 wanted to go, and I think there are more solutions
13 the Village can do. Most of those are above our pay
14 grade. Sure, we can brainstorm ideas and come up
15 with ideas all day, but it's up to the Village Board
16 and, you know, engineering to figure all that out.

17 So, generally speaking, I'm in favor of
18 this project. I don't have an issue with the
19 parking. I do have an issue with the eight foot
20 fence, particularly on the east end. When you're
21 requesting a variation, part of that is proving that
22 you have a hardship, that the site is unique. I
23 believe this site is unique. But saying that you
24 want it because it looks better or -- it's not

1 really how that works. And for me personally, I
2 think if I'm walking south towards Central on
3 Cortesi, looking at an eight foot fence versus a six
4 foot fence, it's going to make a big difference.
5 Especially as you approach it and round that corner.
6 So that's my take on that. I would be okay with the
7 fence, the eight foot fence, between the buildings.
8 I kind of understand the esthetics of that. I sort
9 of understand creating a room. Basically an outdoor
10 space. I heard mention from somebody else when they
11 heard this project that, well, you're going to
12 string outdoor lights and -- maybe. I mean, you've
13 got a fence and you created an outdoor room in that
14 area around your food truck. There's a lot that you
15 could do to really draw attention without being
16 gaudy or cheesy. I really do like the idea, and I
17 applaud you for doing what you've done with this
18 site. And I've spoken a long time, but -- if
19 anybody else has comments or discussion.

20 COMMISSIONER BELLOW: Well, you pretty much
21 said what I was going to say. You know, I am in
22 agreement that it's much better use of the property.
23 I'm tired of looking at that awful eyesore, and I
24 would venture to say that Elmhurst, Lombard,

1 Naperville, all those communities, all the
2 downtowns, until they put in their garages or raised
3 the building and made a parking lot, they all
4 suffered. I was raised in Elmhurst.

5 MS. SOLEM: We were too.

6 COMMISSIONER BELLOW: As a kid, you couldn't
7 park. You know, you had to drive around or
8 illegally park. So, yeah, I'm in favor of it. And
9 I agree about the fencing. Eight in the middle, six
10 on the side.

11 MR. SHLENSKY: Mr. Chair, you had indicated
12 that --

13 COMMISSIONER JARRETT: Go ahead. I mean, we're
14 in our comments, but go ahead.

15 MR. SHLENSKY: Remember, you would propose the
16 question that my client asked to Mr. Grill, that you
17 would ask that question as well.

18 COMMISSIONER JARRETT: Oh, yes. I will.
19 Anybody else have any other comments?

20 COMMISSIONER ROMANO: I'm on the side of -- I
21 don't see any variation for the eight foot fence.
22 Esthetically, I don't see that. But the one thing I
23 will say about the parking is with the addition of
24 the new parking on Park that was done as of fall, so

1 we really don't know how much that will alleviate
2 yet, and I got the impression that it's kind of new
3 along Central now too. So there is new parking that
4 has not been taken into account for neighborhood
5 traffic flow. The seasonality stuff, the music in
6 the park, I mean, yeah, those are always going to be
7 crowded. The Fest, that's always going to be
8 crowded. That's never going to be good, but -- and
9 you're targeting a lot of bike traffic too, so I
10 would be okay with the variation on parking, but I
11 don't see the need for it for the fence. So that's
12 where I stand.

13 COMMISSIONER RICKEL: I am also not in favor of
14 the fence. I think as soon as kids start to figure
15 out that there's cameras on the property side,
16 that's going to be a great place to hide is behind
17 the fence, so --

18 COMMISSIONER JARRETT: Just so you know, the
19 six foot fence along the entire property line is
20 permitted as of right.

21 COMMISSIONER RICKEL: No. That's fine. I'm
22 just saying the eight foot is just going to make it
23 a little bit more --

24 COMMISSIONER JARRETT: And you would be against

1 eight foot on any portion of it.

2 COMMISSIONER RICKEL: On any portion of it.

3 COMMISSIONER LANENGA: So a lot of my friends
4 -- I have some friends that play at DeMito's from
5 time to time, and I had occasion to look for a
6 parking spot at 8:00 on a Saturday night, and I
7 found a place in the post office lot illegally.
8 Twice illegally. It was an illegal parking spot,
9 and an illegal parking spot in there. I know. I'm
10 sorry. It was a church group too. And so I didn't
11 get a ticket, but three of my friends got tickets.
12 A couple people left because they couldn't find a
13 parking space. Whether it was an illegal spot or a
14 legal spot, with the post office going, I'd be more
15 than ample -- it's about a break even point, if we
16 added spots, and we've lost the illegal, however
17 used, post office. I'll ask the question of
18 Patrick. I still see a parking issue in downtown
19 Villa Park. Do you?

20 MR. GRILL: Whether there's a parking issue or
21 not a parking issue is more about perception, I
22 think, than anything else.

23 COMMISSIONER LANENGA: Although, it's a reality
24 when you're driving around.

1 MR. GRILL: Right. No. But I don't know of
2 any time when it's really busy, say a Saturday
3 night, that there aren't spaces available that you
4 have to walk to, and you might have to walk 500
5 feet. But, you know, we're so used in the suburbs
6 to being able to park right in front of our place of
7 business that we want to go to, and for decades that
8 has not been an issue in the South Villa District
9 area. Now that we have more successful businesses
10 down there, we've reached a point where it's more
11 difficult to park right in front of the businesses
12 that we want to. But you almost have to equate it
13 with say in the mornings, in the evening, at rush
14 hour, the expressways cannot accommodate the amount
15 of traffic that's trying to utilize it at those
16 particular times, but you don't build a 12 lane
17 highway in each direction, because you don't build
18 to accommodate the worst case scenario. You build
19 to accommodate the 75 percent scenario understanding
20 that at times when it's really busy or really
21 popular that it's going to be difficult to find a
22 parking space, and maybe we were approaching that,
23 but at the same time the Village is desperately
24 seeking out other places in that area to park.

1 COMMISSIONER LANENGA: Okay. Patrick, I'm
2 sorry, are they also looking at temporary parking in
3 front of Michael Anthony's Pizza? 10 minutes, 15
4 minute limited parking.

5 MR. GRILL: Well, it was my understanding that
6 we had a plan that all the businesses always
7 supported, and that's what the Village did.

8 COMMISSIONER JARRETT: Other comments.
9 Discussion.

10 COMMISSIONER ORLOWSKI: I think I've made most
11 of my comments. I really want the business owners
12 and the Village, whether it be Village Staff,
13 Village Board, business owners to figure out what's
14 necessary to accommodate the majority of the needs
15 moving forward. I love your concept, but what I
16 look at for myself sitting up here is if I approve
17 zero parking for your business and then the next guy
18 that comes in, he's going to want zero parking for
19 his business based on, well, he got it, why can't I
20 have it. Can't keep approving zero parking
21 requirements. That's all I got.

22 COMMISSIONER JARRETT: Okay.

23 COMMISSIONER ROMANO: I'm going to just throw a
24 quick statement out there. But the new post office

1 is an engineering firm, because clearly that's not
2 going to be a night time business, so has there been
3 any discussion that maybe to use it at night? Has
4 that come up at all?

5 MR. GRILL: The discussions that we've had with
6 them is that it is their desire to place a fence
7 around the property, because they'll park their vans
8 which are full of technical equipment, and they
9 aren't willing to share that parking in the back,
10 even in the evenings.

11 COMMISSIONER GATTO: I have a couple comments.
12 The eight foot fence, I'm fine with it between the
13 two buildings. Six feet to the east of the furthest
14 east Central building. The other thing that I'm
15 having a hard time with is I think you can put
16 parking on there. You might not be able to fit
17 five. Looks like you could fit four. I think you
18 have to have -- I'm not comfortable -- with parking
19 being an issue, I'm not comfortable with you not
20 having parking at all. Especially when you have the
21 ability to have it. So I would -- I think you could
22 fit four from the east building to the trash corral.

23 MR. KOZAR: Where?

24 COMMISSIONER GATTO: It would eliminate those

1 tables you're talking, and maybe it couldn't be
2 four, maybe it could be three, but I think you need
3 to share in the problem.

4 MR. KOZAR: You're saying here where the tables
5 and the bike rack are?

6 COMMISSIONER GATTO: Yes.

7 MR. KOZAR: And how would they be positioned?

8 COMMISSIONER GATTO: I would think that the
9 cars would be straight in, the bike rack would be
10 eliminated, and then -- or not eliminated but
11 relocated.

12 COMMISSIONER JARRETT: I think that's a bad
13 idea. I see it being chaos.

14 MR. KOZAR: You've got kids roaming around
15 there.

16 COMMISSIONER JARRETT: I mean, I could see --
17 if we're going to move to saying that they should
18 have parking, then I would rather see head-in
19 parking on Central.

20 COMMISSIONER JACKSON: Yep. Or Cortesi right
21 there. Just add on four or more spots or three
22 spots to the end.

23 COMMISSIONER GATTO: Head-in parking on
24 Central? That's interesting.

1 COMMISSIONER JARRETT: Or on Cortesi. Because
2 once you start putting cars across that -- at the
3 end of that property, no bigger than it is, you're
4 going to have the same issue that always occurs at
5 Dairy Queen where you have cars trying to get in,
6 cars trying to get out, cars backed up onto
7 St. Charles, kids trying not to fall off the
8 sidewalk onto St. Charles, kids crossing traffic to
9 get to the limited eating area there is, and I'm not
10 talking just kids, I'm talking you're going to
11 have --

12 COMMISSIONER GATTO: It's not just St. Charles
13 Road. I mean, we're talking Central.

14 COMMISSIONER JARRETT: No. It's not
15 St. Charles Road. I understand that. But you're
16 going to have cars trying to back out from here as
17 people are entering here to try to get -- it just
18 seems -- it seems not a great solution to me. I
19 mean, I can see head-in parking on the east end
20 theoretically. I mean, there's probably room to do
21 head-in along Central to some degree.

22 MR. KOZAR: Can you see the lot measurements?
23 I know you're looking at something small, but the
24 lot measurements. This is 16 feet minus 9.7 feet

1 for the dumpster, so you're looking at seven feet to
2 get a car in, and then you're looking here. From
3 here to here is 28.6 minus 12.

4 COMMISSIONER GATTO: What's the distance from
5 the building? From there to the end of your
6 property line.

7 COMMISSIONER JARRETT: I mean, on this end you
8 could barely park legal. What are we -- Patrick, we
9 have what -- how deep do we require a parking spot
10 to be?

11 MR. GRILL: 9 by 18 with a 24-foot drive aisle.

12 COMMISSIONER BELLOW: Can there be no
13 consideration for the fact that this is such a small
14 lot and so odd shaped?

15 COMMISSIONER ROMANO: I was going to say if you
16 -- three spots on the lot, let's say your employees
17 parked there, you accommodated for that already with
18 the church's lot, so he's sharing in some of that.
19 He's made arrangements to share some of that
20 already.

21 MR. GRILL: No. There are engineering
22 standards just like there are building standards,
23 and you don't vary those.

24 COMMISSIONER JARRETT: Right. Because if you

1 vary a 24-foot drive aisle to 20 feet and two cars
2 run into each other --

3 MR. KOZAR: And that's -- it's just not the
4 size. I don't have 24 feet, period. I mean, I
5 can't make it. I don't have it. This is the
6 hardship, right. This is the hardship.

7 MS. SOLEM: That's the hardship, because of the
8 way that that wedge is on the end.

9 COMMISSIONER BELLOW: And I'm guessing the
10 prior business didn't have this issue because they
11 had no seating, and they were a car-related
12 business, so --

13 COMMISSIONER JARRETT: Okay. So --

14 COMMISSIONER GATTO: So back to my comment. I
15 don't think we made an effort to try to find some
16 kind of parking here. I think most of your activity
17 is going to happen between the --

18 COMMISSIONER JARRETT: How much space is there
19 -- how much space do you have between the east end
20 of the building and the --

21 COMMISSIONER GATTO: 54 feet.

22 COMMISSIONER JARRETT: It's 54 feet?

23 MR. KOZAR: The east end of the building.

24 COMMISSIONER GATTO: To the property line. 54.

1 COMMISSIONER JARRETT: On the east end of that,
2 it's not even deep enough to put a legal parking
3 spot.

4 COMMISSIONER GATTO: Yeah. But it's 16 plus
5 the trash corral. So the trash corral is, what,
6 nine? So you're --

7 COMMISSIONER JARRETT: I just -- I hate that
8 idea. As a planner, I hate everything about that.
9 I would rather see the Village find a way to create
10 four more parking spaces somewhere than to try to
11 jam four on there and create a site that doesn't
12 work. A site that won't be safe.

13 COMMISSIONER GATTO: Well, you know --

14 COMMISSIONER JARRETT: And a site that is --

15 COMMISSIONER GATTO: -- if this were my site,
16 you know, if this were my development, I would want
17 to do exactly what he's doing, because it's
18 beautiful. Any time you don't have to accommodate
19 cars is a great thing. Life is good. But that's
20 the problem we're talking about. I mean, the fence
21 -- I think we can all agree on the fence. There's
22 not an issue there. It's just the parking, and I
23 think the way I would -- the way I would like to see
24 this go is you accommodate some parking, and then if

1 the Village were to increase the parking in the area
2 some way, some how, then your parking could go away
3 or something like that. I know the other businesses
4 in the area don't have parking of their own. They
5 have access to lots, so technically you may be able
6 to work out the same deal as them and have your
7 customers park in that parking lot.

8 MR. KOZAR: I'm in parity with them.

9 MR. SHLENSKY: I mean, we've already negotiated
10 a license for employee parking. I don't think many
11 other businesses have negotiated licenses sworn for
12 employee parking.

13 MR. KOZAR: So they have enough parking to
14 accommodate their employees only, and I have enough
15 parking to accommodate my employees. We're in
16 parity.

17 COMMISSIONER GATTO: Yeah. But they're kind of
18 grandfathered in. They're an existing business.
19 They were buying into this whole thing before, you
20 know, the area started to bloom. I can't just say
21 -- you know, what they have, you know, they've lived
22 with it, so, you know, I want to support -- I want
23 to support them as much as I want to support you,
24 because 10 years from now, you know, there might be

1 a change, and you'll be sitting on this side of the
2 aisle, and you're going to want -- you're going to
3 want consideration, you know.

4 MR. KOZAR: I don't think I will. I will want
5 business. I will want progress.

6 COMMISSIONER GATTO: I understand that, and I
7 agree with the -- you know, I mean, we're all in
8 agreement that a parking problem is a good thing. I
9 said that years ago when DeMito's wanted to go in
10 here. You know, I said, you know, it would be great
11 if we have a parking problem. So here we are with a
12 parking problem. Life is good. We can't -- just so
13 you guys know, we can't have parking lots all over,
14 because if businesses start to go away, then we have
15 parking lots, and it starts -- it will pull away
16 from your business. It will not attract to your
17 business. It's kind of a better thing to have a
18 little bit of a struggle. And I think Michael
19 Anthony's is the one who struggles the most, because
20 people want to park, run in, and leave, so --

21 MR. KOZAR: And they now have 30-minute parking
22 in front of the --

23 COMMISSIONER GATTO: And that might be too
24 long, you know. It might have to be 10 or 15, you

1 know.

2 MR. KOZAR: I think there's two 15-minute
3 parking spots there as well.

4 COMMISSIONER GATTO: So getting back to you. I
5 mean, if there's a way -- Patrick, have you guys --
6 has engineering or anybody looked at this site for
7 on-site parking?

8 COMMISSIONER JARRETT: It's not our job to
9 design a site.

10 COMMISSIONER GATTO: No. But I'm saying --

11 COMMISSIONER JARRETT: It's not Staff's job.
12 It's not engineering's job. We have a job up here.
13 It's either to approve these variations or not.

14 COMMISSIONER GATTO: I hear yah. I'm just
15 saying, has anybody --

16 MR. GRILL: We do not design sites.

17 COMMISSIONER GATTO: The parking issue is a
18 problem. Has anybody said, you know, he could get
19 three spots on there. He could get four.

20 MR. GRILL: No. Because it's not Staff's job
21 to design a site for a developer. We review it
22 based on our standards, but we don't design it for
23 them.

24 COMMISSIONER JARRETT: And I'm sure Patrick has

1 made suggestions at times. Not necessarily with
2 this, but when it makes sense.

3 MR. GRILL: Right.

4 COMMISSIONER JARRETT: But we could sit up and
5 try to design it for him. We can vote on -- we've
6 got two variations. We can vote on them together,
7 we can vote on them separately, or we can say
8 there's consensus up here that it's not going to
9 pass, come back to us with a different plan. But I
10 don't think I would vote for a plan that tries to
11 throw parking on this site that we draw up tonight.
12 It's not something that I would do. And I don't
13 know if there's room for head-in parking or if the
14 Village would permit that, because it would require
15 curb cuts to do head-in parking. That puts them --
16 it's not even something we could design tonight and
17 vote on.

18 COMMISSIONER GATTO: Well, you know what then.
19 Here's kind of where I'm at, and maybe you take a
20 consensus with the group. This works for this
21 building, especially with the post office gone. It
22 really -- now we have this weird parcel. I mean, I
23 like the use. I like -- you know, it just brings a
24 lot of energy. I think when the dust settles we'll

1 all be happy that you're there. Including the
2 existing businesses. What I'd like to see is you
3 taking a run at getting some parking on this. I
4 think you could arrange the east side of your lot,
5 because to me the activity is going to happen
6 between those two buildings, within the building
7 lines, and it's not necessary that people are
8 ordering from the south, or, excuse me, from the
9 east, you know.

10 MR. KOZAR: But they aren't.

11 COMMISSIONER GATTO: Well, I'm just saying it's
12 not necessary. I know that's the way you have it
13 drawn, but we're taking a gas station.

14 MR. KOZAR: Then where do you suggest I put the
15 bike rack?

16 COMMISSIONER GATTO: I don't know. I would
17 like -- what I think is I think the bike rack is
18 huge, first of all. I'd like to see -- you know,
19 your bike rack could go against the planters,
20 something like that. Like I said, I'm not going to
21 -- we can't design it, and I'm the last person that
22 should be designing it anyways, but --

23 COMMISSIONER JACKSON: No. I think I would be
24 the last person, but I have a comment I'd like to

1 throw your way. If he does put a few parking spots
2 down on that east end and he's got three, four, five
3 spots right down there, then he's going to have to
4 put up signs, because that's his property. He's
5 going to have to enforce that. Everybody's going to
6 want to park there and go to the surrounding stuff
7 as well. So we're going to have a parking problem
8 for him, because his patrons won't be able to park
9 there, because everybody will be parking there to
10 walk down here or walk down there.

11 COMMISSIONER GATTO: Well, you know, that's
12 just kind of the flavor of the area. I mean, people
13 are parking behind buildings.

14 COMMISSIONER JACKSON: It's a parking
15 enforcement problem for him. If parents want to
16 pick up their kids or something like that, they
17 can't go in there, so maybe we should have like a 15
18 -minute sign up there for him too then. I'm just
19 proving a point.

20 MR. KOZAR: Let me put up signs here that just
21 say park on the other side of the Prairie Path, ride
22 your bike, walk here, don't drive.

23 COMMISSIONER JACKSON: That's his clientele
24 anyway.

1 MR. KOZAR: Let me anger people who drive to my
2 establishment, and let me put up a sign that says
3 don't drive your car.

4 COMMISSIONER JARRETT: I appreciate your
5 comments, but we are --

6 COMMISSIONER GATTO: So I'll just tell you
7 where I'm at. I'd like to see --

8 COMMISSIONER JARRETT: Let me say one thing
9 though. So we are worried about parking. I
10 understand that. And we would all like to see
11 parking added. Some of us want to see parking on
12 the site, but the reality is somebody is not going
13 to be parking in front of probably -- just blanked
14 on the name of -- Michael Anthony's. I wanted to
15 call it Marco Anthony's for some reason. Michael
16 Anthony's. Somebody is not going to be parking in
17 front of Pioneer to walk down here.

18 COMMISSIONER JACKSON: Exactly. Yes.

19 COMMISSIONER JARRETT: They're going to park on
20 Central, maybe on Myrtle or Cortesi, if there's
21 parking available, or west on Central. You're
22 parking at DeMito's that's on your site it's marked;
23 correct?

24 MS. PINGEL: I will leave work on Friday, and

1 when I get to Ardmore and Kenilworth, there are
2 groups of people walking. We have people on feet.
3 We have people in cars. People for all the
4 businesses are parking past your property.

5 COMMISSIONER JARRETT: Right. But what I'm
6 saying is people are not going to park up there to
7 walk down here.

8 MS. PINGEL: I see people walk out of my
9 parking lot and go into More. It's obviously an
10 issue all over the place. We all share the same
11 issue.

12 COMMISSIONER JARRETT: Right. But is it an
13 issue? Because people are parked --

14 MS. PINGEL: It is an issue.

15 COMMISSIONER JARRETT: Hear me out.

16 MS. PINGEL: I'm sorry.

17 COMMISSIONER JARRETT: I'm not trying to cut
18 you off, but hear me out. Is it an issue? Because
19 people are parking at More and then walking over to
20 your place, or people are stopping to get a pizza at
21 Michael Anthony's and walking over to More to get
22 beer to take home with them, or they're going to
23 Pioneer, and they're picking up a pizza at Michael
24 Anthony's and then coming to your place to eat the

1 pizza. I'm just saying, that's what you want. What
2 you don't want is somebody parking in front of your
3 place -- maybe you do, but as a Village -- now, I
4 don't mean you. I just mean an individual business
5 owner. What we as a community don't want is
6 somebody parking in front of business A, walking in,
7 getting their stuff, walking out, and driving home.
8 We want them going into business A, walking from
9 their car to business A, pass business B, C, D, and
10 E, and hopefully stopping in two or three of those
11 on the way, or even just one, or just knowing that
12 that business is there. You could go to Michael
13 Anthony's, park in front of Michael Anthony's, drive
14 off, and never know this place is there, because you
15 don't have to walk past it, or not know Unicorn is
16 there because you're driving, looking straight
17 ahead, you get your pizza, and you're gone. If you
18 don't want those places to disappear, you want a
19 critical mass of people there. That's what drives
20 business. Now, whether there's a parking issue, we
21 have to decide.

22 COMMISSIONER JACKSON: Well spoken, Jason.

23 COMMISSIONER JARRETT: But that's the way I see
24 it. And on this site, I don't see how we drive

1 parking.

2 MS. PINGEL: You asked if there's an issue.

3 Walkability right now is not an issue. There are X
4 amount of people that are in this area with X amount
5 of parking spaces. Whether they're parking in front
6 of Mahoney's and walking by us and walking by all
7 the stores on the way over, or if they're parking in
8 my parking lot and walking by all the stores all the
9 way over to Michael Anthony's, walkability is not an
10 issue. The problem is there are X amount of people
11 coming to this area, and there are X amount of
12 spots.

13 COMMISSIONER JARRETT: Right. And that's a
14 problem that as a Village we have to solve.

15 MS. PINGEL: I get out of work, and it's not
16 500 feet, it's not 600 feet, it's not a thousand
17 feet. People are parking down the street illegally
18 all the way down Kenilworth, not even where there's
19 parking spots. All the way down. When I get to
20 Ardmore --

21 MR. KOZAR: I live there. Every day I see it.

22 COMMISSIONER JARRETT: We can't talk over each
23 other. I'm sorry.

24 MS. PINGEL: Kenilworth, there are groups of

1 people walking out of their cars. It's not 500
2 feet. It's not 600 feet. It's three blocks down
3 people are parking.

4 COMMISSIONER JARRETT: And that's what it may
5 be.

6 MS. PINGEL: But they're not walking by any
7 businesses on their way over. They're walking by
8 three to four blocks of homes.

9 COMMISSIONER JARRETT: We can have different
10 opinions on what drives business, and we've had
11 similar conversations, not you and I, but as a
12 community when it comes to signage. Some businesses
13 think they should be able to have all the signs they
14 want. Some businesses think they should be able to
15 put a sign in the middle of the street if they want.
16 And as a community, we have to decide what that
17 standard is. And for me, I do go to these
18 businesses. I go to this neighborhood on Friday
19 nights and Saturday nights, and when events are
20 going on, and sometimes, yeah, I have to drive
21 around for five or ten minutes and find a parking
22 space. Sometimes I have to go a couple blocks down
23 into a residential neighborhood, and maybe somebody
24 doesn't like it that I'm parked in front of their

1 house, but it's a legal parking spot, and I'm quiet,
2 and I go get my stuff, and I come back, and it's
3 not -- can we do better as a community? I hope so.
4 But this is the kind of use that all the plans that
5 we worked for -- I mean, I don't see any -- I don't
6 have an issue with it. And I know you want to
7 comment, and I appreciate that, but we have to kind
8 of try to keep it up here and get this wrapped up or
9 we'll be here all night debating this.

10 COMMISSIONER GATTO: I'm even open to Central
11 parking.

12 COMMISSIONER JARRETT: Central parking?
13 Patrick, that was -- parking along Central. When --
14 how recent is that?

15 MR. GRILL: Very recent.

16 COMMISSIONER GATTO: Like days? Like a month
17 or so?

18 MR. GRILL: Yes.

19 COMMISSIONER GATTO: Okay.

20 COMMISSIONER JARRETT: And I do think there are
21 ways that we could probably squeeze some more street
22 parking. Like, I don't know if it would gain more
23 spots, but I was noticing we park on the west side
24 of Myrtle, but there are like four or five curb cuts

1 there. There's one curb cut on the east side of
2 Myrtle. Myrtle is a little shorter there, but we
3 may be able to squeeze a couple more parking there.
4 And it moves those parking spaces out from in front
5 of the residential when most of those probably are
6 not being used for the residences. Those are the
7 kind of things where I think that as a Village we
8 might be able to squeeze out a few more spots just
9 by paying for some signs, you know -- I didn't do
10 the math on that to see if that actually adds spots
11 or not, but it's worth looking at. You have a quick
12 comment.

13 MS. KRIEGER: Yeah. If you could just maybe --
14 like I said, the 321 apartment building where you
15 did put in that parking. It needs to be publicized
16 that that is for the Village. I don't see it there.

17 COMMISSIONER JARRETT: Yeah. What we all as a
18 community and business community --

19 MS. KRIEGER: Because I think people assume
20 that's apartment building parking.

21 COMMISSIONER JARRETT: What we have to remember
22 is how long has More been there.

23 AUDIENCE MEMBER: A year.

24 COMMISSIONER JARRETT: A year. One season.

1 And in planning terms, one season is nothing. It
2 takes -- it's going to take us -- I know. Every
3 business wishes they had parking right in front of
4 their business. Every business wishes they had as
5 many signs as they want, but we can't do that in
6 downtown Villa, because that's how --

7 AUDIENCE MEMBER: It's really looking ugly.

8 COMMISSIONER JARRETT: That's how we kill the
9 area.

10 MS. PINGEL: I don't know if you know this, but
11 More this year, downtown Chicago, out of 250
12 breweries, More beer came in number one.

13 COMMISSIONER JARRETT: That's good.

14 MS. PINGEL: And you thought that this year was
15 going to be --

16 COMMISSIONER JARRETT: That's good. I'm glad
17 to hear it. That's fantastic.

18 MS. PINGEL: It's great. I love it. If we had
19 enough parking for everybody. This first year they
20 were busy. Let's try year two, three, and four.

21 MR. KOZAR: So I'm listening from Meagan who is
22 not a property owner and does not live in Villa
23 Park. I think that's important.

24 COMMISSIONER JARRETT: I don't think that

1 matters.

2 COMMISSIONER GATTO: No. He's complimenting
3 her saying she's not a --

4 MS. PINGEL: Yeah. He shouldn't have gone in
5 there.

6 COMMISSIONER GATTO: You know, she's the type
7 of person we want to attract. Somebody who is
8 coming from out of the town.

9 COMMISSIONER JARRETT: I'm sorry. I
10 misunderstood your comment, I think.

11 MR. KOZAR: No. You didn't. She doesn't own
12 DeMito's. She's a manager of DeMito's.

13 MS. PINGEL: My mom owns DeMito's.

14 MR. KOZAR: Right. I think that has some
15 validity here.

16 COMMISSIONER JARRETT: The public comment is
17 done, and unless I call on you we're done with that.
18 We're getting a little back and forth here that I
19 don't like.

20 COMMISSIONER GATTO: Back to us.

21 COMMISSIONER JARRETT: Yes.

22 COMMISSIONER JACKSON: Yeah. I've weighed in a
23 few things on this, and it did get a little heated,
24 but I agree that there really isn't a place for

1 parking. The clientele that he's trying to pull in,
2 most of them don't need a parking spot. They're
3 going to be bike traffic. They're going to be on
4 their feet. There are going to be people walking,
5 running. A lot of kids that don't drive. We saw a
6 slew of them just come up and tell us, hey, I don't
7 drive. Every single one of those kids said I don't
8 drive. So why do we need parking for his clientele
9 when there's so much street parking on Central and
10 Park Boulevard? So that's my thoughts. That's my
11 feelings. I think we can go the way it is. Eight
12 feet between the buildings, six feet to the east,
13 and call it a day. Good luck to you.

14 COMMISSIONER JARRETT: Okay. Here's what we've
15 got. We've got two variations. As they're written,
16 petitioner is requesting a variation for an eight
17 foot fence along the entire property line. My
18 understanding of that is I don't believe anyone here
19 is in favor of an eight foot fence along the entire
20 property. Is that correct?

21 COMMISSIONER JACKSON: Eight foot between the
22 buildings. That's fine.

23 COMMISSIONER JARRETT: So we have -- so I have
24 two that would like to see six foot along the whole

1 thing at least. I think we've got six in favor of
2 -- I'm just doing a consensus. It's not a vote, but
3 -- we would have six in favor of an eight and six
4 split. So I think if we voted tonight, which I
5 think we probably will, if we have the right
6 motions, that's what we've got for that. On the
7 parking, where do we stand right now?

8 COMMISSIONER JACKSON: I don't think it's a
9 problem. I think it's a good thing that there
10 aren't enough spots.

11 COMMISSIONER BELLOW: I think we have to take
12 into account that his clientele will be heavier on
13 the foot traffic, bike traffic, and maybe reduce
14 the --

15 COMMISSIONER LANENGA: I'm against the idea of
16 putting extra parking on the lot. No offense, but
17 it just spoils the whole idea of it. It's an
18 idealistic thing, and putting parking on it kind of
19 diminishes that a lot.

20 COMMISSIONER ROMANO: I think it's been
21 accommodated for already with the church parking.

22 COMMISSIONER JARRETT: Okay. So here's what --
23 we could do this two ways. We can break the
24 variations up into two variations, vote on them, or

1 we can combine them into one if we think -- but I
2 would need -- for the first variation we'd have a
3 variation for maximum permitted fence height from
4 six feet to eight feet for the -- let's say --
5 what's the distance between your buildings?

6 MR. KOZAR: 26.5.

7 COMMISSIONER JARRETT: Okay. So we would have
8 a variation from the maximum permitted fence height
9 from six feet to eight feet for the 26.5 feet
10 between the two buildings. That would be the first
11 variation or first part of the variation, and then
12 we have a variation to require -- required minimum
13 parking from 20 spaces to zero spaces.

14 So I would entertain a motion or motions,
15 depending on how anybody wants to make them.

16 COMMISSIONER JACKSON: I'll make a motion.

17 COMMISSIONER JARRETT: Oh, hang on. Patrick.

18 MR. GRILL: Variations cannot be conditioned,
19 so if it's going to be your intent to allow him to
20 have an eight foot fence between the buildings and
21 then drop it down to a six foot fence, he has to be
22 willing to stand here in front of you and modify his
23 request.

24 MR. SHLENSKY: So modified.

1 MR. KOZAR: I move to modify my current request
2 to allow for a variance between the two buildings
3 as -- I believe it was 24.5 feet --

4 COMMISSIONER BELLOW: 26.

5 MR. KOZAR: -- 26 -- 26 and-a-half feet between
6 the two buildings, a variance requesting a change
7 from a six foot to an eight foot fence between the
8 two buildings, and then to the east of the smaller
9 building, 50 whatever feet it is, would then be a
10 six foot fence. No variation on that. Just
11 according to what's currently in the books.

12 COMMISSIONER JARRETT: And this is good,
13 Patrick?

14 MR. GRILL: Yes. So long as the petitioner is
15 willing to modify the request, then yes.

16 COMMISSIONER JARRETT: Okay.

17 COMMISSIONER GATTO: All right. I'll do the
18 motion then. I'll make a motion to approve
19 application PZ-18-0004 for a single request that
20 include a variation to the maximum permitted fence
21 height from six feet to eight feet between the
22 buildings on the furthest-east and middle -- excuse
23 me -- furthest-west and middle, east of the lot,
24 eight feet of 26 and-a-half -- eight feet, 26

1 and-a-half feet long on the north side of the
2 property, with the following conditions. That the
3 site be developed generally as shown on Exhibit A as
4 submitted by the petitioner. Two, that the fence be
5 erected generally as shown on Exhibit B to the
6 height, eight feet, with the finished side facing
7 north. With a finding of fact that such variations
8 meet the standards enumerated in Action 6.7.B of
9 Appendix C of the Municipal Code of Village of Villa
10 Park Zoning Ordinance.

11 COMMISSIONER JARRETT: We have a variation -- a
12 motion for a variation --

13 MR. GRILL: It needs to be as modified by the
14 petitioner, not as included in Exhibit B, because
15 Exhibit B shows it as the entire length being eight
16 feet in height.

17 COMMISSIONER GATTO: Okay. Let me correct my
18 motion. I'm just going to read that one part.

19 MR. GRILL: Okay. That's fine.

20 COMMISSIONER GATTO: Okay. To approve the
21 requests that include a variation to the maximum
22 permitted fence height as modified by the petitioner
23 from six feet to eight feet.

24 MR. GRILL: Well, the first part was when you

1 got down to the conditions where you said that the
2 fence be erected generally as shown on Exhibit B.
3 What it should be is the fence shall be erected as
4 modified by the petitioner.

5 COMMISSIONER GATTO: All right. Sorry.

6 MR. GRILL: That's fine.

7 COMMISSIONER GATTO: With the following
8 conditions. I'm going to amend number two. That
9 the fence be erected as modified by the petitioner
10 to a height of eight feet with the finished side
11 facing north.

12 COMMISSIONER JARRETT: Okay. So, just to
13 clarify, we have a motion to vary the fence height
14 from six feet to eight feet for the 26 and-a-half
15 feet between the two buildings.

16 Now we have a motion. Is there a second?

17 COMMISSIONER BELLOW: I'll second it.

18 COMMISSIONER JARRETT: We have a second on that
19 motion. Roll call vote.

20 Jackson.

21 COMMISSIONER JACKSON: Sure.

22 COMMISSIONER JARRETT: Orłowski.

23 COMMISSIONER ORŁOWSKI: Yes.

24 COMMISSIONER JARRETT: Gatto.

1 COMMISSIONER GATTO: Yes.

2 COMMISSIONER JARRETT: Bellow.

3 COMMISSIONER BELLOW: Yes.

4 COMMISSIONER JARRETT: Lanenga.

5 COMMISSIONER LANENGA: Yes.

6 COMMISSIONER JARRETT: Rickel.

7 COMMISSIONER RICKEL: Yes.

8 COMMISSIONER JARRETT: Romano.

9 COMMISSIONER ROMANO: No.

10 COMMISSIONER JARRETT: And I will vote yes. So
11 with that, that will pass to the Village Board. We
12 are a recommending body. They can accept, reject,
13 or modify the proposal.

14 So then we have the second variation in
15 front of us for the required minimum parking from 20
16 spaces to zero. I would entertain a motion on that.

17 COMMISSIONER JACKSON: I'll make a motion to
18 approve application PZ-18-0004 for the request that
19 includes the variation to the required minimum
20 parking spots from 20 spaces to zero spaces with no
21 conditions. Finding of fact that such variation
22 meets the standards enumerated in Article 6.7.B of
23 Appendix C of the Municipal Code of Village of Villa
24 Park Basic Planning & Zoning Ordinance.

1 COMMISSIONER JARRETT: I have a motion. Is
2 there a second?

3 COMMISSIONER BELLOW: I'll second.

4 COMMISSIONER JARRETT: Any questions or
5 comments on the motion as read? None. Roll call
6 vote.

7 Jackson.

8 COMMISSIONER JACKSON: Yes.

9 COMMISSIONER JARRETT: Orłowski.

10 COMMISSIONER ORŁOWSKI: No.

11 COMMISSIONER JARRETT: Gatto.

12 COMMISSIONER GATTO: (No response.)

13 COMMISSIONER JARRETT: I'll give you a minute.

14 Bellow.

15 COMMISSIONER BELLOW: Yes.

16 COMMISSIONER JARRETT: Lanenga.

17 COMMISSIONER LANENGA: Yes.

18 COMMISSIONER JARRETT: Rickel.

19 COMMISSIONER RICKEL: Yes.

20 COMMISSIONER JARRETT: Romano.

21 COMMISSIONER ROMANO: Yes.

22 COMMISSIONER JARRETT: Gatto.

23 COMMISSIONER GATTO: I'll abstain.

24 COMMISSIONER JARRETT: And I will vote yes.

1 With that, our recommendation will pass to the --
2 please hold off on the applause. I appreciate the
3 enthusiasm, but -- will pass to the Village Board.
4 They can accept, reject, or modify our
5 recommendation.

6 One comment in closing. I just -- I've
7 never seen so many kids turn out for one of these
8 things before, and I guess ice cream gets them out
9 here, but to those of you that are still here and
10 for the ones that have come and gone, I'm glad to
11 see you come out and participate in this democracy,
12 and it's -- it's rare we even have people here, but
13 to have kids here is almost unheard of. Thanks.

14 MR. KOZAR: Thank you, Board. We appreciate
15 it.

16 COMMISSIONER JARRETT: So that is the -- that
17 closes the public hearing for this evening.

18 (Whereupon, the public hearing was
19 concluded.)
20
21
22
23
24

1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

5 I, MARY FAILLO, C.S.R. No. 084-004565,
6 duly qualified by the State of Illinois, County of
7 Du Page, do hereby certify that at the request of
8 the VILLAGE OF VILLA PARK PLANNING & ZONING
9 COMMISSION, subject to the usual terms and
10 conditions of County Court Reporters, Inc., reported
11 in shorthand the proceedings had and testimony taken
12 at the public hearing of the above-entitled cause,
13 and that the foregoing transcript is a true, correct
14 and complete report of the entire testimony so taken
15 at the time and place hereinabove set forth.

Mary Lailo

MARY FAILLO, CSR, RPR



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Ordinance No _____

**AN ORDINANCE OF THE VILLAGE OF VILLA PARK, ILLINOIS GRANTING A
VARIATION TO ALLOW FOR A TENT-COVERED OUTDOOR SEATING AREA
DURING THE WINTER MONTHS (NOVEMBER 1ST TO APRIL 30TH)
AT 324 E. CENTRAL BOULEVARD
(JACK KOZAR, PETITIONER)**

WHEREAS, the Village of Villa Park, DuPage County, Illinois (the Village) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to the Illinois Municipal Code (65 ILCS 5/11-13-5) the President and Board of Trustees of the Village (the “Corporate Authorities”) may determine and vary the regulations relating to its zoning ordinances; and,

WHEREAS, application PZ-20-0003, filed by Jack Kozar (the “Petitioner”) requested a Variation to allow a tent-covered outdoor seating area during the winter months (November 1st to April 30th) pursuant to Section 6.11.2 of the Zoning Ordinance, with respect to the real property legally described in Section 1 (the “Subject Property”) located in the MX-T Mixed Transitional District; and,

WHEREAS, notice of a Public Hearing (the “Notice”) on said petition was published on May 20, 2020 in the Daily Herald, a newspaper having general circulation within the Village, all as required by the State statutes and the ordinances of the Village, and

WHEREAS, pursuant to said Notice, the Planning and Zoning Commission of the Village commenced a public hearing on June 11, 2020 on said application which public hearing was adjourned to September 10, 2020, all in accordance with the State statutes and the ordinances of the Village; and

WHEREAS, the Planning and Zoning Commission reviewed the standards set forth in Section 11.1 and 11.5 of the Villa Park Zoning Ordinance and made the recommendation that the variation of the Subject Property not be granted; and

WHEREAS, the Corporate Authorities of the Village of Villa Park have received and considered the recommendation of the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

Section 1: That this Ordinance shall apply to the Subject Property legally described as follows:

PARCEL 1:

THE SOUTH 5 FEET OF LOT 1 IN BLOCK 4 IN CALHOUN'S RESUBDIVISION OF LOTS 3 TO 6, INCLUSIVE, AND LOTS 8-16, INCLUSIVE, TOGETHER WITH PORTIONS OF THE ALLEY ADJACENT THERETO IN CALHOUN'S ADDITION TO VILLA PARK, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED DECEMBER 8, 1921 AS DOCUMENT 152582, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

LOT 17 IN CALHOUN'S ADDITION TO VILLA PARK, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID LOT 17 THAT PART THEREOF LYING EAST OF THE WEST LINE OF NEW STREET, EXTENDED SOUTH) ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1910 AS DOCUMENT 100980, IN DUPAGE COUNTY, ILLINOIS.

The property is commonly known as 324 E. Central Boulevard, Villa Park, Illinois.

PIN No.: 06-10-115-005

Section 2: The Variation to allow a tent-covered outdoor seating area during the winter months (November 1st to April 30th) pursuant to Section 6.11.2 of the Zoning Ordinance is hereby granted for the Subject Property.

Section 3: That the Variation to allow a tent-covered outdoor seating area during the winter months (November 1st to April 30th) shall be constructed, operated and maintained in accordance with all applicable Village Code, Building and Fire Codes.

Section 4: That ordinances or parts of ordinances in conflict with the provisions hereof, are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

Passed this _____ day of _____, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

Approved this _____ day of _____, 2020.

Village President

Attest:

Village Clerk

Published in pamphlet form:

_____, 2020.

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Patrick Burke

Submitting Department: Economic Development

Item Type: Ordinances

Agenda Section: Ordinances

Subject:

Ordinance of the Village of Villa Park, DuPage County, Illinois, Approving a Contract for a Purchase and Sale Agreement for 325 E. North Avenue

Suggested Action:

The adjacent property owner to the east expressed interest in acquiring the Village-owned property at 325 E. North Ave. After appraisal and negotiation, an offer was made to purchase the property from the Village for \$335,000. If approved, the closing would occur no later than 30 days after the expiration of the Due Diligence Period. This resolution approves a Purchase and Sale Agreement between the Village of Villa Park to Ali Properties Melrose Park, LLC in the total amount of \$335,000.

Attachments:

[MEMO - 325 E. North Ave Sale](#)

[ORD - 325 E. North Ave](#)

[Purchase Agreement signed 11-04-20](#)

Village of Villa Park

Economic Development Department



MEMORANDUM

TO: President Bulthuis and Board of Trustees

FROM: Patrick Burke, Director of Economic Development

DATE: October 30, 2020

SUBJECT: **325 E. North Avenue Purchase**

The adjacent property owner to the east expressed interest in acquiring the Village-owned property at 325 E. North Ave. After inspecting the site, he submitted an offer July 15 for \$225,000. The Village then had the property appraised. The appraised value was \$350,000 as of August 4.

After a second visit with his partner, the purchaser countered October 9 at \$315,000.

The terms of the acquisition are:

Purchase price: **\$335,000**.

Due Diligence Period: 30 days with the option for one 30 day extension.

The closing would occur no later than 30 days after the expiration of the Due Diligence Period.

The purchaser does not have a current tenant, but envisions returning the building to a medical office use.

Ordinance No. _____

**A ORDINANCE OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS,
APPROVING A CONTRACT FOR PURCHASE AND SALE AGREEMENT FOR
325 EAST NORTH AVENUE**

WHEREAS, the Village of Villa Park, DuPage County, Illinois (the “*Village*”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of this State and a duly constituted public agency of this State; and,

WHEREAS, the President and Board of Trustees of the Village (the “*Corporate Authorities*”) determined the real estate commonly known as 325 E. North Avenue, Villa Park, Illinois 60181 (the “*Property*”) to be surplus property and authorized the sale of the Property pursuant to 65 ILCS 5/11-76-4.1; and,

WHEREAS, Ali Properties Melrose Park, LLC (the “*Purchaser*”) has submitted an offer to purchase the Property for \$335,000.00; and,

WHEREAS, the Corporate Authorities have determined it to be in the best interest of the Village to accept the offer and authorize the conveyance of the Property to the Purchaser pursuant to the terms and conditions set forth in a purchase and sale agreement between the parties; and,

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

Section 1. That the Contract for Purchase and Sale of Real Estate by and between the Village of Villa Park and Ali Properties Melrose Park, LLC, attached hereto and made a part hereof, is hereby approved and the President, Village Clerk and Village Manager are hereby authorized and directed to execute and deliver said Contract for Purchase and Sale of Real Estate and undertake any and all actions as may be required to implement its terms.

Section 2. That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2020

Village President

Attest: _____
Village Clerk

CONTRACT FOR PURCHASE AND SALE OF REAL ESTATE

This Contract for Purchase and Sale of Real Estate ("Agreement") is entered into this ____ day of November, 2020, between Ali Properties Melrose Park, LLC, an Illinois limited liability company ("Purchaser"), and the Village of Villa Park ("Seller"), concerning the property commonly known as 325 E. North Avenue, Villa Park, IL 60181 ("Subject Property"), along with any improvements thereon, and legally described in Exhibit A attached hereto.

In consideration of the Purchase Price being paid by Purchaser to Seller, as is more fully described below, and for the other mutual covenants and agreements contained in this Agreement, the Parties agree as follows:

Article I. Covenants of Seller

1.1. Seller agrees to convey title to the Subject Property on the date that the Purchase Price (as defined in Article 2.1 below) is paid, and all other considerations called for by this Agreement have been satisfied, by Purchaser, by recordable Warranty Deed, subject to:

- (a) General real estate taxes not then due and payable;
- (b) Building setback lines and restrictions of record;
- (c) Zoning and building ordinances;
- (d) Public utility easements;
- (e) Public and private roads and highways;
- (f) Covenants and restrictions of record as to use and occupancy.

1.2. Warranty Deed: The Warranty Deed, which shall contain the restrictions as identified in Article 1.1 above, shall be in substantially the same form as Exhibit B attached hereto.

Article II. Purchase Price

2.1. Purchaser agrees to pay Seller \$335,000.00 ("Purchase Price") immediately at Closing identified in Article V below

Article III. Due Diligence Period

3.1. Purchaser shall have 30 days (the "Due Diligence Period") from the date of execution of this Agreement to cause one or more surveyors, attorneys, engineers, architects and other experts of its choice and at Purchaser's expense to (i) inspect any documents related to the Property, and (ii) inspect, examine, survey, obtain engineering inspections, and otherwise do that which, in the opinion of Purchaser, is necessary to determine the condition of the Subject Property. Purchaser must be satisfied in all respects in its sole discretion with the results of such inspections and investigations. Purchaser understands and agrees that the information obtained pursuant to such inspections shall be kept in confidence and shall not be revealed to outside parties other than to its lenders, principals, affiliates or clients or as otherwise required by law or for any valid business purpose of Purchaser. Purchaser shall have the right and option at any time prior to the expiration of the Due Diligence Period to extend the Due Diligence Period for one (1) additional successive period of thirty (30) days, by written notice to Seller;

3.2. Purchaser shall defend, indemnify and hold Seller harmless from any and all claims, causes of actions, demands and lawsuits arising from Purchaser's performance of its due-diligence during the Due Diligence Period; and

3.3. Seller agrees to cooperate with Purchaser during the Due Diligence Period to ensure Purchaser, its agents, contractors and affiliates, have access to the Subject Property so as to perform Purchaser's due diligence pursuant to the Due Diligence Period.

Article IV.Seller's Deliverables

4.1. Upon execution of this Agreement, Seller shall, within 10 business days, or within such other time as the Parties otherwise agree, in writing, make available to Purchaser copies of the following items (to the extent in Seller's, or its agents', possession or control):

- (a) The most current survey and zoning materials for the Property;
- (b) The most recent title insurance policy;
- (c) A recent title commitment issued by Chicago Title Insurance Company for the Subject Property;
- (d) All contracts relating to the Subject Property, if any;
- (e) The most recent tax bills relating to the Subject Property;
- (f) All environmental and geotechnical reports relating to the Subject Property; and
- (g) Such other documents as Purchaser may reasonably request.

Article V. Closing

5.1. The Closing Date: The consummation of the transactions contemplated by this Agreement (the "Closing") shall take place at the office of Chicago Title Insurance Company on January 4, 2021 (the "Closing Date"). Neither party nor its respective counsel needs to be physically present in person at the Closing.

5.2. On the Closing Date, Seller shall deliver or cause to be delivered to Purchaser the following instruments, documents and other items:

- (a) A Warranty Deed (the "Deed"), in the form attached hereto as Exhibit B, executed by Seller and appropriately acknowledged/notarized, conveying good and indefeasible fee simple title to the Land and Improvements to Purchaser, subject only to the Permitted Exceptions;
- (b) Bill of Sale (the "Bill of Sale"), in the form attached hereto as Exhibit C, executed by Seller, assigning, conveying and transferring to Purchaser any Personal Property;
- (c) A 2006 ALTA Owner's Policy of Title Insurance issued by Chicago Title Insurance Company, insuring Purchaser that it has good and indefeasible fee simple title to the Subject Property, in the amount of the Purchase Price, taking exception for only the Permitted Exceptions, together with all such affidavits, certificates,

agreements or other documents as Chicago Title Insurance Company may require from Seller in order to issue the Owner's Title Insurance Policy in the form required by this Agreement;

- (d) Such evidence of the authority of Seller to consummate the Closing as Chicago Title Insurance Company and Purchaser may reasonably require;
- (e) Real property transfer declarations required by the jurisdiction(s) in which the Subject Property is located;
- (f) A closing statement executed by Seller in form acceptable to Chicago Title Insurance Company;
- (g) Such other documents as Chicago Title Insurance Company may reasonably request; and
- (h) Seller shall, at its sole cost and expense, also comply with the terms and conditions of any municipal ordinance, law or other requirement relating to the transaction contemplated herein for the municipality in which the Subject Property is located (including, without limitation, if applicable, those relating to water meter readings, inspections and repairs) and shall provide to Purchaser at Closing evidence of such compliance.

5.3. Purchaser shall deliver or cause to be delivered to Seller the following instruments, documents and items:

- (a) The Purchase Price required by Section 2.1 above by immediately available wire transferred funds;
- (b) A closing statement executed by Purchaser in form acceptable to Chicago Title Insurance Company; and
- (c) Such other documents as Chicago Title Insurance Company may reasonably request;

5.4. Closing Costs: Seller shall be responsible for the standard Seller charges, including the cost of the survey and title insurance premiums. There is no applicable state and/or county transfer taxes or Village transfer tax as the Seller is an exempt entity. Seller and Purchaser shall split the escrow fees since this is a cash deal. Purchaser shall be responsible for all standard Purchaser charges and additional title policy endorsements;

5.5. Prorations: All debts, liabilities and obligations of the Seller with respect to the Property shall be paid when due and satisfied by the Seller. There will be no proration for real estate taxes since Seller is a tax-exempt entity; and

5.6. There shall be no real estate commissions paid as neither party engaged a real estate agent/broker for this transaction. Any Affidavit required by the title company shall be provided upon request to confirm no commissions are due.

Article VI. Defaults

6.1. Default by Seller: In the event Seller shall default in its obligation to convey the Property to Purchaser in accordance with this Agreement for any reason, except Purchaser's default or the permitted termination of this Agreement by Seller and Purchaser, Purchaser may, as its sole and exclusive remedies for such default (i) enforce specific performance of this Agreement against Seller, or (ii) terminate this Agreement by written notice to Seller, in which event Seller shall reimburse Purchaser for 100% of all of Purchaser's out-of-pocket costs and expenses incurred in connection with this Agreement and the transaction contemplated hereby, including, without limitation, the costs of all inspections, tests and other investigations undertaken by Purchaser, up to a maximum amount of \$25,000.00. If Purchaser fails to file suit for specific performance against Seller in a court having jurisdiction on or before one hundred eighty (180) days following the date upon which Closing was to have occurred, then Purchaser shall be deemed to have elected to proceed under this Section 6.1. Except as expressly provided in this Agreement to the contrary, the rights and remedies of Purchaser under this Agreement shall be cumulative and shall not preclude the assertion or exercise of any other rights or remedies available at law, in equity or otherwise; and

6.2. Default by Purchaser: In the event Purchaser defaults in its obligation to purchase the Subject Property from Seller pursuant to this Agreement and provided Seller is not in default, Seller shall have the right, as its sole and exclusive remedy for such default, to terminate this Agreement by written notice to Purchaser and Chicago Title Insurance Company.

Article VII. Miscellaneous

7.1. Notices: Any notice to be given or to be served upon any party hereto in connection with this Agreement must be in writing, and may be given by certified or registered mail, facsimile transmission, the emailing of a PDF file, or by courier or other means. If given by certified or registered mail, the notice shall be deemed to have been given and received three (3) business days after a certified or registered letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail; and if given otherwise than by certified or registered mail, the notice shall be deemed to have been given when delivered to, or rejected/refused by, the party to whom it is addressed. Such notices shall be given to the parties hereto at the following addresses, or, if given by facsimile transmission or by email, at the following FAX numbers or email addresses:

If to Seller, to: Village of Villa Park
20 S. Ardmore Avenue
Villa Park, IL 60181
Attn: Mr. Richard Keehner, Jr.
Email: rkeehnerjr@invillapark.com

With a copy to: Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.
1804 N. Naper Blvd., Ste. 350
Naperville, IL 60563
Attn: Attorney Kathy Field Orr &
Attorney Joshua B. Rosenzweig
FAX: (630) 682-0788
Email: kfo@ottosenbritz.com
jrosenzweig@ottosenlaw.com

If to Buyer, to: _____

Attn: _____
Email: _____

With a copy to: _____

Attn: _____
Email: _____

Any party hereto may, at any time by giving five (5) days written notice to the other party hereto, designate any other address, or email address in substitution of the foregoing address to which such notice shall be given;

7.2. Entire Agreement: This Agreement embodies and constitutes the entire understanding between the parties hereto with respect to the transactions contemplated herein, and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement;

7.3. Modification: Neither this Agreement nor any provision hereof may be waived, modified, amended, discharged or terminated except as provided herein or by an instrument in writing signed by the party against which the enforcement of such waiver, modification, amendment, discharge or termination is sought, and then only to the extent set forth in such instrument;

7.4. Applicable Law: This Agreement shall be governed by, and construed in accordance with, the laws of the state of Illinois;

7.5. Venue: Any dispute arising between the Parties pursuant to this Agreement shall be filed in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois;

7.6. Headings: Descriptive headings are used in this Agreement for convenience only and shall not control, limit, amplify or otherwise modify or affect the meaning or construction of any provision of this Agreement;

7.7. Binding Effect: This Agreement shall be binding upon and shall inure to the benefit of the Parties hereto and their respective permitted successors and assigns;

7.8. Discharge of Obligations: The acceptance of the Deed by Purchaser shall be deemed to be a full performance and discharge of every representation and warranty made by Seller herein and every agreement and obligation on the part of Seller to be performed pursuant to the provisions of this Agreement. The actual receipt of the Purchase Price by Seller shall be deemed to be a full performance and discharge of every representation and warranty made by Buyer herein and every agreement and obligation on the part of Buyer to be performed pursuant to the provisions of this Agreement;

7.9. Time of Essence: Time is of the essence of this Agreement and of each covenant and agreement that is to be performed at a particular time or within a particular period of time. However, if the final date of any period which is set out in any provision of this Agreement or the

Closing Date falls on a Saturday, Sunday or legal holiday under the laws of the United States or of the state of Illinois, then the time of such period or the Closing Date, as the case may be, shall be extended to the next date which is not a Saturday, Sunday or legal holiday. As used herein, the word "day" or "days" mean calendar days, and the words "business day" or "business days" mean any day which is not a Saturday, Sunday or legal holiday under the laws of the United States or of the state of Illinois;

7.10. Invalid Provision: If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable; this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement; and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by such illegal, invalid or unenforceable provision or by its severance from this Agreement;

7.11. Disclaimers – "AS IS": BUYER ACKNOWLEDGES AND AGREES THAT IT WILL HAVE THE OPPORTUNITY TO PERFORM EXAMINATIONS AND INVESTIGATIONS OF THE SUBJECT PROPERTY PRIOR TO THE CLOSING DATE, AND IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT, EXCEPT AS OTHERWISE PROVIDED IN THIS AGREEMENT OR IN THE DOCUMENTS DELIVERED AT CLOSING, PURCHASER IS PURCHASING THE PROPERTY "AS IS" AND "WHERE IS," AND WITH ALL FAULTS. PURCHASER FURTHER ACKNOWLEDGES THAT SELLER IS MAKING NO REPRESENTATIONS OR WARRANTIES, WHETHER EXPRESS OR IMPLIED, BY OPERATION OF LAW OR OTHERWISE, WITH RESPECT TO THE QUALITY, PHYSICAL CONDITION OR VALUE OF THE SUBJECT PROPERTY, THE INCOME OR EXPENSES FROM OR OF THE SUBJECT PROPERTY, OR THE COMPLIANCE OF THE SUBJECT PROPERTY WITH APPLICABLE BUILDING OR FIRE CODES OR OTHER LAWS OR REGULATIONS, EXCEPT TO THE EXTENT OF THE REPRESENTATIONS AND WARRANTIES SET FORTH IN THIS AGREEMENT AND THE DOCUMENTS DELIVERED AT CLOSING. PURCHASER AND SELLER AGREE THAT THE PROVISIONS OF THIS SECTION 7.11 SHALL SURVIVE THE CLOSING OF THE TRANSACTION CONTEMPLATED BY THIS AGREEMENT;

7.12. No Third Party Beneficiary: The provisions of this Agreement and of the documents to be executed and delivered at Closing are and will be for the benefit of Seller and Purchaser only and are not for the benefit of any third party, and accordingly, no third party shall have the right to enforce the provisions of this Agreement or of the documents to be executed and delivered at Closing;

7.13. Exhibits: The following exhibits attached hereto shall be deemed to be an integral part of this Agreement:

- | | | |
|-----|-----------|---|
| (a) | Exhibit A | -Legal Description of the Subject Property; |
| (b) | Exhibit B | -Form of Warranty Deed; |
| (c) | Exhibit C | -Form of Bill of Sale |

7.14. Termination of Agreement: Notwithstanding anything seemingly to the contrary in this Agreement, it is understood and agreed that if either Purchaser or Seller terminates this Agreement pursuant to a right of termination granted hereunder, such termination shall operate to relieve Seller and Purchaser from all obligations under this Agreement;

7.15. Cross Indemnification: Except as otherwise expressly provided in this Agreement, Seller shall defend, indemnify and hold harmless Buyer from all loss, expense (including reasonable counsel fees), damage and liability resulting from (a) claims of mechanics and materialmen based on work performed on or at the Subject Property prior to the Closing, and (b) tort claims (including, without limitation, for bodily injury, wrongful death or property damage) against Purchaser or the Subject Property based on causes of action which arose or accrued prior to the Closing, and (c) contract claims arising by, through, or under Seller, by employees, contractors, or utility companies, with respect to matters that occurred or obligations which accrued prior to the Closing. Except as otherwise expressly provided in this Agreement, Purchaser shall defend, indemnify and hold harmless Seller from all loss, expense (including reasonable counsel fees), damage and liability resulting from (a) claims of mechanics and materialmen based on work performed on or at the Property subsequent to the Closing, and (b) tort claims (including, without limitation, for bodily injury, wrongful death or property damage) against Seller based on causes of action which arose or accrued subsequent to the Closing, and (c) contract claims arising by, through or under Purchaser, by employees, contractors, or utility companies, with respect to matters that occurred or obligations which accrued subsequent to the Closing. Seller's and Purchaser's indemnification obligations under this Section 7.15 shall survive Closing;

7.16. Further Assurances: Each party shall, when requested by the other party hereto, cause to be executed, acknowledged and delivered such further instruments and documents as may be necessary and proper, in the reasonable opinion of the requesting party, in order to carry out the intent and purpose of this Agreement; provided, however, this Section 7.16 shall not be construed to increase the economic obligations or liabilities of either party hereto. This Section shall survive Closing;

7.17. Effective Date: The "Effective Date" of this Agreement, as such term is referenced herein shall mean the date on which both Seller and Purchaser shall have executed this Agreement and delivered executed copies to the other;

7.18. Counterparts; Electronic Delivery: This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same document. A signature page to any counterpart may be detached from such counterpart without impairing the legal effect of the signatures thereon and thereafter attached to another counterpart identical thereto except having attached to it additional signature pages. This Agreement may be executed and delivered by facsimile or other electronic means, with the same force and effect as an original;

7.19. Independent Counsel and Voluntary Act: By entering into this Agreement, each party acknowledges that it has had the opportunity to retain independent counsel of its own choosing to review and advise of the implications of entering into this Agreement and that each party is entering into this Agreement as its own free and voluntary Act;

7.20. Legal Authority: The Parties also warrant that they have the legal authorization to enter into and sign this Agreement on behalf of themselves, their successors and assigns;

7.21. No Presumption Upon Construction: This Agreement was drafted by both Parties. Therefore, if any court of law must interpret or construe the terms of this Agreement, no presumption shall arise in favor of one party to the detriment of the other party; and

7.22. Full Agreement of Parties: This Agreement represents the full and complete agreement of the Parties. This Agreement shall supersede all other agreements of the Parties.

7.23. Assignment: Buyer may assign this Agreement, without obtaining the approval of Seller, to one or more entities so long as Buyer or its principals controls or owns at least 50% of the purchasing entity(ies).

The Parties now signed and sealed this Agreement on the day and year written above.

SELLER – VILLAGE OF VILLA PARK

By _____ Date _____
Its _____

BUYER –

ALI PROPERTIES MELROSE PARK LLC, an Illinois limited liability company

Aliya Ahmed
By Aliya Ahmed Date 11/04/2020
Its Authorized Manager

EXHIBIT A – LEGAL DESCRIPTION OF SUBJECT PROPERTY

THAT PART OF LOT 5 IN SUBURB HILL, BEING A SUBDIVISION IN NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID LOT 5, 156.515 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY, ALONG THE WESTERLY LINE OF SAID LOT, 156.515 FEET;; THENCE EASTERLY ALONG A LINE PARALLEL WITH THE CENTERLINE OF STATE BOND ISSUE HIGHWAY ROUTE 64 (NORTH AVENUE) 100 FEET TO A POINT IN THE EASTERLY LINE OF SAID LOT; THENCE SOUTHERLY, ALONG THE EASTERLY LINE OF SAID LOT 5, 156.63 FEET TO A POINT 156.63 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WETERLY, IN A STRAIGHT LINE 100 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MAY 9, 1914 AS DOCUMENT 116425, IN DUPAGE COUNTY, ILLINOIS.

PIN: 0603101008

FOR INFORMATION PURPOSES ONLY:
THE SUBJECT LAND IS COMMONLY KNOWN AS:
325 East North Avenue
Villa Park, IL 60181

EXHIBIT B – WARRANTY DEED

WARRANTY DEED

Grantor, Village of Villa Park, an Illinois municipal corporation ("Grantor"), of 20 Ardmore Ave., Villa Park, IL 60181, for and in consideration of TEN AND 00/100 DOLLARS (\$10.00), the receipt and sufficiency of which is hereby acknowledged, conveys and warrants to Grantee, _____ ("Grantee"), of _____, the following real estate situated in the County of DuPage and the State of Illinois. The real estate conveyed hereby is legally described, commonly known as and maintains the parcel identification numbers identified below:

Legal Description: See Exhibit A attached hereto.

Common Address: 325 E. North Avenue, Villa Park, IL 60181

Parcel Identification Number: 0603101008

The transfer of the above-described real estate is subject to the following exceptions:

- (a) General real estate taxes not then due and payable;
- (b) Building setback lines and restrictions of record;
- (c) Zoning and building ordinances;
- (d) Public utility easements;
- (e) Public and private roads and highways; and
- (f) Covenants and restrictions of record as to use and occupancy.

Dated this ____ day of November 2020.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Grantor, Village of Villa Park

By _____
Its _____

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the State of Illinois and County of DuPage, do hereby certify that _____, personally known to me, appeared before me this day in person and acknowledged that she/he signed and delivered said instrument as her/his free and voluntary act, for the uses and purposes set forth herein.

GIVEN under my hand and official seal this ____ day of November 2020.

Notary Public

This instrument was prepared by:
Joshua B. Rosenzweig (jrosenzweig@ottosenlaw.com)
OTTOSEN DiNOLFO HASENBALG & CASTALDO, LTD.
1804 N. Naper Blvd., Ste. 350
Naperville, IL 60563
(630) 682-0085 – Phone
(630) 682-0788 – Facsimile

After recording, return this instrument to:

Send future tax bills:

EXHIBIT C – BILL OF SALE

BILL OF SALE

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

Seller, Village of Villa Park, in consideration of \$10.00, which has been received, hereby sells to Buyer, _____, the following personal property located at 325 E. North Avenue, Villa Park, IL 60181 ("subject property"):

Any and all items of personal property and fixtures located on or situated within the subject property.

Seller hereby represents and warrants to Purchaser that Seller is the absolute owner of said property, that said property is free and clear of all liens, charges and encumbrances, and the Seller has full right, power and authority to sell said personal property and to make this Bill of Sale.

ALL WARRANTIES OF QUALITY, FITNESS AND MERCHANTABILITY ARE HEREBY EXCLUDED.

If this Bill of Sale is signed by more than one person, all persons so signing shall be jointly and severally bound hereby.

SELLER: Village of Villa Park

By: _____

Its: _____

SUBSCRIBED and SWORN TO before me
this ____ day of November 2020.

Notary Public

Village Board of Trustees Agenda Item Report

Meeting Date: November 9, 2020

Submitted by: Marlene Scheibl

Submitting Department: Finance Department

Item Type: Resolutions

Agenda Section: Resolutions

Subject:

Resolution of the Village of Villa Park, DuPage County, Illinois, Estimating the Tax Levy For 2020 in Compliance with the Truth in Taxation Law

Suggested Action:

The tax levy process begins with the estimating resolution, and will be considered for adoption and filed in December. The Village is tax capped, so the majority of the levy can increase by the lesser of the Consumer Price Index (CPI, which is 2.3% this levy year), or 5%. This resolution estimates an overall increase to the Village and Library tax levies of 11%, after all abatements. The final levy amounts may be lowered by DuPage County in accordance with tax cap laws.

Attachments:

[MEMO - Tax Levy 2020](#)

[Tax Levy Worksheet](#)

[Pension Contribution - Actuarial Comparison - 2020](#)

[Library Resolution No. 20200923 Tax Levy Request - 2020](#)

[Library Resolution No. 20190925, To Abate Portions of the 2019 and 2020 Library Bond Tax Levies](#)

[RESO - Tax Levy Estimating](#)

Memo

October 26, 2020

To: President Bulthuis and Board of Trustees
 From: Marlene Scheibl, Finance Director
 Cc: Rich Keehner, Village Manager
 RE: **2020 Tax Levy and Pension Contributions**

Each year, the Village conducts its annual tax levy process in October, November and December. The 2020 tax levy will result in property tax bills being mailed in mid-2021. As a non-home rule government in DuPage County, we are subject to property tax caps. Tax caps allow for our total tax levy, with a few minor exceptions, to increase by the CPI (2.3% this year) plus new property development and annexations.

The estimated 2020 tax levy for the Village and Library, after abatements, will be a total \$11,141,831, which is 11.0% higher than last year's property tax extension. However, the actual amount that will be billed to property owners may be less due to possible reductions to meet tax caps. This calculation includes tax abatements (reduction) for portions of the Bond & Interest levy relating to Stormwater bonds and Library bonds. For more detailed information, see page 2 of this memo and the 2020 property tax levy worksheet attached.

		2019 Extended levy	2020 levy before abatements	2020 estimated abatement	2020 estimated levy	Percent change
Village	<i>Operations</i>	\$1,363,486	\$1,326,000	-	\$1,326,000	-2.7%
	<i>Police and Fire Pensions</i>	\$3,266,467	\$3,608,493	-	\$3,608,493	10.5%
	<i>Debt</i>	\$3,156,340	\$4,224,750	(\$992,700)	\$3,232,050	2.4%
	Total Village	\$7,786,293	\$9,159,243	(\$992,700)	\$8,166,543	4.9%
Library	<i>Operations</i>	\$2,196,000	\$2,297,016	-	\$2,297,016	4.6%
	<i>Debt</i>	\$54,408	\$831,850	(\$153,578)	\$678,272	1146.6%
	Total Library	\$2,250,408	\$3,128,866	(\$153,578)	\$2,975,288	32.2%
	Total	\$10,036,702	\$12,288,109	(\$1,146,278)	\$11,141,831	11.0%

Property tax revenue is an important source of revenue for our Corporate Fund and other operating funds, and is the method to make contributions to the Village's Police and Fire Pension programs. Funding for general operations and pension contributions are both tax capped, meaning the total revenue to be used for operations plus pensions is limited.

DuPage County will extend our levy only by the amount of CPI (2.3%) plus new growth, annexations so the general impact on property owners throughout Villa Park will be about 5.9% in total for capped levies.

We have included a 1% “new growth” factor for annexations and for new construction or significant renovations. In addition, this year the Ovaltine TIF “frozen EAV” will be added as new construction to the uncapped base for 2020 as this TIF will be closed this year. Non-capped levies include a small portion of the Fire Pension (\$46,092 this year), the levy for Northeast DuPage Special Recreation (capped at a rate of 0.0400 per \$100 of EAV), and bonds (levies based on annual repayment amounts).

Debt Discussion

The Village pays for certain bonds using property tax revenue, and other bonds are alternate revenue bonds (ARBs), using other sources of funds. The 2020 tax levy calls for more property tax dollars needed for debt due to recent bond issuances and the lack of sufficient fund balance in the North Avenue TIF fund.

In 2014, residents approved a referendum to issue \$23 million in road bonds. In 2019, we issued the final tranche of these bonds, which is now reflected in the tax levy. We have other bonds that are paid using our non-home rule bonding authority (Debt Service Extension Base, or DSEB). The result of this referendum was an approximate \$2.9M in property tax supported debt each year.

The North Avenue TIF (TIF 3) has not been generating enough increment to fund the debt service. In 2016, we began implementing a strategy to address this shortfall in ongoing revenue. The strategy called for refinancing the TIF debt to lower rates (which was done in 2017) and to utilize our non-home rule taxing authority to issue rollover bonds (which is done annually). We will also need to levy a property tax for ongoing debt service payments. The overarching target for this strategy was to maintain level property tax supported debt at around \$2.9M per year. As previously mentioned, the fund balance in the North Avenue TIF fund is negative. Once that TIF fund has a positive fund balance by the sale of the Ladewig property or from annual TIF increment, we will be able to abate some property taxes as funds are available.

This year, the total property tax levy that will be needed for bond payments (after abatements) will be \$3,232,050, which is higher than our \$2.9M target. Once the TIF Fund returns to positive fund balance, we will be able to return to abating property taxes for this debt.

Abatements

The Village will continue to abate property taxes for Stormwater bonds as there are sufficient funds generated annually. When funds become available in the North Avenue TIF, we will abate property taxes as they are available.

In 2019, the Library abated \$783,842 of the total debt payments of \$838,250 by using capitalized interest on the bonds. The Capitalized Interest is actually the bond premium that was provided when the bonds were sold. Those bonds were sold at a premium to make them more attractive to bond buyers. The premium resulted in funds above the needed \$10.6 million and was collected to be utilized as a contingency which was not needed. The 2020 levy includes a \$153,978 abatement of the \$831,250 bond payments resulting in an increase (after abatements) to the total levy of 11%.

The Village debt levy detail is as follows:

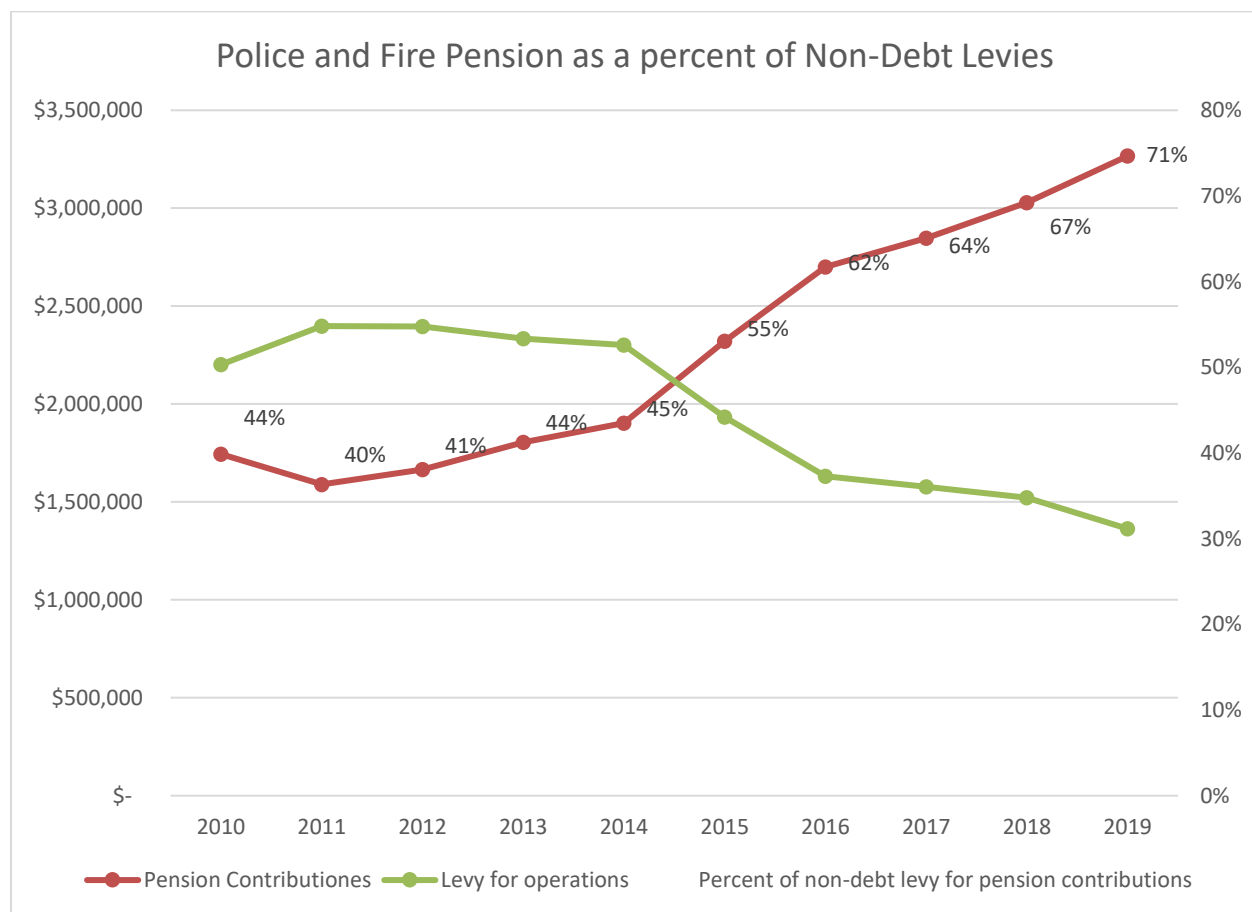
	2019 Tax Extended Levy			2020 Tax Levy		
	Levy	Abatement	Final Levy	Levy	Abatement	Final Levy
TIF 3 Bonds						
2017 Refunding	395,400	(395,400)	-	396,550	(396,550)	-
2018C	760,250	-	760,250	837,800	-	837,800
Total TIF 3 Bonds	1,155,650	(395,400)	760,250	1,234,550	(396,550)	837,800
Road Referendum Bonds						
2014	376,200	-	376,200	376,200	-	376,200
2015	954,850	-	954,850	953,250	-	953,250
2019B	371,740	-	371,740	374,800	-	374,800
Total Referendum Bonds	1,702,790	-	1,702,790	1,704,250	-	1,704,250
Stormwater Bonds						
2017B	251,450	(251,450)	-	254,550	(254,550)	-
2018A	230,950	(230,950)	-	232,200	(232,200)	-
2019A	142,220	(117,553)	24,667	109,400	(109,400)	-
Total Stormwater Bonds	624,620	(599,953)	24,667	596,150	(596,150)	-
Other Tax supported debt						
2019C rollover bonds	668,633	-	668,633	-	-	-
2020 (rollover bonds to be issued)	-	-	-	690,000	-	690,000
Total Other bonds	668,633	-	668,633	690,000	-	690,000
Village Total	4,151,693	(995,353)	3,156,340	4,224,750	(992,700)	3,232,050
Library Bonds						
2017C	387,400	(332,992)	54,408	379,400	-	379,400
2018B	450,850	(450,850)	-0-	452,450	(153,578)	298,872
Library Total	838,250	(783,842)	54,408	831,850	(153,578)	678,272
Village and Library Total	4,989,943	(1,779,195)	3,210,748	5,056,600	(1,146,278)	3,910,322

Pension Contributions

Over the past several years, the Village's costs for our pension programs has increased at a much higher rate than our tax cap will grow, resulting in fewer dollars being available for operational expenses. The table and graph on the next page compare the tax levies from 2010 and 2019, highlighting the changes in allocations between operations and public safety pensions.

	2010 tax levy extension	2019 tax levy extension*	10 year \$ change % Change	Average annual change
Operations	\$2,201,442	\$1,363,486	(\$837,956) -38%	-4%
Police Pension	\$1,258,836	\$2,232,053	\$973,217 77%	7%
Fire Pension	\$485,156	\$1,034,414	\$549,258, 113%	6%
Bonds	\$1,426,410	\$3,156,340	\$1,729,930 134%	8%
Total Village	\$5,371,844	\$7,786,293	\$2,414,449 45%	4%

*Includes referendum approved bonds



As time goes on, a greater portion of property tax dollars are going to pensions, increasing from 44% of the non-debt levy in 2010 to 71% in the 2019 extended levy. This is not to say that the Pension Boards have been irresponsible. Virtually all pension programs are costing employers significantly more today than just a few years ago. We continue to contribute to the pension programs more than the legal minimum. Pension contributions, however, must be balanced with paying for current services, so we are unable to make the higher contributions levels that the pension boards have requested. Our current

pension structure in Illinois is unsustainable, and is positioned to consume significantly more of our tax levy dollars for the foreseeable future. Our pension programs, as currently structured, cannot be afforded while maintaining our current levels of services.

State law requires that our contribution be based on an analysis performed by an enrolled actuary. The Pension Boards hire an actuary, and then the Pension Boards request an employer contribution based on that report. The Village has also hired an actuary for an independent review.

Pension request for current tax levy				Comparison to prior year		
	Minimum	Requested	Average / Staff recommendation	Last year's final levy	Dollar Change	Percent Change
Police	\$2,123,098	\$2,496,936	\$2,375,690	\$2,232,053	\$143,637	6%
<i>Change from last year</i>	5%	%	-5%			
Fire	\$999,205	\$1,501,485	\$1,232,803	\$1,034,414	\$198,389	19%
<i>Change from last year</i>	11%	10%	8%			
Total	\$3,122,303	\$	\$3,608,492	\$3,266,467	\$342,025	11%
<i>Change from last year</i>	7%	%	-.7%			

The Village hired MWM Consulting to conduct the Police Pension actuarial valuation. The Police Pension Board did not hire an actuary to prepare their funding request. The Fire Pension Board hired Lauterbach and Amen to complete the actuarial valuations.

Tax levy schedule

Here is the planned tax levy schedule:

- This resolution will be the first discussion of the 2020 tax levy.
- The Truth in Taxation hearing is needed because the probable levy, after abatements, will increase by more than 5%.
- Property tax abatements for Stormwater and library bonds will be considered on November 25, 2020.
- The first reading of the tax levy ordinance on December 7.
- The first reading of the ordinance and budget public hearing is planned for December 7.
- Final adoption of the 2020 tax levy ordinance is planned for December 21.
- The ordinance is required to be filed with DuPage County by **Tuesday December 29, 2020 (last Tuesday in December).**

Village of Villa Park, Illinois
2020 property tax levy worksheet, 2.3% CPI increase

2019 AS EXTENDED

ESTIMATED

TAX LEVY YEAR 2020

EQUALIZED ASSESSED VALUATION **655,522,290**

EXISTING PROP.	NEW PROPERTY	TOTAL EAV
688,298,405	24,499,153	712,797,557
	<i>Includes an additional \$16.9M for TIF 2 roll off</i>	

	2019		2020		Dollar change	Percent change
	2019 Rate	extended	estimated	2020 levy		
TAX EXTENSIONS						
Corporate	0.0274	179,613	0.0247	176,000	(3,613)	-2.0%
Fire Protection	0.0290	190,101	0.0253	180,000	(10,101)	-5.3%
Parks	0.0290	190,101	0.0253	180,000	(10,101)	-5.3%
Recreation	0.0290	190,101	0.0253	180,000	(10,101)	-5.3%
Ambulance/Paramedics	0.0290	190,101	0.0253	180,000	(10,101)	-5.3%
Subtotal - Operations	0.1434	940,019	0.1257	896,000	(44,019)	-4.7%
Ill. Municipal Retirement	0.0138	90,462	0.0133	95,000	4,538	5.0%
Social Security	0.0138	90,462	0.0133	95,000	4,538	5.0%
Firefighters' Pension	0.1488	975,417	0.1665	1,186,711	211,294	21.7%
Police Pension	0.3405	2,232,053	0.3333	2,375,690	143,637	6.4%
Subtotal - Retirement	0.5169	3,388,395	0.5264	3,752,401	364,006	10.7%
Total Tax Capped Ops. Levy	0.6603	4,328,414	0.6521	4,648,401	319,987	7.4%
Non Capped Funds:						
NEDSRA	0.0370	242,543	0.0337	240,000	(2,543)	-1.0%
Non Capped Fire Pension	0.0090	58,997	0.0065	46,092	(12,905)	-21.9%
Total Non Tax Capped Ops. Levy	0.0460	301,540	0.0401	286,092	(15,448)	-5.1%
Debt Service:						
Bond & Interest	0.3795	3,483,060	0.4959	3,534,750	51,690	1.5%
Bond & Interest - Limited	0.1020	668,633	0.0968	690,000	21,367	3.2%
Total Non Tax Capped Debt Levy	0.4815	4,151,693	0.5927	4,224,750	73,057	1.8%
After estimated abatements	0.4815	3,156,340	0.4534	3,232,050	75,710	2.4%
Total Village Levy	1.1878	8,781,647	1.2850	9,159,243	377,596	4.3%
After estimated abatements	1.1878	7,786,294	1.1457	8,166,543	380,249	4.9%
Library Operations:						
IMRF	0.0045	29,499	0.0070	50,000	20,501	69.5%
Library - Corporate	0.3305	2,166,501	0.3152	2,247,016	80,515	3.7%
Total Library Operations	0.3350	2,196,000	0.3223	2,297,016	101,016	4.6%
Library Debt Service:						
Bonds & Interest	0.0083	838,250	0.1167	831,850	(6,400)	-0.8%
Total Library Debt Service	0.0083	838,250	0.1167	831,850	(6,400)	-0.8%
After estimated abatements	0.0083	54,408	0.0952	678,272	623,864	1146.6%
Total Library Levy	0.3433	3,034,250	0.4390	3,128,866	94,616	3.1%
After estimated abatements	0.3433	2,250,408	0.4174	2,975,288	724,880	32.2%
Total levy for operations (Corp/Spec)	1.0496	6,825,954	1.0145	7,231,509	405,555	5.9%
Total levy for debt	0.4898	4,989,943	0.7094	5,056,600	66,657	1.8%
After estimated abatements*	0.4898	3,210,748	0.5486	3,910,322	699,574	21.8%
Combined Village / Library Levy	1.5394	11,815,896	1.7239	12,288,109	472,213	4.0%
After estimated abatements	1.5394	10,036,702	1.5631	11,141,831	1,105,129	11.0%

**Pension actuary valuation comparison
2020 tax levy**

POLICE PENSION	Village hired - MWM			Pension Board Hired - NONE			MWM	
	Positive Funding	Policy	Minimum	Recommended	Minimum		Audit Report	Average
Normal cost	\$ 509,806	\$ 509,806	\$ 589,892					
Accrued Liability	\$ 58,119,715	\$ 58,119,715	\$ 51,520,609				\$ 58,119,715	
Assets ^{1,2}	\$ 30,446,887	\$ 30,446,887	\$ 30,446,887				\$ 31,751,530	
Unfunded Liability	\$ 27,672,828	\$ 27,672,828	\$ 21,073,722				\$ 26,368,185	
Tax Levy Requirement	\$ 2,507,035	\$ 2,496,936	\$ 2,123,098					\$ 2,375,690
Percent Funded	52.4%	52.4%	59.1%				54.6%	
¹ Assets based on smoothing of gains/losses.								
² Audit Assets based on market value.								
FIRE PENSION	Village hired - MWM			Pension Board Hired- L&A		IDOI	L&A	
	Positive Funding	Policy	Minimum	Recommended	Minmimum		Audit Report	Average
Normal cost	\$ 463,111	\$ 463,111	\$ 500,773	\$ 612,531	\$ 703,697	\$ 809,411		
Accrued Liability	\$ 29,395,183	\$ 29,395,183	\$ 26,208,614	\$ 31,073,700	\$ 29,379,905	\$ 31,369,327	\$ 31,073,700	
Assets ^{1,2}	\$ 19,342,728	\$ 19,342,728	\$ 19,342,728	\$ 19,453,167	\$ 19,453,167	\$ 19,284,495	\$ 20,159,239	
Unfunded Liability	\$ 10,052,455	\$ 10,052,455	\$ 6,865,886	\$ 11,620,533	\$ 9,926,738	\$ 12,084,832	\$ 10,914,461	
Tax Levy Requirement	\$ 1,215,347	\$ 1,439,406	\$ 1,030,079	\$ 1,501,485	\$ 999,205	\$ 1,211,294		\$ 1,232,803
Percent Funded	65.8%	65.8%	73.8%	62.6%	66.2%	61.5%	64.9%	
Total	\$ 3,722,382	\$ 3,936,342	\$ 3,153,177	\$ 1,501,485	\$ 999,205	\$ 1,211,294		\$ 3,608,492

	Minimum	MWM Max	Maximum	Prior Year Extension	Average of above	Change from PY	Percent Change
Police	\$ 2,123,098	\$ 2,507,035	\$ 2,507,035	\$ 2,232,053	\$ 2,375,690	\$ 143,637	6%
Fire	\$ 999,205	\$ 1,439,406	\$ 1,501,485	\$ 1,034,414	\$ 1,232,803	\$ 198,389	19%
Total	\$ 3,122,303	\$ 3,946,441	\$ 4,008,520	\$ 3,266,467	\$ 3,608,492	\$ 342,025	10%
Percent of prior year extension	95.6%	120.8%	122.7%		110.5%		

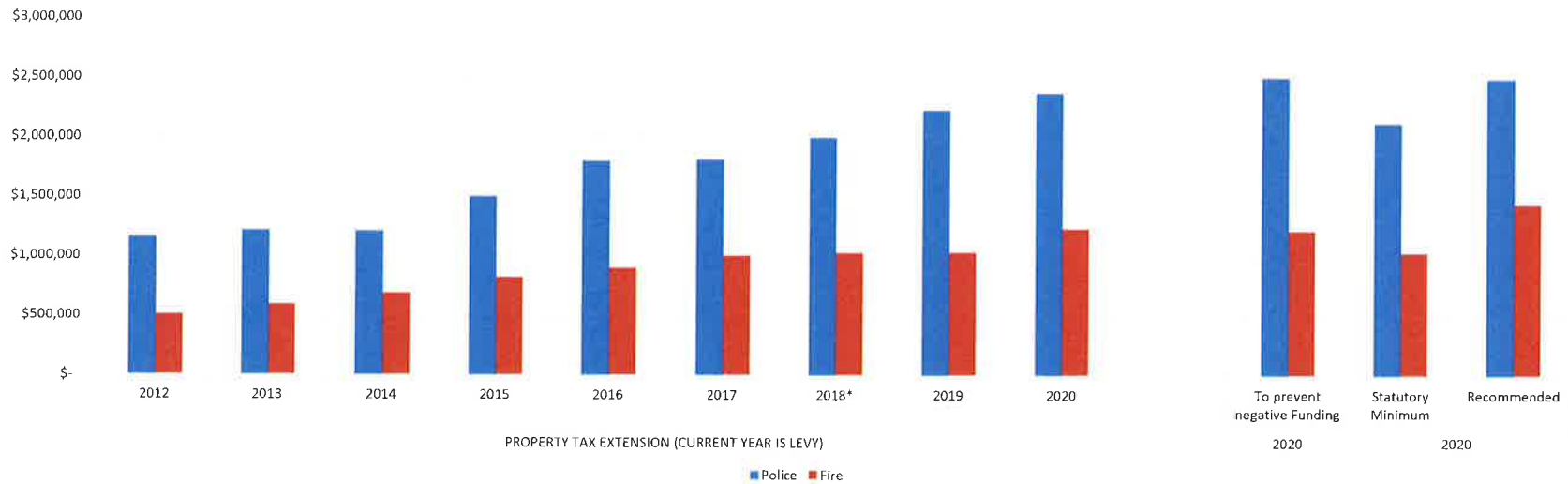
	Prior years			2020			
	2017	2018	2019	Recommended	Minimum	Avoid Neg Funding	Average
Police	\$ 1,832,249	\$ 2,507,035	\$ 2,232,053	\$ 2,496,936	\$ 2,123,098	\$ 2,507,035	\$ 2,375,690
Fire	\$ 1,014,104	\$ 1,501,485	\$ 1,034,414	\$ 1,439,406	\$ 1,030,079	\$ 1,215,347	\$ 1,232,803
Total	\$ 2,846,354	\$ 4,008,520	\$ 3,266,467	\$ 3,936,342	\$ 3,153,177	\$ 3,722,382	\$ 3,608,492
Percent Change from prior year							
Police Percent Change	22%	37%	-11%	12%	-5%	12%	6%
Fire Percent Change	24%	48%	-31%	39%	0%	17%	19%
Total Percent Change	23%	41%	-19%	21%	-3%	14%	10%

Villa Park Public Safety Pension Levies Prior 10 years

PROPERTY TAX EXTENSION (CURRENT YEAR IS LEVY)										2020		
	2012	2013	2014	2015	2016	2017	2018*	2019	2020	To prevent negative Funding	Statutory Minimum	2020 Recommended
Police	\$ 1,157,555	\$ 1,214,633	\$ 1,212,008	\$ 1,500,419	\$ 1,799,908	\$ 1,813,576	\$ 2,000,473	\$ 2,232,053	\$ 2,375,690	\$ 2,507,035	\$ 2,123,098	\$ 2,496,936
Fire	\$ 507,421	\$ 590,674	\$ 689,824	\$ 820,907	\$ 899,680	\$ 1,003,847	\$ 1,028,554	\$ 1,034,414	\$ 1,232,803	\$ 1,215,347	\$ 1,030,079	\$ 1,439,406
Total	\$ 1,664,976	\$ 1,805,307	\$ 1,901,832	\$ 2,321,327	\$ 2,699,589	\$ 2,817,424	\$ 3,029,027	\$ 3,266,468	\$ 3,608,493	\$ 3,722,382	\$ 3,153,177	\$ 3,936,342
Percent Change from prior year												
Police Percent Change	-4%	5%	0%	24%	20%	1%	10%	23%	19%	6%	-11%	5%
Fire Percent Change	34%	16%	17%	19%	10%	12%	2%	3%	20%	-1%	-16%	17%
Total Percent Change	5%	8%	5%	22%	16%	4%	8%	16%	19%	3%	-13%	9%

* Excludes \$113,226.85 in additional contributions made in June, 2019

Historical Pension Levies



**Resolution 20200923 Setting Forth Financial Requirements of the Villa Park Public Library
For the Next Fiscal Year**

Resolved that pursuant to Paragraph 6, Section 5/4-10, Chapter 75 Illinois Compiled Statutes, the Board of Library Trustees of the Village of Villa Park at its meeting held September 23, 2020 determined that the amount of money which in its judgment it will be necessary to levy for all library purposes for its next fiscal year is: **\$2,297,016** of which the sum of the total for corporate purposes is \$ 2,247,016, the total for the special levy (IMRF) is \$50,000, and the total for debt service is \$678,272 (see Resolution 20190925 requesting the Village of Villa Park to abate portions of the 2019/2020 Library bond tax levies).

It is requested that such amount be included in the tax levy ordinance to be adopted by the Trustees of the Village of Villa Park for tax year 2020, said levy to be made pursuant to Section 5/3-5 of said Chapter 75 and pursuant to the provisions of the Illinois Municipal Code, such amount to be received by the Library during the next fiscal year.

Resolved that pursuant to Paragraph 6, Section 5/4-10, Chapter 75, Illinois Compiled Statutes, the Board of Library Trustees of the Village of Villa Park, at its meeting held September 23, 2020, determined that the fiscal requirements of the Library for the next fiscal year for corporate purposes are:

	Annual Operating Fund Appropriation	Corporate Tax Levy Tax Year 2020	Other Revenue Sources
CORPORATE PURPOSES			
SALARIES	\$1,300,000	\$1,190,000	\$110,000
EMPLOYEE BENEFITS	\$155,000	\$150,000	\$5,000
FICA CONTRIBUTION	\$78,000	\$75,000	\$3,000
MEDICARE CONTRIBUTION	\$18,000	\$17,300	\$700
DUES & PUBLICATIONS: STAFF	\$20,000	\$17,400	\$2,600
EMPLOYEE EDUCATION	\$8,500	\$7,000	\$1,500
IN SERVICE ACTIVITIES: STAFF	\$2,200	\$1,400	\$800
STAFF RECOGNITION	\$1,800	\$1,200	\$600
BACKGROUND CHECKS	\$250	\$200	\$50
DUES & PUBLICATIONS: TRUSTEES	\$600	\$550	\$50
TRUSTEE EDUCATION	\$750	\$550	\$200
IN SERVICE ACTIVITIES: TRUSTEES	\$750	\$300	\$450
OTHER INSURANCE (Liability, Worker's Comp.)	\$40,000	\$38,000	\$2,000
AUTOMATION (SWAN)	\$50,000	\$40,000	\$10,000
RENTAL/LEASE EQUIPMENT	\$8,500	\$5,100	\$3,400
AUTOMATION SERVICES	\$18,000	\$11,000	\$7,000
OCLC (Interlibrary Loan & Bibliographic Records)	\$1,000	\$100	\$900
BROADBAND SERVICES	\$9,000	\$8,000	\$1,000
ACCOUNTING SERVICES	\$25,000	\$24,800	\$200
LEGAL SERVICES	\$9,000	\$8,000	\$1,000
PROFESSIONAL SERVICES	\$5,000	\$2,500	\$2,500
AUDIT SERVICES	\$5,600	\$5,500	\$100
PRINTING SERVICES	\$15,000	\$12,000	\$3,000
TECHNOLOGY SERVICES	\$7,500	\$3,000	\$4,500
OFFICE SUPPLIES	\$20,000	\$18,000	\$2,000
POSTAGE	\$10,500	\$8,000	\$2,500
COLLECTION AGENCY	\$1,600	\$1,200	\$400
BANK SERVICE FEES	\$1,500	\$1,500	\$0
COMMUNITY INFORMATION	\$15,000	\$8,000	\$7,000

OUTREACH COLLECTIONS	\$1,000	\$410	\$590
OUTREACH VAN (MAINTENANCE AND GAS)	\$6,000	\$2,250	\$3,750
UTILITY GAS	\$12,000	\$10,000	\$2,000
TELEPHONE & DATA	\$10,000	\$8,000	\$2,000
DISPOSAL	\$3,500	\$0	\$3,500
WATER & SEWER SERVICE	\$3,500	\$3,000	\$500
CUSTODIAL SUPPLIES	\$10,000	\$7,000	\$3,000
BUILDING & MAINTENANCE SUPPLIES	\$7,500	\$5,000	\$2,500
CLEANING SERVICE	\$60,000	\$54,000	\$6,000
FLOORS & CARPET CLEANING	\$3,000	\$2,500	\$500
WINDOW WASHING	\$2,500	\$2,000	\$500
HEATING & A/C MAINT. SERV.	\$18,000	\$12,000	\$6,000
ELEVATOR MAINTENANCE	\$10,000	\$5,000	\$5,000
SECURITY MAINTENANCE	\$15,000	\$10,000	\$5,000
MAINTENANCE OF EQUIPMENT	\$12,000	\$10,500	\$1,500
LANDSCAPING/SNOW REMOVAL MAINTENANCE	\$5,000	\$9,000	-\$4,000
BACKFLOW MAINTENANCE	\$2,500	\$1,000	\$1,500
ROOF INSPECTION AND MAINTENANCE	\$5,000	\$2,000	\$3,000
BUILDING & GROUNDS MAINTENANCE	\$125,000	\$98,000	\$27,000
LOST ITEM REIMBURSEMENT	\$2,000	\$1,000	\$1,000
MILEAGE	\$2,500	\$1,500	\$1,000
NOTARY COMMISSIONS	\$1,000	\$256	\$744
SUMMER READING EVENTS	\$5,000	\$1,500	\$3,500
PCs/MEMORY UPGRADES	\$20,000	\$18,000	\$2,000
FURNITURE & OTHER EQUIPMENT	\$10,000	\$5,000	\$5,000
SOFTWARE UPGRADES	\$5,000	\$3,000	\$2,000
HARDWARE REPLACEMENT	\$7,000	\$6,000	\$1,000
CABLING/WIRELESS SOLUTIONS	\$3,000	\$500	\$2,500
SERVER UPGRADES	\$12,000	\$6,000	\$6,000
A/V MATERIALS: Youth	\$20,000	\$10,500	\$9,500
YOUTH SERVICES BOOKS	\$65,000	\$52,000	\$13,000
ELECTRONIC REFERENCE: Youth	\$8,000	\$6,500	\$1,500
E-TITLES: Youth	\$8,000	\$5,000	\$3,000
PERIODICALS: Youth	\$1,500	\$1,100	\$400
REFERENCE MATERIALS: Youth	\$2,000	\$1,300	\$700
PROGRAMS: Youth	\$15,000	\$10,000	\$5,000
PROGRAM SUPPLIES: Youth	\$6,000	\$4,000	\$2,000
ADULT A/V MATERIALS	\$30,000	\$23,000	\$7,000
BOOKS: Adult	\$75,000	\$65,000	\$10,000
BOOKS: High School	\$5,000	\$2,000	\$3,000
BOOKS: PROFESSIONAL	\$4,000	\$2,000	\$2,000
ELECTRONIC REFERENCE: Adult	\$70,000	\$65,000	\$5,000
E-TITLES: Adult	\$35,000	\$25,000	\$10,000
PERIODICALS: Adult	\$10,500	\$9,000	\$1,500
PERIODICALS: PROFESSIONAL	\$4,500	\$4,000	\$500
REFERENCE MATERIALS: Adult	\$15,000	\$7,000	\$8,000
PROGRAMS: Adult	\$20,000	\$14,000	\$6,000
PROGRAM SUPPLIES: Adult	\$1,000	\$600	\$400
Total Corporate Tax Levy	\$2,602,550	\$2,247,016	\$355,534

And request that such amounts to be included in the 2020 Levy Ordinance to be adopted by the Trustees of the Village of Villa Park, such money to be received during the next fiscal year.

Resolved that in addition to the request for levy for corporate library purposes, as approved September 23, 2020, the Library Board requests the following special levy for IMRF be included in the 2020 Levy Ordinance of the Village of Villa Park.

IMRF	Annual Operating Fund Appropriation	Special Levy Tax Year 2020	Other Revenue Sources
Illinois Municipal Retirement Fund	\$126,000	\$50,000	\$76,000
Total Special Levy	\$126,000	\$50,000	\$76,000

The Library Board specifies that the unexpended balance of the proceeds received from the special levy indicated above shall be retained for use only as permitted for the levy.

Furthermore, the Library Board would refer to Village Ordinance Number 3983 which provides for the issuance of \$5,000,000 General Obligation Library Bonds, Series 2017C. Section 12 of Ordinance Number 3983 states:

Section 12. Tax Levy. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, there is hereby levied upon all taxable property within the Village, in the years for which any of the Bonds are outstanding, a direct annual tax sufficient for that purpose; and there is hereby levied on all of the taxable property in the Village, in addition to all other taxes, the following direct annual taxes (the "**Ad Valorem Property Taxes**"):

**FOR THE YEAR A TAX SUFFICIENT TO PRODUCE THE
DOLLAR (\$) SUM OF:**

2017	\$385,121.94	for interest and principal up to and including December 15, 2018
2018	\$393,400.00	for interest and principal
2019	\$387,400.00	for interest and principal
2020	\$379,400.00	for interest and principal
2021	\$386,400.00	for interest and principal
2022	\$387,800.00	for interest and principal
2023	\$383,800.00	for interest and principal
2024	\$384,600.00	for interest and principal
2025	\$385,000.00	for interest and principal
2026	\$385,000.00	for interest and principal
2027	\$384,600.00	for interest and principal
2028	\$383,800.00	for interest and principal
2029	\$387,600.00	for interest and principal
2030	\$385,800.00	for interest and principal
2031	\$383,600.00	for interest and principal
2032	\$386,000.00	for interest and principal
2033	\$387,800.00	for interest and principal
2034	\$384,000.00	for interest and principal
2035	\$384,800.00	for interest and principal

The Ad Valorem Property Taxes, and other moneys on deposit in the Bond Fund from time to time ("**Bond Moneys**"), shall be applied to pay principal of and interest on the Bonds when due at maturity or as redeemed pursuant to mandatory redemption. Interest on or principal of the Bonds coming due at any time when there are insufficient funds on hand from the Ad Valorem Property Taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the Ad Valorem Property Taxes; and when the Ad Valorem Property

Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The Village covenants and agrees with the Underwriter and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the Village will take no action or fail to take any action which in any way would adversely affect the ability of the Village to levy and collect the foregoing tax levy. The Village and its officers will comply with all present and future applicable laws in order to assure that the Ad Valorem Property Taxes may be levied, extended and collected as provided in this Ordinance and deposited into the Bond Fund. Whenever moneys from any other lawful source are made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of the Ad Valorem Property Taxes, the Corporate Authorities shall, by proper proceedings, direct the deposit of such moneys into the Bond Fund and further direct the abatement of such Ad Valorem Property Taxes by the amount so deposited. The Village covenants and agrees that it will not direct the abatement of Ad Valorem Property Taxes until money has been deposited in the Bond Fund in the amount of such abatement. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerk in a timely manner to effect such abatement.

Furthermore, the Library Board would refer to Village Ordinance Number 4014 which provides for the issuance of \$5,600,000 General Obligation Library Bonds, Series 2018B. Section 12 of Ordinance Number 4014 states:

Section 12. Tax Levy. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, there is hereby levied upon all taxable property within the Village, in the years for which any of the Bonds are outstanding, a direct annual tax sufficient for that purpose; and there is hereby levied on all of the taxable property in the Village, in addition to all other taxes, the following direct annual taxes (the "**Ad Valorem Property Taxes**"):

**FOR THE YEAR A TAX SUFFICIENT TO PRODUCE THE
DOLLAR (\$) SUM OF:**

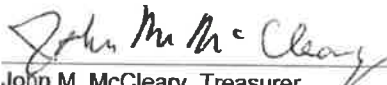
2017	\$450,120.00	for interest and principal up to and including December 15, 2018
2018	\$454,050.00	for interest and principal
2019	\$450,850.00	for interest and principal
2020	\$452,450.00	for interest and principal
2021	\$453,650.00	for interest and principal
2022	\$454,450.00	for interest and principal
2023	\$449,850.00	for interest and principal
2024	\$450,050.00	for interest and principal
2025	\$449,850.00	for interest and principal
2026	\$454,250.00	for interest and principal
2027	\$450,250.00	for interest and principal
2028	\$450,750.00	for interest and principal
2029	\$450,500.00	for interest and principal
2030	\$449,500.00	for interest and principal
2031	\$452,750.00	for interest and principal
2032	\$450,000.00	for interest and principal
2033	\$451,500.00	for interest and principal
2034	\$452,000.00	for interest and principal
2035	\$451,500.00	for interest and principal

The Ad Valorem Property Taxes, and other moneys on deposit in the Bond Fund from time to time ("**Bond Moneys**"), shall be applied to pay principal of and interest on the Bonds when due at maturity or as redeemed pursuant to mandatory redemption. Interest on or principal of the Bonds coming due at any time when there are insufficient funds on hand from the Ad Valorem

Property Taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the Ad Valorem Property Taxes; and when the Ad Valorem Property Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The Village covenants and agrees with the Underwriter and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the Village will take no action or fail to take any action which in any way would adversely affect the ability of the Village to levy and collect the foregoing tax levy. The Village and its officers will comply with all present and future applicable laws in order to assure that the Ad Valorem Property Taxes may be levied, extended and collected as provided in this Ordinance and deposited into the Bond Fund. Whenever moneys from any other lawful source are made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of the Ad Valorem Property Taxes, the Corporate Authorities shall, by proper proceedings, direct the deposit of such moneys into the Bond Fund and further direct the abatement of such Ad Valorem Property Taxes by the amount so deposited. The Village covenants and agrees that it will not direct the abatement of Ad Valorem Property Taxes until money has been deposited in the Bond Fund in the amount of such abatement. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerk in a timely manner to effect such abatement.

Ayes: 7 Nays: 0 Absent: 0

APPROVED BY THE Board of Trustees, September 23, 2020


John M. McCleary, Treasurer


Adelaide C. Hubbard, President

ATTEST:


Dianne Luebker, Secretary

STATE OF ILLINOIS)
) SS.
COUNTY OF DU PAGE)

SECRETARY'S CERTIFICATE

I, the undersigned, the duly qualified and acting Secretary of the Board of Library Trustees of the Village of Villa Park, DuPage County, Illinois, and the keeper of the records thereof, do hereby certify that attached hereto is a true and correct copy of a Resolution entitled:

RESOLUTION NO. 20190925

A RESOLUTION REQUESTING THE CORPORATE AUTHORITIES OF
THE VILLAGE OF VILLA PARK, DU PAGE COUNTY, ILLINOIS, TO
ABATE PORTIONS OF THE 2019 AND 2020 LIBRARY BOND TAX LEVIES

passed by the Board of Library Trustees of the Village of Villa Park at a regular meeting of said Board of Library Trustees at which a quorum was present, held pursuant to the Illinois Open Meetings Act on the 25th day of September, 2019.

I do further certify that said Resolution is entrusted to my care and custody, that the same is duly spread upon the records of said meeting and that I am the custodian of all records of the Villa Park Public Library, including the journal of proceedings or resolutions.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of September,
2019.



Secretary, Board of Library Trustees
of the Village of Villa Park,
DuPage County, Illinois

STATE OF ILLINOIS)
) SS.
COUNTY OF DU PAGE)

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2019.



Secretary, Board of Library Trustees
of the Village of Villa Park,
DuPage County, Illinois

RESOLUTION NO. 20190925

A RESOLUTION REQUESTING THE CORPORATE AUTHORITIES OF
THE VILLAGE OF VILLA PARK, DU PAGE COUNTY, ILLINOIS, TO
ABATE PORTIONS OF THE 2019 AND 2020 LIBRARY BOND TAX LEVIES

WHEREAS, on April 4, 2017, the electors of the Village of Villa Park approved the following proposition:

Shall bonds in the amount of \$10,600,000 be issued by the Village of Villa Park, DuPage County, Illinois, for the purpose of paying costs of constructing a new library building, purchasing and improving a site therefore, furnishing equipment and acquiring library materials such as books, periodicals, films and recordings and electronic data and storage facilities therefore, adding to the existing library building and paying expenses incidental thereto, said bonds bearing interest at a rate not to exceed 7% per annum; and

WHEREAS, on July 10, 2017, the corporate authorities of the Village of Villa Park adopted Ordinance Number 3983 authorizing the issuance of FIVE MILLION DOLLARS (\$5,000,000.00) of General Obligation Library Bonds, Series 2017C; and

WHEREAS, on February 12, 2018, the corporate authorities of the Village of Villa Park adopted Ordinance Number 4014 authorizing the issuance of FIVE MILLION SIX HUNDRED THOUSAND DOLLARS (\$5,600,000.00) of General Obligation Library Bonds, Series 2018B; and

WHEREAS, the sale of said General Obligation Library Bonds, Series 2017C, resulted in a bond premium of THREE HUNDRED THIRTY-THREE THOUSAND NINE HUNDRED ONE AND 05/100 DOLLARS (\$333,901.05); and

WHEREAS, the sale of the said General Obligation Library Bonds, Series 2018B, resulted in a bond premium of SIX HUNDRED FOUR THOUSAND FOUR HUNDRED TWENTY-EIGHT AND 10/100 DOLLARS (\$604,428.10); and

WHEREAS, the Board of Library Trustees has determined that it would be in the best interest of the taxpayers of the Village of Villa Park to abate portions of the 2019 and 2020 Library Bond tax levies in the total amount of said bond premiums.

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

SECTION ONE: The corporate authorities of the Village of Villa Park are hereby requested to abate the Series 2017C Library Bond tax levy for the 2019 tax year in the amount of THREE HUNDRED THIRTY-THREE THOUSAND NINE HUNDRED ONE AND 05/100 DOLLARS (\$333,901.05).

SECTION TWO: The corporate authorities of the Village of Villa Park are hereby further requested to abate the Series 2018B Library Bond tax levy for the 2019 tax year in the amount of FOUR HUNDRED FIFTY THOUSAND EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$450,850.00) and the Series 2018B Library Bond tax levy for the 2020 tax year in the amount of ONE HUNDRED FIFTY-THREE THOUSAND FIVE HUNDRED SEVENTY-EIGHT AND 10/100 DOLLARS (\$153,578.10).

SECTION THREE: This Resolution shall be effective upon its passage as provided by law, and the Secretary is hereby authorized and directed to file a certified copy of this Resolution with the Village Clerk of the Village of Villa Park.

PASSED this 25th day of September, 2019, pursuant to a roll call vote as follows:

AYES: 5

NAYS: 0

ABSENT: 1


Adelaide "Pat" Hubbard, President
Board of Library Trustees
Village of Villa Park

ATTEST:


Dianne Luebker, Secretary
Board of Library Trustees
Village of Villa Park

RESOLUTION NO. _____

RESOLUTION ESTIMATING THE TAX LEVY FOR 2020 IN COMPLIANCE WITH THE TRUTH IN TAXATION LAW

WHEREAS, the Truth in Taxation Law (35 ILCS 200/18-55 *et seq.*) requires that the Village President and Board of Trustees determine its probable aggregate levy which is the annual corporate levy not including debt service levies, estimated to be necessary to be raised by taxation for 2020 to be collected in calendar year 2021; and,

WHEREAS, should the estimated 2020 probable aggregate levy for the Village be more than 105% of the property taxes extended plus abatements for 2019, not including debt service levies, the Village President and Board of Trustees shall give public notice and hold a public hearing on its intent to adopt the 2020 levy; and,

WHEREAS, the amount of the property taxes extended, inclusive of debt service levies extended on behalf of the Village of Villa Park, including the Villa Park Public Library, before abatements for 2019 was \$11,815,896; and,

WHEREAS, the amount of the total aggregate levy inclusive of debt service levies for 2020, before abatements, is \$12,288,109; and,

WHEREAS, the amount of the probable aggregate levy inclusive of debt service levies for 2019, after anticipated abatements, is \$10,036,702; and,

WHEREAS, the amount of the probable aggregate levy inclusive of debt service levies for 2020, after anticipated abatements, is \$11,141,831; and,

WHEREAS, the percentage of the current year's probable aggregate levy over the property taxes extended for the preceding year is 11.0%.

Resolution No.: _____

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, that a determination is hereby made that the 2020 aggregate levy exceeds the estimated 2019 extension by more than 5.0%.

BE IT FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED THIS _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS _____ day of _____, 2020.

VILLAGE PRESIDENT

ATTEST:

VILLAGE CLERK