

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.**

**VILLAGE OF VILLA PARK**  
**Village Hall, Board Room Chambers**  
**20 S. Ardmore Avenue**  
**Villa Park, IL 60181**

**Planning and Zoning Commission**

**August 11, 2022**

**7:30 PM**

Chairman Jason Jarrett

Commissioners: Larry Calvert, Edward Hofstra, Kenneth Jackson, Eric Luedtke, Michael Orlowski, Dominick Romano, Justin Shlensky and Louis LeMieux

**1. Call to Order - Roll Call**

**2. Approval of Minutes**

- 2.a Minutes  
[Minutes 6-30-22.pdf](#)

**3. Public Hearing - New Business**

Please note that no further testimony on a matter can be considered after the close of the public hearing.

- a. Staff Input
- b. Presentation of Petitioner
- c. Public Participation and Questions
- d. Questions from the Commission
- e. Closing Comments of Petitioner
- f. Close Public Hearing
- g. Discussion by Commission Members
- h. Motion

- 3.a Text Amendments  
[Memo 08-11-22 PZ 22 0006 Text Amendments.pdf](#)  
[G Craig Ross Comments 07-14-22 .pdf](#)  
[Red Lined Scribner Errors ART 4. MX Districts.pdf](#)

**4. Other Business (Public Comments on Non-Agenda Items)**

**5. 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.

## Planning and Zoning Commission Agenda Item Report

**Meeting Date:** August 11, 2022

**Submitted by:** Pat Boksha

**Submitting Department:** Planning and Zoning Commission

**Item Type:** Minutes

**Agenda Section:** Approval of Minutes

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**Subject:**

Minutes

**Suggested Action:**

**Attachments:**

[Minutes 6-30-22.pdf](#)

VILLAGE OF VILLA PARK, ILLINOIS  
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF: )  
 )  
 ARDMORE FLATS ) PZ 22-0005  
 27 WEST PARK )  
 ROSS BUILDERS on behalf of )  
 APEX ARDMORE, LLC )

REPORT OF PROCEEDINGS had before the  
VILLAGE OF VILLA PARK PLANNING & ZONING  
COMMISSION, held at the Villa Park Village Hall,  
20 South Ardmore Avenue, Villa Park, Illinois,  
commencing at 7:30 o'clock p.m. on Thursday, the  
30th day of June, 2022.

APPEARANCES: MR. JASON JARRETT, Chairman  
MR. DON KASE, Commissioner  
MR. DOMINICK ROMANO, Commissioner  
MR. ERIC LUEDTKE, Commissioner  
MR. LARRY CALVERT, Commissioner  
MR. JUSTIN SHLENSKY, Commissioner

ALSO PRESENT: MS. MELISSA WOLF, Village Attorney  
MS. ELLEN WEBER, Interim Dir of  
Community Development  
MR. KEVIN MANTELS, Public Works

REPORTED BY LYN DOERING, CSR.

1                   CHAIRMAN JARRETT: I call this  
2 Special Meeting of the Village of Villa Park  
3 Planning and Zoning Commission to order.

4                   To start with roll call:

5                   Calvert?

6                   COMMISSIONER CALVERT: Here.

7                   CHAIRMAN JARRETT: Hofstra?

8                   (No response.)

9                   CHAIRMAN JARRETT: Jackson?

10                  (No response.)

11                  CHAIRMAN JARRETT: Kase?

12                  COMMISSIONER KASE: Here.

13                  CHAIRMAN JARRETT: Luedtke?

14                  COMMISSIONER LUEDTKE: Here.

15                  CHAIRMAN JARRETT: Orłowski?

16                  (No response.)

17                  CHAIRMAN JARRETT: Romano?

18                  COMMISSIONER ROMANO: Here.

19                  CHAIRMAN JARRETT: Shlensky?

20                  COMMISSIONER SHLENSKY: Here.

21                  CHAIRMAN JARRETT: I too am  
22 present.

23                  With that we have a quorum.

24                  Do we have anyone here this evening

1 wishing to speak on non-agenda items, so wishing  
2 to speak on anything other than the application  
3 for 27 West Park?

4 Okay. Seeing none, we will move on.

5 We have no minutes to approve this  
6 evening.

7 So the first item of business will be  
8 Petition PZ 22-0005, 27 West Park Avenue, Ardmore  
9 Flats, Plat of subdivision variances for Ross  
10 Builders, Incorporated, the Petitioner, on behalf  
11 of Apex Ardmore, LLC, the owner.

12 Before we open the public hearing I want  
13 to run through the process a little bit. We will  
14 start with the staff input. We will move to  
15 presentation of the Petitioner.

16 Following that members the public who  
17 want to have comments or questions, you will be  
18 asked to come up here to the podium, state your  
19 name, your address, if you wish. Please sign in,  
20 if you haven't already.

21 Direct your questions to me. I will  
22 gather those questions and then the Applicant will  
23 have an opportunity to answer those questions, in  
24 addition to any questions we have.

1           Then we will move to questions from the  
2 Commission, any closing comments of the  
3 Petitioner, and then we will discuss up here and  
4 have a motion this evening, if necessary.

5           We have a large crowd here this evening  
6 so I want to remind everybody we are being video  
7 taped -- we are being recorded through the  
8 internet and we also have a court reporter here  
9 tonight recording.

10           So if you are going to speak, I need you  
11 to be at a mic. I need people not to speak over  
12 each other.

13           When you come up and state your name  
14 please spell your last name for the court reporter  
15 so she has that.

16           I am going to ask that you refrain from  
17 cheering, clapping, booing. Give everybody their  
18 due respect.

19           Last time we had a lot of crosstalk  
20 towards the end that was starting to crop up from  
21 the audience. It's not fair to the Applicant, not  
22 fair to people up here, and it's not fair to  
23 everybody in the audience who has come to hear  
24 everything. So we need keep that to a minimum as

1 well.

2 With that I would say, anybody who  
3 expects to speak this evening, even if you are  
4 uncertain, I need you to stand now and get you  
5 sworn in. Raise your right hand. This will be  
6 quick. We will get everybody at once.

7 (Whereupon said witnesses  
8 were duly sworn).

9 CHAIRMAN JARRETT: Thank you, you  
10 can be seated.

11 All right. When you are ready, Ellen.

12 MS. WEBER: Good evening, everyone.  
13 I am Ellen Weber, the Interim Community  
14 Development Director for the Village. I am glad  
15 to see everyone here. We like when we have  
16 community input.

17 Kevin Mantels is here with me  
18 representing Public Works this evening and he will  
19 help me answer the questions for the Commission.

20 The reason we don't have minutes  
21 prepared is because this is a special meeting.  
22 The Commission usually meets the second --

23 CHAIRMAN JARRETT: Ellen, can I do  
24 one small bit of the bookkeeping, a motion to

1       reopen the public hearing?

2                   MS. WEBER: Yes.

3                   CHAIRMAN JARRETT: So we need a  
4       motion --

5                   COMMISSIONER SHLENSKY: Motion.

6                   COMMISSIONER ROMANO: Second.

7                   CHAIRMAN JARRETT: All in favor?

8                   ALL PRESENT: Aye.

9                   CHAIRMAN JARRETT: Any opposed?

10                          (No response.)

11                   CHAIRMAN JARRETT: We have reopened  
12       the public hearing. Thank you.

13                   MS. WEBER: I will start over, due  
14       to the fact we didn't have a microphone.

15                   Good evening, everyone. I am Ellen  
16       Weber, the Interim Community Development Director  
17       for the Village. I have been in this capacity  
18       since February.

19                   I am glad to see so many people and  
20       residents here to represent the community. We  
21       like to have your input. That is what a public  
22       hearing is all about.

23                   Kevin Mantels is also here representing  
24       public works and he will answer questions



1 regarding the petition.

2 The reason we don't have minutes is the  
3 Commission usually meets on the second Thursday of  
4 the month and we put this special meeting in place  
5 because our docket is very, very full. I have 11  
6 cases going on right now.

7 So we put this extra meeting in place to  
8 try and keep our meetings shorter. So the minutes  
9 will be available at the next meeting. If anyone  
10 had questions regarding the last hearing, it is  
11 online.

12 So I have a short presentation.

13 The case before us this evening is  
14 PZ 22-0005. It's a proposal for Ardmore Flats at  
15 27 West Park.

16 We are seeing it on the computer but not  
17 on the screen, my apologies.

18 Mr. Ross is with us tonight. He is  
19 requesting variances in order to build a 4 story,  
20 24 unit market rate apartment building and these  
21 were the variances that were published.

22 We did republish the case a second time  
23 because there were two additional variances noted  
24 at the last meeting that were added. Those are in

1 red here.

2 He has changed the rear to perpendicular  
3 parking and the drive aisle is less than  
4 24 feet -- it's at 22 -- and given the overhang to  
5 the south we do feel it's doable but it does  
6 require a variance.

7 Technically the community development  
8 director has the authority within the Code to  
9 approve this but I brought everything before the  
10 Commission just to be conservative.

11 And the second variance that was added  
12 was the foundation landscaping in the rear, where  
13 zero is provided and 5 foot is required.

14 I am just going to speak. I don't think  
15 I am going to be able to get it up on the screen  
16 here.

17 There has been several opportunities for  
18 public notice and input. The case was discussed  
19 by the Traffic and Safety Commission informally at  
20 their February 21, 2022 meeting and also at their  
21 May 3 meeting and their June 7 meeting.

22 And then there was an April 14 concept  
23 plan presentation provided here to the Planning  
24 and Zoning Commission. A community open house was

1 held on June 2, and then we moved to a June 9  
2 public hearing.

3 Legal notices were published and letters  
4 mailed for that on May 24 and the notice was  
5 republished on June 14.

6 When this would go to the Village Board  
7 is still to be determined.

8 This is the current condition, as  
9 everyone is aware. It's a rather small building,  
10 it's a former bank building turned into a law  
11 office. It's 1491 square feet with 25 parking  
12 spaces.

13 There is just under 1800 square feet of  
14 grass in the northeast corner which is considered  
15 a pervious surface because storm water can  
16 percolate before it goes into the ground.

17 So when the Commission considers cases  
18 like this they are looking at how the prospective  
19 development meets the Code.

20 So if you will look in this right-hand  
21 column these are all the elements that I had to  
22 review the case against.

23 When a project comes in, I look at the  
24 Code and I see what the requirement is. In this

1 instance it's an MXT Zoning District.

2 Then I have what's proposed for the  
3 project, some notes, and whether or not it met the  
4 code or variances needed.

5 So the project does meet all of the  
6 elements on this page; the minimum build-to  
7 frontage, the build-to zone -- which is how close  
8 the building is to the property line -- at the  
9 front, at the corner, it meets the side yard, the  
10 rear yard and the building width requirements of  
11 the Code.

12 It does not meet the impervious lot  
13 coverage.

14 It does not meet the garage entrance.

15 But it does meet surface parking and the  
16 driveway access location is not applicable because  
17 there is not a service lot coming off the main  
18 street.

19 The height is met in the Code, two to  
20 five story is permitted in this district, and he's  
21 proposing four.

22 He has stepped back the fourth floor to  
23 comply with the Code and each story meets the  
24 height requirements of the Code.

1           The Commission has discussed the use.  
2           It is within permitted uses in the District.

3           The parking is in the building and the  
4           depth of the first floor meets the Code.

5           All these elements meet the Code: The  
6           transparency, the blank wall -- it's blank in the  
7           rear but that's not a primary street -- the number  
8           of doors, the configuration of the doors and some  
9           of the architectural elements meet the Code.

10          This one does not meet the Code. This  
11          is a requirement in the form-based districts of  
12          the Code. Form-based zoning means we are looking  
13          at the form of the building and how it approaches  
14          the street more than we look at the use within the  
15          building.

16          And the Code requires a 13-foot minimum  
17          streetscape and in this instance -- It's always  
18          measured from the Code. And in this instance the  
19          Village has moved the curb back 13 feet to create  
20          those parking spaces. So there is a hardship  
21          staff felt and a variance of 4 feet is required.

22          Parking is something that needs a  
23          variance, the design of the stalls. This relates  
24          to when you come in from the alley, the width of

1       that aisle is not 24, it's at 22.

2               The landscaping I referenced, the  
3       foundation landscaping.

4               Visibility triangle, we have identified  
5       that as a conflict in the Code. We are still  
6       working with this brand new code. It was adopted  
7       in 2018 and we require the buildings to be close  
8       to the lot line and it's impossible to do a  
9       visibility triangle. So there is a conflict  
10      there.

11              And then the outdoor lighting, we need  
12      to verify a light on the east garage door. If so,  
13      it meets all elements of Section 9.4.

14              So this is a picture of the building. I  
15      will let Mr. Ross go through in great detail.

16              So this is what Mr. Ross has proposed:

17              It's an 11,239 square foot building, 24  
18      units, 4 stories, 46 feet tall, 11 one bedroom  
19      units and 13 two bedroom. There's a total of 24  
20      units with 37 bedrooms which would require 37  
21      parking spaces.

22              And before us tonight are requests for  
23      variations and the intent of the variation is to  
24      grant relief from strict compliance with the

1 regulations of the Zoning Code.

2 The intent is not to simply remove an  
3 inconvenience or financial burden but it's  
4 intended to help alleviate a practical difficulty  
5 or hardship that would be caused by the literal  
6 enforcement of an ordinance and it's intended to  
7 provide site specific relief when the requirements  
8 of the zoning render land difficult or impossible  
9 to use because of the unique or special  
10 characteristics of the property itself.

11 This is the zoning. You can see to the  
12 south we have the apartment buildings and MX2 to  
13 the east, MXT to the north.

14 When we get to this part I've got the  
15 motions to put them up on the board for the  
16 convenience of our residents to see but for right  
17 now I am going to let Mr. Ross give his  
18 presentation.

19 MR. ROSS: I am Craig Ross with  
20 Ross Builders. Thanks, Ellen, thanks  
21 Commissioners, thanks community for coming out.

22 I am going to go over the changes that  
23 we made since our last meeting so I will keep it  
24 fairly brief.

1           The first thing we did was set back the  
2 fourth floor on the west elevation by 9 1/2 feet.  
3 This did two things:

4           1: It eliminated one of the bedrooms.

5           And 2: Makes that side a little bit  
6 softer, makes it -- I think Commissioner Luedtke  
7 had this recommendation -- makes it a little  
8 softer on that west side.

9           The second thing we did was revise the  
10 exterior alley parking. We changed it to  
11 perpendicular. This was the staff recommendation  
12 and a bunch of the departments.

13           By doing this we were able to add a  
14 stall, so that increased the parking in the alley  
15 from 10 to 11.

16           It also increased the buffer between the  
17 alley in the rear of the parking stalls. It used  
18 to be 4. Now it's 6.82.

19           It also allowed us to widen the parking  
20 stalls from 9 feet to 9 1/2 feet.

21           This is the fourth floor. This is  
22 really the only floor plan that changed.

23           In the lower left-hand corner behind the  
24 stairwell you can see that there is no longer



1 building there. That's a rooftop terrace.

2 And that unit in the lower left was  
3 changed from a two bedroom to a one bedroom to  
4 make it smaller and again to push that back 9 1/2  
5 feet.

6 This is the front elevation. Nothing  
7 you could really tell from here that's changed.

8 This is the west elevation. So I have a  
9 3D coming up later. It will be more apparent.

10 But on this 2D you can see the brown  
11 area, that's that stairwell, and if you look to  
12 the right of that, that light gray area above that  
13 used to be all flush, used to be four stories, but  
14 now the darker gray behind it is set back to 9 1/2  
15 feet.

16 East elevation hasn't changed.

17 This is the south elevation. Again, if  
18 you look in the upper left-hand corner. This is a  
19 2D. The stairwell would be where the cloud is, so  
20 to speak, but it would be 30 feet back.

21 So we didn't show that stairwell. So  
22 you can get an idea if you were standing in the  
23 alley it would like more like this or even from  
24 standing farther back.

1                   This is the front corner. Again,  
2 nothing you could tell changed too much from  
3 there.

4                   This is the previous. So again, we are  
5 going to focus in on the brown area where the  
6 stairwell is and look to the right of that.

7                   As I go to the next page you will see  
8 how that has now been set back. So when you go to  
9 the fourth floor it's not all flush with the  
10 first, second, third floor. It's set back that 9  
11 1/2 feet.

12                  I will go back so you can see the  
13 previous and here is the new proposed.

14                  Now, on the site plan, again the major  
15 change here is going to be the parking in the  
16 rear. You will notice now it's perpendicular to  
17 the building. You will also notice we have 11  
18 spaces instead of 10 spaces.

19                  It also helped with some of the  
20 impervious. We now have less impervious.

21                  Those were the major changes on that --  
22 really the only changes.

23                  Actually one minor change in the upper  
24 left-hand corner, staff let us know that we do

1 need an ADA parking space due to the number of  
2 spaces now in that area in front of us. So that  
3 island got a little smaller to accommodate the ADA  
4 space.

5 So these are the changes on the variance  
6 request. Ellen went over most of this. I want to  
7 go over it more specifically since our last  
8 meeting.

9 Again, we are still looking for a  
10 variance on the impervious but right now we are at  
11 about 85 percent versus before when we were in  
12 here it was about 87 percent.

13 Again, most of this came from the  
14 revision of the alley. So in that corner where  
15 the ADA parking spot is we were able to pick up  
16 some more green space.

17 The parking variance request used to be  
18 6. Now it's reduced down to 4. Again, we did  
19 that by two things:

20 No. 1: Being able to add that parking  
21 stall in the rear.

22 And No. 2: Eliminating one of the  
23 bedrooms in one of the units on the fourth floor  
24 when we set it back on that west side.

1           The new variance that we have that Ellen  
2           had mentioned now that we went perpendicular in  
3           the back is the drive aisle. So the Code would  
4           require 24 feet to turn into a perpendicular  
5           parking space. We have about 22 feet.

6           We did this because it seemed to be  
7           supported by public works. They like the two-way  
8           traffic, you can be able to go either way, you can  
9           disperse traffic, and it was recommended by staff  
10          to go this route, so we did that.

11          It's also supported by KLOA, who did a  
12          revised traffic assessment, which we have  
13          submitted.

14          And as Ellen mentioned there is a  
15          section in the Code that states the community  
16          development director is authorized to establish  
17          dimensions for parking configurations not shown.  
18          And as I mentioned, the configuration we have now  
19          isn't something shown.

20          We have 9 1/2 foot wide stalls.  
21          Obviously the wider you go with stalls, the less  
22          turning radius you need to be able to get into it,  
23          so we have widened them.

24          To give you an example, the City of

1 Chicago actually in their Code has 8 foot wide  
2 stalls are required, and you only need a 22 foot  
3 drive aisle, and they even allow you to go down to  
4 20 foot wide turn, if you have stalls that are 8  
5 1/2 feet. So we are well above that. We are  
6 again at about 22 feet and 9 1/2 feet wide.

7 And that's it. Those are all the  
8 changes that we made. Thanks for your time.

9 CHAIRMAN JARRETT: Thank you.

10 So at this point in the hearing we would  
11 take additional public participation and  
12 questions.

13 I believe some of you probably were not  
14 here at the previous meeting but to the degree  
15 possible if you were here in the past and spoke  
16 try to keep comments to the changes.

17 We also have a three minute time limit.  
18 We are going to be pretty strict with that. Give  
19 you a little bit of overrun, not much, because we  
20 have a lot of people here to speak, even more than  
21 last time, and we got out of here about 11:30 last  
22 time.

23 So whoever wants to go first, please  
24 come up here, state your name, spell your name,

1 address, if you would.

2 MS. NOSON: Donna Noson, Rand Road,  
3 Villa Park.

4 First of all I want to thank you guys  
5 for the work you do. Sometimes I feel you are  
6 underappreciated. I appreciate you. I believe  
7 the Village does too. Same goes for staff.

8 To start, this is towards Mr. Ross:

9 As stated in the Ross presentation, this  
10 nice agenda packet, Page 8, it states:

11 No one wants to approach -- wants the  
12 appropriate amount of parking spaces  
13 more than us. We do not have a viable  
14 project, if we do not offer enough  
15 parking.

16 Based on our research and experience  
17 this proposal allows for enough parking.

18 I took it upon myself to visit two  
19 rental properties of Ross Builders that I was  
20 aware of; the one on Fairview and the one on 204  
21 and 210 Wheaton Avenue.

22 Fairview is currently under construction  
23 and the Wheaton project is still an empty lot 14  
24 months later.

1           So eliminating the research part of the  
2 statement, including the yard maintenance, KOL,  
3 etc., what are you basing your experience aspect  
4 on?

5           What physical, already built, real world  
6 existing rental properties are you basing your  
7 experience on?

8           Can you give the Village a list of those  
9 already built, real world existing rental  
10 properties?

11           As a side note, when I stated based on  
12 our research and experience this proposal allows  
13 for enough parking, I want to reiterate that the  
14 research and experience is parking specific and  
15 not what other villages have allowed.

16           Perhaps residents would be able to judge  
17 this more, if they could see something already  
18 physically existing to reference.

19           I want to state I have no horse in this  
20 race, I am very much pro-development, but I don't  
21 want parking problems to nag us now and in the  
22 future.

23                   CHAIRMAN JARRETT: Thank you.

24                   MR. BUKIEMA: Good evening. My

1 name is Paul Bukiema, with Bukiema Law Group.

2 And we are here this evening on behalf  
3 of Knollcrest Funeral Home and Steuerle Chapel and  
4 I just wanted to thank you as well for allowing us  
5 to be here tonight and for your time.

6 I wanted to emphasize Interim Director  
7 Weber's comment regarding the Village Code and  
8 that variations must stem from unique or special  
9 characteristics of the property itself, not solely  
10 for monetary reasons.

11 In this case the property is flat and  
12 not oddly shaped and monetary reasons are the only  
13 basis for the parking reduction in the alley,  
14 narrowing impervious surface issues, as well as  
15 others. Many of these things could be met if the  
16 project was smaller in size.

17 The principal issue that Knollcrest  
18 had -- One of the principal issues is the parking  
19 situation. The parking calculations do not  
20 include the potential use of dens in some units as  
21 additional bedrooms, and any post-approval  
22 modifications to a project, if it were approved,  
23 should make sure that that was strictly  
24 prohibited.



1           The approval will require Knollcrest to  
2       block off its parking in the area to make sure  
3       that there is enough parking for its customers  
4       when they arrive for funerals.

5           And finally, the traffic report was  
6       performed by a very reputable company but it  
7       didn't analyze the alleys used by other businesses  
8       or look at the overall parking demand for the  
9       area, and therefore, it would be insufficient.  
10      Just today there were a number of trucks parked in  
11      the alley at any given time.

12          So just to reiterate, the Petitioner's  
13      responses to the variation standards were  
14      inadequate, as there is no hardship other than not  
15      being able to have more units.

16          A reasonable return of the property can  
17      be obtained. There are no unique site conditions  
18      relative to the variances requested here,  
19      especially the modified ones this evening.

20          And the character of the area, health  
21      and safety will be impacted by a project of this  
22      size that will shrink or certainly reduce parking  
23      in the area and an under-parked area will only  
24      become more of an issue going forward.

1 I consequently request that the Plan  
2 Commission not approve this variance.

3 CHAIRMAN JARRETT: Thank you.

4 MR. MURPHY: Good evening, Brian  
5 Murphy, 436 South Princeton Avenue. Good evening,  
6 everyone.

7 In regards to the requested changes on  
8 the proposed development I don't feel they go far  
9 enough. I don't speak for everyone in the  
10 community here but I can say that we are not all  
11 here squabbling about just a couple parking spaces  
12 and one bedroom less.

13 Commissioner Luedtke, I believe that you  
14 had said last time there is obviously a bulk issue  
15 at play here, fundamental as well as parking.

16 And Chairman Jarrett, you did say the  
17 site is tight but it really doesn't have to be.

18 The bulk issues can go away pretty  
19 easily with the right decisions being made, the  
20 right size development and the codes upheld.

21 I do appreciate the southwest corner  
22 being that it does look better, what's proposed  
23 tonight, but on paper we are still looking at 24  
24 units and 37 bedrooms.

1                   And from the last meeting the  
2                   conversation about that, you know, we are really  
3                   talking about 48 bedrooms still on the property.  
4                   So you have an 8 by 10 enclosed den with 2  
5                   bathrooms and a 1,000 square foot apartment. So I  
6                   think the price point and the layout of the one  
7                   bedroom apartment screams roommates. And you know  
8                   it's going to be presented to prospective renters  
9                   that way.

10                  I know this has been asked and answered,  
11                  it's only a rhetorical question, but if the  
12                  building is reduced to 12 to 14 units can we  
13                  accommodate indoor parking and make the project  
14                  Code compliant.

15                  The only answer we have gotten from  
16                  Mr. Ross is you can build a five story single  
17                  bedroom complex, but you know, he did also say  
18                  that these units would be condo ready.

19                  And Commissioner Calvert, in your memo  
20                  you mentioned lack of parking is the curse of any  
21                  residential building and will ultimately become an  
22                  undesirable property without adequate indoor  
23                  parking and you suggested the Village request the  
24                  units be condo ready with appropriate parking. I

1 am wondering if that can be addressed.

2 The truth is a right size development  
3 that meets all codes without any variances can be  
4 built on this site without any legitimate hardship  
5 to Mr. Ross. We all know this.

6 I have nothing against Mr. Ross  
7 personally or developing this property in general.  
8 This is just what he prefers to build and he has  
9 to try to maximize his investment but the Village  
10 should not feel obligated to push this through as  
11 it stands.

12 The staff memo from June and today  
13 states the Petitioner has not sufficiently  
14 demonstrated the variances requested are due to  
15 hardship conditions of the property.

16 I also do appreciate all of your work,  
17 Ellen, the staff. It's not lost on me that you  
18 all live here, many of you live very close to  
19 this, deal with a lot of the issues that we are  
20 talking about tonight, as far as flooding, the  
21 parking and everything. So I appreciate that.

22 I believe that you do care and that you  
23 want progress in the Village and that you are  
24 listening to our concerns. So I think we should

1 strive to do what is right in a timely manner but  
2 not in haste. So the residents will live with the  
3 results of these decisions for decades.

4 I ask that you find that no hardships  
5 exist for the Applicant, if he follows the Codes,  
6 and that you deny the variances.

7 CHAIRMAN JARRETT: Thank you.

8 MR. OTT: Ted Ott, I live at 39  
9 West Park Boulevard, that's literally two house  
10 away from where this building is going to be  
11 built.

12 When I moved in, in 2003, I wasn't told  
13 that there is a flooding issue around my house.  
14 Literally my house sits in the middle of a  
15 flooding issue.

16 All the houses on the Princeton side of  
17 my house, the backyards have flooded out since I  
18 moved in. My house and the house just of my west,  
19 the front yard floods out.

20 I am not talking a little bit of wet in  
21 the grass. I am talking 2, 3, 4 inches of water  
22 in my front yard and at least that much in my  
23 backyard.

24 When I moved in I had flooding issues.

1 My neighbor at 37 West Park Boulevard, she had  
2 flooding issues. Her neighbors, at least three to  
3 her south, had flooding issues.

4 It was so bad she decided to get in  
5 contact with the Village to have a storm drain put  
6 in her backyard. To help alleviate her cost on  
7 that, I chipped in.

8 I am not sure how much it was. This was  
9 years and years ago but it was thousands of  
10 dollars. The Village chipped in and paid half.

11 I felt no relief from this, no relief at  
12 all. My house still floods. I had a flooded  
13 basement.

14 I mean, has Planning and Zoning really  
15 taken this into consideration?

16 You are putting a 24 unit building two  
17 houses from me. That's going to cause even more  
18 problems with the storm water, not to mention the  
19 snowplowing.

20 Where is that going to melt off?

21 And I noticed the other day during  
22 Summer Fest, you guys used the parking lot there  
23 to put up Port O Johns and you used the parking  
24 lot just to have fun in the Village.

1                   Now, I am not against development. I  
2                   want to see a building there. That's fine. But I  
3                   want it to fit the neighborhood and I want it to  
4                   look like it should fit the neighborhood and I  
5                   want it to not affect me with storm water.

6                   So please do your due diligence and  
7                   figure out the flooding issue in my neighborhood  
8                   and my neighbors' homes before you decide to put  
9                   24 more units there. Because it's going to get  
10                  worse. That's all that happens is it always gets  
11                  worse. It doesn't get better until the problem's  
12                  fixed before you put in a new building.

13                  So please, please, you guys, do your due  
14                  diligence and look into this for me. I don't care  
15                  if you have to survey my yard for a week, please  
16                  figure this out for me.

17                  I put in a little tree just to try just  
18                  to soak up some of the water there and now I am  
19                  getting in trouble by ComEd and cable companies  
20                  because the branches reach up to the wires.

21                  I have problems, guys. You guys,  
22                  please, do your due diligence. All my neighbors  
23                  that live right there around me, they are asking  
24                  you too. They wanted me to speak tonight because

1       it's a serious issue. Every time it rains for  
2       more than a day I have to think about flooding.  
3       Thanks, guys.

4                   CHAIRMAN JARRETT: Thank you.

5                   MS. BAILEY: Alesia Bailey, 419  
6       South Princeton.

7                   So in order to receive a variance  
8       Petitioner must proof hardship, as far as I  
9       understand; correct?

10                  What is the hardship the Petitioner is  
11       claiming prevents him from complying with our Code  
12       which clearly states 70 percent maximum impervious  
13       surface? And yet he needs 84.99 percent? It's  
14       still over our allowed Code.

15                  Where is the proof of this hardship?  
16       Why is this need in place? Is it to help  
17       alleviate the flooding?

18                  It's a well-known hardship. We have  
19       lived through it numerous times. I have lived  
20       through it for 20 years. This is the hardship I  
21       lived through:

22                  2020, all the way, 2013, I can still go  
23       back to 2022. I have been working with public  
24       works for 20 years. I have to drag pumps out



1 because I still have no resolution to my issue.

2 So I have to pump it because if I have  
3 that much standing water for weeks it's a breeding  
4 ground for mosquitoes, who are the leading cause  
5 of Lyme disease.

6 So my hardship is the cost of pumps,  
7 electricity, yard damage, replacing mulch, flowers  
8 bushes, and I reluctantly deal with these  
9 hardships because I love my home and my  
10 neighborhood.

11 But if eventually I do get the drainage  
12 assistance program, because they engineered this  
13 numerous times over numerous years, somehow it  
14 keeps getting pushed off, and every year it's  
15 pushed off it costs me more and more and more.

16 So my last quote it's going to cost me  
17 nearly \$10,000 to do this drainage project and  
18 that is also \$10,000 to my neighbor behind me. So  
19 this is a \$40,000 project because they flood just  
20 as badly behind me on Ardmore.

21 So why is there no green roof or  
22 permeable pavers that was suggested by the Village  
23 staff?

24 As a homeowner and resident yourselves,

1 you volunteer to represent us and to represent  
2 your neighbors. I urge you to vote no on the  
3 variance of allowing the 84.99 percent coverage  
4 because we are going to have flooding.

5 He needs to abide by the Code. Stick to  
6 the rules, stick to the codes. That's what I  
7 believe should be done here.

8 And I am going to leave these photos for  
9 you, but in case nobody else has seen them, this  
10 is May, 2020, 2019, 2017, June, 2015, June, 2013.  
11 I could go back to 2007 but do I really have that  
12 much time? I've only got three minutes. I am  
13 going to leave all these here.

14 CHAIRMAN JARRETT: Thank you. I  
15 will make sure they will get into the public  
16 record.

17 MS. KARCZ: I am Molly Karcz. I  
18 live on Princeton in Villa Park. I have been  
19 there for over 25 years.

20 I was out of town for the last meeting,  
21 so what I heard from that meeting was at the end  
22 of the meeting you guys asked the developers to go  
23 back and revisit their plan and honor the concerns  
24 of the people of Villa Park with some of the

1 zoning.

2 So when I looked at the changes they  
3 were just showing us it looks like they did not  
4 put a good faith effort into doing that because my  
5 biggest concern is the 85 percent lot coverage  
6 that they are asking for. Zoning requires  
7 70 percent.

8 They originally were at 90 percent, but  
9 you earlier said it was 86 percent. So I am a  
10 little confused on that number.

11 So they went down to 85 percent. So  
12 they only went down 5 or less percent -- I am not  
13 sure on that number -- or 2 percent. So I want to  
14 look at the numbers. I know it sounds really  
15 easy.

16 The zoning says 70 percent lot coverage,  
17 30 percent open space; right? And we all have  
18 seen this number.

19 And he is requesting 85 percent lot  
20 coverage and 15 percent open space. That means we  
21 are 50 percent less open space on this  
22 development, so we are losing 50 percent of the  
23 open space.

24 Clearly the Village has a plan for new

1 development and it takes into account zoning,  
2 trying to maintain the village garden, village  
3 feel; right?

4 Well, the zoning is put in place, I am  
5 sure, to support the plan.

6 So what I am saying, if you have a  
7 developer that is not showing much interest or  
8 concern in following the zoning or following the  
9 concerns of the people, then we need to vote no,  
10 because they don't share the vision that you all  
11 have for Villa Park and that we all have for Villa  
12 Park. So I am really urging you to vote no.  
13 Thank you.

14 CHAIRMAN JARRETT: Okay. Thank  
15 you.

16 MS. FOGARTY: Christine Fogarty, 37  
17 West Park.

18 My questions actually relate to the 11  
19 parking spaces that are on the south side of the  
20 proposed building.

21 The current sidewalk layout I believe is  
22 requiring the tenant to walk behind the parked  
23 cars, if I am not mistaken; is that correct?

24 Is it against the building now?

1                   Where is the walkway for the people who  
2                   are parking there?

3                   CHAIRMAN JARRETT: It is between  
4                   the end of the parking stalls and it's -- Like, I  
5                   can't see the dimensions but it's at the south end  
6                   of the stalls.

7                   MS. FOGARTY: It's behind the  
8                   parked cars between the alley?

9                   CHAIRMAN JARRETT: Yes.

10                  MS. FOGARTY: Is there any way a  
11                  walkway could be put along the building for the  
12                  safety the tenants?

13                  CHAIRMAN JARRETT: We can talk  
14                  about that more with the Applicant when we get to  
15                  questions. I will write that down.

16                  MS. FOGARTY: Thank you.

17                  My other thought is, in the winter when  
18                  it's time for the building manager to clear the  
19                  snow from the back lot, where will the tenants who  
20                  are parked there move their vehicles so the snow  
21                  can be cleared and who is going to coordinate that  
22                  effort between the tenants and the snow removal  
23                  contractor?

24                  My concern is that as soon as the

1 Village comes through and plows the alley everyone  
2 is going to park there while they wait for their  
3 space to clear, which obviously is a hazard, so we  
4 can't have that.

5 I feel a smaller development would  
6 eliminate a lot of concerns that my neighbors have  
7 voiced and we should probably try not to fit a  
8 square peg into a round hole because it's just not  
9 going to work. So I ask that you vote no to these  
10 variances.

11 CHAIRMAN JARRETT: Thank you for  
12 your comments and questions.

13 MR. MACLEOD: Ian Macleod. Thanks  
14 everybody. My address is 417 South Princeton.

15 I get flooded because of her. But my  
16 kids get to skate in her backyard.

17 We moved from 744 South Ardmore, just  
18 the first cut in from Madison, and we moved  
19 there -- moved away from there because for me I  
20 couldn't get to work in the morning. Just backing  
21 out of your driveway was impossible because nobody  
22 will let you in. Traffic is backed up there on  
23 Ardmore.

24 But we were growing our family. We had

1 a 9 year old when we moved to 417 South Princeton.  
2 She is now 21. We have a 13 year old and a 9 year  
3 old.

4 It's a safety thing for me. It's  
5 congested as it is. We have known several kids  
6 who have been hit by cars. Eleanor Richardson  
7 when she was 12. She is now 21. She's always  
8 had problems at her job.

9 This is crossing the prairie path on  
10 Ardmore.

11 So when I pictured this building being  
12 built -- When my daughter was in second, third and  
13 fourth grade she could walk to Ardmore. My son,  
14 who is now at Jackson, could walk to and from  
15 Ardmore. My 9 year old is not going to have that  
16 opportunity because I won't allow it.

17 Just passing that new blind spot -- My  
18 question is, with the new blind spot on the  
19 southwest corner, what's the Commission in this  
20 Village going to do to guarantee safety because  
21 it's already bad through that alley?

22 And then exiting the alley onto Ardmore  
23 is pretty much common knowledge that anybody who  
24 uses it, it's a blind spot, where Bob or Joe's

1 barbershop used to be, when you are taking a right  
2 on Ardmore heading east.

3 Last Friday, it's funny because  
4 Annemarie sent -- texted me this message with the  
5 beer trucks lined up. This is Friday morning at  
6 10:00 a.m.

7 I had just sent her the stop sign on the  
8 same corner that was just knocked over by a car  
9 broken.

10 So it's going -- It's already congested.  
11 It's hard to take a turn off of Park onto Ardmore,  
12 whether you are going north or south.

13 The kids are coming around. We have had  
14 conversations with my neighbor ours and down the  
15 street. There's about 46 kids between Madison and  
16 Park Avenue on Princeton Avenue under 16 years of  
17 age and we have several new young babies in the  
18 community as well. They are going to grow up and  
19 experience those dangers.

20 So my question is, just on both those  
21 exits what can be done to guarantee safety?

22 We are not going to put traffic lights  
23 on Highland and Ardmore but we almost need traffic  
24 lights on Park and Ardmore. I mean, it's bad as



1       it is and with all these new influx of people  
2       moving in. Those are my concerns. Thank you.

3                   CHAIRMAN JARRETT: Thank you.

4                   MS. ORMOND: Kim Ormond, I am the  
5       owner at 26 West Highland, directly behind the  
6       proposed development.

7                   I was dismayed to see the developer  
8       crammed another parking space into the alley  
9       rather than reducing the units in this oversized  
10      building. This brings the total to 12.

11                  I would point out that my own building  
12      constructed in the 1960s still meets the current  
13      code of 6 parking spaces, 1 per bedroom.

14                  The building will tower over my property  
15      and other nearby residences and the sheer number  
16      of units is more than the area can handle.

17                  The alley to the south is already  
18      crowded with deliveries and local traffic. More  
19      cars will result in accidents, especially at the  
20      blind exit that leads onto Ardmore.

21                  Our streets will be overcrowded. There  
22      aren't enough spots for residents.

23                  What about guests? How about sleepover  
24      guests, given the overnight parking ban?

1                   What happens during the holidays when  
2                   relatives visit and stay for days? When late  
3                   night guests arrive or leave, will they cut across  
4                   my property to retrieve vehicles parked on  
5                   Highland, passing by my residents' bedroom  
6                   windows?

7                   The building is supposed to attract  
8                   cyclists whose primary mode of transportation are  
9                   bikes. No one is peddling their way to Jewel in  
10                  the middle of February. Instead the streets will  
11                  be flooded with even more traffic from delivery  
12                  drivers and Ubers.

13                  The pricing of these apartments is out  
14                  of line with rent in the immediate neighborhood.  
15                  The other high rent developments offer amenities  
16                  such as swimming pools, adequate parking,  
17                  including guest spaces and large courtyards. The  
18                  proposed development offers none of these.

19                  If you can afford to spend this kind of  
20                  money on rent, would you choose a building with  
21                  inadequate parking and minimal amenities? There  
22                  are already more than 500 luxury units in the  
23                  works in Villa Park.

24                  This leaves overpriced apartments to be

1 occupied by the target demographic of cyclists,  
2 young professionals and empty-nesters. I don't  
3 know many cyclists are willing to pay outrageous  
4 rent for access to a public area when cheaper  
5 apartments are minutes from the path.

6 Even in the best of times, young  
7 professionals would struggle to pay these rents.  
8 With today's inflation young college grads will  
9 not find these units within their price range.

10 The one bedroom apartments will have two  
11 bathrooms and a den. How many one bedroom  
12 apartments have you seen with two bathrooms? Even  
13 Ovaltine Court only offers one bath with their one  
14 bedrooms.

15 Use common sense. Many of these dens  
16 will undoubtedly be used as a second bedroom to  
17 cram in roommates to divvy up the rent. We  
18 weren't born yesterday. We know it's going to  
19 happen.

20 This will result in even more occupants,  
21 more cars, more traffic and more crime. There is  
22 a lack of affordable housing in the area and this  
23 only adds to the problem.

24 How is the average working class citizen

1       supposed to afford these units?

2               Also snow removal is already an issue in  
3       the alley. There is barely enough room for the  
4       existing buildings to pile up snow after a heavy  
5       storm.

6               With such a large footprint, where will  
7       this building put its heaps of snow? The alley is  
8       often not plowed for days or weeks in winter.  
9       More traffic in these conditions will result in  
10      more accidents.

11              Approving a variance to allow more  
12      impervious surfaces on the development's property  
13      will increase the burden on the city sewer system.  
14      In addition to that, you will have lots of more  
15      toilet flushing, washing machines going, etc.,  
16      etc.

17              Who is going to pay for me when my  
18      building is damaged by sewer backups?

19              With so many negative features  
20      neighboring property values will decrease. When  
21      owners are under water, will the developer pay for  
22      the economic harm and make us whole?

23              The developer similarly did not buy  
24      enough land for that ambitious project. The

1 neighborhood should not be negatively impacted so  
2 they can rake in the cash. Thank you.

3 CHAIRMAN JARRETT: Thank you.

4 MR. GREEN: David Green, 516 South  
5 Princeton.

6 The developer's Downers Grove project, a  
7 .61 acre site, has only 18 units.

8 And the Villa Park proposal with only a  
9 .4 acre site -- which is two thirds the size --  
10 has 24 units, one-third more.

11 This is like an experiment and planning  
12 a skyscraper on a postage stamp.

13 The Downers Grove sight is right next  
14 door to the Metra parking lot, where presumably  
15 people can rent additional parking spaces.

16 The Villa Park site has no other parking  
17 options.

18 Whether a building proposal is in  
19 original design or revision with requested  
20 modifications it is still just on paper.

21 In the complex product manufacturing  
22 world there is a common practice called product  
23 validation, where a prototype is built and proven  
24 for success in the real world.

1           In the apartment building world we can  
2           only look for representative examples that have  
3           been successful.

4           The developer has not yet completed any  
5           apartment buildings and demonstrated success in  
6           regard to parking space, traffic flow and safety  
7           and other functional objectives.

8           My question is, where can we find an  
9           example of an operational apartment building next  
10          to a residential area with similar design  
11          specifications and vehicle capacity that has been  
12          successful in pleasing its tenants and neighbors?

13          The Village of Villa Park and the nearby  
14          neighbors don't want to be the guinea pig for an  
15          unproven experiment. Thank you.

16                   CHAIRMAN JARRETT: Thank you.

17                   MS. BURNS: Jennifer Burns, 300  
18          South block of Illinois.

19                  So thank you so much for your  
20          willingness to volunteer on this Commission. I  
21          know it can be challenging but also very  
22          rewarding. So thank you so much.

23                  I know that Villa Park, we are trying to  
24          do a little better job of planning for our future

1 and things like that. We are also really good at  
2 sometimes being able to think outside the box and  
3 really kind of troubleshoot some interesting  
4 issues.

5 I just am not sure if this version of a  
6 plan really is the best version that could maybe  
7 fit on that piece of property.

8 I really want to make sure that this  
9 property -- because it's going to be a newer  
10 building and a lot of the other structures there  
11 are older -- I want to make sure this building is  
12 something that can really help anchor that area,  
13 if future redevelopment happens to occur.

14 I don't know who owns the sunlight but I  
15 am concerned with the height of this building.  
16 For those of us starting to think about doing more  
17 solar projects, I am not quite sure what the  
18 immediate businesses around it and what some of  
19 the homes on Princeton --

20 Again, I am not an expert, but it's just  
21 solar. There is that meeting at Iowa Community  
22 Center. I know it's on Wednesday night. I have  
23 swim meets. Can't go. I don't know if it's last  
24 night or July 6, something that's coming up, but

1       that's being advertised.

2               I just really don't want to take away  
3       future opportunities for more green energy away  
4       from our residents and businesses because maybe  
5       there is a better way to do this project.

6               Please, I know about the flooding in the  
7       area. You cannot allow less permeable surface. I  
8       would like to help alleviate, not keep it equal or  
9       make it worse.

10              And also as I am heading into the second  
11      half of my life, mobility and, you know, scooters,  
12      wheelchairs, the type of vehicles that can help me  
13      still be an independent adult, I am really nervous  
14      about things becoming narrower.

15              And if we do have individuals that do  
16      need extra supports and services I want to make  
17      sure they can live there and have access to all of  
18      the amenities that Villa Park has to offer and not  
19      feel that it's not good enough. Because I know it  
20      can be good enough. Thank you so much.

21              CHAIRMAN JARRETT: Thank you.

22              MS. MUCERINO: My name is Sue  
23      Mucerino. I live 427 South Yale. Thank you,  
24      gentlemen, for allowing me to speak.



1 I am here to clearly request the  
2 Comission vote no and reject this particular  
3 development. Although we are pro-development this  
4 is the wrong development which will result in  
5 negatively impacting the health, safety and  
6 welfare of our Village.

7 It is also completely out of character  
8 for this MXT zoned block and the adjacent  
9 residential blocks and we know this to be the  
10 wrong development based upon a number of truths  
11 and facts.

12 When you met earlier in June, and also  
13 Traffic and Safety, nobody could vote on this  
14 because if it was a vote it would have been a no  
15 vote.

16 Planning and Zoning allowed the  
17 Petitioner to come back, try again. And again, he  
18 has not met Code, compliance with the Code.

19 If he had followed the normal practices  
20 of land purchase, none of us would have to be  
21 sitting here tonight contesting this.

22 He would have had contingencies in the  
23 sale and he would have gotten approval from the  
24 Village and governing bodies prior to finalizing

1 the sale of the property.

2 Mr. Ross took a financial risk. This is  
3 his hardship, not the Village's or the Village  
4 residents.

5 Again, the Village has no obligation to  
6 the Petitioner; however you have an obligation to  
7 all of us in this room because we are residents  
8 who pay for the Village through our taxes to  
9 operate properly, including upholding codes, which  
10 means to protect the Village.

11 So as members of P&Z, you need to wait  
12 until the right development comes. It will come.

13 Now, I did a little research on my own.  
14 Although I am not a lawyer I do understand how the  
15 law works.

16 And according to Intro to Variances 2,  
17 Finding of Substantial Hardship, by the Law  
18 Offices of Phillips and Angley, in order to grant  
19 a hardship variance it must be relating to soil  
20 conditions, shape or topography.

21 None of these exist with the  
22 Petitioner's request for parking and lot coverage  
23 variances.

24 Intro to Variances points out six court

1 cases against petitioners that a financial  
2 hardship alone on the part of the petitioner does  
3 not constitute a reason for variance.

4 Therefore, I believe legally and in  
5 accordance with the following Village Code they  
6 cannot -- we can't vote yes for the parking lot --  
7 the parking and lot coverage variances. Hardship  
8 has not been met.

9 In fact community development in today's  
10 memo points out stating -- and I quote:

11 The development shall comply with all  
12 applicable Village Codes and  
13 Regulations.

14 They also state and I quote:

15 Hardship has not been proven for parking  
16 requirements and lot coverage.

17 Furthermore, Village staff goes on and  
18 provides a solution to the variance request in  
19 order to make the project comply with Code stating  
20 and I quote:

21 Parking requirements could be met  
22 through a variety of changes which would  
23 include shrinking the building  
24 footprint.

1           This site is not unusually shaped. It's  
2           basically a rectangular, little bit of modified  
3           parallelogram, so a number of developments could  
4           easily fit into this space. The footprint simply  
5           needs to be smaller.

6           And by eliminating the fourth floor it  
7           would match the character of this particular area  
8           of Villa Park.

9           So please just vote no.

10          And I do have two questions and a final  
11          statement.

12          We are looking at the details. We are  
13          getting in the weeds here. We need to look at big  
14          picture and long term.

15          We are looking short term. We are  
16          looking at the proposal. We need to look at long  
17          term of the project.

18          We know current apartment complexes that  
19          have complied with Code when they were built. We  
20          have parking issues in my packet, and I hope  
21          people read it, maybe they didn't.

22          But I have photos of overflow parking on  
23          a nightly basis. This is not an issue with the  
24          police. It's because things change over time.

1                   And I also did an analysis and I called  
2                   York Assessors Township -- and I don't know if you  
3                   saw this and I did it specifically for the  
4                   apartment -- I am almost done -- they require 1.42  
5                   parking spaces per bedroom.

6                   Villa Park is different. It's not like  
7                   what general statistics show. We are a commuting  
8                   village. So my two questions -- and thank you for  
9                   letting me talk is:

10                  One to the Petitioner: What are your  
11                  reasons for not following the suggestions made by  
12                  Village staff to reduce building footprint and  
13                  eliminate the need for variances?

14                  And my question to P&Z is: Has  
15                  consideration been given to the legal  
16                  ramifications for granting variances if they don't  
17                  meet hardship qualifications?

18                  Thank you and I do appreciate you  
19                  volunteering. I know it's a hard job up there and  
20                  I do appreciate it. Thank you.

21                  CHAIRMAN JARRETT: Thank you for  
22                  your time.

23                  MR. SEDDON: Hello, Steve Seddon,  
24                  from South Princeton, and I am reading on behalf

1 of Michael Zucker, also South Princeton:

2 It was asked by a concerned resident at  
3 the June 9 planning and zoning meeting if the  
4 developer could build a smaller building that  
5 would fall within the Code as written.

6 The developer responded that he could  
7 build a five story building comprised of one  
8 bedroom apartments.

9 Commissioner Schlensky, in relationship  
10 to the parking and impervious surface variance  
11 request, how do you reconcile the developer's  
12 admission that it is possible to develop a  
13 residential building here against Village Code  
14 11.5.1, Variations Intent.

15 This Code states that the intent of a  
16 variation is not to simply remove an inconvenience  
17 or financial burden that may result from  
18 compliance with applicable zoning requirements.

19 Village staff agrees that a hardship has  
20 not been proven for each variance request.

21 Per the June 30 Village staff memo  
22 parking requirements could be met through a  
23 variety of changes which could include shrinking  
24 the building footprint, reducing bedroom count or

1 including commercial uses.

2 Lot coverage could be met through a  
3 variety of changes which could include shrinking  
4 the building or increased use of permeable  
5 surface.

6 Staff had discussed increasing permeable  
7 surface in the rear area adjacent to the alley  
8 with concrete adjacent to the alley to avoid  
9 damage from snowplows. Rear landscape  
10 requirements could be met by shrinking the  
11 building.

12 This development has no community  
13 support and lukewarm staff support.

14 Mr. Chairman, you agreed with  
15 Commissioner Calvert that this is one of those  
16 situations that you don't have a plan for.

17 The Park/Ardmore area is ripe for  
18 redevelopment, not opposed to it. No cohesive  
19 plan in terms of how they want to go about it.

20 You need to develop a plan for this  
21 district before you set a dangerous precedent that  
22 you are willing to just build anything under the  
23 cover of development.

24 The community is not opposed to

1 development in this area. We are opposed to this  
2 development.

3 This Board is established to represent  
4 Villa Park and the residents that reside here, not  
5 outside developers.

6 You are under no obligation to approve  
7 these variances based on Ross Developers' time  
8 input. Ross Developers' goal is to make money.  
9 Do not be fooled with his disingenuous concern for  
10 the residents of our town.

11 At the prior planning and zoning meeting  
12 the Board requested that Mr. Ross come back to  
13 today's meeting with a variance request of three  
14 parking spaces, bring the west wall in, and find  
15 ways to create more impervious surface.

16 Mr. Ross has failed on all three  
17 requests. Vote no on these variances requested  
18 today. Thank you.

19 CHAIRMAN JARRETT: Thank you.

20 MS. TESTA: Annemarie Testa.

21 Tonight I want to present the Commission  
22 with an updated petition list, asking the Village  
23 to reconsider allowing a building this big.

24 We had 256 petitions submitted last time



1       between online and paper. This time we are up to  
2       422.

3                   CHAIRMAN JARRETT: Thank you. I  
4       will make sure that gets in the record.

5                   MS. TESTA: Thank you.

6                   So I have a present for you. The part  
7       of Sue's comment at the end when you gave her all  
8       that extra time was actually going to be part of  
9       my comment. So my comment will be shorter.

10                  I just want to bring up one thing about  
11       parking. The Petitioner stated that his parking  
12       will be self-regulated. I find this a little  
13       confusing.

14                  But we do now know he has only increased  
15       his requested variance on parking from 6 to 4  
16       spaces, so we still have a variance of 4.

17                  I honestly don't really understand at  
18       all. It's not just a little confusing. I don't  
19       understand self-regulated parking at all.

20                  So what we do know, in addition to the 4  
21       spaces, we know that the congestion witnessed all  
22       over at current apartments in Villa Park, parking  
23       in general is not inherently self-regulating. You  
24       have to start with enough.

1           People's situations change. Teenagers  
2           start driving. Boyfriend/girlfriend moves in.

3           In the city, the big moving months are  
4           May and October. Those are the best months to  
5           drive through the alleys and see what good things  
6           people left behind or couldn't take with them.  
7           This is also known as garbage picking.

8           But you can move in and out any month  
9           you want -- With some seriously good garbage  
10          picking sometimes.

11          I assume you can also start and end  
12          parking space rental in the proposed development  
13          in any month.

14          But I ask you to keep in mind, this  
15          proposed building will start out with an inventory  
16          of 33 spaces, which are equal in the sense they  
17          are all available for rent. However these 33  
18          spaces aren't all the same, in the sense that they  
19          are available to all the same demographic.

20          Two of them are ADA compliant spaces for  
21          use by cars that have either state issued  
22          permanent disability placards or disability  
23          license plates.

24          In 2017 Illinois had issued 678,000

1 placards and disability plates combined. That  
2 same year there were 4.6 plus change license  
3 plates issued to cars alone. This is just cars.

4 Over 5 million truck plates were also  
5 issued that year. But I don't know how to  
6 separate out the kind that are owned by your  
7 neighbors and my neighbors versus the bigger ones.  
8 So we won't count those.

9 And keep in mind, even a small truck  
10 like a Ford Ranger needs a B truck plate.

11 31 is actually the inventory of spaces  
12 that will be available to the demographic,  
13 non-disability designation holders.

14 I mean, the developer won't rent spaces  
15 that are reserved for the disability to  
16 non-qualifying tenants, will he?

17 And then this is kind of the part I was  
18 going to show photos of the congestion, people  
19 parking in church lots, business lots, and even on  
20 the streets overnight parking where it's not  
21 supposed to be, it's illegal. So thank you very  
22 much.

23 CHAIRMAN JARRETT: Thank you.

24 Anyone else?

1 MR. MUCERINO: My name is Tony  
2 Mucerino. I live at 427 South Yale. And I would  
3 like to start my comments by just an observation  
4 about the process.

5 I think that we have focused so much on  
6 how many square feet, pavers, how long a parking  
7 space will be, 15 1/2 versus 16 feet. We need to  
8 draw back a little bit and recognize how many  
9 contortions that we have to go through to make  
10 this work.

11 I know a wise real estate agent works  
12 for Colliers International and he has what he  
13 calls a machination mirror. A machination is an  
14 extra set of extra contortions and  
15 rationalizations that have to be gone through to  
16 make something work and this project has so many  
17 of them.

18 The parking spaces right now have no  
19 stops for the vehicles. They are going to stop at  
20 the curb, which is allowed in writing, but 2 1/2  
21 feet between the curb that they would come to rest  
22 at and the building would mean some vehicles at  
23 more than 2 1/2 foot in length are going to hit  
24 the building by the time people get to a stop

1 point with their tires.

2 The walk space, someone asked, Why can't  
3 we move that to the building, the 4 feet proposed  
4 behind the cars?

5 The reason, because if that were put  
6 there, Buick -- I am trying to think of the name  
7 of the model. There is a Buick SUV 17 feet long,  
8 a common size. Minivans, a Tesla, not someone  
9 there would drive that, but they are almost 8 feet  
10 wide.

11 Vehicles are getting bigger. Ford  
12 stopped making small vehicles and has gone to  
13 SUVs, as an example.

14 The reason you can't put that 4 feet in  
15 front next to the building where it would be safer  
16 for the tenants is because you don't really have  
17 that much space and you don't have the 4 feet  
18 behind it.

19 By putting the peninsula on the corner  
20 of Park and Princeton, if you were to, on your  
21 diagram, set a vehicle at the stop bar and pretend  
22 you are in the driver's seat and look to the  
23 northeast where traffic would be coming, you now  
24 have a new visibility triangle problem.

1           The same is true, now that we have  
2       talked about making these spots perpendicular in  
3       the back of the building to the south and traffic  
4       could be heading in either direction. Traffic  
5       that's headed now towards Princeton will have a  
6       visibility triangle problem as they approach  
7       Princeton.

8           We still have issues of snow removal,  
9       how people are going to park their vehicles when  
10      spaces need to be plowed at the rear of the  
11      building.

12          Pavers have been suggested as a  
13      wonderful way to address some of the permeability  
14      issues.

15          Any site that you look at and ask the  
16      question, What are problems with pavers, they are  
17      usually related to the soil beneath them not being  
18      compacted well enough. If you compact the soil  
19      well enough so the pavers can withstand traffic or  
20      heating and thaw cycles you eliminate a lot of the  
21      drainage and permeability benefit they are  
22      supposed to provide.

23          This is more or less an example of a  
24      bandaid or feel good kind of approach to make the

1 Code -- try to come closer to matching the Code.  
2 But in the reality of the world it doesn't  
3 actually solve the problem.

4 There's safety issues with traffic going  
5 to the blind end of the alley at Ardmore. People,  
6 pedestrians, children, bicycle traffic heading to  
7 the north on Ardmore are going to have to pass  
8 over with very little separation between them and  
9 the vehicles.

10 Just too many difficulties that can all  
11 be addressed by a smaller footprint, whether it's  
12 the visibility triangles, the inefficiency of the  
13 pavers, the problems with paving in the  
14 neighborhood.

15 I think that the machination meter that  
16 the gentleman I mentioned talked about is very  
17 high on this project and that should be a warning  
18 sign to us that it's just more complicated and  
19 requires more allowances and more adjustments than  
20 it should.

21 So I would request -- I know that this  
22 process gives the last word to the Petitioner but  
23 I would request that the last word should go to  
24 the people that live here, raise their kids here,

1 pay the taxes here and die here. Thank you.

2 CHAIRMAN JARRETT: Okay. Thank  
3 you.

4 MS. GALLAGHER: My name is Patrice  
5 Gallagher. I live at 36 South Monterey.

6 I would also like to say thank you so  
7 much for your service and thank you for allowing  
8 me to speak.

9 I had some topics I wanted to talk about  
10 but they have already been discussed and I am in  
11 agreement with everything that's been said.

12 When I heard about this project I asked  
13 if the developer lived here and I find out it's my  
14 understanding he does not live here. I just felt  
15 that -- It just felt disrespectful, considering  
16 what our concerns are, that someone that doesn't  
17 live here would just come and want to build a  
18 building that has legitimate issues and concerns.  
19 So I just wanted to say that.

20 And I want to say that Villa Park is not  
21 a home rule community -- and this is in reference  
22 to the variance for the request for impervious  
23 surfaces -- and therefore it's my understanding --  
24 correct me if I am wrong -- that by all rights,



1 unless the planning and zoning members have gotten  
2 specific acknowledgment by the Village's own legal  
3 counsel, that members are not allowed to approve  
4 any deviation from Code in Village's rule of law.

5 And I think that's all I have to say.  
6 Thank you for listening.

7 CHAIRMAN JARRETT: Okay. Thank  
8 you.

9 MS. ZUCKER: Justina Zucker.  
10 My question is, how far away from the  
11 site is the nearest grocery store, train station,  
12 bus stop and nearest restaurant?

13 I am sorry, my accent kicks in when I am  
14 nervous.

15 I am asking about that, especially that  
16 bus stop, because in previous presentation I saw  
17 recording on YouTube. Builder said that there is  
18 nearby bus stop. The only bus stop I can think of  
19 is the one that takes kids to school.

20 And if the building is going to be built  
21 in a way like it's presented now, it's going to be  
22 very dangerous situation for my kids.

23 I have toddlers that run away. I know  
24 that's my responsibility to keep them safe. So

1       this is why I am here. I want to make this the  
2       safest place possible for them to live.

3               So my question is, where that bus stop  
4       is, because it relates really to the need for more  
5       cars, more parking spaces, because people are  
6       going to walk, walkability. This is about  
7       walkability, what the builder tries to say over  
8       here.

9               Our neighborhood is not very walkable.  
10       The average walkability score in Villa Park is 49.  
11       That's pretty low. Let me see. Transit score of  
12       21 and bike score of 49.

13              Even though it's all right there, it's  
14       all about how we are going to get our groceries.  
15       There is Jewel over here. But who is going to  
16       carry all the groceries from that apartment back  
17       to them by foot. I definitely don't do that and I  
18       don't live too far from there.

19              So what I am trying to say is why this  
20       building has to be so big. It doesn't need to be.

21              Why is this our own input in here. They  
22       only requested here because building needs to make  
23       a profit on this investment. I don't think it's  
24       fair to us who live here that we have to put up

1 with this building in such a way. It's too big.  
2 There's too many people, too many cars.

3 If you are going to just have two  
4 stories, huge improvement. That's my simple  
5 solution to this problem. It's too big. I don't  
6 feel like Village has a good plan for the area.

7 And just going back to the walkability  
8 score, I forgot to mention that we really have two  
9 downtowns. We don't have really one downtown.  
10 It's because two villages were at one point put  
11 together. Villa Park began in 1908 and the town  
12 of Ardmore in 1910 and Summit was the dividing  
13 line.

14 So those two downtowns, this is why we  
15 have two downtowns, and we always, where this town  
16 needed different types of transportation than  
17 biking, walking, train, we need cars to get  
18 through all those places that we need to go. More  
19 cars, more traffic, more unsafe situation, you  
20 know, for people who live there.

21 I don't like the idea that parking going  
22 in the back. That alley is going to create  
23 issues.

24 I don't like how the space is being

1       used. Those variances, they are there for a  
2       reason.

3               And I would like my kids, myself, to  
4       keep safe and that's why I am asking to uphold  
5       these variances.

6               CHAIRMAN JARRETT: Okay. Thank  
7       you.

8               Anyone else from the public please come  
9       up.

10              MS. NICHOLSON: Jean Nicholson, 412  
11       South Princeton.

12              And you know, I hate to see anything  
13       being built there. I think what we need is a  
14       parking lot and if there is going to be building  
15       on Ardmore they are going to need parking. It  
16       would be nice to have the parking lot for the  
17       businesses that will be on Ardmore.

18              We have a library, beautiful. We have  
19       six churches within a half a block -- three are  
20       within a half a block and three are within a block  
21       from us. We have -- It's just a beautiful  
22       neighborhood with a mix of --

23              Oh, golly, I don't want to see a  
24       building there. I want to see a parking lot.

1                   For the gazebo, they use it. If you  
2                   come to any of the events at the gazebo that  
3                   parking lot is loaded, all those parking lots  
4                   there, and I just hate to see a building go up.

5                   I think we need the parking lot and if  
6                   there is new development on Ardmore, well, they  
7                   can park in there, but thank you.

8                   CHAIRMAN JARRETT: Thank you.

9                   Anyone else from the public wishing to  
10                  speak on this item because there won't be  
11                  additional opportunity; okay?

12                  So then we will move to questions from  
13                  the Commission.

14                  So I am going to run through a couple of  
15                  things I think I can answer that were brought up.

16                  I am also going to have someone from the  
17                  Village come up and speak generally about flooding  
18                  because we will get to that in a second.

19                  One point that I do want to raise though  
20                  is:

21                  I understand that this site has served  
22                  as an overflow parking lot for a lot of uses for  
23                  probably decades. It hasn't been a bank in  
24                  decades.

1           That in itself is not the responsibility  
2       of the property owner. It's not the  
3       responsibility of the property owner to put Port O  
4       Johns in there for Summer Fest, even if we like  
5       it. The previous owner may have done that but  
6       that is not the obligation of any owner.

7           Just like it's not the obligation of  
8       Steuerle Funeral Home to allow for overflow  
9       parking on their site, which they did in the past.  
10      Private landowners do have landowner rights.

11          On the issue of snow removal I will  
12      answer that because it came up last time:

13          They will have a snow removal plan, just  
14      like the apartments across the street and just  
15      like every other residential use does.

16          If the Applicant wants to speak to that  
17      more, but multiunit apartment buildings,  
18      commercial developments, they make snow removal  
19      work. And if there are issues the Village will  
20      have enforcement problems with that.

21          There was a question about grocery  
22      store, train station, bus stop and restaurant.  
23      Believe it or not, there is one of each of those  
24      within two blocks -- If you consider Stulgin's a

1 restaurant.

2 I know, but there is a bus stop two  
3 blocks to the south of Washington, a grocery store  
4 two blocks to the north at Ardmore and  
5 St. Charles -- It's a quarter of a mile. Okay.  
6 It's close. It's walking distance.

7 The train station is arguably farther, I  
8 agree, but it's walkable for those who want to  
9 walk.

10 If the Applicant wants to speak to that  
11 more and the walkability scores, they can. That's  
12 all the specific things I have.

13 So I would ask the Applicant first, are  
14 there any of those questions that you want to  
15 address?

16 I think maybe if you want to speak maybe  
17 to where you have added -- Let me run through a  
18 couple of them. I can maybe guide you on.

19 MR. ROSS: Sure.

20 CHAIRMAN JARRETT: All right. So I  
21 want to say one more time. You had an  
22 opportunity, so please respect our time up here.

23 The court reporter is trying to record  
24 what we are talking. If people are watching on

1 video and the crosstalk, it's just disruptive, so  
2 I'd appreciate it if you could be respectful in  
3 that regard.

4 So can you tell us just a little bit  
5 about where you added additional either pervious  
6 and semi-pervious surfaces on the site?

7 MR. ROSS: Yes.

8 The change of the parking from angled to  
9 perpendicular allowed for that, No. 1.

10 No. 2: Between the parking and the  
11 building we have a curb stop, as opposed to the  
12 individual parking stops, and beyond that curb  
13 there is 2 1/2 feet of green space. So along that  
14 whole rear it's x 2 1/2 -- I forgot what the  
15 number is -- 150 feet x 2 1/2 has been added also.

16 And that 2 1/2, someone brought it up,  
17 not being enough. We can make it 3. I think  
18 public works we were told usually recommends 2.  
19 We can make that any number that anyone is  
20 comfortable with.

21 CHAIRMAN JARRETT: Okay.

22 COMMISSIONER LUEDTKE: But in that  
23 respect then that would sort of affect the drive  
24 aisle width at the alley?



1 MR. ROSS: Well, we would still  
2 keep the space 18 feet.

3 COMMISSIONER LUEDTKE: I  
4 understand.

5 MR. ROSS: Of the 18, 2 1/2 of that  
6 is green. So we can go to 3, but we would still  
7 be 18, 3 green, 15 asphalt or we can go 2 and 16,  
8 if that happens.

9 COMMISSIONER LUEDTKE: So full  
10 depth from building to end of stall is locked in  
11 at 18 --

12 MR. ROSS: Right.

13 COMMISSIONER LUEDTKE: -- there in  
14 your calculus?

15 MR. ROSS: Exactly.

16 CHAIRMAN JARRETT: It's my  
17 understanding that that meets Code, in terms of  
18 the way that the curb parking stop works as a curb  
19 and that is an additional --

20 MR. ROSS: We thought it was a  
21 creative way to add more green space.

22 CHAIRMAN JARRETT: Okay. And then  
23 related to that, the walkway is intended to be at  
24 the rear.

1                   What is the depth of that space between  
2                   the back of the stalls and the alley now?

3                   MR. ROSS: It's 6.87. It was 4.

4                   Awhile back public works had recommended  
5                   we have at least 3. So when we had the angles we  
6                   had 4. And now that we went perpendicular we have  
7                   7. So almost double what public works had  
8                   recommended in the beginning.

9                   CHAIRMAN JARRETT: At the rear you  
10                  have increased those stalls to 9 1/2 feet?

11                  MR. ROSS: Correct.

12                  CHAIRMAN JARRETT: They were  
13                  previously 9, I believe?

14                  MR. ROSS: They used to be 9. We  
15                  made them wider to 9 1/2 because of the turning  
16                  radius.

17                  Again, public works seemed to be on  
18                  board and okay with us keeping them 9 and having a  
19                  22 foot radius. But we were able to go 9 1/2.

20                  Which the wider you go, the less turning  
21                  radius you need, and I gave some examples that the  
22                  City actually allows.

23                  MS. KAR CZ: What was the 5 feet he  
24                  is not putting in?

1 Remember, he was supposed to have 5 feet  
2 behind the building, we are not having that, is  
3 that the area we are talking about now?

4 CHAIRMAN JARRETT: Yeah. We will  
5 get to that.

6 She is asking whether or not -- So the  
7 landscape variation question is at the rear of the  
8 building. We will talk about that in more detail  
9 when we get to the individual variation.

10 But currently it's provided 2 1/2 feet?

11 MR. ROSS: Correct.

12 It can be 2, it can be 3, but we thought  
13 2 1/2 was the right number.

14 CHAIRMAN JARRETT: And 5 is what  
15 would be required by Code.

16 MR. ROSS: That 5 feet we would  
17 like clarification on that.

18 The way we read it was 5 feet where  
19 there is public access and we didn't really read  
20 it that the rear of the property, especially an  
21 alley side, would need 5 feet of landscaping.

22 And we were curious what other  
23 projects -- We thought we saw some other projects  
24 recently that didn't have that and didn't have a

1 variance for that. We were surprised by that.

2 CHAIRMAN JARRETT: Yeah. And I am  
3 sure we will discuss that more. It's probably  
4 intended, generally speaking, when you have  
5 buildings in the middle of a site; that way you  
6 have landscaping on four sides instead of one or  
7 two.

8 MR. ROSS: Sure.

9 CHAIRMAN JARRETT: So this might be  
10 a little bit of comment and question.

11 The blind spot, people are asking about  
12 the blind spot in the triangle, sight triangle.

13 What we want to clarify is that -- And  
14 you can maybe explain a little bit for those that  
15 weren't here before -- but that stop bar and that  
16 island are pushing the stop line out to increase  
17 visibility beyond the building.

18 MR. ROSS: Well, beyond the  
19 building, yes.

20 CHAIRMAN JARRETT: Currently the  
21 stop line is -- I know it's closer to the  
22 building. I guess it's not behind the building  
23 currently but behind the property line or near it.

24 Is there an aerial photo in one of

1       those?

2                       MR. ROSS: I don't have one.

3                       CHAIRMAN JARRETT: That's okay.

4                       If the stop bar is pushed north and  
5       there is a landscaped island added at the  
6       northwest corner that actually pushes the stop out  
7       to increase visibility.

8                       I know that's something that the  
9       Applicant has worked with staff on and that the  
10      final, exact design of that will have to go  
11      through engineering. But conceptually that's  
12      something that they are offering to do as part of  
13      this project.

14                      Are there any other questions or  
15      comments presented that you would like to address  
16      before we start asking additional questions up  
17      here?

18                      MR. ROSS: There didn't seem to be  
19      any new questions or things brought up that we  
20      can't address.

21                      The flooding issue was brought up a lot  
22      and someone said we are going to make the area  
23      worse, but again, we are actually going to make it  
24      better.

1                   Again, we are not meeting the 70 percent  
2                   but we are going to have less impervious than is  
3                   there now and we are going to have permeable  
4                   pavers that aren't there now.

5                   It seemed like it was brought up the  
6                   number of units -- or the number of stories would  
7                   impact storm water. If it's a one story building  
8                   with the same footprint as a five story building  
9                   the impact is identical.

10                  It's the footprint that impacts it, not  
11                  the number of units and that has to do with the  
12                  footprint of the building, not the number of  
13                  stories and units that will impact the storm  
14                  water.

15                  But if there is a problem now, which it  
16                  sounds like it has been for 20 years, whether we  
17                  do this development or not, that should be  
18                  addressed, but we certainly wouldn't be making it  
19                  worse. We should actually be making it better.

20                  CHAIRMAN JARRETT: Show the  
21                  Applicant some respect please.

22                  So I am going to ask -- If that's all  
23                  you have --

24                  MR. ROSS: There was one more quick

1        thing.

2                    CHAIRMAN JARRETT: Go ahead.

3                    MR. ROSS: Someone said we didn't  
4        have permeable pavers. We do.

5                    Someone mentioned how permeable pavers  
6        may or may not work. Obviously, when we are doing  
7        permeable pavers they are spec'd out by the  
8        permeable paver company.

9                    They have gone through testing. They  
10       know obviously how much drainage they can have or  
11       not have and obviously when we install them we  
12       need to install them according to design.

13                   The last thing was the beer truck, we  
14       did talk about this before, it is an illegal use  
15       of the alley. It needs to stop. Obviously from  
16       that picture you can see that's a blatant  
17       disregard for the use of the alley and the law.

18                   You can't park in the alley like that.  
19       You can't put your supplies, your beer in the  
20       alley. They should be doing something. Again,  
21       regardless of our development or not, that is not  
22       fair to the residents.

23                   CHAIRMAN JARRETT: I appreciate  
24       that.

1                   MR. ROSS: The last thing, the  
2                   shape of the lot is a hardship. If it was square,  
3                   like most lots are, we could pick up two or three  
4                   parking spaces very easily. The fact it is a  
5                   trapezoid like that does create a hardship for us.

6                   CHAIRMAN JARRETT: Okay. Is that  
7                   it?

8                   MR. ROSS: That's it.

9                   CHAIRMAN JARRETT: So I am going to  
10                  ask staff to clarify a few things. But I do also  
11                  have two emails that I think I will just read them  
12                  into the record. They are pretty short.

13                 The first one was from Mike Orłowski, he  
14                 is a Commissioner, and he wrote in to say that  
15                 even though he is unable to attend tonight's  
16                 special meeting, he has looked at the packet and  
17                 would vote to approve the Petitioner's request.

18                 And then there was an email that came in  
19                 this evening from Bob Wagner and he writes:

20                 Hello all: I want to bring to the  
21                 attention of those copied that some  
22                 misleading and erroneous statements made  
23                 by Ross Builders during its last  
24                 presentation of the Planning and Zoning



1 Commission, the Traffic and Safety  
2 Commission, Ross Builders repeatedly  
3 stated that Traffic and Safety had  
4 approved their project.

5 When Ross Builders first appeared before  
6 Traffic and Safety earlier in the year  
7 there was no traffic assessment  
8 available and they made a very general  
9 presentation about the project.

10 Whereas, there were some positive  
11 comments about the project from the  
12 Commissioners there was no formal  
13 approval of the project from the Traffic  
14 and Safety Commission.

15 In fact, at the June meeting the Traffic  
16 and Safety Commission a formal vote was  
17 postponed until the July meeting.

18 I am sorry that this email is coming so  
19 close to your meeting tonight but I  
20 wanted to set the record straight on  
21 this issue. That's Bob Wagner.

22 MR. ROSS: Can I comment on that  
23 last email?

24 CHAIRMAN JARRETT: I am going to

1 comment on it real quick because I don't believe  
2 that was how it was represented to us at the last  
3 hearing. There will be a transcript and there is  
4 a video for anybody that wants to go back and read  
5 that.

6 I know there was some of that maybe at  
7 the initial plan review, where there was some  
8 uncertainty what the Commission had done, but I do  
9 believe we were informed, either by staff or  
10 Mr. Ross, of how that was proceeding, and that  
11 there was an additional meeting to come, which I  
12 believe is next week, I think. I am not sure of  
13 the date on that.

14 MR. ROSS: I think it's the 5th.

15 CHAIRMAN JARRETT: So the Traffic  
16 and Safety meeting would be July 5.

17 MR. ROSS: Can I comment on that  
18 real quick?

19 CHAIRMAN JARRETT: Yeah, go ahead.

20 MR. ROSS: I don't think we ever  
21 used the word approved. I think the word we used  
22 was supported. I know certainly that was what was  
23 in our Powerpoint.

24 And that word supported is directly from

1 the minutes of the Traffic and Safety Commission  
2 meeting that we were at. So we got that language  
3 directly from that meeting in the minutes.

4 CHAIRMAN JARRETT: Yeah. And I  
5 know that we were informed that there was another  
6 meeting to come and that no formal decision has  
7 been made.

8 MR. ROSS: Right. In the  
9 subsequent meeting no decision had been made but  
10 in the meeting we initially went to they did  
11 support it.

12 CHAIRMAN JARRETT: Both of those  
13 emails will go into the public record as well.

14 Kevin, do you want to speak to flooding  
15 survey or something along those lines?

16 MR. MANTELS: With regard to those  
17 who raised issues about drainage tonight, for  
18 those of you who mentioned systems you have that  
19 are not working or on a neighbor's property that  
20 are not working, reach out to us, we would like to  
21 investigate and determine why that's the case.

22 I am aware of the systems that are out  
23 there. If there is something that stopped  
24 functioning, something that changed, we would like

1 to look into that and figure out why.

2 If you want to come and talk to me after  
3 the meeting, reach out to public works, either of  
4 those options.

5 For those others who mentioned systems  
6 that are designed or under-designed, I wish that  
7 we could have moved those forward sooner. I wish  
8 we had the funding to move those forward.

9 We will still continue to try to move  
10 those forward and get better prices. We are  
11 hoping the market cooperates with that.

12 All of those things said, I think it's  
13 worth mentioning that this development, as with  
14 all developments in the Village, will be required  
15 to comply with DuPage County Storm Water  
16 Ordinance, as well as Village of Villa Park  
17 Ordinance, which a detailed review has not yet  
18 been performed but will be. Typically that takes  
19 place after any planning and zoning approvals.

20 To that end, the site actually currently  
21 drains to the north and to the east. So while we  
22 are aware of the drainage concerns, we hear them,  
23 I understand that doesn't alleviate anyone's  
24 issues with them, let alone make them go away.

1                   But that said, this site currently has  
2                   very little impact, in terms of the drainage on  
3                   the surrounding area, in spite of existing issues,  
4                   and would not be allowed to create any adverse  
5                   impacts, would be required to demonstrate that it  
6                   does not create any adverse impacts on the  
7                   surrounding area.

8                   That all of course will take place  
9                   during the detailed storm water review to come, if  
10                  this development moves forward.

11                  CHAIRMAN JARRETT: Could you spell  
12                  your last name for the record please?

13                  MR. MANTELS: Sure. It's  
14                  M-A-N-T-E-L-S.

15                  CHAIRMAN JARRETT: Thank you.

16                  Does anybody have any other questions  
17                  for staff or for the Petitioner?

18                  COMMISSIONER CALVERT: I have a  
19                  question for staff.

20                  Ellen or Mr. Mantels, does the Village  
21                  plow that alley?

22                  MR. MANTELS: Yes, public works  
23                  operations division does plow that alley.

24                  COMMISSIONER CALVERT: That was my

1 question.

2 COMMISSIONER LUEDTKE: I have a  
3 question for the Petitioner.

4 We brought up a couple of instances in  
5 the previous two meetings where we talked about  
6 the directional curbing exiting the drive from  
7 underneath the building, referenced as a half pork  
8 chop. That hasn't been addressed, shown,  
9 indicated, drawn.

10 Can you provide some insight as to why  
11 that has not been explored and presented to us?

12 MR. ROSS: Maybe Ellen can comment  
13 on it.

14 But we got a comment back from staff  
15 saying it was up in the air; that it seemed like  
16 staff -- some wanted it, some didn't want it.

17 We are open to do it. We can do it, if  
18 it needs to be done, but we just need direction  
19 from someone who says that it definitely should be  
20 or definitely shouldn't be done. So we left it as  
21 it is but we are open to do.

22 COMMISSIONER LUEDTKE: I was  
23 curious where it was at.

24 CHAIRMAN JARRETT: Does anyone from

1 staff want to speak to that?

2 MS. WEBER: Staff was neutral on  
3 it.

4 If you were to add the pork chop it does  
5 change the directional approach to the project,  
6 with people only able to enter the garage from the  
7 north or exit going to the north.

8 It did not however change the lot  
9 coverage because the pork chop would be in the  
10 public right of way portion.

11 It would however add additional green  
12 way in the public right of way, so greening up the  
13 general area, but it did not change the lot  
14 coverage on the site. So we felt that was a  
15 decision that's left to the Comission and Village  
16 Board. We could have gone either way.

17 COMMISSIONER CALVERT: Can you  
18 define a pork chop for us?

19 MS. WEBER: When you look at the  
20 driveway, you can -- So hold on one second. I  
21 will use the pointer.

22 You can see how there is a triangular  
23 approach on either side, there is a driveway  
24 flare, and this southern triangle went away, this

1 way. So cut a triangle off, you have then flared  
2 the driveway, so when you come out you have to  
3 make a right-hand turn.

4 COMMISSIONER CALVERT: Thank you.

5 CHAIRMAN JARRETT: You are  
6 essentially creating a right turn out/left turn in  
7 only situation.

8 Staff does not have a strong opinion one  
9 way or the other on that?

10 MS. WEBER: Correct.

11 CHAIRMAN JARRETT: Thank you.

12 MS. KARCZ: Are we allowed to  
13 address that because we thought that was part of  
14 the plan already.

15 CHAIRMAN JARRETT: Sorry, no. So  
16 questions have been asked and that's something you  
17 could ask of the Petitioner, I am sure.

18 COMMISSIONER SHLENSKY: I have a  
19 question for staff. Ellen perhaps would be best  
20 to answer this.

21 The two apartment complexes directly to  
22 the south of 27 West Park, are those Highland  
23 Avenue address buildings?

24 MS. WEBER: I believe so. I would



1 have to confirm that.

2 Kevin, do you know?

3 MR. MANTELS: They are.

4 MS. WEBER: They are.

5 COMMISSIONER SHLENSKY: Do either  
6 of those buildings have a 5 foot rear foundation  
7 landscaping in what is considered the rear of  
8 their property lots?

9 MS. WEBER: I don't believe that  
10 they do.

11 Remember that the Code changed in 2018,  
12 where landscaping was required for the first time,  
13 and some of the other buildings that have been  
14 built recently did not have the rear foundation.  
15 It is not required in districts where there is  
16 zero lot line buildings generally.

17 COMMISSIONER SHLENSKY: Thank you.

18 CHAIRMAN JARRETT: I think  
19 generally the intent of that ordinance, if you  
20 have buildings within -- Like if you imagine a  
21 building that is surrounded by parking, you would  
22 have room to landscape between the building and  
23 whatever sidewalk or parking.

24 I don't know it necessarily envisions

1 the back of a building on an alley, but I don't  
2 know the specific intent of it, but that would be  
3 my guess.

4 MS. WEBER: Chairman Jarrett, if I  
5 may, I looked at the Code again. I am always one  
6 if I made a mistake I will admit it, even if it's  
7 humbling in public, but I am always going to take  
8 a conservative approach.

9 When the case was first published I did  
10 not include a variance for the rear to foundation  
11 landscaping and when we were discussing it at the  
12 last minute I thought well maybe we better add it  
13 conservatively, just like the drive aisle  
14 approach.

15 If I read the Code it says:

16 No foundation landscaping is required  
17 for buildings built on a lot line,  
18 buildings in the MX1, MX2 and MX3  
19 Districts or for areas where there is no  
20 public access.

21 So the question then becomes these  
22 parking spaces to the rear, are they private or  
23 are they public?

24 You could interpret it that no

1 foundation landscaping is required there, the more  
2 I think about it.

3 So that's an interpretation that the  
4 Commission has not yet had to make with the new  
5 Code. It hasn't come up before. This is the  
6 first time with this project, and as well, every  
7 time we get a new project in a new district we are  
8 learning how our Code works for us.

9 So I am comfortable with an  
10 interpretation that the variance actually is not  
11 needed and I was correct the first time. I will  
12 leave that to you.

13 CHAIRMAN JARRETT: Okay. Thank  
14 you.

15 MR. MANTELS: Just add to that,  
16 that's what I had mentioned before, the public  
17 access. We didn't feel that -- The rear of the  
18 property with private parking doesn't seem like  
19 public access to us, which is why we didn't  
20 include it as a variance at our meeting.

21 COMMISSIONER ROMANO: I know it was  
22 mentioned at the last meeting and tonight again  
23 but the development that's going on in Downers  
24 Grove, bigger lot, less units?

1 MR. ROSS: Correct.

2 COMMISSIONER ROMANO: I mean, I  
3 guess you know I will only speak for myself. My  
4 biggest hangup was the parking.

5 Why continue to push for so many units?

6 I believe eliminating that last floor,  
7 the fourth floor on this unit, would alleviate  
8 that need, and given that we know it's a smaller  
9 lot, is that an option?

10 What's the thought process behind a  
11 larger building on a smaller lot here in town?

12 MR. ROSS: Well, I don't want to  
13 comment on other projects. We actually -- We got  
14 some comments that I would say are -- well,  
15 personally attacking other projects. So we don't  
16 really want to get into that here tonight in this  
17 forum.

18 But I will say from, you know, this  
19 project specifically, that's what works for us,  
20 for the design and we think within the Code.

21 COMMISSIONER LUEDTKE: We know it's  
22 not within the Code or else we wouldn't be here.  
23 Let's not split hairs on a certain level.

24 MR. ROSS: The size is.

1                   COMMISSIONER LUEDTKE: If this fell  
2 within Code we wouldn't be here. That's our  
3 fundamental issue we are sort of dealing with;  
4 correct?

5                   MR. ROSS: I am talking about the  
6 size.

7                   COMMISSIONER ROMANO: I was talking  
8 about eliminating rooms in a nutshell but  
9 eliminating a floor would --

10                  MR. ROSS: I think he was talking  
11 about size.

12                  Again, we are four stories. We could be  
13 five. We could go 32 one bedrooms and have the  
14 parking for that. So someone else had brought up.  
15 And if that's the direction that you prefer us to  
16 go, we certainly can go that direction.

17                  But we felt four stories would be enough  
18 and I think that would be more appropriate for the  
19 area.

20                  CHAIRMAN JARRETT: Any other  
21 questions?

22                  Okay. We can move to discussion by  
23 Commission Members.

24                  I think the way we can approach this is

1 we can talk generally before we get into the  
2 specifics of each variation. But we will discuss  
3 each variation.

4 And then I think at the end we will take  
5 a -- I think we will discuss each one and then at  
6 the end take a motion on each one separately.

7 So what we are really looking for here  
8 are -- There is talk of hardship but we are really  
9 looking at particular hardships and practical  
10 difficulties.

11 The other thing that is sometimes  
12 mentioned is that making more money can't be the  
13 sole reason for variation but the ability to make  
14 a reasonable return on a property can be a  
15 consideration.

16 I am not saying that the Applicant has  
17 made the case for that or not but that can be a  
18 consideration.

19 So I guess, does anybody want to make  
20 any comments generally or just dive right into  
21 discussion of the individual variations?

22 COMMISSIONER LUEDTKE: Did we close  
23 the public hearing?

24 CHAIRMAN JARRETT: No, we are going

1 to close the public hearing later. We want all  
2 this discussion on the record.

3 Anything in general?

4 There will be a chance to have more  
5 general comments.

6 So the first variation we would be  
7 looking at a motion to approve a variation to  
8 allow for 33 spaces where -- 33 spaces where 37  
9 spaces are required.

10 In terms of a hardship on that one, I do  
11 believe that there is a couple of hardships and  
12 practical difficulties here.

13 I do believe that the shape of the  
14 subject property does present some design  
15 difficulties, in that if it were right angles, I  
16 think you probably could pick up two or three  
17 parking spaces, probably two inside and one maybe  
18 outside.

19 I would also just note that, in terms of  
20 the spirit of the Code, that the closing of the  
21 driveways on Park is actually adding an additional  
22 6 parking spaces, 1 of which is ADA compliant, on  
23 Park. Thought of in that way, they are  
24 actually -- would be over.

1 I know they can't count that. If it was  
2 a commercial use though they could. Obviously  
3 overnight parking would be the potential issue  
4 there.

5 Are there other thoughts? What are your  
6 thoughts generally on that variation, if you want  
7 to discuss or?

8 COMMISSIONER ROMANO: I do  
9 appreciate the net gain in public parking. I  
10 think that would be a good asset to that area.

11 I am still struggling with the need, the  
12 hardship for the variation there.

13 I feel like units could be lost -- or  
14 however it is -- bedrooms, we will say, could be  
15 lost in the configuration of the design.

16 I don't think it is a hardship, if it  
17 was designed that way, needing a variance by  
18 design. So I am going to honestly struggle to be  
19 okay with that one.

20 CHAIRMAN JARRETT: Okay. Anybody  
21 else have comments or discussion on that one?  
22 Thoughts?

23 Okay. Obviously before we make formal  
24 motions, if you have any other thoughts,



1 questions, comments, want to go back, we can  
2 always do that.

3 A motion to approve less than 24 foot  
4 wide aisle width per Section 7.9 Parking Area  
5 Design based upon the findings -- I will leave  
6 part off.

7 So that's the -- They are providing  
8 essentially 22 feet, including the alley at the  
9 rear. There is a couple things going on there:

10 One is that 24 foot wide drive aisle  
11 envisions parking on both sides on the same  
12 property. That's kind of what that Code is  
13 designed for. It's not necessarily designed for  
14 an alley.

15 To get to that 24 feet you would be  
16 asking the Petitioner to give another 2 feet,  
17 while not simultaneously asking the property  
18 owners on the other side who back into it now to  
19 give anything.

20 Again, I would also say on that one,  
21 they actually had more -- We asked them to turn it  
22 perpendicular. The Village wanted them to turn it  
23 perpendicular. That does change the geometry at  
24 the rear.

1           This one I don't have any problem with,  
2       based on parking standards generally, in terms of  
3       they have added 9 1/2 foot stalls, which is also  
4       something, I would mention in relation to the  
5       first one, with the 9 1/2 foot stalls, if they  
6       went to 9 foot stalls they could almost squeeze  
7       another parking space in the rear. I don't know  
8       that --

9           COMMISSIONER LUEDTKE: I don't know  
10      if you can, given the utility pole there.

11          CHAIRMAN JARRETT: Yeah, I believe  
12      that was mentioned by engineering; that the  
13      placement of the ADA stall does not allow you to  
14      be pushed to the west.

15          But they are providing 9 1/2 foot stalls  
16      in the back to make sure the turning radius is not  
17      just sufficient, more than sufficient.

18          Anyone have any questions/comments on  
19      that?

20          Then we have a motion to approve garage  
21      entry on the side yard, which is Princeton, where  
22      only rear entrance is permitted. With that one we  
23      have discussed the Code and I know staff has been  
24      supportive of that one.

1                   It envisions, when possible, for the  
2 entrance to be not on the primary street, to be at  
3 the rear.

4                   And actually were this a surface parking  
5 lot, I believe -- If this was surface parking lot  
6 they would be able to have --

7                   Correct me, if I am wrong, Ellen. If  
8 this was a surface parking lot would they be able  
9 to have an entrance on Princeton or no?

10                  MS. WEBER: It's the same location.  
11 It would have to be off the primary street.

12                  In this instance we do believe this is  
13 the best way to go because the cars have to get  
14 into the garage and you are just loading more into  
15 that alley.

16                  CHAIRMAN JARRETT: This is where  
17 the site geometry definitely impacts the ability  
18 to lay out parking. Anything off the rear is --  
19 You are going to have turning issues with cars  
20 going in and out and you are losing parking  
21 spaces, both on the alley and in the building.

22                  MS. WEBER: I do have an aerial, if  
23 you want me to put it up, if that helps you --

24                  CHAIRMAN JARRETT: Yeah, that would

1 be good.

2 MS. WEBER: -- as you make your  
3 recommendations?

4 COMMISSIONER LUEDTKE: Yes, you are  
5 correct on that.

6 If it was a surface lot there could be  
7 limited side yard access to a parking lot.

8 CHAIRMAN JARRETT: So that's one  
9 where the hardship's to a certain degree created  
10 by Code because we do have a desire to not have  
11 that curb cut be on Park.

12 And I just personally have strong  
13 opinions that the curb cuts on Park are not good  
14 for Park but certainly not a garage entrance.

15 Questions, comments, thoughts on that?

16 So a motion to approve 85 percent  
17 impervious lot coverage and -- make sure these  
18 numbers are all right -- 2.5 percent semi-pervious  
19 lot coverage, where a maximum impervious coverage  
20 of 70 percent, additional semi-pervious cover of  
21 25 percent is allowed.

22 MS. WEBER: Mr. Chairman, I will  
23 put the motions up here, and remember, they are  
24 motions to recommend approval by the Village

1 Board. It's not a motion to approve. It's motion  
2 to recommend approval.

3 CHAIRMAN JARRETT: Yeah, when we go  
4 to the actual motions, I will make sure we get all  
5 the proper language in there.

6 So on this one I think there is going to  
7 be some questions/debate.

8 I know at the previous meeting that the  
9 Applicant said they would try to get semi-pervious  
10 pavers, where they could, but there were concerns,  
11 maintenance concerns, about having them installed  
12 in parking areas, given the combination of wear  
13 and tear from road salt and freeze and thaw of the  
14 winter cycle, as well as the weight of the  
15 vehicles over time.

16 Again, towards kind the spirit of the  
17 ordinance I would again point out that they are  
18 adding approximately 5 percent of pervious surface  
19 either at the site perimeter, in areas that are  
20 currently asphalt, or the landscape at the  
21 northwest corner. So while they may not be there,  
22 they are actually in the entire project area  
23 reducing the total impervious surface more than  
24 that number alone would point to.

1 Questions, comments?

2 COMMISSIONER ROMANO: I am torn on  
3 this one. It is an improvement but look at the  
4 surrounding areas and parking lot next to it which  
5 is completely impervious. Standard Meadry, the  
6 next business over, all the way to the corner,  
7 looks like it's just concrete all the way.

8 So the nature of the impervious  
9 materials on that entire area is pretty high, so  
10 it does make the improvement in this one. It  
11 would.

12 CHAIRMAN JARRETT: Ellen, could you  
13 remind me, there are fees in lieu related to storm  
14 water on this site; correct?

15 MS. WEBER: Yes. Final engineering  
16 has not yet been done. They are not at the  
17 building permit process.

18 And when -- If the project moves forward  
19 the building permit process would include a review  
20 of the engineering and the storm water and that's  
21 when Kevin Mantels and the Village engineers would  
22 look at the storm water and what would happen.

23 And if they are unable to meet the  
24 engineering requirements of storm water retention

1 and release rates there is the option in the Code  
2 for a fee in lieu provision.

3 Right?

4 MR. MANTELS: Yes.

5 MS. WEBER: Kevin says correct.

6 CHAIRMAN JARRETT: Any additional  
7 thoughts, questions, comments on that one?

8 All right. So the next one is --

9 Do you have something, Ellen?

10 MS. WEBER: I was going to say  
11 something, backing up one minute.

12 There was confusion over the percentages  
13 of lot coverage. The case was published for  
14 90 percent because I believe the original for  
15 submittal was 90 percent. And it has been  
16 decreased down to the 85.

17 That's why you see different numbers  
18 because the site plan has changed. But 85 percent  
19 is the current impervious.

20 And the Code is a bit quirky, in that it  
21 lays out a requirement for impervious,  
22 semi-pervious, and then the remaining 5 percent is  
23 to be pervious. It's not a 70 percent impervious,  
24 30 percent open space. It considers the quality

1 of the materials on every corner of the site and  
2 the perviousness they provide to the site.

3 CHAIRMAN JARRETT: Okay. The  
4 streetscape area from zero feet to 10 feet, where  
5 minimum 13 feet streetscape area is required along  
6 street frontages.

7 I think Ellen spoke to this earlier but  
8 what it's really talking about is two aspects of  
9 the Code.

10 They don't conflict per se. They just  
11 mean it in a way that creates a hardship with the  
12 Code for the Applicant, in that the Code that the  
13 streetscape area is designed to create,  
14 essentially a separation from the building to the  
15 street, by cutting in parking here that's reduced  
16 what would have been -- without that situation  
17 there would have been plenty of room to meet the  
18 Code here and the building actually does meet the  
19 setback requirement, as far as it relates to the  
20 property line.

21 Additionally, I think here again kind of  
22 to the spirit of the Code, they are actually  
23 proposing the bump out which recreates some sense  
24 of streetscape on a street that really doesn't



1 have any streetscape to speak of, other than  
2 parked cars.

3 I would encourage the Village to find  
4 other ways to increase the quality of the  
5 streetscape along there, whether or not this  
6 project goes ahead or not.

7 Questions, comments, thoughts on that  
8 one?

9 So we have a motion to approve zero feet  
10 of rear foundation landscaping where 5 feet is  
11 required. They are actually providing 2 1/2 feet.

12 So we probably should modify that,  
13 Ellen, thoughts, or leave it?

14 MS. WEBER: I think I would  
15 recommend you determine if the variation is not  
16 needed.

17 CHAIRMAN JARRETT: Okay.

18 MS. WEBER: Given that it's private  
19 space in the rear, I think that we do not need to  
20 add that variation for consideration.

21 CHAIRMAN JARRETT: So yeah, I  
22 think -- I do agree with staff that the intent of  
23 that is not to put landscape on an alley where  
24 salt and winter and --

1 COMMISSIONER ROMANO: Yeah.

2 COMMISSIONER SHLENSKY: Okay.

3 Nevertheless, Ellen, I want to thank you for  
4 bringing that to our attention and bringing it to  
5 the public's attention. It shows how incredibly  
6 transparent staff is being with the public. I  
7 very passionately thank you for bringing this  
8 point out.

9 MS. WEBER: You are welcome.

10 CHAIRMAN JARRETT: I guess a  
11 question is, out of the sake of caution, this  
12 would be worth just voting on it anyway.

13 COMMISSIONER SHLENSKY: I have no  
14 objection in bringing this forward.

15 CHAIRMAN JARRETT: It looks like  
16 the Village Attorney may have comment.

17 MS. WOLF: Melissa Wolf. Thank  
18 you, Mr. Chairman.

19 I agree with Ellen. I believe this  
20 Board should make a determination as to whether or  
21 not the variation is required.

22 If it's determined that no variation is  
23 required because of there being no public access  
24 to the site, then you don't need to make a

1 recommendation to the Village Board in this  
2 regard.

3 CHAIRMAN JARRETT: So then I would  
4 ask for a voice vote on whether we believe the  
5 variation is required at the rear.

6 Whether or not the Variation 6, a motion  
7 to recommend approval of the reduction of rear  
8 foundation from 5 to zero feet.

9 All in favor of not needing that  
10 variation?

11 ALL PRESENT: Aye.

12 CHAIRMAN JARRETT: Any opposed to  
13 that?

14 (No response.)

15 CHAIRMAN JARRETT: Okay. Based on  
16 the recommendation of staff and counsel we will  
17 strike that one.

18 The final would be to grant relief from  
19 the visibility triangle per Section 9.3 in order  
20 to accommodate the required build-to zones.

21 Again, there is some conflict in our  
22 Code related to the -- some of the MX Districts,  
23 specifically the MXT District, where we want the  
24 buildings close to the corner when it's practical,

1 but that could potentially be within the sight  
2 triangle.

3 In this instance I would mention two  
4 things:

5 1, there is a code text amendment  
6 working its way through the Village now that would  
7 ultimately put discretion on engineering for that  
8 in the MX Districts to determine whether or not  
9 they were necessary, based on the specifics of the  
10 site in play.

11 But additionally, they are actually  
12 proposing to move the stop line out away from the  
13 building and being able to stop far north of the  
14 corner of the property. I believe that that was  
15 made clear, both in the exhibits from the staff  
16 and from the Petitioner in the previous public  
17 hearing.

18 Personally, I think the improvement at  
19 the corner will make this corner safer, in terms  
20 of the island.

21 And I actually would like to see the  
22 Village find a way to -- I believe we could have  
23 more cross-connection for pedestrians between our  
24 north-south streets and the prairie path.

1 MS. WEBER: Chairman Jarrett, if I  
2 could provide for the benefit of our residents a  
3 little more explanation on what the visibility  
4 triangle is.

5 It's an urban design element in the --  
6 The MX Districts are all intended to bring the  
7 buildings closer to the street to create a more  
8 pedestrian-friendly atmosphere and slow traffic  
9 down and change the general feel as you move  
10 through the community in the commercial and  
11 transitional districts that are along St. Charles  
12 Road and here along the path.

13 And some of the MX Districts are already  
14 exempted out from the triangle because they have  
15 zero lot line building setbacks.

16 So if you have the building at zero lot  
17 line, meaning built on the lot line, there is no  
18 way you can create that triangle, which is  
19 measured from the point where the two lot lines  
20 intersect at the corner.

21 And what we are finding is that even  
22 when we've got this district, which is a 5 to 10  
23 foot setback, you still can't create the  
24 visibility triangle.

1           So the Commission has previously talked  
2 about this at two previous meetings. We're going  
3 through our text amendment at the same time now,  
4 where we are trying to correct some of the  
5 conflicts we are finding in the Code and this was  
6 one of them.

7           And there has been consensus already to  
8 modify the visibility triangle. We would like to  
9 gain it whenever it is possible and therefore the  
10 recommendation from staff is going to be that the  
11 Village engineer have final discretion on the  
12 visibility triangle, so we can get it wherever we  
13 can get it, but where it's not practical, it's  
14 just not practical.

15           I do believe, Mr. Chairman, you have  
16 another question from the audience. I didn't know  
17 if you wanted to entertain.

18           AUDIENCE MEMBER: Since you brought  
19 up the new comment to us, I had a question about  
20 the visibility triangle with the new northern  
21 moved stop bar --

22           MS. WEBER: I do disagree with you.  
23 If you do feel that adding that peninsula is going  
24 to be adding a negative impact --

1 AUDIENCE MEMBER: I am just asking  
2 about the visibility triangle.

3 MS. WEBER: I do believe that  
4 adding the -- You have asked for the record for  
5 the minutes.

6 If adding that peninsula is creating a  
7 new site blockage?

8 AUDIENCE MEMBER: Yes.

9 MS. WEBER: I do believe right now  
10 when you come up to the corner you have those cars  
11 parked there already and adding the new peninsula  
12 island will enable cars to come closer north and  
13 they will have better visibility. I do believe  
14 the peninsula will increase visibility. That's  
15 just my professional opinion.

16 CHAIRMAN JARRETT: I would also  
17 point out that the exact design of that island and  
18 that intersection would have to go through Village  
19 engineering.

20 And if what the Applicant has  
21 proposed -- and I know they have worked with  
22 staff, but there may be some minor modifications  
23 that have to be made to that island, exact  
24 location of the stop bar.

1                   But just speaking, I trust our Village  
2 engineers to get there. I don't think anybody  
3 wants to create a more dangerous intersection.

4                   Okay. This one seems pretty straight  
5 forward to me but are there any questions,  
6 comments on that one?

7                   Okay. So that is all the variations we  
8 have discussed. I guess then I would ask now,  
9 before we start having motions, if anybody has any  
10 specific final comments they would want to make  
11 generally or about any of these motions before we  
12 start making motions?

13                   COMMISSIONER CALVERT: Can we talk  
14 maybe just briefly about parking again?

15                   CHAIRMAN JARRETT: Yes.

16                   COMMISSIONER CALVERT: My question,  
17 Ellen, is for you, in the covered parking, there  
18 is an ADA spot. Is that required?

19                   MS. WEBER: The Code requires and  
20 we do -- We have adopted the State of Illinois  
21 Accessibility Code. And when you have parking  
22 lots 25 spaces and under, 1 of those spaces must  
23 be ADA.

24                   It's not an additional space. It's 1



1 within the required amount, if 25 or less are  
2 required. Once you go to 26 it's 2.

3 And ADA spaces need to be as close as  
4 possible to the entrance doors. So that's why the  
5 space is there.

6 The space on the street on Park is  
7 because once -- You look at blocks. So the civil  
8 side of engineering, the engineers look at how  
9 many spaces exist on a block, when you walk around  
10 it without crossing the street.

11 And so creating those additional 6  
12 spaces on the north side of Park puts us at over  
13 25 spaces with all of the street parking when you  
14 look at Ardmore and rounding the corner to Park.  
15 So that's why we needed another ADA space on the  
16 public right-of-way.

17 Correct, Kevin?

18 MR. MANTELS: Correct.

19 MS. WEBER: He says correct.

20 COMMISSIONER CALVERT: So if all of  
21 these units were rented and there wasn't a tenant  
22 that needed the ADA spot, what would happen to  
23 that spot?

24 MS. WEBER: It is required by State

1 law. It has to remain.

2 COMMISSIONER CALVERT: So it  
3 couldn't be assigned to a tenant?

4 MS. WEBER: Correct.

5 COMMISSIONER CALVERT: So  
6 potentially it has to sit there vacant?

7 MS. WEBER: Well, Kevin?

8 MR. MANTELS: I am not clear on  
9 that actually.

10 MS. WEBER: I think it still has to  
11 sit there that way.

12 COMMISSIONER CALVERT: What if  
13 there are two tenants that need accessible parking  
14 spaces?

15 MS. WEBER: I did uncover another  
16 conflict in the Code, in that the Building Code we  
17 directly adopt the State Accessibility Code. In  
18 the Zoning Code we have modified it to be a little  
19 bit more restrictive.

20 The State of Illinois State  
21 Accessibility Code in its last edition allowed for  
22 2 spaces to share the one 8 foot aisle. And I was  
23 going to bring that up in one of our next text  
24 amendments.

1                   So there is the possibility that the  
2                   drive aisle could be moved in the middle and two  
3                   spaces could share it because we are -- we have  
4                   that conflict -- It's not much of a conflict but  
5                   it's two different interpretations between two  
6                   different sections of Code.

7                   CHAIRMAN JARRETT: So the State  
8                   Code allows you to share --

9                   MS. WEBER: An 8 foot  
10                  accessibility.

11                  CHAIRMAN JARRETT: So theoretically  
12                  with amending our text to match the State -- to  
13                  match State Code, then this development could  
14                  theoretically pick up another -- I am not going to  
15                  say they could but --

16                  MS. WEBER: Correct. You could put  
17                  the two --

18                  CHAIRMAN JARRETT: A parking space  
19                  could be picked up in some scenarios.

20                  MS. WEBER: You could put the two  
21                  ADA spaces in the building sharing a drive aisle  
22                  and have additional space on the alley; correct.

23                  And I have talked to the engineering  
24                  staff. And I did this in a previous community. I

1 think the best recommendation for any community is  
2 to just merely adopt the State Code.

3 CHAIRMAN JARRETT: I would agree  
4 with that.

5 MS. WEBER: That would then remove  
6 the further restriction requiring each space to  
7 have its own 8 foot drive aisle and allowing them  
8 to be shared.

9 And then correct, you could pick up an  
10 additional space.

11 CHAIRMAN JARRETT: Obviously  
12 whether or not for this specific development it's  
13 up to the Applicant, the petition, the permitting,  
14 all of that, but theoretically a development could  
15 turn -- could pick up a spot.

16 MS. WEBER: If I may, Mr. Chairman,  
17 for our residents there are three codes the State  
18 of Illinois requires every community has to adopt  
19 as a bare minimum; State Plumbing Code,  
20 Accessibility Code and the State Energy Code. So  
21 every town is always on the most current version  
22 of those.

23 CHAIRMAN JARRETT: Okay. Thank  
24 you.

1 COMMISSIONER SHLENSKY: I have  
2 question for counsel, if she is willing.

3 With regards to the ADA compliance issue  
4 of the parking spots we were just talking about,  
5 are you aware of any authority that allows for  
6 relief of the ADA required spots when no tenant  
7 has a need for such?

8 MS. WOLF: I am not aware of that.

9 COMMISSIONER SHLENSKY: Thank you.

10 CHAIRMAN JARRETT: Do you have any  
11 other comments?

12 COMMISSIONER CALVERT: I am  
13 struggling with the parking issue as well and the  
14 variance requested for that.

15 So that means there are 22 indoor  
16 parking spaces. What I am looking at here is 12  
17 and 10. So there isn't even enough indoor parking  
18 spaces for every unit in this building.

19 And my opinion -- and this is just my  
20 opinion -- outdoor parking in Northern Illinois is  
21 certainly not a luxury building in January. So I  
22 am really struggling with the variance for that.

23 And this is not a neighborhood where we  
24 can kind of get it close. It's not like the other

1 developments we have looked at, where there is  
2 overflow parking that might be available. There  
3 just isn't here.

4 So if we don't get it right we are going  
5 to struggle with it for a long, long time.

6 And there is going to be street parking.  
7 I am not really fully informed of what the parking  
8 is for the two buildings on Highland. I have been  
9 by there a couple times but I do see a lot of cars  
10 around there. I don't know if that building is a  
11 one bedroom or two bedroom unit but there does  
12 seem to be a large number of cars in that  
13 neighborhood for those two buildings.

14 I just think the parking is an issue  
15 that has to be right, not just today; it has to be  
16 right five years from now and ten years from now.  
17 I am not there right now.

18 CHAIRMAN JARRETT: Okay. Any other  
19 discussion before we have a motion?

20 MS. WEBER: Can I just add one fact  
21 for you we previously discussed?

22 The Jewel is .5 miles and the train  
23 station is 1.0 miles. I Google mapped them.

24 COMMISSIONER CALVERT: Yeah, thank

1       you, Ellen. I was going to mention that.

2               I live right there. I am not  
3       contradicting you, Jason, but in 10 years I have  
4       lived there I have walked to the Jewel twice,  
5       honestly, and in the summer. I had nowhere else  
6       to go or nothing to do.

7               CHAIRMAN JARRETT: I understand and  
8       that's why in a transit-oriented development you  
9       are looking at two radiuses, one is a quarter  
10      mile, one is a half mile.

11              And I agree that while -- I would not  
12      say the train station is -- it's walkable but it's  
13      not ideally walkable. Ardmore, if you had to,  
14      Jewel if you had to, you could.

15              COMMISSIONER CALVERT: Sure.

16              CHAIRMAN JARRETT: Most people  
17      don't want to walk to the grocery store for a lot  
18      of reasons.

19              COMMISSIONER CALVERT: Especially  
20      in January.

21              CHAIRMAN JARRETT: Especially in  
22      January.

23              COMMISSIONER CALVERT: I did have  
24      one other question.

1                   You did tell us that the Village plows  
2                   the alley.

3                   MR. MANTELS:   Correct.

4                   COMMISSIONER CALVERT:   I am not  
5                   assuming you know this particular answer to this  
6                   but I think someone in this room does.

7                   Where does the snow go?

8                   I am looking at Ms. Fogarty.

9                   MS. FOGARTY:   Your guess is as good  
10                  as mine.

11                  AUDIENCE MEMBER:   It goes on the  
12                  land by Steuerle's parking lot.

13                  MR. MANTELS:   Our policy is to plow  
14                  it out to Princeton Avenue and then wind road it  
15                  on Princeton Avenue but I am not in operations.

16                  COMMISSIONER CALVERT:   Wind road  
17                  means?

18                  MR. MANTELS:   It just means to push  
19                  it down the street, as if we were plowing the snow  
20                  that was already there. To disperse it evenly so  
21                  it's not in one place.

22                  AUDIENCE MEMBER:   In reality it's  
23                  loaded on the land in the parking lot.

24                  CHAIRMAN JARRETT:   I appreciate it



1 but she is trying to take names, she being the  
2 court reporter.

3 AUDIENCE MEMBER: Just a lack of  
4 information there.

5 CHAIRMAN JARRETT: I live on the  
6 corner where Lombard plows it one way and Villa  
7 Park plows the other way, so I know what a pile of  
8 snow looks like. I get it coming and going.

9 Okay. So if there is no other  
10 discussion or comments, then I am going to ask --  
11 Well, Justin, are you comfortable making all of  
12 these motions?

13 Alternatively I can make the motions.

14 COMMISSIONER SHLENSKY: It is my  
15 understanding that --

16 CHAIRMAN JARRETT: If you are not  
17 going to vote for one then -- Okay.

18 So the first one would be -- I will read  
19 them and ask.

20 So I would entertain a motion to  
21 recommend approval of a variation to allow for 33  
22 spaces where 37 spaces are required per Section  
23 7.2 based upon the findings of fact identified in  
24 the record for PZ 22-0005.

1 Do I have a motion?

2 COMMISSIONER LUEDTKE: I will make  
3 that motion.

4 CHAIRMAN JARRETT: Motion from  
5 Luedtke.

6 Is there a second?

7 MS. WOLF: Mr. Chairman, for point  
8 of clarification, a motion and a second doesn't  
9 indicate support or whether you are going to vote  
10 in support or denial of it.

11 So my recommendation from a legal  
12 standpoint is that there be a motion and a second  
13 for each of the variations requested and then a  
14 vote taken.

15 So the Board members should not hesitate  
16 for moving or seconding a motion just to get on  
17 the record what the recommendation is in each  
18 variation.

19 CHAIRMAN JARRETT: Particularly  
20 since we are recommending body as well.

21 Is there a second?

22 COMMISSIONER KASE: I will second.

23 CHAIRMAN JARRETT: Second from  
24 Kase.

1 Any questions or comments on the motion?  
2 Okay. Roll call vote on that one.  
3 Calvert?

4 COMMISSIONER CALVERT: No.

5 CHAIRMAN JARRETT: Kase?

6 COMMISSIONER KASE: Yes.

7 CHAIRMAN JARRETT: Luedtke?

8 COMMISSIONER LUEDTKE: Yes.

9 CHAIRMAN JARRETT: Romano?

10 COMMISSIONER ROMANO: No.

11 CHAIRMAN JARRETT: Shlensky?

12 COMMISSIONER SHLENSKY: No.

13 CHAIRMAN JARRETT: I vote yes.

14 That leaves 3-3.

15 We have a motion to recommend approval  
16 of a variation to allow for less than 24 feet wide  
17 aisle width per Section 7.9, Parking Area Design  
18 based upon the findings of fact identified in the  
19 record for PZ 22-0005.

20 Is there a motion?

21 COMMISSIONER SHLENSKY: So moved.

22 CHAIRMAN JARRETT: Is there a  
23 second?

24 COMMISSIONER LUEDTKE: I will

1 second that.

2 CHAIRMAN JARRETT: We have a motion  
3 and a second from Shlensky and Luedtke.

4 Roll call on that.

5 Calvert?

6 COMMISSIONER CALVERT: Yes.

7 CHAIRMAN JARRETT: Kase?

8 COMMISSIONER KASE: Yes.

9 CHAIRMAN JARRETT: Luedtke?

10 COMMISSIONER LUEDTKE: Yes.

11 CHAIRMAN JARRETT: Romano?

12 COMMISSIONER ROMANO: Yes.

13 CHAIRMAN JARRETT: Shlensky?

14 COMMISSIONER SHLENSKY: Yes.

15 CHAIRMAN JARRETT: I too vote yes.

16 A motion to recommend approval of a  
17 variation to allow for a garage entry on the side  
18 yard Princeton Avenue where only rear entrance is  
19 permitted per Section 4.4.3 (10) based upon the  
20 findings of fact identified in the record for PZ  
21 22-0005.

22 Motion?

23 COMMISSIONER SHLENSKY: So moved.

24 CHAIRMAN JARRETT: Second?

1 COMMISSIONER ROMANO: I will  
2 second.

3 CHAIRMAN JARRETT: We have Shlensky  
4 and Romano.

5 Roll call.  
6 Calvert?

7 COMMISSIONER CALVERT: Yes.

8 CHAIRMAN JARRETT: Kase?

9 COMMISSIONER KASE: Yes.

10 CHAIRMAN JARRETT: Luedtke?

11 COMMISSIONER LUEDTKE: Yes.

12 CHAIRMAN JARRETT: Romano?

13 COMMISSIONER ROMANO: Yes.

14 CHAIRMAN JARRETT: Shlensky?

15 COMMISSIONER SHLENSKY: Yes.

16 CHAIRMAN JARRETT: I too vote yes.

17 I have a motion to recommend approval of  
18 variation to allow for 85 percent impervious lot  
19 coverage and 2.5 semi-pervious lot coverage where  
20 a maximum impervious coverage of 70 percent and an  
21 additional semi-pervious cover of 25 percent is  
22 allowed for Section 4.4.3.A.7 based upon the  
23 findings of fact identified in the record for PZ  
24 22-0005.

1 Motion?

2 COMMISSIONER LUEDTKE: I make that  
3 motion.

4 CHAIRMAN JARRETT: Luedtke.  
5 Second?

6 COMMISSIONER KASE: I will second.

7 CHAIRMAN JARRETT: Is that Kase?  
8 Motion and second.  
9 Question and comments on that motion?  
10 Okay. Roll call.  
11 Calvert?

12 COMMISSIONER CALVERT: No.

13 CHAIRMAN JARRETT: Kase?

14 COMMISSIONER KASE: Yes.

15 CHAIRMAN JARRETT: Luedtke?

16 COMMISSIONER LUEDTKE: Yes.

17 CHAIRMAN JARRETT: Romano?

18 COMMISSIONER ROMANO: No.

19 CHAIRMAN JARRETT: Shlensky?

20 COMMISSIONER SHLENSKY: No.

21 CHAIRMAN JARRETT: I vote yes.

22 That's 3-3.

23 Advance the slide please. Thank you.

24 We have a motion to recommend approval

1 of a variation to allow a streetscape area from  
2 zero feet to 10 feet where a minimum 13 feet  
3 streetscape area is required along street  
4 frontages per Section 4.5.2, Build-to Zone based  
5 upon the findings of fact identified in the record  
6 for PZ 22-0005.

7 Motion?

8 COMMISSIONER ROMANO: Make that  
9 motion.

10 CHAIRMAN JARRETT: Motion from  
11 Romano.

12 Is there a second?

13 COMMISSIONER SHLENSKY: I will  
14 second.

15 CHAIRMAN JARRETT: Second from  
16 Shlensky.

17 Questions or comments on that motion?

18 Roll call.

19 Calvert?

20 COMMISSIONER CALVERT: Yes.

21 CHAIRMAN JARRETT: Kase?

22 COMMISSIONER KASE: Yes.

23 CHAIRMAN JARRETT: Luedtke?

24 COMMISSIONER LUEDTKE: Yes.

1 CHAIRMAN JARRETT: Romano?

2 COMMISSIONER ROMANO: Yes.

3 CHAIRMAN JARRETT: Shlensky?

4 COMMISSIONER SHLENSKY: Yes.

5 CHAIRMAN JARRETT: I too vote yes.

6 No. 6, that's the one we determined we  
7 didn't need.

8 No. 7, a motion to recommend approval of  
9 a variation to grant relief from the visibility  
10 triangle per Section 9.3 in order to accommodate  
11 required Build-to Zone based upon the findings of  
12 identified in the record for PZ 22-0005.

13 Questions?

14 Need a motion?

15 COMMISSIONER SHLENSKY: So moved.

16 CHAIRMAN JARRETT: Motion from  
17 Shlensky.

18 Is there a second?

19 COMMISSIONER LUEDTKE: Second.

20 CHAIRMAN JARRETT: Seconded by  
21 Luedtke.

22 Questions or comments on the motion?

23 Roll call.

24 Calvert?



1 COMMISSIONER CALVERT: Yes.

2 CHAIRMAN JARRETT: Kase?

3 COMMISSIONER KASE: Yes.

4 CHAIRMAN JARRETT: Luedtke?

5 COMMISSIONER LUEDTKE: Yes.

6 CHAIRMAN JARRETT: Romano?

7 COMMISSIONER ROMANO: Yes.

8 CHAIRMAN JARRETT: Shlensky?

9 COMMISSIONER SHLENSKY: Yes.

10 CHAIRMAN JARRETT: I too vote yes.

11 So with that a recommendation passes to  
12 the Village Board. We are not the final decision  
13 makers. They can accept, reject or modify the  
14 motions as they see fit.

15 And there will not be a formal notice  
16 sent regarding that, as there was for this public  
17 hearing, but the agendas will be published. So  
18 keep your eyes on the agendas.

19 With that I would entertain a motion to  
20 close the public hearing.

21 COMMISSIONER ROMANO: I make that  
22 motion.

23 CHAIRMAN JARRETT: Romano.

24 Is there a second?

1 COMMISSIONER CALVERT: Second.

2 CHAIRMAN JARRETT: Second by  
3 Calvert.

4 All in favor?

5 ALL PRESENT: Aye.

6 So the public hearing is closed.

7 MS. WOLF: Mr. Chairman?

8 CHAIRMAN JARRETT: Yes.

9 MS. WOLF: Can I make a  
10 clarification for the record?

11 So the audience knows, the vote today  
12 was basically, with respect to the parking space  
13 variance and the impervious lot coverage variance,  
14 that was a denial because it failed to receive a  
15 majority of the Zoning Board.

16 So the recommendation to the Village  
17 Board will be a denial of those variances because  
18 of the failure to receive a majority.

19 The other zoning variations with respect  
20 to the less than 24-foot wide aisle garage entry  
21 on the side yard streetscape area from zero foot  
22 to 10 feet and relief from the visibility  
23 triangle, those variations have been recommended  
24 approval. So those are the recommendations that

1 will be advanced to the Village Board.

2 In addition, for those matters that were  
3 recommended denial by this Board, the Village  
4 Board has to approve those measures by a 2/3  
5 majority of the quorum at the meeting, so the  
6 audience knows.

7 CHAIRMAN JARRETT: Thank you for  
8 that clarification.

9 All right. We are looking at the staff  
10 comment. I guess you had something you wanted to  
11 catch us up on?

12 MS. WEBER: Our next meeting will  
13 be July 14. It's a regularly-scheduled meeting.  
14 I have two special use cases we have published  
15 for. They are both special uses for auto body and  
16 paint booth. I am working on the text amendment  
17 and hope to have that as well on the agenda for  
18 the consideration of accessory structures.

19 CHAIRMAN JARRETT: Does anybody  
20 have any comments on the Commission?

21 Other than I know the last two meetings  
22 were long, but I am glad that people turn out.  
23 Everybody doesn't always agree but generally  
24 speaking it went pretty well.

1 Any other comments?

2 Motion to adjourn?

3 COMMISSIONER LUEDTKE: So moved.

4 CHAIRMAN JARRETT: Second?

5 COMMISSIONER ROMANO: I second.

6 CHAIRMAN JARRETT: All in favor?

7 ALL PRESENT: Aye.

8 CHAIRMAN JARRETT: We are

9 adjourned.

10 (Proceedings adjourned at

11 10:21 p.m.)

12 ///

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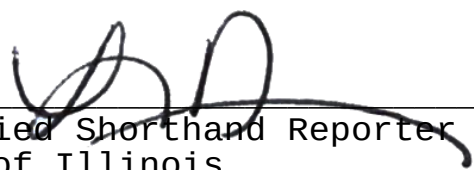
23 ///

24 ///

1 I, LYN DOERING, Certified Shorthand  
2 Reporter and Notary Public in and for the State of  
3 Illinois do hereby certify that the foregoing  
4 proceedings were reported stenographically by me,  
5 was thereafter reduced to a printed transcript by  
6 me, and constitutes a true record of the testimony  
7 given and the proceedings had;

8 That I am not a relative or employee or  
9 attorney or counsel, nor a relative or employee of  
10 such attorney or counsel for any of the parties  
11 hereto, nor interested directly or indirectly in  
12 the outcome of this action.

13 IN WITNESS WHEREOF, I do hereunto set my  
14 verified digital signature at Chicago, Illinois,  
15 this 29th day of July, 2022.

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\_\_\_\_\_  
Certified Shorthand Reporter  
State of Illinois  
CSR License No. 084-003037

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|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
|                                                                                                                              | <b>1800</b> 9:13                                                                                                                        |                                                                                                              |
| <b>\$</b>                                                                                                                    | <b>1908</b> 65:11                                                                                                                       | <b>3</b>                                                                                                     |
| <b>\$10,000</b> 31:17,18                                                                                                     | <b>1910</b> 65:12                                                                                                                       | <b>3</b> 8:21 27:21 70:17 71:6,7 72:5<br>73:12                                                               |
| <b>\$40,000</b> 31:19                                                                                                        | <b>1960s</b> 39:12                                                                                                                      | <b>3-3</b> 121:14 124:22                                                                                     |
| <b>(</b>                                                                                                                     | <b>2</b>                                                                                                                                | <b>30</b> 15:20 33:17 52:21 101:24                                                                           |
| <b>(10)</b> 122:19                                                                                                           | <b>2</b> 9:1 14:5 17:22 25:4 27:21<br>33:13 48:16 58:20,23 70:10,<br>13,14,15,16,18 71:5,7 73:10,<br>12,13 95:16 103:11 111:2<br>112:22 | <b>300</b> 44:17                                                                                             |
| <b>1</b>                                                                                                                     | <b>2.5</b> 98:18 123:19                                                                                                                 | <b>31</b> 57:11                                                                                              |
| <b>1</b> 14:4 17:20 39:13 70:9 93:22<br>106:5 110:22,24                                                                      | <b>2/3</b> 129:4                                                                                                                        | <b>32</b> 91:13                                                                                              |
| <b>1,000</b> 25:5                                                                                                            | <b>20</b> 19:4 30:20,24 76:16                                                                                                           | <b>33</b> 56:16,17 93:8 119:21                                                                               |
| <b>1.0</b> 116:23                                                                                                            | <b>2003</b> 27:12                                                                                                                       | <b>36</b> 62:5                                                                                               |
| <b>1.42</b> 51:4                                                                                                             | <b>2007</b> 32:11                                                                                                                       | <b>37</b> 12:20 24:24 28:1 34:16<br>93:8 119:22                                                              |
| <b>1/2</b> 14:2,20 15:4,14 16:11<br>18:20 19:5,6 58:7,20,23<br>70:13,14,15,16 71:5 72:10,15,<br>19 73:10,13 96:3,5,15 103:11 | <b>2013</b> 30:22 32:10                                                                                                                 | <b>39</b> 27:8                                                                                               |
| <b>10</b> 14:15 16:18 25:4 102:4<br>107:22 115:17 117:3 125:2<br>128:22                                                      | <b>2015</b> 32:10                                                                                                                       | <b>3D</b> 15:9                                                                                               |
| <b>10:00</b> 38:6                                                                                                            | <b>2017</b> 32:10 56:24                                                                                                                 | <b>4</b>                                                                                                     |
| <b>10:21</b> 130:11                                                                                                          | <b>2018</b> 12:7 87:11                                                                                                                  | <b>4</b> 7:19 11:21 12:18 14:18<br>17:18 27:21 43:9 55:15,16,20<br>59:3,14,17 72:3,6                         |
| <b>11</b> 7:5 12:18 14:15 16:17<br>34:18                                                                                     | <b>2019</b> 32:10                                                                                                                       | <b>4.4.3</b> 122:19                                                                                          |
| <b>11,239</b> 12:17                                                                                                          | <b>2020</b> 30:22 32:10                                                                                                                 | <b>4.4.3.A.7</b> 123:22                                                                                      |
| <b>11.5.1</b> 52:14                                                                                                          | <b>2022</b> 8:20 30:23                                                                                                                  | <b>4.5.2</b> 125:4                                                                                           |
| <b>11:30</b> 19:21                                                                                                           | <b>204</b> 20:20                                                                                                                        | <b>4.6</b> 57:2                                                                                              |
| <b>12</b> 25:12 37:7 39:10 115:16                                                                                            | <b>21</b> 8:20 37:2,7 64:12                                                                                                             | <b>412</b> 66:10                                                                                             |
| <b>13</b> 11:19 12:19 37:2 102:5<br>125:2                                                                                    | <b>210</b> 20:21                                                                                                                        | <b>417</b> 36:14 37:1                                                                                        |
| <b>13-foot</b> 11:16                                                                                                         | <b>22</b> 8:4 12:1 18:5 19:2,6 72:19<br>95:8 115:15                                                                                     | <b>419</b> 30:5                                                                                              |
| <b>14</b> 8:22 9:5 20:23 25:12<br>129:13                                                                                     | <b>22-0005</b> 3:8 7:14 119:24<br>121:19 122:21 123:24 125:6<br>126:12                                                                  | <b>422</b> 55:2                                                                                              |
| <b>1491</b> 9:11                                                                                                             | <b>24</b> 7:20 8:4 9:4 12:1,17,19<br>18:4 24:23 28:16 29:9 43:10<br>95:3,10,15 121:16                                                   | <b>427</b> 46:23 58:2                                                                                        |
| <b>15</b> 33:20 58:7 71:7                                                                                                    | <b>24-foot</b> 128:20                                                                                                                   | <b>436</b> 24:5                                                                                              |
| <b>150</b> 70:15                                                                                                             | <b>25</b> 9:11 32:19 98:21 110:22<br>111:1,13 123:21                                                                                    | <b>46</b> 12:18 38:15                                                                                        |
| <b>16</b> 38:16 58:7 71:7                                                                                                    | <b>256</b> 54:24                                                                                                                        | <b>48</b> 25:3                                                                                               |
| <b>17</b> 59:7                                                                                                               | <b>26</b> 39:5 111:2                                                                                                                    | <b>49</b> 64:10,12                                                                                           |
| <b>18</b> 43:7 71:2,5,7,11                                                                                                   | <b>27</b> 3:3,8 7:15 86:22                                                                                                              | <b>5</b>                                                                                                     |
|                                                                                                                              | <b>2D</b> 15:10,19                                                                                                                      | <b>5</b> 8:13 33:12 57:4 72:23 73:1,<br>14,16,18,21 80:16 87:6 99:18<br>101:22 103:10 105:8 107:22<br>116:22 |
|                                                                                                                              |                                                                                                                                         | <b>50</b> 33:21,22                                                                                           |

|                                    |                                       |                                       |
|------------------------------------|---------------------------------------|---------------------------------------|
| <b>500</b> 40:22                   |                                       | <b>adds</b> 41:23                     |
| <b>516</b> 43:4                    |                                       | <b>adequate</b> 25:22 40:16           |
| <b>5th</b> 80:14                   |                                       | <b>adjacent</b> 47:8 53:7,8           |
|                                    | <b>A</b>                              | <b>adjourn</b> 130:2                  |
|                                    |                                       | <b>adjourned</b> 130:9,10             |
| <b>6</b>                           | <b>a.m.</b> 38:6                      | <b>adjustments</b> 61:19              |
| <b>6</b> 17:18 39:13 45:24 55:15   | <b>abide</b> 32:5                     | <b>admission</b> 52:12                |
| 93:22 105:6 111:11 126:6           | <b>ability</b> 92:13 97:17            | <b>admit</b> 88:6                     |
| <b>6.82</b> 14:18                  | <b>accent</b> 63:13                   | <b>adopt</b> 112:17 114:2,18          |
| <b>6.87</b> 72:3                   | <b>accept</b> 127:13                  | <b>adopted</b> 12:6 110:20            |
| <b>61</b> 43:7                     | <b>access</b> 10:16 41:4 46:17 73:19  | <b>adult</b> 46:13                    |
| <b>678,000</b> 56:24               | 88:20 89:17,19 98:7 104:23            | <b>Advance</b> 124:23                 |
|                                    | <b>accessibility</b> 110:21 112:17,21 | <b>advanced</b> 129:1                 |
|                                    | 113:10 114:20                         | <b>adverse</b> 83:4,6                 |
| <b>7</b>                           | <b>accessible</b> 112:13              | <b>advertised</b> 46:1                |
| <b>7</b> 8:21 72:7 126:8           | <b>accessory</b> 129:18               | <b>aerial</b> 74:24 97:22             |
| <b>7.2</b> 119:23                  | <b>accidents</b> 39:19 42:10          | <b>affect</b> 29:5 70:23              |
| <b>7.9</b> 95:4 121:17             | <b>accommodate</b> 17:3 25:13         | <b>afford</b> 40:19 42:1              |
| <b>70</b> 30:12 33:7,16 76:1 98:20 | 105:20 126:10                         | <b>affordable</b> 41:22               |
| 101:23 123:20                      | <b>accordance</b> 49:5                | <b>age</b> 38:17                      |
| <b>744</b> 36:17                   | <b>account</b> 34:1                   | <b>agenda</b> 20:10 129:17            |
|                                    | <b>acknowledgment</b> 63:2            | <b>agendas</b> 127:17,18              |
| <b>8</b>                           | <b>acre</b> 43:7,9                    | <b>agent</b> 58:11                    |
| <b>8</b> 19:1,4 20:10 25:4 59:9    | <b>actual</b> 99:4                    | <b>agree</b> 69:8 103:22 104:19       |
| 112:22 113:9 114:7                 | <b>ADA</b> 17:1,3,15 56:20 93:22      | 114:3 117:11 129:23                   |
| <b>84.99</b> 30:13 32:3            | 96:13 110:18,23 111:3,15,22           | <b>agreed</b> 53:14                   |
| <b>85</b> 17:11 33:5,11,19 98:16   | 113:21 115:3,6                        | <b>agreement</b> 62:11                |
| 101:16,18 123:18                   | <b>add</b> 14:13 17:20 71:21 85:4,11  | <b>agrees</b> 52:19                   |
| <b>86</b> 33:9                     | 88:12 89:15 103:20 116:20             | <b>ahead</b> 77:2 80:19 103:6         |
| <b>87</b> 17:12                    | <b>added</b> 7:24 8:11 69:17 70:5,15  | <b>air</b> 84:15                      |
|                                    | 75:5 96:3                             | <b>aisle</b> 8:3 12:1 18:3 19:3 70:24 |
| <b>9</b>                           | <b>adding</b> 93:21 99:18 108:23,24   | 88:13 95:4,10 112:22 113:2,           |
| <b>9</b> 9:1 14:2,20 15:4,14 16:10 | 109:4,6,11                            | 21 114:7 121:17 128:20                |
| 18:20 19:6 37:1,2,15 52:3          | <b>addition</b> 3:24 42:14 55:20      | <b>Alesia</b> 30:5                    |
| 72:10,13,14,15,18,19 96:3,5,       | 129:2                                 | <b>alleviate</b> 13:4 28:6 30:17 46:8 |
| 6,15                               | <b>additional</b> 7:23 19:11 22:21    | 82:23 90:7                            |
| <b>9.3</b> 105:19 126:10           | 43:15 67:11 70:5 71:19 75:16          | <b>alley</b> 11:24 14:10,14,17 15:23  |
| <b>9.4</b> 12:13                   | 80:11 85:11 93:21 98:20               | 17:14 22:13 23:11 35:8 36:1           |
| <b>90</b> 33:8 101:14,15           | 101:6 110:24 111:11 113:22            | 37:21,22 39:8,17 42:3,7 53:7,         |
|                                    | 114:10 123:21                         | 8 61:5 65:22 70:24 72:2 73:21         |
|                                    | <b>additionally</b> 102:21 106:11     | 77:15,17,18,20 83:21,23 88:1          |
|                                    | <b>address</b> 3:19 20:1 36:14 60:13  | 95:8,14 97:15,21 103:23               |
|                                    | 69:15 75:15,20 86:13,23               | 113:22 118:2                          |
|                                    | <b>addressed</b> 26:1 61:11 76:18     |                                       |
|                                    | 84:8                                  |                                       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>alleys</b> 23:7 56:5<br><b>allowances</b> 61:19<br><b>allowed</b> 14:19 21:15 30:14<br>47:16 58:20 63:3 70:9 83:4<br>86:12 98:21 112:21 123:22<br><b>allowing</b> 22:4 32:3 46:24<br>54:23 62:7 114:7<br><b>Alternatively</b> 119:13<br><b>ambitious</b> 42:24<br><b>amending</b> 113:12<br><b>amendment</b> 106:5 108:3<br>129:16<br><b>amendments</b> 112:24<br><b>amenities</b> 40:15,21 46:18<br><b>amount</b> 20:12 111:1<br><b>analysis</b> 51:1<br><b>analyze</b> 23:7<br><b>anchor</b> 45:12<br><b>angled</b> 70:8<br><b>angles</b> 72:5 93:15<br><b>Angley</b> 48:18<br><b>Annemarie</b> 38:4 54:20<br><b>anyone's</b> 82:23<br><b>apartment</b> 7:20 13:12 25:5,7<br>44:1,5,9 50:18 51:4 64:16<br>68:17 86:21<br><b>apartments</b> 40:13,24 41:5,10,<br>12 52:8 55:22 68:14<br><b>Apex</b> 3:11<br><b>apologies</b> 7:17<br><b>apparent</b> 15:9<br><b>appeared</b> 79:5<br><b>applicable</b> 10:16 49:12 52:18<br><b>Applicant</b> 3:22 4:21 27:5<br>35:14 68:16 69:10,13 75:9<br>76:21 92:16 99:9 102:12<br>109:20 114:13<br><b>application</b> 3:2<br><b>approach</b> 20:11 60:6,24 85:5,<br>23 88:8,14 91:24<br><b>approaches</b> 11:13<br><b>approval</b> 23:1 47:23 79:13<br>98:24 99:2 105:7 119:21 | 121:15 122:16 123:17 124:24<br>126:8 128:24<br><b>approvals</b> 82:19<br><b>approve</b> 3:5 8:9 24:2 54:6<br>63:3 78:17 93:7 95:3 96:20<br>98:16 99:1 103:9 129:4<br><b>approved</b> 22:22 79:4 80:21<br><b>Approving</b> 42:11<br><b>approximately</b> 99:18<br><b>April</b> 8:22<br><b>architectural</b> 11:9<br><b>Ardmore</b> 3:8,11 7:14 31:20<br>36:17,23 37:10,13,15,22 38:2,<br>11,23,24 39:20 61:5,7 65:12<br>66:15,17 67:6 69:4 111:14<br>117:13<br><b>area</b> 15:11,12 16:5 17:2 23:2,<br>9,20,23 39:16 41:4,22 44:10<br>45:12 46:7 50:7 53:7,17 54:1<br>65:6 73:3 75:22 83:3,7 85:13<br>91:19 94:10 95:4 99:22 100:9<br>102:4,5,13 121:17 125:1,3<br>128:21<br><b>areas</b> 88:19 99:12,19 100:4<br><b>arguably</b> 69:7<br><b>arrive</b> 23:4 40:3<br><b>aspect</b> 21:3<br><b>aspects</b> 102:8<br><b>asphalt</b> 71:7 99:20<br><b>assessment</b> 18:12 79:7<br><b>Assessors</b> 51:2<br><b>asset</b> 94:10<br><b>assigned</b> 112:3<br><b>assistance</b> 31:12<br><b>assume</b> 56:11<br><b>assuming</b> 118:5<br><b>atmosphere</b> 107:8<br><b>attacking</b> 90:15<br><b>attend</b> 78:15<br><b>attention</b> 78:21 104:4,5<br><b>Attorney</b> 104:16<br><b>attract</b> 40:7 | <b>audience</b> 4:21,23 108:16,18<br>109:1,8 118:11,22 119:3<br>128:11 129:6<br><b>authority</b> 8:8 115:5<br><b>authorized</b> 18:16<br><b>auto</b> 129:15<br><b>Avenue</b> 3:8 20:21 24:5 38:16<br>86:23 118:14,15 122:18<br><b>average</b> 41:24 64:10<br><b>avoid</b> 53:8<br><b>aware</b> 9:9 20:20 81:22 82:22<br>115:5,8<br><b>Awhile</b> 72:4<br><b>Aye</b> 6:8 105:11 128:5 130:7 |
| <b>B</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>babies</b> 38:17<br><b>back</b> 10:22 11:19 14:1 15:4,<br>14,20,24 16:8,10,12 17:24<br>18:3 30:23 32:11,23 35:19<br>47:17 54:12 58:8 60:3 64:16<br>65:7,22 72:2,4 80:4 84:14<br>88:1 95:1,18 96:16<br><b>backed</b> 36:22<br><b>backing</b> 36:20 101:11<br><b>backups</b> 42:18<br><b>backyard</b> 27:23 28:6 36:16<br><b>backyards</b> 27:17<br><b>bad</b> 28:4 37:21 38:24<br><b>badly</b> 31:20<br><b>Bailey</b> 30:5<br><b>ban</b> 39:24<br><b>bandaid</b> 60:24<br><b>bank</b> 9:10 67:23<br><b>bar</b> 59:21 74:15 75:4 108:21<br>109:24<br><b>barbershop</b> 38:1<br><b>bare</b> 114:19<br><b>barely</b> 42:3<br><b>based</b> 20:16 21:11 47:10 54:7<br>95:5 96:2 105:15 106:9<br>119:23 121:18 122:19 123:22                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                            |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>125:4 126:11</p> <p><b>basement</b> 28:13</p> <p><b>basically</b> 50:2 128:12</p> <p><b>basing</b> 21:3,6</p> <p><b>basis</b> 22:13 50:23</p> <p><b>bath</b> 41:13</p> <p><b>bathrooms</b> 25:5 41:11,12</p> <p><b>beautiful</b> 66:18,21</p> <p><b>bedroom</b> 12:18,19 15:3 24:12<br/>25:7,17 39:13 40:5 41:10,11,<br/>16 51:5 52:8,24 116:11</p> <p><b>bedrooms</b> 12:20 14:4 17:23<br/>22:21 24:24 25:3 41:14 91:13<br/>94:14</p> <p><b>beer</b> 38:5 77:13,19</p> <p><b>began</b> 65:11</p> <p><b>beginning</b> 72:8</p> <p><b>behalf</b> 3:10 22:2 51:24</p> <p><b>beneath</b> 60:17</p> <p><b>benefit</b> 60:21 107:2</p> <p><b>bicycle</b> 61:6</p> <p><b>big</b> 50:13 54:23 56:3 64:20<br/>65:1,5</p> <p><b>bigger</b> 57:7 59:11 89:24</p> <p><b>biggest</b> 33:5 90:4</p> <p><b>bike</b> 64:12</p> <p><b>bikes</b> 40:9</p> <p><b>biking</b> 65:17</p> <p><b>bit</b> 3:13 5:24 14:5 19:19 27:20<br/>50:2 58:8 70:4 74:10,14<br/>101:20 112:19</p> <p><b>blank</b> 11:6</p> <p><b>blatant</b> 77:16</p> <p><b>blind</b> 37:17,18,24 39:20 61:5<br/>74:11,12</p> <p><b>block</b> 23:2 44:18 47:8 66:19,<br/>20 111:9</p> <p><b>blockage</b> 109:7</p> <p><b>blocks</b> 47:9 68:24 69:3,4<br/>111:7</p> <p><b>board</b> 9:6 13:15 54:3,12 72:18<br/>85:16 99:1 104:20 105:1<br/>120:15 127:12 128:15,17</p> | <p>129:1,3,4</p> <p><b>Bob</b> 37:24 78:19 79:21</p> <p><b>bodies</b> 47:24</p> <p><b>body</b> 120:20 129:15</p> <p><b>booing</b> 4:17</p> <p><b>bookkeeping</b> 5:24</p> <p><b>booth</b> 129:16</p> <p><b>born</b> 41:18</p> <p><b>Boulevard</b> 27:9 28:1</p> <p><b>box</b> 45:2</p> <p><b>Boyfriend/girlfriend</b> 56:2</p> <p><b>branches</b> 29:20</p> <p><b>brand</b> 12:6</p> <p><b>breeding</b> 31:3</p> <p><b>Brian</b> 24:4</p> <p><b>briefly</b> 110:14</p> <p><b>bring</b> 54:14 55:10 78:20 107:6<br/>112:23</p> <p><b>bringing</b> 104:4,7,14</p> <p><b>brings</b> 39:10</p> <p><b>broken</b> 38:9</p> <p><b>brought</b> 8:9 67:15 70:16<br/>75:19,21 76:5 84:4 91:14<br/>108:18</p> <p><b>brown</b> 15:10 16:5</p> <p><b>buffer</b> 14:16</p> <p><b>Buick</b> 59:6,7</p> <p><b>build</b> 7:19 25:16 26:8 52:4,7<br/>53:22 62:17</p> <p><b>build-to</b> 10:6,7 105:20 125:4<br/>126:11</p> <p><b>builder</b> 63:17 64:7</p> <p><b>Builders</b> 3:10 13:20 20:19<br/>78:23 79:2,5</p> <p><b>building</b> 7:20 9:9,10 10:8,10<br/>11:3,13,15 12:14,17 15:1<br/>16:17 25:12,21 27:10 28:16<br/>29:2,12 34:20,24 35:11,18<br/>37:11 39:10,11,14 40:7,20<br/>42:7,18 43:18 44:1,9 45:10,<br/>11,15 49:23 51:12 52:4,7,13,<br/>24 53:4,11 54:23 56:15 58:22,<br/>24 59:3,15 60:3,11 62:18</p> | <p>63:20 64:20,22 65:1 66:14,24<br/>67:4 70:11 71:10 73:2,8<br/>74:17,19,22 76:7,8,12 84:7<br/>87:21,22 88:1 90:11 97:21<br/>100:17,19 102:14,18 106:13<br/>107:15,16 112:16 113:21<br/>115:18,21 116:10</p> <p><b>buildings</b> 12:7 13:12 42:4<br/>44:5 68:17 74:5 86:23 87:6,<br/>13,16,20 88:17,18 105:24<br/>107:7 116:8,13</p> <p><b>built</b> 21:5,9 26:4 27:11 37:12<br/>43:23 50:19 63:20 66:13<br/>87:14 88:17 107:17</p> <p><b>Bukiema</b> 21:24 22:1</p> <p><b>bulk</b> 24:14,18</p> <p><b>bump</b> 102:23</p> <p><b>bunch</b> 14:12</p> <p><b>burden</b> 13:3 42:13 52:17</p> <p><b>Burns</b> 44:17</p> <p><b>bus</b> 63:12,16,18 64:3 68:22<br/>69:2</p> <p><b>bushes</b> 31:8</p> <p><b>business</b> 3:7 57:19 100:6</p> <p><b>businesses</b> 23:7 45:18 46:4<br/>66:17</p> <p><b>buy</b> 42:23</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>cable</b> 29:19</p> <p><b>calculations</b> 22:19</p> <p><b>calculous</b> 71:14</p> <p><b>call</b> 2:1,4 121:2 122:4 123:5<br/>124:10 125:18 126:23</p> <p><b>called</b> 43:22 51:1</p> <p><b>calls</b> 58:13</p> <p><b>Calvert</b> 2:5,6 25:19 53:15<br/>83:18,24 85:17 86:4 110:13,<br/>16 111:20 112:2,5,12 115:12<br/>116:24 117:15,19,23 118:4,16<br/>121:3,4 122:5,6 123:6,7<br/>124:11,12 125:19,20 126:24<br/>127:1 128:1,3</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**capacity** 6:17 44:11  
**car** 38:8  
**care** 26:22 29:14  
**carry** 64:16  
**cars** 34:23 35:8 37:6 39:19  
 41:21 56:21 57:3 59:4 64:5  
 65:2,17,19 97:13,19 103:2  
 109:10,12 116:9,12  
**case** 7:13,22 8:18 9:22 22:11  
 32:9 81:21 88:9 92:17 101:13  
**cases** 7:6 9:17 49:1 129:14  
**cash** 43:2  
**catch** 129:11  
**caused** 13:5  
**caution** 104:11  
**Center** 45:22  
**Chairman** 2:1,7,9,11,13,15,  
 17,19,21 5:9,23 6:3,7,9,11  
 19:9 21:23 24:3,16 27:7 30:4  
 32:14 34:14 35:3,9,13 36:11  
 39:3 43:3 44:16 46:21 51:21  
 53:14 54:19 55:3 57:23 62:2  
 63:7 66:6 67:8 69:20 70:21  
 71:16,22 72:9,12 73:4,14  
 74:2,9,20 75:3 76:20 77:2,23  
 78:6,9 79:24 80:15,19 81:4,12  
 83:11,15 84:24 86:5,11,15  
 87:18 88:4 89:13 91:20 92:24  
 94:20 96:11 97:16,24 98:8,22  
 99:3 100:12 101:6 102:3  
 103:17,21 104:10,15,18  
 105:3,12,15 107:1 108:15  
 109:16 110:15 113:7,11,18  
 114:3,11,16,23 115:10 116:18  
 117:7,16,21 118:24 119:5,16  
 120:4,7,19,23 121:5,7,9,11,  
 13,22 122:2,7,9,11,13,15,24  
 123:3,8,10,12,14,16 124:4,7,  
 13,15,17,19,21 125:10,15,21,  
 23 126:1,3,5,16,20 127:2,4,6,  
 8,10,23 128:2,7,8 129:7,19  
 130:4,6,8  
**challenging** 44:21  
**chance** 93:4

**change** 16:15,23 50:24 56:1  
 57:2 70:8 85:5,8,13 95:23  
 107:9  
**changed** 8:2 14:10,22 15:3,7,  
 16 16:2 81:24 87:11 101:18  
**Chapel** 22:3  
**character** 23:20 47:7 50:7  
**characteristics** 13:10 22:9  
**Charles** 69:5 107:11  
**cheaper** 41:4  
**cheering** 4:17  
**Chicago** 19:1  
**children** 61:6  
**chipped** 28:7,10  
**choose** 40:20  
**chop** 84:8 85:4,9,18  
**Christine** 34:16  
**church** 57:19  
**churches** 66:19  
**citizen** 41:24  
**city** 18:24 42:13 56:3 72:22  
**civil** 111:7  
**claiming** 30:11  
**clapping** 4:17  
**clarification** 73:17 120:8  
 128:10 129:8  
**clarify** 74:13 78:10  
**class** 41:24  
**clear** 35:18 36:3 106:15 112:8  
**cleared** 35:21  
**close** 10:7 12:7 26:18 69:6  
 79:19 92:22 93:1 105:24  
 111:3 115:24 127:20  
**closed** 128:6  
**closer** 61:1 74:21 107:7  
 109:12  
**closing** 4:2 93:20  
**cloud** 15:19  
**code** 8:8 9:19,24 10:4,11,19,  
 23,24 11:4,5,9,10,12,16,18  
 12:5,6 13:1 18:3,15 19:1 22:7  
 25:14 30:11,14 32:5 39:13  
 47:18 49:5,19 50:19 52:5,13,

15 61:1 63:4 71:17 73:15  
 87:11 88:5,15 89:5,8 90:20,22  
 91:2 93:20 95:12 96:23 98:10  
 101:1,20 102:9,12,18,22  
 105:22 106:5 108:5 110:19,21  
 112:16,17,18,21 113:6,8,13  
 114:2,19,20  
**codes** 24:20 26:3 27:5 32:6  
 48:9 49:12 114:17  
**cohesive** 53:18  
**college** 41:8  
**Colliers** 58:12  
**column** 9:21  
**combination** 99:12  
**combined** 57:1  
**Comed** 29:19  
**comfortable** 70:20 89:9  
 119:11  
**Comission** 47:2 85:15  
**comment** 22:7 55:7,9 74:10  
 79:22 80:1,17 84:12,14 90:13  
 104:16 108:19 129:10  
**comments** 3:17 4:2 19:16  
 36:12 58:3 75:15 79:11 90:14  
 92:20 93:5 94:21 95:1 98:15  
 100:1 101:7 103:7 110:6,10  
 115:11 119:10 121:1 124:9  
 125:17 126:22 129:20 130:1  
**commercial** 53:1 68:18 94:2  
 107:10  
**Commission** 2:3 4:2 5:19,22  
 7:3 8:10,19,24 9:17 11:1 24:2  
 37:19 44:20 54:21 67:13 79:1,  
 2,14,16 80:8 81:1 89:4 91:23  
 108:1 129:20  
**Commissioner** 2:6,12,14,18,  
 20 6:5,6 14:6 24:13 25:19  
 52:9 53:15 70:22 71:3,9,13  
 78:14 83:18,24 84:2,22 85:17  
 86:4,18 87:5,17 89:21 90:2,21  
 91:1,7 92:22 94:8 96:9 98:4  
 100:2 104:1,2,13 110:13,16  
 111:20 112:2,5,12 115:1,9,12  
 116:24 117:15,19,23 118:4,16  
 119:14 120:2,22 121:4,6,8,10,

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>12,21,24 122:6,8,10,12,14,23<br/>123:1,7,9,11,13,15 124:2,6,<br/>12,14,16,18,20 125:8,13,20,<br/>22,24 126:2,4,15,19 127:1,3,<br/>5,7,9,21 128:1 130:3,5</p> <p><b>Commissioners</b> 13:21 79:12</p> <p><b>common</b> 37:23 41:15 43:22<br/>59:8</p> <p><b>community</b> 5:13,16 6:16,20<br/>8:7,24 13:21 18:15 24:10<br/>38:18 45:21 49:9 53:12,24<br/>62:21 107:10 113:24 114:1,18</p> <p><b>commuting</b> 51:7</p> <p><b>compact</b> 60:18</p> <p><b>compacted</b> 60:18</p> <p><b>companies</b> 29:19</p> <p><b>company</b> 23:6 77:8</p> <p><b>completed</b> 44:4</p> <p><b>completely</b> 47:7 100:5</p> <p><b>complex</b> 25:17 43:21</p> <p><b>complexes</b> 50:18 86:21</p> <p><b>compliance</b> 12:24 47:18 52:18<br/>115:3</p> <p><b>compliant</b> 25:14 56:20 93:22</p> <p><b>complicated</b> 61:18</p> <p><b>complied</b> 50:19</p> <p><b>comply</b> 10:23 49:11,19 82:15</p> <p><b>complying</b> 30:11</p> <p><b>comprised</b> 52:7</p> <p><b>computer</b> 7:16</p> <p><b>concept</b> 8:22</p> <p><b>conceptually</b> 75:11</p> <p><b>concern</b> 33:5 34:8 35:24 54:9</p> <p><b>concerned</b> 45:15 52:2</p> <p><b>concerns</b> 26:24 32:23 34:9<br/>36:6 39:2 62:16,18 82:22<br/>99:10,11</p> <p><b>concrete</b> 53:8 100:7</p> <p><b>condition</b> 9:8</p> <p><b>conditions</b> 23:17 26:15 42:9<br/>48:20</p> <p><b>condo</b> 25:18,24</p> | <p><b>configuration</b> 11:8 18:18<br/>94:15</p> <p><b>configurations</b> 18:17</p> <p><b>confirm</b> 87:1</p> <p><b>conflict</b> 12:5,9 102:10 105:21<br/>112:16 113:4</p> <p><b>conflicts</b> 108:5</p> <p><b>confused</b> 33:10</p> <p><b>confusing</b> 55:13,18</p> <p><b>confusion</b> 101:12</p> <p><b>congested</b> 37:5 38:10</p> <p><b>congestion</b> 55:21 57:18</p> <p><b>consensus</b> 108:7</p> <p><b>conservative</b> 8:10 88:8</p> <p><b>conservatively</b> 88:13</p> <p><b>consideration</b> 28:15 51:15<br/>92:15,18 103:20 129:18</p> <p><b>considered</b> 9:14 87:7</p> <p><b>considers</b> 9:17 101:24</p> <p><b>constitute</b> 49:3</p> <p><b>constructed</b> 39:12</p> <p><b>construction</b> 20:22</p> <p><b>contact</b> 28:5</p> <p><b>contesting</b> 47:21</p> <p><b>contingencies</b> 47:22</p> <p><b>continue</b> 82:9 90:5</p> <p><b>contortions</b> 58:9,14</p> <p><b>contractor</b> 35:23</p> <p><b>contradicting</b> 117:3</p> <p><b>convenience</b> 13:16</p> <p><b>conversation</b> 25:2</p> <p><b>conversations</b> 38:14</p> <p><b>cooperates</b> 82:11</p> <p><b>coordinate</b> 35:21</p> <p><b>copied</b> 78:21</p> <p><b>corner</b> 9:14 10:9 14:23 15:18<br/>16:1,24 17:14 24:21 37:19<br/>38:8 59:19 75:6 99:21 100:6<br/>102:1 105:24 106:14,19<br/>107:20 109:10 111:14 119:6</p> <p><b>correct</b> 30:9 34:23 62:24<br/>72:11 73:11 86:10 89:11 90:1<br/>91:4 97:7 98:5 100:14 101:5</p> | <p>108:4 111:17,18,19 112:4<br/>113:16,22 114:9 118:3</p> <p><b>cost</b> 28:6 31:6,16</p> <p><b>costs</b> 31:15</p> <p><b>counsel</b> 63:3 105:16 115:2</p> <p><b>count</b> 52:24 57:8 94:1</p> <p><b>County</b> 82:15</p> <p><b>couple</b> 24:11 67:14 69:18 84:4<br/>93:11 95:9 116:9</p> <p><b>court</b> 4:8,14 41:13 48:24<br/>69:23 119:2</p> <p><b>courtyards</b> 40:17</p> <p><b>cover</b> 53:23 98:20 123:21</p> <p><b>coverage</b> 10:13 32:3 33:5,16,<br/>20 48:22 49:7,16 53:2 85:9,14<br/>98:17,19 101:13 123:19,20<br/>128:13</p> <p><b>covered</b> 110:17</p> <p><b>Craig</b> 13:19</p> <p><b>cram</b> 41:17</p> <p><b>crammed</b> 39:8</p> <p><b>create</b> 11:19 54:15 65:22 78:5<br/>83:4,6 102:13 107:7,18,23<br/>110:3</p> <p><b>created</b> 98:9</p> <p><b>creates</b> 102:11</p> <p><b>creating</b> 86:6 109:6 111:11</p> <p><b>creative</b> 71:21</p> <p><b>crime</b> 41:21</p> <p><b>crop</b> 4:20</p> <p><b>cross-connection</b> 106:23</p> <p><b>crossing</b> 37:9 111:10</p> <p><b>crosstalk</b> 4:19 70:1</p> <p><b>crowd</b> 4:5</p> <p><b>crowded</b> 39:18</p> <p><b>curb</b> 11:19 58:20,21 70:11,12<br/>71:18 98:11,13</p> <p><b>curbing</b> 84:6</p> <p><b>curious</b> 73:22 84:23</p> <p><b>current</b> 9:8 34:21 39:12 50:18<br/>55:22 101:19 114:21</p> <p><b>curse</b> 25:20</p> |
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| <b>customers</b> 23:3<br><b>cut</b> 36:18 40:3 86:1 98:11<br><b>cuts</b> 98:13<br><b>cutting</b> 102:15<br><b>cycle</b> 99:14<br><b>cycles</b> 60:20<br><b>cyclists</b> 40:8 41:1,3<br><hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <b>damage</b> 31:7 53:9<br><b>damaged</b> 42:18<br><b>dangerous</b> 53:21 63:22 110:3<br><b>dangers</b> 38:19<br><b>darker</b> 15:14<br><b>date</b> 80:13<br><b>daughter</b> 37:12<br><b>David</b> 43:4<br><b>day</b> 28:21 30:2<br><b>days</b> 40:2 42:8<br><b>deal</b> 26:19 31:8<br><b>dealing</b> 91:3<br><b>decades</b> 27:3 67:23,24<br><b>decide</b> 29:8<br><b>decided</b> 28:4<br><b>decision</b> 81:6,9 85:15 127:12<br><b>decisions</b> 24:19 27:3<br><b>decrease</b> 42:20<br><b>decreased</b> 101:16<br><b>define</b> 85:18<br><b>degree</b> 19:14 98:9<br><b>deliveries</b> 39:18<br><b>delivery</b> 40:11<br><b>demand</b> 23:8<br><b>demographic</b> 41:1 56:19<br>57:12<br><b>demonstrate</b> 83:5<br><b>demonstrated</b> 26:14 44:5<br><b>den</b> 25:4 41:11<br><b>denial</b> 120:10 128:14,17 129:3<br><b>dens</b> 22:20 41:15<br><b>deny</b> 27:6 | <b>departments</b> 14:12<br><b>depth</b> 11:4 71:10 72:1<br><b>design</b> 11:23 43:19 44:10<br>75:10 77:12 90:20 93:14<br>94:15,18 95:5 107:5 109:17<br>121:17<br><b>designation</b> 57:13<br><b>designed</b> 82:6 94:17 95:13<br>102:13<br><b>desire</b> 98:10<br><b>detail</b> 12:15 73:8<br><b>detailed</b> 82:17 83:9<br><b>details</b> 50:12<br><b>determination</b> 104:20<br><b>determine</b> 81:21 103:15 106:8<br><b>determined</b> 9:7 104:22 126:6<br><b>develop</b> 52:12 53:20<br><b>developer</b> 34:7 39:7 42:21,23<br>44:4 52:4,6 57:14 62:13<br><b>developer's</b> 43:6 52:11<br><b>developers</b> 32:22 54:5<br><b>Developers'</b> 54:7,8<br><b>developing</b> 26:7<br><b>development</b> 5:14 6:16 8:7<br>9:19 18:16 24:8,20 26:2 29:1<br>33:22 34:1 36:5 39:6 40:18<br>47:3,4,10 48:12 49:9,11<br>53:12,23 54:1,2 56:12 67:6<br>76:17 77:21 82:13 83:10<br>89:23 113:13 114:12,14 117:8<br><b>development's</b> 42:12<br><b>developments</b> 40:15 50:3<br>68:18 82:14 116:1<br><b>deviation</b> 63:4<br><b>diagram</b> 59:21<br><b>die</b> 62:1<br><b>difficult</b> 13:8<br><b>difficulties</b> 61:10 92:10 93:12,<br>15<br><b>difficulty</b> 13:4<br><b>diligence</b> 29:6,14,22<br><b>dimensions</b> 18:17 35:5 | <b>Direct</b> 3:21<br><b>direction</b> 60:4 84:18 91:15,16<br><b>directional</b> 84:6 85:5<br><b>directly</b> 39:5 80:24 81:3 86:21<br>112:17<br><b>director</b> 5:14 6:16 8:8 18:16<br>22:6<br><b>disability</b> 56:22 57:1,15<br><b>disagree</b> 108:22<br><b>discretion</b> 106:7 108:11<br><b>discuss</b> 4:3 74:3 92:2,5 94:7<br><b>discussed</b> 8:18 11:1 53:6<br>62:10 96:23 110:8 116:21<br><b>discussing</b> 88:11<br><b>discussion</b> 91:22 92:21 93:2<br>94:21 116:19 119:10<br><b>disease</b> 31:5<br><b>disingenuous</b> 54:9<br><b>dismayed</b> 39:7<br><b>disperse</b> 18:9 118:20<br><b>disregard</b> 77:17<br><b>disrespectful</b> 62:15<br><b>disruptive</b> 70:1<br><b>distance</b> 69:6<br><b>district</b> 10:1,20 11:2 53:21<br>89:7 105:23 107:22<br><b>districts</b> 11:11 87:15 88:19<br>105:22 106:8 107:6,11,13<br><b>dive</b> 92:20<br><b>dividing</b> 65:12<br><b>division</b> 83:23<br><b>divvy</b> 41:17<br><b>doable</b> 8:5<br><b>docket</b> 7:5<br><b>dollars</b> 28:10<br><b>Donna</b> 20:2<br><b>door</b> 12:12 43:14<br><b>doors</b> 11:8 111:4<br><b>double</b> 72:7<br><b>Downers</b> 43:6,13 89:23<br><b>downtown</b> 65:9<br><b>downtowns</b> 65:9,14,15 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>drag</b> 30:24<br><b>drain</b> 28:5<br><b>drainage</b> 31:11,17 60:21<br>77:10 81:17 82:22 83:2<br><b>drains</b> 82:21<br><b>draw</b> 58:8<br><b>drawn</b> 84:9<br><b>drive</b> 8:3 18:3 19:3 56:5 59:9<br>70:23 84:6 88:13 95:10 113:2,<br>21 114:7<br><b>driver's</b> 59:22<br><b>drivers</b> 40:12<br><b>driveway</b> 10:16 36:21 85:20,<br>23 86:2<br><b>driveways</b> 93:21<br><b>driving</b> 56:2<br><b>due</b> 4:18 6:13 17:1 26:14 29:6,<br>13,22<br><b>duly</b> 5:8<br><b>Dupage</b> 82:15                                                                     | 84:12 86:19 97:7 100:12<br>101:9 102:7 103:13 104:3,19<br>110:17 117:1<br><b>email</b> 78:18 79:18,23<br><b>emails</b> 78:11 81:13<br><b>emphasize</b> 22:6<br><b>empty</b> 20:23<br><b>empty-nesters</b> 41:2<br><b>enable</b> 109:12<br><b>enclosed</b> 25:4<br><b>encourage</b> 103:3<br><b>end</b> 4:20 32:21 35:4,5 55:7<br>56:11 61:5 71:10 82:20 92:4,6<br><b>energy</b> 46:3 114:20<br><b>enforcement</b> 13:6 68:20<br><b>engineer</b> 108:11<br><b>engineered</b> 31:12<br><b>engineering</b> 75:11 96:12<br>100:15,20,24 106:7 109:19<br>111:8 113:23<br><b>engineers</b> 100:21 110:2 111:8<br><b>enter</b> 85:6<br><b>entertain</b> 108:17 119:20<br>127:19<br><b>entire</b> 99:22 100:9<br><b>entrance</b> 10:14 96:22 97:2,9<br>98:14 111:4 122:18<br><b>entry</b> 96:21 122:17 128:20<br><b>envisions</b> 87:24 95:11 97:1<br><b>equal</b> 46:8 56:16<br><b>erroneous</b> 78:22<br><b>essentially</b> 86:6 95:8 102:14<br><b>establish</b> 18:16<br><b>established</b> 54:3<br><b>estate</b> 58:11<br><b>evening</b> 2:24 3:6 4:4,5 5:3,12,<br>18 6:15 7:13 21:24 22:2 23:19<br>24:4,5 78:19<br><b>evenly</b> 118:20<br><b>events</b> 67:2<br><b>eventually</b> 31:11<br><b>exact</b> 75:10 109:17,23 | <b>examples</b> 44:2 72:21<br><b>exempted</b> 107:14<br><b>exhibits</b> 106:15<br><b>exist</b> 27:5 48:21 111:9<br><b>existing</b> 21:6,9,18 42:4 83:3<br><b>exit</b> 39:20 85:7<br><b>exiting</b> 37:22 84:6<br><b>exits</b> 38:21<br><b>expects</b> 5:3<br><b>experience</b> 20:16 21:3,7,12,14<br>38:19<br><b>experiment</b> 43:11 44:15<br><b>expert</b> 45:20<br><b>explain</b> 74:14<br><b>explanation</b> 107:3<br><b>explored</b> 84:11<br><b>exterior</b> 14:10<br><b>extra</b> 7:7 46:16 55:8 58:14<br><b>eyes</b> 127:18                                |
| <hr/> <b>E</b> <hr/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <hr/> <b>F</b> <hr/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>earlier</b> 33:9 47:12 79:6 102:7<br><b>easily</b> 24:19 50:4 78:4<br><b>east</b> 12:12 13:13 15:16 38:2<br>82:21<br><b>easy</b> 33:15<br><b>economic</b> 42:22<br><b>edition</b> 112:21<br><b>effort</b> 33:4 35:22<br><b>Eleanor</b> 37:6<br><b>electricity</b> 31:7<br><b>element</b> 107:5<br><b>elements</b> 9:21 10:6 11:5,9<br>12:13<br><b>elevation</b> 14:2 15:6,8,16,17<br><b>eliminate</b> 36:6 51:13 60:20<br><b>eliminated</b> 14:4<br><b>eliminating</b> 17:22 21:1 50:6<br>90:6 91:8,9<br><b>Ellen</b> 5:11,13,23 6:15 13:20<br>17:6 18:1,14 26:17 83:20 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>fact</b> 6:14 49:9 78:4 79:15<br>116:20 119:23 121:18 122:20<br>123:23 125:5<br><b>facts</b> 47:11<br><b>failed</b> 54:16 128:14<br><b>failure</b> 128:18<br><b>fair</b> 4:21,22 64:24 77:22<br><b>fairly</b> 13:24<br><b>Fairview</b> 20:20,22<br><b>faith</b> 33:4<br><b>fall</b> 52:5<br><b>family</b> 36:24<br><b>farther</b> 15:24 69:7<br><b>favor</b> 6:7 105:9 128:4 130:6<br><b>features</b> 42:19<br><b>February</b> 6:18 8:20 40:10<br><b>fee</b> 101:2<br><b>feel</b> 8:5 20:5 24:8 26:10 34:3<br>36:5 46:19 60:24 65:6 89:17<br>94:13 107:9 108:23 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>fees</b> 100:13<br><b>feet</b> 8:4 9:11,13 11:19,21<br>12:18 14:2,20 15:5,15,20<br>16:11 18:4,5 19:5,6 58:6,7,21<br>59:3,7,9,14,17 70:13,15 71:2<br>72:10,23 73:1,10,16,18,21<br>95:8,15,16 102:4,5 103:9,10,<br>11 105:8 121:16 125:2 128:22<br><b>fell</b> 91:1<br><b>felt</b> 11:21 28:11 62:14,15<br>85:14 91:17<br><b>Fest</b> 28:22 68:4<br><b>figure</b> 29:7,16 82:1<br><b>final</b> 50:10 75:10 100:15<br>105:18 108:11 110:10 127:12<br><b>finalizing</b> 47:24<br><b>finally</b> 23:5<br><b>financial</b> 13:3 48:2 49:1 52:17<br><b>find</b> 27:4 41:9 44:8 54:14<br>55:12 62:13 103:3 106:22<br><b>finding</b> 48:17 107:21 108:5<br><b>findings</b> 95:5 119:23 121:18<br>122:20 123:23 125:5 126:11<br><b>fine</b> 29:2<br><b>fit</b> 29:3,4 36:7 45:7 50:4<br>127:14<br><b>fixed</b> 29:12<br><b>flare</b> 85:24<br><b>flared</b> 86:1<br><b>flat</b> 22:11<br><b>Flats</b> 3:9 7:14<br><b>flood</b> 31:19<br><b>flooded</b> 27:17 28:12 36:15<br>40:11<br><b>flooding</b> 26:20 27:13,15,24<br>28:2,3 29:7 30:2,17 32:4 46:6<br>67:17 75:21 81:14<br><b>floods</b> 27:19 28:12<br><b>floor</b> 10:22 11:4 14:2,21,22<br>16:9,10 17:23 50:6 90:6,7<br>91:9<br><b>flow</b> 44:6<br><b>flowers</b> 31:7 | <b>flush</b> 15:13 16:9<br><b>flushing</b> 42:15<br><b>focus</b> 16:5<br><b>focused</b> 58:5<br><b>Fogarty</b> 34:16 35:7,10,16<br>118:8,9<br><b>fooled</b> 54:9<br><b>foot</b> 8:13 12:17 18:20 19:1,2,4<br>25:5 58:23 64:17 72:19 87:6<br>95:3,10 96:3,5,6,15 107:23<br>112:22 113:9 114:7 128:21<br><b>footprint</b> 42:6 49:24 50:4<br>51:12 52:24 61:11 76:8,10,12<br><b>Ford</b> 57:10 59:11<br><b>forgot</b> 65:8 70:14<br><b>form</b> 11:13<br><b>form-based</b> 11:11,12<br><b>formal</b> 79:12,16 81:6 94:23<br>127:15<br><b>forum</b> 90:17<br><b>forward</b> 23:24 82:7,8,10<br>83:10 100:18 104:14 110:5<br><b>foundation</b> 8:12 12:3 87:6,14<br>88:10,16 89:1 103:10 105:8<br><b>fourth</b> 10:22 14:2,21 16:9<br>17:23 37:13 50:6 90:7<br><b>freeze</b> 99:13<br><b>Friday</b> 38:3,5<br><b>front</b> 10:9 15:6 16:1 17:2<br>27:19,22 59:15<br><b>frontage</b> 10:7<br><b>frontages</b> 102:6 125:4<br><b>full</b> 7:5 71:9<br><b>fully</b> 116:7<br><b>fun</b> 28:24<br><b>functional</b> 44:7<br><b>functioning</b> 81:24<br><b>fundamental</b> 24:15 91:3<br><b>funding</b> 82:8<br><b>Funeral</b> 22:3 68:8<br><b>funerals</b> 23:4<br><b>funny</b> 38:3 | <b>future</b> 21:22 44:24 45:13 46:3<br><hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <b>gain</b> 94:9 108:9<br><b>Gallagher</b> 62:4,5<br><b>garage</b> 10:14 12:12 85:6 96:20<br>97:14 98:14 122:17 128:20<br><b>garbage</b> 56:7,9<br><b>garden</b> 34:2<br><b>gather</b> 3:22<br><b>gave</b> 55:7 72:21<br><b>gazebo</b> 67:1,2<br><b>general</b> 26:7 51:7 55:23 79:8<br>85:13 93:3,5 107:9<br><b>generally</b> 67:17 74:4 87:16,19<br>92:1,20 94:6 96:2 110:11<br>129:23<br><b>gentleman</b> 61:16<br><b>gentlemen</b> 46:24<br><b>geometry</b> 95:23 97:17<br><b>get all</b> 99:4<br><b>give</b> 4:17 13:17 18:24 19:18<br>21:8 95:16,19<br><b>glad</b> 5:14 6:19 129:22<br><b>goal</b> 54:8<br><b>golly</b> 66:23<br><b>good</b> 5:12 6:15 21:24 24:4,5<br>33:4 45:1 46:19,20 56:5,9<br>60:24 65:6 94:10 98:1,13<br>118:9<br><b>Google</b> 116:23<br><b>governing</b> 47:24<br><b>grade</b> 37:13<br><b>grads</b> 41:8<br><b>grant</b> 12:24 48:18 105:18<br>126:9<br><b>granting</b> 51:16<br><b>grass</b> 9:14 27:21<br><b>gray</b> 15:12,14<br><b>great</b> 12:15<br><b>green</b> 17:16 31:21 43:4 46:3<br>70:13 71:6,7,21 85:11 |
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| <b>greening</b> 85:12<br><b>groceries</b> 64:14,16<br><b>grocery</b> 63:11 68:21 69:3 117:17<br><b>ground</b> 9:16 31:4<br><b>Group</b> 22:1<br><b>Grove</b> 43:6,13 89:24<br><b>grow</b> 38:18<br><b>growing</b> 36:24<br><b>guarantee</b> 37:20 38:21<br><b>guess</b> 74:22 88:3 90:3 92:19 104:10 110:8 118:9 129:10<br><b>guest</b> 40:17<br><b>guests</b> 39:23,24 40:3<br><b>guide</b> 69:18<br><b>guinea</b> 44:14<br><b>guys</b> 20:4 28:22 29:13,21 30:3 32:22<br><hr/> <div style="text-align: center;"><b>H</b></div> <hr/> <b>hairs</b> 90:23<br><b>half</b> 28:10 46:11 66:19,20 84:7 117:10<br><b>hand</b> 5:5<br><b>handle</b> 39:16<br><b>hangup</b> 90:4<br><b>happen</b> 41:19 100:22 111:22<br><b>hard</b> 38:11 51:19<br><b>hardship</b> 11:20 13:5 23:14 26:4,15 30:8,10,15,18,20 31:6 48:3,17,19 49:2,7,15 51:17 52:19 78:2,5 92:8 93:10 94:12,16 102:11<br><b>hardship's</b> 98:9<br><b>hardships</b> 27:4 31:9 92:9 93:11<br><b>harm</b> 42:22<br><b>haste</b> 27:2<br><b>hate</b> 66:12 67:4<br><b>hazard</b> 36:3<br><b>headed</b> 60:5 | <b>heading</b> 38:2 46:10 60:4 61:6<br><b>health</b> 23:20 47:5<br><b>heaps</b> 42:7<br><b>hear</b> 4:23 82:22<br><b>heard</b> 32:21 62:12<br><b>hearing</b> 3:12 6:1,12,22 7:10 9:2 19:10 80:3 92:23 93:1 106:17 127:17,20 128:6<br><b>heating</b> 60:20<br><b>heavy</b> 42:4<br><b>height</b> 10:19,24 45:15<br><b>held</b> 9:1<br><b>helped</b> 16:19<br><b>helps</b> 97:23<br><b>hesitate</b> 120:15<br><b>high</b> 40:15 61:17 100:9<br><b>Highland</b> 38:23 39:5 40:5 86:22 116:8<br><b>hit</b> 37:6 58:23<br><b>Hofstra</b> 2:7<br><b>hold</b> 85:20<br><b>holders</b> 57:13<br><b>hole</b> 36:8<br><b>holidays</b> 40:1<br><b>home</b> 22:3 31:9 62:21 68:8<br><b>homeowner</b> 31:24<br><b>homes</b> 29:8 45:19<br><b>honestly</b> 55:17 94:18 117:5<br><b>honor</b> 32:23<br><b>hope</b> 50:20 129:17<br><b>hoping</b> 82:11<br><b>horse</b> 21:19<br><b>house</b> 8:24 27:9,13,14,17,18 28:12<br><b>houses</b> 27:16 28:17<br><b>housing</b> 41:22<br><b>huge</b> 65:4<br><b>humbling</b> 88:7<br><hr/> <div style="text-align: center;"><b>I</b></div> <hr/> <b>Ian</b> 36:13 | <b>idea</b> 15:22 65:21<br><b>ideally</b> 117:13<br><b>identical</b> 76:9<br><b>identified</b> 12:4 119:23 121:18 122:20 123:23 125:5 126:12<br><b>illegal</b> 57:21 77:14<br><b>Illinois</b> 44:18 56:24 110:20 112:20 114:18 115:20<br><b>imagine</b> 87:20<br><b>impact</b> 76:7,9,13 83:2 108:24<br><b>impacted</b> 23:21 43:1<br><b>impacting</b> 47:5<br><b>impacts</b> 76:10 83:5,6 97:17<br><b>impervious</b> 10:12 16:20 17:10 22:14 30:12 42:12 52:10 54:15 62:22 76:2 98:17,19 99:23 100:5,8 101:19,21,23 123:18,20 128:13<br><b>impossible</b> 12:8 13:8 36:21<br><b>improvement</b> 65:4 100:3,10 106:18<br><b>inadequate</b> 23:14 40:21<br><b>inches</b> 27:21<br><b>include</b> 22:20 49:23 52:23 53:3 88:10 89:20 100:19<br><b>including</b> 21:2 40:17 48:9 53:1 95:8<br><b>inconvenience</b> 13:3 52:16<br><b>Incorporated</b> 3:10<br><b>increase</b> 42:13 74:16 75:7 103:4 109:14<br><b>increased</b> 14:14,16 53:4 55:14 72:10<br><b>increasing</b> 53:6<br><b>incredibly</b> 104:5<br><b>independent</b> 46:13<br><b>individual</b> 70:12 73:9 92:21<br><b>individuals</b> 46:15<br><b>indoor</b> 25:13,22 115:15,17<br><b>inefficiency</b> 61:12<br><b>inflation</b> 41:8<br><b>influx</b> 39:1 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>informally</b> 8:19<br><b>information</b> 119:4<br><b>informed</b> 80:9 81:5 116:7<br><b>inherently</b> 55:23<br><b>initial</b> 80:7<br><b>initially</b> 81:10<br><b>input</b> 3:14 5:16 6:21 8:18 54:8 64:21<br><b>inside</b> 93:17<br><b>insight</b> 84:10<br><b>install</b> 77:11,12<br><b>installed</b> 99:11<br><b>instance</b> 10:1 11:17,18 97:12 106:3<br><b>instances</b> 84:4<br><b>insufficient</b> 23:9<br><b>intended</b> 13:4,6 71:23 74:4 107:6<br><b>intent</b> 12:23 13:2 52:14,15 87:19 88:2 103:22<br><b>interest</b> 34:7<br><b>interesting</b> 45:3<br><b>Interim</b> 5:13 6:16 22:6<br><b>International</b> 58:12<br><b>internet</b> 4:8<br><b>interpret</b> 88:24<br><b>interpretation</b> 89:3,10<br><b>interpretations</b> 113:5<br><b>intersect</b> 107:20<br><b>intersection</b> 109:18 110:3<br><b>Intro</b> 48:16,24<br><b>inventory</b> 56:15 57:11<br><b>investigate</b> 81:21<br><b>investment</b> 26:9 64:23<br><b>Iowa</b> 45:21<br><b>island</b> 17:3 74:16 75:5 106:20 109:12,17,23<br><b>issue</b> 22:17 23:24 24:14 27:13, 15 29:7 30:1 31:1 42:2 50:23 68:11 75:21 79:21 91:3 94:3 115:3,13 116:14<br><b>issued</b> 56:21,24 57:3,5 | <b>issues</b> 22:14,18 24:18 26:19 27:24 28:2,3 45:4 50:20 60:8, 14 61:4 62:18 65:23 68:19 81:17 82:24 83:3 97:19<br><b>item</b> 3:7 67:10<br><b>items</b> 3:1<br><hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <b>Jackson</b> 2:9 37:14<br><b>January</b> 115:21 117:20,22<br><b>Jarrett</b> 2:1,7,9,11,13,15,17,19, 21 5:9,23 6:3,7,9,11 19:9 21:23 24:3,16 27:7 30:4 32:14 34:14 35:3,9,13 36:11 39:3 43:3 44:16 46:21 51:21 54:19 55:3 57:23 62:2 63:7 66:6 67:8 69:20 70:21 71:16,22 72:9,12 73:4,14 74:2,9,20 75:3 76:20 77:2,23 78:6,9 79:24 80:15,19 81:4,12 83:11, 15 84:24 86:5,11,15 87:18 88:4 89:13 91:20 92:24 94:20 96:11 97:16,24 98:8 99:3 100:12 101:6 102:3 103:17,21 104:10,15 105:3,12,15 107:1 109:16 110:15 113:7,11,18 114:3,11,23 115:10 116:18 117:7,16,21 118:24 119:5,16 120:4,19,23 121:5,7,9,11,13, 22 122:2,7,9,11,13,15,24 123:3,8,10,12,14,16 124:4,7, 13,15,17,19,21 125:10,15,21, 23 126:1,3,5,16,20 127:2,4,6, 8,10,23 128:2,8 129:7,19 130:4,6,8<br><b>Jason</b> 117:3<br><b>Jean</b> 66:10<br><b>Jennifer</b> 44:17<br><b>Jewel</b> 40:9 64:15 116:22 117:4,14<br><b>job</b> 37:8 44:24 51:19<br><b>Joe's</b> 37:24<br><b>Johns</b> 28:23 68:4 | <b>judge</b> 21:16<br><b>July</b> 45:24 79:17 80:16 129:13<br><b>June</b> 8:21 9:1,5 26:12 32:10 47:12 52:3,21 79:15<br><b>Justin</b> 119:11<br><b>Justina</b> 63:9<br><hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <b>Karcz</b> 32:17 72:23 86:12<br><b>Kase</b> 2:11,12 120:22,24 121:5, 6 122:7,8 123:8,9 124:6,7,13, 14 125:21,22 127:2,3<br><b>keeping</b> 72:18<br><b>Kevin</b> 5:17 6:23 81:14 87:2 100:21 101:5 111:17 112:7<br><b>kicks</b> 63:13<br><b>kids</b> 36:16 37:5 38:13,15 61:24 63:19,22 66:3<br><b>Kim</b> 39:4<br><b>kind</b> 40:19 45:3 57:6,17 60:24 95:12 99:16 102:21 115:24<br><b>KLOA</b> 18:11<br><b>knocked</b> 38:8<br><b>Knollcrest</b> 22:3,17 23:1<br><b>knowledge</b> 37:23<br><b>KOL</b> 21:2<br><hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <b>lack</b> 25:20 41:22 119:3<br><b>land</b> 13:8 42:24 47:20 118:12, 23<br><b>landowner</b> 68:10<br><b>landowners</b> 68:10<br><b>landscape</b> 53:9 73:7 87:22 99:20 103:23<br><b>landscaped</b> 75:5<br><b>landscaping</b> 8:12 12:2,3 73:21 74:6 87:7,12 88:11,16 89:1 103:10<br><b>language</b> 81:2 99:5<br><b>large</b> 4:5 40:17 42:6 116:12 |
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| <p><b>larger</b> 90:11</p> <p><b>late</b> 40:2</p> <p><b>law</b> 9:10 22:1 48:15,17 63:4 77:17 112:1</p> <p><b>lawyer</b> 48:14</p> <p><b>lay</b> 97:18</p> <p><b>layout</b> 25:6 34:21</p> <p><b>lays</b> 101:21</p> <p><b>leading</b> 31:4</p> <p><b>leads</b> 39:20</p> <p><b>learning</b> 89:8</p> <p><b>leave</b> 32:8,13 40:3 89:12 95:5 103:13</p> <p><b>leaves</b> 40:24 121:14</p> <p><b>left</b> 15:2 56:6 84:20 85:15</p> <p><b>left-hand</b> 14:23 15:18 16:24</p> <p><b>legal</b> 9:3 51:15 63:2 120:11</p> <p><b>legally</b> 49:4</p> <p><b>legitimate</b> 26:4 62:18</p> <p><b>length</b> 58:23</p> <p><b>let alone</b> 82:24</p> <p><b>letters</b> 9:3</p> <p><b>letting</b> 51:9</p> <p><b>level</b> 90:23</p> <p><b>library</b> 66:18</p> <p><b>license</b> 56:23 57:2</p> <p><b>lieu</b> 100:13 101:2</p> <p><b>life</b> 46:11</p> <p><b>light</b> 12:12 15:12</p> <p><b>lighting</b> 12:11</p> <p><b>lights</b> 38:22,24</p> <p><b>limit</b> 19:17</p> <p><b>limited</b> 98:7</p> <p><b>lined</b> 38:5</p> <p><b>lines</b> 81:15 107:19</p> <p><b>list</b> 21:8 54:22</p> <p><b>listening</b> 26:24 63:6</p> <p><b>literal</b> 13:5</p> <p><b>literally</b> 27:9,14</p> <p><b>live</b> 26:18 27:2,8 29:23 32:18 46:17,23 58:2 61:24 62:5,14, 17 64:2,18,24 65:20 117:2</p> | <p>119:5</p> <p><b>lived</b> 30:19,21 62:13 117:4</p> <p><b>LLC</b> 3:11</p> <p><b>loaded</b> 67:3 118:23</p> <p><b>loading</b> 97:14</p> <p><b>local</b> 39:18</p> <p><b>location</b> 10:16 97:10 109:24</p> <p><b>locked</b> 71:10</p> <p><b>Lombard</b> 119:6</p> <p><b>long</b> 50:14,16 58:6 59:7 116:5 129:22</p> <p><b>longer</b> 14:24</p> <p><b>looked</b> 33:2 78:16 88:5 116:1</p> <p><b>losing</b> 33:22 97:20</p> <p><b>lost</b> 26:17 94:13,15</p> <p><b>lot</b> 4:19 10:12,17 12:8 19:20 20:23 26:19 28:22,24 33:5,16, 19 35:19 36:6 43:14 45:10 48:22 49:6,7,16 53:2 60:20 66:14,16,24 67:3,5,22 75:21 78:2 85:8,13 87:16 88:17 89:24 90:9,11 97:5,8 98:6,7, 17,19 100:4 101:13 107:15, 16,17,19 116:9 117:17 118:12,23 123:18,19 128:13</p> <p><b>lots</b> 42:14 57:19 67:3 78:3 87:8 110:22</p> <p><b>love</b> 31:9</p> <p><b>low</b> 64:11</p> <p><b>lower</b> 14:23 15:2</p> <p><b>Luedtke</b> 2:13,14 14:6 24:13 70:22 71:3,9,13 84:2,22 90:21 91:1 92:22 96:9 98:4 120:2,5 121:7,8,24 122:3,9,10 123:10, 11 124:2,4,15,16 125:23,24 126:19,21 127:4,5 130:3</p> <p><b>lukewarm</b> 53:13</p> <p><b>luxury</b> 40:22 115:21</p> <p><b>Lyne</b> 31:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>M-A-N-T-E-L-S</b> 83:14</p> | <p><b>machination</b> 58:13 61:15</p> <p><b>machines</b> 42:15</p> <p><b>Macleod</b> 36:13</p> <p><b>made</b> 13:23 19:8 24:19 51:11 72:15 78:22 79:8 81:7,9 88:6 92:17 106:15 109:23</p> <p><b>Madison</b> 36:18 38:15</p> <p><b>mailed</b> 9:4</p> <p><b>main</b> 10:17</p> <p><b>maintain</b> 34:2</p> <p><b>maintenance</b> 21:2 99:11</p> <p><b>major</b> 16:14,21</p> <p><b>majority</b> 128:15,18 129:5</p> <p><b>make</b> 15:4 22:23 23:2 25:13 32:15 42:22 45:8,11 46:9,16 49:19 54:8 55:4 58:9,16 60:24 64:1,22 68:18 70:17,19 75:22, 23 82:24 86:3 89:4 92:13,19 94:23 96:16 98:2,17 99:4 100:10 104:20,24 106:19 110:10 119:13 120:2 124:2 125:8 127:21 128:9</p> <p><b>makers</b> 127:13</p> <p><b>makes</b> 14:5,6,7</p> <p><b>making</b> 59:12 60:2 76:18,19 92:12 110:12 119:11</p> <p><b>manager</b> 35:18</p> <p><b>manner</b> 27:1</p> <p><b>Mantels</b> 5:17 6:23 81:16 83:13,20,22 87:3 89:15 100:21 101:4 111:18 112:8 118:3,13,18</p> <p><b>manufacturing</b> 43:21</p> <p><b>mapped</b> 116:23</p> <p><b>market</b> 7:20 82:11</p> <p><b>match</b> 50:7 113:12,13</p> <p><b>matching</b> 61:1</p> <p><b>materials</b> 100:9 102:1</p> <p><b>matters</b> 129:2</p> <p><b>maximize</b> 26:9</p> <p><b>maximum</b> 30:12 98:19 123:20</p> <p><b>Meadry</b> 100:5</p> |
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| <b>meaning</b> 107:17<br><b>means</b> 11:12 33:20 48:10<br>115:15 118:17,18<br><b>measured</b> 11:18 107:19<br><b>measures</b> 129:4<br><b>meet</b> 10:12,14,15 11:5,9,10<br>51:17 100:23 102:17,18<br><b>meet all</b> 10:5<br><b>meeting</b> 2:2 5:21 7:4,7,9,24<br>8:20,21 13:23 17:8 19:14 25:1<br>32:20,21,22 45:21 52:3 54:11,<br>13 76:1 78:16 79:15,17,19<br>80:11,16 81:2,3,6,9,10 82:3<br>89:20,22 99:8 129:5,12,13<br><b>meetings</b> 7:8 84:5 108:2<br>129:21<br><b>meets</b> 5:22 7:3 9:19 10:9,23<br>11:4 12:13 26:3 39:12 45:23<br>71:17<br><b>Melissa</b> 104:17<br><b>melt</b> 28:20<br><b>MEMBER</b> 108:18 109:1,8<br>118:11,22 119:3<br><b>members</b> 3:16 48:11 63:1,3<br>91:23 120:15<br><b>memo</b> 25:19 26:12 49:10<br>52:21<br><b>mention</b> 28:18 65:8 96:4<br>106:3 117:1<br><b>mentioned</b> 18:2,14,18 25:20<br>61:16 77:5 81:18 82:5 89:16,<br>22 92:12 96:12<br><b>mentioning</b> 82:13<br><b>message</b> 38:4<br><b>met</b> 10:3,19 22:15 47:12,18<br>49:8,21 52:22 53:2,10<br><b>meter</b> 61:15<br><b>Metra</b> 43:14<br><b>mic</b> 4:11<br><b>Michael</b> 52:1<br><b>microphone</b> 6:14<br><b>middle</b> 27:14 40:10 74:5<br>113:2 | <b>Mike</b> 78:13<br><b>mile</b> 69:5 117:10<br><b>miles</b> 116:22,23<br><b>million</b> 57:4<br><b>mind</b> 56:14 57:9<br><b>mine</b> 118:10<br><b>minimal</b> 40:21<br><b>minimum</b> 4:24 10:6 11:16<br>102:5 114:19 125:2<br><b>Minivans</b> 59:8<br><b>minor</b> 16:23 109:22<br><b>minute</b> 19:17 88:12 101:11<br><b>minutes</b> 3:5 5:20 7:2,8 32:12<br>41:5 81:1,3 109:5<br><b>mirror</b> 58:13<br><b>misleading</b> 78:22<br><b>mistake</b> 88:6<br><b>mistaken</b> 34:23<br><b>mix</b> 66:22<br><b>mobility</b> 46:11<br><b>mode</b> 40:8<br><b>model</b> 59:7<br><b>modifications</b> 22:22 43:20<br>109:22<br><b>modified</b> 23:19 50:2 112:18<br><b>modify</b> 103:12 108:8 127:13<br><b>Molly</b> 32:17<br><b>monetary</b> 22:10,12<br><b>money</b> 40:20 54:8 92:12<br><b>Monterey</b> 62:5<br><b>month</b> 7:4 56:8,13<br><b>months</b> 20:24 56:3,4<br><b>morning</b> 36:20 38:5<br><b>mosquitoes</b> 31:4<br><b>motion</b> 4:4 5:24 6:4,5 92:6<br>93:7 95:3 96:20 98:16 99:1<br>103:9 105:6 116:19 119:20<br>120:1,3,4,8,12,16 121:1,15,20<br>122:2,16,22 123:17 124:1,3,8,<br>9,24 125:7,9,10,17 126:8,14,<br>16,22 127:19,22 130:2<br><b>motions</b> 13:15 94:24 98:23,24<br>99:4 110:9,11,12 119:12,13 | 127:14<br><b>move</b> 3:4,14 4:1 35:20 56:8<br>59:3 67:12 82:8,9 91:22<br>106:12 107:9<br><b>moved</b> 9:1 11:19 27:12,18,24<br>36:17,18,19 37:1 82:7 108:21<br>113:2 121:21 122:23 126:15<br>130:3<br><b>moves</b> 56:2 83:10 100:18<br><b>moving</b> 39:2 56:3 120:16<br><b>Mucerino</b> 46:22,23 58:1,2<br><b>mulch</b> 31:7<br><b>multiunit</b> 68:17<br><b>Murphy</b> 24:4,5<br><b>MX</b> 105:22 106:8 107:6,13<br><b>MX1</b> 88:18<br><b>MX2</b> 13:12 88:18<br><b>MX3</b> 88:18<br><b>MXT</b> 10:1 13:13 47:8 105:23<br><hr/> N<br><hr/> <b>nag</b> 21:21<br><b>names</b> 119:1<br><b>narrower</b> 46:14<br><b>narrowing</b> 22:14<br><b>nature</b> 100:8<br><b>nearby</b> 39:15 44:13 63:18<br><b>nearest</b> 63:11,12<br><b>necessarily</b> 87:24 95:13<br><b>needed</b> 10:4 65:16 89:11<br>103:16 111:15,22<br><b>needing</b> 94:17 105:9<br><b>negative</b> 42:19 108:24<br><b>negatively</b> 43:1 47:5<br><b>neighbor</b> 28:1 31:18 38:14<br><b>neighbor's</b> 81:19<br><b>neighborhood</b> 29:3,4,7 31:10<br>40:14 43:1 61:14 64:9 66:22<br>115:23 116:13<br><b>neighboring</b> 42:20<br><b>neighbors</b> 28:2 29:22 32:2<br>36:6 44:12,14 57:7 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**neighbors'** 29:8  
**nervous** 46:13 63:14  
**net** 94:9  
**neutral** 85:2  
**newer** 45:9  
**nice** 20:10 66:16  
**Nicholson** 66:10  
**night** 40:3 45:22,24  
**nightly** 50:23  
**non-agenda** 3:1  
**non-disability** 57:13  
**non-qualifying** 57:16  
**normal** 47:19  
**north** 13:13 38:12 61:7 69:4  
75:4 82:21 85:7 106:13  
109:12 111:12  
**north-south** 106:24  
**northeast** 9:14 59:23  
**northern** 108:20 115:20  
**northwest** 75:6 99:21  
**Noson** 20:2  
**note** 21:11 93:19  
**noted** 7:23  
**notes** 10:3  
**notice** 8:18 9:4 16:16,17  
127:15  
**noticed** 28:21  
**notices** 9:3  
**number** 11:7 17:1 23:10  
33:10,13,18 39:15 47:10 50:3  
70:15,19 73:13 76:6,11,12  
99:24 116:12  
**numbers** 33:14 98:18 101:17  
**numerous** 30:19 31:13  
**nutshell** 91:8

---

**O**

---

**objection** 104:14  
**objectives** 44:7  
**obligated** 26:10  
**obligation** 48:5,6 54:6 68:6,7

**observation** 58:3  
**obtained** 23:17  
**occupants** 41:20  
**occupied** 41:1  
**occur** 45:13  
**October** 56:4  
**oddly** 22:12  
**offer** 20:14 40:15 46:18  
**offering** 75:12  
**offers** 40:18 41:13  
**office** 9:11  
**Offices** 48:18  
**older** 45:11  
**one-third** 43:10  
**online** 7:11 55:1  
**open** 3:12 8:24 33:17,20,21,23  
84:17,21 101:24  
**operate** 48:9  
**operational** 44:9  
**operations** 83:23 118:15  
**opinion** 86:8 109:15 115:19,  
20  
**opinions** 98:13  
**opportunities** 8:17 46:3  
**opportunity** 3:23 37:16 67:11  
69:22  
**opposed** 6:9 53:18,24 54:1  
70:11 105:12  
**option** 90:9 101:1  
**options** 43:17 82:4  
**order** 2:3 7:19 30:7 48:18  
49:19 105:19 126:10  
**ordinance** 13:6 82:16,17  
87:19 99:17  
**original** 43:19 101:14  
**originally** 33:8  
**Orlowski** 2:15 78:13  
**Ormond** 39:4  
**Ott** 27:8  
**out/left** 86:6  
**outdoor** 12:11 115:20  
**outrageous** 41:3

**Ovaltine** 41:13  
**overcrowded** 39:21  
**overflow** 50:22 67:22 68:8  
116:2  
**overhang** 8:4  
**overnight** 39:24 57:20 94:3  
**overpriced** 40:24  
**overrun** 19:19  
**oversized** 39:9  
**owned** 57:6  
**owner** 3:11 39:5 68:2,3,5,6  
**owners** 42:21 95:18  
**owns** 45:14

---

**P**

---

**P&z** 48:11 51:14  
**p.m.** 130:11  
**packet** 20:10 50:20 78:16  
**paid** 28:10  
**paint** 129:16  
**paper** 24:23 43:20 55:1  
**parallelogram** 50:3  
**park** 2:2 3:3,8 7:15 20:3 27:9  
28:1 32:18,24 34:11,12,17  
36:2 38:11,16,24 40:23 43:8,  
16 44:13,23 46:18 50:8 51:6  
54:4 55:22 59:20 60:9 62:20  
64:10 65:11 67:7 77:18 82:16  
86:22 93:21,23 98:11,13,14  
111:6,12,14 119:7  
**Park/ardmore** 53:17  
**parked** 23:10 34:22 35:8,20  
40:4 103:2 109:11  
**parking** 8:3 9:11 10:15 11:3,  
20,22 12:21 14:10,14,17,19  
16:15 17:1,15,17,20 18:5,17  
20:12,15,17 21:13,14,21  
22:13,18,19 23:2,3,8,22  
24:11,15 25:13,20,23,24  
26:21 28:22,23 34:19 35:2,4  
39:8,13,24 40:16,21 43:14,15,  
16 44:6 48:22 49:6,7,15,21  
50:20,22 51:5 52:10,22 54:14

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>55:11,15,19,22 56:12 57:19,<br/>20 58:6,18 64:5 65:21 66:14,<br/>15,16,24 67:3,5,22 68:9 70:8,<br/>10,12 71:18 78:4 87:21,23<br/>88:22 89:18 90:4 91:14 93:17,<br/>22 94:3,9 95:4,11 96:2,7 97:4,<br/>5,8,18,20 98:7 99:12 100:4<br/>102:15 110:14,17,21 111:13<br/>112:13 113:18 115:4,13,16,<br/>17,20 116:2,6,7,14 118:12,23<br/>121:17 128:12</p> <p><b>part</b> 13:14 21:1 49:2 55:6,8<br/>57:17 75:12 86:13 95:6</p> <p><b>participation</b> 19:11</p> <p><b>pass</b> 61:7</p> <p><b>passes</b> 127:11</p> <p><b>passing</b> 37:17 40:5</p> <p><b>passionately</b> 104:7</p> <p><b>past</b> 19:15 68:9</p> <p><b>path</b> 37:9 41:5 106:24 107:12</p> <p><b>Patrice</b> 62:4</p> <p><b>Paul</b> 22:1</p> <p><b>paver</b> 77:8</p> <p><b>pavers</b> 31:22 58:6 60:12,16,19<br/>61:13 76:4 77:4,5,7 99:10</p> <p><b>paving</b> 61:13</p> <p><b>pay</b> 41:3,7 42:17,21 48:8 62:1</p> <p><b>peddling</b> 40:9</p> <p><b>pedestrian-friendly</b> 107:8</p> <p><b>pedestrians</b> 61:6 106:23</p> <p><b>peg</b> 36:8</p> <p><b>peninsula</b> 59:19 108:23 109:6,<br/>11,14</p> <p><b>people</b> 4:11,22 6:19 19:20<br/>32:24 34:9 35:1 39:1 43:15<br/>50:21 56:6 57:18 58:24 60:9<br/>61:5,24 64:5 65:2,20 69:24<br/>74:11 85:6 117:16 129:22</p> <p><b>People's</b> 56:1</p> <p><b>percent</b> 17:11,12 30:12,13<br/>32:3 33:5,7,8,9,11,12,13,16,<br/>17,19,20,21,22 76:1 98:16,18,<br/>20,21 99:18 101:14,15,18,22,<br/>23,24 123:18,20,21</p> | <p><b>percentages</b> 101:12</p> <p><b>percolate</b> 9:16</p> <p><b>performed</b> 23:6 82:18</p> <p><b>perimeter</b> 99:19</p> <p><b>permanent</b> 56:22</p> <p><b>permeability</b> 60:13,21</p> <p><b>permeable</b> 31:22 46:7 53:4,6<br/>76:3 77:4,5,7,8</p> <p><b>permit</b> 100:17,19</p> <p><b>permitted</b> 10:20 11:2 96:22<br/>122:19</p> <p><b>permitting</b> 114:13</p> <p><b>perpendicular</b> 8:2 14:11<br/>16:16 18:2,4 60:2 70:9 72:6<br/>95:22,23</p> <p><b>personally</b> 26:7 90:15 98:12<br/>106:18</p> <p><b>pervious</b> 9:15 70:5 99:18<br/>101:23</p> <p><b>perviousness</b> 102:2</p> <p><b>petition</b> 3:8 7:1 54:22 114:13</p> <p><b>petitioner</b> 3:10,15 4:3 26:13<br/>30:8,10 47:17 48:6 49:2 51:10<br/>55:11 61:22 83:17 84:3 86:17<br/>95:16 106:16</p> <p><b>Petitioner's</b> 23:12 48:22 78:17</p> <p><b>petitioners</b> 49:1</p> <p><b>petitions</b> 54:24</p> <p><b>Phillips</b> 48:18</p> <p><b>photo</b> 74:24</p> <p><b>photos</b> 32:8 50:22 57:18</p> <p><b>physical</b> 21:5</p> <p><b>physically</b> 21:18</p> <p><b>pick</b> 17:15 78:3 93:16 113:14<br/>114:9,15</p> <p><b>picked</b> 113:19</p> <p><b>picking</b> 56:7,10</p> <p><b>picture</b> 12:14 50:14 77:16</p> <p><b>pictured</b> 37:11</p> <p><b>piece</b> 45:7</p> <p><b>pig</b> 44:14</p> <p><b>pile</b> 42:4 119:7</p> | <p><b>placards</b> 56:22 57:1</p> <p><b>place</b> 7:4,7 30:16 34:4 64:2<br/>82:19 83:8 118:21</p> <p><b>placement</b> 96:13</p> <p><b>places</b> 65:18</p> <p><b>plan</b> 8:23 14:22 16:14 24:1<br/>32:23 33:24 34:5 45:6 53:16,<br/>19,20 65:6 68:13 80:7 86:14<br/>101:18</p> <p><b>planning</b> 2:3 8:23 28:14 43:11<br/>44:24 47:16 52:3 54:11 63:1<br/>78:24 82:19</p> <p><b>Plat</b> 3:9</p> <p><b>plate</b> 57:10</p> <p><b>plates</b> 56:23 57:1,3,4</p> <p><b>play</b> 24:15 106:10</p> <p><b>pleasing</b> 44:12</p> <p><b>plenty</b> 102:17</p> <p><b>plow</b> 83:21,23 118:13</p> <p><b>plowed</b> 42:8 60:10</p> <p><b>plowing</b> 118:19</p> <p><b>plows</b> 36:1 118:1 119:6,7</p> <p><b>Plumbing</b> 114:19</p> <p><b>podium</b> 3:18</p> <p><b>point</b> 19:10 25:6 39:11 59:1<br/>65:10 67:19 99:17,24 104:8<br/>107:19 109:17 120:7</p> <p><b>pointer</b> 85:21</p> <p><b>points</b> 48:24 49:10</p> <p><b>pole</b> 96:10</p> <p><b>police</b> 50:24</p> <p><b>policy</b> 118:13</p> <p><b>pools</b> 40:16</p> <p><b>pork</b> 84:7 85:4,9,18</p> <p><b>Port</b> 28:23 68:3</p> <p><b>portion</b> 85:10</p> <p><b>positive</b> 79:10</p> <p><b>possibility</b> 113:1</p> <p><b>post-approval</b> 22:21</p> <p><b>postage</b> 43:12</p> <p><b>postponed</b> 79:17</p> <p><b>potential</b> 22:20 94:3</p> |
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| <p><b>potentially</b> 106:1 112:6</p> <p><b>Powerpoint</b> 80:23</p> <p><b>practical</b> 13:4 92:9 93:12<br/>105:24 108:13,14</p> <p><b>practice</b> 43:22</p> <p><b>practices</b> 47:19</p> <p><b>prairie</b> 37:9 106:24</p> <p><b>precedent</b> 53:21</p> <p><b>prefer</b> 91:15</p> <p><b>prefers</b> 26:8</p> <p><b>prepared</b> 5:21</p> <p><b>present</b> 2:22 6:8 54:21 55:6<br/>93:14 105:11 128:5 130:7</p> <p><b>presentation</b> 3:15 7:12 8:23<br/>13:18 20:9 63:16 78:24 79:9</p> <p><b>presented</b> 25:8 63:21 75:15<br/>84:11</p> <p><b>pretend</b> 59:21</p> <p><b>pretty</b> 19:18 24:18 37:23<br/>64:11 78:12 100:9 110:4<br/>129:24</p> <p><b>prevents</b> 30:11</p> <p><b>previous</b> 16:4,13 19:14 63:16<br/>68:5 84:5 99:8 106:16 108:2<br/>113:24</p> <p><b>previously</b> 72:13 108:1 116:21</p> <p><b>price</b> 25:6 41:9</p> <p><b>prices</b> 82:10</p> <p><b>pricing</b> 40:13</p> <p><b>primary</b> 11:7 40:8 97:2,11</p> <p><b>Princeton</b> 24:5 27:16 30:6<br/>32:18 36:14 37:1 38:16 43:5<br/>45:19 51:24 52:1 59:20 60:5,7<br/>66:11 96:21 97:9 118:14,15<br/>122:18</p> <p><b>principal</b> 22:17,18</p> <p><b>prior</b> 47:24 54:11</p> <p><b>private</b> 68:10 88:22 89:18<br/>103:18</p> <p><b>pro-development</b> 21:20 47:3</p> <p><b>problem</b> 41:23 59:24 60:6<br/>61:3 65:5 76:15 96:1</p> | <p><b>problem's</b> 29:11</p> <p><b>problems</b> 21:21 28:18 29:21<br/>37:8 60:16 61:13 68:20</p> <p><b>proceeding</b> 80:10</p> <p><b>proceedings</b> 130:10</p> <p><b>process</b> 3:13 58:4 61:22 90:10<br/>100:17,19</p> <p><b>product</b> 43:21,22</p> <p><b>professional</b> 109:15</p> <p><b>professionals</b> 41:2,7</p> <p><b>profit</b> 64:23</p> <p><b>program</b> 31:12</p> <p><b>progress</b> 26:23</p> <p><b>prohibited</b> 22:24</p> <p><b>project</b> 9:23 10:3,5 20:14,23<br/>22:16,22 23:21 25:13 31:17,<br/>19 42:24 43:6 46:5 49:19<br/>50:17 58:16 61:17 62:12<br/>75:13 79:4,9,11,13 85:5 89:6,<br/>7 90:19 99:22 100:18 103:6</p> <p><b>projects</b> 45:17 73:23 90:13,15</p> <p><b>proof</b> 30:8,15</p> <p><b>proper</b> 99:5</p> <p><b>properly</b> 48:9</p> <p><b>properties</b> 20:19 21:6,10</p> <p><b>property</b> 10:8 13:10 22:9,11<br/>23:16 25:3,22 26:7,15 39:14<br/>40:4 42:12,20 45:7,9 48:1<br/>68:2,3 73:20 74:23 81:19 87:8<br/>89:18 92:14 93:14 95:12,17<br/>102:20 106:14</p> <p><b>proposal</b> 7:14 20:17 21:12<br/>43:8,18 50:16</p> <p><b>proposed</b> 10:2 12:16 16:13<br/>24:8,22 34:20 39:6 40:18<br/>56:12,15 59:3 109:21</p> <p><b>proposing</b> 10:21 102:23<br/>106:12</p> <p><b>prospective</b> 9:18 25:8</p> <p><b>protect</b> 48:10</p> <p><b>prototype</b> 43:23</p> <p><b>proven</b> 43:23 49:15 52:20</p> <p><b>provide</b> 13:7 60:22 84:10</p> | <p>102:2 107:2</p> <p><b>provided</b> 8:13,23 73:10</p> <p><b>providing</b> 95:7 96:15 103:11</p> <p><b>provision</b> 101:2</p> <p><b>public</b> 3:12,16 5:18 6:1,12,21,<br/>24 8:18 9:2 18:7 19:11 30:23<br/>32:15 41:4 66:8 67:9 70:18<br/>72:4,7,17 73:19 81:13 82:3<br/>83:22 85:10,12 88:7,20,23<br/>89:16,19 92:23 93:1 94:9<br/>104:6,23 106:16 111:16<br/>127:16,20 128:6</p> <p><b>public's</b> 104:5</p> <p><b>published</b> 7:21 9:3 88:9<br/>101:13 127:17 129:14</p> <p><b>pump</b> 31:2</p> <p><b>pumps</b> 30:24 31:6</p> <p><b>purchase</b> 47:20</p> <p><b>push</b> 15:4 26:10 90:5 118:18</p> <p><b>pushed</b> 31:14,15 75:4 96:14</p> <p><b>pushes</b> 75:6</p> <p><b>pushing</b> 74:16</p> <p><b>put</b> 7:4,7 13:15 28:5,23 29:8,<br/>12,17 33:4 34:4 35:11 38:22<br/>42:7 59:5,14 64:24 65:10 68:3<br/>77:19 97:23 98:23 103:23<br/>106:7 113:16,20</p> <p><b>puts</b> 111:12</p> <p><b>putting</b> 28:16 59:19 72:24</p> <p><b>PZ</b> 3:8 7:14 119:24 121:19<br/>122:20 123:23 125:6 126:12</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>qualifications</b> 51:17</p> <p><b>quality</b> 101:24 103:4</p> <p><b>quarter</b> 69:5 117:9</p> <p><b>question</b> 25:11 37:18 38:20<br/>44:8 51:14 60:16 63:10 64:3<br/>68:21 73:7 74:10 83:19 84:1,3<br/>86:19 88:21 104:11 108:16,19<br/>110:16 115:2 117:24 124:9</p> <p><b>questions</b> 3:17,21,22,23,24<br/>4:1 5:19 6:24 7:10 19:12</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34:18 35:15 36:12 50:10 51:8<br>67:12 69:14 75:14,16,19<br>83:16 86:16 91:21 95:1 98:15<br>100:1 101:7 103:7 110:5<br>121:1 125:17 126:13,22<br><b>questions/comments</b> 96:18<br><b>questions/debate</b> 99:7<br><b>quick</b> 5:6 76:24 80:1,18<br><b>quirky</b> 101:20<br><b>quorum</b> 2:23 129:5<br><b>quote</b> 31:16 49:10,14,20                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>reason</b> 5:20 7:2 49:3 59:5,14<br>66:2 92:13<br><b>reasonable</b> 23:16 92:14<br><b>reasons</b> 22:10,12 51:11<br>117:18<br><b>receive</b> 30:7 128:14,18<br><b>recently</b> 73:24 87:14<br><b>recognize</b> 58:8<br><b>recommend</b> 98:24 99:2<br>103:15 105:7 119:21 121:15<br>122:16 123:17 124:24 126:8<br><b>recommendation</b> 14:7,11<br>105:1,16 108:10 114:1<br>120:11,17 127:11 128:16<br><b>recommendations</b> 98:3<br>128:24<br><b>recommended</b> 18:9 72:4,8<br>128:23 129:3<br><b>recommending</b> 120:20<br><b>recommends</b> 70:18<br><b>reconcile</b> 52:11<br><b>reconsider</b> 54:23<br><b>record</b> 32:16 55:4 69:23 78:12<br>79:20 81:13 83:12 93:2 109:4<br>119:24 120:17 121:19 122:20<br>123:23 125:5 126:12 128:10<br><b>recorded</b> 4:7<br><b>recording</b> 4:9 63:17<br><b>recreates</b> 102:23<br><b>rectangular</b> 50:2<br><b>red</b> 8:1<br><b>redevelopment</b> 45:13 53:18<br><b>reduce</b> 23:22 51:12<br><b>reduced</b> 17:18 25:12 102:15<br><b>reducing</b> 39:9 52:24 99:23<br><b>reduction</b> 22:13 105:7<br><b>reference</b> 21:18 62:21<br><b>referenced</b> 12:2 84:7<br><b>refrain</b> 4:16<br><b>regard</b> 44:6 70:3 81:16 105:2<br><b>regularly-scheduled</b> 129:13<br><b>regulations</b> 13:1 49:13 | <b>reiterate</b> 21:13 23:12<br><b>reject</b> 47:2 127:13<br><b>relate</b> 34:18<br><b>related</b> 60:17 71:23 100:13<br>105:22<br><b>relates</b> 11:23 64:4 102:19<br><b>relating</b> 48:19<br><b>relation</b> 96:4<br><b>relationship</b> 52:9<br><b>relative</b> 23:18<br><b>relatives</b> 40:2<br><b>release</b> 101:1<br><b>relief</b> 12:24 13:7 28:11 105:18<br>115:6 126:9 128:22<br><b>reluctantly</b> 31:8<br><b>remain</b> 112:1<br><b>remaining</b> 101:22<br><b>remember</b> 73:1 87:11 98:23<br><b>remind</b> 4:6 100:13<br><b>removal</b> 35:22 42:2 60:8<br>68:11,13,18<br><b>remove</b> 13:2 52:16 114:5<br><b>render</b> 13:8<br><b>rent</b> 40:14,15,20 41:4,17<br>43:15 56:17 57:14<br><b>rental</b> 20:19 21:6,9 56:12<br><b>rented</b> 111:21<br><b>renters</b> 25:8<br><b>rents</b> 41:7<br><b>reopen</b> 6:1<br><b>reopened</b> 6:11<br><b>repeatedly</b> 79:2<br><b>replacing</b> 31:7<br><b>report</b> 23:5<br><b>reporter</b> 4:8,14 69:23 119:2<br><b>represent</b> 6:20 32:1 54:3<br><b>representative</b> 44:2<br><b>represented</b> 80:2<br><b>representing</b> 5:18 6:23<br><b>republish</b> 7:22<br><b>republished</b> 9:5<br><b>reputable</b> 23:6 |
| <b>R</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>race</b> 21:20<br><b>radius</b> 18:22 72:16,19,21<br>96:16<br><b>radiuses</b> 117:9<br><b>rains</b> 30:1<br><b>raise</b> 5:5 61:24 67:19<br><b>raised</b> 81:17<br><b>rake</b> 43:2<br><b>ramifications</b> 51:16<br><b>Rand</b> 20:2<br><b>range</b> 41:9<br><b>Ranger</b> 57:10<br><b>rate</b> 7:20<br><b>rates</b> 101:1<br><b>rationalizations</b> 58:15<br><b>reach</b> 29:20 81:20 82:3<br><b>read</b> 50:21 73:18,19 78:11<br>80:4 88:15 119:18<br><b>reading</b> 51:24<br><b>ready</b> 5:11 25:18,24<br><b>real</b> 21:5,9 43:24 58:11 80:1,<br>18<br><b>reality</b> 61:2 118:22<br><b>rear</b> 8:2,12 10:10 11:7 14:17<br>16:16 17:21 53:7,9 60:10<br>70:14 71:24 72:9 73:7,20<br>87:6,7,14 88:10,22 89:17<br>95:9,24 96:7,22 97:3,18<br>103:10,19 105:5,7 122:18 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

**request** 17:6,17 24:1 25:23  
47:1 48:22 49:18 52:11,20  
54:13 61:21,23 62:22 78:17  
**requested** 23:18 24:7 26:14  
43:19 54:12,17 55:15 64:22  
115:14 120:13  
**requesting** 7:19 33:19  
**requests** 12:22 54:17  
**require** 8:6 12:7,20 18:4 23:1  
51:4  
**required** 8:13 11:21 19:2  
73:15 82:14 83:5 87:12,15  
88:16 89:1 93:9 102:5 103:11  
104:21,23 105:5,20 110:18  
111:1,2,24 115:6 119:22  
125:3 126:11  
**requirement** 9:24 11:11  
101:21 102:19  
**requirements** 10:10,24 13:7  
49:16,21 52:18,22 53:10  
100:24  
**requires** 11:16 33:6 61:19  
110:19 114:18  
**requiring** 34:22 114:6  
**research** 20:16 21:1,12,14  
48:13  
**reserved** 57:15  
**reside** 54:4  
**residences** 39:15  
**resident** 31:24 52:2  
**residential** 25:21 44:10 47:9  
52:13 68:15  
**residents** 6:20 13:16 21:16  
27:2 39:22 46:4 48:4,7 54:4,  
10 77:22 107:2 114:17  
**residents'** 40:5  
**resolution** 31:1  
**respect** 4:18 69:22 70:23  
76:21 128:12,19  
**respectful** 70:2  
**responded** 52:6  
**response** 2:8,10,16 6:10  
105:14

**responses** 23:13  
**responsibility** 63:24 68:1,3  
**rest** 58:21  
**restaurant** 63:12 68:22 69:1  
**restriction** 114:6  
**restrictive** 112:19  
**result** 39:19 41:20 42:9 47:4  
52:17  
**results** 27:3  
**retention** 100:24  
**retrieve** 40:4  
**return** 23:16 92:14  
**review** 9:22 80:7 82:17 83:9  
100:19  
**revise** 14:9  
**revised** 18:12  
**revision** 17:14 43:19  
**revisit** 32:23  
**rewarding** 44:22  
**rhetorical** 25:11  
**Richardson** 37:6  
**right-hand** 9:20 86:3  
**right-of-way** 111:16  
**rights** 62:24 68:10  
**ripe** 53:17  
**risk** 48:2  
**road** 20:2 99:13 107:12  
118:14,16  
**roll** 2:4 121:2 122:4 123:5  
124:10 125:18 126:23  
**Romano** 2:17,18 6:6 89:21  
90:2 91:7 94:8 100:2 104:1  
121:9,10 122:11,12 123:1,4,  
12,13 124:17,18 125:8,11  
126:1,2 127:6,7,21,23 130:5  
**roof** 31:21  
**rooftop** 15:1  
**room** 42:3 48:7 87:22 102:17  
118:6  
**roommates** 25:7 41:17  
**rooms** 91:8  
**Ross** 3:9 7:18 12:15,16 13:17,  
19,20 20:8,9,19 25:16 26:5,6

48:2 54:7,8,12,16 69:19 70:7  
71:1,5,12,15,20 72:3,11,14  
73:11,16 74:8,18 75:2,18  
76:24 77:3 78:1,8,23 79:2,5,  
22 80:10,14,17,20 81:8 84:12  
90:1,12,24 91:5,10  
**round** 36:8  
**rounding** 111:14  
**route** 18:10  
**rule** 62:21 63:4  
**rules** 32:6  
**run** 3:13 63:23 67:14 69:17

---

## S

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**safe** 63:24 66:4  
**safer** 59:15 106:19  
**safest** 64:2  
**safety** 8:19 23:21 35:12 37:4,  
20 38:21 44:6 47:5,13 61:4  
79:1,3,6,14,16 80:16 81:1  
**sake** 104:11  
**sale** 47:23 48:1  
**salt** 99:13 103:24  
**scenarios** 113:19  
**Schlenky** 52:9  
**school** 63:19  
**scooters** 46:11  
**score** 64:10,11,12 65:8  
**scores** 69:11  
**screams** 25:7  
**screen** 7:17 8:15  
**seat** 59:22  
**seated** 5:10  
**Seconded** 126:20  
**seconding** 120:16  
**section** 12:13 18:15 95:4  
105:19 119:22 121:17 122:19  
123:22 125:4 126:10  
**sections** 113:6  
**Seddon** 51:23  
**self-regulated** 55:12,19

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <b>self-regulating</b> 55:23<br><b>semi-pervious</b> 70:6 98:18,20<br>99:9 101:22 123:19,21<br><b>sense</b> 41:15 56:16,18 102:23<br><b>separate</b> 57:6<br><b>separately</b> 92:6<br><b>separation</b> 61:8 102:14<br><b>served</b> 67:21<br><b>service</b> 10:17 62:7<br><b>services</b> 46:16<br><b>set</b> 14:1 15:14 16:8,10 17:24<br>53:21 58:14 59:21 79:20<br><b>setback</b> 102:19 107:23<br><b>setbacks</b> 107:15<br><b>sewer</b> 42:13,18<br><b>shape</b> 48:20 78:2 93:13<br><b>shaped</b> 22:12 50:1<br><b>share</b> 34:10 112:22 113:3,8<br><b>shared</b> 114:8<br><b>sharing</b> 113:21<br><b>sheer</b> 39:15<br><b>Shlensky</b> 2:19,20 6:5 86:18<br>87:5,17 104:2,13 115:1,9<br>119:14 121:11,12,21 122:3,<br>13,14,23 123:3,14,15 124:19,<br>20 125:13,16 126:3,4,15,17<br>127:8,9<br><b>short</b> 7:12 50:15 78:12<br><b>shorter</b> 7:8 55:9<br><b>show</b> 15:21 51:7 57:18 76:20<br><b>showing</b> 33:3 34:7<br><b>shown</b> 18:17,19 84:8<br><b>shows</b> 104:5<br><b>shrink</b> 23:22<br><b>shrinking</b> 49:23 52:23 53:3,10<br><b>side</b> 10:9 14:5,8 17:24 21:11<br>27:16 34:19 73:21 85:23<br>95:18 96:21 98:7 111:8,12<br>122:17 128:21<br><b>sides</b> 74:6 95:11<br><b>sidewalk</b> 34:21 87:23<br><b>sight</b> 43:13 74:12 106:1 | <b>sign</b> 3:19 38:7 61:18<br><b>similar</b> 44:10<br><b>similarly</b> 42:23<br><b>simple</b> 65:4<br><b>simply</b> 13:2 50:4 52:16<br><b>simultaneously</b> 95:17<br><b>single</b> 25:16<br><b>sit</b> 112:6,11<br><b>site</b> 13:7 16:14 23:17 24:17<br>26:4 43:7,9,16 50:1 60:15<br>63:11 67:21 68:9 70:6 74:5<br>82:20 83:1 85:14 97:17 99:19<br>100:14 101:18 102:1,2 104:24<br>106:10 109:7<br><b>sits</b> 27:14<br><b>sitting</b> 47:21<br><b>situation</b> 22:19 63:22 65:19<br>86:7 102:16<br><b>situations</b> 53:16 56:1<br><b>size</b> 22:16 23:22 24:20 26:2<br>43:9 59:8 90:24 91:6,11<br><b>skate</b> 36:16<br><b>skyscraper</b> 43:12<br><b>sleepover</b> 39:23<br><b>slide</b> 124:23<br><b>slow</b> 107:8<br><b>small</b> 5:24 9:9 57:9 59:12<br><b>smaller</b> 15:4 17:3 22:16 36:5<br>50:5 52:4 61:11 90:8,11<br><b>snow</b> 35:19,20,22 42:2,4,7<br>60:8 68:11,13,18 118:7,19<br>119:8<br><b>snowplowing</b> 28:19<br><b>snowplows</b> 53:9<br><b>soak</b> 29:18<br><b>softer</b> 14:6,8<br><b>soil</b> 48:19 60:17,18<br><b>solar</b> 45:17,21<br><b>sole</b> 92:13<br><b>solely</b> 22:9<br><b>solution</b> 49:18 65:5<br><b>solve</b> 61:3 | <b>son</b> 37:13<br><b>sooner</b> 82:7<br><b>sort</b> 70:23 91:3<br><b>sounds</b> 33:14 76:16<br><b>south</b> 8:5 13:12 15:17 24:5<br>28:3 30:6 34:19 35:5 36:14,17<br>37:1 38:12 39:17 43:4 44:18<br>46:23 51:24 52:1 58:2 60:3<br>62:5 66:11 69:3 86:22<br><b>southern</b> 85:24<br><b>southwest</b> 24:21 37:19<br><b>space</b> 17:1,4,16 18:5 33:17,20,<br>21,23 36:3 39:8 44:6 50:4<br>56:12 58:7 59:2,17 65:24<br>70:13 71:2,21 72:1 96:7<br>101:24 103:19 110:24 111:5,<br>6,15 113:18,22 114:6,10<br>128:12<br><b>spaces</b> 9:12 11:20 12:21 16:18<br>17:2 20:12 24:11 34:19 39:13<br>40:17 43:15 51:5 54:14 55:16,<br>21 56:16,18,20 57:11,14<br>58:18 60:10 64:5 78:4 88:22<br>93:8,9,17,22 97:21 110:22<br>111:3,9,12,13 112:14,22<br>113:3,21 115:16,18 119:22<br><b>speak</b> 3:1,2 4:10,11 5:3 8:14<br>15:20 19:20 24:9 29:24 46:24<br>62:8 67:10,17 68:16 69:10,16<br>81:14 85:1 90:3 103:1<br><b>speaking</b> 74:4 110:1 129:24<br><b>spec'd</b> 77:7<br><b>special</b> 2:2 5:21 7:4 13:9 22:8<br>78:16 129:14,15<br><b>specific</b> 13:7 21:14 63:2 69:12<br>88:2 110:10 114:12<br><b>specifically</b> 17:7 51:3 90:19<br>105:23<br><b>specifications</b> 44:11<br><b>specifics</b> 92:2 106:9<br><b>spell</b> 4:14 19:24 83:11<br><b>spend</b> 40:19<br><b>spirit</b> 93:20 99:16 102:22 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>spite</b> 83:3</p> <p><b>split</b> 90:23</p> <p><b>spoke</b> 19:15 102:7</p> <p><b>spot</b> 17:15 37:17,18,24 74:11, 12 110:18 111:22,23 114:15</p> <p><b>spots</b> 39:22 60:2 115:4,6</p> <p><b>squabbling</b> 24:11</p> <p><b>square</b> 9:11,13 12:17 25:5 36:8 58:6 78:2</p> <p><b>squeeze</b> 96:6</p> <p><b>St</b> 69:5 107:11</p> <p><b>staff</b> 3:14 11:21 14:11 16:24 18:9 20:7 26:12,17 31:23 49:17 51:12 52:19,21 53:6,13 75:9 78:10 80:9 83:17,19 84:14,16 85:1,2 86:8,19 96:23 103:22 104:6 105:16 106:15 108:10 109:22 113:24 129:9</p> <p><b>stairwell</b> 14:24 15:11,19,21 16:6</p> <p><b>stall</b> 14:14 17:21 71:10 96:13</p> <p><b>stalls</b> 11:23 14:17,20 18:20,21 19:2,4 35:4,6 72:2,10 96:3,5, 6,15</p> <p><b>stamp</b> 43:12</p> <p><b>stand</b> 5:4</p> <p><b>Standard</b> 100:5</p> <p><b>standards</b> 23:13 96:2</p> <p><b>standing</b> 15:22,24 31:3</p> <p><b>standpoint</b> 120:12</p> <p><b>stands</b> 26:11</p> <p><b>start</b> 2:4 3:14 6:13 20:8 55:24 56:2,11,15 58:3 75:16 110:9, 12</p> <p><b>starting</b> 4:20 45:16</p> <p><b>state</b> 3:18 4:13 19:24 21:19 49:14 56:21 110:20 111:24 112:17,20 113:7,12,13 114:2, 17,19,20</p> <p><b>stated</b> 20:9 21:11 55:11 79:3</p> <p><b>statement</b> 21:2 50:11</p> <p><b>statements</b> 78:22</p> <p><b>states</b> 18:15 20:10 26:13 30:12</p> | <p>52:15</p> <p><b>stating</b> 49:10,19</p> <p><b>station</b> 63:11 68:22 69:7 116:23 117:12</p> <p><b>statistics</b> 51:7</p> <p><b>stay</b> 40:2</p> <p><b>stem</b> 22:8</p> <p><b>stepped</b> 10:22</p> <p><b>Steuerle</b> 22:3 68:8</p> <p><b>Steuerle's</b> 118:12</p> <p><b>Steve</b> 51:23</p> <p><b>stick</b> 32:5,6</p> <p><b>stop</b> 38:7 58:19,24 59:21 63:12,16,18 64:3 68:22 69:2 70:11 71:18 74:15,16,21 75:4, 6 77:15 106:12,13 108:21 109:24</p> <p><b>stopped</b> 59:12 81:23</p> <p><b>stops</b> 58:19 70:12</p> <p><b>store</b> 63:11 68:22 69:3 117:17</p> <p><b>stories</b> 12:18 15:13 65:4 76:6, 13 91:12,17</p> <p><b>storm</b> 9:15 28:5,18 29:5 42:5 76:7,13 82:15 83:9 100:13,20, 22,24</p> <p><b>story</b> 7:19 10:20,23 25:16 52:7 76:7,8</p> <p><b>straight</b> 79:20 110:4</p> <p><b>street</b> 10:18 11:7,14 38:15 68:14 97:2,11 102:6,15,24 107:7 111:6,10,13 116:6 118:19 125:3</p> <p><b>streets</b> 39:21 40:10 57:20 106:24</p> <p><b>streetscape</b> 11:17 102:4,5,13, 24 103:1,5 125:1,3 128:21</p> <p><b>strict</b> 12:24 19:18</p> <p><b>strictly</b> 22:23</p> <p><b>strike</b> 105:17</p> <p><b>strive</b> 27:1</p> <p><b>strong</b> 86:8 98:12</p> <p><b>structures</b> 45:10 129:18</p> | <p><b>struggle</b> 41:7 94:18 116:5</p> <p><b>struggling</b> 94:11 115:13,22</p> <p><b>Stulgin's</b> 68:24</p> <p><b>subdivision</b> 3:9</p> <p><b>subject</b> 93:14</p> <p><b>submittal</b> 101:15</p> <p><b>submitted</b> 18:13 54:24</p> <p><b>subsequent</b> 81:9</p> <p><b>Substantial</b> 48:17</p> <p><b>success</b> 43:24 44:5</p> <p><b>successful</b> 44:3,12</p> <p><b>Sue</b> 46:22</p> <p><b>Sue's</b> 55:7</p> <p><b>sufficient</b> 96:17</p> <p><b>sufficiently</b> 26:13</p> <p><b>suggested</b> 25:23 31:22 60:12</p> <p><b>suggestions</b> 51:11</p> <p><b>summer</b> 28:22 68:4 117:5</p> <p><b>Summit</b> 65:12</p> <p><b>sunlight</b> 45:14</p> <p><b>supplies</b> 77:19</p> <p><b>support</b> 34:5 53:13 81:11 120:9,10</p> <p><b>supported</b> 18:7,11 80:22,24</p> <p><b>supportive</b> 96:24</p> <p><b>supports</b> 46:16</p> <p><b>supposed</b> 40:7 42:1 57:21 60:22 73:1</p> <p><b>surface</b> 9:15 10:15 22:14 30:13 46:7 52:10 53:5,7 54:15 97:4,5,8 98:6 99:18,23</p> <p><b>surfaces</b> 42:12 62:23 70:6</p> <p><b>surprised</b> 74:1</p> <p><b>surrounded</b> 87:21</p> <p><b>surrounding</b> 83:3,7 100:4</p> <p><b>survey</b> 29:15 81:15</p> <p><b>SUV</b> 59:7</p> <p><b>SUVS</b> 59:13</p> <p><b>swim</b> 45:23</p> <p><b>swimming</b> 40:16</p> <p><b>sworn</b> 5:5,8</p> <p><b>system</b> 42:13</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                           |                                                                                                                                                                        |                                                                                                                          |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>systems</b> 81:18,22 82:5                                              | 75:19 78:10 82:12 95:9 106:4                                                                                                                                           | <b>train</b> 63:11 65:17 68:22 69:7<br>116:22 117:12                                                                     |
| <hr/>                                                                     |                                                                                                                                                                        | <hr/>                                                                                                                    |
| <b>T</b>                                                                  | <b>thirds</b> 43:9                                                                                                                                                     | <b>transcript</b> 80:3                                                                                                   |
| <b>takes</b> 34:1 63:19 82:18                                             | <b>thought</b> 35:17 71:20 73:12,23<br>86:13 88:12 90:10 93:23                                                                                                         | <b>Transit</b> 64:11                                                                                                     |
| <b>taking</b> 38:1                                                        | <b>thoughts</b> 94:5,6,22,24 98:15<br>101:7 103:7,13                                                                                                                   | <b>transit-oriented</b> 117:8                                                                                            |
| <b>talk</b> 35:13 51:9 62:9 73:8<br>77:14 82:2 92:1,8 110:13              | <b>thousands</b> 28:9                                                                                                                                                  | <b>transitional</b> 107:11                                                                                               |
| <b>talked</b> 60:2 61:16 84:5 108:1<br>113:23                             | <b>Thursday</b> 7:3                                                                                                                                                    | <b>transparency</b> 11:6                                                                                                 |
| <b>talking</b> 25:3 26:20 27:20,21<br>69:24 73:3 91:5,7,10 102:8<br>115:4 | <b>tight</b> 24:17                                                                                                                                                     | <b>transparent</b> 104:6                                                                                                 |
| <b>tall</b> 12:18                                                         | <b>time</b> 4:19 7:22 19:8,17,21,22<br>22:5 23:11 24:14 30:1 32:12<br>35:18 50:24 51:22 54:7,24<br>55:1,8 58:24 68:12 69:21,22<br>87:12 89:6,7,11 99:15 108:3<br>116:5 | <b>transportation</b> 40:8 65:16                                                                                         |
| <b>taped</b> 4:7                                                          | <b>timely</b> 27:1                                                                                                                                                     | <b>trapezoid</b> 78:5                                                                                                    |
| <b>target</b> 41:1                                                        | <b>times</b> 30:19 31:13 41:6 116:9                                                                                                                                    | <b>tree</b> 29:17                                                                                                        |
| <b>taxes</b> 48:8 62:1                                                    | <b>tires</b> 59:1                                                                                                                                                      | <b>triangle</b> 12:4,9 59:24 60:6<br>74:12 85:24 86:1 105:19<br>106:2 107:4,14,18,24 108:8,<br>12,20 109:2 126:10 128:23 |
| <b>tear</b> 99:13                                                         | <b>today</b> 23:10 26:12 54:18<br>116:15 128:11                                                                                                                        | <b>triangles</b> 61:12                                                                                                   |
| <b>Technically</b> 8:7                                                    | <b>today's</b> 41:8 49:9 54:13                                                                                                                                         | <b>triangular</b> 85:22                                                                                                  |
| <b>Ted</b> 27:8                                                           | <b>toddlers</b> 63:23                                                                                                                                                  | <b>trouble</b> 29:19                                                                                                     |
| <b>Teenagers</b> 56:1                                                     | <b>toilet</b> 42:15                                                                                                                                                    | <b>troubleshoot</b> 45:3                                                                                                 |
| <b>ten</b> 116:16                                                         | <b>told</b> 27:12 70:18                                                                                                                                                | <b>truck</b> 57:4,9,10 77:13                                                                                             |
| <b>tenant</b> 34:22 111:21 112:3<br>115:6                                 | <b>tonight</b> 4:9 7:18 12:22 22:5<br>24:23 26:20 29:24 47:21<br>54:21 79:19 81:17 89:22<br>90:16                                                                      | <b>trucks</b> 23:10 38:5                                                                                                 |
| <b>tenants</b> 35:12,19,22 44:12<br>57:16 59:16 112:13                    | <b>tonight's</b> 78:15                                                                                                                                                 | <b>true</b> 60:1                                                                                                         |
| <b>term</b> 50:14,15,17                                                   | <b>Tony</b> 58:1                                                                                                                                                       | <b>trust</b> 110:1                                                                                                       |
| <b>terms</b> 53:19 71:17 83:2 93:10,<br>19 96:2 106:19                    | <b>topics</b> 62:9                                                                                                                                                     | <b>truth</b> 26:2                                                                                                        |
| <b>terrace</b> 15:1                                                       | <b>topography</b> 48:20                                                                                                                                                | <b>truths</b> 47:10                                                                                                      |
| <b>Tesla</b> 59:8                                                         | <b>torn</b> 100:2                                                                                                                                                      | <b>turn</b> 18:4 19:4 38:11 86:3,6<br>95:21,22 114:15 129:22                                                             |
| <b>Testa</b> 54:20 55:5                                                   | <b>total</b> 12:19 39:10 99:23                                                                                                                                         | <b>turned</b> 9:10                                                                                                       |
| <b>testing</b> 77:9                                                       | <b>tower</b> 39:14                                                                                                                                                     | <b>turning</b> 18:22 72:15,20 96:16<br>97:19                                                                             |
| <b>text</b> 106:5 108:3 112:23<br>113:12 129:16                           | <b>town</b> 32:20 54:10 65:11,15<br>90:11 114:21                                                                                                                       | <b>two-way</b> 18:7                                                                                                      |
| <b>texted</b> 38:4                                                        | <b>Township</b> 51:2                                                                                                                                                   | <b>type</b> 46:12                                                                                                        |
| <b>thaw</b> 60:20 99:13                                                   | <b>traffic</b> 8:19 18:8,9,12 23:5<br>36:22 38:22,23 39:18 40:11<br>41:21 42:9 44:6 47:13 59:23<br>60:3,4,19 61:4,6 65:19 79:1,3,<br>6,7,13,15 80:15 81:1 107:8        | <b>types</b> 65:16                                                                                                       |
| <b>theoretically</b> 113:11,14<br>114:14                                  |                                                                                                                                                                        | <b>Typically</b> 82:18                                                                                                   |
| <b>thing</b> 14:1,9 37:4 55:10 77:1,<br>13 78:1 92:11                     |                                                                                                                                                                        | <hr/>                                                                                                                    |
| <b>things</b> 14:3 17:19 22:15 45:1<br>46:14 50:24 56:5 67:15 69:12       |                                                                                                                                                                        | <b>U</b>                                                                                                                 |
|                                                                           |                                                                                                                                                                        | <hr/>                                                                                                                    |
|                                                                           |                                                                                                                                                                        | <b>Ubers</b> 40:12                                                                                                       |
|                                                                           |                                                                                                                                                                        | <b>ultimately</b> 25:21 106:7                                                                                            |
|                                                                           |                                                                                                                                                                        | <b>unable</b> 78:15 100:23                                                                                               |
|                                                                           |                                                                                                                                                                        | <b>uncertain</b> 5:4                                                                                                     |
|                                                                           |                                                                                                                                                                        | <b>uncertainty</b> 80:8                                                                                                  |

**uncover** 112:15  
**under-designed** 82:6  
**under-parked** 23:23  
**underappreciated** 20:6  
**underneath** 84:7  
**understand** 30:9 48:14 55:17,  
 19 67:21 71:4 82:23 117:7  
**understanding** 62:14,23 71:17  
 119:15  
**undesirable** 25:22  
**undoubtedly** 41:16  
**unique** 13:9 22:8 23:17  
**unit** 7:20 15:2 28:16 90:7  
 115:18 116:11  
**units** 12:18,19,20 17:23 22:20  
 23:15 24:24 25:12,18,24 29:9  
 39:9,16 40:22 41:9 42:1 43:7,  
 10 76:6,11,13 89:24 90:5  
 94:13 111:21  
**unproven** 44:15  
**unsafe** 65:19  
**unusually** 50:1  
**updated** 54:22  
**upheld** 24:20  
**uphold** 66:4  
**upholding** 48:9  
**upper** 15:18 16:23  
**urban** 107:5  
**urge** 32:2  
**urging** 34:12  
**utility** 96:10

---

## V

---

**vacant** 112:6  
**validation** 43:23  
**values** 42:20  
**variance** 8:6,11 11:21,23 17:5,  
 10,17 18:1 24:2 30:7 32:3  
 42:11 48:19 49:3,18 52:10,20  
 54:13 55:15,16 62:22 74:1  
 88:10 89:10,20 94:17 115:14,  
 22 128:13

**variances** 3:9 7:19,21,23 10:4  
 23:18 26:3,14 27:6 36:10  
 48:16,23,24 49:7 51:13,16  
 54:7,17 66:1,5 128:17  
**variation** 12:23 23:13 52:16  
 73:7,9 92:2,3,13 93:6,7 94:6,  
 12 103:15,20 104:21,22  
 105:5,6,10 119:21 120:18  
 121:16 122:17 123:18 125:1  
 126:9  
**variations** 12:23 22:8 52:14  
 92:21 110:7 120:13 128:19,23  
**variety** 49:22 52:23 53:3  
**vehicle** 44:11 59:21  
**vehicles** 35:20 40:4 46:12  
 58:19,22 59:11,12 60:9 61:9  
 99:15  
**verify** 12:12  
**version** 45:5,6 114:21  
**versus** 17:11 57:7 58:7  
**viable** 20:13  
**video** 4:6 70:1 80:4  
**Villa** 2:2 20:3 32:18,24 34:11  
 40:23 43:8,16 44:13,23 46:18  
 50:8 51:6 54:4 55:22 62:20  
 64:10 65:11 82:16 119:6  
**village** 2:2 5:14 6:17 9:6 11:19  
 20:7 21:8 22:7 25:23 26:9,23  
 28:5,10,24 31:22 33:24 34:2  
 36:1 37:20 44:13 47:6,24  
 48:3,5,8,10 49:5,12,17 51:8,  
 12 52:13,19,21 54:22 65:6  
 67:17 68:19 82:14,16 83:20  
 85:15 95:22 98:24 100:21  
 103:3 104:16 105:1 106:6,22  
 108:11 109:18 110:1 118:1  
 127:12 128:16 129:1,3  
**Village's** 48:3 63:2,4  
**villages** 21:15 65:10  
**visibility** 12:4,9 59:24 60:6  
 61:12 74:17 75:7 105:19  
 107:3,24 108:8,12,20 109:2,  
 13,14 126:9 128:22  
**vision** 34:10

**visit** 20:18 40:2  
**voice** 105:4  
**voiced** 36:7  
**volunteer** 32:1 44:20  
**volunteering** 51:19  
**vote** 32:2 34:9,12 36:9 47:2,  
 13,14,15 49:6 50:9 54:17  
 78:17 79:16 105:4 119:17  
 120:9,14 121:2,13 122:15  
 123:16 124:21 126:5 127:10  
 128:11  
**voting** 104:12

---

## W

---

**Wagner** 78:19 79:21  
**wait** 36:2 48:11  
**walk** 34:22 37:13,14 59:2 64:6  
 69:9 111:9 117:17  
**walkability** 64:6,7,10 65:7  
 69:11  
**walkable** 64:9 69:8 117:12,13  
**walked** 117:4  
**walking** 65:17 69:6  
**walkway** 35:1,11 71:23  
**wall** 11:6 54:14  
**wanted** 22:4,6 29:24 62:9,19  
 79:20 84:16 95:22 108:17  
 129:10  
**warning** 61:17  
**washing** 42:15  
**Washington** 69:3  
**watching** 69:24  
**water** 9:15 27:21 28:18 29:5,  
 18 31:3 42:21 76:7,14 82:15  
 83:9 100:14,20,22,24  
**ways** 54:15 103:4  
**wear** 99:12  
**Weber** 5:12,13 6:2,13,16 85:2,  
 19 86:10,24 87:4,9 88:4  
 97:10,22 98:2,22 100:15  
 101:5,10 103:14,18 104:9  
 107:1 108:22 109:3,9 110:19  
 111:19,24 112:4,7,10,15

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 113:9,16,20 114:5,16 116:20<br>129:12<br><b>Weber's</b> 22:7<br><b>Wednesday</b> 45:22<br><b>weeds</b> 50:13<br><b>week</b> 29:15 80:12<br><b>weeks</b> 31:3 42:8<br><b>weight</b> 99:14<br><b>welfare</b> 47:6<br><b>well-known</b> 30:18<br><b>west</b> 3:3,8 7:15 14:2,8 15:8<br>17:24 27:9,18 28:1 34:17 39:5<br>54:14 86:22 96:14<br><b>wet</b> 27:20<br><b>Wheaton</b> 20:21,23<br><b>wheelchairs</b> 46:12<br><b>wide</b> 18:20 19:1,4,6 59:10<br>95:4,10 121:16 128:20<br><b>widen</b> 14:19<br><b>widened</b> 18:23<br><b>wider</b> 18:21 72:15,20<br><b>width</b> 10:10 11:24 70:24 95:4<br>121:17<br><b>willingness</b> 44:20<br><b>wind</b> 118:14,16<br><b>windows</b> 40:6<br><b>winter</b> 35:17 42:8 99:14<br>103:24<br><b>wires</b> 29:20<br><b>wise</b> 58:11<br><b>wishing</b> 3:1 67:9<br><b>withstand</b> 60:19<br><b>witnessed</b> 55:21<br><b>witnesses</b> 5:7<br><b>Wolf</b> 104:17 115:8 120:7<br>128:7,9<br><b>wonderful</b> 60:13<br><b>wondering</b> 26:1<br><b>word</b> 61:22,23 80:21,24<br><b>work</b> 20:5 26:16 36:9,20<br>58:10,16 68:19 77:6<br><b>worked</b> 75:9 109:21 | <b>working</b> 12:6 30:23 41:24<br>81:19,20 106:6 129:16<br><b>works</b> 5:18 6:24 18:7 30:24<br>40:23 48:15 58:11 70:18<br>71:18 72:4,7,17 82:3 83:22<br>89:8 90:19<br><b>world</b> 21:5,9 43:22,24 44:1<br>61:2<br><b>worse</b> 29:10,11 46:9 75:23<br>76:19<br><b>worth</b> 82:13 104:12<br><b>write</b> 35:15<br><b>writes</b> 78:19<br><b>writing</b> 58:20<br><b>written</b> 52:5<br><b>wrong</b> 47:4,10 62:24 97:7<br><b>wrote</b> 78:14 | <b>Zucker</b> 52:1 63:9 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <hr/> <b>Y</b> <hr/> <b>Yale</b> 46:23 58:2<br><b>yard</b> 10:9,10 21:2 27:19,22<br>29:15 31:7 96:21 98:7 122:18<br>128:21<br><b>year</b> 31:14 37:1,2,15 57:2,5<br>79:6<br><b>years</b> 28:9 30:20,24 31:13<br>32:19 38:16 76:16 116:16<br>117:3<br><b>yesterday</b> 41:18<br><b>York</b> 51:2<br><b>young</b> 38:17 41:2,6,8<br><b>Youtube</b> 63:17                                                                                           |                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <hr/> <b>Z</b> <hr/> <b>zone</b> 10:7 125:4 126:11<br><b>zoned</b> 47:8<br><b>zones</b> 105:20<br><b>zoning</b> 2:3 8:24 10:1 11:12<br>13:1,8,11 28:14 33:1,6,16<br>34:1,4,8 47:16 52:3,18 54:11<br>63:1 78:24 82:19 112:18<br>128:15,19                                                                                                                                                                                                         |                         |

## Planning and Zoning Commission Agenda Item Report

**Meeting Date:** August 11, 2022

**Submitted by:** Pat Boksha

**Submitting Department:** Planning and Zoning Commission

**Item Type:** Business (Commission Only)

**Agenda Section:** Public Hearing - New Business

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**Subject:**

Text Amendments

**Suggested Action:**

**Attachments:**

[Memo 08-11-22 PZ 22 0006 Text Amendments.pdf](#)

[G Craig Ross Comments 07-14-22 .pdf](#)

[Red Lined Scribner Errors ART 4. MX Districts.pdf](#)

# Village of Villa Park



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

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**TO:** Planning & Zoning Commission  
**FROM:** Community Development Department  
**DATE:** August 11, 2022  
**RE:** Petition PZ-22-0006 / Village Code Amendments to Zoning Ordinance (Appendix C),  
Petitioner: Village of Villa Park

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The Commission continues to discuss zoning text amendments to Appendix C of the Village Code which would add regulations, definitions, and clarification including permitted locations, height, size, and number of permitted accessory structures per lot; and, add regulations, definitions, and clarification including on the width of driveways and driveway approaches, landscaping requirements, visibility triangle requirements, and width for service walks.

The Public Hearing for PZ 22-0006 was opened on May 12, 2022, continued to June 9, 2022 and again to July 14, 2022 while the Commission discussed text amendments per the “Public Notice” which was printed in the Daily Herald on Wednesday, April 27, 2022:

- Zoning Ordinance (Appendix C) – Article 2 “Residential Uses”, Article 3 “Office, Commercial and Industrial Districts,” Article 6 “Uses,” and Article 14 “Measurements and Definitions” – Adding regulations, definitions, and clarification including permitted locations, height, size, and number of permitted accessory structures per lot.
- Zoning Ordinance (Appendix C) – Article 4 “MX Districts”, Article 7 “Parking”, Article 9, Section 9.3 “Visibility Triangle”, and Article 14 “Measurements and Definitions” - Adding regulations, definitions, and clarification including on the width of driveways and driveway approaches, landscaping requirements, visibility triangle requirements, and width for service walks.
- Zoning Ordinance (Appendix C) – Article 4 “MX Districts” to correct various scrivener’s errors.

Proposed amendments related to clarification and updating of Accessory Structures and first floor land use in a General Building in the MX T District are indicated with “red-line” text detailing the proposed changes in the Attachments. Upon a recommendation for approval by the Commission, the red-lined text would be sent to the Village Board and an ordinance prepared.

## **Continued - “ACCESSORY USES AND STRUCTURES” (Article 6)**

This text amendment completes several topics first introduced in 2021 and proposes to update regulations to be consistent with surrounding communities, meet current trends, and to provide flexibility desired by our residents without impact neighboring property rights.

Zoning is the predominant means of restricting private land use for the benefit of a community and must contain a legal nexus to the “health, safety, and general welfare” of the population. Accessory structures can add great enjoyment to quality of life – protecting us from the elements with gazebos and pergolas, garages, and sheds to store garden tools, and lawn furniture, and other belongings, and provide positive benefit to our own and neighboring properties by limiting clutter and debris on a property. Outdoor dining areas and BBQ’s enhance gatherings and outdoor meals.

In regulating accessory structures, several objectives are considered, including:

- Maximum lot coverage to control stormwater run-off on to neighboring property
- Aesthetics as a means to improve property values
- Negative externalities associated with outdoor land use – noise, food, cooking odors, etc.
- Safety through application of Fire Protection (building separations and fire rating of materials) and Building Code requirements (safe construction)
- Health - Air and Light through a property which could be affected by building setback, height, and building mass.

Development staff is of the opinion that the terms “Accessory Building” and “Accessory Structure” can be used interchangeably but are differentiated from an “Accessory Use.” All are incidental and supporting of the Principal Structure and Principal Use on the property, respectively. The recommended amendment uses the term “Accessory Structure,” and substitutes the term “Structure” for “Building” in 6.10.2. Residential Accessory Structures, which is titled with “structure” but discusses “buildings” throughout.

As discussed at the July 14, 2022 Public Hearing, the proposed amendments would permit:

- 1 garage per lot (either attached or detached)
- 1 shed (if lot coverage is met)
- 1 gazebo (if lot coverage is met)
- Any additional accessory structure/buildings – again, if lot coverage is met.

In discussing this recommendation, staff considered stormwater control through lot coverage to be the overriding goal, balanced with aesthetics, and the need for a modern household to store items inside, thereby keeping a property neat and free from debris.

As presented in the attachment, proposed amendments to Article 6 Uses would:

- Add cross reference to other sections of the code.
- Reference all accessory structures as “structures,” including garages, and modifies language which referred to “accessory buildings.”
- Reconfirm only one garage per lot.
- Increase size and height regulations for some structures.
- Permit 1 shed (maximum) and 1 gazebo (maximum); and additional accessory structures so long as the lot coverage meets maximum lot coverage requirements.
- Define lot coverage as the cumulative total square footage of the principal structure, and all accessory structures (including detached garages, sheds, pergolas, decks, flatwork, etc.).
- Count an accessory structure towards lot coverage if the structure/building has a roof; and does not double-count – for example, if a gazebo is built on a deck.
- Modify the encroachment table to clarify which accessory structures 1) may be in a permitted yard (*area between the required setback and the principal building*) and 2) may also encroach into the required setback (*area between the principal structure or accessory structure and the lot line*). Footnotes are embodied into the table.
- Regulate placement of accessory structures based on building and fire codes, limited by any required utility easements.
- Correctly labels tables and figures in Article 14 as “Figure 14-” and “Table 14-,” not as “Figure 13-” and “Table 13-.” (former scrivener’s error)
- Compiles bulk regulations for accessory structures in a new Table 6-2 (See Appendix 3)
- Expand the “Generally Applicable Regulations”

#### **“Permitted Setback Obstructions / Encroachments” (Section 14.1.9)**

The Villa Park Zoning Code regulates whether an accessory structure can encroach into the required setback. The Commission has discussed whether Table 13-1 in Section 14.1.9 should be modified to discuss permission to locate in a required “yard” as well as regulating the encroachment into the minimum required “setbacks.” The proposed text amendment as presented in Attachment G:

- Updates the introduction to the Table.
- Modifies the table to indicate permission to locate in a required yard and to encroach in the required setback.
- Re-names the table as Table 14-1, (not 13-1) to correct a scrivener’s error.
- Places the footnotes in the table for readability.
- Includes accessory uses found elsewhere in the Zoning Code, with cross reference for greater detail.
- Defines, and limits, the width of private service walks on residential lots to 5’.

See Attachment G for the revised Table.



#### **Additional “DEFINITIONS” (Section 14)**

**Setback, Required:** The minimum required distance along a straight and perpendicular line between a structure and the street lot line, rear lot line, or side lot line

**Yard, Required:** The distance between the wall of the principal building and the required setback.

**Service Walk, (private residential):** Any strip or section of concrete, pavers, asphalt, stepping stones a maximum of five (5) feet in width, the prime purposes of which is a walkway. Does not include any concrete, pavers, or stepping stones exceeding four (4) feet in width, the prime purpose of which is not a walkway, but a landscape feature defined as hardscape area.

#### **Continued – First floor Land Use in a General Building located in the MX-T District**

Two word choices were proposed by Commissioners at the July 14, 2022 Public Hearing, each with the intent of permitting the entire first floor to be 100% residential. The Commission should determine 1) which best expresses the intent for first floor land use in a General Building in the MX-T District, and 2) whether or not it should be the same as in the MX-R1 and MX-R2 Districts.

#### **4.4.3 - General Building**

| Permitted Districts                  |                                    | MX-T                                                                                                                                                                                                                                                                                                                                                                                                                                                    | MX-R1 | MX-R2 | References and Additional Requirements |
|--------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------|----------------------------------------|
| <b>C. Uses</b> (Refer to Figure 4-8) |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |       |                                        |
| 14                                   | <b>Ground Story &amp; Basement</b> | <del>All permitted uses except commercial service, eating and drinking establishments, and retail sales are limited to no more than 50% of gross floor area of the story</del><br><br>With the exception of residential uses, all other permitted uses are limited to no more than 50% of the gross floor area of the story.<br><br>Or<br><br>All permitted commercial uses are limited to no more than 50% of the gross floor area of the first story. |       |       | Refer to Article 6                     |

Should the Commission prefer different first floor land use in MX-T vs. MX-R-1 and MX-R-2, the code could be split, the ground story uses for the MX R Districts could read as follows:

|    | Permitted Districts     | MX-T | MX-R1                               | MX-R2                               | References and Additional Requirements |
|----|-------------------------|------|-------------------------------------|-------------------------------------|----------------------------------------|
| 14 | Ground Story & Basement | TBD  | All Uses permitted in the district. | All Uses permitted in the district. | Refer to Article 6                     |

## Consideration

Text amendments are subject to Section 11.2.9. Review and Approval Criteria as follows:

### A. Zoning Ordinance Text Amendments

The decision to amend the zoning ordinance text is a matter of legislative discretion that is not controlled by any one standard. In making recommendations and decisions about zoning ordinance text amendments, the planning and zoning commission and village board must consider at least the following factors:

1. Whether the proposed text amendment is in conformity with the policy and intent of the comprehensive plan; and
2. Whether the proposed zoning ordinance text amendment corrects an error or inconsistency in the zoning ordinance, meets the challenge of a changing condition or is necessary to implement established village policy.

## Staff Request

Staff recommends discussion of the text amendments outlined in the attachments and formulation of a recommendation to the Village Board.

## Recommended Motion

Motion to recommend approval of Text Amendments as presented in Attachments A to G which would make the following updates in the Village of Villa Park Zoning Ordinance (Appendix C):

- Attachment A - Zoning Ordinance (Appendix C) Article 2 Residential Uses
  - Correct scrivener's error – misspelling of encroachment
- Attachment B - Zoning Ordinance (Appendix C) Article 3 Office, Commercial, and Industrial Districts
  - Correct scrivener's Error, referencing R District, rather than O, C, and M Districts in title of Table 3-2.
- Attachment C - Zoning Ordinance (Appendix C) Article 4 - MX District
  - Correct various scrivener's errors and misspellings
  - Clarify land use in a General Building to the permitted uses on first floor, MX-T, General Building, to clarify if 100% residential permitted. Determine if the regulation should be the same in all 3 buildings (MX-T, MX-R1, and MX-R2).
  - Re-inserts "figure titles," misspellings, and clarifications which appeared in the original Ordinance but were inadvertently removed when codified.
- Attachment D - Zoning Ordinance (Appendix C) Article 6 Uses
  - Reference all accessory structures as "structures," including garages, and modifies language which referred to "accessory buildings."
  - Reconfirms only one garage per lot.
  - Increase size and height regulations for some structures.
  - Permits 1 shed (maximum) and 1 gazebo (maximum); and additional accessory structures so long as the lot coverage meets maximum lot coverage requirements.
  - Defines lot coverage as the cumulative total square footage of the principal structure, and all accessory structures (including detached garages, sheds, pergolas, decks, flatwork, etc.).
  - Counts an accessory structure towards lot coverage if the structure/building has a roof; and does not double-count – for example, if a gazebo is built on a deck.
  - Modifies the encroachment table to clarify which accessory structures 1) may be in a permitted yard (*area between the required setback and the principal building*) and 2) may also encroach into the required setback (*area between the principal structure or accessory structure and the lot line*). Footnotes are embodied into the table.
  - Regulates placement of accessory structures based on building and fire codes, limited by any required utility easements.
  - Correctly labels tables and figures in Article 14 as "Figure 14-" and "Table 14-," not as "Figure 13-" and "Table 13-" (former scrivener's error)
  - Compiles bulk regulations for accessory structures in a new Table 6-2
  - Clarifies that no attached garage shall be converted to livable space without conformance to Sec. 7.2. MINIMUM PARKING RATIOS.
  - Creates regulations for a Temporary Accessory Use to permit Temporary Moving & Storage containers in a residential district. Code only addresses larger outside storage containers (both permanent and temporary) in non-residential districts in new districts in new section 6.11.2.H.
  - Allows for temporary outdoor sales 6.11.2. Permitted Uses for businesses outside of the "C" district at determination by the Community Development Director that same will not impact parking.

- Attachment E – Zoning Ordinance (Appendix C) Article 7 Parking
  - Section 7.8.4. – amending driveway width at property line and garage
  - Section 7.8.5 – amending width of a Circular Driveway and requiring low growing evergreen shrubs along the length of the circular drive
  - Section 7.8.7 - Driveway Design – cross referencing lot coverage requirements with Table 2-3 Lot and Building Regulations (R districts)
  - Section 7.9.4. - Parking Area Design – amending the minimum specifications for driveway construction
- Attachment F – Zoning Ordinance (Appendix C) Article 9
  - Section 9.3.1. Intersections – amending requirements for visibility triangles such that the determination of requirement on corner lots in the C-1, C-2, MX-1, MX-2, and MX-3, MX-T, MX-R1, and MX-R2 districts shall be reviewed by the Village Engineer and determined by the Director of Public Works.
  - Section 9.1.5.C Landscaping and Screening – provides that when a conflict in regulation exists, requirements for solid screening along the entire length of a property line separating residential and non-residential property, a determination of fence location shall be reviewed by the Zoning Administrator and determined by the Director of Community Development.
- Attachment G - Zoning Ordinance (Appendix C) Article 14 “Measurements and Definitions”
  - Definition (Article 14 – Measurements and Definitions) – amends definitions of “lot coverage,” “Impervious Site Coverage,” and “Semi-pervious surface” to correspond with the Stormwater Ordinance. Allows for final determination of whether a surface is impervious or pervious by the Village Engineer and determined by the Director of Public Works.
  - Adds Definition for “setback, required,” “yard, required” to augment 14.1.9., as the area between the required setback (along the perimeter of the lot) and the principal building; and for Service Walk, private residential.
  - Clarifies decorative lattice is not to be used as a fence.
  - Corrects scrivener’s error and re-numbers Figures and Tables as “14” and not “13.”
  - Modifies the Encroachment Table:
    - To indicate location within a yard and permitted encroachment in the required setback.
    - Re-names as Table 14-1, (not 13-1) to correct a scrivener’s error.
    - Places the footnotes in the table for readability.
    - Adds accessory uses found elsewhere, with cross reference for greater detail.
    - Limits the width of service walks to 5’, rather than permitting a new service walk to match the width of an existing wider sidewalk, thereby not allowing the expansion of a non-conformity.

|              |                                                                                     |
|--------------|-------------------------------------------------------------------------------------|
| Attachment A | Zoning Ordinance (Appendix C) Article 2 Residential Uses                            |
| Attachment B | Zoning Ordinance (Appendix C) Article 3 Office, Commercial and Industrial Districts |
| Attachment C | Zoning Ordinance (Appendix C) Article 4 - MX District                               |
| Attachment D | Zoning Ordinance (Appendix C) Article 6 Uses                                        |
| Attachment E | Zoning Ordinance (Appendix C) Article 7 Parking                                     |
| Attachment F | Zoning Ordinance (Appendix C) Article 9 Site Design and Performance Standards       |
| Attachment G | Zoning Ordinance (Appendix C) Article 14 Measurements and Definitions               |
| Attachment H | Public Comment regarding first floor use – General Buildings                        |

## **Attachment A - Zoning Ordinance (Appendix C) - Article 2 Residential Uses**

- o To correct a Scrivener's Error, proposed zoning text amendment are shown throughout in red:

### **2.6.5. Permitted Obstructions and ~~Encroachments~~ Encroachments**

See section 14.1.9.C, Table 13-1: *Permitted Setback Obstructions/Encroachments*

## **Attachment B - Zoning Ordinance (Appendix C) - Article 3 Office, Commercial, and Industrial Districts**

- o To correct a Scrivener's Error, proposed zoning text amendment are shown throughout in red:

### **Sec. 3.2. - Lot and Building Regulations**

Lots and buildings in the O, C and M districts are subject to the regulations of Table 3-2.

Table 3-2: Lot and Building Regulations (~~R districts~~ **O, C and M districts**)

## **Attachment C - Zoning Ordinance (Appendix C) Article 4 - MX District**

The entire chapter is presented with proposed amendments shown throughout in red

### **1. SCRIVENER'S ERRORS – Article 4. MX Districts (Article 4 Sec 4.1 through Sec. 4.8.2)**

A redlined version of the entire Article 4. MX Districts is included. Changes include typos, mis-labeling of figures, and simplification of the MX-2 District (not MX-2a and MX-2b).

### **2. Policy clarification on first floor land use of General Building**

See Page 12 of the Section and determine the preferred amendment regarding mixed use in the first floor of a General Building.

Few commercial uses are permitted at all in the MX-R Districts, so 4.4.3.14 primarily relates to the MX-T District. The Commission should clarify if mixed-uses on the first floor is a requirement in the MX-T District.

## **Attachment D - Zoning Ordinance (Appendix C) - Article 6 Uses**

- o Reference all accessory structures as “structures,” including garages, and modifies language which referred to “accessory buildings.”
- o Reconfirms only one garage per lot.
- o Increase size and height regulations for some structures.
- o Permits 1 shed (maximum) and 1 gazebo (maximum); and additional accessory structures so long as the lot coverage meets maximum lot coverage requirements.
- o Defines lot coverage as the cumulative total square footage of the principal structure, and all accessory structures (including detached garages, sheds, pergolas, decks, flatwork, etc.).
- o Counts an accessory structure towards lot coverage if the structure/building has a roof; and does not double-count – for example, if a gazebo is built on a deck.
- o Modifies the encroachment table to clarify which accessory structures 1) may be in a permitted yard (*area between the required setback and the principal building*) and 2) may also encroach into the required setback (*area between the principal structure or accessory structure and the lot line*). Footnotes are embodied into the table.
- o Regulates placement of accessory structures based on building and fire codes, limited by any required utility easements.
- o Correctly labels tables and figures in Article 14 as “Figure 14-” and “Table 14-,” not as “Figure 13-” and “Table 13-.” (former scrivener’s error)
- o Compiles bulk regulations for accessory structures in a new Table 6-2
- o Clarifies that no attached garage shall be converted to livable space without conformance to Sec. 7.2. MINIMUM PARKING RATIOS.
- o Creates regulations for a Temporary Accessory Use to permit Temporary Moving & Storage containers in a residential district. Code only addresses larger outside storage containers (both permanent and temporary) in non-residential districts in new section 6.11.2.H.
- o Allows for temporary outdoor sales 6.11.2. Permitted Uses for businesses outside of the “C” district at determination by the Community Development Director that same will not impact parking. (for example Jewel at Ardmore/St. Charles)

Proposed zoning text amendment are shown throughout in red:

### **SEC. 6.10. ACCESSORY USES AND STRUCTURES**

#### **6.10.1. Generally Applicable Regulations**

- A. ~~Accessory Uses Allowed~~—Accessory uses and structures are allowed only in connection with lawfully established principal uses.
- B. ~~Allowed Uses and Structures~~—Allowed accessory uses and structures are limited to those expressly regulated in this section as well as those that, in the determination of the community development director, satisfy all of the following criteria:
  - 1. They are customarily found in conjunction with the subject principal use or principal structure.



2. Accessory buildings and structures attached to the principal building shall comply with all yard and other requirements applicable to the principal building.
  - 3 They are subordinate in building area, intensity of use or purpose and clearly incidental to the principal building or principal use of the property served.
  - ~~3-4.~~ They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.
- C. The following Accessory uses are prohibited: ~~Prohibited Uses—None of the following are allowed as an accessory use:~~
1. Outdoor parking of trucks, buses, trailers or boats, except as provided in Sec. 7.7.
  2. Outdoor storage, except as specifically permitted by the district regulations.
- ~~D. Time of Construction and Establishment~~
- ~~1.—Accessory uses may be established only after the principal use of the property is in place.~~
- ~~D-2.~~ Accessory buildings may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place except where authorized by the zoning administrator.
- E. ~~Location~~—Accessory uses and structures must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
- F. Accessory Structures and Uses may not be located within any public utility easement, whether platted or implied without written permission from the Director of Public Works.
- ~~F. Compliance with Lot and Building Regulations~~
- ~~1.—Unless otherwise expressly stated, accessory uses and structures are subject to the lot and building regulations of the zoning district in which they are located.~~
  - ~~2.—Accessory buildings must be set back at least five (5) feet from rear and side lot lines and at least twenty (20) feet from street lot lines.~~
  - ~~3.—Accessory buildings must be set back at least ten (10) feet from any principal building.~~
- G. ~~Human Habitation Prohibited~~—An accessory structure may not include any area to be used for human habitation (i.e., living, sleeping, eating, or cooking).

### 6.10.2. Residential Accessory Structures

The following regulations govern use and installation of accessory structures in all R districts, except as more specifically regulated in this article.

- A. ~~Only one accessory building is allowed per lot.~~ Only one garage is allowed on any RS-zoned lot. One gazebo and one shed permitted per lot. Additionally, any amount of other accessory structures would be permitted per lot with cumulative square footage of the principal structure, and all accessory and structures not to exceed the maximum lot coverage per Table 2-3.

- B. ~~No detached accessory building structure may be located closer than five (5) feet to any garage.~~
- C. The height and area of an accessory building structure shall conform Table 6-2 **Accessory Building Regulations**. ~~may not exceed one hundred forty (140) square feet in exterior dimension, nor may the height of an accessory building exceed 10 feet.~~
- D. An accessory building shed (e.g., shed) may be attached to a detached garage if the addition does not result in the area of the garage increasing by more than exceed ~~one hundred forty (140)~~ two hundred (200) square feet. ~~No freestanding shed would then be permitted on the lot.~~
- E. Additions to garages for storage purposes shall be permitted provided that the addition is an integral part of the design of the garage, meets all applicable standards for the construction of a garage, and generally matches and adheres to the overall appearance of the garage.
- F. ~~The cumulative total coverage of all accessory structures, including garages, shall all be added to the building area (footprint) of the principal structure for purposes of determining the maximum lot coverage, which shall not exceed thirty (30) percent of the area of the lot.~~
- F. Residential Accessory Structures and Uses shall comply with the following:

**Table 6-2 Accessory Building Regulations**

|                                   | Max<br>Area<br>Sq. Ft. | Count<br>Lot<br>Coverage | Number<br>Allowed | Roof | Max<br>Height | Distance to<br>Principal<br>Structure | Distance to<br>Detached<br>Garage |
|-----------------------------------|------------------------|--------------------------|-------------------|------|---------------|---------------------------------------|-----------------------------------|
| <u>Subject to Setback</u>         |                        |                          |                   |      |               |                                       |                                   |
| <b>GARAGE</b> <sup>1</sup>        | 864                    | YES                      | 1                 | YES  | 21'           | 5'                                    | N/A                               |
| <b>SHED</b>                       | 200                    | YES                      | 1                 | YES  | 12'           | 5'                                    | 5' <sup>5</sup>                   |
| <b>GAZEBO</b> (open wall)         | 200                    | YES                      | N/A <sup>3</sup>  | YES  | 14'           | 5' <sup>4</sup>                       | 0                                 |
| <b>GAZEBO</b> , (enclosed)        | 200                    | YES                      | 1 <sup>3</sup>    | YES  | 14'           | 5' <sup>4</sup>                       | 0                                 |
| <b>HOOP or GREENHOUSE</b>         | 200                    | YES                      | 1 <sup>3</sup>    | YES  | 14'           | 5' <sup>4</sup>                       | 0                                 |
| <b>DECK</b>                       | N/A                    | See below <sup>2</sup>   | N/A <sup>3</sup>  | N/A  |               | 0                                     | 0                                 |
| <b>PERGOLA</b> (open roof)        | 200                    | See below <sup>2</sup>   | N/A <sup>3</sup>  | N/A  |               | 5' <sup>4</sup>                       | 0                                 |
| <b>PATIO</b>                      | N/A                    | YES                      | N/A <sup>3</sup>  | N/A  |               | 0                                     | 0                                 |
| <b>SWIMMING POOL</b> <sup>6</sup> | N/A                    | NO                       | N/A <sup>3</sup>  | N/A  |               | 5'                                    | 5'                                |
| <u>Not Subject to Setback</u>     |                        |                          |                   |      |               |                                       |                                   |
| <b>SIDEWALK</b>                   | N/A                    | YES                      | N/A <sup>3</sup>  | N/A  |               | 0                                     | 0                                 |
| <b>DRIVEWAY</b> <sup>7</sup>      | N/A                    | YES                      | N/A <sup>3</sup>  | N/A  |               | 0                                     | 0                                 |

<sup>1</sup> See 6.10.4. Only one attached or detached garage is allowed on any RS-zoned lot. Note, previously, ordinance allowed a 3' setback for garage and sheds.

<sup>2</sup> Counts towards Lot coverage if there is an impervious surface below. (for example, if a gazebo is placed upon a deck, only the square footage of the deck would be included in the lot coverage calculation)

<sup>3</sup> Is subject to bulk regulations and maximum lot coverage.

<sup>4</sup> Unless structurally attached to the house

<sup>5</sup> Code does allow attached to garage with max size and architectural compatibility. See 6.10.2.D-E.

<sup>6</sup> Per Section 14.1.9 Table 13-1, a minimum five-foot setback is required in all cases for swimming pools, includes decking and paved area.

### **6.10.3. Nonresidential Accessory Structures**

The following regulations govern use and installation of accessory structures in all districts other than R districts, except as more specifically regulated in this article.

- A. Only one accessory building is allowed per lot.
- B. The area of the accessory building may not exceed one hundred (100) square feet or one percent of the area of the lot, whichever is greater.

### **6.10.4. Residential Garages and Carports**

#### **A. RS Districts**

The residential garage and carport regulations of this subsection apply in RS districts. The regulations are primarily intended to address the parking and storage of vehicles owned and operated by the residents of the premises along with limited storage of garden equipment and household items incidental to the principal use.

- 1. Only one attached or detached garage is allowed on any RS-zoned lot.
- 2. The exterior dimensions of any garage in an RS district may not exceed eight hundred sixty-four (864) square feet in area or seventy-five (75) percent of the foundation area of the principal building, provided that a garage area of up to five hundred thirty (530) square feet (exterior dimension) is permitted regardless of the size of the principal structure.
- 3. The height of a detached garage may not exceed twenty-one (21) feet or the height of the principal dwelling unit, whichever is less. For purposes of this provision, height is measured from the garage floor to the top of the highest structural member.
- 4. The height of garage door may not exceed eight (8) feet.
- 5. No detached garage may be located within five (5) feet of any principal building.
- 6. Detached garages must be set back at least ten (10) feet from lot lines abutting a front yard of a building on an adjacent lot. Otherwise, the minimum side and rear setback for a detached garage is five (5) feet. For purposes of this provision, setbacks are measured from the garage foundation.
- 7. Garages may not be located within any public utility easement, whether platted or implied.
- 8. All garages must be constructed with eaves, gutters and downspouts that are directed away from adjacent properties.
- 9. Carports are prohibited except in those cases where a carport is an integral part of an architectural design of an existing or proposed principal building (e.g., porte cochere).

10. No attached garage shall be converted to livable space without conformance to Sec. 7.2. MINIMUM PARKING RATIOS.

**B. Duplexes**

Garages associated with duplex (two-household) dwellings in RD-7.5 and RM-9 districts may not exceed five hundred twenty-eight (528) square feet in area.

The 2021 introduction of shipping container for outside storage is for non-residential districts. Use of mobile temporary storage containers is becoming more common, especially when moving in or out of a detached single-family home. Regulation of these temporary Accessory Structures is recommended with a new section:

**6.11. Temporary Uses**

**6.11.2. Permitted Uses**

**H. Temporary Moving & Storage Container in the R Districts**

1. General Applicability:
  - a. A permit is required.
  - b. Shall not exceed outside dimensions of 12 feet in length, eight feet in width, and nine (9) feet in height.
  - c. Shall be placed on an approved surface and do not extend beyond a driveway surface and do not encroach across any public sidewalk or across any property line.
  - d. Must be in a good state of repair, free from rust, peeling paint and other forms of visible deterioration.
2. Time restrictions for specific application:
  - a. Existing Single Family detached home. No more than one (1) temporary moving & storage container shall be permitted per zoning lot in all Residential districts, for no more than thirty (30) days per calendar year.
  - b. Temporary construction storage. No more than one (1) temporary moving & storage containers may be used for temporary storage in conjunction with construction allowed through an active building permit in a R District, permitted for the duration of the construction project. The container must be removed within 14 days of completion of the construction project or upon expiration of the building permit, whichever occurs first.
  - c. Temporary emergency storage. One temporary moving & storage container may be used for temporary storage in cases where a principal or accessory building becomes unfit for human occupancy due to acts that are not within the control of the property owner. The time period for a temporary emergency moving & storage container is limited to a maximum of 60 consecutive days. One additional 60-day extension may be granted by the Zoning Administrator, through the issuance of a temporary use permit.

### 6.11.2. Permitted Uses

The following uses and structures are permitted, subject to the specific regulations established in this section:

- E. In all C districts, the display for a period not to exceed ninety (90) days of seasonal items such as garden and patio equipment and supplies. Outdoor display and sale of seasonal items are permitted in other districts for a period not to exceed ninety (90) days with approval by the Zoning Administrator with an approved parking plan. A permit is required in each instance.

## **Attachment E – Zoning Ordinance (Appendix C) - Article 7 Parking**

- **Section 7.8.4.** – amending driveway width at property line and garage
- **Section 7.8.5** – amending width of a Circular Driveway and requiring low growing evergreen shrubs along the length of the circular drive
- **Section 7.8.7** - Driveway Design – cross referencing lot coverage requirements with Table 2-3 Lot and Building Regulations (R districts)
- **Section 7.9.4.** - Parking Area Design – amending the minimum specifications for driveway construction

Proposed zoning text amendment are shown throughout in red:

### **Section 7.8.4. - Width**

A. Driveways must be at least ~~eight (8)~~ **nine (9)** feet in width measured at the property line and may not exceed the maximum driveway width specified in [7.9.6](#).

B. Except as otherwise expressly stated in this section, driveways in street yards may not exceed the width of the *garage* to which the driveway leads or thirty (30) feet, whichever is less. Driveways in street yards leading to off-street parking areas in rear yards may not exceed twelve (12) feet in width when leading to one parking space or ~~twenty-two (22)~~ **twenty-four (24)** feet in width when leading to two (2) or more spaces.

### **Section 7.8.5 – Circular Drives**

- A. Circular drives are permitted only on lots with at least seventy-five (75) feet of street frontage.
- B. Circular drives may not exceed **twelve (12) feet in width**, excluding flares, except for that portion of the drive leading to a required off-street parking area.
- C. The interior radius of a circular drive must be at least thirty (30) feet.
- D. Low-growing **evergreen shrubs must be installed and maintained along the length of the circular drive.**

### **Parking, 7.8.7 Driveway Design**

- A. Adequate provisions must be made for the disposal of stormwater so that water will not flow into adjacent property. To keep water runoff on site and prevent runoff towards adjacent properties, new or replacement driveways must meet existing grades along the property line and then slope 1/8-inch to 1/4-inch per foot away from the property line and toward the center of the driveway. Any curbs along driveway must be constructed so as to not dam water on adjacent properties.
- ~~B. On lots of less than seven thousand five hundred (7,500) square feet in area, the total of all impervious surfaces on the lots, including driveways, may not exceed fifty-six (56) percent of the lot area. On all other lots, the total of all impervious surfaces, including driveways, may not exceed fifty (50) percent of the lot area.~~ **Maximum lot coverage**

(impervious site coverage) shall comply with Table 2-3: Lot and Building Regulations (R districts).

- C. Residential driveways and parking areas must comply with the surfacing requirements of 7.9.4.
- D. All new off-street parking facilities, including driveways, must meet the requirements of this section. Except as otherwise expressly stated in this section, all existing driveways not in conformance with this section must come into conformance at any time that 50% or more of a driveway is surfaced or resurfaced
- E. Attached garages may not be converted into a living area unless the required off-street parking spaces are being provided for elsewhere on the lot and the existing driveway in front of the converted area is removed.
- F. Driveways may not be designed or constructed in any manner that will interfere with planned or existing parkway or right-of-way improvements or in a way that will create traffic hazards.

#### 7.9.4 Surfacing

All open off-street parking areas and driveways must be improved with all-weather, hard surface pavement consisting of the following minimum specifications:

- A. A ~~2.5~~ 3-inch bituminous concrete surface course on a six inch compacted ~~crushed stone~~ aggregate base. For replacement driveways, the base material must be inspected for adequate compaction and subsurface drainage.
- B. A ~~four~~ five inch Portland cement concrete (P.C.C.) surface on a four-inch thick compacted ~~crushed stone~~ aggregate base. For replacement driveways, the base material must be inspected for adequate compaction and subsurface drainage.
- C. Concrete ribbon strips are permitted only if constructed of concrete in accordance with all applicable village regulations.
- D. Brick paver or block driveways and parking areas are permitted if construction is done in accordance with the manufacturer's specifications.
- E. The placement of granular fill or other non all-weather parking surface is prohibited. This provision is not intended to prohibit the continued use and maintenance of any existing non all-weather surface.

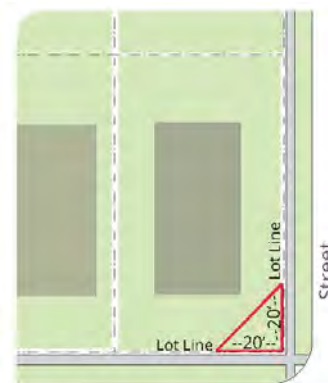
## **Attachment F – Zoning Ordinance (Appendix C) - Article 9**

- **Section 9.3.1. Intersections** – amending requirements for visibility triangles such that the determination of requirement on corner lots in the C-1, C-2, MX-1, MX-2, and MX-3, MX-T, MX-R1, and MX-R2 districts shall be reviewed by the Village Engineer and determined by the Director of Public Works.
- **Section 9.1.5.C Landscaping and Screening** – provides that when a conflict in regulation exists, requirements for solid screening along the entire length of a property line separating residential and non-residential property, a determination of fence location shall be reviewed by the Zoning Administrator and determined by the Director of Community Development.

Proposed zoning text amendment are shown throughout in red:

### **Section 9.3.1. Intersections**

On corner lots in all zoning districts, ~~except C-1, C-2, MX-1, MX-2, and MX-3~~ nothing may be erected, placed, planted, or allowed to grow between a height of three (3) feet and ten (10) feet above grade within the required intersection visibility triangle, which is formed by two (2) lines that begin at the point of intersection of the subject lot's street lots lines and extend for a distance of twenty (20) feet along each street lot line and a third connecting line that forms the triangle (see Figure 9-5). Any plantings or other vegetation located within or overhanging this intersection visibility triangle must be at all times trimmed, maintained or removed to maintain clear visibility between a height of three (3) feet and ten (10) feet above grade. **In the C-1, C-2, MX-1, MX-2, and MX-3, MX-T, MX-R1, and MX-R2 districts, the determination of whether a visibility triangle is required shall be reviewed by the Village Engineer and determined by the Director of Public Works.**



**FIGURE 9-5. INTERSECTION VISIBILITY TRIANGLE**

### **Section 9.1.5.C Landscaping and Screening**

#### **C. Perimeter Landscaping**

Perimeter landscape buffers must be provided in accordance with the following requirements:

##### **1. Abutting RS or RD Zoning**

When nonresidential or multi-family residential development occurs on property abutting any RS or RD district, a landscape buffer with a minimum width of ten (10) feet must be provided within the required setback. Landscaping must be provided within the required buffer as follows:

- a. A solid screen at least six (6) feet in height must be provided along the entire length of the abutting property line. Such screen must consist of a solid wood fence, berm, trees, evergreens, shrubbery, or other live plant materials that provide complete (one hundred (100) percent) visual screening. **The determination of fence location shall be**



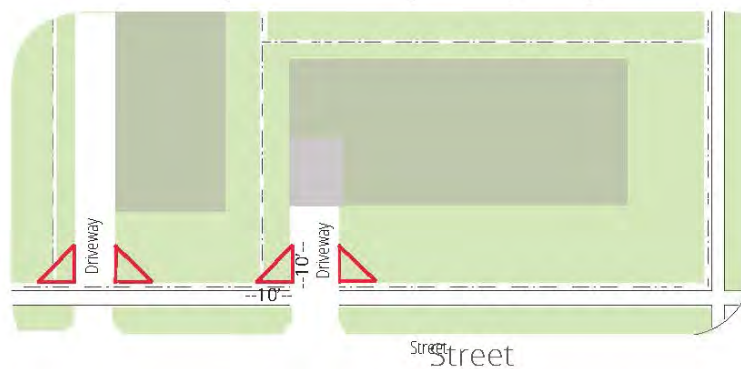
reviewed by the Zoning Administrator and determined by the Director of Community Development.

### 9.3.2. - Driveways

Solid fences and other visual obstructions exceeding three (3) feet in height are prohibited within driveway visibility triangles. Driveway visibility triangles are required along both sides of driveways. The triangles are formed as follows:

- A. One side of the triangle extends from the intersection of the street and the driveway edge for a distance of ten (10) feet along the lot line abutting the street.
- B. The second side of the triangle extends from the intersection of the street and the property line for a distance of ten (10) feet inward from the lot line along the driveway edge.
- C. The third side of the triangle connects the other two (2) sides (see Figure 9-6).

**Figure 9-6. Driveway Visibility Triangle**



## **Attachment G – Article 9 Attachment H - Zoning Ordinance (Appendix C) - Article 14 “Measurements and Definitions”**

- Definition (Article 14 – Measurements and Definitions) – amends definitions of “lot coverage,” “Impervious Site Coverage,” and “Semi-pervious surface” to correspond with the Stormwater Ordinance. Allows for final determination of whether a surface is impervious or pervious by the Village Engineer and determined by the Director of Public Works.
- Adds Definition for “setback, required,” “yard, required” to augment 14.1.9., as the area between the required setback (along the perimeter of the lot) and the principal building; and for Service Walk, private residential.
- Clarifies decorative lattice is not to be used as a fence.
- Corrects scrivener’s error and re-numbers Figures and Tables as “14” and not “13.”
- Amendment to definitions of impervious surface as it relates to lot coverage.
- Modifies the Encroachment Table:
  - To indicate location within a yard and permitted encroachment in the required setback.
  - Re-names as Table 14-1, (not 13-1) to correct a scrivener’s error.
  - Places the footnotes in the table for readability.
  - Adds accessory uses found elsewhere, with cross reference for greater detail.
  - Limits the width of service walks to 5’, rather than permitting a new service walk to match the width of an existing wider sidewalk, thereby not allowing the expansion of a non-conformity.

Proposed zoning text amendment are shown throughout in red:

### **Section 14.1.8. - Lot Coverage**

Lot coverage is measured as the total cumulative area of a lot that is covered by **impervious surface, including** all principal and accessory buildings on the lot, as measured at the point where such buildings **and structures** meet the ground (i.e., building footprint).

### **Section 14.1.9, Table 13-1: Permitted Setback Obstructions/Encroachments)**

#### **C. Permitted Obstructions and Encroachments**

Setbacks in R zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 13-1, which identifies features that are allowed to encroach into required setbacks in R zoning districts.

"Yes" indicates that obstruction is permitted in the **required yard and may obstruct/encroach into the** required setback.

"No" indicates **no encroachment - the identified structure is permitted in the required yard, but prohibited from obstructing or encroaching into the minimum required building setback.**

**Use of “-”** means not permitted in the yard or required setback. ~~Bracketed numbers refer to supplemental conditions immediately following the table.~~

**Table 13-1: Permitted Setback Obstructions/Encroachments in the Required Setback**

|                                          | Street<br>(Front or<br>Side) | Interior<br>Side | Rear           | Additional Notes                                                                                                                                                                                     |
|------------------------------------------|------------------------------|------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Amateur Radio Facilities,<br>See 6.10.10 | -                            | -                | Yes            | Maximum height of 65' may be<br>granted via Special use                                                                                                                                              |
| Air conditioners, window                 | Yes                          | Yes              | Yes            |                                                                                                                                                                                                      |
| Air conditioning<br>condensers           | -                            | Yes              | Yes            | Sound and visual screening<br>required when located in<br>interior side setback.                                                                                                                     |
| Apiaries, See 6.10.11                    | -                            | -                | Yes, see notes | set back at least ten (10) feet<br>from all lot lines and at least of<br>10 feet from the principal<br>structure on the lot.                                                                         |
| Arbors and trellises,<br>detached        | <del>No</del> Yes            | No               | Yes            | Archway trellis permitted at<br>gate entrances for the support<br>of climbing plants or vines, may<br>be freestanding or incorporated<br>as part of a fence.                                         |
| Arbors and trellises,<br>attached        | Yes, see<br>notes            | Yes              | Yes            | Flat panel on principal structure<br>for intended for the support of<br>climbing plants or vines,<br>attached to a wall; open-<br>air/unenclosed porch; or<br>between a soffit and finished<br>grade |
| Awnings and canopies,<br>attached        | Yes                          | Yes              | Yes            | Maximum projection may not<br>exceed twenty-five (25) percent<br>of required setback depth.                                                                                                          |
| Balconies, open                          | Yes                          | No               | Yes            |                                                                                                                                                                                                      |
| Basketball goal and net                  | Yes, see<br>notes            | No               | Yes            | Permitted in driveway only<br>when located in street setback.                                                                                                                                        |
| Bay windows                              | Yes                          | Yes              | Yes            | May project (encroach) no<br>more than three (3) feet.                                                                                                                                               |
| Carports                                 | No                           | No               | Yes, see notes | See 6.10.4                                                                                                                                                                                           |
| Chimneys, attached                       | Yes                          | Yes              | Yes            | May project (encroach) no<br>more than two (2) feet.                                                                                                                                                 |

|                                                                                                                                                           |                       |                       |                       |                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clotheslines                                                                                                                                              | -                     | No                    | Yes                   |                                                                                                                                                                                                                                                                                            |
| Compost container                                                                                                                                         | -                     | No                    | Yes                   |                                                                                                                                                                                                                                                                                            |
| Decks, open - no more than 4 feet above ground level                                                                                                      | No                    | No                    | Yes, <b>see notes</b> | Maximum projection may not exceed twenty-five (25) percent of required setback depth<br><br>Must be set back at least five (5) feet from side lot line.                                                                                                                                    |
| Dog run or pet enclosure<br>(See also 6.10.5)<br><br>(See Sec. 5-104. - Keeping poultry, cattle, etc. of the Municipal Code for the raising of chickens.) | -                     | No                    | Yes, <b>see notes</b> | Must be set back at least ten (10) feet from all lot lines.<br><br>Fencing may not exceed six (6) feet in height if solid or eight (8) feet in height if open.<br><br>In R districts may not exceed fifty (50) feet in length or eight (8) feet in width.<br><br>Only one per R-zoned lot. |
| Driveways                                                                                                                                                 | Yes                   | Yes                   | Yes                   |                                                                                                                                                                                                                                                                                            |
| Eaves, sills, cornices, gutters or downspout                                                                                                              | Yes, <b>see notes</b> | Yes, <b>see notes</b> | Yes, <b>see notes</b> | May project (encroach) no more than two (2) feet in side yard<br><br>May project (encroach) no more than four (4) feet in front or rear yard                                                                                                                                               |
| Fences, walls, or hedges<br>(See also Sec. 9.2)                                                                                                           | Yes                   | Yes                   | Yes                   |                                                                                                                                                                                                                                                                                            |
| Fireplace, fire pit or permanent grill/barbecue structure                                                                                                 | -                     | No                    | Yes                   |                                                                                                                                                                                                                                                                                            |
| Firewood                                                                                                                                                  | -                     | Yes, <b>see notes</b> | Yes                   | May project (encroach) no more than two (2) feet in side yard                                                                                                                                                                                                                              |
| Flagpole                                                                                                                                                  | Yes                   | Yes                   | Yes                   | <b>Height not to exceed 21'.</b>                                                                                                                                                                                                                                                           |
| Garages, detached (See also 6.10.4)                                                                                                                       | No                    | Yes                   | Yes                   |                                                                                                                                                                                                                                                                                            |
| Gardens (vegetable) and <del>Garden structures including cold frames, hoop houses</del>                                                                   | <b>Yes</b>            | Yes                   | Yes                   |                                                                                                                                                                                                                                                                                            |

|                                                                                                                         |                |               |     |                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------|----------------|---------------|-----|---------------------------------------------------------------------------------------|
| and greenhouses                                                                                                         |                |               |     |                                                                                       |
| Garden structures including cold frames, hoop houses and greenhouses                                                    | -              | No            | No  | Subject to setbacks in Table 6-2                                                      |
| Geothermal heat pumps                                                                                                   | -              | No            | Yes |                                                                                       |
| Lawn furnishings, such as benches, sundials, porch swings, bird baths, and similar non-permanent architectural features | Yes            | Yes           | Yes |                                                                                       |
| Light standards, ornamental                                                                                             | Yes            | Yes           | Yes |                                                                                       |
| Parking, off-street (See also Article 7)                                                                                | Yes            | Yes           | Yes | Subject to Table 6-2                                                                  |
| Patios, terraces, open - no more than 4 feet above ground level                                                         | -              | No, see notes | Yes | Subject to Table 6-2<br>Must be set back at least five (5) feet from side lot line.   |
| Ponds and waterfalls                                                                                                    | -              | No            | Yes |                                                                                       |
| Porches, open                                                                                                           | Yes, see notes | No            | No  | Maximum projection may not exceed twenty-five (25) percent of required setback depth. |
| Private service walks                                                                                                   | Yes            | Yes           | Yes | Not to exceed (5) feet in width                                                       |
| Rain barrel or rainwater collection device                                                                              | No-See Notes   | Yes           | Yes | If In front yard, only adjacent to the principle structure                            |
| Recreational, playground equipment and playhouses                                                                       | -              | No            | Yes |                                                                                       |
| Refuse containers                                                                                                       | -              | Yes           | Yes |                                                                                       |
| Satellite receiving antenna (See also 6.10.8)                                                                           | No             | No            | Yes |                                                                                       |
| Sheds (See also Sec. 6.10)                                                                                              | -              | Yes           | Yes | 5' setback required, Subject to Table 6.2                                             |
| Solar energy equipment, building-mounted                                                                                | Yes            | Yes           | Yes | See 6.10.9. - Solar Energy Systems                                                    |
| Solar energy equipment,                                                                                                 | -              | No            | Yes | See 6.10.9. - Solar Energy                                                            |

|                                                           |                       |           |                       |                                                                                                        |
|-----------------------------------------------------------|-----------------------|-----------|-----------------------|--------------------------------------------------------------------------------------------------------|
| ground-mounted                                            |                       |           |                       | <b>Systems</b>                                                                                         |
| Stairways or steps, open                                  | Yes                   | Yes       | Yes                   |                                                                                                        |
| Sump pump discharge pipe extensions                       | Yes                   | No        | Yes                   |                                                                                                        |
| Swimming pools and sports courts                          | -                     | No        | Yes                   | Requires minimum five-foot setback in all cases (for swimming pools, includes decking and paved area). |
| Swing sets                                                | -                     | No        | Yes                   |                                                                                                        |
| Television or radio towers or antennas (See also 6.10.10) | -                     | No        | Yes                   |                                                                                                        |
| <b>Temporary Moving Containers &amp; Storage</b>          | <b>Yes, See Notes</b> | <b>No</b> | <b>Yes, See Notes</b> | <b>See 6.11.26.11.2. H Temporary Moving &amp; Storage Container in the R Districts</b>                 |
| Tennis courts, other paved recreational areas             | -                     | No        | Yes                   |                                                                                                        |
| Trees, shrubs, ground cover and flowers                   | Yes                   | Yes       | Yes                   |                                                                                                        |
| Treehouse                                                 | -                     | No        | Yes                   |                                                                                                        |
| Wheelchair ramp or accessibility feature                  | Yes                   | Yes       | Yes                   |                                                                                                        |

#### **14.2.10.B – Words and Terms Beginning with “F”**

**Fence:** A freestanding structure of metal, masonry, composition or wood or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement or screening. Any plantings, shrubbery, hedges or other vegetation, whether used individually or in combination with a freestanding structure of metal, masonry, composition or wood, that is installed to provide an effective visual barrier constitutes a "fence" under this ordinance if it is more than ten (10) feet in length. **Decorative lattice is not intended to be used as a fence.**

#### **14.2.13. - Words and Terms Beginning with "I"**

A. Impervious Site Coverage: The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, **patios, ponds, wooden or**

composite planked decks with impervious area underneath, and swimming pools. The determination of whether a surface is impervious or pervious shall be reviewed by the Village Engineer and determined by the Director of Public Works.

#### **14.2.22. - Words and Terms Beginning with "S"**

**C. Semi-pervious surface:** Also referred to as semi-pervious material. A material that allows for at least forty (40) percent absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, other permeable surfaces (must be installed according to manufacturer's specifications to achieve permeability). Gravel surfaces used for landscaping or storage of materials may be counted only 60% impervious provided aggregate gradation has a high porosity. The determination of whether a surface is impervious or pervious shall be reviewed by the Village Engineer and determined by the Director of Public Works.

**D. Setback:** An open, unobstructed area that is required to be provided by this zoning ordinance (see also [14.1.9.](#)).

#### **ADD and renumber remainder of section:**

**E. Setback, Required:** The minimum required distance along a straight and perpendicular line between a structure and the street lot line, rear lot line, or side lot line

**Service Walk, (private residential):** Any strip or section of concrete, pavers, asphalt, or stones a maximum of five (5) feet in width, the prime purposes of which is a walkway. Does not include any concrete, pavers, or stones exceeding four (4) feet in width, the prime purpose of which is not a walkway, but a landscape feature defined as hardscape area

#### **ADD and renumber remainder of section:**

#### **14.2.28. - Words and Terms Beginning with "Y"**

**D Yard, Required:** The distance between the wall of the principal building to the required setback.

.



Good evening commissioners I would like to speak against the proposed text amendment to zoning ordinance 4.4.3 (C) (14) in regard to the ground story uses of General Buildings in the MX-T district. I believe the current interpretation of this code is correct and shouldn't be changed.

The MX-T zoning was not meant to create a district with predominantly retail space. 4.1.2 (E) says "The MX-T district is intended to accommodate low-to mid-scaled office and/or **residential buildings...**" Furthermore, General Buildings, which are allowed in the MX-T district, per 4.3.2 (2) states "A General building is limited in terms of uses by the district within which it is located, generally housing office and/or **residential uses.**" Neither of these sections of the code mention retail and both mention "residential uses."

Also, Table 6.1 states that "Three or more households per lot" are allowed in MX-T and per 6.9.4. the definition of a "multi-unit building is a residential building on a single lot that is occupied by 3 or more dwelling units that share common walls and/or common floors/ceilings." Another clue in the zoning ordinances that dwelling units are intended on the ground floor of a General Building in MX-T.

Leslie Oberholtzer of Codametrics, the consultant who helped write up the MX district ordinance, confirmed via email that General Buildings were "**meant to accommodate mainly residential and office uses, with limited retail, service and eating and drinking in the ground story.**"

Consuelo Arguilles, the former Community Development Director, confirmed with me via email on November 4 of last year that an apartment building is considered a General Building.

Requiring 50% or more of retail on the ground story could stifle future development in this district. Commissioner Luedtke brought up a great point at a previous meeting that most likely very large lots exist in the MX-T district (some of which may be narrow ) and requiring them to have 50% retail on the first floor would not be viable.

For example, 51 E Park BL which is on the very east end of the Ardmore Business District, is approximately a 40,000sf parcel, with 70% impervious allowed, this would allow a 28,000sf footprint of which at least 14,000sf would need to be retail or a restaurant if this code is amended. Trying to lease out this much space in this area would prove very difficult to the point that I believe it would prohibit any development of this parcel. Furthermore, if it did get developed to this capacity it would create a lot of retail traffic and parking issues as it would be like having a large Trader Joe's in the area.

*or 3 McDonald's*

Retail and restaurants require a lot of street parking and bring a lot of traffic which is not in the best interest of the nearby residential neighbors. Yet, the MX-T zoning districts in many cases are the districts abutting the residential areas. MX-2 is the zoning districts interior to the MX zoning areas which require the first floor commercial and where this type of space is appropriate. The MX-Ts are meant to be a transition or buffer between the MX-2 and the surrounding residences.

50% commercial on my site at 27 W Park BL would prohibit the parking garage<sup>proposed</sup> since according to Village Staff the parking garage is an accessory to the residential component of the building and therefore could not be used towards a new 50% retail requirement. This would eliminate the parking garage completely since it couldn't be done in the space leftover and therefore render the project impossible.

The action that needs to be taken is to correct the zoning of MX-T on St. Charles RD by changing it to MX-2 or some more appropriate zoning so that residential on the first floor is not



allowed via a General Building or a Row Building. Again, even with the text amendment to the General Buildings in the MX-T, row houses would still be allowed and imagine how out of place row houses would look on St Charles RD.

If the Planning and Zoning Commission still thinks retail should be on the first floor in the MX-T then I would ask that you consider lowering the required percentage to something like 20% or just requiring that the primary street facing first floor, for the first 20' or so, be required to be commercial.

Thanks for your time.

Craig Ross

## Craig Ross

---

**From:** Leslie Oberholtzer <leslie@codametrics.com>  
**Sent:** Monday, April 11, 2022 2:55 PM  
**To:** Craig Ross; eweber@invillapark.com  
**Subject:** Re: Villa Park MX-T Zoning

Hi Craig,

Yes, you are correct. The General building is meant to accommodate mainly residential and office uses, with limited retail, service, and eating and drinking on the ground story. For example, an apartment or office building may have a small cafe or dry cleaners on the corner of the ground story. Parking is an accessory use, limited only by the "parking within building" and "required occupied building space" regulations in 16 and 17, so it must be in the rear with the 2 units in the front.

It should perhaps say "all permitted uses are allowed; commercial service, eating and drinking establishments, and retail sales are limited to no more than 50% of gross floor area of the story." Interesting that I've never had anyone interpret this line item this way, but it is misleading!

Leslie

Leslie Oberholtzer, AICP, RLA, LEED AP, EcoDistricts AP (she/her)  
Principal

### Codametrics

leslie@codametrics.com  
phone 773.680.7130  
www.codametrics.com

Pronouns: she/her/hers

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On Apr 11, 2022, at 1:31 PM, Craig Ross <craig@rossbuilders.com> wrote:

Hi Leslie

I think Ellen Webber may have also reached out to you in regards to the clarification we are looking for in the email below. We did look into this some more and per Table 6.1 states that "Three or more households per lot" are allowed in MX-T and per 6.9.4. "Multi-unit Building - A multi-unit building is a residential building on a single lot that is occupied by 3 or more dwelling units that share common walls and/or common floors/ceilings." Therefore, we are very confident dwelling units are allowed on the ground floor of a general building in MX-T.

But, this brings up a question on 4.4.3.C.14 that states "all permitted uses except commercial service, eating and drinking establishments, and retail sales are limited to no more than 50% of gross floor area of the [ground] story." Since dwelling units are a permitted use, we read this to mean that commercial services, eating and drinking establishments and retail sales are limited to less than 50% and dwelling units can be up to 100% of the ground floor. We are proposing a ground floor with approximately 1/3 of the square footage as dwelling units (2 units) and 2/3 as indoor parking (22 spaces). Ellen said 4.4.3.C.14 might mean the dwelling units are limited to no more than 50% and that the parking may be an



accessory to the dwelling units and therefore we are proposing over 50% of residential, which is not allowed. Can you please let us know which is correct. If the latter is correct it would seem to contradict the intent of MX-T and certainly the MX-R which this rule also applies to. It actually would seem to prohibit compliance with the code if you were building an apartment building.

Any guidance you can give us would be appreciated.

Thanks,

Craig Ross  
630-253-5177

---

**From:** Arguilles, Consuelo <carguilles@invillapark.com>  
**Sent:** Thursday, November 4, 2021, 4:39 PM  
**To:** 'Craig Ross'  
**Cc:** gregg@studio21architects.com; Burke, Patrick  
**Subject:** Re: Video

for item #2, meant 15% min transparency

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**From:** Arguilles, Consuelo <carguilles@invillapark.com>  
**Sent:** Thursday, November 4, 2021, 4:31 PM  
**To:** 'Craig Ross'  
**Cc:** gregg@studio21architects.com; Burke, Patrick  
**Subject:** RE: Video

Good afternoon,

It was nice meeting you, and thank you for the video. Please see below for responses to the items you wanted clarification on:

A residential apartment building would be subject to the Zoning Ordinance, including Article 4 – MX Districts, and would be considered a “general building”.

Minimum 30% transparency street, courtyard, open space façade would be required.

Consider expanding the use of brick, including vertically to break up the building materials.

Type V-A and V-B are permitted for structures 2 stories or less

Type V is not allowed on structures 3 stories or greater

A sprinkler system would be required on new construction.

Ok with one access from west lot line(Princeton).

Existing conditions consist of non-conformities, including along the south lot line, and shall be brought to code compliance. This includes providing one access drive along the south lot line to access any exterior parking spaces.

Thank you,

Consuelo Arguilles  
Community Development Director | [Village of Villa Park](#)  
11 W. Home Avenue | Villa Park, IL 60181 | Ph: (630) 433-4300



**From:** Craig Ross <craig@rossbuilders.com>  
**Sent:** Monday, November 1, 2021 3:33 PM  
**To:** Burke, Patrick <patburke@invillapark.com>; Arguilles, Consuelo <carguilles@invillapark.com>

**Cc:** [gregg@studio21architects.com](mailto:gregg@studio21architects.com)

**Subject:** Video

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Consuelo and Pat

Thanks for your time today it was very helpful. Here is a link to a video with a color rendition of the apartment building we are currently working on in Downers

Grove: [https://drive.google.com/file/d/1VOS3oXgDui6aFe7HPw\\_xhLsuwrhsbJ7H/view](https://drive.google.com/file/d/1VOS3oXgDui6aFe7HPw_xhLsuwrhsbJ7H/view)

Craig Ross  
630-253-5177

## ARTICLE 4. MX DISTRICTS

### SEC. 4.1. GENERAL

#### 4.1.1. The Districts

The mixed-use zoning districts are listed in Table 4-1. Whenever this zoning ordinance refers to "mixed-use" zoning districts or "MX" districts, it is referring to these districts.

Table 4-1: Mixed-Use Zoning Districts

| Map Symbol        | District Name                                    |
|-------------------|--------------------------------------------------|
| MX-1              | Mixed-Use TOD District                           |
| MX-2 <del>a</del> | Mixed-Use Main Street District <del>(a)</del>    |
| <del>MX-2b</del>  | <del>Mixed-Use Main Street District (b)</del>    |
| MX-3              | Mixed-Use Corridor District                      |
| MX-T              | Mixed Transitional (Office-Residential) District |
| MX-R1             | Mixed Residential District 1                     |
| MX-R2             | Mixed Residential District 2                     |

#### 4.1.2. Purposes

##### A. General

Mixed-use zoning districts are primarily intended to create, maintain and promote a variety of vertically and horizontally mixed-use places, and to maintain and promote the desired physical character of existing and developing mixed-use places. The various MX districts are differentiated on the basis of allowed building types and a mix of allowable uses in each building.

1. To guide the development of a mix of uses to further the future of the train station area, commercial corridors, and main street nodes in the village.
2. To support the desired character of the village, as expressed in adopted plans, policies and regulations.
3. To promote multiple modes of transportation, including biking, walking, and transit use, with compact development of an appropriate scale.
4. To provide a mix of housing types within and within walking distance of mixed-use nodes and corridors.
5. To achieve development that is appropriate in scale and intensity for the neighborhoods and sites proximate to the train station area, commercial corridors, and main street nodes in the village.

##### B. MX-1



---

The MX-1 district is intended to accommodate low-scale mixed-use buildings in the train station area. The building form establishes an essentially continuous street wall of storefront facades along the sidewalk of primary streets, and focuses pedestrian-friendly retail and service uses on the ground story along primary streets with residential and/or office uses elsewhere. Parking is intended to be internal to the building or located in the rear of the lot, screened from the primary street with the building.

C. **MX-2~~a~~ and MX-2b**

The MX-2 districts ~~are~~ is intended to accommodate lower-scaled mixed-use buildings in the neighborhood mixed-use nodes. The building form establishes an essentially continuous street wall of storefront facades along the sidewalk of primary streets, and focuses pedestrian-friendly retail, office and service uses on the ground story along primary streets with residential and/or office uses elsewhere. Parking is intended to be internal to the building or located in the rear of the lot, screened from the primary street with the building.

D. **MX-3**

The MX-3 district is intended to accommodate low- to mid-scaled mixed-use buildings along commercial corridors. The building form defines a street wall of storefront facades along the sidewalk of the primary corridor, while allowing for limited interior side yard parking between the buildings to account for no on-street parking along the corridor. Uses focus a wider variety of commercial uses on the ground story along primary streets with residential and/or office uses elsewhere. Parking may also be internal to the building or located in the rear of the lot.

E. **MX-T**

The MX-T district is intended to accommodate low- to mid-scaled office and/or residential buildings transitioning between mixed-use shopping nodes and residential uses. The building form defines compact buildings with entrances, windows, and interior uses facing the primary corridor. Parking is intended to be internal to the building; located in the rear of the lot, screened from the primary street with the building; or located in the side yard, limited in width and orientation.

F. **MX-R1 and MX-R2**

The MX-R districts are primarily residential within a mix of building types. MX-R1 is mid-scale and intended for use in the station areas. MX-R2 is lower in scale and intended as a transition to existing single-family neighborhoods. The allowable building types, including apartment buildings and townhouses, define compact buildings with entrances, windows, and interior uses facing the primary corridor and small landscape yards in front. Parking is intended to be internal to the building or located in the rear of the lot, screened from the primary street with the building.

#### 4.1.3. Uses

Principal uses are allowed in the MX districts in accordance with the use regulations of Sec. 6.1  
Individual building types may be subject to additional use regulations.

( Ord. No. 4036 , § 2(Exh. A), 6-11-18)

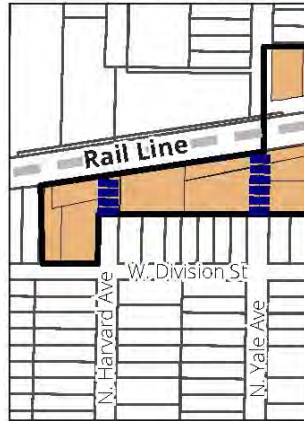
#### SEC. 4.2. STREETS AND BLOCKS

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### 4.2.1. Primary Streets

- A. The designation of primary streets determines the front lot line and prioritizes those street frontages for the location of building streetwalls and storefronts. Parking and driveway locations are also limited along primary street frontages.
- B. For the purposes of the MX districts, Villa Avenue, St Charles Avenue, and Ardmore Avenue, are considered primary streets, unless otherwise designated on the maps in Figure 4-2 and Figure 4-3.

Figure 4-1. Street Extensions



- C. When two primary streets abut a parcel, the community development director is authorized to determine which street will be the primary street.
- D. Lot frontages that abut civic spaces or public open spaces must be treated as primary frontages.
- E. At all intersections of primary and non-primary streets, primary frontage facade treatments must extend along the non-primary street for a distance of at least 30 feet.

### 4.2.2. Street Extensions

The parcels located at the northern ends of North Harvard Avenue and North Yale Avenue, south of the tracks and north of West Division Street, will require street extensions for maximum applicability of the requirements of these regulations. Refer to Figure 4-1 for these locations.

- A. Street frontages are required for all building types. To maximize street frontage in these locations, extension of the existing streets is required per Figure 4-1.
- B. Hammerhead turnarounds can be accommodated at the ends of each street by utilizing parking lot entrances.
- C. On-street parking can be accommodated along the street, in either a parallel or head-in configuration.
- D. Streets must match the existing configurations, including curb, sidewalk, and parkway locations.



Figure 4-2. Primary Streets: Ardmore Ave at Central Blvd



Figure 4-3. Primary Streets: Villa Ave



## LEGEND

-  New Primary Street or Primary Frontage Treatment
-  Existing Street Designated Primary
-  New Alley or Street

## SEC. 4.3. BUILDING TYPES GENERALLY

### 4.3.1. General

Many of the MX district regulations are based on building types. All principal buildings must comply with one of the building types allowed in the subject zoning district.

### 4.3.2. Descriptions

1. **Storefront ~~Building~~ Building**
  - a. A Storefront building is a mixed-use building located at the front and corner property lines allowing easy access to passing pedestrians. Parking may be provided in the rear of the lot,

internally in the building, or, in some cases, one double-loaded aisle of parking is permitted in the interior side yard at the front property line.

- b. Ground floor uses are limited to those with some level of pedestrian activity, such as retail, service, and office uses, with additional commercial, office, and/or residential uses in the upper stories. Storefronts with large amounts of transparency and regularly spaced entrances off the street are utilized on the ground floor front facade.

## 2. General Building

A General building is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. Similar to Storefront buildings, General buildings are intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double-loaded aisle of parking is permitted in the interior or the side yard at the front property line.

## 3. Row Building

- a. A Row building is a building comprised of multiple vertical units, each with its own entrance to the street. This building type may be organized as townhouses or rowhouses, and may also be live-work units with a publicly accessed ground story.
- b. Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

## 4. Civic Building

A Civic building is a more flexible building type intended only for civic and institutional types of uses. These buildings are distinctive within the community fabric created by the other building types. In contrast to most of the other building types, a minimum setback line is required instead of a build to zone. Parking is limited to the rear in most cases.

### 4.3.3. Where Allowed

Building types are permitted in the MX districts in accordance with Table 4-2.

**Table 4-2: Allowed Building Types (MX districts)**

| Building Type                      | MX-1 | MX-2 | MX-3 | MX-T | MX-R1 | MX-R2 |
|------------------------------------|------|------|------|------|-------|-------|
| Storefront Building                | P    | P    | P    | -    | -     | -     |
| General Building                   | -    | -    | -    | P    | P     | P     |
| Row Building                       | -    | -    | -    | P    | P     | P     |
| Civic Building                     | P    | P    | P    | P    | P     | -     |
| P = permitted    - = not permitted |      |      |      |      |       |       |

### 4.3.4. General Regulations

All building types must comply with general regulations of this section.

#### A. Multiple Principal Buildings on One Lot.

Multiple principal buildings are permitted on all lots in MX districts; however, each building must comply with the applicable building type regulations.

**B. Corner Lots**

The intersections of two build-to zones at a street corner must be occupied by building.

**C. Refuse, Recycling, Utility, and Loading Location**

Refuse, recycling, and loading areas are allowed only in rear yards. Utility appurtenances (such as transformers and air conditioner units) may be located only in rear yards or (interior) side yards, and must be completely screened from view from the street.

**D. Open Areas on Lot**

1. All front yards, build-to zones, side yards, corner side yards, and rear yards not covered by buildings, parking, or driveway shall contain either landscape, patio space, or sidewalk space.
2. Parking areas and driveway locations are permitted in specific locations by building type. Parking is prohibited in street yards, unless otherwise expressly stated.
3. Parking and driveways are prohibited in build-to zones and setbacks except that when driveway access is permitted from streets, driveways may cross perpendicularly through the build-to zone or setback. Two-way driveways may not exceed twenty-two (22) feet in width. One-way driveways and residential driveways serving eight (8) or fewer units may not exceed twelve (12) feet in width.

( Ord. No. 4036 , § 2(Exh. A), 6-11-18)

## **SEC. 4.4. BUILDING TYPE REGULATIONS**

Regulations applicable to each building type allowed in MX districts are presented on the following pages:

### **4.4.2. Storefront Building**

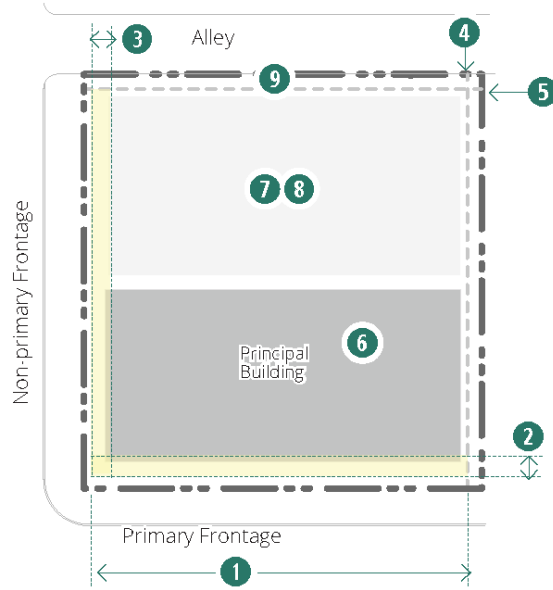
|                                                 |                                                        | Permitted Districts                       |                                       |                                       |                                                                                    |
|-------------------------------------------------|--------------------------------------------------------|-------------------------------------------|---------------------------------------|---------------------------------------|------------------------------------------------------------------------------------|
|                                                 |                                                        | MX-1                                      | MX-2                                  | MX-3                                  | References and Additional Requirements                                             |
| <b>A. Building Siting</b> (Refer to Figure 4-4) |                                                        |                                           |                                       |                                       |                                                                                    |
| ①                                               | <b>Minimum Primary Frontage Build-to Zone Coverage</b> | 95%                                       | 95%                                   | 50%                                   | Refer to 4.5.1                                                                     |
| ②                                               | <b>Front Build-to Zone</b>                             | 0' to 5'                                  | 0' to 5'                              | 6' to 10'                             | Minimum 13 ft. streetscape area is required along street frontages; refer to 4.5.2 |
| ③                                               | <b>Corner Build-to Zone</b>                            | 0' to 5'                                  | 0' to 10'                             | 0' to 10'                             |                                                                                    |
| ④                                               | <b>Minimum Side Yard Setback</b>                       | 0'; 5' if adjacent to other building type |                                       |                                       |                                                                                    |
| ⑤                                               | <b>Minimum Rear Yard Setback</b>                       | 5'; 40' if abutting RS or RD district     | 5'; 15' if abutting RS or RD district | 5'; 40' if abutting RS or RD district | See 9.1.5 for required landscape screening                                         |

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(Supp. No. 203)

|                                        |                                                            |                                                                                                                                                                                                                                               |                                   |                                 |                                                                                                         |
|----------------------------------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------|
| 6                                      | Maximum Impervious Cover<br>Additional Semi-Pervious Cover | 75%<br>25%                                                                                                                                                                                                                                    | 75%<br>25%                        | 75%<br>25%                      |                                                                                                         |
| 7                                      | Surface Parking or Accessory Parking Structure             | Rear yard only                                                                                                                                                                                                                                | Rear yard only                    | Rear and limited side yard only | Limited side yard means one double-loaded aisle of parking perpendicular to the street                  |
| 8                                      | Permitted Driveway Access Locations                        | Alley. <del>Side</del> If no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6) |                                   |                                 | Shared driveways and parking is encouraged                                                              |
| 9                                      | Permitted Garage Entrance Location                         | Rear facade. <del>Side</del> Side facade garage access requires an administrative adjustment                                                                                                                                                  | Rear, side, or corner side facade |                                 |                                                                                                         |
| <b>B. Height</b> (Refer to Figure 4-5) |                                                            |                                                                                                                                                                                                                                               |                                   |                                 |                                                                                                         |
| 10                                     | Overall: Minimum Height<br>Maximum Height                  | 2 stories<br>8 stories                                                                                                                                                                                                                        | 1 stories<br>4 stories            | 1 stories<br>4 stories          | Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring |

Figure 4-4. Storefront Building: Siting



|                                                       |                                                    | Permitted Districts                                                                                 |             |            |                                                                                               |
|-------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------|------------|-----------------------------------------------------------------------------------------------|
|                                                       |                                                    | MX-1                                                                                                | MX-2        | MX-3       | References and Additional Requirements                                                        |
| 11                                                    | Ground Story:<br>Minimum Height<br>Maximum Height  | 14'<br>24'                                                                                          | 14'<br>18'  | 14'<br>24' | Measured floor to floor; more than 18' in height counts as 2 stories; see 4.5.4 for measuring |
| 12                                                    | Upper Stories:<br>Minimum Height<br>Maximum Height | 9'<br>14'                                                                                           | 8.5'<br>12' | 9'<br>14'  |                                                                                               |
| C. Uses (Refer to Figure 4-5)                         |                                                    |                                                                                                     |             |            |                                                                                               |
| 13                                                    | Primary Frontage Ground Story                      | All permitted non-residential uses.                                                                 |             |            | Refer to Article 6                                                                            |
| 14                                                    | Non-Primary Frontage, Upper Stories, Basement      | Any permitted use.                                                                                  |             |            | Refer to Article 6                                                                            |
| 15                                                    | Parking within Building                            | Permitted fully in any basement and in rear of upper floors                                         |             |            |                                                                                               |
| 16                                                    | Required Occupied Building Space                   | Minimum 20' deep on all full height floors from any primary street facade; not required in basement |             |            | Refer to Sec. 14.2 for definition of occupied building space                                  |
| D. Facade and Roof Requirements (Refer to Figure 4-6) |                                                    |                                                                                                     |             |            |                                                                                               |
| 17                                                    | Primary Frontage Minimum Ground Story Transparency | 75%                                                                                                 | 70%         | 65%        | Measured between 2' and 9' above adjacent walk grade; see 4.5.5                               |

|    |                                                                  |                                                                                                                              |     |     |                                              |
|----|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----|-----|----------------------------------------------|
| 18 | <b>Minimum Transparency Street, Courtyard, Open Space Facade</b> | 20%                                                                                                                          | 15% | 15% | Measured per story of all stories; see 4.5.5 |
| 19 | <b>Blank Wall Limitations</b>                                    | Required per floor on all street facades                                                                                     |     |     | Refer to 4.5.5                               |
| 20 | <b>Entrance Location and Number</b>                              | Principal entrance required on primary frontage facade; entrances required a minimum of one per every 60' of building facade |     |     | Refer to 4.7.7 for principal entryway        |
| 21 | <b>Entryway Configuration and Elevation</b>                      | Recessed between 3' and 8', maximum 8' wide; entrances shall be within 1.5' vertically of adjacent walk elevation.           |     |     | Refer to 4.7.8 for storefront design         |
| 22 | <b>Ground Story Vertical Facade Divisions</b>                    | One 2" deep expression line per every 30' of facade width                                                                    |     |     |                                              |
| 23 | <b>Horizontal Facade Divisions</b>                               | Within 3' of the top of the ground story and the bottom of the any 5th floor                                                 |     |     |                                              |
| 24 | <b>Permitted Roof Types</b>                                      | Parapet, pitched, flat; tower permitted                                                                                      |     |     | Refer to Section 4.6 for roof types          |

**Figure 4-5. Storefront Building: Height and Use Requirements**

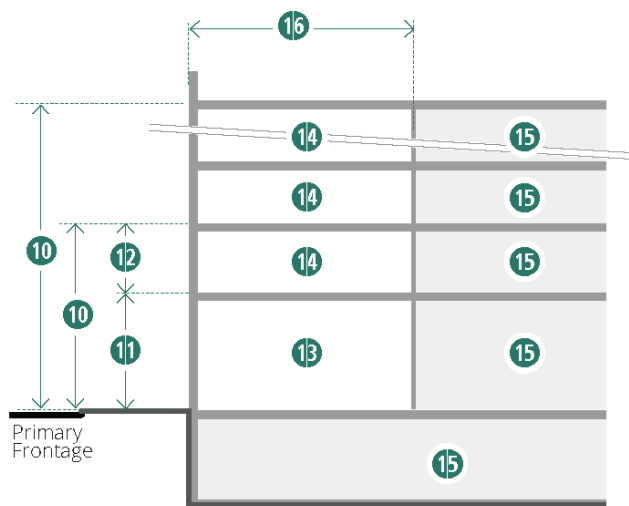
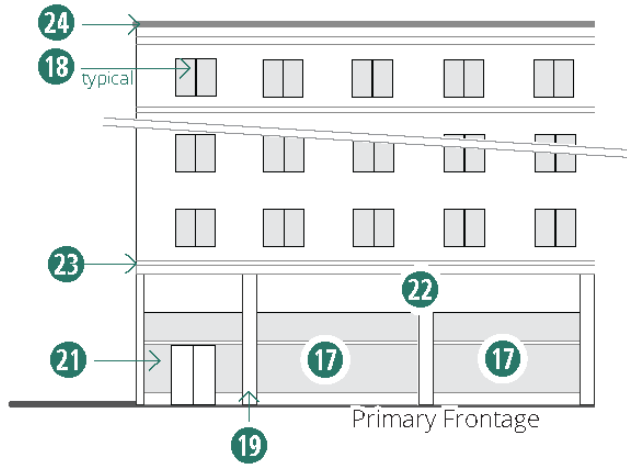


Figure 4-6. Storefront Building: Facade Design Requirements



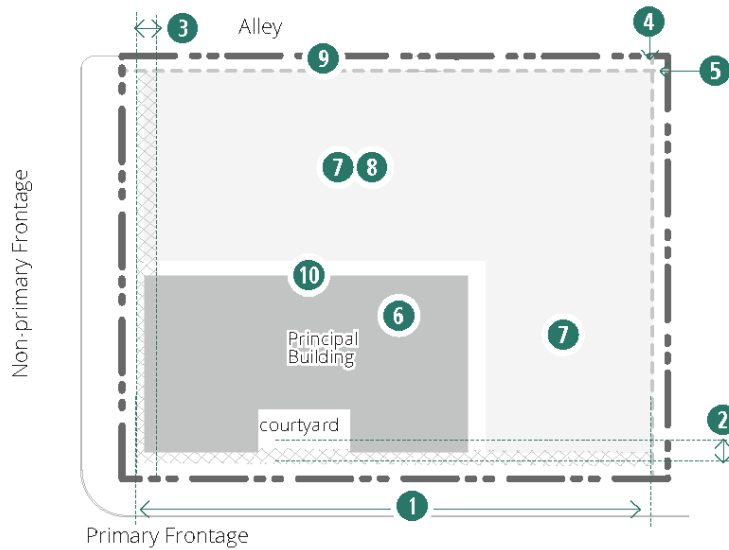
#### 4.4.3. General Building

|                                          |                                                            | Permitted Districts                   |                |                |                                                                                        |
|------------------------------------------|------------------------------------------------------------|---------------------------------------|----------------|----------------|----------------------------------------------------------------------------------------|
|                                          |                                                            | MX-T                                  | MX-R1          | MX-R2          | References and Additional Requirements                                                 |
| A. Building Siting (Refer to Figure 4-7) |                                                            |                                       |                |                |                                                                                        |
| 1                                        | Minimum Primary Frontage Build-to Zone Coverage            | 75%                                   | 75%            | 60%            | Refer to 4.5.1                                                                         |
| 2                                        | Front Build-to Zone                                        | 5' to 10'                             | 5' to 10'      | 10' to 20'     | Minimum 13 ft. streetscape area is required along street frontages; refer to 4.5.2     |
| 3                                        | Corner Build-to Zone                                       | 0' to 10'                             | 0' to 10'      | 5' to 15'      |                                                                                        |
| 4                                        | Minimum Side Yard Setback                                  | 5'                                    | 10'            | 15'            |                                                                                        |
| 5                                        | Minimum Rear Yard Setback                                  | 5'; 40' if abutting RS or RD district |                |                | See 9.1.5 for required landscape screening                                             |
| 6                                        | Maximum Building Width                                     | None                                  | None           | 120'           |                                                                                        |
| 7                                        | Maximum Impervious Cover<br>Additional Semi-Pervious Cover | 70%<br>25%                            | 70%<br>20%     | 65%<br>20%     |                                                                                        |
| 8                                        | Surface Parking or Accessory Parking Structure             | Rear and limited side yard only       | Rear yard only | Rear yard only | Limited side yard means one double-loaded aisle of parking perpendicular to the street |

|                                        |                                                           |                                                                                                                                                                                                                                            |                                   |                        |                                                                                                         |
|----------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------|---------------------------------------------------------------------------------------------------------|
| 9                                      | <b>Permitted Driveway Access Locations</b>                | Alley. <del>;</del> If no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6) |                                   |                        | Shared driveways and parking is encouraged                                                              |
| 10                                     | <b>Permitted Garage Entrance Location</b>                 | Rear <del>facade</del> <del>facade.</del> <del>;</del> <del>S</del> Side facade garage access requires an administrative adjustment                                                                                                        | rear, side, or corner side facade |                        |                                                                                                         |
| <b>B. Height</b> (Refer to Figure 4-8) |                                                           |                                                                                                                                                                                                                                            |                                   |                        |                                                                                                         |
| 11                                     | <b>Overall:<br/>Minimum Height<br/>Maximum Height</b>     | 2 stories<br>5 stories                                                                                                                                                                                                                     | 2 stories<br>6 stories            | 2 stories<br>4 stories | Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring |
| 12                                     | <b>Stepped Back Upper Stories</b>                         | Stories above the third shall be stepped back a minimum of 12 feet from the front facade                                                                                                                                                   |                                   |                        |                                                                                                         |
| 13                                     | <b>All Stories:<br/>Minimum Height<br/>Maximum Height</b> | 9'<br>14'                                                                                                                                                                                                                                  | 8.5'<br>12'                       | 9'<br>14'              | Measured floor to floor; see 4.5.4 for measuring                                                        |



**Figure 4-7. General Building: Siting**



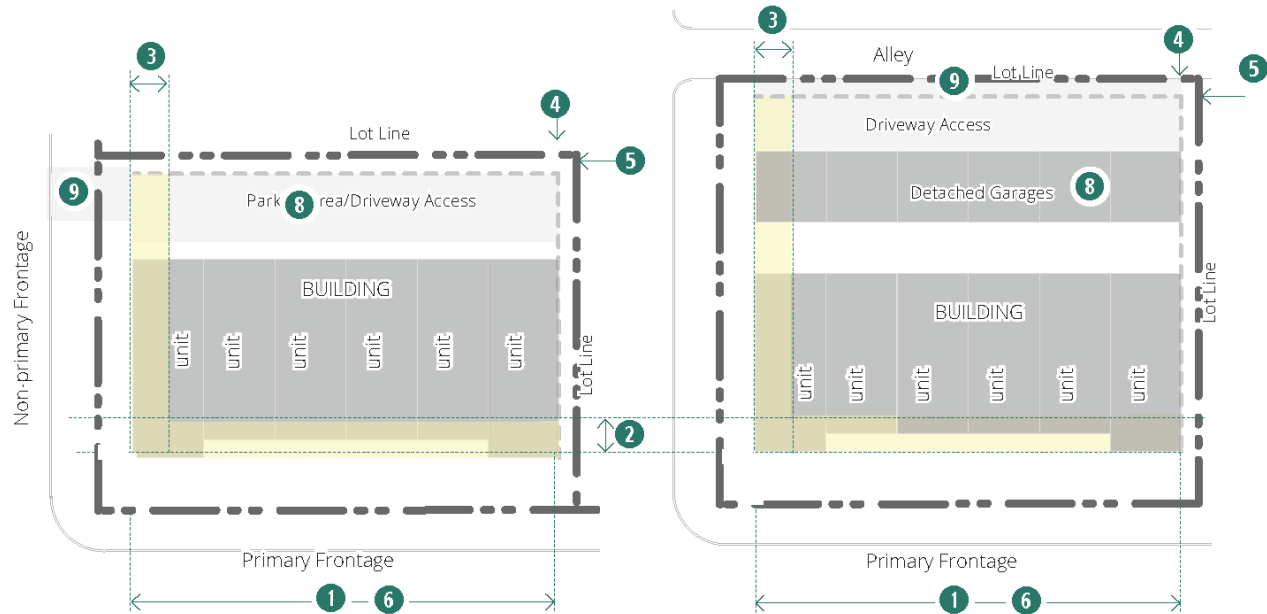
|                               |                         | Permitted Districts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                             |                             | References and Additional Requirements |
|-------------------------------|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------|----------------------------------------|
|                               |                         | <u>MX-T</u><br><u>MX-1</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <u>MX-R1</u><br><u>MX-2</u> | <u>MX-R2</u><br><u>MX-3</u> |                                        |
| C. Uses (Refer to Figure 4-8) |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                             |                             |                                        |
| 14                            | Ground Story & Basement | All permitted uses <u>are limited to no more than 50% of gross floor area of the story</u> , except commercial service, eating and drinking establishments, and retail sales <del>are limited to no more than 50% of gross floor area of the story</del><br><br><u>Or</u><br><br><u>With the exception of residential uses, all other permitted uses are limited to no more than 50% of the gross floor area of the story.</u><br><br><u>Or</u><br><br><u>All permitted commercial uses are limited to no more than 50% of the gross floor area of the first story.</u> |                             |                             | Refer to Article 6                     |

|                                                       |                                                           |                                                                                                                                                                                                                |                                         |                                   |                                                              |
|-------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------|--------------------------------------------------------------|
| 15                                                    | Upper Stories                                             | Any permitted use except commercial service, eating and drinking establishments, and retail sales                                                                                                              |                                         |                                   | Refer to Article 6                                           |
| 16                                                    | Parking within Building                                   | Permitted fully in any basement and in rear of upper floors                                                                                                                                                    |                                         |                                   |                                                              |
| 17                                                    | Required Occupied Building Space                          | Minimum 20' deep on all full height floors from any primary street facade; not required in basement                                                                                                            |                                         |                                   | Refer to Sec. 14.2 for definition of occupied building space |
| D. Facade and Roof Requirements (Refer to Figure 4-9) |                                                           |                                                                                                                                                                                                                |                                         |                                   |                                                              |
| 18                                                    | Minimum Transparency Street, Courtyard, Open Space Facade | 15%                                                                                                                                                                                                            | 15%                                     | 15%                               | Measured per story of all stories; see 4.5.5                 |
| 19                                                    | Blank Wall Limitations                                    | Required per floor on all street facades                                                                                                                                                                       |                                         |                                   | Refer to 4.5.5                                               |
| 20                                                    | Entrance Location and Number                              | Principal entrance required on primary frontage facade; entrances required a minimum of one per every 90' of building facade                                                                                   |                                         |                                   | Refer to 4.7.7 for principal entryway                        |
| 21                                                    | Entryway Configuration and Elevation                      | Entry doors shall be off a stoop, minimum 6' wide and 3' deep; entrances shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required) |                                         |                                   | Refer to 4.7.8 for storefront design                         |
| 22                                                    | Ground Story Vertical Facade Divisions                    | One 2" deep expression line per every 60' of facade width                                                                                                                                                      |                                         |                                   |                                                              |
| 23                                                    | Horizontal Facade Divisions                               | Within 3' of the top of the ground story, any visible basement, and the bottom of the any 5th floor                                                                                                            |                                         |                                   |                                                              |
| 24                                                    | Permitted Roof Types                                      | Parapet, pitched, flat; tower permitted                                                                                                                                                                        | Parapet, pitched, flat; tower permitted | Parapet, pitched; tower permitted | Refer to Sec. 4.6 for roof types                             |

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|                                                  |                                                                    | MX-T                                                                                                                                                                                                                                      | MX-R1                      | MX-R2                              | References and Additional Requirements                                             |
|--------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------|------------------------------------------------------------------------------------|
| <b>A. Building Siting</b> (Refer to Figure 4-10) |                                                                    |                                                                                                                                                                                                                                           |                            |                                    |                                                                                    |
| ①                                                | <b>Minimum Primary Frontage Build-to Zone Coverage</b>             | 75%                                                                                                                                                                                                                                       | 65%                        | 65%                                | Refer to 4.5.1                                                                     |
| ②                                                | <b>Front Build-to Zone</b>                                         | 5' to 10'                                                                                                                                                                                                                                 | 5' to 15'                  | 10' to 20'                         | Minimum 13 ft. streetscape area is required along street frontages; refer to 4.5.2 |
| ③                                                | <b>Corner Build-to Zone</b>                                        | 0' to 10'                                                                                                                                                                                                                                 | 5' to 10'                  | 5' to 15'                          |                                                                                    |
| ④                                                | <b>Units outside Build-to Zone</b>                                 | Each unit shall have a facade located within the primary build-to zone, except 1 of every 3 units may front a courtyard, existing open space/park, or non-primary street with its principal entrance.                                     |                            |                                    |                                                                                    |
| ⑤                                                | <b>Minimum Side Yard Setback</b>                                   | 0' per unit; 10' between buildings                                                                                                                                                                                                        |                            | 0' per unit; 15' between buildings |                                                                                    |
| ⑥                                                | <b>Minimum Rear Yard Setback</b>                                   | 5'; 25' if no alley exists                                                                                                                                                                                                                | 5'; 20' if no alley exists | 5'; 35' if no alley exists         | See 9.1.5 for required landscape screening                                         |
| ⑦                                                | <b>Maximum Building Width</b>                                      | None                                                                                                                                                                                                                                      |                            | 8 units per building and 180'      | 6 units per building and 140'                                                      |
| ⑧                                                | <b>Maximum Impervious Cover<br/>Additional Semi-Pervious Cover</b> | 65%<br>25%                                                                                                                                                                                                                                | 65%<br>20%                 | 60%<br>20%                         |                                                                                    |
| ⑨                                                | <b>Surface Parking or Accessory Garage</b>                         | Rear yard only                                                                                                                                                                                                                            | Rear yard only             | Rear yard only                     |                                                                                    |
| ⑩                                                | <b>Permitted Driveway Access Locations</b>                         | Alley; if no alley exists, 1 driveway permitted per building off each non-primary street; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6) |                            |                                    | Shared driveways and parking is encouraged                                         |
| ⑪                                                | <b>Permitted Attached Garage Entrance Location</b>                 | Rear facade only; side facade garage access requires an administrative adjustment                                                                                                                                                         |                            |                                    |                                                                                    |

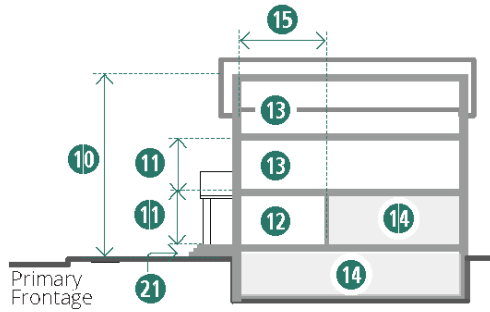
**Figure 4-10. Row Building: Siting**



|                                  |                                                  | Permitted Districts                                          |                          |                        |                                                                                                                                  |
|----------------------------------|--------------------------------------------------|--------------------------------------------------------------|--------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|                                  |                                                  | MX-T                                                         | MX-R1                    | MX-R2                  | References and Additional Requirements                                                                                           |
| B. Height (Refer to Figure 4-11) |                                                  |                                                              |                          |                        |                                                                                                                                  |
| 12                               | Overall:<br>Minimum Height<br>Maximum Height     | 2 stories<br>3.5 stories                                     | 2 stories<br>3.5 stories | 2 stories<br>3 stories | See 4.5.3 for measuring                                                                                                          |
| 13                               | All Stories:<br>Minimum Height<br>Maximum Height | 8.5'<br>12'                                                  | 9'<br>14'                | 9'<br>14'              | Measured floor to floor; see 4.5.4 for measuring                                                                                 |
| C. Uses (Refer to Figure 4-11)   |                                                  |                                                              |                          |                        |                                                                                                                                  |
| 14                               | Primary Frontage Ground Story                    | All permitted uses except eating and drinking establishments | All permitted uses       |                        | In MX-T, commercial service and retail sales are permitted when located in live-work units at street corners; refer to Article 6 |
| 15                               | Non-Primary Frontage, Upper Stories, Basement    | Any permitted use except commercial service, eating          | All permitted uses       |                        | Refer to Article 6                                                                                                               |

|                                                        |                                                           |                                                                                                                                                                                    |                                         |                                   |                                                              |
|--------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------|--------------------------------------------------------------|
|                                                        |                                                           | and drinking establishments, and retail sales                                                                                                                                      |                                         |                                   |                                                              |
| 16                                                     | Parking within Building                                   | Permitted fully in any basement and in rear of upper floors                                                                                                                        |                                         |                                   |                                                              |
| 17                                                     | Required Occupied Building Space                          | Minimum 20' deep on all full height floors from any primary street facade; not required in basement                                                                                |                                         |                                   | Refer to Sec. 14.2 for definition of occupied building space |
| D. Facade and Roof Requirements (Refer to Figure 4-12) |                                                           |                                                                                                                                                                                    |                                         |                                   |                                                              |
| 18                                                     | Minimum Transparency Street, Courtyard, Open Space Facade | 15%                                                                                                                                                                                | 15%                                     | 12%                               | Measured per story of all stories; see 4.5.5                 |
| 19                                                     | Blank Wall Limitations                                    | Required per floor on all street facades                                                                                                                                           |                                         |                                   | Refer to 4.5.5                                               |
| 20                                                     | Entrance Location and Number                              | One entrance required per unit on the primary frontage facade, courtyard, or open space per (4) above; minimum of one principal entrance required per 30' of primary street facade |                                         |                                   | Refer to 4.7.7 for principal entryway                        |
| 20                                                     | Entryway Configuration                                    | Entry doors shall be off a stoop, minimum 4' wide and 3' deep, OR a porch, minimum 8' wide and 5' deep No more than 2 entry doors may be located off each stoop or porch           |                                         |                                   | Refer to 4.7.8 for storefront design                         |
| 21                                                     | Entryway Elevation                                        | 80% of entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with a visible basement (transparency required)      |                                         |                                   |                                                              |
| 22                                                     | Permitted Roof Types                                      | Parapet, pitched, flat; tower permitted                                                                                                                                            | Parapet, pitched, flat; tower permitted | Parapet, pitched; tower permitted | Refer to Sec. 4.6 for roof types                             |

**Figure 4-11. Row Building: Height and Use Requirements**



**Figure 4-12. Row Building: Facade Design Requirements**



#### 4.4.5. Civic Building

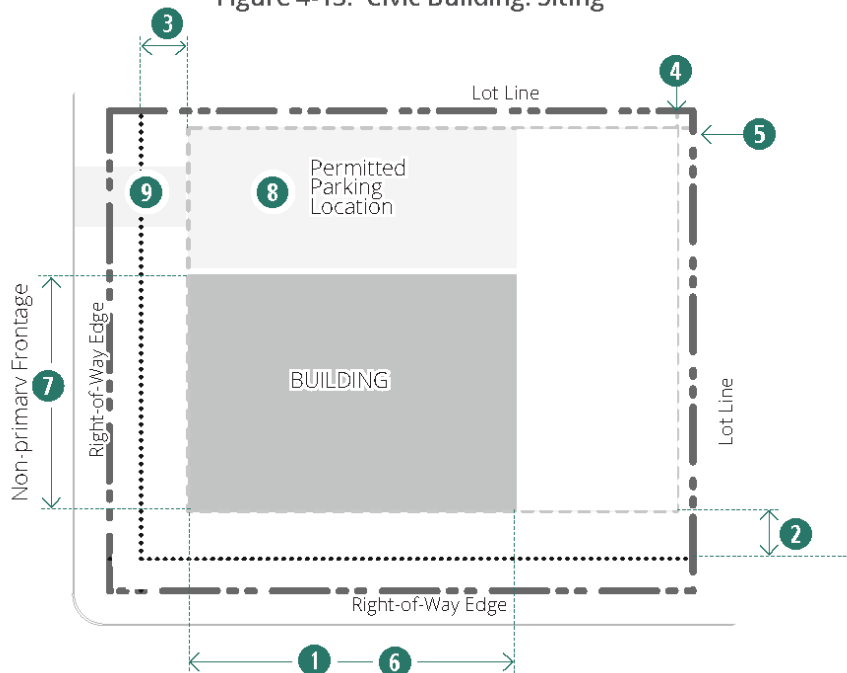
|                                           |                                                 | Permitted Districts  |               | References and Additional Requirements                             |
|-------------------------------------------|-------------------------------------------------|----------------------|---------------|--------------------------------------------------------------------|
|                                           |                                                 | MX-1<br>MX-2<br>MX-3 | MX-T<br>MX-R1 |                                                                    |
| A. Building Siting (Refer to Figure 4-13) |                                                 |                      |               |                                                                    |
| 1                                         | Minimum Primary Frontage Build-to Zone Coverage | None                 | None          |                                                                    |
| 2                                         | Front Setback                                   | 5'                   | 10'           | Minimum 13 ft. streetscape area is required along street frontages |
| 3                                         | Corner Setback                                  | 5'                   | 5'            |                                                                    |
| 4                                         | Minimum Side Yard Setback                       | 5'                   | 5'            |                                                                    |

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|    |                                                            |                                                                                                                                                                                                                               |            |                                                                                        |
|----|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------------------|
| 5  | Minimum Rear Yard Setback                                  | 5'; 30' if abutting RS or RD district                                                                                                                                                                                         |            | See 9.1.5 for required landscape screening                                             |
| 6  | Minimum Lot Width                                          | 50'                                                                                                                                                                                                                           |            |                                                                                        |
| 7  | Maximum Impervious Cover<br>Additional Semi-Pervious Cover | 70%<br>20%                                                                                                                                                                                                                    | 70%<br>10% |                                                                                        |
| 8  | Surface Parking or Accessory Parking Structure             | Rear yard and limited side yard only                                                                                                                                                                                          |            | Limited side yard means one double-loaded aisle of parking perpendicular to the street |
| 9  | Permitted Driveway Access Locations                        | Alley; if no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6) |            | Shared driveways and parking is encouraged                                             |
| 10 | Permitted Garage Entrance Location                         | Rear facade; side facade garage access requires an administrative adjustment                                                                                                                                                  |            |                                                                                        |

Figure 4-13. Civic Building: Siting





|                                                        |                                                           | Permitted Districts                                                                                                                                                                                            |                                         | References and Additional Requirements                                                                  |
|--------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------|
|                                                        |                                                           | MX-1<br>MX-1<br>MX-3                                                                                                                                                                                           | MX-T<br>MX-R1                           |                                                                                                         |
| B. Height (Refer to Figure 4-14)                       |                                                           |                                                                                                                                                                                                                |                                         |                                                                                                         |
| 11                                                     | Overall: Minimum Height<br>Maximum Height                 | 2 story<br>8 stories in MX-1;<br>4 stories in MX-2<br>and MX-3                                                                                                                                                 | 1 story<br>6 stories                    | Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring |
| 12                                                     | Ground Story: Minimum Height<br>Maximum Height            | 9'<br>20'                                                                                                                                                                                                      | 9'<br>16'                               |                                                                                                         |
| 13                                                     | All Stories: Minimum Height<br>Maximum Height             | 9'<br>14'                                                                                                                                                                                                      | 9'<br>14'                               |                                                                                                         |
| C. Uses (Refer to Figure 4-14)                         |                                                           |                                                                                                                                                                                                                |                                         |                                                                                                         |
| 14                                                     | All Frontages and Stories                                 | Only public, civic and institutional uses permitted in district                                                                                                                                                |                                         | Refer to Article 5                                                                                      |
| 15                                                     | Parking within Building                                   | Permitted fully in any basement and in rear of upper floors                                                                                                                                                    |                                         |                                                                                                         |
| 16                                                     | Required Occupied Building Space                          | Minimum 20' deep on all full height floors from any primary street facade; not required in basement                                                                                                            |                                         |                                                                                                         |
| D. Facade and Roof Requirements (Refer to Figure 4-15) |                                                           |                                                                                                                                                                                                                |                                         |                                                                                                         |
| 17                                                     | Minimum Transparency Street, Courtyard, Open Space Facade | 12%                                                                                                                                                                                                            | 12%                                     | Measured per story of all stories; see 4.5.5                                                            |
| 18                                                     | Blank Wall Limitations                                    | none                                                                                                                                                                                                           |                                         | Refer to 4.5.5                                                                                          |
| 19                                                     | Entrance Location and Number                              | Principal entrance required on primary frontage facade; entrances required a minimum of one per every 150' of building facade                                                                                  |                                         | Refer to 4.7.7 for principal entryway                                                                   |
| 20                                                     | Entryway Configuration and Elevation                      | Entry doors shall be off a stoop, minimum 6' wide and 3' deep; entrances shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required) |                                         | Refer to 4.7.8 for storefront design                                                                    |
| 21                                                     | Permitted Roof Types                                      | Parapet, pitched, flat; tower permitted                                                                                                                                                                        | Parapet, pitched, flat; tower permitted | Other roof types permitted by administrative                                                            |

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|  |  |  |  |                                              |
|--|--|--|--|----------------------------------------------|
|  |  |  |  | adjustment; refer to Sec. 4.6 for roof types |
|--|--|--|--|----------------------------------------------|

Figure 4-14. Civic Building: Height and Use Requirements

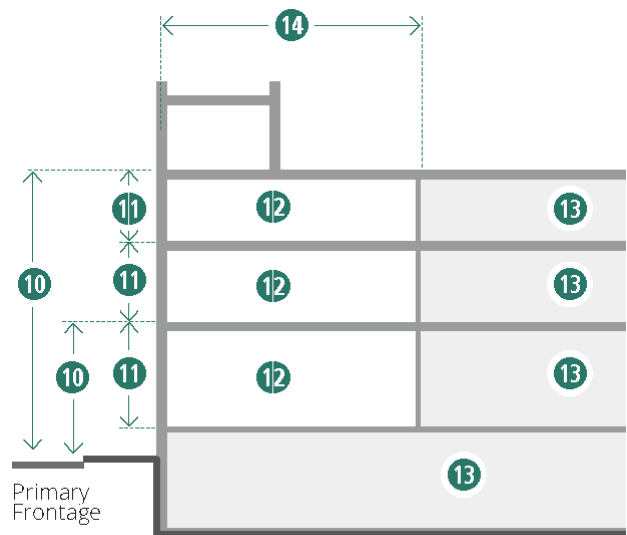
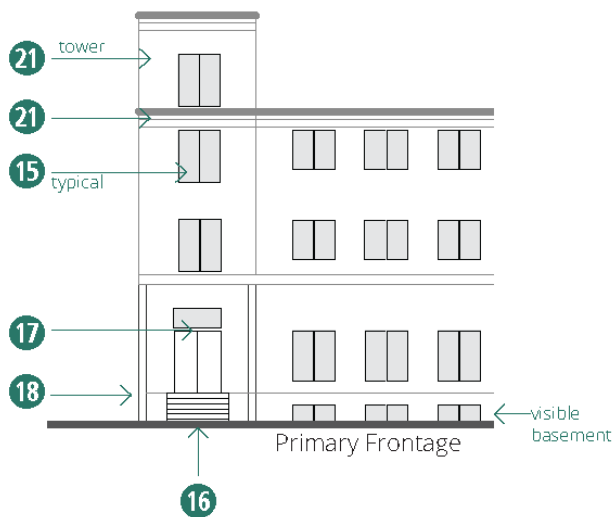


Figure 4-15. Civic Building: Facade Design Requirements



( Ord. No. 4036 , § 2(Exh. A), 6-11-18)

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## Sec. 4.5. Building types—Measurements

The following explains and further defines the standards outlined on the tables on the previous pages.

### 4.5.1. Minimum primary frontage lot line coverage.

The minimum percentage of building facade along the primary frontage of a lot is designated on each building type table.

#### A. Measurement

The width of the principal structures (as measured within the build-to zone along the frontage edge) is divided by the length of the frontage parallel to the property line following the street. Refer to Figure 4-16.

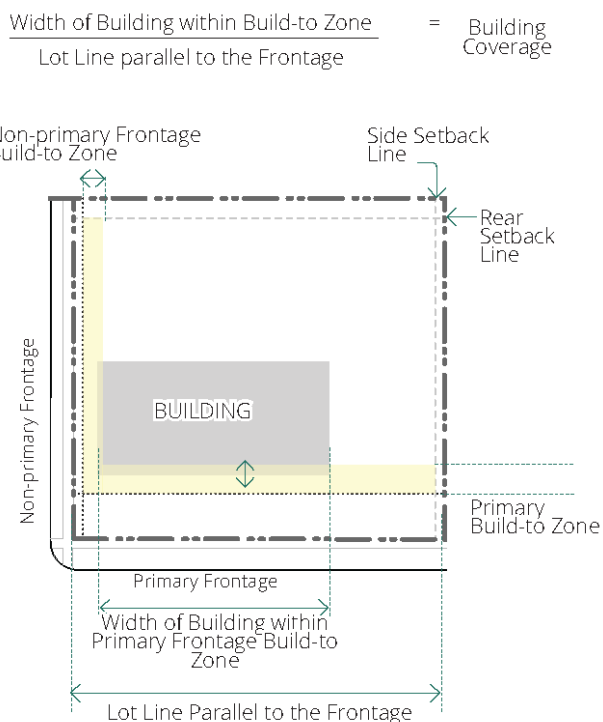
#### B. Courtyards

Where noted by building type, courtyards, located along the facade in the build-to zone count towards the minimum coverage.

#### C. Civic Space Type

Open spaces per civic space type requirements are exempt from minimum primary frontage lot line coverage.

**Figure 4-16. Minimum Primary Frontage Lot Line Coverage**



### 4.5.2. Build-to Zone

The build-to zone is designated separately for each frontage on each building type table. Refer to Figure 4-17.

#### A. Measurement

The build-to zone for all frontages is measured from the property line parallel to the frontage, unless otherwise noted.

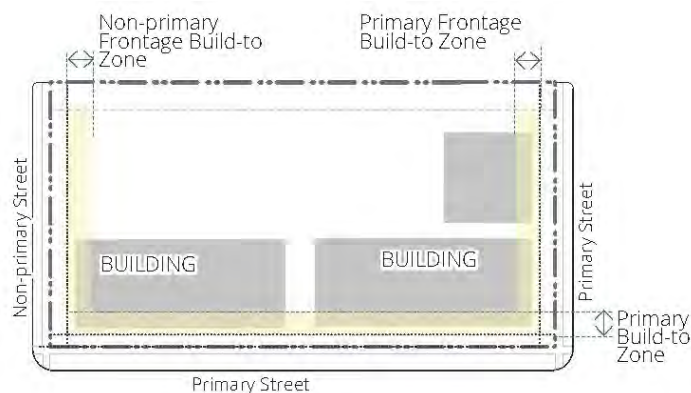
#### B. Minimum Streetscape Area

When a minimum streetscape area is required, the build-to zone is measured from the edge of the required streetscape onto the site. Minimum streetscape area is measured from back of curb to property line and is intended to accommodate clear sidewalk area and either a landscape/street tree area (parkway) or a furnishings zone at storefront locations. Furnishings zone includes the sidewalk extended to the curb with tree wells or planters for street trees.

#### C. Encroachments

Awnings, balconies, and building mounted signage may extend up to 3 foot beyond the build-to zone into any yard area, but may not extend into the street right-of-way.

**Figure 4-17. Build-to Zones**



### 4.5.3. Heights in Stories

Refer to Figure 4-18.

#### A. Minimum Overall Height

Minimum heights require a minimum number of stories on the primary frontage facades of the building. The building must meet the minimum required height for the first 30 feet of occupied building space measured from the primary frontage facade into the building.

#### B. Maximum Overall Height

Maximum heights are specified both in number of stories and overall dimension. This requirement applies to the entire building.

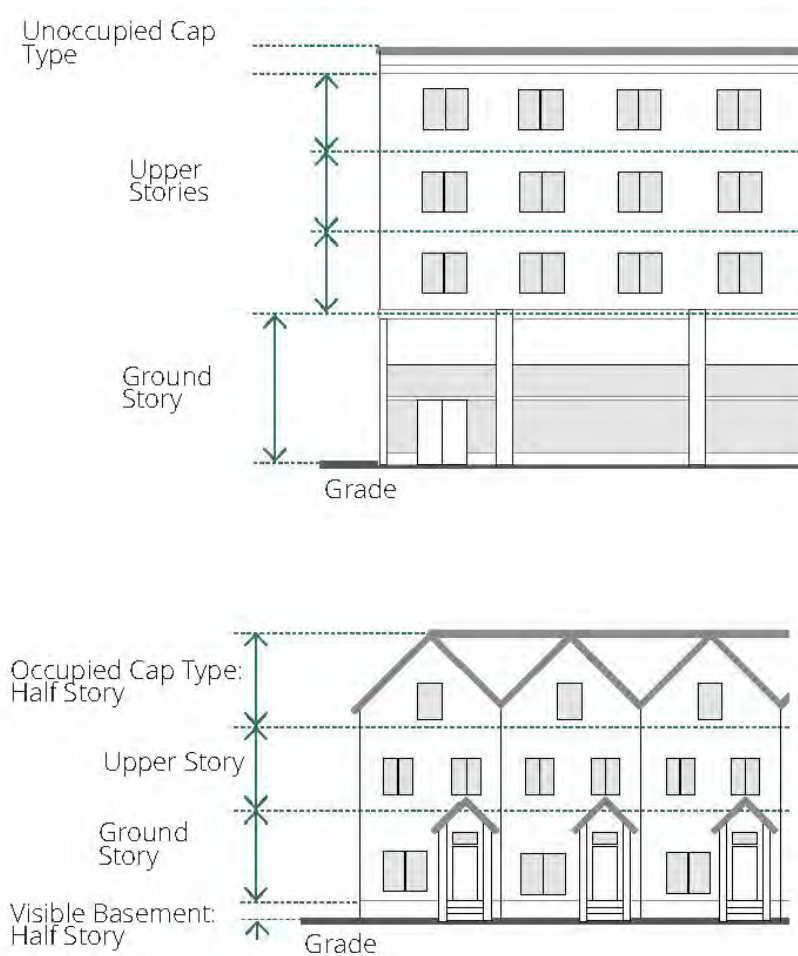
1. Towers. Where noted, towers may exceed the overall maximum height per Subsection .4.6.5.

2. Cap type. Where noted, certain cap types may allow additional height.

**C. Two Half Stories**

A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

**Figure 4-18. Measuring Stories with Floor-to-Floor Height**



#### 4.5.4. Minimum and Maximum Height Per Story

Each story is measured with a range of permitted floor-to-floor heights. Refer to Figure 4-18.

**A. Measurement**

Floor height is measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required to be met on floors along facades, a minimum of eighty (80) percent of each story.

**B. Single Story Buildings and Top Floor Measurement**

---

For single story buildings and the uppermost story of a multiple story building, floor-to-floor height shall be one foot less than noted per building type and measured from the floor of the story to the ceiling.

C. **Mezzanines**

Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story, including articulation of the story.

D. **Taller Spaces**

Spaces exceeding the allowable floor-to-floor heights of the building are not permitted on primary frontage facades. These spaces are unlimited on interior lots and non-primary frontage facades, but shall be counted as the number of stories that would fit within their height.

#### 4.5.5. Minimum Required Transparency

Per the requirements of each building type, a minimum amount of transparency is required on all stories of all facades.

A. **Measurement**

Minimum facade transparency is measured from floor-to-floor of each story separately. Refer to Figure 4-19. Transparency includes windows and any glass in doors that is highly transparent with low reflectance. The measurement may include the frame, mullions, and muntins, but shall not include trim or casing.

B. **Blank Wall Segments**

No more than a 15-foot wide section, measured horizontally, and no more than 30 percent of any story shall be without transparency.

1. Exception. When a facade of any story is located within three (3) feet of a parallel building facade, no minimum transparency is required for that story.

C. **Minimum Ground Story Transparency**

When required by the building type, ground story transparency shall be measured between two (2) feet and either eight (8) or ten (10) feet, as noted, from the average grade at the base of the facade. Minimum ground story transparency supersedes the overall minimum transparency required for the building type.

D. **Tall Stories**

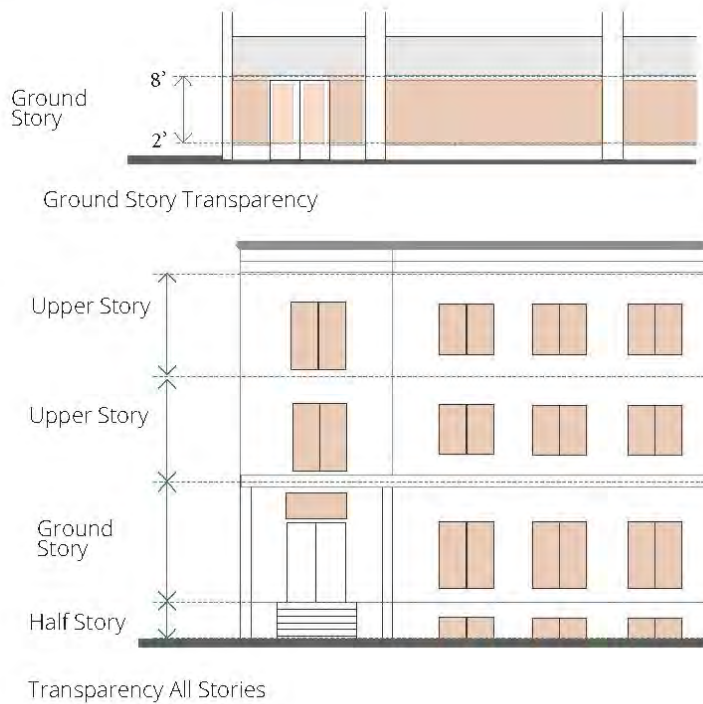
Stories that are eighteen (18) feet or taller in height shall be counted as two (2) stories for the purpose of calculating minimum facade transparency, with each horizontal half of the story calculated separately.

E. **Half Stories**

All half stories located within roof structure and visible basements are required to meet the minimum transparency.

**Figure 4-19. Measuring Minimum Facade Transparency**

 = Transparency Included in Calculation (Numerator)  
 = Area of Overall Measurement (Denominator) = Percent Transparency



( Ord. No. 4036 , § 2(Exh. A), 6-11-18)

## Sec. 4.6. Roof Types

Roof type standards apply to all building types. Refer to each building type table for permitted roof types.

### 4.6.1. General

The following provisions apply to all roof types.

- A. One type required. All buildings shall meet the requirements of at least one of the roof types permitted for the building type.
- B. Measuring height. Refer to 4.5.4 for information on measuring building height.
- C. Other roof types. Other building caps not listed as a specific type may be requested with the following requirements:
  1. The roof type shall not create additional occupiable space beyond that permitted by the building type.
  2. The shape of the Roof Type shall be significantly different from those defined in this section 25.2H Roof Types, i.e. a dome, spire, vault.

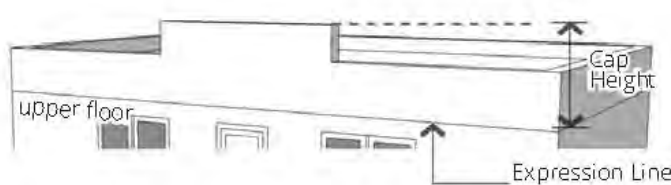
3. The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

#### 4.6.2. Parapet Roof

A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street (refer to Figure 4-~~19~~ 20).

- A. Height is measured from the top of the upper story to the top of the parapet.
- B. Minimum height is two (2) feet with a maximum height of six (6) feet.
- C. The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
  - a. Horizontal expression lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
  - b. Occupied space. Occupied space shall not be incorporated behind this roof type.

**Figure 4-20. Parapet Roof Type**



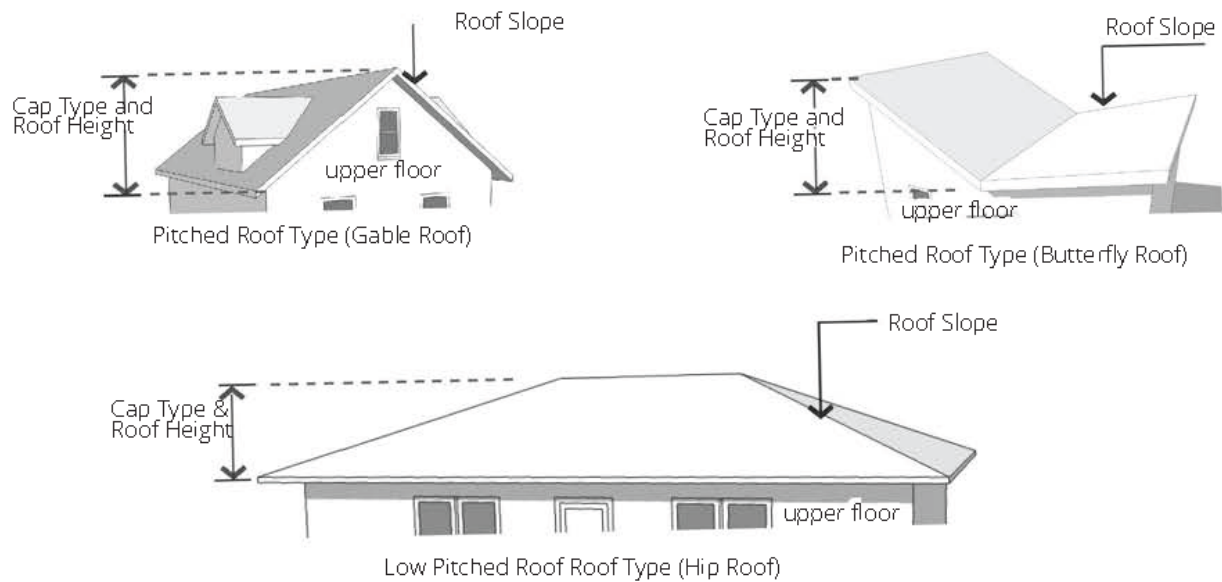
#### 4.6.3. Pitched Roof

Pitched roofs are sloped. Slope is measured as the vertical rise divided by the horizontal run (refer to Figure 4-21).

- A. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12, except that slopes of less than 4:12 are permitted on second story or higher roofs. Refer to Figure 4-21.
- B. Configurations.
  1. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
  2. Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
  3. Gambrel and mansard roofs are not permitted.
- C. Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure 4-22).
- D. Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the building type.
- E. Occupied Space. Occupied space may be incorporated behind this roof type.



**Figure 4-21. Pitched Roof**



**Figure 4-22. Parallel Ridge Line**



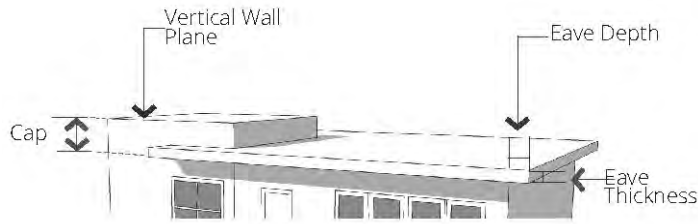
#### 4.6.4. Flat Roof

This flat roof is flat with overhanging eaves (refer to Figure 4-24).

- A. Configuration. Roofs with no visible slope are acceptable. Eaves are recommended on all street facing facades.
- B. Eave depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen (14) inches.
- C. Eave thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight (8) inches thick.
- D. Interrupting vertical walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
  - 1. No more than one-half of the front facade can consist of an interrupting vertical wall.

- 
- 2. Vertical walls shall extend no more than four (4) feet above the top of the eave.
  - E. Occupied space. Occupied space shall not be incorporated behind this roof type.

**Figure 4-24. Flat Roof**

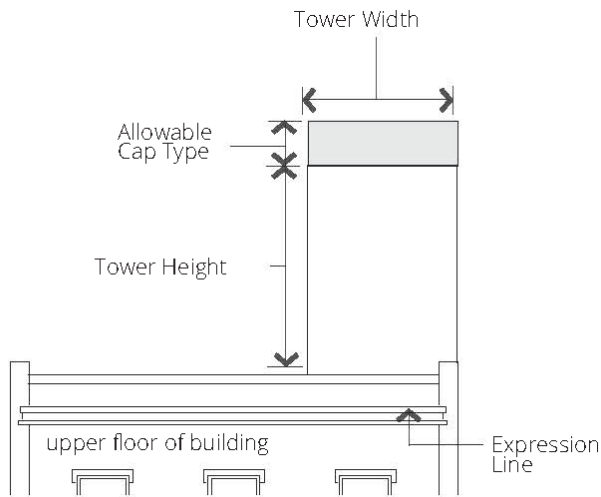


#### 4.6.5. Towers

A tower is a rectilinear or cylindrical, vertical element, that shall be used with other roof types (refer to Figure 4-23)

- A. Quantity. All building types, with the exception of the Civic Building, are limited to one tower per building.
- B. Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.
- C. Tower Width. Maximum width along all facades is one-third the width of the front facade or thirty (30) feet, whichever is less.
- D. Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential building types.
- E. Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the building type to which it is applied.
- F. Application. May be combined with all other roof types.
- G. Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat-roof roof types, or the spire may cap the tower.

**Figure 4-23. Tower**



( Ord. No. 4036 , § 2(Exh. A), 6-11-18)

## **SEC. 4.7. GENERAL DESIGN REQUIREMENTS**

The following outlines the district design requirements that affect a building's appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

### **4.7.1. Materials and Color**

- A. **Primary Facade Materials.** Eighty (80) percent of each facade shall be constructed of primary materials. For facades over one hundred (100) square feet, more than one material shall be used to meet the eighty (80) percent requirement.

Permitted primary building materials include high quality, durable, natural materials, such as stone, brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 4-25).

**Figure 4-25. Primary Materials**



Primary Materials: Brick



Primary Materials: Stone



Primary Materials: Painted Wood

- B. Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding. Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
- C. Roof Materials. Acceptable roof materials include three hundred (300) pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. "Engineered" wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Figure 4-26).

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**Figure 4-26. Roof Materials**



Roof Materials: Asphalt Composite Shingles



Roof Materials: Metal



Roof Materials: Ceramic Tile

- D. Color. Main building colors shall utilize any historic palettes from any major paint manufacturer. Other colors may be utilized for details and accents, not to exceed a total area larger than ten (10) percent of the facade surface area.
- E. Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all building types with the exception of the Row Building and the Yard Building. Refer to Figure 4-27).

**Figure 4-27. Doors and Windows**



Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted: Commercial Grade Doors and Windows on Commercial Buildings.

#### **4.7.2. Windows, Awnings, and Shutters**

- A. Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, double hung. Percent of transparency is required per building type. Horizontal or vertical strip windows, tinted or reflective glass, and glass block (refer to Figure 4-28) are prohibited within MX districts.
- B. Security Grills. Grills shall be fully retractable and completely within the interior of the building and inconspicuous to the extent possible. Exterior bars are prohibited on any window. Refer to Figure 4-29.
- C. Awnings. All awnings shall be canvas or metal. Plastic awnings and canopy awnings that extend from the front facade into the right-of-way are prohibited. Awning types and colors for each building face shall be coordinated. Refer to Figure 4-31.



- 
- D. Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. "Engineered" wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.

**Figure 4-28. Windows**

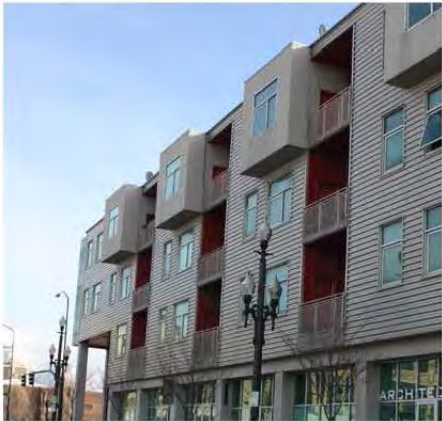


**Figure 4-29. Security Grills**



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**Figure 4-30 Balconies Integrate to Facade**



**Figure 4-31 Awnings**





Permitted Awnings: Metal



Permitted Awnings: Canvas



Prohibited Awnings: Canopy awnings that extend from the front facade into the right-of-way

#### 4.7.3. Balconies

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 4-30.

- A. Size. Balconies shall be a minimum of six (6) feet deep and five (5) feet wide.
- B. Connection to Building. Balconies shall be integral to the facade at the street line. Balconies on stepped back stories shall be independently secured and unconnected to other balconies.
- C. Facade Coverage. A maximum of forty (40) percent of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

---

#### 4.7.4. Treatments at Terminal Vistas

Refer to Figure 4-~~33~~ 32. When a street terminates at a parcel, the parcel shall be occupied by one of the following:

- A. If the parcel is open space, any Civic Space Type with the exception of the Pocket Park shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include a stand or grid of trees, a sculpture, or a fountain.
- B. If the parcel is not utilized as ~~an~~ a Civic Space Type, the front or corner side of a building, whether fronting a Primary Street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, a bay, or a courtyard. Refer to Figure 4-33 for one illustration of this requirement.

**Figure 4-32. Terminal Vista**



#### 4.7.5. Building Variety

~~Building~~ Building design shall vary between vertical facade divisions, where required per the building types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following. Refer to Figure 4-32 for one illustration of this requirement.

- A. The proportion of recesses and projections.
- B. The location of the entrance and window placement, unless storefronts are utilized.
- C. Roof type, plane, or material, unless otherwise stated in the building type requirements.

**Figure 4-32. Terminal Vista**



Figure 4-33 Building Variety



#### **4.7.6. Building Lighting**

- A. Exterior lighting should serve only to illuminate entries, signage, adjacent pedestrian areas and displays, or to highlight significant architectural features above the first floor.
- B. Traditional light fixtures and/or appropriately scaled contemporary light fixtures should be used. Fixture color should be muted, and should coordinate with the overall facade and signage color scheme.
- C. Security lighting should be concealed to the extent practical.

#### **4.7.7. Principal Entryway**

Principal entrances to buildings or units shall be clearly delineated through one or more of the following (refer to Figure 4-34):

- A. Cap or canopy. The entryway shall be covered by a cap or canopy differentiating it from the overall building cap.
- B. Sidelights and transom. Sidelights and/or transom windows shall be included around the entryway.

- 
- C. Extended articulation. The entryway shall be included in a separate bay of the building extended up at least two stories.
  - D. Other design options. The Village Manager may approve different design options that add emphasis and draw attention to the entryway through a minor exception during design review.

**Figure 4-34. Examples of Defined Principal Entryway**

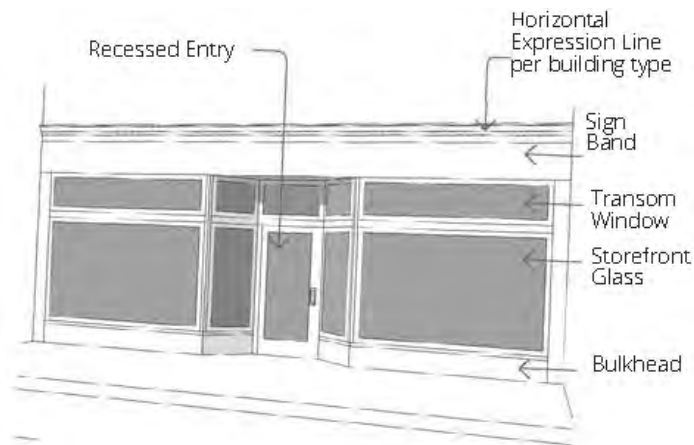


#### **4.7.8. Storefront Design**

Refer to Figure 4-35. A storefront is the ground story facade of a building that includes a large window area for display and entranceway into the building, usually associated with retail sales, eating and drinking establishments, and commercial service uses.

- A. Amount of Glass. Storefront glass quantity is required by building type.
- B. Clear Windows. Windows shall be unobstructed during the daytime and evening hours. Either displays or occupied space shall be located inside the building, viewable from outside the window.
- C. Transom Windows. Transom windows above doors and above storefront windows are encouraged.
- D. Bulkhead. A bulkhead, minimum height of twelve (12) inches and maximum height of thirty (30) inches is required. The bulkhead may be constructed of wood, metal, concrete, or masonry. Concrete masonry units may not be exposed.
- E. Sign Band. A wall sign band or location, minimum eighteen (18) inches in height, is required to be designed into the facade.

**Figure 4-35. Storefront Design**

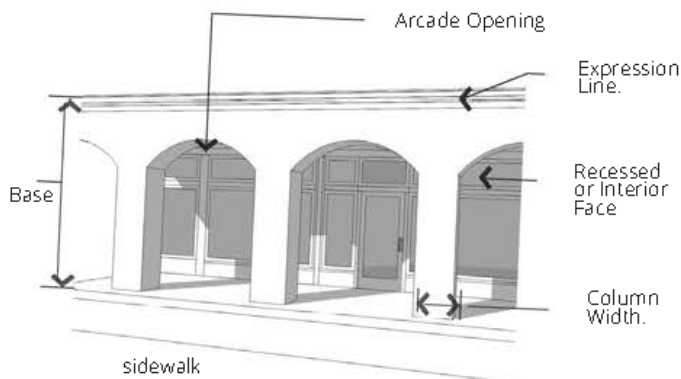


#### 4.7.9. Arcade Design

Refer to Figure 4-36. An arcade is a covered pedestrian walkway within the recess of a ground story.

- A. An open-air public walkway is permitted from the face of the building recessed into the building a minimum of eight (8) and a maximum of fifteen (15) feet.
- B. Build-to Zone. When the arcade is utilized, the outside face of the arcade shall be considered the front facade, located within the required build-to zone.
- C. Column Spacing. Columns shall be spaced between 10 feet and 12 feet on center.
- D. Column Width. Columns shall be a minimum of 1'-8" and a maximum 2'-4" in width.
- E. Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
- F. Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- G. Visible Basement. A visible basement is not permitted.

**Figure 4-36. Arcade Design**



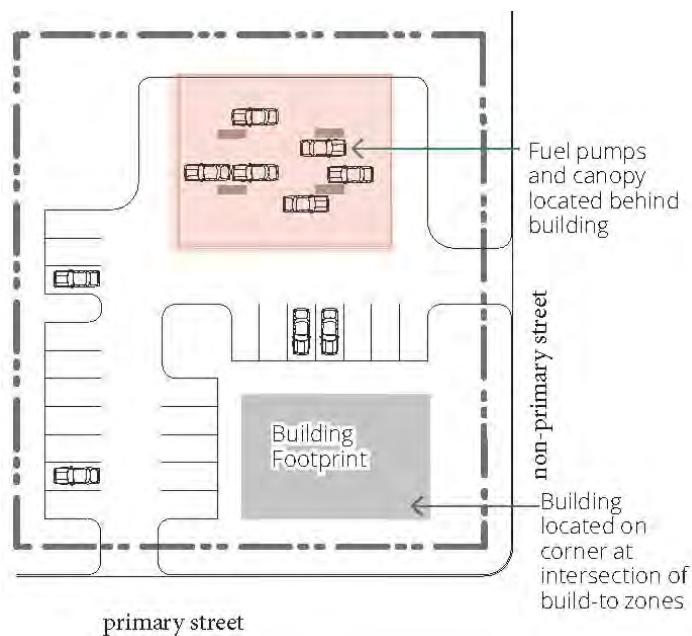


#### 4.7.10. Fuel Stations and Car Washes

Fueling stations and car washes require a special use permit (refer to Article IX) and shall meet the following. Refer to Figure 4-37 for one illustration of a compliant Fuel Station.

- A. Location of Pumps. Any fueling pumps shall be located in the rear or interior side yard.
- B. Convenience Store/Building. A building on the premises of a fueling station shall be located in the build-to zone and shall occupy any corner. The building shall fulfill all requirements of the building type with the exception of the Minimum Primary Build-to Zone Coverage and the Minimum Height Requirement.
- C. Car Wash Facility. Any car wash facility shall be located in the rear of the lot. Vehicle entrance doors may be located on the rear facade, non-primary street facade, or an interior facade not visible from the primary street. Vehicular entrances are prohibited on the primary street facade, unless otherwise approved through a minor design exception.
- D. Additional Drive Entrance. One driveway entrance, in addition to the driveways permitted by building type, is permitted on the lot, maximum width 22 feet. With a minor design exception, the driveway may be located on the primary street.

**Figure 4-37. Example of Fuel Station**



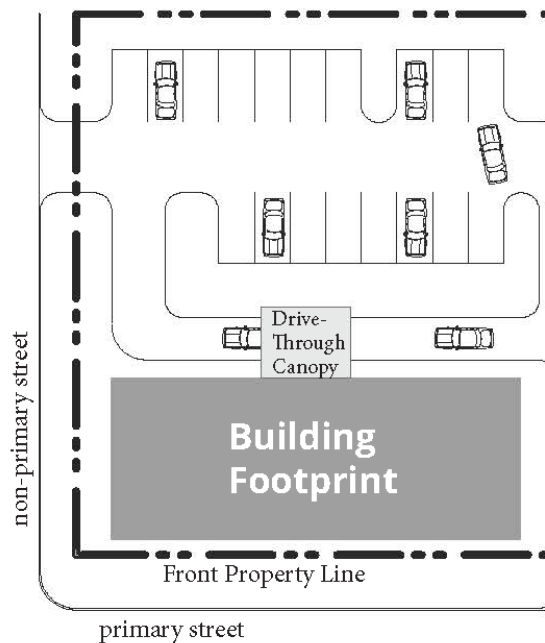
#### 4.7.11. Drive-Through Structures

Refer to Figure 4-38 for one illustration of the following requirements.

- A. Structure/Canopy. Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any Primary Street.

- B. Stacking Lanes. Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
- C. The canopy and structure shall be constructed of the same materials utilized on the building.

**Figure 4-38. Drive-Through Facility Layout**



( Ord. No. 4036 , § 2(Exh. A), 6-11-18)

## SEC. 4.8. STREETSCAPE GUIDELINES

The following guidelines apply to all streets adjacent to MX districts with the intent of creating pedestrian oriented, multimodal streets.

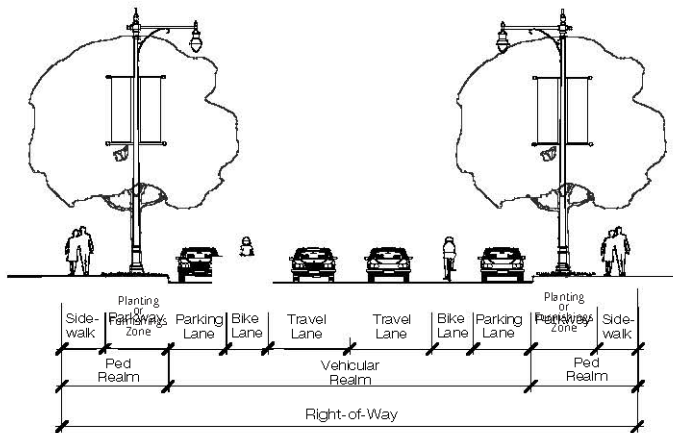
### 4.8.1. Typical Street Elements

All street rights-of-way should include the following vehicular and pedestrian realm considerations. Each street type detailed in this article outlines which facilities are applicable. Refer to Figure 4-39.

- A. Vehicular Realm. The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.
  - 1. Refer to Public Works requirements for all lane widths.
  - 2. Refer to this section for additional information on on-street parking and bicycle facilities.
- B. Pedestrian Realm. The pedestrian realm is comprised of pedestrian facilities, such as sidewalk. A buffer area that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm shall consist of one of the following:

1. Landscape Zone. A landscape area between the back of curb to the sidewalk in which street trees, stormwater swales, lighting, and signage may be located. Typically used adjacent to residential ground floor uses.
2. Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office ground floor uses.

**Figure 4-39. Typical Right-of-Way Elements**

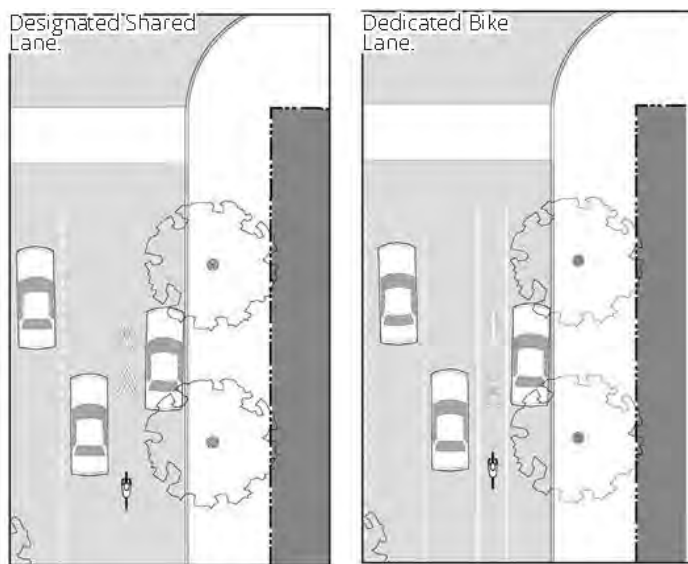


- C. **Bicycle Facilities.** Bicycle facilities should be included on any streets based on the Village's bicycle plan. The following types of bicycle accommodations are appropriate in the vehicular realm. Refer to Figure 4-40.
  1. **Dedicated Bicycle Lane.** Dedicated bicycle lanes are striped lanes on the outside of the outermost travel lanes that are designated for only bicycle use. This lane occurs on both sides of the street and shall be four (4) to five (5) feet wide.
  2. **Designated Shared Lane.** A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum thirteen (13) feet, in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow (known as a "sharrow"). This improvement occurs in both directions.
  3. **Shared Lane.** A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.
- D. **On-Street Parking.** On-street parking should be included on both sides of all streets. Parallel, back-in diagonal, or head-in diagonal are the most appropriate types.
- E. **Parkway Trees.** Street trees are required along all street frontages. Street trees shall be located in either a Landscape Zone (within a planting bed or lawn) or a Furnishings Zone (in trees wells with grate as required).
  1. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this article.



2. Preserved trees should have a permeable surface area equal to the critical root zone. The critical root zone is equal to half of the radius of the tree's mature canopy, measured from the trunk out to the dripline.
3. Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 4-3 for details.
4. Permeable area for one tree cannot count toward that of another tree.
5. When the critical root zone of an existing tree or the suggested permeable surface area requirement of a newly planted tree extends below any pavement, structural soil is required underneath the pavement.

**Figure 4-40. On-Street Bicycle Facilities**



**Table 4-3: Minimum Recommended Soil Volumes and Permeable Area per Planted Tree**

| Tree Size Type | Soil Volume (cubic ft) | Soil Surface Area (sq ft) with 2.5' Soil Depth | Permeable Surface Area Requirement (sq ft) |
|----------------|------------------------|------------------------------------------------|--------------------------------------------|
| Medium         | 2,852                  | 1141 (approx. 34' x 34')                       | 225 (15' x 15')                            |
| Large          | 6,532                  | 2681 (approx. 50' x 50')                       | 400 (20' x 20')                            |

#### 4.8.2. Street Configurations

The following street configurations are provided to assist in the redesign or repaving of Ardmore Avenue to better serve the MX-1 district.

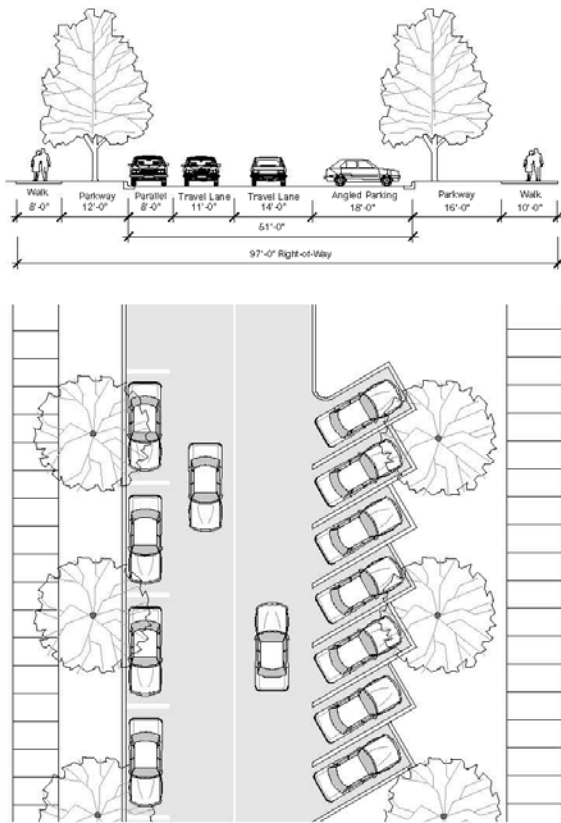
- A. Ardmore Avenue, ninety-seven (97) feet right-of-way. The following alternatives are suggested for Ardmore Avenue north of the Metra Tracks with a ninety-seven (97) feet wide right-of-way.

1. Alternative 1. (Refer to Figure 4-41). This alternative provides new on-street parking with 60° angled parking on the east side and parallel parking on the west side. Two travel lanes are provided and a left turn lane is permitted at intersections. Parkways with trees buffer pedestrians on the sidewalks.
  2. Alternative 2. (Refer to Figure 4-42). This alternative provides new on-street parallel parking on both sides of the street with two travel lanes. Parkways with trees buffer pedestrians on sidewalks.
  3. Alternative 3. (Refer to Figure 4-43). This alternative provides new on-street parallel parking on both sides of the street with two travel lanes. Parkway with a furnishings zone buffers pedestrians on the west side of the street. On the east side, a large parkway of permeable pavers over a parkway tree structural soil system improves stormwater infiltration and tree health.
- B. Ardmore Avenue, sixty-two (62) feet right-of-way. The following alternatives are suggested for Ardmore Avenue south of the Metra Tracks with a sixty-two (62) feet wide right-of-way.
1. Alternative 1. (Refer to Figure 4-44). This alternative provides new on-street parallel parking on both sides of the street with two travel lanes for traffic. Parkways with parkway trees buffer pedestrians on sidewalks.
  2. Alternative 2. (Refer to Figure 4-45). This alternative provides one side of new on-street parallel parking. Two (2) shared travel lanes are wide enough for cars and bicycles.

| Ardmore Avenue 97' ROW—Alternative 1 |                                                                                        |
|--------------------------------------|----------------------------------------------------------------------------------------|
| Location                             | North of Metra Tracks                                                                  |
| Typical ROW Width                    | 97'                                                                                    |
| Vehicular Realm                      |                                                                                        |
| Travel Lanes                         | 2 travel lanes                                                                         |
| Lane Width                           | 11-14 feet                                                                             |
| Allowable Turn Lanes                 | Left permitted in place of parking at intersections                                    |
| Parking Lanes                        | Parallel required on west side of street.<br>60° angle required on east side of street |
| Pavement Width                       | 51 feet                                                                                |
| Bicycle Facilities                   | Not applicable                                                                         |
| Pedestrian Realm                     |                                                                                        |
| Pedestrian Facilities                | Minimum 8-foot sidewalk both sides                                                     |
| Street Buffer                        | Minimum 12 feet wide Parkway                                                           |

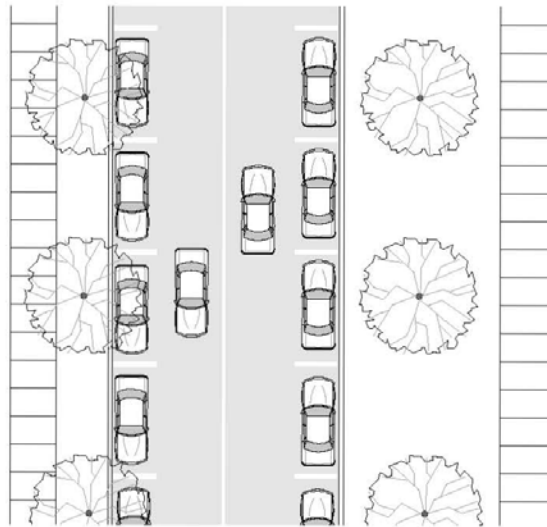
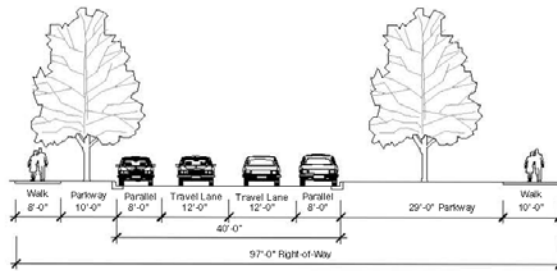
**Figure 4-41. Ardmore avenue 97' ROW—Alternative 1**

**Figure 4-41. Ardmore Avenue 97' ROW - Alternative 1**



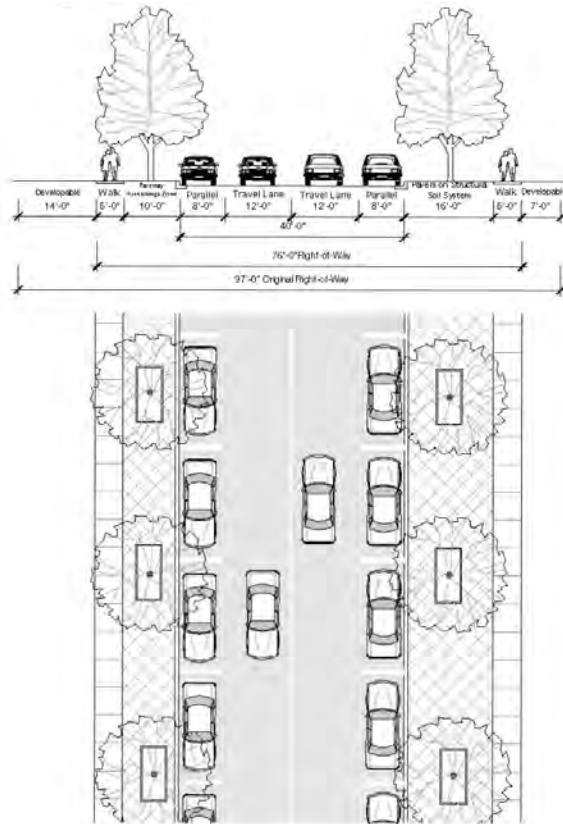
| Ardmore Avenue 97' ROW—Alternative 2 |                                            |
|--------------------------------------|--------------------------------------------|
| Location                             | North of Metra Tracks                      |
| Typical ROW Width                    | 97'                                        |
| <b>Vehicular Realm</b>               |                                            |
| Travel Lanes                         | 2 travel lanes                             |
| Lane Width                           | 12 feet                                    |
| Allowable Turn Lanes                 | Not applicable                             |
| Parking Lanes                        | Parallel required on both sides of street. |
| Pavement Width                       | 40 feet                                    |
| Bicycle Facilities                   | Not applicable                             |
| <b>Pedestrian Realm</b>              |                                            |
| Pedestrian Facilities                | Minimum 8-foot sidewalk both sides         |
| Street Buffer                        | Minimum 10 feet wide Parkway               |

**Figure 4-42. Ardmore avenue 97' ROW - Alternative 2**



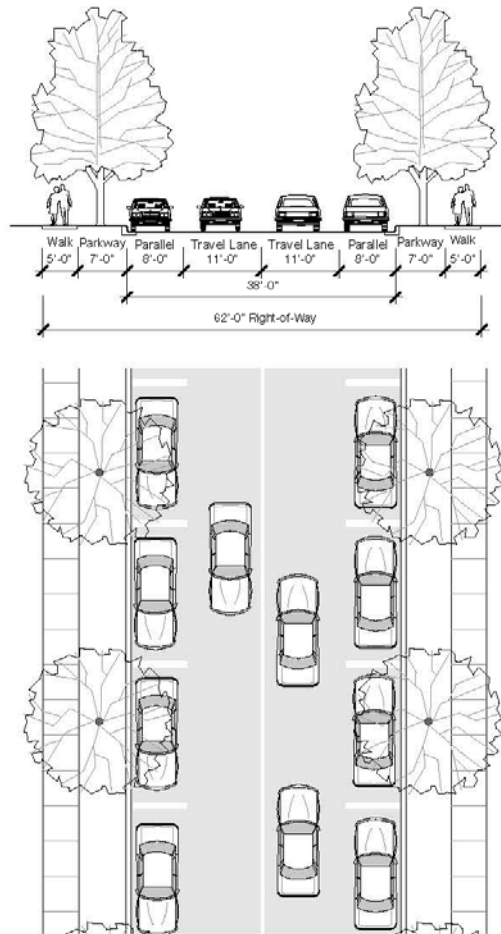
| Ardmore Avenue 97' ROW—Alternative 3 |                                                                                                                                         |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Location                             | North of Metra Tracks                                                                                                                   |
| Typical ROW Width                    | 97'                                                                                                                                     |
| <b>Vehicular Realm</b>               |                                                                                                                                         |
| Travel Lanes                         | 2 travel lanes                                                                                                                          |
| Lane Width                           | 12 feet                                                                                                                                 |
| Allowable Turn Lanes                 | Not applicable                                                                                                                          |
| Parking Lanes                        | Parallel required on both sides of street.                                                                                              |
| Pavement Width                       | 40 feet                                                                                                                                 |
| Bicycle Facilities                   | Not applicable                                                                                                                          |
| <b>Pedestrian Realm</b>              |                                                                                                                                         |
| Pedestrian Facilities                | Minimum 5-foot sidewalk both sides                                                                                                      |
| Street Buffer                        | Minimum 10 feet parkway or furnishings zone on west side of street Minimum 16' permeable pavers on parkway tree structural soil system. |

Figure 4-43. Ardmore Avenue 97' ROW - Alternative 3



| Ardmore Avenue 62' ROW—Alternative 1 |                                         |
|--------------------------------------|-----------------------------------------|
| Location                             | South of Metra Tracks                   |
| Typical ROW Width                    | 62'                                     |
| <b>Vehicular Realm</b>               |                                         |
| Travel Lanes                         | 2 travel lanes                          |
| Lane Width                           | 11 feet                                 |
| Allowable Turn Lanes                 | Not applicable                          |
| Parking Lanes                        | Parallel required both sides of street. |
| Pavement Width                       | 38 feet                                 |
| Bicycle Facilities                   | Not applicable                          |
| <b>Pedestrian Realm</b>              |                                         |
| Pedestrian Facilities                | Minimum 5-foot sidewalk both sides      |
| Street Buffer                        | Minimum 7-foot parkway both sides       |

Figure 4-44. Ardmore avenue 62' ROW - Alternative 1



| Ardmore Avenue 62' ROW - Alternative 2 |                                         |
|----------------------------------------|-----------------------------------------|
| Location                               | South of Metra Tracks                   |
| Typical ROW Width                      | 62'                                     |
| <b>Vehicular Realm</b>                 |                                         |
| Travel Lanes                           | 2 shared travel lanes                   |
| Lane Width                             | 14 feet                                 |
| Allowable Turn Lanes                   | Not applicable                          |
| Parking Lanes                          | Parallel required on one side of street |
| Pavement Width                         | 36 feet                                 |
| Bicycle Facilities                     | 1 shared lane in each direction         |
| <b>Pedestrian Realm</b>                |                                         |
| Pedestrian Facilities                  | Minimum 5-foot sidewalk both sides      |
| Street Buffer                          | Minimum 9-foot parkway both sides       |

**Figure 4-45. Ardmore avenue 62' ROW - Alternative 2**

