

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

July 14, 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 June 9 2022.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

Petition PZ-22-0011 / 224 W. Stone / VL Auto Body. Special Use for Vehicle Body and Paint Finishing Shop / Victor E. Rodriguez of Victor & Luis Auto Body d/b/a VL Auto Body, Inc. Applicant) on behalf of Fred Blumenhagen of FNJ Properties (Owner)

[PZ-22-0011 Staff Memo July 14 2022.pdf](#)
[EX 1 Letter to Director 224 W Stone.pdf](#)
[EX 2 Plat 224 Stone.pdf](#)
[EX 3 Spray Paint Booth Plan Submittal.pdf](#)

3.b

Petition PZ-22-0007 / 225 W. Stone / Let's Go Motors. Special Use for Vehicle Body and Paint Finishing Shop / Macario Ramos of Let's Go Motors d/b/a G's N

Z's Motors (Applicant) on behalf of Chicago Title 8002374750 (Owner)

[PZ-22-0007 Staff Memo July 14, 2022.pdf](#)

[Ex 1 Site Plan 225 W Stone.pdf](#)

[Ex 2 Interior 225 W Stone.pdf](#)

[Ex 3 Spray Paint Booth Plan Submittal.pdf](#)

3.c Petition PZ-22-0006 / Village Code Amendments to Zoning Ordinance (Appendix C)

[PZ 22-0006 Text Amendments July 14 2022.pdf](#)

[Att 1 Red Lined Scribner Errors ART 4.MX Districts.pdf](#)

[Att 2 Bldg Type Comparison.pdf](#)

[Att 3 Use Table SEC 6.1.3.pdf](#)

[Att 4 Accessory Uses and Structures SEC 6.10 .pdf](#)

[Att 5 Setbacks and Encroachments SEC 14.1.9.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: July 14, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Minutes

Agenda Section: Approval of Minutes

Subject:

Minutes

Suggested Action:

Attachments:

[Minutes June 9 2022.pdf](#)

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Villa Park Planning & Zoning Meeting
2022-06-09

1 CHAIRMAN JASON JARRETT: I call this
2 regular meeting of the Village of Villa Pa
3 Planning and Zoning Commission to order. Let's
4 start with roll call. Calvert? Hofstra?
5 Jackson?

6 KENNETH JACKSON: Here.

7 CHAIRMAN JASON JARRETT: Kase?

8 DON KASE: Here.

9 CHAIRMAN JASON JARRETT: Luedtke?

10 ERIC LUEDTKE: Here.

11 CHAIRMAN JASON JARRETT: Orłowski?

12 MICHAEL ORŁOWSKI: Here.

13 CHAIRMAN JASON JARRETT: Romano?

14 DOMINICK ROMANO: Here.

15 CHAIRMAN JASON JARRETT: Shlensky?

16 JUSTIN SHLENSKY: Here.

17 CHAIRMAN JASON JARRETT: I, too, am
18 present. With that, we have a quorum. Let's --
19 so approval of minutes. Are there any questions
20 or comments on the minutes from the meeting of
21 05/12/22?

22 All right. If there are no questions
23 or comments, I would entertain a motion to
24 approve the minutes of 05/12/22.

25 MICHAEL ORŁOWSKI: I'll make a motion

1 to approve minutes.

2 CHAIRMAN JASON JARRETT: We have a
3 motion from Chairman Orlowski. Is --
4 Commissioner Orlowski. Is there a second?

5 DOMINICK ROMANO: I'll second.

6 CHAIRMAN JASON JARRETT: Second from
7 Romano. All in favor?

8 IN UNISON: Aye.

9 CHAIRMAN JASON JARRETT: Any opposed?
10 All right. The minutes are approved. So, let --
11 first order of business here is that we don't
12 have a court reporter this evening. So, we're
13 going to need a motion to proceed without a court
14 reporter who will transcribe from the video. Do
15 we have a motion for that?

16 JUSTIN SHLENSKY: I'll make that
17 motion.

18 CHAIRMAN JASON JARRETT: We have a
19 motion from Shlensky?

20 MICHAEL ORLOWSKI: I'll second that.

21 CHAIRMAN JASON JARRETT: Seconded by
22 Orlowski. All in favor?

23 IN UNISON: Aye.

24 CHAIRMAN JASON JARRETT: Any opposed?
25 All right. So, we will proceed. In that regard,

1 I'll remind everybody that we are on video.
2 There will be a court reporter transcribing. So,
3 if you're going to be speaking you need to be at
4 a microphone when you do it. You need to speak
5 up. Speak clearly. No crosstalk.

6 Also along those lines, we have a big
7 house. I'm sure some of you have strong emotions
8 about this project one way or the other. I would
9 ask that you refrain from clapping, cheering,
10 booing, any of that. We're all here to respect
11 each other's opinions and move forward with this
12 -- with this application.

13 So, when we get to the public hearings
14 before us this evening, the way those will work
15 is we will start with staff input, then we'll
16 move to the presentation of the petitioner.
17 Following that, anyone who wishes to speak on a
18 particular application from the public will have
19 about three minutes to do so. We ask that you
20 come up to the dais, state your name and
21 preferably your address. You're not required to
22 give your address, but if you could, that would
23 be great.

24 There'll be a sign-in sheet up here as
25 well. All that will have to be given to the

1 court reporter to become part of the record, and
2 then you'll have three minutes or so to make your
3 case.

4 If you want to reiterate what someone
5 else said, if you have -- you don't necessarily
6 need to repeat every point that's been made here,
7 depending on how many people are wanting to talk,
8 we might be here all night, but it is okay to
9 come up and say, you know, I'm for this project.
10 I'm opposed this project. I support what so and
11 so before me said. That's very much appreciated
12 so that we know how you feel and how you're
13 thinking on the project. Okay?

14 After public participation -- actually,
15 let me clarify that. When you speak for the
16 public participation, direct your questions to
17 me. I'll make a list of questions that we will
18 address to the petitioners at that point when we
19 move to questions up here. So, dialogue should
20 be between me and yourself and I'll make sure
21 that those questions get addressed.

22 We will move to questions from the
23 commission and then we will allow the petitioner
24 a chance for closing comments, then we will
25 discuss up here and have a motion this evening as

1 is appropriate.

2 Anyone that's wishing to speak tonight
3 on any of these agenda items, I would ask that
4 you stand now, raise your right hand. Even if
5 you think you might, let's just get you sworn in
6 so we don't have to do it piecemeal.

7 Stand, raise your right hand, and I
8 will swear you in. Do you swear or affirm that
9 you'll tell the truth, the whole truth, and
10 nothing but the truth?

11 IN UNISON: Yes.

12 CHAIRMAN JASON JARRETT: All right.
13 Thank you. All right. So, we're going to move
14 the village code amendments following the other
15 two petitions. Do we have a motion to move
16 petition PZ-22-0006 to follow petition PZ-22-
17 0005?

18 MICHAEL ORLOWSKI: I'll make that
19 motion.

20 CHAIRMAN JASON JARRETT: We have a
21 motion from Orłowski. Is there a second?

22 ERIC LUEDTKE: Second.

23 CHAIRMAN JASON JARRETT: Second from
24 Luedtke. All in favor?

25 IN UNISON: Aye.

1 CHAIRMAN JASON JARRETT: All right.

2 So, the agenda is amended.

3 First item of business is petition PZ-
4 22-0007, 225 West Stone Avenue, Let's Go Motors.
5 It's a special use for a vehicle body and
6 painting shop. I understand that staff is
7 requesting a continuation of that?

8 WOMAN 1: Correct. I felt that the
9 application was incomplete. I have asked for a
10 full site plan. We've got a series of standards
11 that we'll use in considering the request for
12 paint booth. A paint booth is a special use
13 because it has the potential to create
14 externalities. There's paint, you need good
15 ventilation, and there's also externalities from
16 any automotive use when you've got a lot of cars
17 that may be sitting outside and waiting.

18 So, we're looking for a site plan which
19 will identify where on the parcel the cars will
20 be parked, and I'm actually going to be working
21 with the applicant tomorrow to help them with the
22 site plan. So, we should be ready by July, okay?

23 CHAIRMAN JASON JARRETT: Okay. So,
24 before we continue, is there anyone here that
25 wanted to speak on that or is there anyone

1 representing the applicant here this evening?

2 All right. So, I'd entertain a motion
3 to continue petition PZ-22-0007 to a date certain
4 of July 8, 2022.

5 MICHAEL ORLOWSKI: I'll make that
6 motion.

7 CHAIRMAN JASON JARRETT: Motion --

8 WOMAN 1: Isn't it July 14th? Did I
9 have that wrong?

10 CHAIRMAN JASON JARRETT: Yeah, I'm
11 sorry. I'm looking at Friday. To amend that
12 motion to July 14, 2022.

13 WOMAN 1: Thank you.

14 MICHAEL ORLOWSKI: I'll make that
15 motion.

16 CHAIRMAN JASON JARRETT: All right.
17 So, we have a motion from Commissioner Orłowski.
18 Is there a second?

19 ERIC LUEDTKE: Second.

20 CHAIRMAN JASON JARRETT: All right.
21 All in favor?

22 IN UNISON: Aye.

23 CHAIRMAN JASON JARRETT: Any opposed?

24 ALL RIGHT. That matter is continued.

25 The next item of business is petition

1 PZ-22-0005, 27 West Park, Ardmore Flats, a plat
2 of subdivision variances, Ross Builders,
3 Incorporated, petitioner on behalf of Apex
4 Ardmore, LLC, the owner.

5 WOMAN 1: Can I make sure, Craig, are
6 you here tonight? Oh, my gosh, thank you. So
7 many people. Okay, thanks. So I have your
8 PowerPoint loaded and I have just a brief one for
9 me.

10 CRAIG ROSS: Perfect.

11 WOMAN 1: Okay. Good evening,
12 everyone. As the chairman indicated, this is PZ-
13 22-005, and Craig Ross is with us tonight of Ross
14 Builders. The owner of the property is Apex
15 Ardmore, LLC, and the legal notice was published
16 for a plat of subdivision to consolidate the two
17 land parcels and then several variations, and I
18 can read them if you like. I think we pretty
19 much are familiar with them. Most people in the
20 room have come to speak with us.

21 There's a request for 32 parking spaces
22 rather than the 38, which would have equated to
23 one per bedroom. There's a garage entry on the
24 side yard off of Princeton. There's a request
25 for a reduction of the requirements for lot

1 coverage, the impervious surface, and then
2 there's a seven-foot streetscape in the front
3 because the property is unable to meet the 13-
4 foot streetscape. I'll get into that later.

5 There's a relief from the visibility
6 triangle and other -- it was published with other
7 such further relief and I have added one more and
8 it's foundation landscaping in the rear.

9 So, there's been several notices out
10 there and meetings that people have been able to
11 come and learn more about the project. He's been
12 at three separate traffic and safety commission
13 meetings. Thank you for attending those, Craig.

14 He did speak with this board on April
15 14th with a concept plan. There was a community
16 open house which the developer has hosted. The
17 legal notice was published, the letters were
18 mailed, and then any dates moving forward are
19 still to be determined.

20 This is what's on the property right
21 now. It's a relatively small building. It's a
22 17,000-square-foot lot so you can see it doesn't
23 cover much. It's generally totally impervious,
24 mostly paved, and what's proposed -- this is the
25 rendering of the landscaping.

1 Looking from the corner of Park and
2 Princeton, it would be an 11,239-square-foot, 24-
3 unit residential building, four stories with the
4 first floor being comprised of two units and 22
5 parking spaces, and in total the residential on
6 all floors is 10 one-bedrooms, 14 two, so there's
7 24 units with 38 bedrooms. And I'll let Mr. Ross
8 go into more detail in his presentation.

9 We have noted, this is something that
10 came up, Mr. Ross, just in staff dialogue this
11 week, the way you've drawn it, we had six new
12 parking spaces on Park Boulevard. We're going to
13 have to confirm on ADA, one of those may have to
14 become an ADA space, because you count the number
15 around the block without crossing a block, and
16 once you get over 26 on the block, you may need
17 another ADA. We're still looking at that.

18 And some of the details, Commissioners,
19 are still to be determined when we would move
20 into final engineering. So, it's not a fully --
21 not all details are fully known as it would
22 relate to engineering items. That's one of them.

23 Okay. So, I've referenced the
24 Princeton entrance, the 10 spaces in the rear.
25 One of the benefits we think is he's agreed to

1 put a new landscape island at Princeton and Park
2 and that's going to change the corner and the way
3 the building sets at the street. It will create
4 more protection for those folks parking on those
5 perpendicular lots.

6 In my memo, I referenced there might be
7 one new space on the street, and I was incorrect.
8 So, the street parking will remain the same.
9 Right now it's west side only on Princeton, so I
10 just want to make sure everyone sees that and is
11 confirmed with that.

12 In many elements, the project totally
13 meets the code. And remember, this is a combined
14 Plan Commission and Zoning Board of Appeals, and
15 so, a good part of the work of the commission is
16 confirming that the project meets the code. And
17 so, it meets the land use, residential is
18 permitted, it meets the height, they're actually
19 shorter than they could build. They have set
20 back the fourth floor. The facade materials in
21 the articulation in the building meet the design
22 guidelines in the code and it does meet the
23 standard for a traffic analysis, not a full-blown
24 traffic study.

25 And the conditions for landscaping,

1 just so people from the community, our residents,
2 are aware, in 2018 our new zoning code put in
3 zoning -- put in landscape requirements. They
4 did not exist before. So, we've put them into
5 the code as a way to start to green up the
6 community.

7 So, this is a request for variation.
8 It's a grant of relief from strict compliance to
9 alleviate a practical difficulty or a hardship
10 that would be caused by literal enforcement. And
11 therefore, I've worked with the applicant a lot
12 to try and minimize any request for variation.

13 It's intended to provide site-specific
14 relief when the requirements would render the
15 land difficult because of a unique or special
16 characteristic to the property itself. This
17 parcel is not a regular shape, it's irregular,
18 it's angular because of Park and that does create
19 some hardship for the design.

20 So, looking at the variances that were
21 requested, the visibility triangle, as we work
22 through this brand new zoning code, we are
23 finding there are some conflicts in it. The
24 visibility triangle is one. It requires 10 feet
25 from the corner along Park and Princeton to be a

1 visibility triangle, yet -- did my mic go out?
2 Can people hear me? Okay.

3 Yet the -- there it is. Yet the
4 building itself is to be set back five feet, and
5 I want to point out too this is a form-based
6 code. The code that we have right now is
7 blended. Originally, the -- traditionally the
8 village code has been a traditional Euclidean
9 zoning district that just looked at the uses, the
10 setbacks, the height, and it focused as much on
11 what was happening in the buildings as how they
12 were set on the lot.

13 We now have a blended form-based code
14 and traditional code. So, this is a form-based
15 code district with the MX and it focuses on the
16 bulk and mass of the building and where it sits
17 and more so on the building itself than on the
18 uses.

19 So, when you have this in the sections
20 of the code that are formed-based, there's a
21 variety of building types that could be put in
22 each district and a general building is proposed
23 for this project.

24 4.4.3, which is Article IV, the MX
25 districts in our zoning code, talks about the

1 general building and what's required there. So,
2 when I talk about doing the analysis, I've looked
3 at the building form itself or the general form,
4 I've looked at the landscaping, we've looked at
5 the parking, various sections of the zoning code.

6 But the visibility triangle, back to
7 that, there's a hardship in the code and the
8 commission at the last meeting actually talked
9 about modification to that, and we're going to
10 leave some of that to discretion to staff when
11 there's a conflict. We're going to try and get
12 it whenever we can, but in these form-based
13 codes, we will not be able to get a visibility
14 triangle. It's a -- it's a hardship that exists
15 based on the code.

16 The garage entrance is proposed on
17 Princeton. The code -- with these form-based
18 codes, those sections try and push all the auto
19 activity to the rear, and that's why the
20 preferred entrance to the garage is from the
21 alley, but at the same time we have to balance
22 the parking, and if that were to happen, quite a
23 few parking spaces would be lost. And so, the
24 request has been to enter from Princeton and
25 staff feels that the lot configuration, the

1 shallowness and what it does to the remainder of
2 this site, does create a hardship. So, we do
3 recommend the approval of that variance request.

4 The minimum 13-foot streetscape is also
5 something created this time by the village. If
6 you look at the island, the new peninsula out
7 there, the landscape island, and if you were to
8 draw a line straight -- parallel to the line,
9 that would normally be the curb. You'd have
10 street, you'd have grass, you'd have sidewalk,
11 you'd have building.

12 And the village has paved that parkway
13 area to create those perpendicular spaces that
14 exist on Park that are often used for the
15 festivals and the events and because we paved it,
16 the curb line has effectively moved the 18 feet
17 south closer to the building.

18 The code requires a 13-foot streetscape
19 area, and it's measured from the curb, but in
20 this instance, because we've moved that curb
21 south, we've created the hardship for him. He is
22 14 feet from the curb with the building with 7
23 feet of landscape in front of the building right
24 now, and we do believe that the fact that the
25 curb was moved creates a hardship and staff

1 recommends the variance for that.

2 The foundation landscaping we also
3 recommend. It's a shallow lot and it -- to
4 landscape the back would remove all parking or
5 start to remove it from the rear or impact it in
6 general. So, we recommend that variation as
7 well.

8 There's two other variations. One is
9 lot coverage and the other is parking spaces.
10 The table on the right comes from the site plan
11 and the -- as proposed, there -- it will be
12 greener than it is now. They're adding about 79
13 square feet was the calc in the last site plan
14 plus an additional almost 500 feet on the right-
15 of-way, so the site will become less impervious,
16 but the building itself is about 64 percent of
17 the lot coverage. And so, I've talked to Mr.
18 Ross.

19 That -- if the remainder of the lot was
20 in landscaping and a permeable material, it would
21 meet code and that variance would go away, so we
22 can support that. Parking spaces I think will be
23 the one item the commission's going to most have
24 to think about today on whether or not it
25 warrants the hardship, and I will note that staff

1 -- all the departments review these projects
2 together and police, fire, economic development,
3 community development, and engineering, we would
4 like to see perpendicular parking because one of
5 the big concerns we've heard from everybody is
6 the alley and some people want it to go eastbound
7 and some people want it to go westbound. Some
8 people, you know, have other thoughts altogether.

9 But perpendicular parking will allow
10 more flexible movement. It will aid in the snow
11 plowing and he'll gain one space doing it that
12 way, plus there'd be room for additional
13 landscaping on Princeton. It disperses all of
14 the trips in multiple directions so that they're
15 not all forced out one way or the other.

16 So, I've referenced engineering and
17 some items are going to be completed prior to a
18 building permit, the signage and striping, the
19 traffic study we're still looking for a little
20 more information, the platted subdivision and
21 then actual design of that landscape island still
22 needs to be confirmed. For example, there's a
23 storm water inlet we may move and then we need to
24 make sure that the stop bar is far enough away
25 from the sidewalk to meet ADA, little items like

1 that.

2 This is the zoning that exists. You
3 can see it's MX-2 -- MX-T, excuse me. It's MX-T,
4 and to the south is MX-R2, which is residential.
5 All of the yellow is RS75 which is single family
6 residential, but this is what's considered to be
7 the Ardmore Business District.

8 And I had done some calculations on
9 moving the building and working to create the
10 perpendicular parking, and I was just doing a
11 rough sketch here basically. I think the
12 commission will -- we can come back to this when
13 you guys talk.

14 The findings of fact in the memo that
15 everyone's read from online were submitted by Mr.
16 Ross, by the petitioner, and I would like this
17 evening for the commission to decide if you
18 support the request as submitted or if you want
19 to see any changes and then determine which way
20 you go. If you can vote tonight and make your
21 recommendation to the village board or if you
22 feel strongly enough that you want to see designs
23 come back to you, and I'll leave that to the
24 commission's deliberation.

25 CHAIRMAN JASON JARRETT: Okay, thank

1 you.

2 WOMAN 1: You ready for Craig?

3 CHAIRMAN JASON JARRETT: Yeah.

4 WOMAN 1: Mr. Ross? Okay.

5 CHAIRMAN JASON JARRETT: So, whoever is
6 going to speak, as you come up, you know, state
7 your name and address for the record and if
8 you're representing a company then state that as
9 well, and if you have a hard to spell last name,
10 spell that and save the poor court reporter
11 transcribing trying to have to look you up.

12 CRAIG ROSS: I've got an easy one for
13 you, Craig Ross, R-O-S-S, Ross Builders, 23 North
14 Lincoln Street, Hinsdale, Illinois 60521.

15 Well, thanks for having us,
16 Commissioners. Thanks, Ellen, for that
17 presentation, that was great. Thanks to the
18 community for coming out. I've met a bunch of
19 you already, and you know, look forward to
20 presenting this to you again.

21 We've made some changes since the last
22 time we've been here, so we certainly want to
23 highlight those. I've got a lot here, so I'm
24 going to run through it kind of fast. If there's
25 something that you've got a quick question on or

1 that isn't clear, certainly stop me if you want.

2 CHAIRMAN JASON JARRETT: Yeah, and one

3 --

4 CRAIG ROSS: I don't want to take too
5 much time on --

6 CHAIRMAN JASON JARRETT: One point that
7 I would make is this is the first public hearing.

8 CRAIG ROSS: Right.

9 CHAIRMAN JASON JARRETT: So, the things
10 that you presented before in other settings are
11 not part of that hearing. So --

12 CRIAG ROSS: Okay.

13 CHAIRMAN JASON JARRETT: Make sure you
14 get everything on the record that you want on the
15 record related the project. Thank you.

16 CRAIG ROSS: Definitely. So, the
17 project is 27 West Park Boulevard. It's the
18 southeast corner of the intersection of Park
19 Boulevard and Princeton Avenue.

20 As Ellen said, it's in the MX-T
21 district, which is mixed transitional. The
22 proposed development is multi-family building and
23 it would fall under the general building
24 requirements.

25 This is the existing conditions.

1 Again, Ellen had showed this. It's an office
2 building. I think it used to be a bank. I think
3 used to be a gas station before that. The tanks
4 have been removed. We have a letter in that
5 regard. People had asked about that in the past.
6 As Ellen had also said, it's almost 100 percent
7 filled with pavement and/or the building itself.

8 This is a rendering, obviously a 2-D
9 rendering, of the north elevation. We are --
10 where you see the black, that's going to be
11 brick. Where you see the other tones of gray,
12 those would be different mixes of siding, and
13 then the brown would also be a siding.

14 We're actually trying to work off of
15 the Standard Meadery which is, you know, two
16 doors down. Very similar materials they have
17 there where they have a black brick and they have
18 this similar brown siding, but it's also
19 materials that you would normally see on a house
20 so that it blends with the residential areas
21 also.

22 This is the west elevation. This is
23 the entrance off of Princeton. You can see the
24 garage door. Let me just go back to the front.
25 So the -- when we were here last time, we had an

1 entrance on Princeton. We have -- we have moved
2 that to the front of the building so that's on
3 that right side.

4 So, there's the Princeton entrance or
5 where you can see where the garage is. There's a
6 man door there also to be able to enter the
7 building.

8 This is the east elevation, and this is
9 the south or the rear alley elevation. We had a
10 3-D rendering done just to kind of give you a
11 better perspective, because again it's -- on the
12 2-D it looks very flat but in actuality there's a
13 lot of depth changes, a lot of different material
14 changes to break up what we have going on there.
15 This also helps you see how that fourth floor is
16 set back considerably also. You can see it, you
17 know, up top in the lightest gray color. Again,
18 something that just gives a lot of different
19 depth than just having a straight up and down
20 building.

21 This is the side from Princeton or the
22 corner at least to give you a view of that side.
23 As I wanted to mention, there would be
24 landscaping on both those sides that you just saw
25 and what we tried to here -- do here with this is

1 to approximate the landscaping on what it would
2 look like.

3 This will also show the -- on the left
4 side there, you'll see where the light pole and
5 fire hydrant are. To the left of that is that
6 extension of the curb, and we'll get into that
7 more.

8 This is the ground floor. We have made
9 this about a foot and a half less deep since the
10 last time we were here. Second and third floor
11 plans, again, just showing that, you know, the
12 units that are in there.

13 So, here's the site plan. I'll run
14 through -- again, some of these are changes but
15 these are also just important things to
16 highlight. Staff had a great recommendation to
17 create a bigger walkway in the back. I think
18 public works or engineering, they wanted a three-
19 foot walkway at the rear parking area. So, you
20 can see in the yellow we actually created a four-
21 foot walkway. This will do a couple of things.
22 It'll allow tenants to walk from their cars to
23 the entrance of the building, you know, have a
24 nice safe walkway to do that in, number one, and
25 then number two allows public works access a lot

1 easier now that the parking is pushed back or
2 pushed more towards the building.

3 One thing of note is that the -- there
4 are two utility poles that back up to our
5 property. They're actually another one to two
6 feet into the alley. So, keep that in mind. Any
7 public works, any car that's driving by, can't
8 even get close to that four-foot area. They're
9 going to be another foot or two or even three
10 because obviously they're not going to be rubbing
11 up against these poles away from that four-foot
12 walk area because of the two utility poles that
13 are there now.

14 We have 10 outdoor parking spots.
15 That's in the blue there. Tenant traffic would
16 enter from Princeton and leave from Ardmore since
17 we have them on an angle. We just want to be
18 clear, we're not proposing a one-way alley. You
19 know, we -- the alley is two ways right now.
20 We're fine with keeping it two ways. We just
21 think it's in the best interest to keep our
22 traffic that we're going to be adding to the site
23 going in one direction. We got a lot of feedback
24 from neighbors on that who live on Princeton who
25 prefer that. They want it -- traffic to go away

1 from Princeton also. They didn't want to create
2 more traffic going towards Princeton than it
3 needed to be.

4 So this way, when cars are coming,
5 obviously they would come from Ardmore, they'd
6 only be on Princeton for 100, 150 feet, whatever
7 that is. They can't come from, you know, a
8 different direction to be able to do that.

9 We also improved the ADA parking space.
10 We made a better walkway. You can see that there
11 in brown. We've added -- so in the red at the
12 driveway access to the garage, we added a no left
13 turn sign. Again, this was based on
14 recommendations from the community and from
15 staff. So, cars exiting would have to go right,
16 again away from the residential south end of
17 Princeton and towards Park and probably
18 eventually towards Ardmore.

19 We also met with Traffic and Safety
20 Commission and I think also some of the village
21 staff had recommended that maybe we even get rid
22 of the flare that goes towards the south. So,
23 that would also force traffic that wanted to turn
24 into the building to have to come from the north
25 and not the south, and we're open to that. I

1 mean, if people think that's a great idea, we can
2 do that too. Again, we're all about keeping the
3 traffic on Park which is already, you know, a
4 busier street than Princeton, isn't as much
5 residential because that's obviously where the
6 business district is. So, we're open to
7 certainly doing that kind of like a -- we're
8 calling it a half pork chop, let's call it.

9 As I mentioned, we moved the tenant
10 entrance to -- and the main lobby entrance to the
11 Park Boulevard side, so we're no longer on the
12 Princeton side. Another important thing in the
13 green, in that upper left-hand corner, Ellen had
14 mentioned how we extended that curve and I'll
15 talk more about that but that helps with a lot of
16 different things, creates more green space and
17 certainly makes things a lot more safe, creates
18 another parking space, which leads to the last
19 item.

20 With the curb cut eliminated because
21 there is a curb cut leading to this property
22 right now on Park, we're always creating five new
23 parking spaces for the public. Well, with adding
24 this island, we can now create a sixth parking
25 space that may become an ADA space as Ellen had

1 mentioned, but it's still -- it's still a sixth
2 parking space that we'd be adding for the public
3 use. This is not for tenants. It's -- you know,
4 it could be used by tenants, but it's for public
5 use.

6 I know you mentioned I should start
7 from scratch, but I wanted to kind of highlight
8 some of the revisions we've made since we did
9 last meet.

10 CHAIRMAN JASON JARRETT: Yeah.

11 CRAIG ROSS: So, we increased that
12 space between the alley and the parking spaces to
13 four feet. When we were here last time it was
14 only about one-and-a-half. This is going to
15 allow for that safer walkway for tenants. It
16 also allows for a 19-foot turning radius into the
17 parking spaces where a 15-foot space or radius I
18 should say is usually required, and it allows for
19 more space for public works access to get
20 through. And as I said, it's even -- five or six
21 feet because of those utility poles is going to
22 be the buffer area.

23 We moved that pedestrian entrance from
24 Princeton Avenue to Park. This keeps more foot
25 traffic -- more foot traffic on Park Boulevard

1 which is in line with the planning and zoning's
2 vision of a pedestrian friendly Park Boulevard.
3 We revised the lighting plan so that we can meet
4 the code. We eliminated one parking space in the
5 alley so that we could move the east parking
6 space one foot further from the utility pole. It
7 also created a more friendly or user-friendly ADA
8 parking space and it also allowed for more
9 landscape screening on the west side of the
10 parking spaces.

11 We added some pavers to the walkways
12 before it was all concrete at the walkways. The
13 papers are located at the building walkways.
14 It'll help increase the semi-pervious areas and
15 it will also create a softer hardscape aesthetic.

16 We narrowed the driveway. We were at
17 25, but because of the angle of the property, the
18 code measures the width of the driveway at the
19 property line, we were actually at 25 at the
20 property line. So we narrowed it down to get it
21 down to 24 to make sure we meet the code.

22 And then, as I mentioned a couple of
23 times, we extended that curve on the east side of
24 Princeton, so right now they don't align with
25 each other and it's a -- it's a little odd the

1 way it is. So, now that we've aligned with the
2 east, it's going to allow for a safer pedestrian
3 walkway. We can now move that stop sign farther
4 north and the stop bar farther north. It makes
5 it safer for cars to stop, because I would think
6 with cars parking in those stalls, if a car were
7 to park there and you were pulling up there,
8 you're going to either blow the stop sign to get
9 far enough to see past the cars or you're going
10 to have to make two, three stops to kind of creep
11 out. So, we think this would be a lot safer.
12 And as I mentioned, it's going to add an
13 additional street parking stall.

14 So, the variances, the first one was
15 the parking ratio. The building has 10 one-
16 bedroom units and 14 two-bedroom units, and we
17 would be supplying 32 parking spaces. That's a
18 ratio of 1.33 ratio of parking spaces to units.

19 The code goes by bedrooms. It's a
20 little out of the ordinary. It's a little bit
21 different than most codes that we've seen, but it
22 does go by bedrooms, and so we are required to
23 have 38 parking spaces. We have 22 in the
24 interior, we have 10 on the exterior, which means
25 we would be seeking a variance for six parking

1 spaces.

2 We feel the area's very walkable, very
3 bike friendly location. There's the library, the
4 restaurants and bars, stores all within walking
5 distance. There are bus routes that are also
6 nearby. So, we think that shouldn't be an issue
7 at all for our tenants.

8 The intention of the site layout is to
9 create as much parking as possible on the site,
10 both within the building and outside the building
11 while maintaining usable space on the ground
12 floor, on Park Boulevard side, to maintain the
13 active streetscape the village desires.

14 With the dimensions of the site, both
15 width and depth, and the dimensions of required
16 parking spaces and drive aisles, we think this
17 layout maximizes the number of parking spaces.

18 We had a traffic assessment performed
19 by KLOA. They're a third-party company that
20 analyzes traffic and parking and they estimated
21 that the parking demand for the proposed building
22 would be between 25 and 32 units. Again, we're
23 at 32 units. We're at the upper end of their
24 recommendation.

25 And also as I mentioned, it's not --

1 it's now common for municipalities and developers
2 to supply one parking space per dwelling unit.
3 According to Yardi Matrix, which is a well-known
4 national commercial real estate research firm,
5 the national average for newly built apartment
6 buildings in 2016 for the ratio between parking
7 spaces and dwelling units was 1.27 for mid-rise
8 buildings and less than 1.00 for the Chicago
9 metropolitan area.

10 The -- and then, you know, in regards
11 to the parking, keep in mind we are adding six,
12 you know, street parking stalls on Park
13 Boulevard. Potential tenants -- and I just want
14 to kind of explain because people had mentioned,
15 well, jeez, you know, so many people might have
16 two, three, four cars, whatever the case may be,
17 that isn't our demographic. Potential tenants
18 with three cars wouldn't rent from us.
19 Obviously, we don't have the spaces for them and
20 tenants with two cars wouldn't rent from us if we
21 didn't have two spaces available at the time.

22 So, therefore the number of tenants'
23 cars regulate themselves. That's what we have
24 found in the past. If we don't have the parking
25 spaces available, the tenant isn't going to rent

1 from us. Obviously, that's one -- a question
2 that anyone would ask, you know, how many
3 bedrooms, how many baths. They want to see the
4 unit. What are the amenities and how many
5 parking spaces do I get? If they have two cars,
6 they obviously need two parking spaces. If we
7 don't have two at the time because they're
8 assigned, all the parking would be assigned, then
9 obviously we lose that renter. We wouldn't get
10 that renter. But we feel that isn't -- you know,
11 our demographic that we would be getting, we will
12 be at that, you know, somewhere around that one-
13 and-a-third ratio because we do get a lot of
14 empty nesters. We are in a -- in a walk to and
15 bike to type of location.

16 We get a lot of young professionals.
17 We get people who work from home. So we don't
18 see the high demand for cars like people think
19 there is in this type of demographic. We're not
20 getting the two or three-child family with the
21 two or three cars. That's just not who's living
22 here.

23 And just no one wants to, you know, the
24 appropriate more -- amount of parking spaces more
25 than us. We do not have a viable project if we

1 don't have enough parking. As I said, based on
2 our research and experience, this proposal allows
3 for enough parking.

4 This is just -- this was an article in
5 the National Apartment Association and some of
6 the data that I had referenced. This was
7 actually a chart in there. This article was
8 published March 18, 2021, again showing that in a
9 mid-rise building -- and the trend is going down.
10 This data is from 2016. The trend has actually
11 been going down. We don't obviously have data --
12 they do this every 10 years. We don't have data
13 from the last six years, but it's probably even
14 lower now, but 1.27 is what -- the ratio you
15 normally see, and again we are above that.

16 And then when you look at Chicago,
17 because of course different areas have different
18 types of parking and car needs, when you look at
19 the Chicago metro area, and the Chicago metro
20 area isn't just Chicago, Chicago Metro area
21 obviously includes the suburbs and even some
22 rural areas, their -- the ratios are actually
23 well below one.

24 The garage entrance on Princeton, you
25 know, per the staff recommendation like I said,

1 we added that no left turn sign as cars exit the
2 garage and go onto Princeton Avenue. That will
3 force them to go north. We had further
4 discussions with the Traffic and Safety
5 Commission and they suggested making that ingress
6 and egress from the garage only from and toward
7 the north, as I had mentioned maybe doing that
8 half pork chop. And again, we're open to that.
9 This isn't reflected on that current site plan
10 because this is something new but it's certainly
11 something we can do.

12 If the garage entrance were to be on
13 the rear of the building as Ellen had mentioned,
14 we actually think we'd lose about seven parking
15 spaces because we also would lose some interior
16 to the building too to try to make that work and
17 -- and again, it just seems like the alley
18 traffic isn't what people want. They'd rather
19 the traffic not be in the alley, and the village
20 staff does support this request.

21 The visibility triangle, again, Ellen
22 touched on this, and maybe if I show you this, it
23 will give some of the people in the audience a
24 better idea of what that is. So if you look at -
25 - the building's obviously in gold and you'll see

1 a blue shaded area in the upper left-hand corner.

2 That is the visibility triangle, and
3 number one, as Ellen had mentioned, it
4 contradicts the intent of the MX district, which
5 is to put buildings up close on the curb. In
6 fact, you know, there are some areas where they
7 would be -- there would be zero setback, you
8 know, they'd basically be up on the property line
9 and so this obviously contradicts that, but more
10 importantly, you can see, especially with the
11 adding extension of the curb, you can see the car
12 in let's call it pinkish-red, where that car
13 would be in relation to our building. It's well
14 ahead of our building.

15 And as I mentioned, even still with the
16 moving of the stop sign and the stop bar and the
17 walkway, if there's cars parked there, they still
18 may need to even creep even farther to go ahead
19 and see what's going on on Princeton, but again,
20 our building would be the least of their concern
21 because they're way past that.

22 The other thing we have going on is we
23 have that non-right angle at which Park
24 intersects and the wide parkway on Princeton.
25 This helps maintain the car's view of the

1 sidewalk and oncoming pedestrians anyway. The
2 view of the traffic on Park will not be affected
3 by the building placement as I showed you. And
4 as Ellen had mentioned, the village staff and I
5 think the Planning and Zoning Commission is
6 currently in discussions about doing a text
7 amendment and may even choose to eliminate this
8 requirement for the MX-owned properties. So,
9 again, the village staff does support this
10 request.

11 So, the variation request for the
12 impervious coverage, so the kite -- so, the site
13 as it stands is almost 90 percent impervious. As
14 I showed you and Ellen had showed you, it's a
15 small building and then almost all paved. The
16 proposed development would actually be a little
17 bit less than that, plus we would, as I
18 mentioned, be adding some pavers so about another
19 2-and-a-half percent of semi-pervious coverage.

20 The building itself accounts for about
21 65 percent of the impervious. So, keep in mind
22 that the building itself would be tied to the
23 storm system. So, storm water falling on the
24 roof on that 65 percent instead of now where it
25 just goes onto the asphalt and then runs

1 whichever way it runs onto other properties,
2 depending on which way the topography is, instead
3 of it doing that 65 percent of that is now going
4 to be going directly to the storm water system.
5 So this would be a great improvement from what is
6 there currently.

7 Ellen had mentioned, you know, we might
8 be open to adding some semi-permeable pavers in
9 some other areas to help increase these numbers.
10 And let's see what else, the minimum streetscape
11 required.

12 So this one -- again, as Ellen kind of
13 mentioned, this one's a little confusing and a
14 little conflicting too at the same time.
15 Obviously whenever they write these codes, they
16 can't envision every single lot and every single
17 situation. We have that unique situation here
18 where the parkway has been kind of eaten away at
19 some point to create those parking spaces. So,
20 it makes it kind of an odd situation where it
21 would push our building farther back and not in
22 line with the rest of the buildings that are
23 currently, you know, just one door down.

24 The Standard Meadery I think is
25 directly on the property line and certainly any

1 future development would require to be zero -- I
2 think zero to five from that setback, so they all
3 would be for -- much farther forward than us if
4 we had to abide by this.

5 So, again, it's a unique parcel because
6 of that. The site plan as we have designed it
7 provides seven feet of landscaping in the front
8 yard, so we still do have plenty of landscape in
9 the front there. The Standard Meadery building,
10 as I mentioned, to me it looks like it has a zero
11 setback right now and any new development that
12 would happen there or anywhere east of us would
13 also be much farther up close because they're MX-
14 2, and the MX-2 would require any new
15 developments to have a 0 to 5-foot built to zone.

16 The intent of this new MX zoning
17 district is to create a pedestrian friendly
18 streetscape with the buildings close to the
19 street. So again, forcing us to go back and push
20 us back farther wouldn't be the intent of the
21 code.

22 And as -- the one thing I'll bring up,
23 and Ellen threw that up there really quickly,
24 that drawing, and we can always go back to it,
25 the diagram on that Page 16 doesn't take into

1 account the three main walls or the thicknesses
2 of the walls.

3 So, you have to -- I think she said we
4 just needed to make the building five feet
5 smaller. We -- I think the number is actually
6 eight feet because you have to take wall
7 thicknesses into consideration. We've got, you
8 know, obviously two thick exterior walls and then
9 we have a thick demising wall between the parking
10 lot and the two units in the front.

11 Nonetheless, the village staff does
12 support this request. The preliminary --
13 perimeter landscaping variance, I put a question
14 mark next to it because we just found out about
15 this recently, so we weren't too sure about it.

16 We were under the impression that the
17 foundation landscaping was not required at the
18 rear of the building because the code stated that
19 it isn't required where there's no public access.
20 We also think we've noticed other projects,
21 projects that aren't in the MX-1, 2, or 3,
22 because those are the only three that are exempt
23 from this, did not have five feet of foundation
24 landscaping on all sides.

25 If you were to interpret it the way

1 Ellen is interpreting it, basically every
2 building that's not an MX-1, 2, or 3 has to have
3 five feet of landscaping around the whole
4 perimeter of it, and this is -- this is
5 residential, this is commercial, this is
6 everything. And it seems like -- at least we did
7 some digging around -- we didn't see that. But
8 nonetheless, Ellen did say that the village staff
9 supports this request just based on the -- on the
10 uniqueness of the -- of the lot.

11 I was going to go over some of, you
12 know, some of the hot topics, let's say.
13 Certainly the alley parking is one of them. We
14 met with the Traffic and Safety Commission on
15 February 1st and that commission did support our
16 proposal at that time. We met with them again
17 just a couple of days ago. They didn't make a
18 decision either way. They wanted some more
19 information, but they definitely did support it
20 on February 1st. There were some people
21 mentioning that, you know, that that language
22 wasn't correct, but it's definitely in the
23 minutes and it definitely says that.

24 There are only 10 stalls in the alley.
25 So keep in mind, you know, this site has 32

1 parking spaces, but only 10 of them are in the
2 alley. Obviously the 22 spaces that are interior
3 to the building, those people would not be using
4 the alley. There'd be no reason for them to.
5 So, we're only adding 10 spaces, or cars if you
6 will, to the alley. Those 10 spaces would be
7 assigned to tenants. So, this isn't guest
8 parking. This isn't random parking. Each spot
9 would be assigned. Each person would know what
10 their -- what their space is.

11 And so basically, you know, we feel we
12 have a right to use the access of the alley. We
13 are a property owner on the alley. We're just
14 looking for our fair use of the alley. We don't
15 think 10 spaces is an excessive use of the alley.
16 And I tried to do a little bit of analysis using
17 the KLOA just to kind of make some examples here.
18 So, if we rent all 10 stalls, which isn't even a
19 guarantee we would rent all 10, they don't always
20 rent out, the KLOA analysis, they did a study on
21 the amount of traffic trips and -- for the whole
22 site as a whole, and about -- less than a third
23 of those spaces are in the alley. So, and they
24 mentioned this in their narrative. So you can
25 take their numbers and you can divide them by

1 three to give you an idea of the amount of
2 vehicle trips that would be occurring in the
3 alley. They have on the low side three in the
4 morning peak weekday traffic and to the high side
5 10. Obviously if there's 10 cars that would be
6 the high side, and that's for the morning peak
7 day. Four to 10 for the evening weekday peak
8 hours.

9 Now, which -- you know, keep in mind,
10 and this is important to understand, with the
11 angled parking, what we're doing is cars that
12 leave the site have to go east on Ardmore. So
13 number one, that helps keep traffic away from
14 Princeton, and that also means they only traverse
15 the alley that one time because when they come
16 back later in the day, let's say, you know, they
17 went to work, they drove their car, they left
18 through Ardmore, when they come back later in the
19 day, they obviously have to come in from the
20 Princeton side and they're only in the alley the
21 width of our building, you know, wherever -- to
22 wherever their spot is. They could be the first
23 spot. They could be the last spot. So
24 technically they're only making one full trip
25 through that alley every day.

1 If the parking spaces are
2 perpendicular, they'd have the option to go
3 either way and be creating more traffic going in
4 either direction. They could be creating more
5 trips or we feel more distance spent in the
6 alley. And again, more importantly, going
7 towards Princeton where it seems, again, the
8 community feedback that we got they did not want.
9 So again, that's why I mentioned here that the
10 neighbors prefer the angled parking over the
11 perpendicular because it forces traffic away from
12 Princeton Avenue.

13 But again, I want to be clear, we're
14 not proposing to make an alley a one-way as
15 mentioned in the staff memo. That is not what
16 we're looking to do. We -- you know, you can
17 keep it a two-way. KLOA said you could keep it a
18 two-way. They had mentioned -- you know, I had
19 asked them to comment on the one-way because that
20 was something I think the commission had wanted
21 them to add or somebody from village staff wanted
22 them to add, and they said, you know, keep it a
23 two-way and build the building, have it rented
24 out, and if there's a problem or thinks -- you
25 know, someone thinks it should go one way, well,

1 then you make it one-way, but don't create --
2 make it a two-way right out of the gate. Keep it
3 the way it is. They don't -- you know, and as I
4 talked to them personally, he said I don't see
5 why it would ever have to be.

6 It's obviously an alley. You're
7 driving a lot slower. It doesn't have a lot of
8 traffic. They just didn't really think it needed
9 to go to a two-way, but -- or I'm sorry, to a
10 one-way, but they said if, you know, someone
11 really wanted to do that, that he would recommend
12 that they wait and do studies and see if there's
13 any issues with keeping it a two-way.

14 Community members, some of the feedback
15 we got at the meet and greet where community
16 members had mentioned that the liquor delivery
17 truck occasionally blocks the alley on the east
18 end at the liquor store. They also mentioned
19 that cars cut through the funeral home's parking
20 lots that are on the north and south end of the
21 alley. And you know, again, both of these are
22 illegal activities, and you know, whether we do
23 our project or not, they should be addressed. I
24 mean, someone shouldn't be blocking the alley.
25 That's illegal. The liquor store has plenty of

1 parking in the front. They even have parking on
2 the side where that truck could actually sit, but
3 they shouldn't prohibit the legal uses of the
4 alley by us or anyone for that matter.

5 Another hot topic that was brought up
6 was the height. Five stories are allowed in an
7 MX-T district. So, when we first looked at this,
8 we explored five stories. We actually designed
9 out something where we could do five stories and
10 32 one-bedroom units with the parking garage
11 occupying the whole ground floor.

12 We can make this design work with
13 little to no variance request, but we thought
14 four stories and less units with two-bedrooms
15 units mixed in would be better for the area.
16 Again, we feel the ratio of parking -- which is
17 why we, you know, we don't like -- we don't agree
18 with the way the code has the ratio from parking
19 to bedrooms because here's a great example. You
20 could have 32 one-bedrooms and we could meet --
21 you know, we could meet the code with parking
22 with 32 parking spots but we don't think that's
23 right. We -- that wouldn't be right. I don't
24 think it's viable, which is why, again, we went
25 down to four stories and did a two and one-

1 bedroom mix and therefore I think the parking
2 isn't going to be as -- a big deal with that.

3 Again, you know, four-story building
4 isn't unheard of. You know, somebody mentioned a
5 four-story building on a Prairie Path is unheard
6 of, but you know, the Ovaltine building is much
7 closer to the Prairie Path and they're four
8 stories. The Union is close to the Prairie Path.
9 That's going to be six stories. Garden station's
10 obviously not close to the Prairie Path, but
11 that's going to be seven stories. So, you know,
12 taller buildings, density is certainly the trend
13 and certainly what I think the code is looking
14 for. And then the MX-2 district which is
15 directly east of us allows for four-story
16 buildings. So we would be coinciding with them.

17 Believe it or not, we did get a lot of
18 positive community feedback. Obviously we held
19 that community outreach on Thursday and we got
20 many positive comments and support from people.
21 There were the concerns about the height, as I
22 mentioned. Some people didn't like the modern
23 aesthetic and of course the traffic and parking
24 were topics that were brought up.

25 But again, most preferred the angle

1 parking to direct the traffic away from
2 Princeton. Most preferred resident -- most, if
3 not all, except maybe one person preferred
4 residential on the first floor over commercial
5 due to less traffic and parking needs that a
6 commercial would have. And actually, at that
7 community outreach -- I'm not on Facebook, but
8 someone had mentioned to me, someone who was in
9 support of the project, said hey, you know, go on
10 Facebook and check out what's happening in Villa
11 Park and I went on there just to kind of find
12 some of the positive feedbacks. I'll take your
13 time here to read them a little bit because I
14 think they're important.

15 "Thank you. Renders look nice.
16 Parking seems to be addressed well, especially
17 with some garage parking." Greg M.

18 "There are plenty of four-story
19 buildings along the Prairie Path. Ovaltine, in
20 Lombard, Elmhurst, et cetera, et cetera." Jeff
21 G.

22 "Exactly. I would rather see a new
23 three/four-story building in the vacant lot than
24 a rundown building that looks like an eye sore."
25 Carrie C.

1 "This is positive." Mary L.

2 "There's a housing shortage and less
3 homes available than there has been for a while."
4 Jason R.

5 "If this goes through, it will replace
6 the corner lot with the sad and empty building.
7 That sounds like a plus to me." Monica R.

8 "That's the former Villa Park Savings
9 and Trust Bank building. I believe it's been a
10 lawyer's office. D45 has already handled more
11 students than an apartment building would bring.
12 Business guys are smart. If the commercial
13 potential is there then they'd already be all
14 over this property. Developers are smart too
15 whether the neighborhood agrees with their vision
16 or not. There's no shortage of empty commercial
17 and retail spaces now." Ralph G.

18 "Sounds like a good plan." David M.

19 "Places for people to live is greater
20 than eyesores." Nicholas G.

21 "I think a four-story building there is
22 fine. There's plenty of green space and a pretty
23 wide road between it and the path. Density is
24 good for business, therefore good for revenue,
25 therefore good for the budget. I would like to

1 see larger mixed-use space. Since the
2 walking/biking path is so close and amenities
3 like the train station, library, and groceries
4 are bikeable, bussable distances, we'd only need
5 small changes to our infrastructure to mitigate
6 any traffic issues." Marianne G.

7 "I see no problems. Village could use
8 more development and tax money." Lehman D.

9 "Hopefully it's only the beginning. VP
10 could use a lot more development." Lalo L.

11 "The whole area needs a major facelift.
12 With all the foot traffic the area sees, the look
13 is a little poor, outdated, and not all uniform."
14 Matt D.

15 Just some quick miscellaneous things,
16 again, things that were brought up either by
17 staff or by commissions or by the community
18 members, is the need for affordable housing.
19 Ardmore flats should cost significantly less in
20 rent per square foot than in Union and Garden
21 Station. You know, we had a lot of people bring
22 up, jeez, we don't want another high-end,
23 expensive apartment building that I can't rent
24 from. This isn't going to be that. This doesn't
25 -- and again, we mentioned that before when I was

1 here. This doesn't have all the amenities that
2 those more expensive apartment buildings have.
3 Obviously we don't have the room for those, but
4 that's kind of been our niche where we don't
5 offer those amenities, people who don't need the
6 gym, the pool, and all those things that -- to
7 pay for in the rent that they don't use. So
8 these should be significantly less expensive than
9 new projects going up.

10 There's currently a housing shortage,
11 especially in the suburbs, which is why housing
12 costs are rising and this will add to the
13 inventory and obviously help that out. As I
14 mentioned, we typically get local empty nesters,
15 we get young professionals from the city. They
16 typically do not have school-aged children and
17 are looking for less expensive options.
18 Apartments like ours are typically more
19 affordable than homes and condominiums.

20 It was also brought up a little bit
21 about, you know, apartments versus condos. These
22 are condo quality. They're high-level finishes,
23 they have in-unit washers and dryers, there are
24 dedicated furnace and air conditioners, utilities
25 are separately metered, so your gas, your

1 electric, and your water and internet, cable is
2 all separately metered. The rental units are
3 currently in more demand than owned condominiums.
4 That's why we're doing apartments. That's why
5 the Union's apartments. That's why Garden
6 Station's apartments. That's why there's -- you
7 see apartment buildings going up right now and
8 not condominium buildings.

9 This building could be converted to
10 condos at a later date though. Like I said, it's
11 going to be condo quality and it is going to be
12 set up where everything is separate where it can
13 be.

14 You know, there are times, you know,
15 back in the -- I think it was the '80s and '90s,
16 they were converting apartment buildings to
17 condos. Well, what are they doing now? They're
18 converting condos into apartment buildings.

19 We go through these cycles. This is
20 what happens. This building has a great
21 possibility to be turning into condos 10 years
22 from now, 15 years ago, whenever the condo trend
23 comes back. It's just what happens in the
24 housing market.

25 We talked about the street parking a

1 little bit. We're adding those six parking
2 spaces. Again, these are public parking stalls
3 added to the village parking restrictions. These
4 are not meant as additional tenant parking. This
5 isn't something that's assigned to us or can only
6 be used by us. They still have -- there's not
7 overnight parking.

8 I actually -- and someone had mentioned
9 at I think the Traffic and Safety Commission
10 meeting that there's just a lot of cars on Park
11 and there's a lot of cars on Princeton that park
12 there. So I went -- after the Traffic and Safety
13 Commission meeting, someone mentioned it and I
14 went there. It was about 10:00 at night. We ran
15 a little late. Again, that was late but there
16 were no cars parked on Park. There were no cars
17 on Princeton.

18 I went back the next night, so that
19 would have been last night. I took pictures.
20 This is what it looked like at 6:07 p.m. last
21 night. There were no cars on there. I also took
22 pictures of Princeton, not a car in sight.

23 I went there on the way before here. I
24 saw the same thing on Park. I did see three cars
25 parked on the whole block of Princeton. So,

1 again, that's a -- you know, it's only a three-
2 night sample. But I just found out about this
3 three nights ago. So I figured I'd do my own
4 little test just to see is there really -- are
5 these parking spaces really being taken up? Is
6 this really a constraint? I don't think so. It
7 doesn't seem like it on my small sample. And
8 again, we're adding six more parking spaces to
9 that area which would be great for the Standard
10 Meadery or anyone else.

11 It was also brought up about first
12 floor commercial. I think the commission even
13 talked about that a little bit versus
14 residential. And again, the feedback we got from
15 the neighbors was they didn't want commercial.
16 They didn't want that right next to the
17 residential that we have because of the extra
18 traffic and parking that that may require.

19 The place for commercial is right next
20 to us. I mean at the MX-2 -- you know, we're
21 kind of like at the ends, right? We're at the
22 boundary. Ellen showed that zoning map where
23 you've got the MX-2 kind of on the perimeter or
24 the boundaries and then the MX -- or I'm sorry
25 the MX-T and then the MX-2 is internal to that.

1 So that's because we're supposed to create that
2 buffer or that -- more of that transition to the
3 residential.

4 Inside of that, that's where you get
5 your commercial spaces on the first floor and
6 that's what we think the intent is. We think the
7 MX-T was meant to be a transition for the
8 residential areas to create a buffer. The MX-T
9 zoning doesn't even allow for a store-front type
10 of building. So that kind of tells you in the
11 code itself that they didn't want stores in the
12 MX-T.

13 Also at the Traffic and Safety
14 Commission meeting someone had brought up the
15 validity of KLOA, and I definitely have to defend
16 them. You know, they've done studies for us
17 before. They -- but this isn't a fly-by-night
18 operation. They're been around for almost 30
19 years doing traffic engineering and parking
20 planning in the Chicago area.

21 The founding member and principal
22 Michael Werthmann, he was the consultant who
23 worked and generated on our report. The attorney
24 for Knollcrest Funeral Homes even said himself
25 that KLOA does excellent work.

1 I believe I was told the village of
2 Villa Park uses KLOA as a traffic consultant.
3 So, they are familiar with Villa Park. They did
4 this analysis based on Villa Park data and this
5 site specifically. This wasn't like national
6 data or a firm from out of state that doesn't
7 know what's going on.

8 The -- this was brought up a couple of
9 times. I want to talk about the past projects
10 that were approved in '05 and '07. The project
11 didn't happen as probably everyone could guess
12 because '08 happened and the market crashed and
13 it -- and it never came through, right? But I
14 think we can learn some things from what was said
15 and what was approved on those projects because
16 our project is very, very similar to this
17 project, certainly as far as layout is concerned.

18 There were two products. So, you know,
19 it may be a little confusing why I'm referencing
20 two numbers, and the projects varied a little
21 bit. So, when I say that there were, you know,
22 12 and 13 parking stalls, from what I can tell
23 one of the proposals had 12 that was approved,
24 one had 13, but they had 12 and 13 parking stalls
25 in the alley. Again, we're only looking for 10.

1 They had interior parking and their driveway
2 access was on Princeton, just like ours was.

3 They had 18 to 16 dwelling units, but
4 they had commercial space on the first floor.
5 Again, commercial space requires much more
6 parking and traffic typically. They had a four-
7 story building.

8 Now, someone had referenced a three-
9 story building. This is what I found based on a
10 FOIA request. Maybe there was a three-story too,
11 I don't know, but this is what I found, and I --
12 I mean, to me it looks like it was a four-story
13 building that was approved. Maybe I'm wrong or
14 maybe this doesn't belong in the file, but this
15 is what I was given, and this is the site plan.

16 You know, again, hard to read all of
17 that, but this is very, very similar to what
18 we're proposing. The parking in the alley,
19 again, they have 13. We have 10. Twenty-two
20 spaces interior. We have 22 spaces interior.
21 The access is from Princeton. Obviously, they
22 don't have the right turn or left -- the no left
23 turn sign out of Princeton. They don't have the
24 pork chops. The traffic could have gone either
25 way. Same thing with the alley that traffic

1 could have gone either way. So, again, this is
2 very, very similar to what we're proposing.

3 The -- and what the board approved for
4 them, for their variance request in regards to
5 parking, was actually 15 -- they were 15 parking
6 stalls short of what was required and that was
7 approved. Obviously, you know, we understand
8 this is a different board -- commission and
9 board, this is a different time, this is a
10 different project. But just again, trying to
11 give some perspective. We're only looking for
12 six parking stalls.

13 Both developments were supported by the
14 planning and zoning commissions at the time and
15 approved by the Board of Trustees. According to
16 the Ordinance 3427, the Planning and Zoning
17 Commission and Board of Trustees agreed that the
18 locations of the parking and the driveway access
19 were appropriate. "Parking areas of adequate
20 size for uses planned. They are properly located
21 and suitably screened from adjoining residential
22 uses and the entrance and exit drives have been
23 laid out so as to prevent traffic hazards and
24 nuances. The off-street parking spaces, the
25 minimum number of which have been -- has been

1 varied herein, have been conveniently located."

2 KLOA also did the traffic study back
3 then in '07 and they concluded at that time, "The
4 site access system as recommended is well
5 designed and adequate to accommodate project --
6 projected traffic circulation. Site circulation
7 is good and an access point for the garage on
8 Princeton Avenue will have little impact if
9 design is recommended." So, again, we don't
10 think a lot has changed from what was proposed
11 back then.

12 In conclusion, we think development
13 would be a great catalyst for the area.
14 Obviously not a lot has happened there in a long
15 time and we think the introduction of this MX --
16 of these MX districts will certainly help. That
17 certainly is why we bought the property and we're
18 hoping that we're going to be a catalyst for the
19 area. Design will fit in nicely with the
20 surrounding buildings like the Standard Meadery
21 that I mentioned and the uses of the material
22 that we're using are very similar to what you see
23 on neighboring homes.

24 We hope our developments follow and
25 create a vibrant commercial district like the

1 Ardmore business district once was. I mean, we
2 all have to remember this was a vibrant business
3 district at one time. This was -- you know, had
4 some hustle and bustle to it, which is I think
5 the goal of what everyone wants.

6 The residential development has one of
7 the least impacts on the area compared to
8 commercial spaces allowed. So again, what we're
9 proposing here is, you know, fulfilling the
10 ordinances, generally speaking, and we had a
11 choice of some of the things we can do, and
12 residential is going to have the least impact in
13 the area that we're at.

14 And again, as I think one of the people
15 mentioned on Facebook, we don't think adding more
16 commercial, more retail, more office space where
17 we see a trend away from that and we see
18 vacancies is the right plan.

19 And that's it. Thanks for your time.

20 CHAIRMAN JASON JARRETT: All right.

21 Thank you. I'm sure we'll be back to you with
22 questions.

23 All right. So, at this point we will
24 move to public participation and questions. What
25 I would ask is that everyone try to keep their

1 comments to about three minutes. I'm going to
2 try not to be hard with the clock, but if you run
3 long I will ask you to wrap up, and whoever wants
4 to start first, come up to the dais -- up to the
5 podium, state your name and address for the
6 record. Sign in too, please. I won't start your
7 time until you're good and signed in, and we'll
8 go from there.

9 STEVE SAVRA: Steve Savra, 447 South
10 Princeton. So, I just have three things that I
11 don't think have been covered. Number one is
12 signage, if it's going to be illuminated, where
13 it's going to be located. Number two, how is
14 trash removal going to be handled? And then
15 number three, I am very concerned about the
16 egress of the building, the underground parking
17 or the ground-level parking in the building
18 exiting on Princeton exclusively.

19 I think it would be interesting to
20 explore the idea of an entrance off of Princeton
21 and an exit onto Park and possibly taking that
22 ADA spot and putting it on Princeton, just a
23 little ADA spot on Princeton that would just be
24 surrounded by greenery, somehow pulled back, the
25 curb cut would be smaller than -- it would just

1 be a single drive in to the -- to the -- to the
2 ground-floor parking and then a single driveway
3 out onto Park.

4 Then you don't have all those
5 headlights hitting the two residences that are on
6 Princeton. Twenty-two cars a day after 5:00
7 could become kind of annoying. So I don't see
8 any hedges being proposed on Princeton. So,
9 that's really -- I think we have an opportunity
10 to improve the area with this development. I
11 don't see -- you know, the trash thing I think is
12 a big concern. I don't want overflow from -- I
13 think the garbage right now is being proposed
14 inside the parking on the ground floor, and you
15 know, what happens with overflow?

16 We have dumpsters placed all over this
17 village in inappropriate places. I see them all
18 over the place and I don't want them on this
19 building, so.

20 CHAIRMAN JASON JARRETT: Okay.

21 STEVE SAVRA: That's it.

22 CHAIRMAN JASON JARRETT: Okay. I'll
23 make sure all those issues are addressed. Thank
24 you.

25 DONNA NOXON: Hi commissioners and

1 fellow Villa Park residents. My name is Donna
2 Noxon. I initially wasn't going to speak but
3 after attending Tuesday's traffic and safety
4 meeting, I decided to speak. I live on Rand Road
5 which is a mile-plus from the proposed park
6 Avenue development.

7 Like I said, I attended the traffic and
8 safety meeting. Residents had some very solid,
9 valid points and facts on how the development
10 will affect their residents and all of the
11 residents of Villa Park. The variances being
12 requested tonight are for parking, the garage
13 entrance, the visibility, impervious versus
14 pervious, and the streetscapes, two of them the
15 visibility triangle and the streetscape. Ellen
16 is currently thinking it's a potential hardship.

17 All of these variances will have an
18 effect on the traffic and safety of all the
19 residents of Villa Park and not just those around
20 Park and Princeton. After attending many village
21 meetings, I have come to understand variances.
22 Variances are requested by residents, businesses,
23 builders, and other vendors usually due to a
24 hardship they are facing. The builder is not
25 facing any hardships created by our codes. The

1 builder is asking for variances for their gain.

2 My expectation tonight is for none of
3 these variances to be granted. It will be put --
4 it will put all the residents in peril with all
5 the traffic and safety issues. Simply put, you
6 cannot put 10 pounds of groceries in a 5-pound
7 bag without having a negative outcome.

8 We, as a village, are not in a position
9 to grant variances to accommodate the builders in
10 this village. Our safety is -- our safety and
11 traffic is priority one. I want that to be taken
12 into consideration.

13 CHAIRMAN JASON JARRETT: Thank you for
14 your time.

15 DONNA NOXON: And then spelling is N-O-
16 X-O-N.

17 CHAIRMAN JASON JARRETT: Okay, thank
18 you.

19 SUMIA SERENO: My name is Sumia Sereno.
20 I live at 427 South Yale Avenue, and I wanted to
21 do a PowerPoint presentation too and I was unable
22 to, so I have requested that you all get a packet
23 that I put together. Have you gotten that?

24 CHAIRMAN JASON JARRETT: We do have
25 that and that will -- that will be part of the

1 official record.

2 SUMIA SERENO: Okay, great. Thank you
3 very much. Okay, so first and foremost, I've
4 lived here my whole life and I am very pro-
5 development. I think it's good for the
6 community. I think it's good for the residences.

7 Now having said that, I'm also aware
8 that we have to have the right development for
9 the right location, and this is the wrong
10 development for this particular location. I'm
11 going to go through some details as to why and
12 I'm going to focus on one of the code variances
13 that are being requested, okay?

14 So, when you look at Ross's proposal --
15 and when he came up here, it looks really good on
16 paper. It's pretty. He's got some Facebook
17 positive feedback. The variance that --
18 variances that are -- that he's requesting are
19 minimized. But the one I want to address is the
20 parking, and that's a big one. It's -- and the
21 reason it's a big one is because when -- and when
22 he did his answer to the variances, he cited
23 according to Yardi Matrix, a well-known national
24 commercial real estate, et cetera, et cetera,
25 that based upon their averages, he has plenty of

1 parking.

2 Now, that's not a reason to deviate
3 from the code. There is no hardship with this
4 code. That's one thing I want to say. Number
5 two is according to Data USA, DuPage County says
6 they -- there's an average of two cars per
7 residence. So that's a different number from him
8 and that's DuPage County, not Metro Chicago.
9 Okay?

10 Now, what I did was my own test this
11 morning. And so I got up at -- I started driving
12 at 6:30 this morning. I stopped at five
13 apartment complexes in Villa Park. So, I wanted
14 to have a real-world view of the parking in Villa
15 park. Stopped at Ovaltine, and if you look at
16 the packet here with pictures of Ovaltine, and I
17 tried to label all of them, it's very nice.
18 They've got plenty of parking. They've got a
19 complete separate visitor parking area. They've
20 got a buffer zone. Ovaltine has a buffer zone.
21 They've got a retention pond. So, they've got
22 extra space.

23 But then I went over to the corner of
24 Ardmore and St. Charles, those little garden
25 apartments, and if you look at the photo there,

1 and I labeled that, that parking is very
2 congested. In fact, I took a picture of the
3 parking lot adjacent to it, which is the church,
4 and there were two cars in that parking lot at
5 the time. This was around quarter to seven in
6 the morning and there was a gentleman in one of
7 the cars, his name was Joseph, and he said that
8 his landlord told him he had to park there, that
9 every night there's two to three cars that are
10 parked there and that's because they don't have
11 enough space.

12 I went to North Ardmore, north of the
13 tracks that parallels, and you'll see on that
14 street also on Terrace that there's -- and you'll
15 see the sign that they allow overnight parking.
16 Those cars were there around quarter to 7 or so
17 in the morning between that and seven. So, those
18 are because the -- there's congestion at the
19 apartments and I took pictures of the apartment,
20 too.

21 Then I went on to North Avenue at North
22 and Kramer, and I spoke to two residents there,
23 and the one gentleman said he has two vehicles
24 and so he has to park on that frontage road and
25 it's very difficult. That's supposed to only

1 have parking on one side of the street. But if
2 you look at the photos, there's parking on two
3 sides. Not only that, they're parking in the
4 Sherwin Williams parking lot because there's not
5 enough parking for the apartments.

6 This is a very -- they're very
7 congested because there's no buffer zones and
8 this development is exactly the same. There is
9 no buffer zone. And so, I went over to the
10 apartment building that's actually on the same
11 block. And guess what? I actually went and saw
12 there were seven cars. They're parked in the
13 Steuerle parking lot. And I talked to a woman
14 who was getting out of one of those cars and she
15 said she lived in the apartment and she said that
16 the landlord had an agreement with Steuerle
17 verbally for now. I know that's going to change,
18 but seven of those cars are parked there every
19 night because they don't have enough parking.

20 Then what I also did was I took
21 pictures of the alley you'll see with my car in
22 it. Because of the polls and because of the
23 building, it is very difficult to make that a
24 two-way alley.

25 CHAIRMAN JASON JARRETT: So, real

1 quick. I offered to give you a couple of extra
2 minutes because I know you're speaking on behalf
3 of a couple of -- of a couple of people.

4 SUMIA SERENO: Yes, I am. Yes.

5 CHAIRMAN JASON JARRETT: I'll give you
6 about 30 seconds to wrap up if you could, please.

7 SUMIA SERENO: Sure. Okay.

8 CHAIRMAN JASON JARRETT: Thanks.

9 SUMIA SERENO: And I have -- I have a
10 question that I want to propose to the committee
11 and I want to propose to Mr. Ross, and that is
12 regardless if Mr. Ross considers this project to
13 be profitable or not, could there be a different
14 building project erected on this site that
15 doesn't have to have those variances, a project
16 on this specific site that meets current building
17 codes? And if that can be done, I am requesting
18 that project be done instead of this, instead of
19 us trying to try to squeeze something in a space
20 that it is not designed for. Thank you very
21 much.

22 CHAIRMAN JASON JARRETT: Okay, thank
23 you very much.

24 JIM OLGUIN: Excuse me, Ellen, could we
25 get the code provision regarding variations up on

1 the -- on the screen, please?

2 WOMAN 1: (Indiscernible).

3 JIM OLGUIN: Yes, please. Chairman, my
4 name is Jim Olguin. I'm the attorney for
5 Knollcrest Funeral Home. Last name is spelled O-
6 L-G-U-I-N from the Buikema Law Group in Hinsdale.

7 I asked her to put the variation
8 provision up from the village code and I wanted
9 to point out two key provisions and these are the
10 regulations that you guys are supposed to uphold.

11 The first is that the intent of a
12 variation is not simply to remove an
13 inconvenience or a financial burden that might
14 result from compliance with the applicable zoning
15 requirements. The second key provision is that
16 variations, which reference here, they are
17 intended to provide site-specific relief when the
18 requirements of this zoning ordinance render land
19 difficult or impossible to use because of some
20 unique or special characteristic of the property
21 itself.

22 The property in question when we're
23 looking at in particular on the -- on the parking
24 situation, there's nothing unique about this
25 parcel. It is almost a rectangular -- there is

1 some angle but there's nothing that precludes
2 this developer for providing the amount of
3 parking required by the code. That could be --
4 they could simply achieve that by eliminating the
5 fourth floor. They eliminate six units. They
6 drop down the number of parking requirement and
7 they meet code.

8 Their only provisions that they've
9 included in the responses to the standards in
10 their application why they can't do that is a
11 financial one. And once again, if we reference
12 what the code limits your ability to do as far as
13 granting that variation, a financial basis is not
14 an appropriate basis for granting that variation.

15 Now, what is also important to note,
16 and their response when they talk about financial
17 hardship, the way that the law is, the financial
18 hardship is not related to our ability to do this
19 particular project, that somehow this particular
20 project is the only thing that can go on the
21 property and is the only thing that makes the
22 property viable. That's not the way it is. The
23 way that the law is, is if it's a situation --
24 it's a condition of the property that would
25 really make it -- any project not be able to be

1 developed on that site without that variation.

2 So, for example, if we had a triangle
3 parcel and we had 20-foot setbacks on all sides
4 and all you had was a little postage stamp in the
5 middle, that is a specific, unique condition of
6 the property itself that would preclude the value
7 of the property, not we want 24 units and that's
8 the only way that we're going to do a residential
9 project.

10 Could an office building go in there?
11 Could something else fit and provide the parking?
12 Yes, it could. So what their admitted reason why
13 they can't do it is a financial one, and that is
14 not a permitted reason for granting a variation.

15 Next, since we only have, you know,
16 three minutes, I also want to point out some
17 problems with the application. One, their
18 application only requests a variation to 33 --
19 only a five parking space reduction and it does
20 not request a variation for the perimeter
21 landscaping. So, you know, those are items that
22 are deficient in the parking -- I'm sorry, in the
23 application itself and the rest of the public did
24 not, you know, have any idea that that additional
25 variation was being requested.

1 Going through some of the other items
2 that are considered for the variation, which
3 includes whether the number of spaces that are
4 going to be deficient impacts the overall area
5 and the adjacent properties, it's going to impact
6 my client. My client owns the parking lot
7 immediately next to this proposed development and
8 being -- having our business there and also
9 having our parking lot there, we know that in the
10 area there is a deficiency of parking for the
11 commercial and for the residential.

12 As it was noted by the previous
13 speaker, we know that we have residential
14 apartment dwellers that use our parking lot for
15 their parking. We know that we have commercial
16 patrons that use our parking lot, and if this
17 apartment building goes in, we're going to have
18 to protect our parking lot. We're going to have
19 to block it off. That means all those people
20 that are currently using that are going to have
21 to get displaced and they're going to be on the
22 street, they're going to have to figure out -- so
23 those additional onsite or off-site street
24 parking, they're going to be competing with all
25 these other folks.

1 And I did mention at the Traffic and
2 Safety Commission that KLOA is an excellent
3 company. They are. But the second part of that
4 comment was that the quality of their work is
5 only as good as what they are asked to look at.
6 They did not -- they were not asked to do traffic
7 counts. They were not asked to look at the
8 safety of using that alley, which if you -- I'm
9 sure you've driven down the alley toward Ardmore
10 and it's a blind -- to get on to Ardmore it's a
11 very difficult view.

12 That was not something that they were
13 asked to take a look at. So, they were only
14 asked to basically look at what, you know, what
15 they know as kind of their traffic bible which
16 says, you know, these are how many traffic trips
17 are expected. But that's really all that
18 they're, you know, that they were asked to do.
19 They did not look at the specific conditions of
20 the property.

21 CHAIRMAN JASON JARRETT: All right, so
22 we -- if you could wrap it up, that would be
23 great, thanks.

24 JIM OLGUIN: Sure. So -- and then one
25 other request -- and once again, just as far as

1 traffic and safety, they were not satisfied with
2 the traffic or with the safety. So, they
3 continued the meeting. But one request that we
4 made, which is also a safety concern for us, is
5 that you have a residential use that's now a
6 budding -- a non-residential use, which is our
7 parking lot. So, we would want a fence that --
8 be installed along the property, which is good
9 planning whenever you have residential abutting
10 against something that's not residential to have
11 a fence, because what that would do from a safety
12 standpoint, it would prevent people from cutting
13 across our parking lot. It would force them to
14 either use the alley or use the sidewalk.
15 Otherwise, we're going to have people from the
16 apartments going through, or you know, or make it
17 even more attractive for folks that try to park
18 on our -- on our lot.

19 CHAIRMAN JASON JARRETT: Okay.

20 JIM OLGUIN: So, you know, with that,
21 we believe that the application is substandard
22 because it did not include what -- the request
23 that is here before you this evening and that
24 there isn't sufficient information to justify the
25 variations. It goes against the code. There

1 just simply isn't a legal basis for that to be
2 approved by this commission.

3 CHAIRMAN JASON JARRETT: Okay. Thank
4 you. Who would like to go next? I think she was
5 waiting in line. That's okay. It's not every
6 day we have people running to the dais, so I
7 actually -- I would just like to take a moment to
8 say that I do appreciate everybody turning out.
9 Frequently we set up here with no one in the room
10 but poor Ellen and maybe the village president
11 who is -- who is our liaison.

12 So, I do appreciate you all being out
13 here this evening. It really does mean a lot for
14 the village, no matter how you feel about the
15 project. Thank you.

16 KELLY KILLHOY: Hi, my name is Kelly
17 Killboy. I live at 314 South Yale Avenue, and I
18 was involved with the -- one of the prior
19 developments and I have to say to Mr. Ross, this
20 is an improvement that we had sought after --
21 previously back in 2007. So, I like what you're
22 proposing, although I think some of the other
23 speakers have brought up some valid points. One
24 is the garbage, I think that's an important one
25 to address, and also the parking, there is

1 obviously some deficiencies and it seems to me
2 the village is struggling a little bit with the
3 new code versus the old and trying to adapt, and
4 so I think it's really important that the board
5 make a -- maybe even table this to take under
6 other -- take other things under advisement so we
7 get this decision right for the community.

8 I think this would be a nice addition
9 to the area and would help get us on the right
10 path to more development and positive momentum in
11 the village, which I've seen some really starting
12 to happen in the last 10 years, and I've lived
13 here 20 years.

14 So, I appreciate that. The only other
15 thing I would ask you all to look at carefully is
16 some of the storm water drainage implications of
17 a building this size on that lot and also water,
18 sewer. Are pipes, you know, sized correctly to
19 handle the capacity coming from this building,
20 whether it's sanitary or water supply in and out.

21 And I do think storm water is important
22 because there is a lot of flooding issues in this
23 town. And so, I'd ask the board to take those
24 items under consideration as well.

25 CHAIRMAN JASON JARRETT: Okay.

1 KELLY KILLBOY: Thank you.

2 CHAIRMAN JASON JARRETT: Thank you.

3 TED OTT: My name is Ted Ott. Ott is
4 the last name. I live at 39 West Park Boulevard,
5 that's two residences away from where this
6 building is going to be built.

7 Since I moved in, in 2003, we've had
8 major flooding issues. It used to flood four
9 backyards before I helped put in a storm drain in
10 the backyard of my neighbor. We still have
11 flooding issues. My backyard floods if we get
12 half a day of rain.

13 I really think the stormwater issue is
14 a big issue, especially for a building this size
15 and in that particular area. Princeton floods
16 every time. Park floods every time. And I'm not
17 kidding, I say every time. When we get a day and
18 a half of rain, we get a foot of water in the
19 street.

20 Also, I just -- I know last time was
21 the traffic and safety. This time I want to hit
22 on the aesthetics of this building. If you come
23 to our neighborhood and you look around our
24 neighborhood, this building -- I mean, the
25 Meadery, that's a business. It's supposed to

1 look different. It's supposed to look cool and
2 modern and draw people into it. This building
3 looks too modern, too urban to fit in this
4 neighborhood.

5 If you drive up and down Park and up
6 and down Princeton and Yale, it just does not fit
7 the scenery. And if you're walking up the
8 Prairie Path and you're enjoying all these
9 beautiful homes, you're walking your dog like I
10 do every day, and you come across this building
11 at the end, you're not going to be happy with
12 what you see.

13 The garbage is another issue. Like, I
14 grew up in affordable housing. I know what
15 happens when you put a garbage dumpster under a
16 building inside a parking garage. It gets ugly.
17 Stuff gets dirty, doesn't get cleaned up. The
18 garbage men aren't going to clean it up. The
19 managers of the building, they're not going to
20 come out. They're not going to clean it up.
21 It's going to be left to us residents who love
22 our neighborhood to make sure that it stays
23 clean. We do that already.

24 To put 24 units in there, come on guys,
25 you got to think about us. We think about you.

1 We want development. We love this town. If we
2 didn't love this town, we wouldn't be here, okay?
3 I love my house. I love where I live on the
4 Prairie Path.

5 Please take into consideration the
6 aesthetics of the neighborhood before you put in
7 this modern looking urban building, okay? That's
8 all I wanted to say. Thanks.

9 CHAIRMAN JASON JARRETT: Okay. Thank
10 you for your time.

11 DAVID GREEN: David Green, 516 South
12 Princeton. My comments are about the number of
13 parking spaces, the alley parking situation, and
14 their effects on neighbors of the proposed
15 apartment project.

16 The assertion that 32 parking spaces is
17 enough for 24 apartment households is way out of
18 line with national averages. The days of the
19 family car are gone. Almost every driving adult
20 and teenager nowadays has a personal vehicle.

21 According to the Bureau of
22 Transportation Statistics, the mean number of
23 vehicles in households is 1.9 personal vehicles;
24 1.9 times 24 apartments equals 45 spaces.

25 Households in the United States on

1 average have 1.8 drivers. Thus, it appears that
2 households on average have at least one vehicle
3 for each driving adult or teenager. The safest
4 minimum parking space requirement would result
5 from estimating the total number of drivers at
6 one car each.

7 Also, extra parking is needed for
8 overnight visitors. A shortage of spaces could
9 result in encroachment on the parking lots of
10 Steuerle Funeral Home.

11 While inner city or main street
12 apartment locations with nearby amenities may
13 have less than the average number of household
14 vehicles, that is not the situation here. Our
15 local Ardmore business district provides no
16 restaurants or shopping for basic necessities.

17 It is mainly salons, barbers, legal and
18 financial services, and specialty shops and
19 offices. I live a block away and have not used
20 anything there since the dry cleaner left.

21 People in this area can't survive by walking.
22 They need personal cars. Those who want handy
23 nearby amenities will prefer the proposed Villa
24 Avenue apartment complex with restaurants and
25 stores right on the first floor. Those who

1 commute to the city will prefer the apartment
2 complex already in progress next to the Ardmore
3 train station.

4 Another issue is the physical parking
5 situation with 10 diagonal spaces in back of the
6 building. The narrow 12-foot alley is currently
7 used for parking access by residents of the
8 apartments on Highland Avenue with slightly
9 diagonal spaces in the opposite direction, which
10 would conflict.

11 The diagonal spaces suggest a one-way
12 traffic flow in the alley, which the current
13 Highland Avenue residents would be forced to
14 obey. The alley exit on Ardmore will be
15 unpopular with totally blind intersection with
16 the pedestrian sidewalk and no visibility around
17 parked cars.

18 Please try driving it and see for
19 yourself. Drivers could also try to circumvent
20 that exit by cutting through the Steuerle parking
21 lots. Now, if two-way alley traffic was allowed,
22 some of the diagonally parked vehicles could try
23 to turn around by backing into the Highland
24 Avenue apartment spaces and the 12-foot alley
25 would not be wide enough to safely pass another

1 car.

2 In conclusion, the number of parking
3 spaces and the alley parking and traffic flow
4 situation are unacceptable for the proposed
5 building and its tenants and neighbors. Thank
6 you.

7 CHAIRMAN JASON JARRETT: Thank you for
8 your time.

9 DARRYL BRADZIL: Hi, my name is Darryl
10 Bradzil. I'm at 144 South Michigan. You know,
11 when I first saw this plan, first of all, I want
12 to commend you guys, all of you on the board
13 here, for at least getting something down on
14 paper and doing something with this -- with this
15 property. It needed something for many, many
16 years. I've been here -- it will be 34 years in
17 Villa Park. I love this community.

18 My first thoughts of looking at this
19 building is I like the design. The aesthetics of
20 it, I'm not sure as some of the residents
21 commented whether it's -- it fits in for the
22 neighborhood along their Prairie Pass. That
23 said, I don't know as big picture Villa Park and
24 this village hasn't been really good on planning
25 the big picture in the past. But moving forward,

1 if the design is mimicking or kind of tying into
2 Mead, and if that's the plan to come off the
3 business district off of Ardmore, and if the plan
4 going future -- in the future is to develop some
5 of those or rehab some of those businesses on
6 Ardmore to look like that, I'm good for it.

7 The concerns I have with this property
8 is, I think it's too many -- too many units for
9 the -- for that property. The parking is an
10 issue. I'd like to see something maybe come off
11 of Park rather than put the neighbors and
12 neighboring people that are along Princeton and
13 have to see car headlights specifically coming in
14 and out of -- out of that garage, and some of the
15 other concerns.

16 When my wife and I -- we walk past
17 there daily with our dog, and I look at that
18 property and I pictured a duplex at first or
19 family living there of some type right off the
20 Prairie Path to blend in. To put 24 units in
21 there, that's too much in my -- in my mind. And
22 I think that it could be done a little better, a
23 little safer.

24 And on the -- on the topic of safety, I
25 don't know what the garage is going to be. Is it

1 going to be a gate to get in? Is it just going
2 to be anyone walking off the street going in
3 there? I look for the safety of the residents in
4 that place.

5 The other comment I had, I think they
6 mentioned the parking is assigned. That's great.
7 I don't want to see cars out along Park Avenue
8 parked there all day long. That's for the
9 businesses. That's for Mead. I'd like to see
10 something addressed in that nature. But the
11 safety, and if there's going to be that many
12 units or tenants in that building and on that
13 property, is -- you know, is there going to be
14 any rules like there would be in a condo
15 association keeping the noise down? Is there
16 going to be something so there's not hooting and
17 hollering on that? Something to consider for the
18 neighbors, and I don't -- I don't live directly
19 across the street there. My advice is, take a
20 look at the neighbors, the neighboring
21 businesses, and get their feedback. They have to
22 live with us on a day-to-day basis. Thank you.

23 CHAIRMAN JASON JARRETT: Thank you.

24 TONY MUCERINO: My name's Tony
25 Mucerino, 427 South Yale, 60 years on the same

1 block, and it is great to see everybody here,
2 isn't it, that we're all concerned. So I
3 appreciate that comment.

4 I'm going to try to speak kind of in
5 bullet points, short sentences here, because
6 there's a lot of information and I don't want to
7 bore you guys with too much of what you may --
8 some of what you may have already heard.

9 Traffic flow issues. The alley is a
10 difficult one. I measured it, 12 feet. I've
11 heard it referred to as a 15-foot alley. I don't
12 know, maybe the lines outside of the polls
13 include 15 feet.

14 Because of that, when I drove down with
15 my pickup truck, there was a little more than two
16 feet on each side that would give me room between
17 the dumpsters and the power poles. That's not
18 enough to allow two-way traffic. Some of that
19 happens now because people have buffers. They
20 pull over into the parking lots that Steuerle has
21 or they pull over into the parking of the other
22 apartments. Those would be gone or wouldn't be
23 available for that purpose. Two-way traffic,
24 therefore, would be a problem, especially when
25 you have service vehicles, garbage trucks, and

1 other vehicles -- service vehicles that will be
2 going down that lane.

3 I heard a mention about the garbage,
4 that it would be pulled out -- the dumpster would
5 be pulled out of its enclosed area. That parking
6 area in the back to the south of the building
7 would have to be at an incline or a decline. It
8 would have to be at a ramp down to the alley. So
9 given bad weather, water, ice, snow, I don't see
10 a single garbage man, refuse guy being able to
11 pull a dumpster down to that area without some
12 complications. But maybe there's a plan for
13 that.

14 In the meantime, looking at the parking
15 at a diagonal, now they've allocated 18 feet of
16 space for each of those parking spots. That's a
17 standard. My wife's Ford Fusion, a compact car,
18 is 16 feet long. I measured cars out here next
19 to the building, pulled up to the building. They
20 averaged anywhere from three-and-a-half to five-
21 and-a-half feet away from the building. People
22 are not going to pull right up and touch their
23 bumper against the building.

24 Therefore, that 18-foot area is not
25 going to be totally used, meaning that the

1 walkway, which again would be at the down end in
2 the area where all of the water runoff, snow, et
3 cetera is going, there wouldn't be a functional
4 walkway there for people to get around, and if
5 they were, it would be in seven months out of the
6 year where you have freezing conditions, you're
7 going to have difficulties there with slipping,
8 falling, and other issues.

9 If you were to rotate those parking
10 spaces to be perpendicular, it would either --
11 even further eliminate the length of the 18-foot
12 spaces that are designed to be there. Getting
13 onto North Avenue then is a problem. Pushing
14 snow to North -- or to Ardmore Avenue is a
15 problem. Taking a left turn there, getting past
16 the blind intersection where there is pedestrian
17 traffic, the field of view there is not safe.
18 Getting onto North Avenue if there is snow that
19 has to be pushed up to there, that's going to be
20 a removal issue for the village, either trucking
21 it out, dumping out. Loaders have to come in.

22 In addition to the delay, it's never
23 going to be exactly coordinated with removing
24 snow in the parking areas that would be behind
25 the building on the south side. So, you have two

1 different phases of snow removal that have to go
2 on.

3 Traffic coming down Park Boulevard,
4 we've got a landscaped island that ostensibly
5 would be a positive. By increasing that
6 landscape peninsula out to make it parallel with
7 the other curb cut reduces the funnel -- the
8 entrance way. Vehicles take curved approaches as
9 they enter into a streetway. If you add in the
10 vehicles that would be parked, the natural
11 tendency would be for Amazon vehicles, plumbing,
12 electrical, food delivery trucks, they would use
13 those six parking spots there at the front of the
14 building. Those would create a separate field of
15 view obstruction from the viewing triangle that
16 was already mentioned about the building, asking
17 for a variance to be back from the lot line.

18 But that field of view, that viewing
19 angle that would be obstructed by the cars parked
20 there, is also a viewing angle that gives relief
21 to pedestrian and bicycle traffic, so people
22 aren't running into each other on the sidewalks.
23 It's not just being able to see vehicular
24 traffic.

25 Getting into the entrance on Princeton,

1 if that was to be made a curved entrance rather
2 than a flared entrance or a semi-pork chop, that
3 would -- right now, the entrance and exit to the
4 garage has only allowed one vehicle at a time.

5 So, if someone takes the turn onto
6 Princeton with the intention of entering into
7 that garage, they will now -- even if there is a
8 dedicated directional feature put into that
9 entryway, it will be even more difficult for
10 those vehicles to negotiate who goes first.
11 Someone's halfway out of the parking garage, the
12 other person now doesn't have a side area to park
13 and wait for them to exit, just more conflict.

14 Streetscape issues. A big one is water
15 quality best management, DuPage County, in here
16 very specifically talks about the fact that
17 impervious areas are not all the same. We could
18 take a half an acre of impervious land, put it in
19 Rotary Park, picnic tables on it, different
20 pollutant load than a building like this.

21 They talk about tire wear, nutrient
22 pollutant load, and also vehicular pollutant
23 load, all which would be higher. They recommend
24 -- in this 2008 study, they recommend against
25 concentrating into a point load runoff from a

1 building to speed up rather than sheet runoff to
2 speed up that effluent into the storm water
3 system.

4 Finally, I would just say that the
5 financial hardship consideration that appears to
6 be somewhat in consideration, every development
7 I've ever -- commercial development I've been
8 aware of is always -- the contract for purchase
9 of the property is always built with
10 contingencies. I will buy this from you, Mr.
11 Seller, for X number of dollars if these
12 contingencies are met, and this process that's
13 going on now would all happen before that final
14 agreement was executed. That hasn't happened.
15 So, there must have been a reason, either a good
16 price, whatever the case may be.

17 The normal -- the normal pathway,
18 though, would be for the potential buyer to go
19 back to the seller and say too many variances
20 have to be done. It's going to cost me X number
21 of dollars. You need to lower the price. And
22 that's how that hardship is normally taken care
23 of. So, I hope you can take these things into
24 consideration. Thank you for your time.

25 CHAIRMAN JASON JARRETT: Thank you.

1 All right. Anyone else wanting to speak at this
2 time?

3 ELISE KRAMER: Elise Kramer, 435 South
4 Princeton Avenue, Kramer with a K. Reiterating
5 everything that was said here, parking is the
6 number one concern. Development, excited with
7 the development that's going on. Not trying to
8 stop the development of Villa Park. We all want
9 tax relief. Appreciative of everything that you
10 guys are doing to help us with that.

11 But I actually had the negative
12 experience of renting in Villa Park, and there is
13 a shortage of apartments. I lived on Division by
14 the train tracks. There was never -- and I
15 worked at Jewel, closed the store back when it
16 closed, you guys might remember those days.

17 We'd have to park on the street because
18 when I came home at 2:00 in the morning after
19 closing, there was no parking and it became a
20 requirement for me to budget for parking tickets.
21 It's not realistic. You make it one year, you
22 leave.

23 Also, when I rented and started, I was
24 a party of one and things change over time. Then
25 boyfriend moved in, now husband, so even though

1 you might be a one bedroom single person, that
2 does change down the road sometimes and as is
3 stated in Villa park, most people drive. It is a
4 reality. I don't care what the Chicago
5 metropolitan area says. We are not Cook County.
6 We don't want to look like Oak Park. We don't
7 want to look like Cicero or Berwyn. We're
8 DuPage. We're Villa Park. We are charming.

9 That downtown area is a snapshot of
10 time. There are many people walking dogs. I'm
11 one of those folks every morning walking my dog
12 and I can attest to the number of people who are
13 walking down our street on a regular basis.

14 Kids walk to school. There's a bus
15 stop at the end. This is not the right
16 development. It is too many units for this
17 property, and besides the fact of the parking,
18 and it's really unfair when you put in spots
19 there -- there's not enough parking, it's really
20 unfair to the renters. Please stop doing that.
21 Please don't allow parking variances.

22 Besides that, you're changing for the
23 lack of a better word culture of the
24 neighborhood. Steuerle right now has been very
25 open with their parking. They allow us to park

1 there. There are times when that parking lot is
2 needed. We've all been to funerals that are
3 extremely large. Many times they're not needed
4 and they're very generous with that when we have
5 Summerfest there, when you're having a 10K there.
6 The people who park there today, they're not
7 going to be able to be that generous. You're
8 changing that culture, that giving by allowing
9 units -- that many units being there. Don't
10 change our culture.

11 Keep our little town feel in a major
12 metropolitan area. But please, keep doing -- you
13 guys are doing a great job and I don't mean to
14 say you're not. This just isn't right. Thank
15 you.

16 CHAIRMAN JASON JARRETT: Thank you.

17 STEVE SEDDON: Hi, I'm Steve Seddon, S-
18 E-D-D-O-N, and I am speaking on behalf of Mike
19 Godzicki of 421 South Yale. Three points very
20 quick.

21 I'm concerned about drainage in as much
22 as the premier space variance is concerned and
23 impact on the storm drain handling capacity on
24 Ardmore. We suffered basement damage in 1987 as
25 a result of sewer backup. Additionally, has the

1 impact of the development's plumbing on the storm
2 system been assessed?

3 Two, are there any proposed tax reliefs
4 to be granted to the developers? We are
5 unequivocally opposed to any incentives or
6 reductions.

7 Three, we are opposed to traffic
8 entering the parking garage via Princeton Avenue.
9 Although our children are grown, we are concerned
10 for the youngsters who currently live and play in
11 the area. That includes our grandchildren as
12 well. Thank you.

13 CHAIRMAN JASON JARRETT: Thank you.

14 ANNE MARIE THOMAS: Hi, my name is Anne
15 Marie Thomas. I live at 515 South Princeton and
16 I just wanted to start my -- open up my comments
17 with presenting the commission with a packet of
18 petition signatures that we've collected.

19 There's a total of 256 speaking against
20 the size and the relationship to the Prairie Path
21 of this particular planned development. We're
22 not against development. We just think it needs
23 to be appropriately sited and sized for the area.

24 So, these two -- 189 people signed
25 online. Over 50, probably more, of those people

1 did make comments. I encourage you to read
2 those. And then we had 62 people that signed a
3 paper form. There are also several businesses
4 from that surrounding block right there that
5 signed. So, I'm going to give that to you,
6 Chairman.

7 CHAIRMAN JASON JARRETT: Okay.

8 ANNE MARIE THOMAS: And then I also
9 want to make a quick public service announcement.
10 Starting on June 15th, the library will begin
11 hosting its summer family concert series every
12 Wednesday 'til the end of June. It'll lead up
13 then into the traditional annual Kiwanis
14 Wednesday night concerts. These will be geared
15 towards children. It starts at 6:30. You can --
16 kids under 12 have to come with an adult. It's
17 at the Ruggard Gazebo along the Prairie Path.
18 Bring a blanket or chairs and enjoy the summer
19 weather with fun and lively musical
20 entertainment. So, especially for the kids.

21 CHAIRMAN JASON JARRETT: That's
22 awesome. Thanks for the information.

23 ANNE MARIE THOMAS: Sure. So, I wrote
24 a bunch of stuff down. You know, lots have
25 changed since the last time, but -- so I'm

1 getting rid of most of it. But -- and I do wish
2 I -- some people get more than three minutes.
3 So, you know, basically I'm against you approving
4 these variances. I'm just going to make a quick
5 statement about the code, the state of the code,
6 the MX-T code.

7 You know, I realize you guys don't
8 create these codes and you do occasionally find
9 yourself in the position of being the code
10 police, but I just want to mention a few things.

11 It's supposed to be mixed use for
12 transitional. These buildings should be shorter
13 in height than the code currently allows. It
14 should require the buildings to sit back further
15 from the sidewalk. They should require design
16 and exteriors that blend into and make the
17 transition from commercial to residential much
18 more smoothly.

19 The Standard Meadery and wine shop are
20 in a different zoning code and the style of the
21 buildings and materials used is perfectly
22 acceptable for what they are and where they are.

23 You know, most importantly, the code
24 shouldn't allow a developer who is brand new to
25 the multi-unit residential market and has no

1 track record of what potential renters might do.
2 You know, occasionally we hear him say, you know,
3 we get a certain type of tenant.

4 To the best of my knowledge, he's got
5 two multi-unit buildings approved in different
6 towns. Neither one of them are built yet.
7 Nobody's renting there yet. So, when he says we
8 get, I think he should say we hope to get.

9 The other thing I was going to go into,
10 so the size of the lot. You know, those codes
11 are all really complicated. Even I get 144 feet
12 by 125 and I can multiply that. That's 18,000
13 square feet.

14 Most of the homes in this -- that
15 general area are on a lot that's 50 feet by
16 around 180 feet. So 50 times 180 is 9000 square
17 feet. So imagine if I tried to build on my
18 residential lot a building that has 19 bedrooms
19 and 16 parking spaces. That's actually three
20 less than the code requires as in the developer's
21 plan. It's too much. This lot is far too small
22 to accommodate this unit, this usage, and the
23 surrounding area lacks the built environment to
24 accommodate it or its prospective tenants.

25 So, we're not against the development

1 and we are very happy to see 560 new apartment
2 units that the village has already approved at
3 the Ardmore train and the Villa Avenue
4 Development, both of which are taller, but this
5 still will be one of the tallest buildings in
6 Villa Park.

7 So, this isn't an appropriate site for
8 this. The Villa Avenue Development is offering
9 one space per bedroom. So, after my little
10 square footage gig, I'm talking about the public
11 parking.

12 So, it took me a while to get here, but
13 here it is. Every time we drive our cars, we
14 have to park them, and every time we park
15 someplace, we make a calculation in our head,
16 where should I put this car so it's going to be
17 the easiest thing for me to get out and get going
18 next time? And if I'm an empty nester or whoever
19 else, you know, I may go out in the morning to a
20 tai chi class, I may come home, you know, and
21 I'll probably -- if I'm going out at lunchtime to
22 meet friends, I'll probably just leave my car in
23 the public parking space right in front of the
24 building.

25 You know, there's an entrance to go

1 right into the lobby there. It's feet from those
2 public parking spaces rather than go around and
3 mess around with going in and out of the garage,
4 because I don't need to. I just want the most
5 convenient spot to leave my car.

6 So, especially if I'm an alley parking
7 person, I'm assigned to the alley, I'm certainly
8 not going to want to risk my life just to get to
9 the Jewel by coming out of that blind alley.

10 In the -- several years ago I had an
11 accident by a driver, it was a taxi cab driver,
12 who was trying to get out of the alley on the
13 opposite side. So, very blind. He could not
14 see. And oftentimes when people can't see, you
15 know what they do, they go. They hope for the
16 best. I was there.

17 So, there's a difference between those
18 two. You know, we talk about KLOA and how good
19 they may or may not be, but they're not good
20 enough to realize, as we all do who live around
21 there, that there hasn't been more than one or
22 two cars parked in that lawyer's lot for the last
23 15 -- I don't even know how long he's owned it,
24 but since before 2005.

25 So, on that side they've actually got a

1 little alley behind the Ardmore businesses that
2 dumps out onto Highland. So there's no such
3 thing on this side. There's just Steuerle's lot,
4 which will be blocked off.

5 In addition, I'm going back to those
6 parking spaces. I think everybody that lives
7 there during the course of their day is going to
8 choose -- you can't stop people from parking in a
9 public space. You can't make a sign or a law
10 that says if you live at 27 West Park, you can't
11 park here. They could even park over on
12 Princeton and walk in the side door, easy peasy.
13 So I think we should talk -- think about human
14 nature. And I had some bullet points, some
15 rebuttal points. I guess I'm almost out of time.

16 CHAIRMAN JASON JARRETT: Yeah, quick
17 conclusion.

18 ANNE MARIE THOMAS: Standard Meadery is
19 only open four nights a week. So, the drive-by
20 test that the developer did was all three nights
21 the business was closed. I said he doesn't have
22 any tenants yet. I said there's no North South
23 Alley.

24 Affordable housing is a new twist, this
25 term affordable. Last time I remember hearing

1 this was luxury housing. So, my question was,
2 what's the price point for this affordable
3 housing?

4 CHAIRMAN JASON JARRETT: I'm going to
5 need you to wrap up.

6 ANNE MARIE THOMAS: That's it, that was
7 the good one.

8 CHAIRMAN JASON JARRETT: Thanks. I
9 know you're passionate about it. I appreciate
10 that.

11 JEAN NICHOLSON: I'm Jean Nicholson,
12 412 South Princeton, and you know, we have across
13 the street from this development the gazebo, and
14 now when there's all the entertainment there and
15 everything and people walking from other towns,
16 they think, wow, this is a great town, you know,
17 the beautiful gazebo, the music, everything.
18 Well, we park -- the parking in the lot is loaded
19 with the property that's for sale.

20 And anyway, I -- if I -- I don't know,
21 I have a feeling if this goes up the gazebo goes
22 down, you know, because people won't have places
23 to park, and I don't know, I just don't want to
24 see the gazebo -- us lose it. And I think that's
25 -- I think that's all I have to say.

1 CHAIRMAN JASON JARRETT: Thank you. I
2 think that's -- I think that's a record for the
3 evening. I appreciate it.

4 JEAN NICHOLSON: Thank you.

5 JUSTIN SHLENSKY: Jean, I just want to
6 say I appreciate your shirt.

7 JEAN NICHOLSON: Oh, (indiscernible)
8 Church. Thank you so much, Justin.

9 CHAIRMAN JASON JARRETT: All right,
10 who's next?

11 CHRISTINE FOGARTY: Hello.

12 CHAIRMAN JASON JARRETT: Hello.

13 CHRISTINE FOGARTY: Christine Fogarty
14 from 37 West Park Boulevard. I almost said 27
15 West Park Boulevard because I've been hearing it
16 so much lately that it's kind of drilled into my
17 head. Another number that's in my head right now
18 is 256. That's how many people signed a petition
19 just in the last couple of days really against
20 this development, people that are just within a
21 few blocks of this area, and to me that says a
22 lot.

23 Being right there on the corner and
24 being outside as I usually am in my yard, I have
25 spoken to dozens and dozens of people who walk by

1 and ask me, what is that sign for? What is this
2 meeting about? What's going on over there? And
3 I explained it to them and I even have a little
4 flyer that explains everything that Mr. Ross has
5 told us, and everyone has said the same thing.

6 First of all, how did it ever get zoned
7 like this? What happened in 2018? Were any of
8 the residents informed that the zoning was
9 changing? And what do we do to get it changed
10 back? I don't have those answers. I don't know
11 if you guys can give those to me so that I can
12 share that with the neighbors when they ask.

13 CHAIRMAN JASON JARRETT: I can give you
14 some of them when we're done.

15 CHRISTINE FOGARTY: Okay, that would be
16 great. I would appreciate that. Another
17 question I have is the KLOA analysis that they
18 did. Were they ever actually on site or is this
19 just running a bunch of numbers through the
20 computer?

21 So, though I appreciate Mr. Ross doing
22 his drive by the last three nights, I don't have
23 to drive by and I don't have a small sample. I
24 have a huge sample of eight years of living
25 there. I know exactly what happens there, and if

1 there's a funeral and the Meadery is open and I
2 want to have friends over, they're going to park
3 way down the street because there's nowhere to
4 park.

5 So, you know, a lot of times people
6 will park in the Steuerle lot. That's great. We
7 appreciate that. But if they have a funeral,
8 there's nowhere to park, or they'll park at
9 Reichardt which you know, that's pretty much
10 where everybody parks when there's a village
11 event over there, Christmas, 4th of July parade
12 which is coming up, Summerfest. You know,
13 everybody parks there.

14 The village uses the Reichardt lot just
15 to set up for events. This is all going to be
16 gone. So, I'm kind of with Jean, I feel like
17 that whole section, the Prairie Path and what
18 draws people in and what gives Villa Park their
19 charm, it's going to be gone.

20 So, that's just my thoughts on it.

21 CHAIRMAN JASON JARRETT: Okay, thank
22 you. All right. Anyone else who wishes to speak
23 on this item this evening?

24 AMY MURPHY: Hi, I'm Amy Murphy. I
25 live at 436 South Princeton. I had something

1 written here, but I just want to say I'm just
2 concerned for my family, my neighbors. I don't
3 want to see our street become all street parking,
4 because we all know that there's people that park
5 down our block all the time. I've got three
6 kids. We love to be outside. I don't want to
7 see the increase of traffic, the increase of
8 people parking and pulling in and out of our
9 driveways, turning around, trying to get back to
10 their apartment, and I just don't want to see all
11 the extra traffic, and it's just in my opinion,
12 the wrong size for the lot that we have.

13 CHAIRMAN JASON JARRETT: Okay.

14 AMY MURPHY: That's all.

15 CHAIRMAN JASON JARRETT: Thank you.

16 Anyone else?

17 JEAN NICHOLASON: Could I say something
18 from the back? (Indiscernible). I -- my dining
19 room, I have my breakfast and lunch. I sit there
20 and I see traffic, kids passing by on bikes, on -
21 - and parents walking their kids and walking dogs
22 and everything.

23 Over there is the grammar school. Over
24 here is the junior high and the high school. We
25 got traffic of the kids going to school, back and

1 forth there.

2 CHAIRMAN JASON JARRETT: Okay, thank
3 you.

4 JEAN NICHOLSON: Thank you.

5 MIKE ZUCHER: Hi, I'm Mike Zucher. I
6 live on South Princeton, probably about eight
7 houses down from when this development is being
8 proposed. I would not mention this, but Mr. Ross
9 did. There were seven positive Facebook posts he
10 kind of pointed out. There are 127 total
11 comments on that thread. So, overwhelmingly it
12 is against the project as proposed.

13 I have many of those same concerns my
14 neighbors do here, mainly about parking and where
15 these cars are going to go. It's been mentioned
16 that the trend is towards less driving. That
17 does exist and that is true. I don't believe
18 that's true for this area. In order to get to
19 Jewel by using public transportation, you have to
20 walk south on Princeton to Washington, take the
21 303 bus down to Villa and then walk again. I
22 don't see people doing that to get their
23 groceries.

24 I understand, I guess, that there was a
25 comprehensive plan that was put in place about 15

1 years ago that slightly addresses this area. I
2 think the board has to come up with a plan for
3 this area first and decide what you guys want to
4 do with it or what should be done with it. My
5 expectation is that you guys do vote no on the
6 variances as proposed. Thank you.

7 CHAIRMAN JASON JARRETT: Okay, thank
8 you for your time.

9 MARILYN CHOPER: My name is Marilyn
10 Choper, 420 South Princeton. I've lived there
11 for 50 years. I've seen lots of kids come and
12 go. We've gone through peaks of kids, lows of
13 kids. Now, the block has got lots of young kids
14 on it. I do not want to see all that traffic
15 coming down the block.

16 I think something else should be built
17 there. It should be smaller and aesthetically
18 speaking it should match the buildings on the
19 block, please. We do not need another
20 monstrosity like the fire department, which is a
21 terrible building and should never have been
22 built in that style, the style of this apartment
23 building. Would he put this in Hinsdale in a
24 main street area? No.

25 CHAIRMAN JASON JARRETT: Thank you.

1 MARY JO JOHNSON: Hi, my name is Mary
2 Jo Johnson and I live at 534 --

3 CHAIRMAN JASON JARRETT: I'm going to
4 ask that you keep it down a little bit, please.
5 Thank you.

6 MARY JO JOHNSON: Hi, Mary Jo Johnson.
7 I live at 534 South Princeton. I've lived there
8 for 30 years. I wasn't going to speak, but now I
9 am on a comment that was made. Mr. Ross, you
10 mentioned how you came up with this design to
11 complement the Smead winery vibe, which is called
12 a modern farm design these days, but the Smead
13 winery is a business and it's the only place
14 around here that has that look other than FUEL.

15 You're not a building -- building a
16 business, you're building a residential building,
17 that if you drive around within a mile of this
18 proposed building, there is nothing, and I mean
19 nothing, resembling this look. It's just going
20 to look ridiculous.

21 I believe there is no need for more
22 apartments. We have more than enough surrounding
23 our town. There will be several more apartments
24 near the train station soon. They will offer a
25 train station. Why not a few appropriate-fitting

1 townhouses that you could sell for maybe 500,000
2 or maybe 10 condos? Just way less apartments.
3 You need a plan of a look that fits our charming
4 village and our charming houses near this site,
5 especially on Princeton. Put away the city vibe.
6 It just doesn't fit in with the Villa Park
7 housing.

8 Maybe take this barn-dominium look to
9 North Avenue or Roosevelt Road. I love this
10 village and Princeton Avenue. It's like a
11 family. We love our block and this will just
12 cause distress.

13 Gentlemen, most of us have voted for
14 you to sit there and take these positions
15 seriously and make the right choices. Please,
16 please think about this one. Would you, any of
17 you, want to live across from this development?
18 Please disapprove. Thanks.

19 CHAIRMAN JASON JARRETT: Thank you.

20 ROBERT VAN STAALDUINEN: Robert Van
21 Staalduinen. That's V-A-N Capital S-T-A-A-L-D-U-
22 I-N-E-N, and I would ask for my time back for
23 that.

24 CHAIRMAN JASON JARRETT: You deserve
25 it.

1 ROBERT VAN STAALDUINEN: 404 South
2 Ardmore and president and owner of Knollcrest
3 Funeral Homes and Steuerle Chapel. We have
4 already heard alluded to that we will probably be
5 having to chain off our lots, and it's something
6 I do very hesitantly.

7 I have enjoyed allowing public parking
8 in our parking lot, providing for the commerce,
9 for the community events that occur at the
10 gazebo. Formerly Mr. Reichardt was very gracious
11 and helped us with that. It has been part of
12 what drove us to move to Villa Park, was all the
13 events at the gazebo. We love it, we enjoy it,
14 and we'll be sad to see it go if this development
15 requires us to remove the parking availability to
16 all of the events that occur. We simply cannot
17 keep our lots open for everybody to use without
18 having some means of protection.

19 Secondly, if we're concerned with
20 development on this property, I am sure we can
21 get different development. There was certainly
22 other interest in the property when it was
23 purchased. Again, it is your job to ensure the
24 benefit for this community. And that's what I
25 call you to do.

1 We've already pointed out, my attorney,
2 that this variance is asked for, for the benefit
3 of the financial remuneration for the petitioner.
4 That can't be the only reason you grant this. We
5 encourage you to vote against the parking
6 variance because it just will cause sufficient
7 trouble in our neighborhood. Thank you,
8 gentlemen.

9 CHAIRMAN JASON JARRETT: Thank you.
10 All right. Is there anybody else that wants to
11 speak? Seeing fewer and fewer every time I ask
12 that. We've got one more here at least. That's
13 okay. You've got your time.

14 HOLLY STAMOS: Holly Stamos. I just --
15 can I see a close-up of that one-bedroom
16 apartment? Because to me, it looks like a two-
17 bedroom apartment. People are poor. Rent is
18 high. You've got a den with a closet? I'm
19 putting a roommate there. So, now you've got one
20 parking space for two adult people with cars.

21 So, I'm just thinking like even what
22 he's asking for is kind of -- like I could name a
23 room a den but it's still a bedroom, right? So,
24 I just -- I want to -- I want to take a nice
25 close-up of those because I don't think -- I

1 don't think they're going to be one adult person
2 in that -- those apartments. I think there's
3 going to be couples with a kid and I think
4 there's going to be two adult people. Yeah, so
5 that's all I want to point out.

6 CHAIRMAN JASON JARRETT: Okay, thank
7 you. That's fine. Yeah, I'm sure we'll have
8 some discussion related to that as we move ahead.

9 All right. Anyone else before we move
10 on? Going once? Okay.

11 WODON KASE: I just want to say thanks
12 for the patience.

13 CHAIRMAN JASON JARRETT: Yeah, no, I
14 really -- when I say that, I appreciate having
15 this many faces in front of me. I really do.
16 Like I said, we've set up here on projects that I
17 would say are much more consequential in the
18 grand scheme of the village than this one with
19 literally no one here, so I really do appreciate
20 it.

21 I want to run through a few things that
22 maybe I can answer before we turn questions over
23 to Mr. Ross and anyone that he may have speaking
24 on behalf of his project.

25 So, the zoning ordinance was updated in

1 2018. The MX-T zoning, not just the MX-T zoning,
2 but the MX zoning at large was designed to try to
3 preserve the aesthetic of our downtown areas or
4 create that where it doesn't exist in terms of
5 bringing buildings closer to the street, in many
6 cases requiring buildings be closer to the
7 street.

8 One of the things related to that with
9 the garage entrance is that we did not want
10 garage entrances on our primary streets like
11 Villa, Park, Ardmore because an example of where
12 that doesn't work is on Villa, the Villa Medical
13 Arts building where they have a big hole blown
14 through the front of their building into parking
15 at the rear. That's not generally a good look
16 for your downtown, which is why we would in a
17 perfect world like to have them at the rear.

18 So, related to that, the previous
19 zoning of this site, which existed going back to
20 as far as I can find the '40s was C2. C2 as of
21 right allowed a 45-foot-tall building with 50
22 foot of lot coverage. So the building may not be
23 able to be quite as big, but the other half could
24 be parking. There are no requirements for
25 materials, no requirements for setbacks above the

1 third floor, no requirements for transparency.
2 The building could be set back 7 feet from both
3 Princeton and Park. No requirements on where
4 driveway entrances could be, minimal requirements
5 related to landscape. No requirements related to
6 material use at all.

7 So, those are some of the things that
8 this MX zoning brought to our village that didn't
9 exist. Now, may not agree with this project, but
10 I just want to explain what the purpose of that
11 form-based zoning in the MX is. So,
12 theoretically somebody could have dropped a 45-
13 foot office building on half of the site and a
14 service parking lot along Princeton as of right
15 without coming before us. That could have
16 happened three years ago.

17 This is -- in a lot of ways the zoning
18 itself is attempting to be more contextual. So,
19 that's the code side of it. I'll leave that on
20 that. I think that's enough Planning 101.

21 On the signage issue, there's no
22 signage before us. Any signage that would be
23 required would have to meet the existing village
24 codes. If it doesn't, they would be back before
25 us for variations. So, there are strict codes

1 related to how much signage you can have on what
2 faces of buildings. Off the top of my head, I do
3 not know what that means for residential. I'm
4 being honest. I don't have that code in front of
5 me, but any signage would have to meet codes. We
6 don't allow pole signs, so on and so forth.

7 Touched on the parking on Princeton,
8 why the parking maybe on Princeton or the alley
9 instead of on Park. There's a threshold for
10 going into a traffic study versus a traffic
11 assessment in our village. They don't meet it.
12 That's not something -- I mean, we could ask for
13 additional information, but as part of the
14 application, that's not required and KLOA is a
15 very reputable company and they're the one that
16 we rely on as a board, as a commission when we
17 ask an applicant to have a traffic study done as
18 a part of a large project like the recent
19 rezoning at Odeum or I'm trying to think of some
20 other ones recently, but they're the one that we
21 prefer they go to because of their experience and
22 their knowledge.

23 Let's see what else. Yeah. And then I
24 guess the only other comment that's a small one
25 is so there was some question about the width of

1 the drive -- of the alley. The alley right-of-
2 way is 15 feet. It's paved 12 feet, but it's
3 paved 12 feet because both properties bleed
4 asphalt into the right-of-way. So, you could go
5 out and measure the concrete, but the right-of-
6 way is 15 feet.

7 And so, when they're taking their
8 measurements on their property, they're not
9 taking it from that concrete edge, they're taking
10 it from where the property line falls. And it's
11 up to what happens in engineering, but I would
12 assume if the project moves forward, they would
13 be pouring concrete or whatever surface they're
14 using all the way to that alley.

15 So, with that I've got a couple
16 questions from -- that we heard here that I'd
17 like to run by you, Mr. Ross, real fast before we
18 open it up to broader questions up here.

19 So, there was a question about trash
20 removal. Could you speak to that a little bit?
21 And I'd ask you to come up to the mic.

22 CRAIG ROSS: Sure. So, the trash
23 enclosure is inside the building, so tenants who
24 need to access the trash, let's say they're on
25 the third floor, they would go down the hallway,

1 open a chute, throw their trash down a chute, and
2 it would fall into the trash enclosure, which is
3 on the east side of the building. I'm pointing
4 to it with the cursor right now if you can kind
5 of see. So, there's no trash can or dumpster
6 outside of the building, it's enclosed. No one
7 would see it. We did that by design.

8 CHAIRMAN JASON JARRETT: Okay. So, I
9 guess then --

10 WOMAN 3: (Indiscernible).

11 CHAIRMAN JASON JARRETT: Yeah, I'm just
12 going to ask that we keep the questions --

13 WOMAN 3: Sorry.

14 CHAIRMAN JASON JARRETT: -- up here.
15 That's okay. How would the trash get to the
16 outside? How does that -- I mean, I know you
17 showed, but who's responsible for making sure
18 that happens?

19 CRAIG ROSS: The trash company is.

20 CHAIRMAN JASON JARRETT: Okay. So,
21 they bring the -- they have access to it, they
22 bring the dumpster out and then return it?

23 CRAIG ROSS: Right. Typically there's
24 a code to the garage -- or to that door, I
25 shouldn't say garage door, to those doors. They

1 swing it open, roll it out, dispose of it, put it
2 back.

3 CHAIRMAN JASON JARRETT: Yeah, and our
4 code, even in a building like this, would not
5 require that. They could have a garbage dumpster
6 in a masonry enclosure at the back property line
7 and that would be sufficient. Yes?

8 WOMAN 1: Just a reminder that we're
9 going to have someone transcribe this from a
10 tape, so I understand we're going to have a give
11 and take with people speaking. So, if the
12 audience asks a question, would you be so kind as
13 to repeat it back into the microphone, which will
14 help them transcribe it?

15 CHAIRMAN JASON JARRETT: Yeah, and I'm
16 going to try to avoid that kind of dialogue
17 because there are a lot of people here, and you
18 know, they've had a chance to make their point.
19 Obviously if there's a big question that gets
20 missed, I want to make sure that's the case.

21 So, before we get to questions up here,
22 are there any specific questions or issues that
23 were raised that you would like to address?

24 CRAIG ROSS: I wrote some notes. Trash
25 was one of them. So, we talked about that.

1 Someone had asked about hedges at the neighbors.
2 Ellen actually had written this into her summary
3 that, you know, we're certainly willing to do
4 that if somebody wanted some hedges added.

5 As far as, you know, the driveway,
6 especially the exiting and if we change that to
7 direct more to the north, the only house that it
8 would be pointing at would be the house on the
9 corner. Luckily that house does face Park.
10 That's the side of the house. There is a bunch
11 of shrubs there now, but we're certainly willing
12 to add more shrubs if the homeowner wanted us to
13 or whatever we could do to accommodate them.

14 You know, again, there was a lot of
15 talk about these ratios of cars, and again, I --
16 this was brought up at the Traffic and Safety
17 Commission meeting, too. You can't use national
18 numbers. You also can't use numbers that are
19 just about households. Even if you say DuPage
20 County and you say households, obviously that
21 includes houses, single family townhouses where
22 they have two, three-car garages or more
23 sometimes.

24 So, you've got to look at data that is
25 not only local but also for apartments.

1 Obviously, people renting apartment buildings on
2 average have much less cars than people who own
3 or rent a house for that matter.

4 Someone asked can we do the project
5 differently that it meets the code? Yes, we
6 could. You know, like we mentioned, we could do
7 it five stories, 32 units. We would meet the
8 code with the height. We would meet the code
9 with the parking requirement, but we just don't
10 think that's appropriate. We don't think that
11 that's good for the village. We don't think
12 that's good for us either.

13 MAN 1: (Indiscernible) --

14 CHAIRMAN JASON JARRETT: I'm going to
15 ask you not to speak from the audience, please.
16 Please --

17 CRAIG ROSS: Somebody said --

18 CHAIRMAN JASON JARRETT: -- everybody's
19 had their chance.

20 CRAIG ROSS: Somebody said there were
21 256 signatures against the development. I don't
22 think the petition was against the development.
23 I think the petition was against it being four
24 stories. So, I just want to be -- you know, make
25 sure that that's clear.

1 Someone said we only had seven positive
2 Facebook comments. I think there were around 15
3 the last time I looked or counted and they
4 mentioned that there were a lot of comments that
5 were negative. A lot of the comments that were
6 negative were the same people, handful of people,
7 repeating themselves. So yes, if you have 100
8 comments, but you have five people doing 10
9 comments each, obviously they're going to
10 dominate the comments. But I was just looking at
11 number of people.

12 Someone else mentioned, you know, can
13 we do a project that matches the street? Again,
14 you know, that's what we're trying to accomplish.
15 While this is residential, you know, technically
16 it's commercial residential, right? I mean, this
17 is not a house by any means. It doesn't have a
18 pitched roof like a house would have and the
19 street we're on is Park. That's the street we
20 face. So we're -- you know, the closest building
21 to us is Standard Meadery. That's what we were
22 trying to match.

23 I think that was about as far as
24 clarification.

25 CHAIRMAN JASON JARRETT: Yeah, and I

1 can almost guarantee there are going to be more
2 questions up here.

3 CRAIG ROSS: Right.

4 CHAIRMAN JASON JARRETT: So -- and
5 we'll probably get into more of the details and
6 conversation on that with you. So, I'm going to
7 leave it to questions from the commission. Who
8 would -- who has questions, would like to start?
9 Let's try to keep as much to questions as we can.
10 I think there's going to be quite a bit of
11 discussion when we get to that point. Anything
12 that's unclear or specific questions that you'd
13 like to see resolved?

14 JUSTIN SHLENSKY: I do. I've got a
15 clarification question. So, Ellen, perhaps this
16 may be more pertinently directed to you. Counsel
17 brought up a point that there could have been a
18 potential sixth variance requested. That is not
19 necessarily in front of us in our packet. So,
20 I'm really just looking to get clarity on that
21 for myself, for the commission, and the public at
22 large.

23 In the staff memo that was provided on
24 Page 17 for commissioners that are following
25 along, you've indicated that there are some

1 potential conditions to any of the several
2 variances that are actually in front of us today.
3 Again, I don't believe based upon the staff memo
4 that there is this pseudo-sixth variance with
5 regards to landscaping.

6 However, you do indicate some
7 landscaping conditions that we can add to any
8 potential motion that we may make. So, could you
9 just clarify the landscaping aspect of that?

10 WOMAN 1: I think it's a mistake that I
11 made in terms of interpreting the code, and when
12 I first looked at that section of the code, I was
13 thinking it was all part of the minimum
14 streetscape and there is some latitude in the
15 code for the director to accept variations on
16 landscaping. So, I will take, you know, the
17 blame for that not being in the published. I do
18 believe, though, that because the published legal
19 notice said such other and further relief as may
20 be required that it was meant to capture small
21 items like that.

22 JUSTIN SHLENSKY: So, is it staff's
23 current opinion that there could be -- not saying
24 that there must be, but that there could be
25 another variance?

1 WOMAN 1: A variance? Yeah, because
2 when you look at that section of the code, it
3 exempts the foundation landscape from certain
4 districts, but it doesn't exempt the requirement
5 for foundation landscaping out of the MX-T. So,
6 I believe that I missed that, you know, and
7 should have called it out.

8 JUSTIN SHLENSKY: So, as a potential
9 caveat to that, is it staff's opinion that it's
10 not a required variance but something that could
11 be addressed via a condition?

12 ELLEN WEBER: Yes, I do believe so,
13 because of the last line item in the legal
14 notice, and if you wanted to be overly cautious,
15 you would republish and continue to another
16 meeting. Okay. I do believe, though, we've had
17 significant public knowledge of the project and
18 that those folks that want to be here are here,
19 but I do believe it could be considered as having
20 been published by the such other and further
21 relief as may be required to effectuate the
22 proposed development.

23 And as way of explanation, too, as this
24 was going on, Mr. Ross and I were talking about
25 moving the building here and moving the building

1 there and some things were still a bit of a
2 moving target, and I didn't know where the
3 building was really going to land on the site,
4 so.

5 JUSTIN SHLENSKY: Yeah, and certainly
6 I'm not looking to place any blame on any one or
7 any individual or staff.

8 ELLEN WEBER: No, I'll take it. It's
9 my mistake.

10 JUSTIN SHLENSKY: No, that's not what
11 we're here for. I'm not pointing fingers. My
12 question and my concern is more akin to whether
13 or not we can accomplish any potential requests
14 by the conditions that you've outlined, and I
15 think that you've very dutifully outlined those
16 conditions and I appreciate that.

17 ELLEN WEBER: And I have not talked
18 with the village attorney about it, so.

19 CHAIRMAN JASON JARRETT: Yeah.

20 ELLEN WEBER: Okay?

21 JUSTIN SHLENSKY: Thank you.

22 CHAIRMAN JASON JARRETT: Yeah, it would
23 be -- I mean, I'm not an attorney obviously, but
24 I think our notice including that last section
25 and the amount of notice and public hearing and

1 community outreach on this, I think we're okay
2 with that threshold.

3 JUSTIN SHLENSKY: No, it was a very --
4 it was a very proactive catchall to that.

5 CHAIRMAN JASON JARRETT: Yeah,
6 especially given the scope of the project and
7 knowing that there were negotiations going on --
8 I won't say negotiations but many conversations
9 with engineering and so on behind public works
10 and community development.

11 One quick question I have, Mr. Ross,
12 this is a small one and I may have more as we
13 move ahead, but I believe you're showing the
14 garage entrance now as being a semi-transparent
15 glass door, probably frosted as opposed to a
16 solid massive door; is that accurate?

17 CRAIG ROSS: Correct. Yes.

18 CHAIRMAN JASON JARRETT: Okay. That is
19 -- that's a small detail but one that I do
20 appreciate, because it would be lit from behind
21 in the evenings, and it's something that I know
22 that the Union brought before us, and it's a
23 small detail but it is a detail that shows that -
24 - to me that you and/or your architects are
25 looking at some of the little details.

1 CRAIG ROSS: Yes, definitely.

2 CHAIRMAN JASON JARRETT: Okay. Other
3 questions?

4 DOMINICK ROMANO: Mr. Ross, I do have
5 concerns for specifically the parking variation,
6 and as I look at the plan, I'm curious what is
7 differentiating a den from a second bedroom?

8 CRAIG ROSS: Gregg can probably help
9 with this, too, but dens don't have doors -- or
10 I'm sorry, a bedroom has to have a door, a
11 bedroom has to have a window. Is there anything
12 else I'm missing on that, Gregg?

13 GREGG STAHR: Closet --

14 DOMINICK ROMANO: These have closets,
15 though, right?

16 CRAIG ROSS: But they don't have --

17 GREGG STAHR: Most importantly
18 (indiscernible) egress.

19 CRAIG ROSS: yeah, they have to have an
20 egress window and they have -- and they don't
21 have a door. I think -- and I believe some of
22 them don't have closets. I don't remember
23 exactly, but most importantly a window.
24 Secondary would be a door. Thirdly would be a
25 closet.

1 DOMINICK ROMANO: But there's nothing
2 that would really stop a tenant from internally
3 having kind of a roommate situation. I mean,
4 they have two baths, right? So, the temptation
5 and ability is certainly there, which people are
6 people. You don't control that. I understand
7 that, but --

8 CRAIG ROSS: You could say that, sure.
9 People could do illegal things, yeah.

10 DOMINICK ROMANO: But then you already
11 have a parking deficit, and if that possibility
12 exists that kind of amplifies it. Would you
13 agree with that?

14 CRAIG ROSS: I don't because again,
15 let's say someone's going to break that rule and
16 use that as a bedroom. Let's say they --
17 obviously you could have a one bedroom. You
18 could still have two people living there, right?

19 DOMINICK ROMANO: Sure.

20 CRAIG ROSS: I mean that's going to
21 happen no matter what. So, let's say you have
22 three people living there now, right, and now you
23 have three cars. I don't see how anyone signs a
24 lease with only one or two parking spaces
25 assigned to them but they have three cars. Where

1 do they think they're going to put that car? If
2 they put it on the street as someone proposed,
3 you --

4 DOMINICK ROMANO: I --

5 CRAIG ROSS: Let me --

6 DOMINICK ROMANO: Can you please cut
7 down --

8 CHAIRMAN JASON JARRETT: I'm going to
9 ask -- I'm going to ask that we refrain from the
10 back and forth and be respectful. I've given
11 everyone an opportunity to talk, some of them
12 considerably more than the allotted three
13 minutes. Mr. Ross is the applicant. Please be
14 respectful. Thank you.

15 CRIAG ROSS: Thanks. So certainly you
16 could park on Princeton illegally. You could
17 park on Park illegally. Obviously you're not --
18 you know, your lease is one year long. You're
19 going to do that for 365 days and get a ticket.
20 I mean, obviously the neighbors are going to be
21 calling the police if the police don't see it
22 themselves. They're going to be getting tickets.
23 I don't know what it is. Twenty, 30, 40, \$50 a
24 day times 365. I don't think that's going to
25 last long.

1 I know I wouldn't sign a lease if I had
2 three cars and I was only getting one or two
3 parking spots. I would think most other people
4 are going to be in that same boat. So, and
5 that's why I made that comment where I think the
6 parking spaces regulate our renters on its own.

7 ERIC LUEDTKE: And a point of
8 clarification, the parking spot is going to be a
9 separate sort of rented item for whomever the
10 tenant might be.

11 CRAIG ROSS: It gives us flex --

12 ERIC LUEDTKE: He could have zero or
13 she.

14 CRAIG ROSS: It gives us flexibility.
15 There will be people who rent a one bedroom and
16 have no car. That will happen.

17 ERIC LUEDTKE: There's that potential.

18 CRAIG ROSS: And that car isn't
19 assigned to that unit and doesn't go on use, it
20 now can be assigned to somebody else. So, again,
21 these -- this isn't a situation as you're
22 pointing out where that car is stuck with that
23 unit and if it gets used or not, too bad. If it
24 doesn't get used, great. Now we have the ability
25 to give it to another -- another tenant can rent

1 it out, whether it's outside or inside.

2 ERIC LUEDTKE: Would it be safe to
3 assume that the one bedroom with den wouldn't be
4 allowed to rent two spots?

5 CRAIG ROSS: We -- I think that'd be a
6 good business decision, 100 percent.

7 ERIC LUEDTKE: Okay, yeah, right.

8 CRAIG ROSS: I mean, that would be a
9 poor decision by us to do that. But likewise, as
10 I kind of inferred in my presentation, us to let
11 anyone rent three spaces, it just -- it isn't
12 smart for us to do that.

13 So, again, that's why the parking
14 spaces are going to regulate what happens there
15 and we want more parking or the ample amount of
16 parking more than anybody so that it's
17 economically viable and we can rent these units
18 out. So, again, we wouldn't do things like that.
19 We're not going to rent two parking spaces to a
20 one bedroom. We're not going to rent three
21 parking spaces to anybody because we want to have
22 the biggest group of people being able to rent.

23 ERIC LUEDTKE: Specifically about the
24 bedroom and den sort of nuance, I mean, and we
25 can't regulate behavior on a certain level -- to

1 a certain degree, we can't regulate behavior,
2 right?

3 CRAIG ROSS: Sure.

4 ERIC LUEDTKE: If we just lose the wall
5 to the hall and then lose the closet and that
6 just becomes our, you know, Chicago area French
7 room, I mean, is that -- is that -- does that
8 adjust things to you? I mean, because now it
9 becomes even more difficult to make that into a
10 bedroom, right? That really starts to -- starts
11 to really frame that sort of space as sort of a
12 sitting room per se as opposed to --

13 CRAIG ROSS: Well, I'd have to look how
14 --

15 ERIC LUEDTKE: -- an on the down low
16 bedroom.

17 CRAIG ROSS: I'd have to look at how it
18 works with the design, number one. Number two, I
19 mean, the intent is a study, a work-from-home
20 office. And so, people do kind of like that
21 cordoned off a little bit depending on if someone
22 else is in the unit or not with them. So, we --
23 that's what we're finding people want. They'd
24 like to have that space where they can have their
25 office separate from their bedroom, because

1 someone else might be in that bedroom. And to
2 your point, I mean we can have -- it's possible
3 you can have a two bedroom with eight people in
4 there, right? I mean, you know --

5 ERIC LUEDTKE: Let's not.

6 CRAIG ROSS: Right, that's not our
7 goal. That's not what we want. But to your
8 point with the den, just bedroom account doesn't
9 limit the number of people that could sneak in
10 there per se. I mean, at some point people could
11 break rules. Yeah, definitely. But obviously in
12 our leases we have things hopefully to protect
13 that and if we find that we can do something
14 about it.

15 CHAIRMAN JASON JARRETT: Questions?

16 ERIC LUEDTKE: Yeah, I'm going to
17 continue. The -- so, the half pork chop, is that
18 a -- I mean, was that a conversation with you and
19 Ellen; is that correct? I mean, I know it came
20 out of our April sort of conversation.

21 CRAIG ROSS: You guys had mentioned it.
22 Ellen had mentioned it. Traffic and Safety have
23 mentioned it. I think some of the neighbors had
24 mentioned it. To me it makes great sense.
25 Everyone likes it. I don't see why we wouldn't

1 do it. I think, you know, Bob from our
2 engineering thought it would be a good idea.

3 ERIC LUEDTKE: Yes. I don't see a sign
4 sort of telling people to sort of -- that becomes
5 the direction that they have to go. I mean --

6 CRAIG ROSS: Again, can we stop people
7 from making -- doing illegal things? Even if we
8 do a pork chop, people are going to argue they
9 still could go south, right? I mean, at some
10 point, you know, I can't put electric fence up
11 there.

12 ERIC LUEDTKE: No, we don't want you
13 to.

14 CRAIG ROSS: Right.

15 ERIC LUEDTKE: I have a -- it was
16 raised -- I brought it up the last time we met in
17 April and thank you for having the west
18 elevation. I even -- if you could bring up the
19 west rendering is probably a little bit more
20 helpful. Yeah. Contextually this block sort of
21 reads from Park all the way to Highland as much
22 as that alley is sort of a break it's sort of not
23 a primary break, right? And this being facing
24 the -- facing the street and facing the
25 residential, I like what happens on park when we

1 drop down to three and we set that building back
2 12 feet, right, because that -- go to the
3 previous rendering. That's reading three, right?

4 CRAIG ROSS: Right.

5 ERIC LUEDTKE: Go to the next one.
6 It's even reading more three, right, because I
7 don't even see that.

8 CRAIG ROSS: Right.

9 ERIC LUEDTKE: Visually from that
10 perspective. Right? But once I get to the --
11 once I get to this residential street, again if
12 I'm dealing with it as a -- as an MX-T
13 transition, right, as my -- abutting against the
14 residential, by right on the back side which is
15 an MX-R2, we could have the same kind of building
16 height assuming, let's say, you know, wonderfully
17 we -- that building that's on the corner that's
18 60 years old that maybe somebody comes in and
19 does something there. We could have the same
20 kind of four foot -- four-story wall as well. I
21 think -- I think we're doing a disservice to the
22 -- to the neighborhood and sort of the face to
23 that -- to that street.

24 I'm curious about the potential for
25 peeling that one back at the fourth floor on this

1 face, granted the stair tower would be a -- would
2 be a vertical element that goes four, but you
3 know, dropping that back might go a long way. I
4 mean, if we start to look at the site plan then
5 too, that corner essentially would start to align
6 -- that corner where the electrical closet is, we
7 can sort of see it aligning with the building
8 that's to the -- to the south, right, and that's
9 roughly a similar dimension as what is allowed in
10 the MX-R2, right, so that we're not -- we're sort
11 of creating a different -- a similar face, what
12 we're trying to do in these MX districts of
13 making sort of some continuity there.

14 So I like the idea of -- I would like
15 to explore the idea of recessing, stepping back
16 that fourth floor. I know it impacts those six
17 units up on that fourth floor, but maybe we lose
18 one and now we're -- now we're asking for five
19 cars. You know, or maybe we change it and
20 there's only four units up there and we're asking
21 for four cars on a variance. I mean, I'm
22 starting to change things up here a little bit,
23 but I mean, if we're starting to play both ends
24 against the middle at times, there might be some
25 merit to sort of -- sort of lopping it completely

1 off, you know, peeling it back slightly.

2 CHAIRMAN JASON JARRETT: So, if I -- if
3 I understand you is what you're suggesting is
4 bringing the western wall on the fourth floor
5 essentially in line with the -- the western wall
6 of the north half of the building.

7 ERIC LUEDTKE: Correct.

8 CHAIRMAN JASON JARRETT: And creating a
9 setback on the third floor along -- I mean, for
10 the fourth floor along Princeton. I know that
11 would require adjusting architecture, but would
12 that be something that you'd be willing to
13 explore or be comfortable with? I mean, I know
14 you may need to ask your architect that and I
15 hate to put him on the spot.

16 CRAIG ROSS: I don't know what it
17 impacts architecturally. You know, sometimes you
18 make -- what seems like a little change can throw
19 everything off. You know, my biggest concern and
20 Eric kind of brought it up was the stairwell, you
21 know, how does that still work? That still has
22 to stay. That can't go away.

23 ERIC LUEDTKE: Yeah, I mean, I see that
24 wall sliding back to the -- to the back side of
25 the -- of the stair, that 9-and-a-half feet

1 that's sort of there. I mean that would, you
2 know, just conceptually sort of -- because that
3 break I think works really well on Park, you
4 know? Because I can't imagine a four-story
5 building even with all the stepping that we have
6 going on.

7 CHAIRMAN JASON JARRETT: From the --
8 from a selling standpoint, it gives that corner
9 unit the potential for a nice roof deck as well.

10 CRAIG ROSS: Well, we'd probably
11 eliminate a unit, right?

12 ERIC LUEDTKE: I think so.

13 CRAIG ROSS: Yeah.

14 CHAIRMAN JASON JARRETT: Eliminate or -
15 -

16 CRAIG ROSS: We're going to have to
17 eliminate a unit.

18 CHAIRMAN JASON JARRETT: You can either
19 eliminate or maybe shrink one or two. I can't
20 say for sure, but.

21 CRAIG ROSS: Sure.

22 CHAIRMAN JASON JARRETT: Is that
23 something you'd be willing to explore?

24 CRAIG ROSS: It's something we'd
25 definitely be willing to explore, you know, and

1 again, forgive my ignorance. I know this isn't a
2 PUD or like a negotiation type of thing, you
3 know, what does that get us? You know what I
4 mean? I mean, we're not looking for a variance
5 on the height, we're not looking for a variance
6 on the setback up there. So, you know, help me
7 out with that a little bit I guess.

8 CHAIRMAN JASON JARRETT: No, but you
9 are looking for relief from the streetscape
10 variation, which I know is impacting Park and not
11 Princeton, but --

12 CRAIG ROSS: Right, because this
13 wouldn't help that, right?

14 CHAIRMAN JASON JARRETT: No, but it
15 does -- it does go to softening the streetscape
16 generally. And I -- and I could see where it's
17 essentially requesting some of that -- or I
18 should say repurposing some of that requested
19 relief along Park to Princeton where it's
20 probably more needed. That would be -- that
21 would be my thought process on it. We can
22 discuss that more, but.

23 CRAIG ROSS: Okay, we definitely could
24 explore it.

25 CHAIRMAN JASON JARRETT: Okay.

1 CRAIG ROSS: Yeah, I -- but I --
2 sitting here now even I don't think Gregg could -
3 -

4 CHAIRMAN JASON JARRETT: Oh, no, I
5 understand that, but we've got -- I mean, I'm a
6 planner. He's an architect, so.

7 CRAIG ROSS: Okay. You know how it
8 goes.

9 CHAIRMAN JASON JARRETT: We know how it
10 goes.

11 CRAIG ROSS: No, but --

12 EIRC LUEDTKE: That's why we hesitate -
13 - very hesitant to sort of raise these issues.
14 But obviously we have this -- I mean, there's a -
15 - there's a bulk issue that is -- that's at play
16 here.

17 CRAIG ROSS: Sure.

18 ERIC LUEDTKE: I mean, fundamental.

19 CRAIG ROSS: Right.

20 ERIC LUEDTKE: As well as the parking,
21 right? And I think --

22 CRAIG ROSS: It might address both.

23 ERIC LUEDTKE: Not might, would
24 definitely.

25 CRAIG ROSS: Well, I can't talk for the

1 --

2 CHAIRMAN JASON JARRETT: It gets you
3 closer --

4 ERIC LUEDTKE: But if we're losing --
5 if we're losing a unit, we're --

6 CRAIG ROSS: We'll address it enough.
7 I don't know. That's what I meant.

8 ERIC LUEDTKE: I'm not (indiscernible)
9 it completely. It's still -- there are still
10 issues.

11 CRAIG ROSS: Right.

12 JUSTIN SHLENSKY: But to the
13 petitioner's point, there's not a variation
14 request or a variance request with regards to the
15 height or the setback of that fourth floor
16 outside of the streetscape. What could be
17 impacted is that the removal or the decrease of a
18 unit and therefore the decrease of bedrooms would
19 impact the reduction in the variation for the
20 parking. So, that is the pertinent aspect --

21 CRAIG ROSS: That makes -- yeah, that
22 makes sense.

23 JUSTIN SHLENSKY: -- of the variation
24 of why it is pertinent for Eric to ask that
25 question.

1 CRAIG ROSS: That makes even more sense
2 to me, yeah.

3 CHAIRMAN JASON JARRETT: Yeah. With
4 the parking at the rear, I can understand for the
5 comfort of your residents why the angled parking
6 works. I get it's a softer movement in and out
7 for your residents. But all elements of our
8 village staff have recommended some level of
9 discomfort with it for various reasons.

10 Can you explain to me to the degree
11 that you can, and you may need to rely on your
12 architect for this, and that's fine, he could
13 come up and speak, I know he's sworn, that
14 rotating those to perpendicular, that might
15 actually gain you a parking space. I can't say
16 that it would, but it might gain you a parking
17 space, and it would certainly pick you up a foot
18 or a foot and a half in depth, because those lots
19 -- those -- because of the angle, they're
20 technically farther off the wall than --

21 CRAIG ROSS: I think actually, but you
22 need a larger turning radius, so.

23 CHAIRMAN JASON JARRETT: Yeah, and --

24 CRAIG ROSS: So, we actually lose a
25 lot.

1 CHAIRMAN JASON JARRETT: Right, and I
2 know --

3 CRAIG ROSS: But let me just back up on
4 one thing you said that was in the memo too that
5 police and fire department want perpendicular
6 parking. That is not true. They did not say
7 that in their comment letter that I've seen.
8 They said they preferred two-way traffic in the
9 alley, but they never opposed angled parking or
10 never said they preferred perpendicular parking.

11 CHAIRMAN JASON JARRETT: I should
12 clarify. They prefer the two-way movement of the
13 alley.

14 CRAIG ROSS: Correct.

15 CHAIRMAN JASON JARRETT: And the angled
16 parking does -- even though it doesn't force one-
17 way traffic, it does promote one-way traffic.

18 CRAIG ROSS: Only for our tenants.

19 CHAIRMAN JASON JARRETT: Right.

20 CRAIG ROSS: Not for anyone existing,
21 right.

22 CHAIRMAN JASON JARRETT: I understand
23 that. And you know, when it comes to staff,
24 there are -- we -- there are staff meetings. I
25 don't sit in on those. So I have to trust what's

1 in the memo --

2 CRAIG ROSS: Sure.

3 CHAIRMAN JASON JARRETT: -- on that.

4 Whether or not I have a specific report from
5 those agencies, I'm relying on staff and the
6 staff memo, and we know for sure that, you know,
7 engineering, public works, community development
8 and economic development have some concerns about
9 it.

10 I guess my question is from a practical
11 standpoint, other than the softer movement, is
12 there something that would preclude those from
13 being perpendicular? Because I know staff -- the
14 staff memo was asking -- I should say the exhibit
15 that -- Ellen's exhibit was I think asking for
16 additional -- for a total of nine feet at the
17 rear, shrinking the building by five feet. I
18 understand logistically why that may not work for
19 you. Those --

20 CRAIG ROSS: And that didn't include
21 the three feet of wall thicknesses, so it would
22 actually be three feet more than that.

23 CHAIRMAN JASON JARRETT: And losing
24 five feet off the front units makes them
25 unmanageable from a -- from a unit size. They

1 don't lay out well, and it shrinks all the way
2 up. I understand that, but practically is there
3 a reason that the perpendicular parking doesn't
4 work given the amount of space you're providing
5 at the back, which is a minimum of four feet, and
6 the fact that other than maybe the western --
7 could you bring up the site plan for a minute?

8 CRAIG ROSS: Sure.

9 CHAIRMAN JASON JARRETT: So other than
10 maybe the westernmost parking space of the
11 westernmost building, Those look like pretty big
12 parking lots, but the way they essentially work
13 Is you have perpendicular-ish, angular parking
14 along the base of the building single deep. So
15 other than the westernmost stall of the
16 westernmost building, none of those vehicles are
17 close to the alley, which gives a little more
18 leeway for someone backing out, right?

19 They're not backing up into a brick
20 wall, they're not backing up into another car.
21 There is space, and the alley may read as 12 feet
22 but it's 15 feet. I guess practically is there a
23 reason that that doesn't work for you?

24 CRAIG ROSS: Well, besides the eight
25 feet that we would have to somehow come up with

1 that we can't come up with, some --

2 CHAIRMAN JASON JARRETT: I'm not -- I'm
3 not talking about the reduction of the building.
4 I'm just talking about going perpendicular and
5 leaving the space that's at the rear of the
6 building, leaving the four or so feet that you
7 have there. I'm not asking you to give more at
8 the back.

9 CRAIG ROSS: But then we wouldn't have
10 the turning radius, right, the appropriate
11 turning radius that we need, or am I missing
12 something? Because if we go perpendicular, you
13 need 24 feet to turn in. If we go on an angle,
14 you only need 15 feet to turn in.

15 ERIC LUEDTKE: Correct, but I think
16 what we're saying is, is that those parking lots,
17 whatever we want to call those, those parking at
18 the other -- the other side of the alley is --

19 CRAIG ROSS: Right.

20 ERIC LUEDTKE: -- fluid enough, and
21 it's not like we're park -- they're not parking
22 right on that alley because of the way in which
23 that angle runs and sort of -- and he was saying
24 that that westernmost stall on the western
25 building is really our choke point relative to

1 the other side of parking on the other side of
2 the alley. I think that's what -- so -- because
3 if you go there, you see there's all --

4 CHAIRMAN JASON JARRETT: Yeah, and so I
5 mean you're providing, let's say the 15-foot-wide
6 alley, the four-ish feet you're providing, I know
7 there's a little bit of slop in there because
8 there's a little space at the front and the
9 angled spaces position differently and so on, but
10 I mean, you're really at 20-plus feet of width,
11 and like the Chicago code actually prefers 20
12 feet for two-way.

13 CRAIG ROSS: We actually talked about
14 that earlier, but we can't use that, right?

15 CHAIRMAN JASON JARRETT: Because --

16 CRAIG ROSS: And they also have eight-
17 foot-wide stalls.

18 CHAIRMAN JASON JARRETT: Right, but --

19 CRAIG ROSS: And if you go wider
20 stalls, you can reduce that 22 to 20. But these
21 are all things that aren't in your code.

22 CHAIRMAN JASON JARRETT: Yeah, but
23 we're not asking --

24 CRAIG ROSS: We didn't want to add
25 another variance.

1 CHAIRMAN JASON JARRETT: Right.

2 CRAIG ROSS: Because that would be
3 another variance request.

4 CHAIRMAN JASON JARRETT: No, and I
5 don't think we're talking about a variance unless
6 --

7 CRAIG ROSS: Okay, then maybe --

8 CHAIRMAN JASON JARRETT: -- you're
9 shrinking -- I think a 9-feet stall perpendicular
10 with the 15 plus 4 plus whatever else you can
11 find to give when you turn those spaces, I mean,
12 I think you probably have what you need for the
13 turning movements.

14 CRAIG ROSS: Gregg, you want to comment
15 on that? Come up here and -- because I don't
16 think we're there.

17 GREGG STAHR: Yeah. Well --

18 CHAIRMAN JASON JARRETT: And I
19 understand that shrinking the building more than
20 a foot or two --

21 ERIC LUEDTKE: Nobody's proposing that.

22 CHAIRMAN JASON JARRETT: That's exactly
23 what -- that's exactly what I'm trying to avoid
24 by having this conversation.

25 GREGG STAHR: Yeah, no, and I do think

1 that you're -- that it is -- what you're asking
2 for is pretty accurate. I mean, you're -- if
3 there's the 15 feet plus the four we already
4 have, we're at 19 feet, and again the turning
5 radiuses do get smaller as the stalls get wider.
6 And so, I mean, our biggest concern is the
7 building shrinking, and obviously if we were able
8 to create a configuration that does not certainly
9 lose us another parking spot by making those
10 stalls wider, and we also have to work with the
11 power poles as well, because that could -- even
12 though it only seems like 6 inches per stall,
13 that could put us right in a spot where we lose
14 one in between those two power poles. That would
15 obviously be a significant problem. So, those
16 are all the things we would have to look at. But
17 I mean, if we are keeping the back wall
18 essentially in line where it is, where we're
19 proposing it, it's, I mean, something that we can
20 look at in coordination with the site plan.

21 CHAIRMAN JASON JARRETT: But if I'm
22 being honest --

23 GREGG STAHR: My name is Gregg Stahr.
24 I'm with Studio 21 Architects.

25 CHAIRMAN JASON JARRETT: Thank you.

1 And if I'm being honest, I don't really have --
2 necessarily have an issue with the -- with the --
3 with the angular, but I understand that all of
4 our village departments do, and that's something
5 I have to take into account.

6 CRAIG ROSS: And just to comment on
7 that in general, you know, again, this was based
8 on neighbor feedback too, and again, you know,
9 either the neighbors aren't going to be happy if
10 it's angled or perpendicular or one of the -- or
11 two or three of the departments isn't going to be
12 happy, because we have people on both sides of
13 it. But the neighbor feedback again that we got
14 is they like the angled parking because that
15 keeps people from exiting Princeton and then
16 going towards their homes, right? It keeps them
17 going towards Ardmore. The other thing, you
18 know, again, besides the softer turning in and
19 out that we thought would be better because it is
20 a tighter alley, and you know, we thought that
21 was great, but the third thing is that now our
22 tenants aren't competing with each other coming
23 from two different ways, and you know, one
24 happens to come in through Princeton, the other
25 one happens to come through Ardmore, and they

1 meet in the middle and one needs to get past the
2 other one, now they've got to go around. So
3 again, if we can keep all our traffic going the
4 same way, we just thought that was then a safer
5 and better route.

6 So, we don't really understand why fire
7 -- or I'm sorry, not fire department, but the few
8 of the village staff departments were against it.
9 The first reason we heard is because we didn't
10 have enough buffer zone behind them. When we
11 were first originally here, we only had about a
12 foot and a half, but we've increased that to four
13 feet. They had asked for three. So, we haven't
14 really heard a reason why. We've heard they are
15 against it, but maybe Ellen or someone could say
16 why they're against it.

17 CHAIRMAN JASON JARRETT: Yeah, okay.

18 CRAIG ROSS: I don't know. I mean, the
19 only thing I heard is well it helps -- gives them
20 choice and disperses traffic either way, but I
21 don't think that's what we want. I don't think
22 we want to disperse traffic towards Princeton. I
23 think we want it to go towards Ardmore. So, to
24 me, the only argument I've heard for
25 perpendicular from the village staff is that

1 which I think is actually a negative.

2 CHAIRMAN JASON JARRETT: So, then I
3 guess on this particular item, I would ask Ellen
4 or anyone else from the village if they want to
5 speak to that point. It's -- and state your name
6 and --

7 MIKE GUERRA: I'm Mike Guerra. I'm the
8 Public Works Director. So, I can speak to that a
9 little bit. So, angled parking does prohibit
10 visibility. You're backing up and you're backing
11 up at an angle. The village wishes to keep that
12 alley as two-way flow. And so when you do have
13 perpendicular -- angled parking, you're backing
14 this way, it (indiscernible) additional points of
15 conflict that cannot be seen. People are backing
16 into what now could be counter-flow if you're
17 depending on which motion the traffic is going.

18 Additionally, I think the previous
19 developments all proposed perpendicular parking
20 that was there, that was approved, that was
21 mentioned previously, and then also I know why
22 residents want maybe traffic going one way.
23 We've also heard the site visibility on Ardmore.
24 There's other businesses that access the alley.
25 Perpendicular parking allows for circulation of

1 traffic to be more mobile and provide for better
2 flow of traffic and circulation throughout the
3 building in that alley, because we do have
4 several users. We do have a liquor store, we do
5 have the funeral home, and we do have the other
6 parking for the other tenants and the other
7 buildings along that alley.

8 CHAIRMAN JASON JARRETT: So, as an
9 example, that does make one point I hadn't really
10 thought of. If you're a tenant and you come out
11 and you see that liquor truck parked illegally in
12 the alley --

13 MIKE GUERRA: You're stuck.

14 CHAIRMAN JASON JARRETT: -- your only
15 choice is to either back out of the alley or
16 drive through the funeral home parking lot, which
17 they may need to protect. So, I can -- I can
18 certainly see that aspect of it. Okay. Did you
19 want to make any comments on that, Ellen?

20 ELLEN WEBER: I was just going to say
21 one thing. Two-way traffic doesn't mean two ways
22 at the same time. It's not wide enough. It just
23 means the option to go either way depending on
24 what's in the alley at that point in time.

25 CHAIRMAN JASON JARRETT: Okay, thank

1 you.

2 JUSTIN SHLENSKY: Because even if
3 you're parking perpendicular, my preference would
4 then have to be if I'm a tenant, I'd prefer them
5 to back into the parking space so that I have the
6 most visibility while I'm leaving my space
7 exiting out onto the two-way. If I back in, in
8 reverse from Princeton into the alley at an
9 angle, it's going to be a little bit more
10 complicated to park there, but I have visibility.
11 But then my only direction of egress would be
12 westbound on the -- on the alley so I would be
13 exiting out onto Princeton. To staff's comment,
14 to Mr. Guerra's comment, I do understand the
15 concern of the conflict that a tenant would have
16 backing out, because then you're reversing into
17 both let's say ways of traffic on the alleyway
18 and anyone that is driving west down that alley
19 at the time that you're reversing, that's the
20 first point of contact -- potential point of
21 contact. The second point of contact is someone
22 that's also driving eastbound on that down the
23 alley as you're reversing. So, there's two
24 separate ways that you may strike someone else.

25 CHAIRMAN JASON JARRETT: Yeah, okay, I

1 do appreciate that you've found a way to give the
2 additional, whatever it is, two-and-a-half, three
3 feet at the back. That's -- that is actually
4 much appreciated.

5 CRAIG ROSS: And just to go more on
6 that perpendicular, if it's perpendicular
7 parking, I think you could almost guarantee 95
8 percent of the people coming in and out are going
9 to be coming from Princeton, right? Because who
10 would want to drive down a longer alley?
11 Everyone likes to get out of alleys as soon as
12 they can because they're slower and tighter.

13 So, I think if you're going
14 perpendicular, everyone entering is going to be
15 entering from Princeton and everyone exiting is
16 going to be exiting from Princeton. So again
17 then it's back to the neighbor issue.

18 CHAIRMAN JASON JARRETT: Yeah, and --

19 CRAIG ROSS: You know, who do we make
20 happy? I think the neighbors, but you know, if
21 we've got other, better reasons than we can go
22 that way.

23 CHAIRMAN JASON JARRETT: Yeah.

24 CRAIG ROSS: And again, I know everyone
25 keeps bringing up, you know, illegal activity

1 down the alley. I mean, it's illegal activity.

2 CHAIRMAN JASON JARRETT: No, I
3 understand that.

4 CRAIG ROSS: It shouldn't happen. If
5 it is, it's got to stop.

6 CHAIRMAN JASON JARRETT: And I
7 understand that, and you --

8 CRAIG ROSS: Whether we develop or not,
9 that shouldn't be happening.

10 CHAIRMAN JASON JARRETT: Yeah.

11 JIM OLGUIN: Chairman, just on that --
12 on that point, Jim Olguin, but one of the other
13 items as far as like the -- you know, the truck
14 deliveries but also their garbage truck, you
15 know, would have to stop in order to get the
16 garbage corral, so they'd be blocking the alley
17 at that time as well.

18 CHAIRMAN JASON JARRETT: That would be
19 very brief, but yeah, I do understand that
20 there's potentials for there to be -- whether
21 it's garbage trucks or whatever. I mean, cars
22 meet head on in alleys every day and we figure
23 out ways around it.

24 I mean, half of us will do it when we
25 leave here today and go down the alley to the

1 neighborhood. Probably more than half of us,
2 honestly, will go down the alley here, that's
3 probably less than 15 feet wide with everyone
4 having stuff close to it and fences up, and we'll
5 get by. We might have to wait, we might have to
6 be polite, we might even curse a little bit in
7 our cars but we'll get by.

8 There was a question about snow
9 removal. I know that the village is ultimately
10 responsible for snow removal in the alley, and I
11 assume like all other property owners, you would
12 be contracting with a snow removal company for
13 parking at the rear.

14 CRAIG ROSS: Correct.

15 CHAIRMAN JASON JARRETT: Just like the
16 neighbors. Just like the buildings across the
17 alley have to do.

18 CRAIG ROSS: Just like everyone along
19 the alley does.

20 DON KASE: Mr. Chairman?

21 CHAIRMAN JASON JARRETT: Yes.

22 DON KASE: (Indiscernible).

23 CHAIRMAN JASON JARRETT: Please.

24 DON KASE: Where's your lease office
25 at?

1 CHAIRMAN JASON JARRETT: We wouldn't
2 have one. It's only 24 units so we wouldn't have
3 one on site. It'd be off-site.

4 DON KASE: Okay. And how would you
5 have access to the building? Keys or card
6 reader?

7 CHAIRMAN JASON JARRETT: Both.

8 DON KASE: Tenants?

9 CHAIRMAN JASON JARRETT: Both.

10 DON KASE: Both? So, you'd be able to
11 monitor the people who had car keys or whatever?

12 CHAIRMAN JASON JARRETT: Right, and
13 there'd be cameras, too.

14 DON KASE: And what would it be to
15 eliminate one of your garden apartments to pick
16 up more parking?

17 CHAIRMAN JASON JARRETT: Well, we can't
18 park on park.

19 DON KASE: No, underneath. Underneath
20 if you eliminated one of your --

21 CHAIRMAN JASON JARRETT: It wouldn't
22 work. You don't have the drive aisle for it.

23 CHAIRMAN JASON JARRETT: The depth
24 isn't there in the lot.

25 CHAIRMAN JASON JARRETT: Right. We

1 would love to do that, but it doesn't work.

2 DON KASE: Okay.

3 MAN 2: Can you (indiscernible) row
4 down the center or something to --

5 CRAIG ROSS: No.

6 CHAIRMAN JASON JARRETT: So, yeah, the
7 question was putting an additional row down the
8 center, but I deal with laying out parking lots
9 speculative all the time, and I mean the side's
10 tight. It is. And getting the parking indoors
11 in a -- on a site this size in and of itself is
12 pretty impressive and still having room to
13 provide 10 additional spots at the rear. In a
14 lot of markets, the entire base would be parking.
15 And they -- I mean, you'd build closer to lot
16 line to lot line and find a way to get an extra
17 row in there. But I don't think anybody wants a
18 dead parking structure on Park because that's
19 what it would be. It would be -- you've seen it.
20 It would be open vents, louvers, maybe some fake
21 glass windows that are black but don't ever have
22 light behind them. That would be even worse to
23 my mind.

24 So, the additional question was -- I
25 know you had -- so, we talked about the potential

1 for the pork chop drive working with engineering
2 on that. You've expressed they -- that that's
3 something that you'd be willing to provide if it
4 keeps traffic from going south on Princeton to
5 the degree that you can. We understand that you
6 can't be there yelling like a traffic monitor and
7 people do what they do. But we could try to
8 create things that make it harder for people to
9 do it, but we can't stop people from doing it.

10 MICHAEL ORLOWSKI: Can I -- can I
11 comment on the -- we'll call it the half pork
12 chop?

13 CHAIRMAN JASON JARRETT: Yeah, sure.

14 MICHAEL ORLOWSKI: So, the question
15 that I have on that is so when the village has
16 their events and they close off the streets and
17 the only way to get there is from Princeton, how
18 would a renter be able to access the parking
19 garage if you're not allowing them to come from
20 the south to turn in if Park is closed?

21 CRAIG ROSS: Well, two ways. Instead
22 of closing Park on the west side of Princeton,
23 they would have to close Park on the east side of
24 Princeton. I mean, that would be one
25 recommendation. The second is we do -- or they

1 do what we said they shouldn't do and they turn
2 left that day or two because they have no option
3 to go right.

4 CHAIRMAN JASON JARRETT: And --

5 CRAIG ROSS: But you know, I think just
6 moving it, you know, 20 -- the cordoned off part
7 of the street 20 feet east would be the solution
8 to that.

9 CHAIRMAN JASON JARRETT: Yeah, do we --
10 do we ever close off west of Princeton?

11 MICHAEL ORLOWSKI: We have.

12 CHAIRMAN JASON JARRETT: Okay.

13 MICHAEL ORLOWSKI: For Summerfest.

14 CHAIRMAN JASON JARRETT: Yeah, I know
15 we close off some of that for Princeton but I
16 wasn't sure how far west, but I mean, that's --
17 it's an adjustment that can be made and there's -
18 -

19 MICHAEL ORLOWSKI: It was something --

20 CHAIRMAN JASON JARRETT: Yeah, no, it's
21 a legitimate concern.

22 MICHAEL ORLOWSKI: It's a question. I
23 --

24 CRAIG ROSS: Yeah, we saw the map for
25 that and what they close off and that -- and when

1 we looked at it, like, well, it would make sense
2 to move that to the east side of Princeton.

3 MICHAEL ORLOWSKI: And then I'll bring
4 up --

5 CRAIG ROSS: I mean, they only lose 20,
6 25 feet.

7 CHAIRMAN JASON JARRETT: So, the --

8 MICHAEL ORLOWSKI: I have other
9 questions.

10 CHAIRMAN JASON JARRETT: The other
11 question that I have, and I think you kind of
12 spoke to it, but in the staff report and somewhat
13 in your -- in your presentation, you spoke of the
14 ability to create additional permeable or semi-
15 permeable space -- surfaces where you're
16 currently calling for hardscape. I would assume
17 that some of that would be at the rear of the
18 building potentially, or what are your thoughts
19 related to that?

20 And I'm not asking you for a specific
21 calculation, but if not under the request for
22 that variation, you could get closer to that with
23 some additional permeable or semi-permeable
24 spaces -- surfaces. And I assume you wouldn't
25 have an issue with a condition to that effect if

1 we were to make a recommendation.

2 CRAIG ROSS: We can get closer to that.
3 The -- and the reason why we didn't do that right
4 out of the gate is using the permeable pavers
5 isn't the greatest for -- in our opinion at least
6 for commercial spaces. They do get beat up.
7 They do sink. Snowplows do chip them up. They
8 do become a problem. So we were trying to avoid
9 putting them in heavy traffic, heavy plowed areas
10 like the rear parking and like the driveway. We
11 put them we think almost every everywhere else we
12 could.

13 Could we add some by the trash
14 enclosure where that leads out? Well, that --
15 you know that isn't a car driving on there. We
16 certainly could do that. When we start adding
17 them to -- you know, I think the parking would be
18 the worst place to put them from a maintenance
19 and from a durability standpoint. The driveway
20 would probably be better. Is that option there?
21 Yes. Is it a great option? Probably not. But
22 you know, again, is this a -- you know, a
23 negotiation, is this, you know, something we need
24 to give and take? You know, we certainly can,
25 but it's like, you know, where do we --

1 CHAIRMAN JASON JARRETT: Yeah, no, I
2 understand.

3 CRAIG ROSS: -- where do we draw the
4 line?

5 CHAIRMAN JASON JARRETT: And I guess
6 the point is, you know, you're -- this is
7 something you're specifically requesting a
8 variation for.

9 CRAIG ROSS: A hundred percent.

10 CHAIRMAN JASON JARRETT: And we're
11 trying to find a way to minimize the impact. Is
12 that something that either Director Guerra or
13 Ellen that you would like to speak to at all in
14 terms -- I don't mean to put you guys on the
15 spot, but the permeable surfaces and if you would
16 like to see more or where? Because I do
17 understand that, you know, these -- they do have
18 their limitations obviously, especially under
19 heavy loads.

20 ELLEN WEBER: Yeah. When Mr. Ross and
21 I talked, we talked about if he did do permeable,
22 it wouldn't be all the way to the alley because
23 of plows coming through, but he's so close to
24 meeting the threshold of 70 percent as the
25 maximum impervious that I asked him to consider

1 it to try and lose another variance, and I think
2 it would add an aesthetic at the rear of the
3 building, so.

4 CHAIRMAN JASON JARRETT: Okay. Thank
5 you. Okay. I think that's all of the direct
6 questions I have. Does anybody else have
7 questions?

8 MICHAEL ORLOWSKI: Yeah, I got -- I got
9 a question for our public works.

10 CHAIRMAN JASON JARRETT: Mike doesn't
11 usually have to come to these things. Thank you
12 for coming out.

13 MIKE GUERRA: You're welcome.

14 MICHAEL ORLOWSKI: One of the concerns
15 that was brought up by the public and that was
16 the storm water, everybody that knows me knows
17 I'm big on storm water. Do we know if the storm
18 water piping in the area will handle what's
19 needed?

20 MIKE GUERRA: So, as kind of already
21 presented by Interim Director Weber, their plan
22 is a preliminary plan. It's a preliminary site
23 plan. All engineering details have not been
24 finalized. That usually goes into final plan
25 review where we review the engineering with

1 regards to storm water, storm water retention,
2 those sort of requirements.

3 As presented in this plan, they are
4 reducing some of the impervious with their plan,
5 with the pervious pavers and stuff. And if you -
6 - we follow the DuPage County storm water, but we
7 also have an additional restriction. So, DuPage
8 County looks at net new impervious, which this
9 would be a reduction. However, our code does not
10 look at that. We do look at new impervious and
11 with tearing down the site and rebuilding that
12 would kick in.

13 But that comes into the play when we
14 start doing engineering review. As I said, like
15 you do have stormwater runoff in terms of over
16 surface. While that does have some pros by
17 (indiscernible), we do have some cons by then
18 piping directly into the system, so that
19 ultimately comes down into what their final
20 design is for handling that, and then that would
21 be reviewed by our engineering department to
22 ensure that we do not overload our system in a
23 capacity that it cannot handle.

24 MICHAEL ORLOWSKI: And then the second
25 part of that question is if I'm not mistaken as

1 far as waste water, sewer, all that would have to
2 be approved.

3 MIKE GUERRA: Correct. With any
4 commercial development, they would have to get
5 state permits for both the connection of the
6 water and the waste water, and that's when we
7 come into calculations based on the usage, based
8 on the number of units. It equates down to
9 population equivalent, then we evaluate our
10 sanitary sewers based on that. I do know on
11 water we've started evaluating this and I think
12 we've -- you can kind of see it on there. We do
13 have some points of connections that are being
14 proposed. I think we did guide them to Princeton
15 for the water main, because we do have I believe
16 a 10-inch newer (indiscernible) iron made on that
17 which would be able to supply the water demand.

18 Sanitary, we would need to look at a
19 little bit further if this advances to ensure the
20 connection is to the proper location, not to
21 cause additional issues.

22 MICHAEL ORLOWSKI: Okay, that was it on
23 that.

24 ERIC LUEDTKE: Just a point of
25 clarification, what was the work that was done

1 under Park recently? That wasn't just paving,
2 that was some other structures down there; is
3 that correct?

4 MIKE GUERRA: So, the majority of the
5 work on Park was more of a payment
6 rehabilitation.

7 ERIC LUEDTKE: Oh, okay.

8 MIKE GUERRA: However, we did have to
9 relocate some hydrants which then worked into due
10 to proximity of the water main, we did have to
11 rework some of the sewer closer to Ardmore, and
12 then the Meadery we did find their sanitary sewer
13 connection was deficient and so therefore they
14 repaired it at the time of construction of the
15 roadway.

16 But that was auxiliary to the roadway
17 construction and relocation of some storm sewer -
18 - sorry, storm inlets. In order to achieve that
19 work we did have to work minor on the water main
20 on Ardmore and the sewer main.

21 CHAIRMAN JASON JARRETT: All right,
22 questions? Additional questions up here?
23 Because I mean, I'm sure we'll move into
24 discussion and maybe have some more questions.

25 Okay. So, we're going to be moving to

1 discussion. During discussion, we'll probably
2 have additional questions for you. I guess the -
3 - what I would ask is this would be a point in
4 the -- especially in a quick public hearing where
5 we would allow you time to present any closing
6 thoughts you might have.

7 We may come back to you, but is there
8 anything you want to add before we start
9 discussion up here?

10 CRAIG ROSS: No, I think we're good.
11 Thank you.

12 CHAIRMAN JASON JARRETT: Okay, thank
13 you.

14 All right. Discussion.

15 SUMIA SERENO: Excuse me, Jason. I had
16 asked a question when I had came -- come up.
17 Were you holding those until the end?

18 CHAIRMAN JASON JARRETT: What was the
19 question specifically?

20 SUMIA SERENO: My question for the
21 committee and Mr. Ross was that regardless of
22 this project being profitable or not, could there
23 be a different building project that could be
24 erected on this site that would meet the current
25 building code, all the current building codes.

1 CHAIRMAN JASON JARRETT: Yes. He did
2 answer that, actually, and I believe his response
3 was yes, that he could build a five-story
4 building with I believe it was 32 single bedroom
5 units and be to code. Yes. So, that's the
6 answer to that. Whether or not that's
7 profitable, I can't make that determination.
8 It's not my place.

9 We're moving into discussion up here.
10 So, okay. Whoever wants to start? I have
11 thoughts, but I always hate to start.

12 DOMINICK ROMANO: I can throw out there
13 where I feel I stand right now.

14 CHAIRMAN JASON JARRETT: That's good.

15 DOMINICK ROMANO: I can't get behind
16 the parking variation, and that may be so. The
17 apartment life may warrant a smaller kind of per
18 capita car requirement according to statistics,
19 but I have a hard time believing in suburban
20 Villa Park that that's the way it's going to work
21 in units that -- not to the designer's error but
22 will invite more people than they're designed to
23 hold. And I could see situations where even one
24 bedrooms have two cars, and that may dissuade
25 people, but it may not, and I think there's

1 precedent for whatever reason in our village we
2 seem to have that occur with parking going over,
3 so I can't get behind the parking variance as it
4 stands.

5 That being said, some of the other
6 ones, the side yard, the Princeton Avenue
7 entrance and exit, I feel that's six of one, half
8 dozen of the other because if it's put in the
9 alley, yeah, you have a parking issue. But
10 that's beside the point. People are still coming
11 in and off, off Princeton into the alley. So,
12 that -- that's a non-point.

13 I struggle with the impervious
14 materials. I understand it's worse than it would
15 be -- worse now than it would be after, but that
16 doesn't mean that we can justify continuing to
17 have it beyond where we want it to be according
18 to our code. We do.

19 Villa Park has got water problems, we
20 know it, and if this is the period of time where
21 we can -- we can help and meet our code then we
22 should.

23 Streetscape, you know, these variances
24 that are created by the village I could -- I
25 could account for. The build zone with the 13-

1 foot streetscape and the foundation landscaping I
2 could give wiggle room for that, because they are
3 just intricate things, and the triangle. It's a
4 -- it's a visibility triangle. It's a weird
5 corner street. The setbacks there, and
6 especially with the build out that the -- they're
7 willing to do, I think that's not as much of an
8 issue as it would be in a normal squared off
9 corner.

10 So, that's where I stand on where
11 things are and the variances required.

12 CHAIRMAN JASON JARRETT: Okay.

13 Personally, since no one else jump --
14 is jumping up, I'm generally supportive of this
15 proposal. I do think a setback at the south --
16 southwest corner would help a lot contextually if
17 that's practical.

18 Personally, I'm back and forth on the
19 perpendicular versus angled parking at the rear.
20 I certainly understand staff's concerns, public
21 works, and I'm leaning towards giving deference
22 to them. I do understand, though, from the
23 applicant's standpoint, the comfort, so to speak,
24 of being able to pull in and out.

25 I don't necessarily think that the --

1 that that generates enough traffic to create a
2 true one-way feel. But you do -- it does create
3 some conflict potentially with the spaces that
4 are angled the opposite direction across the way,
5 that that would bring them more in line with each
6 other. So, that one I'm kind of torn on.
7 Personally, I don't have an issue with the
8 request for parking relief.

9 I do think that by and large, these are
10 the types of units that are going to appeal to
11 either younger professionals or potentially empty
12 nesters. It's -- you've got the Prairie Path
13 amenity. I mean, I think as a cyclist, if I was
14 to sell my house and stay in Villa Park, where
15 would I want to live, and honestly, I'd rather be
16 here than the train station.

17 And by way of comment, I just would
18 stress that I live blocks from here. I bike past
19 this sometimes four times a day. So, what
20 happens here does matter to me and the safety of
21 everyone's pedestrian cyclists does matter. It
22 does matter to me, too. This is not some
23 amorphous space on the far side of the village
24 that I will never have to face. It's in my
25 neighborhood.

1 So, I'm sure others up here can say the
2 same thing. So, I guess that's kind of where I
3 stand on it. And one thing that -- as I'm
4 talking about living in this neighborhood, one
5 thing that did just occur to me, Ellen, is that
6 we do have comments from two individuals,
7 including one of our trustee -- one of our
8 commissioners. Could you read those into the
9 record? Would that be -- or if you want to give
10 them to me and I can? I mean, I kind of would
11 prefer you do it, but I think they're both fairly
12 brief. Those -- I should have had those read
13 into the record earlier, but one of them is from
14 a commission member who does live in the
15 neighborhood as well, which is what made me think
16 of that.

17 ELLEN WEBER: Okay, we had two written
18 comments, one from a resident who lives on South
19 Villa, and she wrote, "I'm responding to the
20 notice of public hearing for the property at 27
21 West Park, Ardmore Flats. I am against the
22 building of a four-story structure on that
23 property. Three stories would be much more
24 suitable for the neighborhood and the integrity
25 of the Prairie Path and the businesses and

1 buildings within the area. Adding a brick facade
2 all the way around would add to the warmth of the
3 building and would fit in with the surrounding
4 buildings. Future builds on the four corners of
5 Ardmore and Prairie Path, MX-T -- MX-2, excuse
6 me, the MX-2 zone, allowing for one to four
7 stories will also intrude on the integrity of the
8 Prairie Path. This build at 27 West Park will
9 set a precedent for the area regardless and the
10 difference of the zoning. As we know, builders
11 can ask for a variance." And then she lines out
12 variances. "The first parking, short six spaces.
13 Eliminating the two units on the ground floor
14 would give the project enough parking, which
15 would include parking for guests because guest
16 parking isn't being addressed. Garage entry on
17 the side yard. Consider the above and it would
18 allow for the parking garage entry to be from the
19 alley as stated in zoning code. Losing parking
20 was the concern of the garage entry on Princeton.
21 Ninety percent of lot coverage instead of the 70
22 percent." No comment after that. "Streetscape
23 from 0 to 10, minimum 13 is required." No
24 comment. "Relief from exterior lighting, very
25 vague." So she was replying, I want to

1 interject, from the original concept plan,
2 because the lighting relief has been addressed.
3 It does meet code for photometrics, Section 9.4.

4 CHAIRMAN JASON JARRETT: Yes, and just
5 to clarify a point on that, I believe that they
6 are proposing brick at least at the ground floor
7 on all four sides.

8 ELLEN WEBER: "Relief from the
9 visibility triangle. Why?? The corner of
10 Princeton turning onto Park needs the visibility
11 triangle, Code 9.31, and then the last such other
12 and further relief?" Meaning what does that
13 mean. "So my point, if all of these variances
14 are in request, I would like to request for the
15 village to request Ross Builders to build a
16 three-story building with brick facade around the
17 first floor for a better visual (or change the
18 code.)" And then "(See attached picture of
19 Downers Grove Fairview Project by Ross Builders,
20 18 two-bedroom units. This is a picture of the
21 rear view. There is brick all the way around the
22 building. This three-story building looks like
23 it fits into a residential area a lot more than a
24 four story." And she had a picture.

25 CHAIRMAN JASON JARRETT: Okay, yeah,

1 that was in our packet. So, we've seen that.

2 ELLEN WEBER: "The builders are
3 requesting a lot of variances which sway from the
4 code. I am confident that the Villa Park
5 residents would be more happy to have the Union
6 project 215 apartments and the Hawthorne project
7 348 apartment be an addition to the residential
8 needs. Having the Ardmore project changed to a
9 three-story building will be happily accepted by
10 the residents in the area to help keep the
11 Prairie Path and its integrity an incredible
12 asset of Villa Park while still advancing as a
13 village. Not sure if we are still labeled as
14 eighth best place to live and 28th best place to
15 raise a family, but wouldn't want to lose that
16 status. What are the requirements to change the
17 code? Sign petition? What? Or is it better or
18 easier to just apply for variances? Thank you
19 for your consideration."

20 CHAIRMAN JASON JARRETT: Okay, just --

21 ELLEN WEBER: And I did confirm with
22 her that she wanted this as written in the
23 packet, and she did.

24 CHAIRMAN JASON JARRETT: Okay. Just
25 one quick response. I think all of -- most of

1 her concerns were addressed by previous answers
2 from Mr. Ross, but one thing I would point out
3 about a change to the code, even if we were to
4 assume that there were changes that were
5 warranted, the fact remains that they've applied
6 under the existing code. So, if we were to
7 change a code moving forward, it would not impact
8 this this application at all. So -- and then
9 there was one from trustee -- or chair --
10 Commissioner Calvert, I believe.

11 ELLEN WEBER: Who had a planned
12 vacation already for tonight.

13 CHAIRMAN JASON JARRETT: Yeah.

14 ELLEN WEBER: So, "Thank you for the
15 update. If possible, please share this
16 information with the commission regarding the
17 development." And the comment on thank you for
18 the update, he asked me if the public hearing
19 would lead to a vote and I said yes, it could.
20 So, "Thank you for the update. If possible,
21 please share this information with the commission
22 regarding the development at 27 West Park
23 Boulevard and how it compares to a development
24 currently under construction by the petitioner at
25 5117 Fairview in Downers Grove," and then he has

1 a link to the agenda packet from Downers Grove.

2 "The lot size in Downers Grove is 0.61
3 acre, 26,709 square feet in a transit-oriented
4 location. The building is adjacent to the metro
5 parking lot at the Fairview Train Station. The
6 lot in Villa Park is significantly smaller at
7 17,339 square feet. The Fairview Development on
8 a larger lot has fewer units, 18 two-bedroom
9 units. The Downers Grove location has multiple
10 apartment buildings directly across the street
11 and one of them is at least six stories high.
12 But the 5117 Fairview Development was limited to
13 a three story, two-bedroom, 18-unit development.
14 The Downers Grove building was proposed and being
15 built as condo ready. Villa Park should request
16 the same. Condo builders will demand indoor
17 parking. Lack of parking is the curse of any
18 residential building and it will ultimately
19 become an undesirable property without adequate
20 indoor parking. Downers Grove received \$136,852
21 in impact fees for the Park District and School
22 District 58 and 99. Villa Park should demand the
23 same."

24 So, in terms of that, we do not have an
25 impact fee schedule in our code.

1 CHAIRMAN JASON JARRETT: Yeah, and that
2 is something -- yeah.

3 ELLEN WEBER: Okay.

4 CHAIRMAN JASON JARRETT: Okay, thank
5 you for doing that, Ellen. I should have done
6 that earlier. Okay. Other comments up here,
7 discussion?

8 MICHAEL ORLOWSKI: I'll throw my
9 comments out there. I agree with Eric. I think
10 the setback on that western wall would really
11 improve it. I think that might help out a little
12 with parking relief. Parking is my issue with
13 the whole development, as far as the lack thereof
14 the development -- or the lack of parking in the
15 area. It sounds like Steuerle already has a
16 parking issue with some apartments that are in
17 the area I think. That should be addressed
18 outside this meeting. If there's already an
19 issue, it shouldn't be brought up here.

20 The area needs -- the area needs to be
21 developed. It's starving for development. I'm a
22 lifelong resident for Villa Park and, you know,
23 sometimes you get a little gun shy and new
24 development and if it's going to work, if it's
25 going to fail, should we take a chance, should we

1 not take a chance, should we leave it like it is.

2 I think we should find something that
3 works. And I'm -- it sounds like the developer's
4 possibly looking in -- if we drop that western
5 wall, I think that might smooth things out a
6 little bit but without -- I don't know, without
7 see the -- I'm a drawing type guy. I like to see
8 a picture of it. But yeah, the parking to me,
9 yeah, you can -- you can build a unit and if you
10 got a parking issue, yeah, then it just makes a
11 nightmare for everybody in the area.

12 ERIC LUEDTKE: Yeah, it's always --
13 it's always interesting when I -- when I think
14 about the parking because it becomes a management
15 issue, right? It becomes a -- becomes how the
16 building lives and how the management takes care
17 of their tenants. Obviously, Villa Park has its
18 history of sort of management of buildings which
19 we're used to.

20 So, yeah, it's hard. If they -- if
21 they're managing it correctly where there's --
22 where there's no parking, no cars that are beyond
23 the 32, I don't -- trying to -- trying to figure
24 out a way why -- how that's sort of impacting the
25 parking in the area. I -- outside of the

1 potential of guests coming to visit.

2 CHAIRMAN JASON JARRETT: Yeah. I mean
3 the -- yeah. I mean, the reality is we don't
4 allow street parking overnight. I mean, it's up
5 to enforcement obviously, but again, we could
6 argue about how good our enforcement is but
7 that's not --

8 ERIC LUEDTKE: It's not in our purview.

9 CHAIRMAN JASON JARRETT: That's not --
10 it's A, not on our purview, but it's also not the
11 responsibility of the applicant to, you know, to
12 deal with street parking enforcement. So,
13 Justin, Ken, Don, thoughts generally?

14 KENNETH JACKSON: I have an issue with
15 the parking, too. Even if you've got one parking
16 spot for every tenant that has a car there,
17 they're going to have guests over. There's going
18 to be overnight guests probably in today's
19 society. There's definitely a parking issue.

20 I like, you know, that it wants to be
21 developed, but there's not enough parking for I
22 guess the needs of the tenants and their guests.
23 That's my thoughts.

24 Because the six spots in the front on
25 Park, they're -- you can't park there overnight,

1 right?

2 MICHAEL ORLOWSKI: Right.

3 CHAIRMAN JASON JARRETT: No, not by
4 village ordinance. So, those would be I guess --
5 I mean yes, theoretically an overnight guest
6 could. I mean occasional. There's a limit to --
7 you can apply through the police and I think they
8 limit to a certain number of days. But there is
9 -- there -- the police actually do have an online
10 system for that, but there -- it is a limit to a
11 number of consecutive days and I've had to do
12 that a couple of times most recently when my
13 sidewalk was being repaired. Yes, Don?

14 DON KASE: This would probably be for
15 Ellen or Mr. Guerra. Is there's an option of
16 cutting another six, eight spots like we did past
17 Harvard over there for the park? For parking.
18 By the park down on Harvard where the park is,
19 we've got those --

20 MIKE GUERRA: Yeah. Are you speaking
21 along the trail, the northern side?

22 DON KASE: Yes, yes.

23 MIKE GUERRA: That would have to go
24 through the county. All that would have to be
25 permitted as the county regulates the trail, and

1 so, that's the process involved. So, I can't
2 really give a straight answer unfortunately on
3 that, because it would be ultimately at the
4 decision of the county to -- if that would be
5 granted or not.

6 JUSTIN SHLENSKY: All right, I guess
7 I'll comment. First of all, I just want to thank
8 all the residents for coming out and the business
9 owners for coming out today and speaking. I am
10 on Facebook and have read through the super
11 majority of the comments on I think what's
12 happening in Villa Park, and laugh if you will,
13 weird Villa Park is also on there. And I got to
14 tell you, I much rather prefer having in-person
15 meetings with concerned residents addressing us
16 in person and/or writing into the village
17 directly rather than would be social media
18 keyboard warriors.

19 Kind of sick of all the misinformation
20 that is spread on social media, and I guess I'll
21 get off my soapbox on that, but I just want to
22 say thank you so much for coming in person for
23 those that previously came and had to go probably
24 attend to their families or get ready for work.

25 I just got back from Ireland a day and

1 a half ago, so it's six hours ahead, so it's
2 roughly I think 5 a.m. that time, so I apologize
3 if I start becoming a bit more tired than I
4 normally would be.

5 Overall, I concur with the majority of
6 what has been said by my fellow commissioners.
7 We need development in the area. What that
8 development looks like has to start somewhere and
9 it will continue.

10 The renderings by the petitioner were
11 extremely professional and very well thought out.
12 The curb cut at the northeast corner is a very
13 nice touch and I appreciate the collaboration
14 between the petitioner and staff. That is a very
15 welcome addition to this plan.

16 The larger and wider walkway for the
17 rear parking I also very much appreciate that.
18 It shows that you've taking a lot of
19 consideration for the tenants and for the use of
20 the alleyway itself.

21 As for the parallel versus -- sorry,
22 the angled versus perpendicular parking, that is
23 not a variance request before us today. So, I'm
24 going to limit most of my comments on the
25 variations to the requests themselves and not

1 just my personal feelings on items outside of the
2 variations themselves or the requested variations
3 themselves.

4 Along the lines of that, the no left
5 turn, this half pork chop conversation that we've
6 been having, I'm indifferent to that.
7 Commissioner Orlowski brought up a very good
8 point of if the entrance -- the ingress and
9 egress from Park is blocked off or from -- if the
10 ingress/egress of Princeton is blocked off by
11 Park by the village, does that cause a concern
12 for then southbound traffic coming out of the
13 garage? It's a very pertinent point. Probably
14 goes to the fact that I'm indifferent because I
15 would rather have options rather than limitations
16 to that effect.

17 As for the parking, this is one that I
18 struggle with. Just want to be very honest with
19 staff, with the petitioner, and with the public
20 at large. However, petitioner makes a very good
21 point that narrows it down to very simple words
22 that we all learn in economics, supply and
23 demand. If the amount of units are -- sorry, if
24 the amount of parking spaces do not provide the
25 supply to the tenants, the petitioner will lose

1 those applicants as potential tenants and they
2 will likely not rent there.

3 Hypothetically, that's an option. The
4 other option is that they are jerk tenants, if
5 you will, and they sign a lease anyway, they
6 don't abide by the rules, and then it becomes an
7 enforcement issue with not only the lessor
8 applicant or whoever applicant sells to or
9 management and the police department itself, but
10 in my head it narrow -- I narrow it down to
11 supply and demand.

12 The pervious lot coverage is also one
13 that I struggle with, and to be very fair, if the
14 -- if a motion was made unilaterally or in
15 totality for an up/down vote on whether or not we
16 would pass or allow all variances with all
17 conditions at this time, I'd probably vote no.

18 Alternatively, if we went variance by
19 variance, I would vote yes on some, I would
20 likely vote not on the other. Other alternative
21 is based upon the comments that Eric made about
22 cutting down that fourth floor or cutting out
23 that fourth floor a little bit versus finding
24 other unique ways or creative ways to cut down on
25 a parking variance, maybe tabling this for

1 another month is the best idea or is a viable
2 alternative.

3 Landscaping, I know that we did have
4 the catch all or petitioner was smart enough to
5 have the catch all for such and other further
6 relief as may be required. I know that an
7 attorney in the audience pointed that out as
8 well, that may be something that we can revisit,
9 although I do feel that the conditions that staff
10 put in there should find that to be sufficient.

11 So, once again, I just really want to
12 thank the public for coming out today. If there
13 are other commissioners that may feel that a
14 motion to table is warranted -- warrant further -
15 - I would be open to further discussion on that.
16 I do want to give the petitioner a fair shake at
17 this and let them bring us the best petition that
18 they are comfortable bringing us.

19 I don't want to essentially say no to
20 them off the bat if reasonable revisions can be
21 made that do not impact the project itself,
22 because I do disagree with a comment that was
23 made that the commission at large is only looking
24 at this for potential financial relief, because I
25 disagree with that. I think that this is a good

1 plan and that relief is warranted because of the
2 uniqueness of the building, the uniqueness of the
3 fact that we will now have an extended corner
4 that will, you know, get -- that will do away
5 with the formality of the site triangle as
6 written in the code. There is something unique
7 that causes -- that presents a way to get over a
8 hardship.

9 There are unique aspects and
10 alternatives that can alleviate, as staff
11 commented, village caused hardships. That's what
12 this is for. So I disagree that we are only
13 looking out for the developer's best intentions.
14 And I don't want anybody to have that mentality
15 of you're either pro-developer, you're anti-
16 developer. We're looking at this in the totality
17 of all the variations requested with unique
18 collaborative alternatives. Thank you.

19 CHAIRMAN JASON JARRETT: Yeah. So,
20 yeah, I mean that sounds like we kind of -- we're
21 kind of in a position where we have three options
22 up here. One would be -- well really two --
23 three. One would be to vote tonight with the
24 application as it is. One would be to vote with
25 the application with some conditions beyond what

1 we've discussed, rely on staff to sort those
2 things out. That is generally speaking the way I
3 prefer to proceed with most projects, because I
4 like to keep things moving, but I do hear a lot
5 of uncertainty up here in terms of vote, and I
6 know there's some uncertainty -- I don't want to
7 say uncertainty. There are some aspects that
8 we've asked of the applicant that they're not
9 sure if they can address or how they might
10 address them.

11 So, I also know that Traffic and Safety
12 is waiting for additional information
13 theoretically before they make a final
14 recommendation. We don't technically have to
15 wait for that.

16 So, I guess then I do have one question
17 for you, Mr. Ross. If we were to continue this
18 to next month, would you be willing to explore
19 some of the options that we've discussed? And we
20 will -- before we recess tonight if that's the
21 case, we will kind of run down a list of what we
22 would like you to explore with staff and with
23 your architect and bring it back in a month. I
24 mean, theoretically we could try to schedule a
25 public meeting, I mean a special meeting, but I

1 don't know how much time you would need to put
2 something together. I mean, that would be the
3 other option, would be to put something two or
4 three weeks out, but the date -- the date of the
5 next hearing would be July 14th. Today is the
6 ninth. That's technically one, two, three, four,
7 five weeks out. What are your thoughts on that?

8 CRAIG ROSS: Well, as you mentioned,
9 you know, certainly time is of the essence. We
10 already thought we were going to be on the
11 meeting prior but you guys had a lot going on and
12 Ellen had a lot going on so we couldn't make that
13 meeting, so we're already pushed off a meeting.

14 And I should expand on what I was
15 saying when you know -- you know is this a
16 negotiation or how do -- you know, what I'm
17 saying is that it's hard to agree to one thing
18 without knowing the big picture, right? It's
19 like you know can you add the impervious? Yeah
20 maybe. Can you take away a unit? Yeah maybe.
21 You know, can you -- can you do -- I can't do all
22 of them, though, you know, is my point. And so I
23 could agree to, you know, maybe one of the three
24 or one of many. But when you're asking me those
25 questions, that's why it's hard for me to say

1 yeah, we definitely can do that, because
2 obviously you know, economic viability comes into
3 play. At some point if we just keep having to
4 chop away at the number of units or make the
5 building smaller or add other things, then it
6 becomes to a point where we can't do it if we
7 agree to all of them.

8 That's why, you know, standing here
9 today I can't agree to them on top of, you know,
10 obviously we have to make -- logistically make
11 sure they could be done.

12 CHAIRMAN JASON JARRETT: Right.

13 CRAIG ROSS: You know, so you know, and
14 I think what you were getting at, you know,
15 there's like you said three options. One, you
16 know, you vote on the whole thing yes or no. You
17 know, I'd prefer that not be the vote.

18 The second is we vote on -- you vote on
19 them individually, the six variance requests.
20 I'd be up for that. And I think the third option
21 that I think you were kind of getting at is you
22 vote on the six with contingencies on the one or
23 two or three that, you know, things would be done
24 by us to help, you know, make those happen is I
25 think what you're saying.

1 CHAIRMAN JASON JARRETT: Yeah, and I
2 mean, the --

3 CRAIG ROSS: And I would prefer option
4 three out of all -- and then the fourth option I
5 think you're saying is just table it obviously.

6 CHAIRMAN JASON JARRETT: To table it to
7 the next meeting.

8 CRAIG ROSS: The third one is hard,
9 though, as I think you're getting at. How do we
10 put in words how --

11 CHAIRMAN JASON JARRETT: Right, and
12 it's easy for us to do that when you're talking
13 about requesting somebody landscape the base of a
14 new monument sign. That's a pretty easy
15 condition to write.

16 CRAIG ROSS: Right.

17 CHAIRMAN JASON JARRETT: Make sure it
18 meets staff's requirement. Some of what we're
19 asking for may be hard to condition and we
20 understand that some of it may be hard for you to
21 meet. Okay. So, I appreciate that response.

22 CRAIG ROSS: Sure.

23 CHAIRMAN JASON JARRETT: What are
24 thoughts generally up here on the matter?

25 DON KASE: I'd rather vote.

1 CHAIRMAN JASON JARRETT: On the project
2 as is? With the conditions -- a few conditions
3 applied? I mean --

4 DON KASE: You keep putting all these
5 developers off and keep on losing them all. I
6 mean, we got to make up our minds what we're
7 going to do here.

8 CHAIRMAN JASON JARRETT: We put off
9 Garden Station for a month and they're demoing
10 and hoping to build with a better product and
11 they brought one. They came. But I do
12 understand your concern and that's why generally
13 my preference is to apply some conditions in
14 addition to what's suggested by staff to help
15 guide the petitioner and staff. So, I do
16 understand that. That's how I tend to lean
17 generally speaking as well.

18 KENNETH JACKSON: They said if we vote
19 on them individually, he's still going to have to
20 come back or we're just going to say no?

21 CHAIRMAN JASON JARRETT: We would -- we
22 would vote on them individually and it would move
23 forward.

24 KENNETH JACKSON: All right.
25 (Indiscernible) forward.

1 MICHAEL ORLOWSKI: Let's do that.

2 JUSTIN SHLENSKY: My -- I guess my
3 concern or question about breaking them up
4 individually is how do we then propose the
5 conditions that staff has listed out if we do
6 break it up individually?

7 CHAIRMAN JASON JARRETT: And the
8 complexity of that is that a negative
9 recommendation on one could -- assuming that the
10 board takes it up could make the rest of them --
11 as an example, a negative vote on the number of
12 parking spaces could make the project as a whole
13 difficult to facilitate at all, which, you know,
14 that's -- how much time do you think you would
15 need realistically to explore some of the options
16 if we were to hold a special meeting in say two
17 or three weeks? Is that too fast? I'm trying to
18 find a middle ground here, guys.

19 CRAIG ROSS: (Indiscernible) appreciate
20 that.

21 MICHAEL ORLOWSKI: Putting the pressure
22 on.

23 CHAIRMAN JASON JARRETT: Because I know
24 that we've got people up here that are -- that
25 are probably not going to vote for it without --

1 I mean, we may have some who don't vote for it
2 whatever you bring back, that's always a
3 possibility.

4 CRAIG ROSS: Right, right. I mean, you
5 know, to Commissioner Kase's point, I mean, we'd
6 like to know if it's going to happen or not at
7 some point, you know? And we've put -- done a
8 lot of changes. We've put a lot of time and
9 money into it. We're getting to the point where
10 it's like, well, geez, you know, we got to figure
11 something out here.

12 CHAIRMAN JASON JARRETT: I appreciate
13 that. I do.

14 CRAIG ROSS: So, we are kind of at that
15 -- at that point. At the same token, you know,
16 it's hard -- are we close? Are we far? You
17 know, no one can say, you know, what are the
18 things we're looking for? I mean, I think you
19 said, you know, pushing in that west side, losing
20 a unit there.

21 CHAIRMAN JASON JARRETT: We would not -
22 - we would not leave here tonight without giving
23 you a list of what we're looking for.

24 CRAIG ROSS: If you -- yeah, if you can
25 give --

1 CHAIRMAN JASON JARRETT: To the best
2 that we can.

3 CRAIG ROSS: So, I think Gregg can
4 answer that question after you give us that list.

5 CHAIRMAN JASON JARRETT: Okay.

6 CRAIG ROSS: You know, if you say, hey,
7 these are the three, four things we need you to
8 explore, then I think Gregg and I can come back
9 and say okay, yeah, we can get back to you in two
10 weeks, three weeks, or not at all.

11 CHAIRMAN JASON JARRETT: So -- okay.
12 So that -- I appreciate that. So I'll get back
13 to you.

14 CRAIG ROSS: We just need to know the
15 scope.

16 CHAIRMAN JASON JARRETT: Yeah. So, my
17 question is for those up here that are currently
18 not comfortable with the parking variation as it
19 stands for six parking spaces, is there a number
20 between 32 and 36 that you're more comfortable
21 with? If it's a loss of a unit --

22 CRAIG ROSS: (Indiscernible) and that's
23 exactly what we've been looking for, right?
24 Because if we can put numbers on these things,
25 then it makes more sense, right? If someone says

1 no, you got to have 40, then we know let's not
2 waste any time, right?

3 CHAIRMAN JASON JARRETT: Yeah, right.
4 And I can't bind anybody to a vote. But let's
5 say they lost two bedrooms and it's 34 instead of
6 36, does that change your vote on the project at
7 large? I mean, this is -- I mean there -- it's
8 clearly trying to thread a needle, and our
9 recommendation is not binding so holding them up
10 forever is not good as Commissioner Kase has
11 alluded to, but there are some things that I
12 think whether it's bringing that west wall on the
13 third -- fourth floor in and potentially losing a
14 unit, a couple bedrooms, that brings the parking
15 a couple short, three, four short.

16 ERIC LUEDTKE: Correct. We're talking
17 a variance of six. Six is the number, right?
18 That's the one we should be looking at. So, the
19 number, is it six? Is it four? Is it three? Is
20 it one? Is it -- I need a plus three. I mean,
21 what are we -- what are we talking here, right?
22 That's the -- that's the conversation.

23 CHAIRMAN JASON JARRETT: And --

24 ERIC LUEDTKE: Regardless of --

25 MICHAEL ORLOWSKI: I'll go with 34. I

1 --

2 ERIC LUEDTKE: The number is between
3 six and zero.

4 DOMINICK ROMANO: Three.

5 CRAIG ROSS: (Indiscernible).

6 DOMINICK ROMANO: Thirty-four parking
7 spots.

8 CHAIRMAN JASON JARRETT: So, three is
9 the number you're comfortable with.

10 DOMINICK ROMANO: If you could cut the
11 variance in half would be a --

12 CHAIRMAN JASON JARRETT: Three is a
13 number you're comfortable with. Mike --

14 DOMINICK ROMANO: Mike, are we on the
15 same page?

16 CHAIRMAN JASON JARRETT: -- is three a
17 number you're comfortable with?

18 MICHAEL ORLOWSKI: Yeah.

19 CHAIRMAN JASON JARRETT: Three -- a
20 variation of three spaces?

21 ERIC LUEDTKE: Three works for me.

22 CHAIRMAN JASON JARRETT: Okay. So,
23 what you're hearing up here, and I'm telling you
24 this is not binding, if that was a variation to
25 three instead of six, bringing that west wall in,

1 finding ways to -- and I understand there's
2 engineering involved. And some surfaces don't
3 work well in certain situations. Some things are
4 not good in all weather. Some things don't hold
5 weight well. I get that. Ways to create a
6 little bit more impervious surface. I know that
7 was an issue with a couple of people, some not so
8 much.

9 And then I guess the last one up here
10 for us to discuss is perpendicular versus angled
11 parking.

12 JUSTIN SHLENSKY: But that's not a --
13 that's not a variation request.

14 CHAIRMAN JASON JARRETT: It's -- well,
15 it's not, but they're asking for --

16 KENNETH JACKSON: Could they gain
17 another spot out of doing that though?

18 JUSTIN SHLENSKY: Of going -- of going
19 perpendicular?

20 KENNETH JACKSON: Then that would get
21 the parking variance down to three.

22 JUSTIN SHLENSKY: I struggle -- I
23 struggle with that because --

24 CHAIRMAN JASON JARRETT: I understand
25 that that's not necessarily -- yeah.

1 CRAIG ROSS: (Indiscernible) bringing
2 it down three parking spots. Maybe we go
3 perpendicular. Maybe that's how we get it, you
4 know? It's up to us, right?

5 CHAIRMAN JASON JARRETT: Yeah. So --

6 CRAIG ROSS: We'll weigh all the
7 options.

8 CHAIRMAN JASON JARRETT: Hearing that,
9 how much time do you think you need?

10 CRAIG ROSS: I guess my question is --
11 I guess my question is two weeks, three weeks, or
12 five weeks? Because four weeks is pointless,
13 right?

14 GREGG STAHR: Three weeks.

15 CHAIRMAN JASON JARRETT: Three weeks?
16 So, what date is that?

17 ERIC LUEDTKE: June 30.

18 CHAIRMAN JASON JARRETT: June 30th.

19 JUSTIN SHLENSKY: Well, staff, will we
20 have enough time on staff's end for that?

21 ELLEN WEBER: I this so. I have three
22 other cases to write, so time is very precious.
23 I do have one other question. We -- did we talk
24 green roof at all? Is that something you
25 explored?

1 CRAIG ROSS: We said that we were going
2 to look into at some point, but after, you know,
3 we start the building process.

4 ELLEN WEBER: Okay, so possibility.

5 CRAIG ROSS: Permitting process, I
6 should say.

7 ELLEN WEBER: Okay. What date would
8 that be, please?

9 CHAIRMAN JASON JARRETT: That would be
10 June 30th.

11 ELLEN WEBER: Thirtieth you said?

12 CHAIRMAN JASON JARRETT: I mean,
13 technically we could make it any day, but
14 Thursday's the day we usually hold the meetings,
15 so.

16 ELLEN WEBER: Okay.

17 CHAIRMAN JASON JARRETT: And we
18 wouldn't want to conflict with another commission
19 meeting or something.

20 ELLEN WEBER: Because July 3rd then is
21 --

22 MICHAEL ORLOWSKI: I'll be unavailable.

23 ELLEN WEBER: It's that weekend, right?
24 It's that Sunday or Monday?

25 DOMINICK ROMANO: That's correct.

1 CHAIRMAN JASON JARRETT: That's Monday.

2 ELLEN WEBER: Monday. Oh, I said July
3 3rd because that's my birthday instead of July
4 4th. Please strike that from the record. Yeah,
5 I'm sure we'll make it work. The question is if
6 we're republishing or not, we still have time to
7 do that also, if we want to publish it one more
8 time just to add that variation on the landscape.

9 CHAIRMAN JASON JARRETT: I guess it
10 wouldn't hurt --

11 ELLEN WEBER: Right, I agree.

12 CHAIRMAN JASON JARRETT: -- if we have
13 the time to do that.

14 ELLEN WEBER: We would.

15 CHAIRMAN JASON JARRETT: So, are we --
16 so we're leading towards that. Pretty much
17 everybody up here wants to review before they
18 vote with those changes in three parking spaces.
19 I mean, alternately it's to ask conditions and
20 ask staff to review it. I mean, that's the other
21 alternative, which we've done, but this is a
22 large -- I mean, this is a project of -- I hate
23 to say it's of great magnitude, but it's of great
24 magnitude to the people who live next door to it,
25 and it's pretty great for Villa Park. And four

1 months ago it would have been the biggest project
2 in the village.

3 DON KASE: Right.

4 CHAIRMAN JASON JARRETT: Is that what
5 I'm hearing up here for consensus?

6 MICHAEL ORLOWSKI: Yeah, I won't --

7 CHAIRMAN JASON JARRETT: You won't be
8 here?

9 MICHAEL ORLOWSKI: I won't be here.

10 ERIC LUEDTKE: But I'm on that -- I'm
11 on this route, correct? Yeah.

12 CHAIRMAN JASON JARRETT: Okay.

13 CRAIG ROSS: I mean, let me ask you
14 this. Obviously the -- you know, the next
15 village board meeting would be what kind of
16 dictates all of this. If it pushes it off to the
17 next meeting, then it doesn't really matter if we
18 do June 30th or --

19 ERIC LUEDTKE: Well, they meet twice a
20 month.

21 CRAIG ROSS: Oh, they meet twice a
22 month. Okay. Got it.

23 ERIC LUEDTKE: So, there's a helpful
24 sort of cycle there to --

25 CRAIG ROSS: Okay. And then we'd also

1 need to know deadlines for Ellen, you know, as
2 far as you said three weeks but does that really
3 mean we need to get things to Ellen --

4 ELLEN WEBER: I can't cut it as close
5 as I did this time. Thank you, please. Yeah.
6 Yeah, can you go to July 14th?

7 JUSTIN SHLENSKY: Yeah, or just vote it
8 now.

9 MICHAEL ORLOWSKI: Yeah, or vote it
10 now.

11 JUSTIN SHLENSKY: Just pull the Band-
12 Aid off.

13 DOMINICK ROMANO: We're kind of all in
14 that consensus now anyway.

15 CHAIRMAN JASON JARRETT: Yeah.

16 ELLEN WEBER: Yeah, I was going to say
17 we can't move the other case. We can't move any
18 other case to the seventh -- well, if we went to
19 July 7th.

20 CHAIRMAN JASON JARRETT: We could move
21 our text amendments. We could continue that,
22 because I'm really not feeling that this evening.

23 ELLEN WEBER: Right, well, and the 225
24 West Stone we could reopen and continue to the
25 7th too. I just don't want them all on the 14th

1 is the thing.

2 CHAIRMAN JASON JARRETT: Yeah.

3 ELLEN WEBER: The text amendments I
4 don't think will -- these are ones you've all
5 agreed upon. I think we should move forward with
6 that motion. You had a unanimous last meeting on
7 them.

8 CHAIRMAN JASON JARRETT: Okay. So the
9 -- you said you think we should do that this
10 evening? Is that what you said or --

11 ELLEN WEBER: Yeah, was on the agenda -
12 -

13 CHAIRMAN JASON JARRETT: I mean, it
14 should be quick.

15 ELLEN WEBER: Yeah.

16 JUSTIN SHLENSKY: So, we're moving it
17 to the 7th?

18 ERIC LUEDTKE: We don't know yet.

19 MICHAEL ORLOWSKI: Don't know yet.

20 CHAIRMAN JASON JARRETT: Well, the 7th
21 doesn't help us much, right?

22 MICHAEL ORLOWSKI: Right, no. We can
23 do the 14th.

24 CHAIRMAN JASON JARRETT: Because we're
25 already going to be here the 14th.

1 MICHAEL ORLOWSKI: Right.

2 ELLEN WEBER: It helps me, though.

3 CHAIRMAN JASON JARRETT: It helps you,
4 though.

5 MICHAEL ORLOWSKI: Right. Oh, I'm
6 sorry.

7 ELLEN WEBER: Yeah.

8 CHAIRMAN JASON JARRETT: Yeah.

9 ELLEN WEBER: To have two meetings
10 back-to-back, I know, but --

11 MICHAEL ORLOWSKI: When would this --

12 CHAIRMAN JASON JARRETT: Village board
13 meetings in July would be 11th and 25th?

14 JUSTIN SHLENSKY: Twenty-fifth.

15 ELLEN WEBER: And my items are due to
16 the village board the Wednesday prior.

17 CHAIRMAN JASON JARRETT: And I guess we
18 don't have to do a Thursday. We just can't do it
19 on a day when this --

20 ELLEN WEBER: Trueness, yes.

21 CHAIRMAN JASON JARRETT: -- when this
22 is occupied. I don't want to drag this out.
23 That's the thing. But I don't think the
24 recommendation is going to be positive as it
25 stands right now. I mean, I don't know. I'm

1 just -- I mean, I know where my vote is, but --
 2 and I think those subtle changes make a huge --
 3 especially the bringing the west wall in would
 4 make a big difference to the project and I'd hate
 5 to move it forward without that.

6 I know, Mike, you can't be here for the
 7 30th, but --

8 MICHAEL ORLOWSKI: No, I'll be doing a
 9 --

10 CHAIRMAN JASON JARRETT: But you've
 11 essentially expressed that if we were to move
 12 forward with that, you were comfortable with
 13 three.

14 MICHAEL ORLOWSKI: Either way you'll
 15 get my opinion.

16 CHAIRMAN JASON JARRETT: Don, could you
 17 be here on the 30th, you think?

18 DON KASE: Yeah.

19 CHAIRMAN JASON JARRETT: Everybody
 20 else?

21 ERIC LUEDTKE: Okay.

22 CHAIRMAN JASON JARRETT: And I know
 23 that's tight, but

24 ELLEN WEBER: Okay.

25 CHAIRMAN JASON JARRETT: -- you think

1 you can do it? Keeping in mind that -- keeping
2 in mind that we're really going to be addressing
3 -- in that public hearing too we're going to be
4 addressing the changes that were requested and
5 not -- I don't imagine it's going to have
6 wholesale changes over the whole development that
7 we have to re-review.

8 ELLEN WEBER: Right. There's -- we're
9 talking about 35 bedrooms, right, from 38 to 35
10 bedrooms. They're bringing the west wall in,
11 looking for more ways for impervious surface.

12 CHAIRMAN JASON JARRETT: At least
13 examining the pork chop. I mean, I still think
14 even with the possibility of Park being closed,
15 the reality is Ardmore is closed for Summerfest
16 too. So, I mean that's another reason that the
17 perpendicular parking may work better than --
18 Ardmore is just as likely to be closed for
19 Summerfest as anything else. So, that may be --
20 so you have the setback, the permeable paver,
21 permeable surface, the pork chop, perpendicular
22 parking, and the reduction in bedrooms by three.
23 That's where we're at?

24 (Overlapping speakers)

25 CHAIRMAN JASON JARRETT: Right, it's

1 the parking variance. Yeah, you're right, you're
2 right, you're right.

3 ERIC LUEDTKE: (Indiscernible) bedrooms
4 but all we're worried about is this
5 (indiscernible) --

6 CHAIRMAN JASON JARRETT: Right, but
7 it's reduction in bedroom -- right? Yeah. It's
8 get --

9 ELLEN WEBER: In terms of the
10 perpendicular too, because we have the parking
11 across the way, we probably could do a lesser
12 drive aisle a couple of feet. Public works is
13 willing to consider, and if we looked at that
14 four foot, there's still a little room to move --
15 maneuver in there on the perpendicular, we just
16 think it's better for the neighborhood because
17 this group wants it this way and that group wants
18 it this way, and it creates more flexibility for
19 all, so.

20 CHAIRMAN JASON JARRETT: I know it's a
21 sprint, but I think -- I think we'll end up with
22 a better product and one that's probably going to
23 have a recommendation up here where I'm not
24 confident that that would happen right now. And
25 --

1 ELLEN WEBER: So, June 30th with those
2 changes?

3 CHAIRMAN JASON JARRETT: Does that
4 work?

5 ELLEN WEBER: You need a motion then,
6 correct?

7 CHAIRMAN JASON JARRETT: Yeah. So, I
8 would make a motion to continue this item to June
9 30, 2022 at -- we're going to do 7:30?

10 ERIC LUEDTKE: Yes.

11 CHAIRMAN JASON JARRETT: 7:30. There
12 will not be further notice on that. If it's --
13 if the motion is approved, I just want that to be
14 clear to everybody, this is the notice of that --
15 of that movement. You know what you need from
16 us?

17 CRAIG ROSS: I think I got it. The
18 only thing is the date if Ellen could -- if Ellen
19 could help us out? You know, I know June 30th is
20 the meeting and that's great, but when do you
21 need things from us, and what?

22 I mean, I know we agreed to three weeks
23 but we're not sure what we're --

24 CHAIRMAN JASON JARRETT: I think we're
25 -- I think we're talking site plan and fourth

1 floor plan and maybe the -- maybe the new west
2 elevation. I mean, I don't think we need a new
3 rendering.

4 ELLEN WEBER: The engineering is still
5 --

6 ERIC LUEDTKE: Well (indiscernible)
7 rendering, yes.

8 CHAIRMAN JASON JARRETT: Well, yeah,
9 okay. The architect --

10 ERIC LUEDTKE: The west elevation would
11 be the same one that we have.

12 CHAIRMAN JASON JARRETT: The architect
13 -- the architect says we do and the village board
14 is probably ultimately -- the village board's --
15 the village board's ultimately probably going to
16 want one that matches the elevation anyway. So,
17 you'll have to do it at some point.

18 CRAIG ROSS: So, site plan, west
19 rendering, fourth floor layout.

20 CHAIRMAN JASON JARRETT: I --

21 ERIC LUEDTKE: Assuming that's the way
22 you achieve that, correct, yes.

23 CHAIRMAN JASON JARRETT: Right, yes.
24 Whatever you need to put together to show us the
25 changes and how they fit.

1 CRAIG ROSS: And Ellen, when would you
2 need those three items by?

3 CHAIRMAN JASON JARRETT: Let's -- we
4 can work that out after the -- unless you think
5 you can't do it.

6 CRAIG ROSS: Well, you know, if she
7 says tomorrow then we got a problem. We can't do
8 it.

9 ERIC LUEDTKE: We'll give you the
10 weekend.

11 CRAIG ROSS: Thank you. We can go to
12 the office right after this.

13 ELLEN WEBER: 17th or 18th. Gregg?

14 ERIC LUEDTKE: That's a week.

15 CRAIG ROSS: Yeah, nine days. I knew
16 three weeks would turn in -- yeah, I mean, it is
17 what it is. Nine -- we're going to pick the
18 18th you said 17th or 18th.

19 MAN 4: It's what we do.

20 ELLEN WEBER: I work until midnight for
21 you.

22 CRAIG ROSS: I know --

23 CHAIRMAN JASON JARRETT: So, we are
24 technically still on the public record and the
25 court reporter might be trying to transcribe some

1 of this, so.

2 CRAIG ROSS: Got you.

3 CHAIRMAN JASON JARRETT: It's late,
4 we're getting loopy, but.

5 CRAIG ROSS: Right, right.

6 ELLEN WEBER: So, you have a motion to
7 continue to the 30th with changes on parking,
8 west wall, impervious surface, pork chop, and
9 consideration of the alley parking. They will
10 get their items to me by the 18th. Minimum new
11 west wall rendering and a site plan, fourth floor
12 layout if that turns out to be -- whatever
13 layouts are affected, a new --

14 CHAIRMAN JASON JARRETT: Yeah.

15 ELLEN WEBER: -- floor layout.

16 CHAIRMAN JASON JARRETT: Yeah, so that
17 would be -- that would be the motion that I would
18 be making. Does anybody -- Is there a second?

19 JUSTIN SHLENSKY: Second.

20 CHAIRMAN JASON JARRETT: Okay, we have
21 a second. Or actually you're the motion.

22 JUSTIN SHLENSKY: Okay, I will make the
23 motion.

24 CHAIRMAN JASON JARRETT: Okay. All the
25 way from Ireland. We have a motion from

1 Commissioner Shlensky. Is there a second?

2 DOMINICK ROMANO: I'll second.

3 CHAIRMAN JASON JARRETT: Second.

4 That's from Romano on the other end. I'm
5 forgetting names at this point. Okay. All in
6 favor of --

7 IN UNISON: Aye.

8 CHAIRMAN JASON JARRETT: Any opposed?
9 Okay. So, that will be continued to June 30th.
10 There won't be additional notice. Actually, we
11 will be publishing notice to clear up the
12 variation -- the specificity of the variation,
13 and then I know there aren't many people here
14 left, I'll explain when we get there, but we will
15 be limiting -- when we open the public hearing
16 we'll be limiting questions/comments to the
17 degree feasible to what has changed since we were
18 here last because this was a long hearing.

19 I appreciate anybody who's still here.
20 I appreciate those who were here until 15 minutes
21 ago. So, we'll see you guys in three weeks and
22 that is the end of that public hearing for this
23 evening.

24 CRAIG ROSS: And that's 7:30 also?

25 CHAIRMAN JASON JARRETT: Yes, we'll do

1 7:30. That should get you on the -- if -- that
2 should get you on the first meeting in July of
3 the village board, I think.

4 CRAIG ROSS: Okay.

5 CHAIRMAN JASON JARRETT: Whereas our
6 next -- as our next scheduled meeting would push
7 you to the end of July, I think.

8 CRAIG ROSS: Right.

9 JUSTIN SHLENSKY: They should be on for
10 the -- that first meeting in July.

11 CHAIRMAN JASON JARRETT: Yeah, so we
12 have text amendments which I think we can get
13 through pretty quick, but I need a quick break.

14 JUSTIN SHLENSKY: I need a five, yeah.

15 CHAIRMAN JASON JARRETT: So I'm going
16 to request a -- we'll make it a 10-minute recess,
17 and then we'll get through the text amendments
18 real fast. Ellen wants to get those wrapped up.
19 We'll be back in 10.

20 (Recess)

21 CHAIRMAN JASON JARRETT: All right.
22 So, we are back in session here. We're going to
23 be going through Petition PZ-22-0006, village
24 code amendments to Zoning Ordinance Appendix C,
25 which we've talked about in previous meetings

1 including a public hearing, so we're actually
2 reopening the public hearing.

3 ELLEN WEBER: Do we need a motion to
4 reopen?

5 MICHAEL ORLOWSKI: I'll make the motion
6 to reopen.

7 CHAIRMAN JASON JARRETT: We have a
8 motion to reopen.

9 ERIC LUEDTKE: Second.

10 CHAIRMAN JASON JARRETT: Second. All
11 in favor?

12 IN UNISON: Aye.

13 CHAIRMAN JASON JARRETT: All right.
14 We're reopened. Fill us in, Ellen.

15 ELLEN WEBER: Okay, so taking one more
16 smaller bite of the apple, we did publish for a
17 longer list of text amendments. We discussed
18 them on May 12th. There were some that there was
19 great certitude and consensus on, so I've brought
20 those back to you this evening in a redline
21 version, and then I will ask you to continue the
22 remainder that had been published. We'll
23 continue them to the July 14, 2022 meeting. And
24 that will include accessory structures, the
25 scrivener errors in the Section 4 MX districts,

1 and there are a few other small things like
2 sidewalk width.

3 So, all of these were under
4 consideration in the public notice printed on
5 April 27th, and so those are the ones we're
6 discussing here. One is the driveway widths be
7 made consistent across a couple different
8 sections at a minimum of 9 feet measured at the
9 property line and that driveways and street yards
10 leading to off-street parking in rear yards may
11 not exceed 12 feet in width when they lead to one
12 parking space or 24 feet when leading to two or
13 more spaces. And then the other section of the
14 code indicates just so that you're aware a
15 maximum of 30, whichever is less.

16 Circular drives, this was one that
17 Director (indiscernible) had brought up, that
18 circular drives be 12 feet in width, that -- so
19 widening it a little bit, and that low evergreen
20 shrubs be installed and maintained along the
21 length of the circular drive. I think we lost
22 something there. It's going from 10 to 12. We
23 lost the redline.

24 JUSTIN SHLENSKY: And just for
25 clarification, the -- and for the board as well

1 once they see this, evergreen in line item D is a
2 term of art and not a type of shrub.

3 ELLEN WEBER: Okay.

4 JUSTIN SHLENSKY: It's not a specific
5 like --

6 ELLEN WEBER: So, should I -- I should
7 find a genus name for --

8 JUSTIN SHLENSKY: No, that's the
9 inverse of what I'm saying. Evergreen is a term
10 of art. It's -- it allows for a variation of
11 different types of genus of the plants.

12 ELLEN WEBER: Oh, yeah, yeah.

13 JUSTIN SHLENSKY: Versus like capital E
14 of evergreen would be a very specific type of
15 plant. I just say that now because a board
16 member has brought that up to me and I said, no,
17 we're not saying you can only plant one type of
18 shrub.

19 ELLEN WEBER: Thank you. I will make
20 sure that goes into the memo.

21 Okay. The second element is lot
22 coverage, and this is something that got cut out,
23 but it refers folks to a table and deletes that
24 first sentence in B, because the table had
25 recently been updated that there's a maximum of

1 50 or 60 percent in the R districts based on
2 which district you're in.

3 The next one is the specifications on
4 pavement, and this is a little different than
5 what you found, but Director Guerra has indicated
6 this is what it should read. This is best
7 practice. So, going from a 2.5 to a 3-inch
8 surface course and from 4 to 5-inch cement
9 concrete.

10 CHAIRMAN JASON JARRETT: I trust the
11 director that those are the adequate numbers.

12 ELLEN WEBER: So, we did make a little
13 change on this at the visibility triangle. We
14 had talked about just exempting out all of the
15 districts, and then Director Guerra and I talked
16 about it, and there may be some instances where
17 we could still do the site triangle. So, we
18 thought it would be best to just say in the C-1,
19 C-2, and MX districts, the determination of
20 visibility triangle shall be reviewed by the
21 village engineer and determined by the Director
22 of Public Works. So, we can get them as often as
23 we can get them. Rather than just exempting them
24 all out, we thought that was more prudent.

25 CHAIRMAN JASON JARRETT: I'm

1 comfortable with that, because there can
2 certainly be situations where a site triangle is
3 warranted at some intersections.

4 ELLEN WEBER: Mm-hmm. And where we can
5 achieve it.

6 MIKE GUERRA: I'd like a clarification,
7 is with the zero lot lines, we would have
8 locations where the parkway is narrower, where
9 that site triangle may be more important,
10 particularly like on St. Charles where you have
11 high traffic volumes. We may look at new
12 development. We may want that (indiscernible) to
13 be determined where other instances with the
14 parkways large enough, that variance of not
15 needing that site triangle would be then waived.

16 CHAIRMAN JASON JARRETT: Yeah, I could
17 completely see that, especially if you have high
18 traffic and narrow parkway.

19 MIKE GUERRA: We just had concerns of
20 safety. We didn't want to completely --

21 ERIC LUEDTKE: Yeah, I mean at Ardmore
22 and Park, I mean, when you get to an acute angle,
23 right, where you -- in an MX, right, you would --
24 that would be a more --

25 CHAIRMAN JASON JARRETT: Yeah.

1 ERIC LUEDTKE: An opportunity to make
2 sure that we're --

3 ELLEN WEBER: Well, we will work to get
4 them as often as possible, and it gives the
5 flexibility here, but --

6 CHAIRMAN JASON JARRETT: That makes
7 sense.

8 ELLEN WEBER: Mm-hmm. So, the next is
9 the driveway visibility triangle, and here's two
10 examples showing. On the left here is the
11 Kenilworth townhomes, and you can see how the
12 fence goes all the way to the -- to the lot line,
13 but at the library on the east, we pulled it back
14 a little bit.

15 So, the code reads whenever you've got
16 an RS district up against something else, it
17 should go to the lot line, but there's times like
18 the library where you don't want to block that
19 view. So, again, we're suggesting that that be
20 determined by staff. And zoning administrator
21 right now is the director of community
22 development, but it may not always be, so it's
23 written this way.

24 CHAIRMAN JASON JARRETT: All right.
25 That's the --

1 ELLEN WEBER: And again, it's just to
2 avoid a conflict in code and make the decision
3 based on best practice. And then I have the two
4 sections in here showing what they -- how they
5 were worded, the two sections that might
6 conflict.

7 The next then comes from public works,
8 and these were definitions of lot coverage. So,
9 you can see we've talked about how originally or
10 in the last version of the code, lot coverage was
11 just the building measured against the lot and
12 now we're adding impervious surface. We're
13 expanding out things that would be counted into
14 the lot coverage, and again, the director of
15 public works will have the final say on whether
16 it is truly semi-impervious, or you know,
17 permeable based on best practices and guidance
18 with the DuPage code that we administer.
19 Anything else on that, Mike?

20 MIKE GUERRA: No, that seems pretty
21 straightforward and I believe we reviewed those
22 going back almost to the beginning.

23 ELLEN WEBER: You have. This was one
24 that we -- I think folks thought was in and it
25 got cut out of one of your text amendments.

1 Here's another one on that, and again, it's that
2 concept of semi-pervious, allowing that to be --
3 decision to be made by the village engineer based
4 on best practice.

5 CHAIRMAN JASON JARRETT: Yeah. Some of
6 those should have gone in with the ordinance
7 related to residential --

8 ELLEN WEBER: Correct.

9 CHAIRMAN JASON JARRETT: -- lot
10 coverage.

11 ELLEN WEBER: When you expanded it to
12 50 or 60 percent. So, here's your considerations
13 on approving a text amendment, that it's
14 legislative discretion not controlled by one
15 standard, and is it in conformity with policy and
16 does it correct an error or inconsistency, and
17 each of these do that.

18 So, we recommend approval of the text
19 amendments outlined above. I've detailed them
20 briefly here. And then when it goes to village
21 board, they will have a total redline to look at,
22 but if you were so inclined, do you want me to
23 read these or do one of you want to read it?

24 CHAIRMAN JASON JARRETT: We can -- I
25 think we're probably going to have a motion

1 pretty quick, so there's no need to read it
2 twice.

3 ELLEN WEBER: Go for it.

4 CHAIRMAN JASON JARRETT: So, before we
5 make a motion, are there any concerns on any of
6 the issues that Ellen presented? So, then --

7 JUSTIN SHLENSKY: So, my question
8 though is that if -- based upon the recommended
9 motion language that you have, it's to approve
10 the tax amendments as detailed below but then
11 further at the end of the same petition is to be
12 continued. Is there -- there's no conflict of us
13 providing portions of the text amendment at this
14 time but continuing the entire petition for
15 another date?

16 ELLEN WEBER: I don't believe so. I
17 was planning on brining -- I'll check with the
18 village attorney, but I don't believe so, which
19 is why I did it. I will then --

20 JUSTIN SHLENSKY: Or perhaps our
21 president could speak to whether or not the board
22 would consider the text amendments --

23 CHAIRMAN JASON JARRETT: Well, I mean,
24 I think it's -- I think it's a legal thing more
25 than anything. I think it's probably okay, but

1 if it's not, I mean, we could always republish
2 the text amendments for the 10th time, but --

3 ELLEN WEBER: My thought was that
4 breaking it into two events and agenda items for
5 the village board would be preferred anyways.

6 NICK CUZZONE: Yeah, this is President
7 Cuzzone. Yeah, I would definitely talk to the
8 village attorney, because I know when the
9 original text amendments came up for containers,
10 I believe, it was done a little bit incorrectly,
11 which made it real difficult and that's why it
12 kept coming from the board back to you guys. So,
13 yeah, I would definitely have the village
14 attorney see how the best way to address that so
15 we don't have -- it comes to the board and then
16 the board decides, well, we're going to make some
17 changes but other changes, and then it comes back
18 to you guys again. So, yeah, definitely --

19 CHAIRMAN JASON JARRETT: Yeah, this was
20 noticed as specific text sections, correct?

21 ELLEN WEBER: Each of the sections
22 identified here were in the notice.

23 CHAIRMAN JASON JARRETT: Okay, so --

24 ELLEN WEBER: Yeah, and I can republish
25 for the accessory structures, too, if the village

1 attorney deems that most appropriate.

2 CHAIRMAN JASON JARRETT: Yeah. So,
3 what is the item that's being continued? Is -- I
4 might have that. No, I left that at home.

5 ELLEN WEBER: Continued discussion of
6 accessory structures, scrivener's errors in
7 Section 4 MX District, and the remainder of the
8 items that were included in the legal notice
9 published on April 27th.

10 CHAIRMAN JASON JARRETT: That's --

11 ELLEN WEBER: That was how I summarized
12 it.

13 CHAIRMAN JASON JARRETT: Okay, that --
14 so that makes sense.

15 ELLEN WEBER: And then the legal notice
16 is on Page 1 and 2, so you can see what's there.

17 CHAIRMAN JASON JARRETT: So, then let's
18 make two motions.

19 JUSTIN SHLENSKY: Okay.

20 CHAIRMAN JASON JARRETT: I don't think
21 -- I mean, I think it's kind of unnecessary maybe
22 to have two votes but let's -- I guess let's do
23 it that way.

24 JUSTIN SHLENSKY: I think I can knock
25 this one out for you.

1 CHAIRMAN JASON JARRETT: So, the first
2 would be to recommend below as it's worded and
3 then the second would be to -- and we'll do these
4 separate, to continue and then Ellen has it
5 worded very well on Page 1, second bullet point.

6 JUSTIN SHLENSKY: Okay. So, I'll make
7 a motion to approve the following text amendments
8 of PZ -- of Petition PZ-22-0006 as follows.
9 Article 7, Parking, Section 7.8.4, amending
10 driveway width at property line and garage.
11 Article 7, Parking, Section 7.8.5, amending width
12 of a circular driveway and requiring low-growing
13 evergreen shrubs along the length of the circular
14 drive. Article 7, Parking, Section 7.8.7,
15 driveway design, cross-referencing lot coverage
16 requirements with Table 2-3, lot and building
17 regulations R districts.

18 Article 7, Surfacing, Section 7.9.4,
19 parking area design amending the minimum
20 specifications for driveway construction.
21 Article 9, Section 9.3.1, intersections, amending
22 requirements for visibility triangles such that
23 the determination of requirement on corner lots
24 in the C-1, C-2, MX-1, MX-2, and MX-3, MX-T, MX-
25 R1, and MX-R2 districts shall be reviewed by the

1 village engineer and determined by the director
2 of public works.

3 Article 9, Section 9.1.5C, landscaping
4 and screening provides that when a conflict in
5 regulation exists, requirements for solid
6 screening along the entire length of a property
7 line separating residential and non-residential
8 property, a determination of fence location shall
9 be reviewed by the zoning administrator and
10 determined by the Director of Community
11 Development.

12 And Article 14, definitions --
13 measurements and definitions amends definitions
14 of lot coverage, impervious site coverage, and
15 semi-pervious surface to correspond with the
16 storm water ordinance and allows for final
17 determination of whether a surface is impervious
18 or pervious by the village engineer and
19 determined by the director of public works.

20 MICHAEL ORLOWSKI: I'll second that.

21 CHAIRMAN JASON JARRETT: I have a
22 motion from Commissioner Shlensky, a second from
23 Commissioner Orłowski. Any questions, comments
24 on the motion? Okay. We'll do this roll call.
25 Jackson?

1 KENNETH JACKSON: Yes.

2 CHAIRMAN JASON JARRETT: Kase?

3 DON KASE: Yes.

4 CHAIRMAN JASON JARRETT: Luedtke?

5 ERIC LUEDTKE: Yes.

6 CHAIRMAN JASON JARRETT: Orłowski?

7 MICHAEL ORŁOWSKI: Yes.

8 CHAIRMAN JASON JARRETT: Romano?

9 DOMINICK ROMANO: Yes.

10 CHAIRMAN JASON JARRETT: And Shlensky?

11 JUSTIN SHLENSKY: Yes.

12 CHAIRMAN JASON JARRETT: I, too, vote
 13 yes. With that, our recommendation passes to the
 14 village board. And then we'd have a motion to
 15 continue the remaining items. Do we want to
 16 continue that to a date certain? Yeah, we need
 17 to, otherwise we have to republish. Next month?
 18 Okay. Okay. So, then that would be a motion to
 19 continue to July 14th.

20 JUSTIN SHLENSKY: Yeah.

21 CHAIRMAN JASON JARRETT: So, anybody
 22 want to make a motion to continue the remaining
 23 items -- go ahead, Justin. You have the motion.

24 JUSTIN SHLENSKY: I'll make a motion to
 25 continue the items of the accessory structures,

1 scrivener's errors in Section 4 MX districts, and
2 remainder of the items included in the legal
3 notice published on April 27, 2022 of Petition
4 PZ-22-0006 to a date certain of July 14, 2022.

5 MICHAEL ORLOWSKI: I'll second that.

6 CHAIRMAN JASON JARRETT: Motion from
7 Commissioner Shlensky. Second from Commissioner
8 Orłowski. Questions, comments? Roll call.

9 Jackson?

10 KENNETH JACKSON: Yes.

11 CHAIRMAN JASON JARRETT: Kase?

12 DON KASE: Yes.

13 CHAIRMAN JASON JARRETT: Luedtke?

14 ERIC LUEDTKE: Yes.

15 CHAIRMAN JASON JARRETT: Orłowski?

16 MICHAEL ORLOWSKI: Yes.

17 CHAIRMAN JASON JARRETT: Romano?

18 DOMINICK ROMANO: Yes.

19 CHAIRMAN JASON JARRETT: Shlensky?

20 JUSTIN SHLENSKY: Yes.

21 CHAIRMAN JASON JARRETT: I, too, vote
22 yes. That will be continued to the next regular
23 meeting.

24 JUSTIN SHLENSKY: Make a motion to
25 adjourn.

1 MICHAEL ORLOWSKI: Second.

2 CHAIRMAN JASON JARRETT: You have any
3 comments or anything before we adjourn? I think
4 I don't. You don't look like it. Okay. So,
5 there's a motion to adjourn and a second from
6 Shlensky and Orłowski. All in favor?

7 IN UNISON: Aye.

8 CHAIRMAN JASON JARRETT: We're
9 adjourned.

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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.

A handwritten signature in dark ink, reading "Sonya M. Ledanski Hyde". The signature is written in a cursive style and is positioned on a light gray rectangular background.

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&	11,239 11:2	177:20 180:8,13	232:4
& 1:12	11501 234:14	18,000 98:12	22-0007 7:4 8:3
0	11th 208:13	180 98:16,16	22-005 9:13
0 39:15 176:23	12 56:22,23,24	189 95:24	225 7:4 206:23
0.61 180:2	82:6,24 86:10	18th 214:13,18,18	23 20:13
0005 6:17	96:16 117:2,3	215:10	24 11:2,7 29:21
05 56:10	136:2 146:21	19 28:16 98:18	72:7 79:24 80:17
05/12/22 2:21,24	219:11,18,22	150:4	80:24 84:20
07 56:10 59:3	12151 234:9	1987 94:24	147:13 159:2
08 56:12	125 98:12	1st 41:15,20	219:12
1	127 107:10	2	25 29:17,19 31:22
1 7:8 8:8,13 9:5,11	12th 218:18	2 19:3 22:8 23:12	163:6
20:2,4 40:21 41:2	13 10:3 16:4,18	37:19 39:14,14	256 95:19 103:18
70:2 119:8 121:13	56:22,24,24 57:19	40:21 41:2 47:14	121:21
124:10 125:1	172:25 176:23	54:20,23,25 160:3	25th 208:13
221:18 228:16	136,852 180:20	176:5,6 221:19	26 11:16
229:5,24,24	14 8:12 11:6 16:22	228:16 229:24,24	26,709 180:3
1.00 32:8	30:16 218:23	2-3 229:16	27 9:1 21:17
1.27 32:7 34:14	230:12 232:4	2.5 221:7	101:10 103:14
1.33 30:18	144 83:10 98:11	20 72:3 77:13	175:20 176:8
1.8 81:1	14th 8:8 10:15	148:10,11,20	179:22 232:3
1.9 80:23,24	192:5 206:6,25	162:6,7 163:5	27th 219:5 228:9
10 11:6,24 13:24	207:23,25 231:19	2003 78:7	28th 178:14
25:14 30:15,24	15 28:17 52:22	2005 100:24	2:00 92:18
34:12 41:24 42:1	58:5,5 86:11,13	2007 76:21	3
42:5,6,15,18,19	100:23 107:25	2008 90:24	3 23:10 40:21 41:2
43:5,5,7 52:21	117:2,6 122:2	2016 32:6 34:10	118:10,13 221:7
56:25 57:19 64:6	146:22 147:14	2018 13:2 104:7	229:24
77:12 82:5 110:2	148:5 149:10	114:1	30 55:18 69:6
122:8 160:13	150:3 158:3	2021 34:8	109:8 130:23
168:16 176:23	216:20	2022 8:4,12 212:9	202:17 212:9
217:16,19 219:22	150 26:6	218:23 232:3,4	219:15
100 22:6 26:6	15th 96:10	234:16	300 234:13
122:7 132:6	16 39:25 57:3	2022-06-09 1:13	303 107:21
101 115:20	87:18 98:19	21 150:24	30th 202:18
10:00 53:14	17 123:24	215 178:6	203:10 205:18
10k 94:5	17,000 10:22	22 6:16 11:4 30:23	209:7,17 212:1,19
10th 227:2	17,339 180:7	42:2 57:20 148:20	215:7 216:9
11 234:16	17th 214:13,18	22-0005 9:1	314 76:17
	18 16:16 34:8 57:3	22-0006 6:16	32 9:21 30:17
	87:15,24 88:11	217:23 229:8	31:22,23 41:25

46:10,20,22 80:16 121:7 171:4 182:23 198:20 33 72:18 330 234:12 34 83:16 199:5,25 3427 58:16 348 178:7 35 210:9,9 36 198:20 199:6 365 130:19,24 37 103:14 38 9:22 11:7 30:23 210:9 39 78:4 3rd 203:20 204:3	225:12 500 17:14 500,000 110:1 5117 179:25 180:12 515 95:15 516 80:11 534 109:2,7 560 99:1 58 180:22	9 9 138:25 149:9 219:8 229:21 230:3 9.1.5c 230:3 9.3.1 229:21 9.31 177:11 9.4. 177:3 90 37:13 9000 98:16 90s 52:15 95 156:7 99 180:22	231:25 accident 100:11 accommodate 59:5 64:9 98:22 98:24 120:13 accomplish 122:14 126:13 account 40:1 134:8 151:5 172:25 accounts 37:20 accurate 127:16 150:2 234:4 achieve 71:4 169:18 213:22 222:5 acre 90:18 180:3 active 31:13 activities 45:22 activity 15:19 156:25 157:1 actual 18:21 actuality 23:12 acute 222:22 ada 11:13,14,17 18:25 26:9 27:25 29:7 61:22,23 adapt 77:3 add 30:12 44:21 44:22 51:12 89:9 120:12 124:7 148:24 164:13 166:2 170:8 176:2 192:19 193:5 204:8 added 10:7 26:11 26:12 29:11 35:1 53:3 120:4 adding 17:12 25:22 27:23 28:2 32:11 36:11 37:18
4	6 6 150:12 60 85:25 136:18 221:1 225:12 60521 20:14 62 96:2 64 17:16 65 37:21,24 38:3 6:07 53:20 6:30 66:12 96:15	a a.m. 186:2 abide 39:4 188:6 ability 71:12,18 129:5 131:24 163:14 able 10:10 15:13 23:6 26:8 71:25 87:10 89:23 94:7 114:23 132:22 150:7 159:10 161:18 168:17 173:24 abutting 75:9 136:13 accept 124:15 acceptable 97:22 accepted 178:9 access 24:25 26:12 28:19 40:19 42:12 57:2,21 58:18 59:4,7 82:7 117:24 118:21 153:24 159:5 161:18 accessory 218:24 227:25 228:6	
4 149:10 214:19 218:25 221:8 228:7 232:1 4.4.3 14:24 40 130:23 199:1 404 111:1 40s 114:20 412 102:12 420 108:10 421 94:19 427 64:20 85:25 435 92:3 436 105:25 447 61:9 45 80:24 114:21 115:12 4th 105:11 204:4	7 7 16:22 67:16 115:2 229:9,11,14 229:18 7.8.4 229:9 7.8.5 229:11 7.8.7 229:14 7.9.4 229:18 70 165:24 176:21 79 17:12 7:30 212:9,11 216:24 217:1 7th 206:19,25 207:17,20		
5	8 8 8:4 80s 52:15		
5 39:15 64:6 186:2 221:8 50 95:25 98:15,16 108:11 114:21 130:23 221:1			

38:8 42:5 53:1 54:8 60:15 164:16 176:1 224:12 addition 77:8 88:22 101:5 178:7 186:15 195:14 additional 17:14 18:12 30:13 53:4 72:24 73:23 116:13 145:16 153:14 156:2 160:7,13,24 163:14,23 167:7 168:21 169:22 170:2 191:12 216:10 additionally 94:25 153:18 address 4:21,22 5:18 20:7 61:5 65:19 76:25 119:23 141:22 142:6 191:9,10 227:14 addressed 5:21 45:23 48:16 62:23 85:10 125:11 176:16 177:2 179:1 181:17 addresses 108:1 addressing 185:15 210:2,4 adequate 58:19 59:5 180:19 221:11 adjacent 67:3 73:5 180:4 adjoining 58:21 adjourn 232:25 233:3,5	adjourned 233:9 adjust 133:8 adjusting 138:11 adjustment 162:17 administer 224:18 administrator 223:20 230:9 admitted 72:12 adult 80:19 81:3 96:16 112:20 113:1,4 advances 168:19 advancing 178:12 advice 85:19 advisement 77:6 aesthetic 29:15 47:23 114:3 166:2 aesthetically 108:17 aesthetics 78:22 80:6 83:19 affect 63:10 affirm 6:8 affordable 50:18 51:19 79:14 101:24,25 102:2 aged 51:16 agencies 145:5 agenda 6:3 7:2 180:1 207:11 227:4 ago 41:17 52:22 54:3 100:10 108:1 115:16 186:1 205:1 216:21 agree 46:17 115:9 129:13 181:9 192:17,23 193:7,9 204:11	agreed 11:25 58:17 207:5 212:22 agreement 68:16 91:14 agrees 49:15 ahead 36:14,18 113:8 127:13 186:1 231:23 aid 18:10 206:12 air 51:24 aisle 159:22 211:12 aisles 31:16 akin 126:12 align 29:24 137:5 aligned 30:1 aligning 137:7 alleviate 13:9 190:10 alley 15:21 18:6 23:9 25:6,18,19 28:12 29:5 35:17 35:19 41:13,24 42:2,4,6,12,13,14 42:15,23 43:3,15 43:20,25 44:6,14 45:6,17,21,24 46:4 56:25 57:18,25 68:21,24 74:8,9 75:14 80:13 82:6 82:12,14,21,24 83:3 86:9,11 87:8 100:6,7,9,12 101:1 101:23 116:8 117:1,1,14 135:22 144:9,13 146:17 146:21 147:18,22 148:2,6 151:20 153:12,24 154:3,7 154:12,15,24	155:8,12,18,23 156:10 157:1,16 157:25 158:2,10 158:17,19 165:22 172:9,11 176:19 215:9 alleys 156:11 157:22 alleyway 155:17 186:20 allocated 87:15 allotted 130:12 allow 5:23 18:9 24:22 28:15 30:2 55:9 67:15 86:18 93:21,25 97:24 116:6 170:5 176:18 183:4 188:16 allowed 29:8 46:6 60:8 82:21 90:4 114:21 132:4 137:9 allowing 94:8 111:7 161:19 176:6 225:2 allows 24:25 28:16 28:18 34:2 47:15 97:13 153:25 220:10 230:16 alluded 111:4 199:11 alternately 204:19 alternative 188:20 189:2 204:21 alternatively 188:18 alternatives 190:10,18 altogether 18:8

amazon 89:11 amend 8:11 amended 7:2 amending 229:9 229:11,19,21 amendment 37:7 225:13 226:13 amendments 6:14 206:21 207:3 217:12,17,24 218:17 224:25 225:19 226:10,22 227:2,9 229:7 amends 230:13 amenities 33:4 50:2 51:1,5 81:12 81:23 amenity 174:13 amorphous 174:23 amount 33:24 42:21 43:1 71:2 126:25 132:15 146:4 187:23,24 ample 132:15 amplifies 129:12 amy 105:24,24 106:14 analysis 12:23 15:2 42:16,20 56:4 104:17 analyzes 31:20 angle 25:17 29:17 36:23 47:25 71:1 89:19,20 143:19 147:13,23 153:11 155:9 222:22 angled 43:11 44:10 143:5 144:9 144:15 148:9 151:10,14 153:9	153:13 173:19 174:4 186:22 201:10 angular 13:18 146:13 151:3 anne 95:14,14 96:8,23 101:18 102:6 announcement 96:9 annoying 62:7 annual 96:13 answer 65:22 113:22 171:2,6 185:2 198:4 answers 104:10 179:1 anti 190:15 anybody 112:10 132:16,21 160:17 166:6 190:14 199:4 215:18 216:19 231:21 anyway 37:1 102:20 188:5 206:14 213:16 anyways 227:5 apartment 32:5 34:5 49:11 50:23 51:2 52:7,16,18 66:13 67:19 68:10 68:15 73:14,17 80:15,17 81:12,24 82:1,24 99:1 106:10 108:22 112:16,17 121:1 171:17 178:7 180:10 apartments 51:18 51:21 52:4,5,6 66:25 67:19 68:5	75:16 80:24 82:8 86:22 92:13 109:22,23 110:2 113:2 120:25 159:15 178:6 181:16 apex 9:3,14 apologize 186:2 appeal 174:10 appeals 12:14 appears 81:1 91:5 appendix 217:24 apple 218:16 applicable 70:14 applicant 7:21 8:1 13:11 116:17 130:13 183:11 188:8,8 191:8 applicant's 173:23 applicants 188:1 application 4:12 4:18 7:9 71:10 72:17,18,23 75:21 116:14 179:8 190:24,25 applied 179:5 195:3 apply 178:18 184:7 195:13 appreciate 76:8,12 77:14 86:3 102:9 103:3,6 104:16,21 105:7 113:14,19 126:16 127:20 156:1 186:13,17 194:21 196:19 197:12 198:12 216:19,20 appreciated 5:11 156:4	appreciative 92:9 approaches 89:8 appropriate 6:1 33:24 58:19 71:14 99:7 109:25 121:10 147:10 228:1 appropriately 95:23 approval 2:19 16:3 225:18 approve 2:24 3:1 226:9 229:7 approved 3:10 56:10,15,23 57:13 58:3,7,15 76:2 98:5 99:2 153:20 168:2 212:13 approving 97:3 225:13 approximate 24:1 april 10:14 134:20 135:17 219:5 228:9 232:3 architect 138:14 141:6 143:12 191:23 213:9,12 213:13 architects 127:24 150:24 architecturally 138:17 architecture 138:11 ardmore 9:1,4,15 19:7 25:16 26:5 26:18 43:12,18 50:19 60:1 66:24 67:12 74:9,10 81:15 82:2,14 84:3,6 88:14

94:24 99:3 101:1 111:2 114:11 151:17,25 152:23 153:23 169:11,20 175:21 176:5 178:8 210:15,18 222:21 area 16:13,19 24:19 25:8,12 28:22 32:9 34:19 34:20,20 36:1 46:15 50:11,12 54:9 55:20 59:13 59:19 60:7,13 62:10 66:19 73:4 73:10 77:9 78:15 81:21 87:5,6,11,24 88:2 90:12 93:5,9 94:12 95:11,23 98:15,23 103:21 107:18 108:1,3,24 133:6 166:18 176:1,9 177:23 178:10 181:15,17 181:20,20 182:11 182:25 186:7 229:19 area's 31:2 areas 22:20 29:14 34:17,22 36:6 38:9 55:8 58:19 88:24 90:17 114:3 164:9 argue 135:8 183:6 argument 152:24 art 220:2,10 article 14:24 34:4 34:7 229:9,11,14 229:18,21 230:3 230:12	articulation 12:21 arts 114:13 asked 7:9 22:5 44:19 70:7 74:5,6 74:7,13,14,18 112:2 120:1 121:4 152:13 165:25 170:16 179:18 191:8 asking 64:1 89:16 112:22 137:18,20 145:14,15 147:7 148:23 150:1 163:20 192:24 194:19 201:15 asks 119:12 aspect 124:9 142:20 154:18 aspects 190:9 191:7 asphalt 37:25 117:4 assertion 80:16 assessed 95:2 assessment 31:18 116:11 asset 178:12 assigned 33:8,8 42:7,9 53:5 85:6 100:7 129:25 131:19,20 association 34:5 85:15 assume 117:12 132:3 158:11 163:16,24 179:4 assuming 136:16 196:9 213:21 attached 177:18 attempting 115:18	attend 185:24 attended 63:7 attending 10:13 63:3,20 attest 93:12 attorney 55:23 70:4 112:1 126:18 126:23 189:7 226:18 227:8,14 228:1 attractive 75:17 audience 35:23 119:12 121:15 189:7 auto 15:18 automotive 7:16 auxiliary 169:16 availability 111:15 available 32:21,25 49:3 86:23 avenue 7:4 21:19 28:24 35:2 44:12 59:8 63:6 64:20 67:21 76:17 81:24 82:8,13,24 85:7 88:13,14,18 92:4 95:8 99:3,8 110:9 110:10 172:6 average 32:5 66:6 81:1,2,13 121:2 averaged 87:20 averages 65:25 80:18 avoid 119:16 149:23 164:8 224:2 aware 13:2 65:7 91:8 219:14 awesome 96:22	aye 3:8,23 6:25 8:22 216:7 218:12 233:7 b b 220:24 back 12:20 14:4 15:6 17:4 19:12 19:23 22:24 23:16 24:17 25:1,4 38:21 39:19,20,24 43:16,18 52:15,23 53:18 59:2,11 60:21 61:24 76:21 82:5 87:6 89:17 91:19 92:15 97:14 101:5 104:10 106:9,18,25 110:22 114:19 115:2,24 119:2,6 119:13 130:10 136:1,14,25 137:3 137:15 138:1,24 138:24 144:3 146:5 147:8 150:17 154:15 155:5,7 156:3,17 170:7 173:18 185:25 191:23 195:20 197:2 198:8,9,12 208:10 208:10 217:19,22 218:20 223:13 224:22 227:12,17 backing 82:23 146:18,19,20 153:10,10,13,15 155:16 backup 94:25 backyard 78:10 78:11

backyards 78:9	132:3,20,24	better 23:11 26:10	182:6 186:3
bad 87:9 131:23	133:10,16,25	35:24 46:15 84:22	188:23 201:6
bag 64:7	134:1,3,8 171:4	93:23 151:19	219:19 223:14
balance 15:21	177:20 180:8,13	152:5 154:1	227:10
band 206:11	211:7	156:21 164:20	bite 218:16
bank 22:2 49:9	bedrooms 11:6,7	177:17 178:17	black 22:10,17
bar 18:24 30:4	30:19,22 33:3	195:10 210:17	160:21
36:16	46:14,19,20 98:18	211:16,22	blame 124:17
barbers 81:17	142:18 171:24	beyond 172:17	126:6
barn 110:8	199:5,14 210:9,10	182:22 190:25	blanket 96:18
bars 31:4	210:22 211:3	bible 74:15	bleed 117:3
base 146:14	beginning 50:9	bicycle 89:21	blend 84:20 97:16
160:14 194:13	224:22	big 4:6 18:5 47:2	blended 14:7,13
based 14:5,13,14	behalf 9:3 69:2	62:12 65:20,21	blends 22:20
14:20 15:12,15,17	94:18 113:24	78:14 83:23,25	blind 74:10 82:15
26:13 34:1 41:9	behavior 132:25	90:14 114:13,23	88:16 100:9,13
56:4 57:9 65:25	133:1	119:19 146:11	block 11:15,15,16
115:11 124:3	believe 16:24	166:17 192:18	53:25 68:11 73:19
151:7 168:7,7,10	47:17 49:9 56:1	209:4	81:19 86:1 96:4
188:21 221:1	75:21 107:17	bigger 24:17	106:5 108:13,15
224:3,17 225:3	109:21 124:3,18	biggest 132:22	108:19 110:11
226:8	125:6,12,16,19	138:19 150:6	135:20 223:18
basement 94:24	127:13 128:21	205:1	blocked 101:4
basic 81:16	168:15 171:2,4	bike 31:3 33:15	187:9,10
basically 19:11	177:5 179:10	174:18	blocking 45:24
36:8 41:1 42:11	224:21 226:16,18	bikeable 50:4	157:16
74:14 97:3	227:10	bikes 106:20	blocks 45:17
basis 71:13,14	believing 171:19	biking 50:2	103:21 174:18
76:1 85:22 93:13	belong 57:14	bind 199:4	blow 30:8
bat 189:20	benefit 111:24	binding 199:9	blown 12:23
baths 33:3 129:4	112:2	200:24	114:13
beat 164:6	benefits 11:25	birthday 204:3	blue 25:15 36:1
beautiful 79:9	berwyn 93:7	bit 30:20 37:17	board 10:14 12:14
102:17	best 25:21 90:15	42:16 48:13 51:20	19:21 58:3,8,9,15
becoming 186:3	98:4 100:16	53:1 54:13 56:21	58:17 77:4,23
bedroom 9:23	178:14,14 189:1	77:2 109:4 117:20	83:12 108:2
30:16,16 46:10	189:17 190:13	123:10 126:1	116:16 196:10
47:1 93:1 99:9	198:1 221:6,18	133:21 135:19	205:15 208:12,16
112:15,17,23	224:3,17 225:4	137:22 140:7	213:13 217:3
128:7,10,11	227:14	148:7 153:9 155:9	219:25 220:15
129:16,17 131:15		158:6 168:19	225:21 226:21

227:5,12,15,16 231:14 board's 213:14,15 boat 131:4 bob 135:1 body 7:5 booing 4:10 booth 7:12,12 bore 86:7 bought 59:17 boulevard 11:12 21:17,19 27:11 28:25 29:2 31:12 32:13 78:4 89:3 103:14,15 179:23 boundaries 54:24 boundary 54:22 boyfriend 92:25 bradzil 83:9,10 brand 13:22 97:24 break 23:14 129:15 134:11 135:22,23 139:3 196:6 217:13 breakfast 106:19 breaking 196:3 227:4 brick 22:11,17 146:19 176:1 177:6,16,21 brief 9:8 157:19 175:12 briefly 225:20 bring 39:22 49:11 50:21 96:18 118:21,22 135:18 146:7 163:3 174:5 189:17 191:23 197:2 bringing 114:5 138:4 156:25	189:18 199:12 200:25 202:1 209:3 210:10 brings 199:14 brining 226:17 broad 117:18 brought 46:5 47:24 50:16 51:20 54:11 55:14 56:8 76:23 115:8 120:16 123:17 127:22 135:16 138:20 166:15 181:19 187:7 195:11 218:19 219:17 220:16 brown 22:13,18 26:11 budding 75:6 budget 49:25 92:20 buffer 28:22 55:2 55:8 66:20,20 68:7,9 152:10 buffers 86:19 buikema 70:6 build 12:19 44:23 98:17 160:15 171:3 172:25 173:6 176:8 177:15 182:9 195:10 builder 63:24 64:1 builders 9:2,14 20:13 63:23 64:9 176:10 177:15,19 178:2 180:16 building 10:21 11:3 12:3,21 14:4 14:16,17,21,22 15:1,3 16:11,17,22	16:23 17:16 18:18 19:9 21:22,23 22:2,7 23:2,7,20 24:23 25:2 26:24 29:13 30:15 31:10 31:10,21 34:9 35:13,16 36:13,14 36:20 37:3,15,20 37:22 38:21 39:9 40:4,18 41:2 42:3 43:21 44:23 47:3 47:5,6 48:23,24 49:6,9,11,21 50:23 52:9,20 55:10 57:7,9,13 61:16,17 62:19 68:10,23 69:14,16 72:10 73:17 77:17,19 78:6,14,22,24 79:2 79:10,16,19 80:7 82:6 83:5,19 85:12 87:6,19,19 87:21,23 88:25 89:14,16 90:20 91:1 98:18 99:24 108:21,23 109:15 109:15,16,16,18 114:13,14,21,22 115:2,13 117:23 118:3,6 119:4 122:20 125:25,25 126:3 136:1,15,17 137:7 138:6 139:5 145:17 146:11,14 146:16 147:3,6,25 149:19 150:7 154:3 159:5 163:18 166:3 170:23,25,25 171:4 175:22 176:3 177:16,22	177:22 178:9 180:4,14,18 182:16 190:2 193:5 203:3 224:11 229:16 building's 35:25 buildings 14:11 32:6,8 36:5 38:22 39:18 47:12,16 48:19 51:2 52:7,8 52:16,18 59:20 97:12,14,21 98:5 99:5 108:18 114:5 114:6 116:2 121:1 154:7 158:16 176:1,4 180:10 182:18 builds 176:4 built 32:5 39:15 78:6 91:9 98:6,23 108:16,22 180:15 bulk 14:16 141:15 bullet 86:5 101:14 229:5 bumper 87:23 bunch 20:18 96:24 104:19 120:10 burden 70:13 bureau 80:21 bus 31:5 93:14 107:21 busier 27:4 business 3:11 7:3 8:25 19:7 27:6 49:12,24 60:1,2 73:8 78:25 81:15 84:3 101:21 109:13,16 132:6 185:8 businesses 63:22 84:5 85:9,21 96:3

101:1 153:24 175:25 bussable 50:4 bustle 60:4 buy 91:10 buyer 91:18	131:16,18,22 146:20 159:11 164:15 171:18 183:16 car's 36:25 card 159:5 care 91:22 93:4 182:16 carefully 77:15 carrie 48:25 cars 7:16,19 24:22 26:4,15 30:5,6,9 32:16,18,20,23 33:5,18,21 35:1 36:17 42:5 43:5 43:11 45:19 53:10 53:11,16,16,21,24 62:6 66:6 67:4,7,9 67:16 68:12,14,18 81:22 82:17 85:7 87:18 89:19 99:13 100:22 107:15 112:20 120:15 121:2 129:23,25 131:2 137:19,21 157:21 158:7 171:24 182:22 case 5:3 32:16 91:16 119:20 191:21 206:17,18 cases 114:6 202:22 catalyst 59:13,18 catch 189:4,5 catchall 127:4 cause 110:12 112:6 168:21 187:11 caused 13:10 190:11 causes 190:7	cautious 125:14 caveat 125:9 cement 221:8 center 160:4,8 certain 8:3 98:3 125:3 132:25 133:1 184:8 201:3 231:16 232:4 certainly 20:22 21:1 27:7,17 35:10 38:25 41:13 47:12,13 56:17 59:16,17 100:7 111:21 120:3,11 126:5 129:5 130:15 143:17 150:8 154:18 164:16,24 173:20 192:9 222:2 certify 234:3 certitude 218:19 cetera 48:20,20 65:24,24 88:3 chain 111:5 chair 179:9 chairman 2:1,7,9 2:11,13,15,17 3:2 3:3,6,9,18,21,24 6:12,20,23 7:1,23 8:7,10,16,20,23 9:12 19:25 20:3,5 21:2,6,9,13 28:10 60:20 62:20,22 64:13,17,24 68:25 69:5,8,22 70:3 74:21 75:19 76:3 77:25 78:2 80:9 83:7 85:23 91:25 94:16 95:13 96:6 96:7,21 101:16 102:4,8 103:1,9,12	104:13 105:21 106:13,15 107:2 108:7,25 109:3 110:19,24 112:9 113:6,13 118:8,11 118:14,20 119:3 119:15 121:14,18 122:25 123:4 126:19,22 127:5 127:18 128:2 130:8 134:15 138:2,8 139:7,14 139:18,22 140:8 140:14,25 141:4,9 142:2 143:3,23 144:1,11,15,19,22 145:3,23 146:9 147:2 148:4,15,18 148:22 149:1,4,8 149:18,22 150:21 150:25 152:17 153:2 154:8,14,25 155:25 156:18,23 157:2,6,10,11,18 158:15,20,21,23 159:1,7,9,12,17,21 159:23,25 160:6 161:13 162:4,9,12 162:14,20 163:7 163:10 165:1,5,10 166:4,10 169:21 170:12,18 171:1 171:14 173:12 177:4,25 178:20 178:24 179:13 181:1,4 183:2,9 184:3 190:19 193:12 194:1,6,11 194:17,23 195:1,8 195:21 196:7,23 197:12,21 198:1,5
c			
c 48:25 217:24 221:18,19 229:24 229:24 234:1,1 c2 114:20,20 cab 100:11 cable 52:1 calc 17:13 calculation 99:15 163:21 calculations 19:8 168:7 call 2:1,4 27:8 36:12 111:25 147:17 161:11 230:24 232:8 called 109:11 125:7 calling 27:8 130:21 163:16 calvert 2:4 179:10 cameras 159:13 capacity 77:19 94:23 167:23 capita 171:18 capital 110:21 220:13 capture 124:20 car 25:7 30:6 34:18 36:11,12 43:17 53:22 68:21 80:19 81:6 83:1 84:13 87:17 99:16 99:22 100:5 120:22 130:1			

198:11,16 199:3 199:23 200:8,12 200:16,19,22 201:14,24 202:5,8 202:15,18 203:9 203:12,17 204:1,9 204:12,15 205:4,7 205:12 206:15,20 207:2,8,13,20,24 208:3,8,12,17,21 209:10,16,19,22 209:25 210:12,25 211:6,20 212:3,7 212:11,24 213:8 213:12,20,23 214:3,23 215:3,14 215:16,20,24 216:3,8,25 217:5 217:11,15,21 218:7,10,13 221:10,25 222:16 222:25 223:6,24 225:5,9,24 226:4 226:23 227:19,23 228:2,10,13,17,20 229:1 230:21 231:2,4,6,8,10,12 231:21 232:6,11 232:13,15,17,19 232:21 233:2,8 chairs 96:18 chance 5:24 119:18 121:19 181:25 182:1 change 12:2 68:17 92:24 93:2 94:10 120:6 137:19,22 138:18 177:17 178:16 179:3,7 199:6 221:13	changed 59:10 96:25 104:9 178:8 216:17 changes 19:19 20:21 23:13,14 24:14 50:5 179:4 197:8 204:18 209:2 210:4,6 212:2 213:25 215:7 227:17,17 changing 93:22 94:8 104:9 chapel 111:3 characteristic 13:16 70:20 charles 66:24 222:10 charm 105:19 charming 93:8 110:3,4 chart 34:7 check 48:10 226:17 cheering 4:9 chi 99:20 chicago 32:8 34:16 34:19,19,20,20 55:20 66:8 93:4 133:6 148:11 child 33:20 children 51:16 95:9 96:15 chip 164:7 choice 60:11 152:20 154:15 choices 110:15 choke 147:25 choose 37:7 101:8 chop 27:8 35:8 90:2 134:17 135:8 161:1,12 187:5	193:4 210:13,21 215:8 choper 108:9,10 chops 57:24 christine 103:11 103:13,13 104:15 christmas 105:11 church 67:3 103:8 chute 118:1,1 cicero 93:7 circular 219:16,18 219:21 229:12,13 circulation 59:6,6 153:25 154:2 circumvent 82:19 cited 65:22 city 51:15 81:11 82:1 110:5 clapping 4:9 clarification 122:24 123:15 131:8 168:25 219:25 222:6 clarify 5:15 124:9 144:12 177:5 clarity 123:20 class 99:20 clean 79:18,20,23 cleaned 79:17 cleaner 81:20 clear 21:1 25:18 44:13 121:25 212:14 216:11 clearly 4:5 199:8 client 73:6,6 clock 61:2 close 25:8 36:5 39:13,18 47:8,10 50:2 112:15,25 146:17 158:4 161:16,23 162:10	162:15,25 165:23 197:16 206:4 closed 92:15,16 101:21 161:20 210:14,15,18 closer 16:17 47:7 114:5,6 142:3 160:15 163:22 164:2 169:11 closest 122:20 closet 112:18 128:13,25 133:5 137:6 closets 128:14,22 closing 5:24 92:19 161:22 170:5 code 6:14 12:13,16 12:22 13:2,5,22 14:6,6,8,13,14,15 14:20,25 15:5,7,15 15:17 16:18 17:21 29:4,18,21 30:19 39:21 40:18 46:18 46:21 47:13 55:11 65:12 66:3,4 69:25 70:8 71:3,7 71:12 75:25 77:3 97:5,5,6,9,13,20 97:23 98:20 115:19 116:4 118:24 119:4 121:5,8,8 124:11 124:12,15 125:2 148:11,21 167:9 170:25 171:5 172:18,21 176:19 177:3,11,18 178:4 178:17 179:3,6,7 180:25 190:6 217:24 219:14 223:15 224:2,10

224:18 codes 15:13,18 30:21 38:15 63:25 69:17 97:8 98:10 115:24,25 116:5 170:25 coinciding 47:16 collaboration 186:13 collaborative 190:18 collected 95:18 color 23:17 combined 12:13 come 4:20 5:9 9:20 10:11 19:12,23 20:6 26:5,7,24 43:15,18,19 61:4 63:21 78:22 79:10 79:20,24 84:2,10 88:21 96:16 99:20 108:2,11 117:21 143:13 146:25 147:1 149:15 151:24,25 154:10 161:19 166:11 168:7 170:7,16 195:20 198:8 comes 17:10 52:23 136:18 144:23 167:13,19 193:2 224:7 227:15,17 comfort 143:5 173:23 comfortable 138:13 189:18 198:18,20 200:9 200:13,17 209:12 222:1 coming 20:18 26:4 77:19 84:13 89:3	100:9 105:12 108:15 115:15 151:22 156:8,9 165:23 166:12 172:10 183:1 185:8,9,22 187:12 189:12 227:12 commend 83:12 comment 44:19 74:4 85:5 86:3 109:9 116:24 131:5 144:7 149:14 151:6 155:13,14 161:11 174:17 176:22,24 179:17 185:7 189:22 commented 83:21 190:11 comments 2:20,23 5:24 47:20 61:1 80:12 95:16 96:1 107:11 122:2,4,5,8 122:9,10 154:19 175:6,18 181:6,9 185:11 186:24 188:21 216:16 230:23 232:8 233:3 commerce 111:8 commercial 32:4 41:5 48:4,6 49:12 49:16 54:12,15,19 55:5 57:4,5 59:25 60:8,16 65:24 73:11,15 91:7 97:17 122:16 164:6 168:4 commission 2:3 5:23 10:12 12:14 12:15 15:8 19:12	19:17 26:20 35:5 37:5 41:14,15 44:20 53:9,13 54:12 55:14 58:8 58:17 74:2 76:2 95:17 116:16 120:17 123:7,21 175:14 179:16,21 189:23 203:18 commission's 17:23 19:24 commissioner 3:4 8:17 179:10 187:7 197:5 199:10 216:1 230:22,23 232:7,7 commissioners 11:18 20:16 62:25 123:24 175:8 186:6 189:13 commissions 50:17 58:14 committee 69:10 170:21 common 32:1 community 10:15 13:1,6 18:3 20:18 26:14 44:8 45:14 45:15 47:18,19 48:7 50:17 65:6 77:7 83:17 111:9 111:24 127:1,10 145:7 223:21 230:10 commute 82:1 compact 87:17 company 20:8 31:19 74:3 116:15 118:19 158:12 compared 60:7	compares 179:23 competing 73:24 151:22 complement 109:11 complete 66:19 completed 18:17 completely 137:25 142:9 222:17,20 complex 81:24 82:2 complexes 66:13 complexity 196:8 compliance 13:8 70:14 complicated 98:11 155:10 complications 87:12 comprehensive 107:25 comprised 11:4 computer 104:20 concentrating 90:25 concept 10:15 177:1 225:2 conceptually 139:2 concern 36:20 62:12 75:4 92:6 126:12 138:19 150:6 155:15 162:21 176:20 187:11 195:12 196:3 concerned 56:17 61:15 86:2 94:21 94:22 95:9 106:2 111:19 185:15

concerns 18:5 47:21 84:7,15 107:13 128:5 145:8 166:14 173:20 179:1 222:19 226:5 concert 96:11 concerts 96:14 concluded 59:3 conclusion 59:12 83:2 101:17 concrete 29:12 117:5,9,13 221:9 concur 186:5 condition 71:24 72:5 125:11 163:25 194:15,19 conditioners 51:24 conditions 12:25 21:25 74:19 88:6 124:1,7 126:14,16 188:17 189:9 190:25 195:2,2,13 196:5 204:19 condo 51:22 52:11 52:22 85:14 180:15,16 condominium 52:8 condominiums 51:19 52:3 condos 51:21 52:10,17,18,21 110:2 confident 178:4 211:24 configuration 15:25 150:8 confirm 11:13 178:21	confirmed 12:11 18:22 confirming 12:16 conflict 15:11 82:10 90:13 153:15 155:15 174:3 203:18 224:2,6 226:12 230:4 conflicting 38:14 conflicts 13:23 conformity 225:15 confusing 38:13 56:19 congested 67:2 68:7 congestion 67:18 connection 168:5 168:20 169:13 connections 168:13 cons 167:17 consecutive 184:11 consensus 205:5 206:14 218:19 consequential 113:17 consider 85:17 165:25 176:17 211:13 226:22 considerably 23:16 130:12 consideration 40:7 64:12 77:24 80:5 91:5,6,24 178:19 186:19 215:9 219:4 considerations 225:12	considered 19:6 73:2 125:19 considering 7:11 considers 69:12 consistent 219:7 consolidate 9:16 constraint 54:6 construction 169:14,17 179:24 229:20 consultant 55:22 56:2 contact 155:20,21 155:21 containers 227:9 contextual 115:18 contextually 135:20 173:16 contingencies 91:10,12 193:22 continuation 7:7 continue 7:24 8:3 125:15 134:17 186:9 191:17 206:21,24 212:8 215:7 218:21,23 229:4 231:15,16 231:19,22,25 continued 8:24 75:3 216:9 226:12 228:3,5 232:22 continuing 172:16 226:14 continuity 137:13 contract 91:8 contracting 158:12 contradicts 36:4,9 control 129:6 controlled 225:14	convenient 100:5 conveniently 59:1 conversation 123:6 134:18,20 149:24 187:5 199:22 conversations 127:8 converted 52:9 converting 52:16 52:18 cook 93:5 cool 79:1 coordinated 88:23 coordination 150:20 cordoned 133:21 162:6 corner 11:1 12:2 13:25 21:18 23:22 27:13 36:1 49:6 66:23 103:23 120:9 136:17 137:5,6 139:8 173:5,9,16 177:9 186:12 190:3 229:23 corners 176:4 corral 157:16 correct 7:8 41:22 127:17 134:19 138:7 144:14 147:15 158:14 168:3 169:3 199:16 203:25 205:11 212:6 213:22 225:8,16 227:20 correctly 77:18 182:21

correspond 230:15 cost 50:19 91:20 costs 51:12 counsel 123:16 count 11:14 counted 122:3 224:13 counter 153:16 country 234:12 counts 74:7 county 66:5,8 90:15 93:5 120:20 167:6,8 184:24,25 185:4 couple 24:21 29:22 41:17 56:8 69:1,3,3 103:19 117:15 184:12 199:14,15 201:7 211:12 219:7 couples 113:3 course 34:17 47:23 101:7 221:8 court 3:12,13 4:2 5:1 20:10 214:25 cover 10:23 coverage 10:1 17:9,17 37:12,19 114:22 176:21 188:12 220:22 224:8,10,14 225:10 229:15 230:14,14 covered 61:11 craig 9:5,10,13 10:13 20:2,12,13 21:4,8,16 28:11 117:22 118:19,23 119:24 121:17,20 123:3 127:17	128:1,8,16,19 129:8,14,20 130:5 131:11,14,18 132:5,8 133:3,13 133:17 134:6,21 135:6,14 136:4,8 138:16 139:10,13 139:16,21,24 140:12,23 141:1,7 141:11,17,19,22 141:25 142:6,11 142:21 143:1,21 143:24 144:3,14 144:18,20 145:2 145:20 146:8,24 147:9,19 148:13 148:16,19,24 149:2,7,14 151:6 152:18 156:5,19 156:24 157:4,8 158:14,18 160:5 161:21 162:5,24 163:5 164:2 165:3 165:9 170:10 192:8 193:13 194:3,8,16,22 196:19 197:4,14 197:24 198:3,6,14 198:22 200:5 202:1,6,10 203:1,5 205:13,21,25 212:17 213:18 214:1,6,11,15,22 215:2,5 216:24 217:4,8 crashed 56:12 create 7:13 12:3 13:18 16:2,13 19:9 24:17 26:1 27:24 29:15 31:9 38:19 39:17 45:1	55:1,8 59:25 89:14 97:8 114:4 150:8 161:8 163:14 174:1,2 201:5 created 16:5,21 24:20 29:7 63:25 172:24 creates 16:25 27:16,17 211:18 creating 27:22 44:3,4 137:11 138:8 creative 188:24 creep 30:10 36:18 criag 21:12 130:15 cross 229:15 crossing 11:15 crosstalk 4:5 culture 93:23 94:8 94:10 curb 16:9,16,19,20 16:22,25 24:6 27:20,21 36:5,11 61:25 89:7 186:12 curious 128:6 136:24 current 35:9 69:16 82:12 124:23 170:24,25 currently 37:6 38:6,23 51:10 52:3 63:16 73:20 82:6 95:10 97:13 163:16 179:24 198:17 curse 158:6 180:17 cursor 118:4 curve 27:14 29:23	curved 89:8 90:1 cut 27:20,21 45:19 61:25 89:7 130:6 186:12 188:24 200:10 206:4 220:22 224:25 cutting 75:12 82:20 184:16 188:22,22 cuzzone 227:6,7 cycle 205:24 cycles 52:19 cyclist 174:13 cyclists 174:21
d			
d 22:8 23:10,12 50:8,14 94:18,18 110:21 220:1 d45 49:10 daily 84:17 dais 4:20 61:4 76:6 damage 94:24 darryl 83:9,9 data 34:6,10,11,12 56:4,6 120:24 date 8:3 52:10 66:5 192:4,4 202:16 203:7 212:18 226:15 231:16 232:4 234:16 dates 10:18 david 49:18 80:11 80:11 day 43:7,16,19,25 62:6 76:6 78:12 78:17 79:10 85:8 85:22,22 101:7 130:24 157:22 162:2 174:19 185:25 203:13,14			

208:19 days 41:17 80:18 92:16 103:19 109:12 130:19 184:8,11 214:15 dead 160:18 deadlines 206:1 deal 47:2 160:8 183:12 dealing 136:12 decide 19:17 108:3 decided 63:4 decides 227:16 decision 41:18 77:7 132:6,9 185:4 224:2 225:3 deck 139:9 decline 87:7 decrease 142:17 142:18 dedicated 51:24 90:8 deems 228:1 deep 24:9 146:14 defend 55:15 deference 173:21 deficiencies 77:1 deficiency 73:10 deficient 72:22 73:4 169:13 deficit 129:11 definitely 21:16 41:19,22,23 55:15 128:1 134:11 139:25 140:23 141:24 183:19 193:1 227:7,13,18 definitions 224:8 230:12,13,13 degree 133:1 143:10 161:5	216:17 delay 88:22 deletes 220:23 deliberation 19:24 deliveries 157:14 delivery 45:16 89:12 demand 31:21 33:18 52:3 168:17 180:16,22 187:23 188:11 demising 40:9 demographic 32:17 33:11,19 demoing 195:9 den 112:18,23 128:7 132:3,24 134:8 dens 128:9 density 47:12 49:23 department 108:20 144:5 152:7 167:21 188:9 departments 18:1 151:4,11 152:8 depending 5:7 38:2 133:21 153:17 154:23 depth 23:13,19 31:15 143:18 159:23 deserve 110:24 design 12:21 13:19 18:21 46:12 59:9 59:19 83:19 84:1 97:15 109:10,12 118:7 133:18 167:20 229:15,19	designed 39:6 46:8 59:5 69:20 88:12 114:2 171:22 designer's 171:21 designs 19:22 desires 31:13 detail 11:8 127:19 127:23,23 detailed 225:19 226:10 details 11:18,21 65:11 123:5 127:25 166:23 determination 171:7 221:19 229:23 230:8,17 determine 19:19 determined 10:19 11:19 221:21 222:13 223:20 230:1,10,19 develop 84:4 157:8 developed 72:1 181:21 183:21 developer 10:16 71:2 97:24 101:20 190:15,16 developer's 98:20 182:3 190:13 developers 32:1 49:14 95:4 195:5 development 18:2 18:3 21:22 37:16 39:1,11 50:8,10 59:12 60:6 62:10 63:6,9 65:5,8,10 68:8 73:7 77:10 80:1 91:6,7 92:6,7 92:8 93:16 95:21 95:22 98:25 99:4	99:8 102:13 103:20 107:7 110:17 111:14,20 111:21 121:21,22 125:22 127:10 145:7,8 168:4 179:17,22,23 180:7,12,13 181:13,14,21,24 186:7,8 210:6 222:12 223:22 230:11 development's 95:1 developments 39:15 58:13 59:24 76:19 153:19 deviate 66:2 diagonal 82:5,9,11 87:15 diagonally 82:22 diagram 39:25 dialogue 5:19 11:10 119:16 dictates 205:16 difference 100:17 176:10 209:4 different 22:12 23:13,18 26:8 27:16 30:21 34:17 34:17 58:8,9,10 66:7 69:13 79:1 89:1 90:19 97:20 98:5 111:21 137:11 151:23 170:23 219:7 220:11 221:4 differentiating 128:7 differently 121:5 148:9

difficult 13:15 67:25 68:23 70:19 74:11 86:10 90:9 133:9 196:13 227:11 difficulties 88:7 difficulty 13:9 digging 41:7 dimension 137:9 dimensions 31:14 31:15 dining 106:18 direct 5:16 48:1 120:7 166:5 directed 123:16 direction 25:23 26:8 44:4 82:9 135:5 155:11 174:4 directional 90:8 directions 18:14 directly 38:4,25 47:15 85:18 167:18 180:10 185:17 director 124:15 153:8 165:12 166:21 219:17 221:5,11,15,21 223:21 224:14 230:1,10,19 dirty 79:17 disagree 189:22 189:25 190:12 disapprove 110:18 discomfort 143:9 discretion 15:10 225:14 discuss 5:25 140:22 201:10	discussed 191:1,19 218:17 discussing 219:6 discussion 113:8 123:11 169:24 170:1,1,9,14 171:9 181:7 189:15 228:5 discussions 35:4 37:6 disperse 152:22 disperses 18:13 152:20 displaced 73:21 dispose 119:1 disservice 136:21 dissuade 171:24 distance 31:5 44:5 distances 50:4 distress 110:12 district 14:9,15,22 19:7 21:21 27:6 36:4 39:17 46:7 47:14 59:25 60:1 60:3 81:15 84:3 180:21,22 221:2 223:16 228:7 districts 14:25 59:16 125:4 137:12 218:25 221:1,15,19 229:17,25 232:1 divide 42:25 division 92:13 dog 79:9 84:17 93:11 dogs 93:10 106:21 doing 15:2 18:11 19:10 27:7 35:7 37:6 38:3 43:11 52:4,17 55:19	83:14 92:10 93:20 94:12,13 104:21 107:22 122:8 135:7 136:21 161:9 167:14 181:5 201:17 209:8 dollars 91:11,21 dominate 122:10 dominick 2:14 3:5 128:4,14 129:1,10 129:19 130:4,6 171:12,15 200:4,6 200:10,14 203:25 206:13 216:2 231:9 232:18 dominium 110:8 don 2:8 158:20,22 158:24 159:4,8,10 159:14,19 160:2 183:13 184:13,14 184:22 194:25 195:4 205:3 209:16,18 231:3 232:12 donna 62:25 63:1 64:15 don't 223:18 door 22:24 23:6 38:23 101:12 118:24,25 127:15 127:16 128:10,21 128:24 204:24 doors 22:16 118:25 128:9 downers 177:19 179:25 180:1,2,9 180:14,20 downtown 93:9 114:3,16	dozen 172:8 dozens 103:25,25 drag 208:22 drain 78:9 94:23 drainage 77:16 94:21 draw 16:8 79:2 165:3 drawing 39:24 182:7 drawn 11:11 draws 105:18 drilled 103:16 drive 31:16 62:1 79:5 93:3 99:13 101:19 104:22,23 109:17 117:1 154:16 156:10 159:22 161:1 211:12 219:21 229:14 driven 74:9 driver 100:11,11 drivers 81:1,5 82:19 drives 58:22 219:16,18 driveway 26:12 29:16,18 57:1 58:18 62:2 115:4 120:5 164:10,19 219:6 223:9 229:10,12,15,20 driveways 106:9 219:9 driving 25:7 45:7 66:11 80:19 81:3 82:18 107:16 155:18,22 164:15 drop 71:6 136:1 182:4

dropped 115:12 dropping 137:3 drove 43:17 86:14 111:12 dry 81:20 dryers 51:23 due 48:5 63:23 169:9 208:15 dumping 88:21 dumps 101:2 dumpster 79:15 87:4,11 118:5,22 119:5 dumpsters 62:16 86:17 dupage 66:5,8 90:15 93:8 120:19 167:6,7 224:18 duplex 84:18 durability 164:19 dutifully 126:15 dwellers 73:14 dwelling 32:2,7 57:3	eaten 38:18 economic 18:2 145:8 193:2 economically 132:17 economics 187:22 edge 117:9 effect 63:18 163:25 187:16 effectively 16:16 effects 80:14 effectuate 125:21 effluent 91:2 egress 35:6 61:16 128:18,20 155:11 187:9,10 eight 40:6 104:24 107:6 134:3 146:24 148:16 184:16 eighth 178:14 eirc 141:12 either 30:8 41:18 44:3,4 50:16 57:24 58:1 75:14 88:10,20 91:15 121:12 139:18 151:9 152:20 154:15,23 165:12 174:11 190:15 209:14 electric 52:1 135:10 electrical 89:12 137:6 element 137:2 220:21 elements 12:12 143:7 elevation 22:9,22 23:8,9 135:18	213:2,10,16 eliminate 37:7 71:5 88:11 139:11 139:14,17,19 159:15 eliminated 27:20 29:4 159:20 eliminating 71:4 176:13 elise 92:3,3 ellen 20:16 21:20 22:1,6 27:13,25 35:13,21 36:3 37:4,14 38:7,12 39:23 41:1,8 54:22 63:15 69:24 76:10 120:2 123:15 125:12 126:8,17,20 134:19,22 152:15 153:3 154:19,20 165:13,20 175:5 175:17 177:8 178:2,21 179:11 179:14 181:3,5 184:15 192:12 202:21 203:4,7,11 203:16,20,23 204:2,11,14 206:1 206:3,4,16,23 207:3,11,15 208:2 208:7,9,15,20 209:24 210:8 211:9 212:1,5,18 212:18 213:4 214:1,13,20 215:6 215:15 217:18 218:3,14,15 220:3 220:6,12,19 221:12 222:4 223:3,8 224:1,23	225:8,11 226:3,6 226:16 227:3,21 227:24 228:5,11 228:15 229:4 ellen's 145:15 elmhurst 48:20 emotions 4:7 empty 33:14 49:6 49:16 51:14 99:18 174:11 enclosed 87:5 118:6 enclosure 117:23 118:2 119:6 164:14 encourage 96:1 112:5 encroachment 81:9 ends 54:21 137:23 enforcement 13:10 183:5,6,12 188:7 engineer 221:21 225:3 230:1,18 engineering 11:20 11:22 18:3,16 24:18 55:19 117:11 127:9 135:2 145:7 161:1 166:23,25 167:14 167:21 201:2 213:4 enjoy 96:18 111:13 enjoyed 111:7 enjoying 79:8 ensure 111:23 167:22 168:19 enter 15:24 23:6 25:16 89:9
e			
e 94:18 110:22 220:13 234:1 earlier 148:14 175:13 181:6 easier 25:1 178:18 easiest 99:17 east 23:8 29:5,23 30:2 39:12 43:12 45:17 47:15 118:3 161:23 162:7 163:2 223:13 eastbound 18:6 155:22 easy 20:12 101:12 194:12,14			

entering 90:6 95:8 156:14,15 entertain 2:23 8:2 entertainment 96:20 102:14 entire 160:14 226:14 230:6 entrance 11:24 15:16,20 22:23 23:1,4 24:23 27:10,10 28:23 34:24 35:12 58:22 61:20 63:13 89:8 89:25 90:1,2,3 99:25 114:9 127:14 172:7 187:8 entrances 114:10 115:4 entry 9:23 176:16 176:18,20 entryway 90:9 environment 98:23 envision 38:16 equals 80:24 equated 9:22 equates 168:8 equivalent 168:9 erected 69:14 170:24 eric 2:10 6:22 8:19 131:7,12,17 132:2 132:7,23 133:4,15 134:5,16 135:3,12 135:15 136:5,9 138:7,20,23 139:12 141:18,20 141:23 142:4,8,24 147:15,20 149:21 168:24 169:7	181:9 182:12 183:8 188:21 199:16,24 200:2 200:21 202:17 205:10,19,23 207:18 209:21 211:3 212:10 213:6,10,21 214:9 214:14 218:9 222:21 223:1 231:5 232:14 error 171:21 225:16 errors 218:25 228:6 232:1 especially 36:10 48:16 51:11 78:14 86:24 96:20 100:6 110:5 120:6 127:6 165:18 170:4 173:6 209:3 222:17 essence 192:9 essentially 137:5 138:5 140:17 146:12 150:18 189:19 209:11 estate 32:4 65:24 estimated 31:20 estimating 81:5 et 48:20,20 65:24 65:24 88:2 euclidean 14:8 evaluate 168:9 evaluating 168:11 evening 3:12 4:14 5:25 8:1 9:11 19:17 43:7 75:23 76:13 103:3 105:23 206:22 207:10 216:23	218:20 evenings 127:21 event 105:11 events 16:15 105:15 111:9,13 111:16 161:16 227:4 eventually 26:18 evergreen 219:19 220:1,9,14 229:13 everybody 4:1 18:5 76:8 86:1 101:6 105:10,13 111:17 166:16 182:11 204:17 209:19 212:14 everybody's 121:18 everyone's 19:15 174:21 exactly 48:22 68:8 88:23 104:25 128:23 149:22,23 198:23 examining 210:13 example 18:22 46:19 72:2 114:11 154:9 196:11 examples 42:17 223:10 exceed 219:11 excellent 55:25 74:2 excessive 42:15 excited 92:6 exclusively 61:18 excuse 19:3 69:24 170:15 176:5 executed 91:14 exempt 40:22 125:4	exempting 221:14 221:23 exempts 125:3 exhibit 145:14,15 exist 13:4 16:14 107:17 114:4 115:9 existed 114:19 existing 21:25 115:23 144:20 179:6 exists 15:14 19:2 129:12 230:5 exit 35:1 58:22 61:21 82:14,20 90:3,13 172:7 exiting 26:15 61:18 120:6 151:15 155:7,13 156:15,16 expand 192:14 expanded 225:11 expanding 224:13 expectation 64:2 108:5 expected 74:17 expensive 50:23 51:2,8,17 experience 34:2 92:12 116:21 explain 32:14 115:10 143:10 216:14 explained 104:3 explains 104:4 explanation 125:23 explore 61:20 137:15 138:13 139:23,25 140:24 191:18,22 196:15

198:8 explored 46:8 202:25 expressed 161:2 209:11 extended 27:14 29:23 190:3 extension 24:6 36:11 exterior 30:24 40:8 176:24 exteriors 97:16 externalities 7:14 7:15 extra 54:17 66:22 69:1 81:7 106:11 160:16 extremely 94:3 186:11 eye 48:24 eyesores 49:20	facts 63:9 fail 181:25 fair 42:14 188:13 189:16 fairly 175:11 fairview 177:19 179:25 180:5,7,12 fake 160:20 fall 21:23 118:2 falling 37:23 88:8 falls 117:10 familiar 9:19 56:3 families 185:24 family 19:5 21:22 33:20 80:19 84:19 96:11 106:2 110:11 120:21 178:15 far 18:24 30:9 56:17 71:12 74:25 98:21 114:20 120:5 122:23 157:13 162:16 168:1 174:23 181:13 197:16 206:2 farm 109:12 farther 30:3,4 36:18 38:21 39:3 39:13,20 143:20 fast 20:24 117:17 196:17 217:18 favor 3:7,22 6:24 8:21 216:6 218:11 233:6 feasible 216:17 feature 90:8 february 41:15,20 fee 180:25 feedback 25:23 44:8 45:14 47:18	54:14 65:17 85:21 151:8,13 feedbacks 48:12 feel 5:12 19:22 31:2 33:10 42:11 44:5 46:16 76:14 94:11 105:16 171:13 172:7 174:2 189:9,13 feeling 102:21 206:22 feelings 187:1 feels 15:25 fees 180:21 feet 13:24 14:4 16:16,22,23 17:13 17:14 25:6 26:6 28:13,21 39:7 40:4,6,23 41:3 86:10,13,16 87:15 87:18,21 98:11,13 98:15,16,17 100:1 115:2 117:2,2,3,6 136:2 138:25 145:16,17,21,22 145:24 146:5,21 146:22,25 147:6 147:13,14 148:6 148:10,12 149:9 150:3,4 152:13 156:3 158:3 162:7 163:6 180:3,7 211:12 219:8,11 219:12,18 fellow 63:1 186:6 felt 7:8 fence 75:7,11 135:10 223:12 230:8 fences 158:4	festivals 16:15 fewer 112:11,11 180:8 field 88:17 89:14 89:18 fifth 208:14 figure 73:22 157:22 182:23 197:10 figured 54:3 file 57:14 fill 218:14 filled 22:7 final 11:20 91:13 166:24 167:19 191:13 224:15 230:16 finalized 166:24 finally 91:4 financial 70:13 71:11,13,16,17 72:13 81:18 91:5 112:3 189:24 find 48:11 97:8 114:20 134:13 149:11 160:16 165:11 169:12 182:2 189:10 196:18 220:7 finding 13:23 133:23 188:23 201:1 findings 19:14 fine 25:20 49:22 113:7 143:12 fingers 126:11 finishes 51:22 fire 18:2 24:5 108:20 144:5 152:6,7
f			
f 234:1 facade 12:20 176:1 177:16 face 120:9 122:20 136:22 137:1,11 174:24 facebook 48:7,10 60:15 65:16 107:9 122:2 185:10 facelift 50:11 faces 113:15 116:2 facilitate 196:13 facing 63:24,25 135:23,24,24 fact 16:24 19:14 36:6 67:2 90:16 93:17 146:6 179:5 187:14 190:3			

firm 32:4 56:6	floor 11:4 12:20	72:3 78:18 82:6	founding 55:21
first 3:11 7:3 11:4	23:15 24:8,10	82:24 86:11 87:24	four 11:3 24:20
21:7 30:14 43:22	31:12 46:11 48:4	88:11 114:21,22	25:8,11 28:13
46:7 48:4 54:11	54:12 55:5 57:4	115:13 136:20	32:16 43:7 46:14
55:5 57:4 61:4	62:2,14 71:5	143:17,18 148:5	46:25 47:3,5,7,15
65:3 70:11 81:25	81:25 115:1	148:17 149:20	48:18,23 49:21
83:11,11,18 84:18	117:25 136:25	152:12 173:1	57:6,12 78:8
90:10 104:6 108:3	137:16,17 138:4,9	211:14	101:19 121:23
124:12 152:9,11	138:10 142:15	footage 99:10	136:20,20 137:2
155:20 176:12	176:13 177:6,17	force 26:23 35:3	137:20,21 139:4
177:17 185:7	188:22,23 199:13	75:13 144:16	146:5 147:6 148:6
217:2,10 220:24	213:1,19 215:11	forced 18:15 82:13	150:3 152:12
229:1	215:15	forces 44:11	174:19 175:22
fit 59:19 72:11	floors 11:6	forcing 39:19	176:4,6 177:7,24
79:3,6 110:6	flow 82:12 83:3	ford 87:17	192:6 198:7
176:3 213:25	86:9 153:12,16	foregoing 234:4	199:15,19 200:6
fits 83:21 110:3	154:2	foremost 65:3	202:12 204:25
177:23	fluid 147:20	forever 199:10	211:14
fitting 109:25	fly 55:17	forgetting 216:5	fourth 12:20 23:15
five 14:4 27:22	flyer 104:4	forgive 140:1	71:5 136:25
28:20 39:2 40:4	focus 65:12	form 14:5,13,14	137:16,17 138:4
40:23 41:3 46:6,8	focused 14:10	15:3,3,12,17 96:3	138:10 142:15
46:9 66:12 72:19	focuses 14:15	115:11	188:22,23 194:4
87:20 121:7 122:8	fogarty 103:11,13	formality 190:5	199:13 212:25
137:18 145:17,24	103:13 104:15	formed 14:20	213:19 215:11
171:3 192:7	foia 57:10	former 49:8	frame 133:11
202:12 217:14	folks 12:4 73:25	formerly 111:10	freezing 88:6
flare 26:22	75:17 93:11	forth 107:1 116:6	french 133:6
flared 90:2	125:18 220:23	130:10 173:18	frequently 76:9
flat 23:12	224:24	forward 4:11	friday 8:11
flats 9:1 50:19	follow 6:16 59:24	10:18 20:19 39:3	friendly 29:2,7,7
175:21	167:6	83:25 117:12	31:3 39:17
flex 131:11	following 4:17	179:7 195:23,25	friends 99:22
flexibility 131:14	6:14 123:24 229:7	207:5 209:5,12	105:2
211:18 223:5	follows 229:8	found 32:24 40:14	front 10:2 16:23
flexible 18:10	food 89:12	54:2 57:9,11	22:24 23:2 39:7,9
flood 78:8	foot 10:2,4,22 11:2	156:1 221:5	40:10 46:1 55:9
flooding 77:22	16:4,18 24:9,19,21	foundation 10:8	89:13 99:23
78:8,11	25:8,9,11 28:16,17	17:2 40:17,23	113:15 114:14
floods 78:11,15,16	28:24,25 29:6	125:3,5 173:1	116:4 123:19
	39:15 50:12,20		124:2 145:24

148:8 183:24 frontage 67:24 frosted 127:15 fuel 109:14 fulfilling 60:9 full 7:10 12:23 43:24 fully 11:20,21 fun 96:19 functional 88:3 fundamental 141:18 funeral 45:19 55:24 70:5 81:10 105:1,7 111:3 154:5,16 funerals 94:2 funnel 89:7 furnace 51:24 further 10:7 29:6 35:3 88:11 97:14 124:19 125:20 168:19 177:12 189:5,14,15 212:12 226:11 fusion 87:17 future 39:1 84:4,4 176:4	118:24,25 127:14 161:19 176:16,18 176:20 187:13 229:10 garages 120:22 garbage 62:13 76:24 79:13,15,18 86:25 87:3,10 119:5 157:14,16 157:21 garden 47:9 50:20 52:5 66:24 159:15 195:9 gas 22:3 51:25 gate 45:2 85:1 164:4 gazebo 96:17 102:13,17,21,24 111:10,13 geared 96:14 geez 197:10 general 14:22 15:1 15:3 17:6 21:23 98:15 151:7 generally 10:23 60:10 114:15 140:16 173:14 183:13 191:2 194:24 195:12,17 generated 55:23 generates 174:1 generous 94:4,7 gentleman 67:6,23 gentlemen 110:13 112:8 genus 220:7,11 getting 33:11,20 68:14 83:13 88:12 88:15,18 89:25 97:1 130:22 131:2 160:10 193:14,21	194:9 197:9 215:4 gig 99:10 give 4:22 23:10,22 35:23 43:1 58:11 69:1,5 86:16 96:5 104:11,13 119:10 131:25 147:7 149:11 156:1 164:24 173:2 175:9 176:14 185:2 189:16 197:25 198:4 214:9 given 4:25 57:15 87:9 127:6 130:10 146:4 gives 23:18 89:20 105:18 131:11,14 139:8 146:17 152:19 223:4 giving 94:8 173:21 197:22 glass 127:15 160:21 go 7:4 11:8 14:1 17:21 18:6,7 19:20 22:24 25:25 26:15 30:22 35:2 35:3 36:18 39:19 39:24 41:11 43:12 44:2,25 45:9 48:9 52:19 61:8 65:11 71:20 72:10 76:4 89:1 91:18 98:9 99:19,25 100:2,15 107:15 108:12 111:14 116:21 117:4,25 131:19 135:5,9 136:2,5 137:3 138:22 140:15 147:12,13	148:3,19 152:2,23 154:23 156:5,21 157:25 158:2 162:3 184:23 185:23 199:25 202:2 206:6 214:11 223:17 226:3 231:23 goal 60:5 134:7 godzicki 94:19 goes 26:22 30:19 37:25 49:5 73:17 75:25 90:10 102:21,21 137:2 141:8,10 166:24 187:14 220:20 223:12 225:20 going 3:13 4:3 6:13 7:20 11:12 12:2 15:9,11 17:23 18:17 20:6 20:24 22:10 23:14 25:9,10,22,23 26:2 28:14,21 30:2,8,9 30:12 32:25 34:9 34:11 36:19,22 38:3,4 41:11 44:3 44:6 47:2,9,11 50:24 51:9 52:7 52:11,11 56:7 59:18 60:12 61:1 61:12,13,14 63:2 65:11,12 68:17 72:8 73:1,4,5,17 73:18,20,21,22,24 75:15,16 78:6 79:11,18,19,20,21 84:4,25 85:1,1,2 85:11,13,16 86:4 87:2,22,25 88:3,7 88:19,23 91:13,20
g			
g 48:21 49:17,20 50:6 70:6 gain 18:11 64:1 143:15,16 201:16 garage 9:23 15:16 15:20 22:24 23:5 26:12 34:24 35:2 35:6,12 46:10 48:17 59:7 63:12 79:16 84:14,25 90:4,7,11 95:8 100:3 114:9,10			

92:7 94:7 96:5 97:4 98:9 99:16 99:17,21 100:3,8 101:5,7 102:4 104:2 105:2,15,19 106:25 107:15 109:3,8,19 113:1,3 113:4,10 114:19 116:10 118:12 119:9,10,16 121:14 122:9 123:1,6,10 125:24 126:3 127:7 129:15,20 130:1,8 130:9,19,20,22,24 131:4,8 132:14,19 132:20 134:16 135:8 139:6,16 147:4 151:9,11,16 151:17 152:3 153:17,22 154:20 155:9 156:8,13,14 156:16 161:4 169:25 171:20 172:2 174:10 181:24,25 183:17 183:17 186:24 192:10,11,12 195:7,19,20 196:25 197:6 201:18,18 203:1 206:16 207:25 208:24 210:2,3,5 211:22 212:9 213:15 214:17 217:15,22,23 219:22 221:7 224:22 225:25 227:16 gold 35:25	good 7:14 9:11 12:15 49:18,24,24 49:25 59:7 61:7 65:5,6,15 74:5 75:8 83:24 84:6 91:15 100:18,19 102:7 114:15 121:11,12 132:6 135:2 170:10 171:14 183:6 187:7,20 189:25 199:10 201:4 gosh 9:6 gotten 64:23 gracious 111:10 grammar 106:23 grand 113:18 grandchildren 95:11 grant 13:8 64:9 112:4 granted 64:3 95:4 137:1 185:5 granting 71:13,14 72:14 grass 16:10 gray 22:11 23:17 great 4:23 20:17 24:16 27:1 38:5 46:19 52:20 54:9 59:13 65:2 74:23 85:6 86:1 94:13 102:16 104:16 105:6 131:24 134:24 151:21 164:21 204:23,23 204:25 212:20 218:19 greater 49:19 greatest 164:5	green 13:5 27:13 27:16 49:22 80:11 80:11 202:24 greener 17:12 greenery 61:24 greet 45:15 greg 48:17 gregg 128:8,12,13 128:17 141:2 149:14,17,25 150:23,23 198:3,8 202:14 214:13 grew 79:14 groceries 50:3 64:6 107:23 ground 24:8 31:11 46:11 61:17 62:2 62:14 176:13 177:6 196:18 group 70:6 132:22 211:17,17 grove 177:19 179:25 180:1,2,9 180:14,20 growing 229:12 grown 95:9 guarantee 42:19 123:1 156:7 guerra 153:7,7 154:13 165:12 166:13,20 168:3 169:4,8 184:15,20 184:23 221:5,15 222:6,19 224:20 guerra's 155:14 guess 56:11 68:11 101:15 107:24 116:24 118:9 140:7 145:10 146:22 153:3 165:5 170:2 175:2	183:22 184:4 185:6,20 191:16 196:2 201:9 202:10,11 204:9 208:17 228:22 guest 42:7 176:15 184:5 guests 176:15 183:1,17,18,22 guidance 224:17 guide 168:14 195:15 guidelines 12:22 gun 181:23 guy 87:10 182:7 guys 19:13 49:12 70:10 79:24 83:12 86:7 92:10,16 94:13 97:7 104:11 108:3,5 134:21 165:14 192:11 196:18 216:21 227:12,18 gym 51:6
			h
			half 24:9 27:8 28:14 35:8 37:19 78:12,18 87:20,21 90:18 114:23 115:13 134:17 138:6,25 143:18 152:12 156:2 157:24 158:1 161:11 172:7 186:1 187:5 200:11 halfway 90:11 hall 133:5 hallway 117:25 hand 6:4,7 27:13 36:1

handful 122:6 handle 77:19 166:18 167:23 handled 49:10 61:14 handling 94:23 167:20 handy 81:22 happen 15:22 39:12 56:11 77:12 91:13 129:21 131:16 157:4 193:24 197:6 211:24 happened 56:12 59:14 91:14 104:7 115:16 happening 14:11 48:10 157:9 185:12 happens 52:20,23 62:15 79:15 86:19 104:25 117:11 118:18 132:14 135:25 151:24,25 174:20 happily 178:9 happy 79:11 99:1 151:9,12 156:20 178:5 hard 20:9 57:16 61:2 171:19 182:20 192:17,25 194:8,19,20 197:16 harder 161:8 hardscape 29:15 163:16 hardship 13:9,19 15:7,14 16:2,21,25 17:25 63:16,24	66:3 71:17,18 91:5,22 190:8 hardships 63:25 190:11 harvard 184:17,18 hate 138:15 171:11 204:22 209:4 hawthorne 178:6 hazards 58:23 he'll 18:11 head 99:15 103:17 103:17 116:2 157:22 188:10 headlights 62:5 84:13 hear 14:2 98:2 191:4 heard 18:5 86:8,11 87:3 111:4 117:16 152:9,14,14,19,24 153:23 hearing 21:7,11 101:25 103:15 126:25 170:4 175:20 179:18 192:5 200:23 202:8 205:5 210:3 216:15,18,22 218:1,2 hearings 4:13 heavy 164:9,9 165:19 hedges 62:8 120:1 120:4 height 12:18 14:10 46:6 47:21 97:13 121:8 136:16 140:5 142:15 held 47:18	hello 103:11,12 help 7:21 29:14 38:9 51:13 59:16 77:9 92:10 119:14 128:8 140:6,13 172:21 173:16 178:10 181:11 193:24 195:14 207:21 212:19 helped 78:9 111:11 helpful 135:20 205:23 helps 23:15 27:15 36:25 43:13 152:19 208:2,3 hesitant 141:13 hesitantly 111:6 hesitate 141:12 hey 48:9 198:6 hi 62:25 76:16 83:9 94:17 95:14 105:24 107:5 109:1,6 high 33:18 43:4,6 50:22 51:22 106:24,24 112:18 180:11 222:11,17 higher 90:23 highland 82:8,13 82:23 101:2 135:21 highlight 20:23 24:16 28:7 hinsdale 20:14 70:6 108:23 history 182:18 hit 78:21 hitting 62:5 hmm 222:4 223:8	hofstra 2:4 hold 171:23 196:16 201:4 203:14 holding 170:17 199:9 hole 114:13 hollering 85:17 holly 112:14,14 home 33:17 70:5 81:10 92:18 99:20 133:19 154:5,16 228:4 home's 45:19 homeowner 120:12 homes 49:3 51:19 55:24 59:23 79:9 98:14 111:3 151:16 honest 116:4 150:22 151:1 187:18 honestly 158:2 174:15 hooting 85:16 hope 59:24 91:23 98:8 100:15 hopefully 50:9 134:12 hoping 59:18 195:10 hosted 10:16 hosting 96:11 hot 41:12 46:5 hours 43:8 186:1 house 4:7 10:16 22:19 80:3 120:7 120:8,9,10 121:3 122:17,18 174:14

household 81:13 households 80:17 80:23,25 81:2 120:19,20 houses 107:7 110:4 120:21 housing 49:2 50:18 51:10,11 52:24 79:14 101:24 102:1,3 110:7 huge 104:24 209:2 human 101:13 hundred 165:9 hurt 204:10 husband 92:25 hustle 60:4 hyde 234:3 hydrant 24:5 hydrants 169:9 hypothetically 188:3	immediately 73:7 impact 17:5 59:8 60:12 73:5 94:23 95:1 142:19 165:11 179:7 180:21,25 189:21 impacted 142:17 impacting 140:10 182:24 impacts 60:7 73:4 137:16 138:17 impervious 10:1 10:23 17:15 37:12 37:13,21 63:13 90:17,18 165:25 167:4,8,10 172:13 192:19 201:6 210:11 215:8 224:12,16 230:14 230:17 implications 77:16 important 24:15 27:12 43:10 48:14 71:15 76:24 77:4 77:21 222:9 importantly 36:10 44:6 97:23 128:17 128:23 impossible 70:19 impression 40:16 impressive 160:12 improve 62:10 181:11 improved 26:9 improvement 38:5 76:20 inappropriate 62:17 incentives 95:5 inch 168:16 221:7 221:8	inches 150:12 incline 87:7 inclined 225:22 include 75:22 86:13 145:20 176:15 218:24 included 71:9 228:8 232:2 includes 34:21 73:3 95:11 120:21 including 126:24 175:7 218:1 incomplete 7:9 inconsistency 225:16 inconvenience 70:13 incorporated 9:3 incorrect 12:7 incorrectly 227:10 increase 29:14 38:9 106:7,7 increased 28:11 152:12 increasing 89:5 incredible 178:11 indicate 124:6 indicated 9:12 123:25 221:5 indicates 219:14 indifferent 187:6 187:14 indiscernible 70:2 103:7 106:18 118:10 121:13 128:18 142:8 153:14 158:22 160:3 167:17 168:16 195:25 196:19 198:22 200:5 202:1 211:3	211:5 213:6 219:17 222:12 individual 126:7 individually 193:19 195:19,22 196:4,6 individuals 175:6 indoor 180:16,20 indoors 160:10 inferred 132:10 information 18:20 41:19 75:24 86:6 96:22 116:13 179:16,21 191:12 informed 104:8 infrastructure 50:5 ingress 35:5 187:8 187:10 initially 63:2 inlet 18:23 inlets 169:18 inner 81:11 input 4:15 inside 55:4 62:14 79:16 117:23 132:1 installed 75:8 219:20 instance 16:20 instances 221:16 222:13 integrity 175:24 176:7 178:11 intended 13:13 70:17 intent 36:4 39:16 39:20 55:6 70:11 133:19 intention 31:8 90:6
i			
ice 87:9 idea 27:1 35:24 43:1 61:20 72:24 135:2 137:14,15 189:1 identified 227:22 identify 7:19 ignorance 140:1 illegal 45:22,25 129:9 135:7 156:25 157:1 illegally 130:16,17 154:11 illinois 20:14 illuminated 61:12 imagine 98:17 139:4 210:5			

intentions 190:13	151:2 156:17	28:10 60:20 62:20	171:14 173:12
interest 25:21	163:25 172:9	62:22 64:13,17,24	177:4,25 178:20
111:22	173:8 174:7	68:25 69:5,8,22	178:24 179:13
interesting 61:19	181:12,16,19	74:21 75:19 76:3	181:1,4 183:2,9
182:13	182:10,15 183:14	77:25 78:2 80:9	184:3 190:19
interim 166:21	183:19 188:7	83:7 85:23 91:25	193:12 194:1,6,11
interior 30:24	201:7	94:16 95:13 96:7	194:17,23 195:1,8
35:15 42:2 57:1	issues 45:13 50:6	96:21 101:16	195:21 196:7,23
57:20,20	62:23 64:5 77:22	102:4,8 103:1,9,12	197:12,21 198:1,5
interject 177:1	78:8,11 86:9 88:8	104:13 105:21	198:11,16 199:3
internal 54:25	90:14 119:22	106:13,15 107:2	199:23 200:8,12
internally 129:2	141:13 142:10	108:7,25 109:3	200:16,19,22
internet 52:1	168:21 226:6	110:19,24 112:9	201:14,24 202:5,8
interpret 40:25	it'd 159:3	113:6,13 118:8,11	202:15,18 203:9
interpreting 41:1	it'll 24:22 29:14	118:14,20 119:3	203:12,17 204:1,9
124:11	96:12	119:15 121:14,18	204:12,15 205:4,7
intersection 21:18	item 7:3 8:25	122:25 123:4	205:12 206:15,20
82:15 88:16	17:23 27:19	126:19,22 127:5	207:2,8,13,20,24
intersections	105:23 125:13	127:18 128:2	208:3,8,12,17,21
222:3 229:21	131:9 153:3 212:8	130:8 134:15	209:10,16,19,22
intersects 36:24	220:1 228:3	138:2,8 139:7,14	209:25 210:12,25
intricate 173:3	items 6:3 11:22	139:18,22 140:8	211:6,20 212:3,7
introduction	18:17,25 72:21	140:14,25 141:4,9	212:11,24 213:8
59:15	73:1 77:24 124:21	142:2 143:3,23	213:12,20,23
intrude 176:7	157:13 187:1	144:1,11,15,19,22	214:3,23 215:3,14
inventory 51:13	208:15 214:2	145:3,23 146:9	215:16,20,24
inverse 220:9	215:10 227:4	147:2 148:4,15,18	216:3,8,25 217:5
invite 171:22	228:8 231:15,23	148:22 149:1,4,8	217:11,15,21
involved 76:18	231:25 232:2	149:18,22 150:21	218:7,10,13
185:1 201:2	iv 14:24	150:25 152:17	221:10,25 222:16
ireland 185:25	j	153:2 154:8,14,25	222:25 223:6,24
215:25	jackson 2:5,6	155:25 156:18,23	225:5,9,24 226:4
iron 168:16	183:14 195:18,24	157:2,6,10,18	226:23 227:19,23
irregular 13:17	201:16,20 230:25	158:15,21,23	228:2,10,13,17,20
ish 146:13 148:6	231:1 232:9,10	159:1,7,9,12,17,21	229:1 230:21
island 12:1 16:6,7	jarrett 2:1,7,9,11	159:23,25 160:6	231:2,4,6,8,10,12
18:21 27:24 89:4	2:13,15,17 3:2,6,9	161:13 162:4,9,12	231:21 232:6,11
issue 31:6 78:13	3:18,21,24 6:12,20	162:14,20 163:7	232:13,15,17,19
78:14 79:13 82:4	6:23 7:1,23 8:7,10	163:10 165:1,5,10	232:21 233:2,8
84:10 88:20	8:16,20,23 19:25	166:4,10 169:21	jason 2:1,7,9,11,13
115:21 141:15	20:3,5 21:2,6,9,13	170:12,18 171:1	2:15,17 3:2,6,9,18

3:21,24 6:12,20,23 7:1,23 8:7,10,16 8:20,23 19:25 20:3,5 21:2,6,9,13 28:10 49:4 60:20 62:20,22 64:13,17 64:24 68:25 69:5 69:8,22 74:21 75:19 76:3 77:25 78:2 80:9 83:7 85:23 91:25 94:16 95:13 96:7,21 101:16 102:4,8 103:1,9,12 104:13 105:21 106:13,15 107:2 108:7,25 109:3 110:19,24 112:9 113:6,13 118:8,11,14,20 119:3,15 121:14 121:18 122:25 123:4 126:19,22 127:5,18 128:2 130:8 134:15 138:2,8 139:7,14 139:18,22 140:8 140:14,25 141:4,9 142:2 143:3,23 144:1,11,15,19,22 145:3,23 146:9 147:2 148:4,15,18 148:22 149:1,4,8 149:18,22 150:21 150:25 152:17 153:2 154:8,14,25 155:25 156:18,23 157:2,6,10,18 158:15,21,23 159:1,7,9,12,17,21 159:23,25 160:6 161:13 162:4,9,12	162:14,20 163:7 163:10 165:1,5,10 166:4,10 169:21 170:12,15,18 171:1,14 173:12 177:4,25 178:20 178:24 179:13 181:1,4 183:2,9 184:3 190:19 193:12 194:1,6,11 194:17,23 195:1,8 195:21 196:7,23 197:12,21 198:1,5 198:11,16 199:3 199:23 200:8,12 200:16,19,22 201:14,24 202:5,8 202:15,18 203:9 203:12,17 204:1,9 204:12,15 205:4,7 205:12 206:15,20 207:2,8,13,20,24 208:3,8,12,17,21 209:10,16,19,22 209:25 210:12,25 211:6,20 212:3,7 212:11,24 213:8 213:12,20,23 214:3,23 215:3,14 215:16,20,24 216:3,8,25 217:5 217:11,15,21 218:7,10,13 221:10,25 222:16 222:25 223:6,24 225:5,9,24 226:4 226:23 227:19,23 228:2,10,13,17,20 229:1 230:21 231:2,4,6,8,10,12 231:21 232:6,11	232:13,15,17,19 232:21 233:2,8 jean 102:11,11 103:4,5,7 105:16 106:17 107:4 jeez 32:15 50:22 jeff 48:20 jerk 188:4 jewel 92:15 100:9 107:19 jim 69:24 70:3,4 74:24 75:20 157:11,12 jo 109:1,2,6,6 job 94:13 111:23 johnson 109:1,2,6 109:6 joseph 67:7 july 7:22 8:4,8,12 105:11 192:5 203:20 204:2,3 206:6,19 208:13 217:2,7,10 218:23 231:19 232:4 234:16 jump 173:13 jumping 173:14 june 96:10,12 202:17,18 203:10 205:18 212:1,8,19 216:9 junior 106:24 justify 75:24 172:16 justin 2:16 3:16 103:5,8 123:14 124:22 125:8 126:5,10,21 127:3 142:12,23 155:2 183:13 185:6 196:2 201:12,18	201:22 202:19 206:7,11 207:16 208:14 215:19,22 217:9,14 219:24 220:4,8,13 226:7 226:20 228:19,24 229:6 231:11,20 231:23,24 232:20 232:24
			k
			k 92:4 kase 2:7,8 113:11 158:20,22,24 159:4,8,10,14,19 160:2 184:14,22 194:25 195:4 199:10 205:3 209:18 231:2,3 232:11,12 kase's 197:5 keep 25:6,21 32:11 37:21 41:25 43:9 43:13 44:17,17,22 45:2 60:25 94:11 94:12 109:4 111:17 118:12 123:9 152:3 153:11 178:10 191:4 193:3 195:4 195:5 keeping 25:20 27:2 45:13 85:15 150:17 210:1,1 keeps 28:24 151:15,16 156:25 161:4 kelly 76:16,16 78:1 ken 183:13 kenilworth 223:11

kenneth 2:6 183:14 195:18,24 201:16,20 231:1 232:10 kept 227:12 key 70:9,15 keyboard 185:18 keys 159:5,11 kick 167:12 kid 113:3 kidding 78:17 kids 93:14 96:16 96:20 106:6,20,21 106:25 108:11,12 108:13,13 killboy 76:17 78:1 killhoy 76:16 kind 20:24 23:10 27:7 28:7 30:10 32:14 38:12,18,20 42:17 48:11 51:4 54:21,23 55:10 62:7 74:15 84:1 86:4 103:16 105:16 107:10 112:22 118:4 119:12,16 129:3 129:12 132:10 133:20 136:15,20 138:20 163:11 166:20 168:12 171:17 174:6 175:2,10 185:19 190:20,21 191:21 193:21 197:14 205:15 206:13 228:21 kite 37:12 kiwanis 96:13 kloa 31:19 42:17 42:20 44:17 55:15	55:25 56:2 59:2 74:2 100:18 104:17 116:14 knew 214:15 knock 228:24 knollcrest 55:24 70:5 111:2 know 5:9,12 18:8 20:6,19 22:15 23:17 24:11,23 25:19 26:7 27:3 28:3,6 32:10,12,15 33:2,10,12,23 34:25 36:6,8 38:7 38:23 40:8 41:12 41:21,25 42:9,11 43:9,16,21 44:16 44:18,22,25 45:3 45:10,21,22 46:17 46:21 47:3,4,6,11 48:9 50:21 51:21 52:14,14 54:1,20 55:16 56:7,18,21 57:11,16 58:7 60:3,9 62:11,15 68:17 69:2 72:15 72:21,24 73:9,13 73:15 74:14,15,16 74:18 75:16,20 77:18 78:20 79:14 83:10,23 84:25 85:13 86:12 96:24 97:3,7,23 98:2,2 98:10 99:19,20,25 100:15,18,23 102:9,12,16,20,22 102:23 104:10,25 105:5,9,12 106:4 116:3 118:16 119:18 120:3,5,14 121:6,24 122:12	122:14,15,20 124:16 125:6 126:2 127:21 130:18,23 131:1 133:6 134:4,19 135:1,10 136:16 137:3,16,19 138:1 138:10,13,16,17 138:19,21 139:2,4 139:25 140:1,3,3,6 140:10 141:7,9 142:7 143:13 144:2,23 145:6,6 145:13 148:6 151:7,8,18,20,23 152:18 153:21 156:19,20,24,25 157:13,15 158:9 160:25 162:5,6,14 164:15,17,22,22 164:23,24,25 165:6,17 166:17 168:10 172:20,23 176:10 181:22 182:6 183:11,20 189:3,6 190:4 191:6,11 192:1,9 192:15,15,16,19 192:21,22,23 193:2,8,9,13,13,14 193:16,17,23,24 196:13,23 197:5,6 197:7,10,15,17,17 197:19 198:6,14 199:1 201:6 202:4 203:2 205:14 206:1,1 207:18,19 208:10,25 209:1,6 209:22 211:20 212:15,19,19,22 214:6,22 216:13	224:16 227:8 knowing 127:7 192:18 knowledge 98:4 116:22 125:17 known 11:21 32:3 65:23 knows 166:16,16 kramer 67:22 92:3 92:3,4
			l
			l 49:1 50:10 70:6 110:21 label 66:17 labeled 67:1 178:13 lack 93:23 180:17 181:13,14 lacks 98:23 laid 58:23 lalo 50:10 land 9:17 12:17 13:15 70:18 90:18 126:3 landlord 67:8 68:16 landscape 12:1 13:3 16:7,23 17:4 18:21 29:9 39:8 89:6 115:5 125:3 194:13 204:8 landscaped 89:4 landscaping 10:8 10:25 12:25 15:4 17:2,20 18:13 23:24 24:1 39:7 40:13,17,24 41:3 72:21 124:5,7,9,16 125:5 173:1 189:3 230:3

lane 87:2	115:19 123:7	likes 134:25	61:23 66:24 72:4
language 41:21	157:25 182:1	156:11	77:2 84:22,23
226:9	197:22	likewise 132:9	86:15 94:11 99:9
large 94:3 114:2	leaving 147:5,6	limit 134:9 184:6,8	101:1 104:3 109:4
116:18 123:22	155:6	184:10 186:24	117:20 127:25
174:9 187:20	ledanski 234:3	limitations 165:18	133:21 135:19
189:23 199:7	leeway 146:18	187:15	137:22 138:18
204:22 222:14	left 24:3,5 26:12	limited 180:12	140:7 146:17
larger 50:1 143:22	27:13 35:1 36:1	limiting 216:15,16	148:7,8 153:9
180:8 186:16	43:17 57:22,22	limits 71:12	155:9 158:6
late 53:15,15	79:21 81:20 88:15	lincoln 20:14	168:19 181:11,23
215:3	162:2 187:4	line 16:8,8,16 29:1	182:6 188:23
lately 103:16	216:14 223:10	29:19,20 36:8	201:6 211:14
latitude 124:14	228:4	38:22,25 76:5	219:19 221:4,12
laugh 185:12	legal 9:15 10:17	80:18 89:17	223:14 227:10
law 70:6 71:17,23	46:3 76:1 81:17	117:10 119:6	live 25:24 49:19
101:9	124:18 125:13	125:13 138:5	63:4 64:20 76:17
lawyer's 49:10	226:24 228:8,15	150:18 160:16,16	78:4 80:3 81:19
100:22	232:2 234:11	165:4 174:5 219:9	85:18,22 95:10,15
lay 146:1	legislative 225:14	220:1 223:12,17	100:20 101:10
laying 160:8	legitimate 162:21	229:10 230:7	105:25 107:6
layout 31:8,17	lehman 50:8	lines 4:6 86:12	109:2,7 110:17
56:17 213:19	length 88:11	176:11 187:4	174:15,18 175:14
215:12,15	219:21 229:13	222:7	178:14 204:24
layouts 215:13	230:6	link 180:1	lived 65:4 68:15
lead 96:12 179:19	lesser 211:11	liquor 45:16,18,25	77:12 92:13
219:11	lessor 188:7	154:4,11	108:10 109:7
leading 27:21	letter 22:4 144:7	list 5:17 191:21	lively 96:19
204:16 219:10,12	letters 10:17	197:23 198:4	lives 101:6 175:18
leads 27:18 164:14	level 51:22 61:17	218:17	182:16
lean 195:16	132:25 143:8	listed 196:5	living 33:21 84:19
leaning 173:21	liaison 76:11	lit 127:20	104:24 129:18,22
learn 10:11 56:14	library 31:3 50:3	literal 13:10	175:4
187:22	96:10 223:13,18	literally 113:19	llc 9:4,15
lease 129:24	life 65:4 100:8	little 18:19,25	load 90:20,22,23
130:18 131:1	171:17	29:25 30:20,20	90:25
158:24 188:5	lifelong 181:22	37:16 38:13,14	loaded 9:8 102:18
leases 134:12	light 24:4 160:22	42:16 46:13 48:13	loaders 88:21
leave 15:10 19:23	lightest 23:17	50:13 51:20 53:1	loads 165:19
25:16 43:12 92:22	lighting 29:3	53:15 54:4,13	lobby 27:10 100:1
99:22 100:5	176:24 177:2	56:19,20 59:8	

local 51:14 81:15 120:25 located 29:13 58:20 59:1 61:13 location 31:3 33:15 65:9,10 168:20 180:4,9 230:8 locations 58:18 81:12 222:8 logistically 145:18 193:10 lombard 48:20 long 59:14 61:3 85:8 87:18 100:23 130:18,25 137:3 216:18 longer 27:11 156:10 218:17 look 16:6 20:11,19 24:2 34:16,18 35:24 48:15 50:12 65:14 66:15,25 68:2 74:5,7,13,14 74:19 77:15 78:23 79:1,1 84:6,17 85:3,20 93:6,7 109:14,19,20 110:3,8 114:15 120:24 125:2 128:6 133:13,17 137:4 146:11 150:16,20 167:10 167:10 168:18 203:2 222:11 225:21 233:4 looked 14:9 15:2,4 15:4 46:7 53:20 122:3 124:12 163:1 211:13	looking 7:18 8:11 11:1,17 13:20 18:19 42:14 44:16 47:13 51:17 56:25 58:11 70:23 80:7 83:18 87:14 122:10 123:20 126:6 127:25 140:4,5,9 182:4 189:23 190:13,16 197:18,23 198:23 199:18 210:11 looks 23:12 39:10 48:24 57:12 65:15 79:3 112:16 167:8 177:22 186:8 loopy 215:4 lopping 137:25 lose 33:9 35:14,15 102:24 133:4,5 137:17 143:24 150:9,13 163:5 166:1 178:15 187:25 losing 142:4,5 145:23 176:19 195:5 197:19 199:13 loss 198:21 lost 15:23 199:5 219:21,23 lot 7:16 9:25 10:22 13:11 14:12 15:25 17:3,9,17,19 20:23 23:13,13,18 24:25 25:23 27:15,17 30:11 33:13,16 38:16 40:10 41:10 45:7,7 47:17 48:23 49:6 50:10 50:21 53:10,11	59:10,14 67:3,4 68:4,13 73:6,9,14 73:16,18 75:7,13 75:18 76:13 77:17 77:22 86:6 89:17 94:1 98:10,15,18 98:21 100:22 101:3 102:18 103:22 105:5,6,14 106:12 111:8 114:22 115:14,17 119:17 120:14 122:4,5 143:25 154:16 159:24 160:14,15,16 173:16 176:21 177:23 178:3 180:2,5,6,8 186:18 188:12 191:4 192:11,12 197:8,8 220:21 222:7 223:12,17 224:8 224:10,11,14 225:9 229:15,16 230:14 lots 12:5 45:20 81:9 82:21 86:20 96:24 108:11,13 111:5,17 143:18 146:12 147:16 160:8 229:23 louvers 160:20 love 79:21 80:1,2,3 80:3 83:17 106:6 110:9,11 111:13 160:1 low 43:3 133:15 219:19 229:12 lower 34:14 91:21 lows 108:12	luckily 120:9 luedtke 2:9,10 6:22,24 8:19 131:7,12,17 132:2 132:7,23 133:4,15 134:5,16 135:3,12 135:15 136:5,9 138:7,23 139:12 141:12,18,20,23 142:4,8 147:15,20 149:21 168:24 169:7 182:12 183:8 199:16,24 200:2,21 202:17 205:10,19,23 207:18 209:21 211:3 212:10 213:6,10,21 214:9 214:14 218:9 222:21 223:1 231:4,5 232:13,14 lunch 106:19 lunchtime 99:21 luxury 102:1
			m
			m 48:17 49:18 magnitude 204:23 204:24 mailed 10:18 main 27:10 40:1 81:11 108:24 168:15 169:10,19 169:20 maintain 31:12 36:25 maintained 219:20 maintaining 31:11 maintenance 164:18

major 50:11 78:8 94:11	114:25 172:14	191:24,25 192:2 194:2 195:3,6	53:13 55:14 63:4 63:8 75:3 104:2
majority 169:4 185:11 186:5	matrix 32:3 65:23	197:1,4,5,18 199:7 199:7,20 203:12	120:17 125:16 165:24 181:18
making 35:5 43:24 118:17 135:7 137:13 150:9 215:18	matt 50:14	204:19,20,22 205:13 206:3 207:13 208:25 209:1 210:13,16 212:22 213:2 214:16 222:21,22 226:23 227:1 228:21	191:25,25 192:11 192:13,13 194:7 196:16 203:19 205:15,17 207:6 212:20 217:2,6,10 218:23 232:23
man 23:6 87:10 121:13 160:3 214:19	matter 8:24 46:4 76:14 121:3 129:21 174:20,21 174:22 194:24 205:17	meaning 87:25 177:12	meetings 10:10,13 63:21 144:24 185:15 203:14 208:9,13 217:25
management 90:15 182:14,16 182:18 188:9	maximizes 31:17	means 30:24 43:14 73:19 111:18 116:3 122:17 154:23	meets 12:13,16,17 12:18 69:16 121:5 194:18
managers 79:19	maximum 165:25 219:15 220:25	meant 53:4 55:7 124:20 142:7	member 55:21 175:14 220:16
managing 182:21	mead 84:2 85:9	measure 117:5	members 45:14,16 50:18
maneuver 211:15	meadery 22:15 38:24 39:9 54:10 59:20 78:25 97:19 101:18 105:1 122:21 169:12	measured 16:19 86:10 87:18 219:8 224:11	memo 12:6 19:14 44:15 123:23 124:3 144:4 145:1 145:6,14 220:20
map 54:22 162:24	mean 27:1 45:24 54:20 57:12 60:1 76:13 78:24 80:22 94:13 109:18 116:12 118:16 122:16 126:23 129:3,20 130:20 132:8,24 133:7,8 133:19 134:2,4,10 134:18,19 135:5,9 137:4,21,23 138:9 138:13,23 139:1 140:4,4 141:5,14 141:18 148:5,10 149:11 150:2,6,17 150:19 152:18 154:21 157:1,21 157:24 160:9,15 161:24 162:16 163:5 165:14 169:23 172:16 174:13 175:10 177:13 183:2,3,4 184:5,6 190:20	measurements 117:8 230:13	mention 23:23 74:1 87:3 97:10 107:8
march 34:8		media 185:17,20	mentioned 27:9,14 28:1,6 29:22 30:12 31:25 32:14 35:7,13 36:3,15 37:4,18 38:7,13 39:10 42:24 44:9 44:15,18 45:16,18 47:4,22 48:8 50:25 51:14 53:8 53:13 59:21 60:15 85:6 89:16 107:15
marianne 50:6		medical 114:12	
marie 95:14,15 96:8,23 101:18 102:6		meet 10:3 12:21 12:22 17:21 18:25 28:9 29:3,21 45:15 46:20,21 71:7 99:22 115:23 116:5,11 121:7,8 152:1 157:22 170:24 172:21 177:3 194:21 205:19,21	
marilyn 108:9,9		meeting 1:12 2:2 2:20 15:8 53:10	
mark 40:14			
market 52:24 56:12 97:25			
markets 160:14			
mary 49:1 109:1,1 109:6,6			
masonry 119:6			
mass 14:16			
massive 127:16			
match 108:18 122:22			
matches 122:13 213:16			
material 17:20 23:13 59:21 115:6			
materials 12:20 22:16,19 97:21			

109:10 121:6 122:4,12 134:21 134:22,23,24 153:21 192:8 mentioning 41:21 merit 137:25 mess 100:3 met 20:18 26:19 41:14,16 91:12 135:16 metered 51:25 52:2 metro 34:19,19,20 66:8 180:4 metropolitan 32:9 93:5 94:12 mic 14:1 117:21 michael 2:12,25 3:20 6:18 8:5,14 55:22 161:10,14 162:11,13,19,22 163:3,8 166:8,14 167:24 168:22 181:8 184:2 196:1 196:21 199:25 200:18 203:22 205:6,9 206:9 207:19,22 208:1,5 208:11 209:8,14 218:5 230:20 231:7 232:5,16 233:1 michigan 83:10 microphone 4:4 119:13 mid 32:7 34:9 middle 72:5 137:24 152:1 196:18 midnight 214:20	mike 94:18 107:5 107:5 153:7,7 154:13 166:10,13 166:20 168:3 169:4,8 184:20,23 200:13,14 209:6 222:6,19 224:19 224:20 mile 63:5 109:17 mimicking 84:1 mind 25:6 32:11 37:21 41:25 43:9 84:21 160:23 210:1,2 minds 195:6 mineola 234:14 minimal 115:4 minimize 13:12 165:11 minimized 65:19 minimum 16:4 38:10 58:25 81:4 124:13 146:5 176:23 215:10 219:8 229:19 minor 169:19 minute 146:7 217:16 minutes 2:19,20 2:24 3:1,10 4:19 5:2 41:23 61:1 69:2 72:16 97:2 130:13 216:20 miscellaneous 50:15 misinformation 185:19 missed 119:20 125:6 missing 128:12 147:11	mistake 124:10 126:9 mistaken 167:25 mitigate 50:5 mix 47:1 mixed 21:21 46:15 50:1 97:11 mixes 22:12 mm 222:4 223:8 mobile 154:1 modern 47:22 79:2,3 80:7 109:12 modification 15:9 moment 76:7 momentum 77:10 monday 203:24 204:1,2 money 50:8 197:9 monica 49:7 monitor 159:11 161:6 monstrosity 108:20 month 189:1 191:18,23 195:9 205:20,22 231:17 months 88:5 205:1 monument 194:14 morning 43:4,6 66:11,12 67:6,17 92:18 93:11 99:19 motion 2:23,25 3:3 3:13,15,17,19 5:25 6:15,19,21 8:2,6,7 8:12,15,17 124:8 153:17 188:14 189:14 207:6 212:5,8,13 215:6 215:17,21,23,25 218:3,5,8 225:25	226:5,9 229:7 230:22,24 231:14 231:18,22,23,24 232:6,24 233:5 motions 228:18 motors 7:4 move 4:11,16 5:19 5:22 6:13,15 11:19 18:23 29:5 30:3 60:24 111:12 113:8,9 127:13 163:2 169:23 195:22 206:17,17 206:20 207:5 209:5,11 211:14 moved 16:16,20 16:25 23:1 27:9 28:23 78:7 92:25 movement 18:10 143:6 144:12 145:11 212:15 movements 149:13 moves 117:12 moving 10:18 19:9 36:16 83:25 125:25,25 126:2 162:6 169:25 171:9 179:7 191:4 207:16 mucerino 85:24 85:25 multi 21:22 97:25 98:5 multiple 18:14 180:9 multiply 98:12 municipalities 32:1 murphy 105:24,24 106:14

music 102:17 musical 96:19 mx 14:15,24 19:3 19:3,3,4 21:20 36:4 37:8 39:13 39:14,16 40:21 41:2 46:7 47:14 54:20,23,24,25,25 55:7,8,12 59:15,16 97:6 114:1,1,2 115:8,11 125:5 136:12,15 137:10 137:12 176:5,5,6 218:25 221:19 222:23 228:7 229:24,24,24,24 229:24,25 232:1	natural 89:10 nature 85:10 101:14 near 109:24 110:4 nearby 31:6 81:12 81:23 necessarily 5:5 123:19 151:2 173:25 201:25 necessities 81:16 need 3:13 4:3,4 5:6 7:14 11:16 18:23 33:6 36:18 50:4,18 51:5 81:22 91:21 100:4 102:5 108:19 109:21 110:3 117:24 138:14 143:11,22 147:11 147:13,14 149:12 154:17 164:23 168:18 186:7 192:1 196:15 198:7,14 199:20 202:9 206:1,3 212:5,15,21 213:2 213:24 214:2 217:13,14 218:3 226:1 231:16 needed 26:3 40:4 45:8 81:7 83:15 94:2,3 140:20 166:19 needing 222:15 needle 199:8 needs 18:22 34:18 48:5 50:11 95:22 152:1 177:10 178:8 181:20,20 183:22	negative 64:7 92:11 122:5,6 153:1 196:8,11 negotiate 90:10 negotiation 140:2 164:23 192:16 negotiations 127:7 127:8 neighbor 78:10 151:8,13 156:17 neighborhood 49:15 78:23,24 79:4,22 80:6 83:22 93:24 112:7 136:22 158:1 174:25 175:4,15 175:24 211:16 neighboring 59:23 84:12 85:20 neighbors 25:24 44:10 54:15 80:14 83:5 84:11 85:18 85:20 104:12 106:2 107:14 120:1 130:20 134:23 151:9 156:20 158:16 neither 98:6 nester 99:18 nesters 33:14 51:14 174:12 net 167:8 never 56:13 88:22 92:14 108:21 144:9,10 174:24 new 11:11 12:1,7 13:2,22 16:6 27:22 35:10 39:11 39:14,16 48:22 51:9 77:3 97:24 99:1 101:24 167:8	167:10 181:23 194:14 213:1,2 215:10,13 222:11 newer 168:16 newly 32:5 nice 24:24 48:15 66:17 77:8 112:24 139:9 186:13 nicely 59:19 niche 51:4 nicholas 49:20 nicholason 106:17 nicholson 102:11 102:11 103:4,7 107:4 nick 227:6 night 5:8 53:14,18 53:19,21 54:2 55:17 67:9 68:19 96:14 nightmare 182:11 nights 54:3 101:19 101:20 104:22 nine 145:16 214:15,17 ninety 176:21 ninth 192:6 nobody's 98:7 149:21 noise 85:15 non 36:23 75:6 172:12 230:7 normal 91:17,17 173:8 normally 16:9 22:19 34:15 91:22 186:4 north 20:13 22:9 26:24 30:4,4 35:3 35:7 45:20 67:12 67:12,21,21 88:13
n			
n 64:15,16 70:6 94:18 110:21,22 110:22 234:1 name 4:20 20:7,9 61:5 63:1 64:19 67:7 70:4,5 76:16 78:3,4 83:9 95:14 108:9 109:1 112:22 150:23 153:5 220:7 name's 85:24 names 216:5 narrative 42:24 narrow 82:6 188:10,10 222:18 narrowed 29:16 29:20 narrower 222:8 narrows 187:21 national 32:4,5 34:5 56:5 65:23 80:18 120:17			

88:14,18 101:22 110:9 120:7 138:6 northeast 186:12 northern 184:21 note 17:25 25:3 71:15 noted 11:9 73:12 notes 119:24 notice 9:15 10:17 124:19 125:14 126:24,25 175:20 212:12,14 216:10 216:11 219:4 227:22 228:8,15 232:3 noticed 40:20 227:20 notices 10:9 nowadays 80:20 noxon 62:25 63:2 64:15 nuance 132:24 nuances 58:24 number 11:14 24:24,25 31:17 32:22 36:3 40:5 43:13 58:25 61:11 61:13,15 66:4,7 71:6 73:3 80:12 80:22 81:5,13 83:2 91:11,20 92:6 93:12 103:17 122:11 133:18,18 134:9 168:8 184:8 184:11 193:4 196:11 198:19 199:17,19 200:2,9 200:13,17 numbers 38:9 42:25 56:20 104:19 120:18,18	198:24 221:11 nutrient 90:21 ny 234:14 o o 20:13 64:15,16 70:5 94:18 234:1 oak 93:6 obey 82:14 obstructed 89:19 obstruction 89:15 obviously 22:8 25:10 26:5 27:5 32:19 33:1,6,9 34:11,21 35:25 36:9 38:15 40:8 42:2 43:5,19 45:6 47:10,18 51:3,13 57:21 58:7 59:14 77:1 119:19 120:20 121:1 122:9 126:23 129:17 130:17,20 134:11 141:14 150:7,15 165:18 182:17 183:5 193:2,10 194:5 205:14 occasional 184:6 occasionally 45:17 97:8 98:2 occupied 208:22 occupying 46:11 occur 111:9,16 172:2 175:5 occurring 43:2 odd 29:25 38:20 odeum 116:19 offer 51:5 109:24 offered 69:1 offering 99:8	office 22:1 49:10 60:16 72:10 115:13 133:20,25 158:24 214:12 offices 81:19 official 65:1 oftentimes 100:14 oh 9:6 103:7 141:4 169:7 204:2 205:21 208:5 220:12 okay 5:8,13 7:22 7:23 9:7,11 11:23 14:2 19:25 20:4 21:12 62:20,22 64:17 65:2,3,13 66:9 69:7,22 75:19 76:3,5 77:25 80:2,7,9 96:7 104:15 105:21 106:13 107:2 108:7 112:13 113:6,10 118:8,15,20 125:16 126:20 127:1,18 128:2 132:7 140:23,25 141:7 149:7 152:17 154:18,25 155:25 159:4 160:2 162:12 166:4,5 168:22 169:7,25 170:12 171:10 173:12 175:17 177:25 178:20,24 181:3,4 181:6 194:21 198:5,9,11 200:22 203:4,7,16 205:12 205:22,25 207:8 209:21,24 213:9	215:20,22,24 216:5,9 217:4 218:15 220:3,21 226:25 227:23 228:13,19 229:6 230:24 231:18,18 233:4 old 77:3 136:18 234:12 olguin 69:24 70:3 70:4 74:24 75:20 157:11,12 once 11:16 60:1 71:11 74:25 113:10 136:10,11 189:11 220:1 oncoming 37:1 one's 38:13 ones 116:20 172:6 207:4 219:5 online 19:15 95:25 184:9 onsite 73:23 open 10:16 26:25 27:6 35:8 38:8 93:25 95:16 101:19 105:1 111:17 117:18 118:1 119:1 160:20 189:15 216:15 operation 55:18 opinion 106:11 124:23 125:9 164:5 209:15 opinions 4:11 opportunity 62:9 130:11 223:1 opposed 3:9,24 5:10 8:23 95:5,7 127:15 133:12

144:9 216:8 opposite 82:9 100:13 174:4 option 44:2 154:23 162:2 164:20,21 184:15 188:3,4 192:3 193:20 194:3,4 options 51:17 187:15 190:21 191:19 193:15 196:15 202:7 order 2:3 3:11 107:18 157:15 169:18 ordinance 58:16 70:18 113:25 184:4 217:24 225:6 230:16 ordinances 60:10 ordinary 30:20 oriented 180:3 original 177:1 227:9 originally 14:7 152:11 224:9 orlowski 2:11,12 2:25 3:3,4,20,22 6:18,21 8:5,14,17 161:10,14 162:11 162:13,19,22 163:3,8 166:8,14 167:24 168:22 181:8 184:2 187:7 196:1,21 199:25 200:18 203:22 205:6,9 206:9 207:19,22 208:1,5 208:11 209:8,14 218:5 230:20,23 231:6,7 232:5,8,15	232:16 233:1,6 ostensibly 89:4 ott 78:3,3,3 outcome 64:7 outdated 50:13 outdoor 25:14 outlined 126:14,15 225:19 outreach 47:19 48:7 127:1 outside 7:17 31:10 86:12 103:24 106:6 118:6,16 132:1 142:16 181:18 182:25 187:1 ovaltine 47:6 48:19 66:15,16,20 overall 73:4 186:5 overflow 62:12,15 overlapping 210:24 overload 167:22 overly 125:14 overnight 53:7 67:15 81:8 183:4 183:18,25 184:5 overwhelmingly 107:11 owned 37:8 52:3 100:23 owner 9:4,14 42:13 111:2 owners 158:11 185:9 owns 73:6	123:19 178:1,23 180:1 page 39:25 123:24 200:15 228:16 229:5 paint 7:12,12,14 painting 7:6 paper 65:16 83:14 96:3 papers 29:13 parade 105:11 parallel 16:8 89:6 186:21 parallels 67:13 parcel 7:19 13:17 39:5 70:25 72:3 parcels 9:17 parents 106:21 park 1:12 9:1 11:1 11:12 12:1 13:18 13:25 16:14 21:17 21:18 26:17 27:3 27:11,22 28:24,25 29:2 30:7 31:12 32:12 36:23 37:2 48:11 49:8 53:10 53:11,16,24 56:2,3 56:4 61:21 62:3 63:1,5,11,19,20 66:13,15 67:8,24 75:17 78:4,16 79:5 83:17,23 84:11 85:7 89:3 90:12,19 92:8,12 92:17 93:3,6,8,25 94:6 99:6,14,14 101:10,11,11 102:18,23 103:14 103:15 105:2,4,6,8 105:8,18 106:4 110:6 111:12	114:11 115:3 116:9 120:9 122:19 130:16,17 130:17 135:21,25 139:3 140:10,19 147:21 155:10 159:18,18 160:18 161:20,22,23 169:1,5 171:20 172:19 174:14 175:21 176:8 177:10 178:4,12 179:22 180:6,15 180:21,22 181:22 182:17 183:25,25 184:17,18,18 185:12,13 187:9 187:11 204:25 210:14 222:22 parked 7:20 36:17 53:16,25 67:10 68:12,18 82:17,22 85:8 89:10,19 100:22 154:11 parking 9:21 11:5 11:12 12:4,8 15:5 15:22,23 17:4,9,22 18:4,9 19:10 24:19 25:1,14 26:9 27:18,23,24 28:2,12,17 29:4,5 29:8,10 30:6,13,15 30:17,18,23,25 31:9,16,17,20,21 32:2,6,11,12,24 33:5,6,8,24 34:1,3 34:18 35:14 38:19 40:9 41:13 42:1,8 42:8 43:11 44:1 44:10 45:19 46:1 46:1,10,16,18,21

46:22 47:1,23 48:1,5,16,17 52:25 53:1,2,3,4,7 54:5,8 54:18 55:19 56:22 56:24 57:1,6,18 58:5,5,12,18,19,24 61:16,17 62:2,14 63:12 65:20 66:1 66:14,18,19 67:1,3 67:4,15 68:1,2,3,4 68:5,13,19 70:23 71:3,6 72:11,19,22 73:6,9,10,14,15,16 73:18,24 75:7,13 76:25 79:16 80:13 80:13,16 81:4,7,9 82:4,7,20 83:2,3 84:9 85:6 86:20 86:21 87:5,14,16 88:9,24 89:13 90:11 92:5,19,20 93:17,19,21,25 94:1 95:8 98:19 99:11,23 100:2,6 101:6,8 102:18 106:3,8 107:14 111:7,8,15 112:5 112:20 114:14,24 115:14 116:7,8 121:9 128:5 129:11,24 131:3,6 131:8 132:13,15 132:16,19,21 141:20 142:20 143:4,5,15,16 144:6,9,10,16 146:3,10,12,13 147:16,17,21 148:1 150:9 151:14 153:9,13 153:19,25 154:6	154:16 155:3,5 156:7 158:13 159:16 160:8,10 160:14,18 161:18 164:10,17 171:16 172:2,3,9 173:19 174:8 176:12,14 176:15,16,18,19 180:5,17,17,20 181:12,12,14,16 182:8,10,14,22,25 183:4,12,15,15,19 183:21 184:17 186:17,22 187:17 187:24 188:25 196:12 198:18,19 199:14 200:6 201:11,21 202:2 204:18 210:17,22 211:1,10 215:7,9 219:10,12 229:9 229:11,14,19 parks 105:10,13 parkway 16:12 36:24 38:18 222:8 222:18 parkways 222:14 part 5:1 12:15 21:11 64:25 74:3 111:11 116:13,18 124:13 162:6 167:25 participation 5:14 5:16 60:24 particular 4:18 65:10 70:23 71:19 71:19 78:15 95:21 153:3 particularly 222:10	party 31:19 92:24 pass 82:25 83:22 188:16 passes 231:13 passing 106:20 passionate 102:9 path 47:5,7,8,10 48:19 49:23 50:2 77:10 79:8 80:4 84:20 95:20 96:17 105:17 174:12 175:25 176:5,8 178:11 pathway 91:17 patience 113:12 patrick 28:25 patrons 73:16 paved 10:24 16:12 16:15 37:15 117:2 117:3 pavement 22:7 221:4 paver 210:20 pavers 29:11 37:18 38:8 164:4 167:5 paving 169:1 pay 51:7 payment 169:5 peak 43:4,6,7 peaks 108:12 peasy 101:12 pedestrian 28:23 29:2 30:2 39:17 82:16 88:16 89:21 174:21 pedestrians 37:1 peeling 136:25 138:1 peninsula 16:6 89:6	people 5:7 9:7,19 10:10 13:1 14:2 18:6,7,8 22:5 27:1 32:14,15 33:17,18 35:18,23 41:20 42:3 47:20,22 49:19 50:21 51:5 60:14 69:3 73:19 75:12,15 76:6 79:2 81:21 84:12 86:19 87:21 88:4 89:21 93:3,10,12 94:6 95:24,25 96:2 97:2 100:14 101:8 102:15,22 103:18,20,25 105:5,18 106:4,8 107:22 112:17,20 113:4 119:11,17 121:1,2 122:6,6,8 122:11 129:5,6,9 129:18,22 131:3 131:15 132:22 133:20,23 134:3,9 134:10 135:4,6,8 151:12,15 153:15 156:8 159:11 161:7,8,9 171:22 171:25 172:10 196:24 201:7 204:24 216:13 percent 17:16 22:6 37:13,19,21,24 38:3 132:6 156:8 165:9,24 176:21 176:22 221:1 225:12 perfect 9:10 114:17 perfectly 97:21

performed 31:18 peril 64:4 perimeter 40:13 41:4 54:23 72:20 period 172:20 permeable 17:20 38:8 163:14,15,23 163:23 164:4 165:15,21 210:20 210:21 224:17 permit 18:18 permits 168:5 permitted 12:18 72:14 184:25 permitting 203:5 perpendicular 12:5 16:13 18:4,9 19:10 44:2,11 88:10 143:14 144:5,10 145:13 146:3,13 147:4,12 149:9 151:10 152:25 153:13,19 153:25 155:3 156:6,6,14 173:19 186:22 201:10,19 202:3 210:17,21 211:10,15 person 42:9 48:3 90:12 93:1 100:7 113:1 185:14,16 185:22 personal 80:20,23 81:22 187:1 personally 45:4 173:13,18 174:7 perspective 23:11 58:11 136:10 pertinent 142:20 142:24 187:13	pertinently 123:16 pervious 29:14 37:19 63:14 167:5 188:12 225:2 230:15,18 petition 6:16,16 7:3 8:3,25 95:18 103:18 121:22,23 178:17 189:17 217:23 226:11,14 229:8 232:3 petitioner 4:16 5:23 9:3 19:16 112:3 179:24 186:10,14 187:19 187:20,25 189:4 189:16 195:15 petitioner's 142:13 petitioners 5:18 petitions 6:15 phases 89:1 photo 66:25 photometrics 177:3 photos 68:2 physical 82:4 pick 143:17 159:15 214:17 pickup 86:15 picnic 90:19 picture 67:2 83:23 83:25 177:18,20 177:24 182:8 192:18 pictured 84:18 pictures 53:19,22 66:16 67:19 68:21 piecemeal 6:6 pinkish 36:12	pipes 77:18 piping 166:18 167:18 pitched 122:18 place 54:19 62:18 85:4 107:25 109:13 126:6 164:18 171:8 178:14,14 placed 62:16 placement 37:3 places 49:19 62:17 102:22 plan 7:10,18,22 10:15 12:14 17:10 17:13 24:13 29:3 35:9 39:6 49:18 57:15 60:18 83:11 84:2,3 87:12 98:21 107:25 108:2 110:3 128:6 137:4 146:7 150:20 166:21,22 166:23,24 167:3,4 177:1 186:15 190:1 212:25 213:1,18 215:11 planned 58:20 95:21 179:11 planner 141:6 planning 1:12 2:3 29:1 37:5 55:20 58:14,16 75:9 83:24 115:20 226:17 plans 24:11 plant 220:15,17 plants 220:11 plat 9:1,16 platted 18:20	play 95:10 137:23 141:15 167:13 193:3 please 61:6 69:6 70:1,3 80:5 82:18 93:20,21 94:12 108:19 109:4 110:15,16,18 121:15,16 130:6 130:13 158:23 179:15,21 203:8 204:4 206:5 plenty 39:8 45:25 48:18 49:22 65:25 66:18 plowed 164:9 plowing 18:11 plows 165:23 plumbing 89:11 95:1 plus 17:14 18:12 37:17 49:7 63:5 148:10 149:10,10 150:3 199:20 podium 61:5 point 5:6,18 14:5 21:6 38:19 59:7 60:23 70:9 72:16 90:25 102:2 113:5 119:18 123:11,17 131:7 134:2,8,10 135:10 142:13 147:25 153:5 154:9,24 155:20 155:20,21 157:12 165:6 168:24 170:3 172:10,12 177:5,13 179:2 187:8,13,21 192:22 193:3,6 197:5,7,9,15 203:2

213:17 216:5 229:5 pointed 107:10 112:1 189:7 pointing 118:3 120:8 126:11 131:22 pointless 202:12 points 63:9 76:23 86:5 94:19 101:14 101:15 153:14 168:13 pole 24:4 29:6 116:6 poles 25:4,11,12 28:21 86:17 150:11,14 police 18:2 97:10 130:21,21 144:5 184:7,9 188:9 policy 225:15 polite 158:6 polls 68:22 86:12 pollutant 90:20,22 90:22 pond 66:21 pool 51:6 poor 20:10 50:13 76:10 112:17 132:9 population 168:9 pork 27:8 35:8 57:24 90:2 134:17 135:8 161:1,11 187:5 210:13,21 215:8 portions 226:13 position 64:8 97:9 148:9 190:21 positions 110:14	positive 47:18,20 48:12 49:1 65:17 77:10 89:5 107:9 122:1 208:24 possibility 52:21 129:11 197:3 203:4 210:14 possible 31:9 134:2 179:15,20 223:4 possibly 61:21 182:4 postage 72:4 posts 107:9 potential 7:13 32:13,17 49:13 63:16 91:18 98:1 123:18 124:1,8 125:8 126:13 131:17 136:24 139:9 155:20 160:25 183:1 188:1 189:24 potentially 163:18 174:3,11 199:13 potentials 157:20 pound 64:6 pounds 64:6 pouring 117:13 power 86:17 150:11,14 powerpoint 9:8 64:21 practical 13:9 145:10 173:17 practically 146:2 146:22 practice 221:7 224:3 225:4 practices 224:17	prairie 47:5,7,8,10 48:19 79:8 80:4 83:22 84:20 95:20 96:17 105:17 174:12 175:25 176:5,8 178:11 precedent 172:1 176:9 precious 202:22 preclude 72:6 145:12 precludes 71:1 prefer 25:25 44:10 81:23 82:1 116:21 144:12 155:4 175:11 185:14 191:3 193:17 194:3 preferably 4:21 preference 155:3 195:13 preferred 15:20 47:25 48:2,3 144:8,10 227:5 prefers 148:11 preliminary 40:12 166:22,22 premier 94:22 present 2:18 170:5 presentation 4:16 11:8 20:17 64:21 132:10 163:13 presented 21:10 166:21 167:3 226:6 presenting 20:20 95:17 presents 190:7 preserve 114:3 president 76:10 111:2 226:21	227:6 pressure 196:21 pretty 9:18 49:22 65:16 105:9 146:11 150:2 160:12 194:14 204:16,25 217:13 224:20 226:1 prevent 58:23 75:12 previous 73:12 114:18 136:3 153:18 179:1 217:25 previously 76:21 153:21 185:23 price 91:16,21 102:2 primary 114:10 135:23 princeton 9:24 11:2,24 12:1,9 13:25 15:17,24 18:13 21:19 22:23 23:1,4,21 25:16,24 26:1,2,6,17 27:4 27:12 28:24 29:24 34:24 35:2 36:19 36:24 43:14,20 44:7,12 48:2 53:11,17,22,25 57:2,21,23 59:8 61:10,18,20,22,23 62:6,8 63:20 78:15 79:6 80:12 84:12 89:25 90:6 92:4 95:8,15 101:12 102:12 105:25 107:6,20 108:10 109:7 110:5,10 115:3,14

116:7,8 130:16 138:10 140:11,19 151:15,24 152:22 155:8,13 156:9,15 156:16 161:4,17 161:22,24 162:10 162:15 163:2 168:14 172:6,11 176:20 177:10 187:10 principal 55:21 printed 219:4 prior 18:17 76:18 192:11 208:16 priority 64:11 pro 65:4 190:15 proactive 127:4 probably 26:17 34:13 56:11 95:25 99:21,22 107:6 111:4 123:5 127:15 128:8 135:19 139:10 140:20 149:12 158:1,3 164:20,21 170:1 183:18 184:14 185:23 187:13 188:17 196:25 211:11,22 213:14,15 225:25 226:25 problem 44:24 86:24 88:13,15 150:15 164:8 214:7 problems 50:7 72:17 172:19 proceed 3:13,25 191:3 proceedings 234:5	process 91:12 140:21 185:1 203:3,5 product 195:10 211:22 products 56:18 professional 186:11 professionals 33:16 51:15 174:11 profitable 69:13 170:22 171:7 progress 82:2 prohibit 46:3 153:9 project 4:8 5:9,10 5:13 10:11 12:12 12:16 14:23 21:15 21:17 33:25 45:23 48:9 56:10,16,17 58:10 59:5 69:12 69:14,15,18 71:19 71:20,25 72:9 76:15 80:15 107:12 113:24 115:9 116:18 117:12 121:4 122:13 125:17 127:6 170:22,23 176:14 177:19 178:6,6,8 189:21 195:1 196:12 199:6 204:22 205:1 209:4 projected 59:6 projects 18:1 40:20,21 51:9 56:9,15,20 113:16 191:3	promote 144:17 proper 168:20 properly 58:20 properties 37:8 38:1 73:5 117:3 property 9:14 10:3,20 13:16 25:5 27:21 29:17 29:19,20 36:8 38:25 42:13 49:14 59:17 70:20,22 71:21,22,24 72:6,7 74:20 75:8 83:15 84:7,9,18 85:13 91:9 93:17 102:19 111:20,22 117:8 117:10 119:6 158:11 175:20,23 180:19 219:9 229:10 230:6,8 proposal 34:2 41:16 65:14 173:15 proposals 56:23 propose 69:10,11 196:4 proposed 10:24 14:22 15:16 17:11 21:22 31:21 37:16 59:10 62:8,13 63:5 73:7 80:14 81:23 83:4 95:3 107:8,12 108:6 109:18 125:22 130:2 153:19 168:14 180:14 proposing 25:18 44:14 57:18 58:2 60:9 76:22 149:21 150:19 177:6	pros 167:16 prospective 98:24 protect 73:18 134:12 154:17 protection 12:4 111:18 provide 13:13 70:17 72:11 154:1 160:13 161:3 187:24 provided 123:23 provides 39:7 81:15 230:4 providing 71:2 111:8 146:4 148:5 148:6 226:13 provision 69:25 70:8,15 provisions 70:9 71:8 proximity 169:10 prudent 221:24 pseudo 124:4 public 4:13,18 5:14,16 21:7 24:18,25 25:7 27:23 28:2,4,19 40:19 53:2 60:24 72:23 96:9 99:10 99:23 100:2 101:9 107:19 111:7 123:21 125:17 126:25 127:9 145:7 153:8 166:9 166:15 170:4 173:20 175:20 179:18 187:19 189:12 191:25 210:3 211:12 214:24 216:15,22 218:1,2 219:4

221:22 224:7,15 230:2,19 publish 204:7 218:16 published 9:15 10:6,17 34:8 124:17,18 125:20 218:22 228:9 232:3 publishing 216:11 pud 140:2 pull 86:20,21 87:11,22 173:24 206:11 pulled 61:24 87:4 87:5,19 223:13 pulling 30:7 106:8 purchase 91:8 purchased 111:23 purpose 86:23 115:10 purview 183:8,10 push 15:18 38:21 39:19 217:6 pushed 25:1,2 88:19 192:13 pushes 205:16 pushing 88:13 197:19 put 12:1 13:2,3,4 14:21 36:5 40:13 64:3,4,5,6,23 70:7 78:9 79:15,24 80:6 84:11,20 90:8,18 93:18 99:16 107:25 108:23 110:5 119:1 130:1,2 135:10 138:15 150:13 164:11,18 165:14 172:8	189:10 192:1,3 194:10 195:8 197:7,8 198:24 213:24 putting 61:22 112:19 160:7 164:9 195:4 196:21 pz 6:16,16 7:3 8:3 9:1,12 217:23 229:8,8 232:4	230:23 232:8 quick 20:25 50:15 69:1 94:20 96:9 97:4 101:16 127:11 170:4 178:25 207:14 217:13,13 226:1 quickly 39:23 quite 15:22 114:23 123:10 quorum 2:18	reader 159:6 reading 136:3,6 reads 135:21 223:15 ready 7:22 20:2 180:15 185:24 real 32:4 65:24 66:14 68:25 117:17 217:18 227:11 realistic 92:21 realistically 196:15 reality 93:4 183:3 210:15 realize 97:7 100:20 really 39:23 45:8 45:11 54:4,5,6 62:9 65:15 71:25 74:17 76:13 77:4 77:11 78:13 83:24 93:18,19 98:11 103:19 113:14,15 113:19 123:20 126:3 129:2 133:10,11 139:3 147:25 148:10 151:1 152:6,14 154:9 181:10 185:2 189:11 190:22 205:17 206:2,22 210:2 rear 10:8 11:24 15:19 17:5 23:9 24:19 35:13 40:18 114:15,17 143:4 145:17 147:5 158:13 160:13 163:17 164:10 166:2 173:19
	q	r	
	quality 51:22 52:11 74:4 90:15 quarter 67:5,16 question 20:25 33:1 40:13 69:10 70:22 102:1 104:17 116:25 117:19 119:12,19 123:15 126:12 127:11 142:25 145:10 158:8 160:7,24 161:14 162:22 163:11 166:9 167:25 170:16,19,20 191:16 196:3 198:4,17 202:10 202:11,23 204:5 226:7 questions 2:19,22 5:16,17,19,21,22 60:22,24 113:22 117:16,18 118:12 119:21,22 123:2,7 123:8,9,12 128:3 134:15 163:9 166:6,7 169:22,22 169:24 170:2 192:25 216:16	r 20:13 49:4,7 221:1 229:17 234:1 r1 229:25 r2 19:4 136:15 137:10 229:25 radius 28:16,17 143:22 147:10,11 radiuses 150:5 rain 78:12,18 raise 6:4,7 141:13 178:15 raised 119:23 135:16 ralph 49:17 ramp 87:8 ran 53:14 rand 63:4 random 42:8 ratio 30:15,18,18 32:6 33:13 34:14 46:16,18 ratios 34:22 120:15 read 9:18 19:15 48:13 57:16 96:1 146:21 175:8,12 185:10 221:6 225:23,23 226:1	

177:21 186:17 219:10 reason 42:4 65:21 66:2 72:12,14 91:15 112:4 146:3 146:23 152:9,14 164:3 172:1 210:16 reasonable 189:20 reasons 143:9 156:21 rebuilding 167:11 rebuttal 101:15 received 180:20 recess 191:20 217:16,20 recessing 137:15 recommend 16:3 17:3,6 45:11 90:23,24 225:18 229:2 recommendation 19:21 24:16 31:24 34:25 161:25 164:1 191:14 196:9 199:9 208:24 211:23 231:13 recommendations 26:14 recommended 26:21 59:4,9 143:8 226:8 recommends 17:1 record 5:1 20:7 21:14,15 61:6 65:1 98:1 103:2 175:9,13 204:4 214:24 234:5 rectangular 70:25	red 26:11 36:12 redline 218:20 219:23 225:21 reduce 148:20 reduces 89:7 reducing 167:4 reduction 9:25 72:19 142:19 147:3 167:9 210:22 211:7 reductions 95:6 reference 70:16 71:11 referenced 11:23 12:6 18:16 34:6 57:8 referencing 56:19 229:15 referred 86:11 refers 220:23 reflected 35:9 refrain 4:9 130:9 refuse 87:10 regard 3:25 22:5 regarding 69:25 179:16,22 regardless 69:12 170:21 176:9 199:24 regards 32:10 58:4 124:5 142:14 167:1 regular 2:2 13:17 93:13 232:22 regulate 32:23 131:6 132:14,25 133:1 regulates 184:25 regulation 230:5 regulations 70:10 229:17	rehab 84:5 rehabilitation 169:6 reichardt 105:9,14 111:10 reiterate 5:4 reiterating 92:4 relate 11:22 related 21:15 71:18 113:8 114:8 114:18 115:5,5 116:1 163:19 225:7 relation 36:13 relationship 95:20 relative 147:25 relatively 10:21 relief 10:5,7 13:8 13:14 70:17 89:20 92:9 124:19 125:21 140:9,19 174:8 176:24 177:2,8,12 181:12 189:6,24 190:1 reliefs 95:3 relocate 169:9 relocation 169:17 rely 116:16 143:11 191:1 relying 145:5 remain 12:8 remainder 16:1 17:19 218:22 228:7 232:2 remaining 231:15 231:22 remains 179:5 remember 12:13 60:2 92:16 101:25 128:22	remind 4:1 reminder 119:8 removal 61:14 88:20 89:1 117:20 142:17 158:9,10 158:12 remove 17:4,5 70:12 111:15 removed 22:4 removing 88:23 render 13:14 70:18 rendering 10:25 22:8,9 23:10 135:19 136:3 213:3,7,19 215:11 renderings 186:10 renders 48:15 rent 32:18,20,25 42:18,19,20 50:20 50:23 51:7 112:17 121:3 131:15,25 132:4,11,17,19,20 132:22 188:2 rental 52:2 rented 44:23 92:23 131:9 renter 33:9,10 161:18 renters 93:20 98:1 131:6 renting 92:12 98:7 121:1 renumeration 112:3 reopen 206:24 218:4,6,8 reopened 218:14 reopening 218:2 repaired 169:14 184:13

repeat 5:6 119:13 repeating 122:7 replace 49:5 replying 176:25 report 55:23 145:4 163:12 reporter 3:12,14 4:2 5:1 20:10 214:25 representing 8:1 20:8 republish 125:15 227:1,24 231:17 republishing 204:6 repurposing 140:18 reputable 116:15 request 7:11 9:21 9:24 13:7,12 15:24 16:3 19:18 35:20 37:10,11 40:12 41:9 46:13 57:10 58:4 72:20 74:25 75:3,22 142:14,14 149:3 163:21 174:8 177:14,14,15 180:15 186:23 201:13 217:16 requested 13:21 63:12,22 64:22 65:13 72:25 123:18 140:18 187:2 190:17 210:4 requesting 7:7 65:18 69:17 140:17 165:7 178:3 194:13	requests 72:18 126:13 186:25 193:19 require 39:1,14 54:18 97:14,15 119:5 138:11 required 4:21 15:1 28:18 30:22 31:15 38:11 40:17,19 58:6 71:3 115:23 116:14 124:20 125:10,21 173:11 176:23 189:6 requirement 37:8 71:6 81:4 92:20 121:9 125:4 171:18 194:18 229:23 requirements 9:25 13:3,14 21:24 70:15,18 114:24 114:25 115:1,3,4,5 167:2 178:16 229:16,22 230:5 requires 13:24 16:18 57:5 98:20 111:15 requiring 114:6 229:12 research 32:4 34:2 resembling 109:19 residence 66:7 residences 62:5 65:6 78:5 resident 48:2 175:18 181:22 residential 11:3,5 12:17 19:4,6 22:20 26:16 27:5 41:5 48:4 54:14 54:17 55:3,8	58:21 60:6,12 72:8 73:11,13 75:5,6,9,10 97:17 97:25 98:18 109:16 116:3 122:15,16 135:25 136:11,14 177:23 178:7 180:18 225:7 230:7,7 residents 13:1 63:1,8,10,11,19,22 64:4 67:22 79:21 82:7,13 83:20 85:3 104:8 143:5 143:7 153:22 178:5,10 185:8,15 resolved 123:13 respect 4:10 respectful 130:10 130:14 responding 175:19 response 71:16 171:2 178:25 194:21 responses 71:9 responsibility 183:11 responsible 118:17 158:10 rest 38:22 72:23 196:10 restaurants 31:4 81:16,24 restriction 167:7 restrictions 53:3 result 70:14 81:4,9 94:25 retail 49:17 60:16 retention 66:21 167:1	return 118:22 revenue 49:24 reverse 155:8 reversing 155:16 155:19,23 review 18:1 166:25,25 167:14 204:17,20 210:7 reviewed 167:21 221:20 224:21 229:25 230:9 revised 29:3 revisions 28:8 189:20 revisit 189:8 rework 169:11 rezoning 116:19 rid 26:21 97:1 ridiculous 109:20 right 2:22 3:10,25 6:4,7,12,13 7:1 8:2,16,20,24 10:20 12:9 14:6 16:23 17:10,14 21:8 23:3 25:19 26:15 27:22 29:24 36:23 39:11 42:12 45:2 46:23,23 52:7 54:16,19,21 56:13 57:22 60:18,20,23 62:13 65:8,9 74:21 77:7,9 81:25 84:19 87:22 90:3 92:1 93:15 93:24 94:14 96:4 99:23 100:1 103:9 103:17,23 105:22 110:15 112:10,23 113:9 114:21 115:14 117:1,4,5 118:4,23 122:16

123:3 128:15 129:4,18,22 132:7 133:2,10 134:4,6 135:9,14,23 136:2 136:3,4,6,8,10,13 136:14 137:8,10 139:11 140:12,13 141:19,21 142:11 144:1,19,21 146:18 147:10,19 147:22 148:14,18 149:1 150:13 151:16 156:9 159:12,25 162:3 164:3 169:21 170:14 171:13 182:15 184:1,2 185:6 192:18 193:12 194:11,16 195:24 197:4,4 198:23,25 199:2,3 199:17,21 202:4 202:13 203:23 204:11 205:3 206:23 207:21,22 208:1,5,25 210:8,9 210:25 211:1,2,2,6 211:7,24 213:23 214:12 215:5,5 217:8,21 218:13 222:23,23 223:21 223:24 rise 32:7 34:9 rising 51:12 risk 100:8 road 49:23 63:4 67:24 93:2 110:9 234:12 roadway 169:15 169:16	robert 110:20,20 111:1 roll 2:4 119:1 230:24 232:8 romano 2:13,14 3:5,7 128:4,14 129:1,10,19 130:4 130:6 171:12,15 200:4,6,10,14 203:25 206:13 216:2,4 231:8,9 232:17,18 roof 37:24 122:18 139:9 202:24 room 9:20 18:12 51:3 76:9 86:16 106:19 112:23 133:7,12 160:12 173:2 211:14 roommate 112:19 129:3 roosevelt 110:9 ross 9:2,10,13,13 11:7,10 17:18 19:16 20:4,12,13 20:13 21:4,8,12,16 28:11 69:11,12 76:19 104:4,21 107:8 109:9 113:23 117:17,22 118:19,23 119:24 121:17,20 123:3 125:24 127:11,17 128:1,4,8,16,19 129:8,14,20 130:5 130:13,15 131:11 131:14,18 132:5,8 133:3,13,17 134:6 134:21 135:6,14 136:4,8 138:16 139:10,13,16,21	139:24 140:12,23 141:1,7,11,17,19 141:22,25 142:6 142:11,21 143:1 143:21,24 144:3 144:14,18,20 145:2,20 146:8,24 147:9,19 148:13 148:16,19,24 149:2,7,14 151:6 152:18 156:5,19 156:24 157:4,8 158:14,18 160:5 161:21 162:5,24 163:5 164:2 165:3 165:9,20 170:10 170:21 177:15,19 179:2 191:17 192:8 193:13 194:3,8,16,22 196:19 197:4,14 197:24 198:3,6,14 198:22 200:5 202:1,6,10 203:1,5 205:13,21,25 212:17 213:18 214:1,6,11,15,22 215:2,5 216:24 217:4,8 ross's 65:14 rotary 90:19 rotate 88:9 rotating 143:14 rough 19:11 roughly 137:9 186:2 route 152:5 205:11 routes 31:5 row 160:3,7,17	rs 223:16 rs75 19:5 rubbing 25:10 ruggard 96:17 rule 129:15 rules 85:14 134:11 188:6 run 20:24 24:13 61:2 113:21 117:17 191:21 rundown 48:24 running 76:6 89:22 104:19 runoff 88:2 90:25 91:1 167:15 runs 37:25 38:1 147:23 rural 34:22 s s 20:13,13 94:17 110:21 sad 49:6 111:14 safe 24:24 27:17 88:17 132:2 safely 82:25 safer 28:15 30:2,5 30:11 84:23 152:4 safest 81:3 safety 10:12 26:19 35:4 41:14 53:9 53:12 55:13 63:3 63:8,18 64:5,10,10 74:2,8 75:1,2,4,11 78:21 84:24 85:3 85:11 120:16 134:22 174:20 191:11 222:20 sale 102:19 salons 81:17 sample 54:2,7 104:23,24

sanitary 77:20 168:10,18 169:12 satisfied 75:1 save 20:10 savings 49:8 savra 61:9,9 62:21 saw 23:24 53:24 68:11 83:11 162:24 saying 124:23 147:16,23 192:15 192:17 193:25 194:5 220:9,17 says 41:23 66:5 74:16 93:5 98:7 101:10 103:21 198:25 213:13 214:7 scenery 79:7 schedule 180:25 191:24 scheduled 217:6 scheme 113:18 school 51:16 93:14 106:23,24,25 180:21 scope 127:6 198:15 scratch 28:7 screen 70:1 screened 58:21 screening 29:9 230:4,6 scrivener 218:25 scrivener's 228:6 232:1 se 133:12 134:10 second 3:4,5,6,20 6:21,22,23 8:18,19 24:10 70:15 74:3 128:7 155:21	161:25 167:24 193:18 215:18,19 215:21 216:1,2,3 218:9,10 220:21 229:3,5 230:20,22 232:5,7 233:1,5 secondary 128:24 seconded 3:21 secondly 111:19 seconds 69:6 section 105:17 124:12 125:2 126:24 177:3 218:25 219:13 228:7 229:9,11,14 229:18,21 230:3 232:1 sections 14:19 15:5,18 219:8 224:4,5 227:20,21 seddon 94:17,17 see 10:22 18:4 19:3,19,22 22:10 22:11,19,23 23:5 23:15,16 24:4,20 26:10 30:9 33:3 33:18 34:15 35:25 36:10,11,19 38:10 41:7 45:4,12 48:22 50:1,7 52:7 53:24 54:4 59:22 60:17,17 62:7,11 62:17 67:13,15 68:21 79:12 82:18 84:10,13 85:7,9 86:1 87:9 89:23 99:1 100:14,14 102:24 106:3,7,10 106:20 107:22 108:14 111:14 112:15 116:23	118:5,7 123:13 129:23 130:21 134:25 135:3 136:7 137:7 138:23 140:16 148:3 154:11,18 165:16 168:12 171:23 177:18 182:7,7 216:21 220:1 222:17 223:11 224:9 227:14 228:16 seeing 112:11 seeking 30:25 seen 30:21 77:11 108:11 144:7 153:15 160:19 178:1 sees 12:10 50:12 sell 110:1 174:14 seller 91:11,19 selling 139:8 sells 188:8 semi 29:14 37:19 38:8 90:2 127:14 163:14,23 224:16 225:2 230:15 sense 134:24 142:22 143:1 163:1 198:25 223:7 228:14 sentence 220:24 sentences 86:5 separate 10:12 52:12 66:19 89:14 131:9 133:25 155:24 229:4 separately 51:25 52:2 separating 230:7	sereno 64:19,19 65:2 69:4,7,9 170:15,20 series 7:10 96:11 seriously 110:15 service 86:25 87:1 96:9 115:14 services 81:18 session 217:22 set 12:19 14:4,12 23:16 52:12 76:9 105:15 113:16 115:2 136:1 176:9 setback 36:7 39:2 39:11 138:9 140:6 142:15 173:15 181:10 210:20 setbacks 14:10 72:3 114:25 173:5 sets 12:3 settings 21:10 seven 10:2 35:14 39:7 47:11 67:5 67:17 68:12,18 88:5 107:9 122:1 seventh 206:18 sewer 77:18 94:25 168:1 169:11,12 169:17,20 sewers 168:10 shaded 36:1 shake 189:16 shallow 17:3 shallowness 16:1 shape 13:17 share 104:12 179:15,21 sheet 4:24 91:1 sherwin 68:4 shirt 103:6

shlensky 2:15,16 3:16,19 103:5 123:14 124:22 125:8 126:5,10,21 127:3 142:12,23 155:2 185:6 196:2 201:12,18,22 202:19 206:7,11 207:16 208:14 215:19,22 216:1 217:9,14 219:24 220:4,8,13 226:7 226:20 228:19,24 229:6 230:22 231:10,11,20,24 232:7,19,20,24 233:6 shop 7:6 97:19 shopping 81:16 shops 81:18 short 58:6 86:5 176:12 199:15,15 shortage 49:2,16 51:10 81:8 92:13 shorter 12:19 97:12 show 24:3 35:22 213:24 showed 22:1 37:3 37:14,14 54:22 118:17 showing 24:11 34:8 127:13 223:10 224:4 shows 127:23 186:18 shrink 139:19 shrinking 145:17 149:9,19 150:7 shrinks 146:1	shrub 220:2,18 shrubs 120:11,12 219:20 229:13 shy 181:23 sick 185:19 side 9:24 12:9 23:3 23:21,22 24:4 27:11,12 29:9,23 31:12 43:3,4,6,20 46:2 68:1 86:16 88:25 90:12 100:13,25 101:3 101:12 115:19 118:3 120:10 136:14 138:24 147:18 148:1,1 161:22,23 163:2 172:6 174:23 176:17 184:21 197:19 side's 160:9 sides 23:24 40:24 68:3 72:3 151:12 177:7 sidewalk 16:10 18:25 37:1 75:14 82:16 97:15 184:13 219:2 sidewalks 89:22 siding 22:12,13,18 sight 53:22 sign 4:24 26:13 30:3,8 35:1 36:16 57:23 61:6 67:15 101:9 104:1 131:1 135:3 178:17 188:5 194:14 signage 18:18 61:12 115:21,22 115:22 116:1,5	signature 234:9 signatures 95:18 121:21 signed 61:7 95:24 96:2,5 103:18 significant 125:17 150:15 significantly 50:19 51:8 180:6 signs 116:6 129:23 similar 22:16,18 56:16 57:17 58:2 59:22 137:9,11 simple 187:21 simply 64:5 70:12 71:4 76:1 111:16 single 19:5 38:16 38:16 62:1,2 87:10 93:1 120:21 146:14 171:4 sink 164:7 sit 46:2 97:14 106:19 110:14 144:25 site 7:10,18,22 13:13 16:2 17:10 17:13,15 24:13 25:22 31:8,9,14 35:9 37:12 39:6 41:25 42:22 43:12 56:5 57:15 59:4,6 69:14,16 70:17 72:1 73:23 99:7 104:18 110:4 114:19 115:13 126:3 137:4 146:7 150:20 153:23 159:3,3 160:11 166:22 167:11 170:24 190:5 212:25 213:18	215:11 221:17 222:2,9,15 230:14 sited 95:23 sits 14:16 sitting 7:17 133:12 141:2 situation 38:17,17 38:20 70:24 71:23 80:13 81:14 82:5 83:4 129:3 131:21 situations 171:23 201:3 222:2 six 11:11 28:20 30:25 32:11 34:13 47:9 53:1 54:8 58:12 71:5 89:13 137:16 172:7 176:12 180:11 183:24 184:16 186:1 193:19,22 198:19 199:17,17 199:19 200:3,25 sixth 27:24 28:1 123:18 124:4 size 58:20 77:17 78:14 95:20 98:10 106:12 145:25 160:11 180:2 sized 77:18 95:23 sketch 19:11 sliding 138:24 slightly 82:8 108:1 138:1 slipping 88:7 slop 148:7 slower 45:7 156:12 small 10:21 37:15 50:5 54:7 98:21 104:23 116:24 124:20 127:12,19

127:23 219:1 smaller 40:5 61:25 108:17 150:5 171:17 180:6 193:5 218:16 smart 49:12,14 132:12 189:4 smead 109:11,12 smooth 182:5 smoothly 97:18 snapshot 93:9 sneak 134:9 snow 18:10 87:9 88:2,14,18,24 89:1 158:8,10,12 snowplows 164:7 soapbox 185:21 social 185:17,20 society 183:19 softening 140:15 softer 29:15 143:6 145:11 151:18 solid 63:8 127:16 230:5 solution 162:7 solutions 234:11 somebody 44:21 47:4 115:12 120:4 121:17,20 131:20 136:18 194:13 someone's 90:11 129:15 someplace 99:15 somewhat 91:6 163:12 sonya 234:3 soon 109:24 156:11 sore 48:24 sorry 8:11 45:9 54:24 72:22	118:13 128:10 152:7 169:18 186:21 187:23 208:6 sort 131:9 132:24 133:11,11 134:20 135:4,4,20,22,22 136:22 137:7,10 137:13,25,25 139:1,2 141:13 147:23 167:2 182:18,24 191:1 205:24 sought 76:20 sounds 49:7,18 181:15 182:3 190:20 south 16:17,21 19:4 23:9 26:16 26:22,25 45:20 61:9 64:20 76:17 80:11 83:10 85:25 87:6 88:25 92:3 94:19 95:15 101:22 102:12 105:25 107:6,20 108:10 109:7 111:1 135:9 137:8 161:4,20 173:15 175:18 southbound 187:12 southeast 21:18 southwest 173:16 space 11:14 12:7 18:11 26:9 27:16 27:18,25,25 28:2 28:12,17,19 29:4,6 29:8 31:11 32:2 42:10 49:22 50:1 57:4,5 60:16	66:22 67:11 69:19 72:19 81:4 87:16 94:22 99:9,23 101:9 112:20 133:11,24 143:15 143:17 146:4,10 146:21 147:5 148:8 155:5,6 163:15 174:23 219:12 spaces 9:21 11:5 11:12,24 15:23 16:13 17:9,22 27:23 28:12,17 29:10 30:17,18,23 31:1,16,17 32:7,19 32:21,25 33:5,6,24 35:15 38:19 42:1 42:2,5,6,15,23 44:1 49:17 53:2 54:5,8 55:5 57:20 57:20 58:24 60:8 73:3 80:13,16,24 81:8 82:5,9,24 83:3 88:10,12 98:19 100:2 101:6 129:24 131:6 132:11,14,19,21 148:9 149:11 163:24 164:6 174:3 176:12 187:24 196:12 198:19 200:20 204:18 219:13 speak 4:4,5,17 5:15 6:2 7:25 9:20 10:14 20:6 63:2,4 86:4 92:1 105:22 109:8 112:11 117:20 121:15 143:13 153:5,8	165:13 173:23 226:21 speaker 73:13 speakers 76:23 210:24 speaking 4:3 60:10 69:2 94:18 95:19 108:18 113:23 119:11 184:20 185:9 191:2 195:17 special 7:5,12 13:15 70:20 191:25 196:16 specialty 81:18 species 82:11 specific 13:13 69:16 70:17 72:5 74:19 119:22 123:12 145:4 163:20 220:4,14 227:20 specifically 56:5 84:13 90:16 128:5 132:23 165:7 170:19 specifications 221:3 229:20 specificity 216:12 speculative 160:9 speed 91:1,2 spell 20:9,10 spelled 70:5 spelling 64:15 spent 44:5 spoke 67:22 163:12,13 spoken 103:25 spot 42:8 43:22,23 43:23 61:22,23 100:5 131:8

138:15 150:9,13 165:15 183:16 201:17 spots 25:14 46:22 87:16 89:13 93:18 131:3 132:4 160:13 183:24 184:16 200:7 202:2 spread 185:20 sprint 211:21 square 10:22 11:2 17:13 50:20 98:13 98:16 99:10 180:3 180:7 squared 173:8 squeeze 69:19 st 66:24 222:10 staalduinen 110:20,21 111:1 staff 4:15 7:6 11:10 15:10,25 16:25 17:25 24:16 26:15,21 34:25 35:20 37:4,9 40:11 41:8 44:15 44:21 50:17 123:23 124:3 126:7 143:8 144:23,24 145:5,6 145:13,14 152:8 152:25 163:12 186:14 187:19 189:9 190:10 191:1,22 195:14 195:15 196:5 202:19 204:20 223:20 staff's 124:22 125:9 155:13 173:20 194:18	202:20 stahr 128:13,17 149:17,25 150:23 150:23 202:14 stair 137:1 138:25 stairwell 138:20 stall 30:13 146:15 147:24 149:9 150:12 stalls 30:6 32:12 41:24 42:18 53:2 56:22,24 58:6,12 148:17,20 150:5 150:10 stamos 112:14,14 stamp 72:4 stand 6:4,7 171:13 173:10 175:3 standard 12:23 22:15 38:24 39:9 54:9 59:20 87:17 97:19 101:18 122:21 225:15 standards 7:10 71:9 standing 193:8 standpoint 75:12 139:8 145:11 164:19 173:23 stands 37:13 172:4 198:19 208:25 start 2:4 4:15 13:5 17:5 28:6 61:4,6 95:16 123:8 137:4 137:5 164:16 167:14 170:8 171:10,11 186:3,8 203:3 started 66:11 92:23 168:11	starting 77:11 96:10 137:22,23 starts 96:15 133:10,10 starving 181:21 state 4:20 20:6,8 56:6 61:5 97:5 153:5 168:5 stated 40:18 93:3 176:19 statement 97:5 states 80:25 station 22:3 50:3 50:21 82:3 109:24 109:25 174:16 180:5 195:9 station's 47:9 52:6 statistics 80:22 171:18 status 178:16 stay 138:22 174:14 stays 79:22 stepping 137:15 139:5 steuerle 68:13,16 81:10 82:20 86:20 93:24 105:6 111:3 181:15 steuerle's 101:3 steve 61:9,9 62:21 94:17,17 stone 7:4 206:24 stop 18:24 21:1 30:3,4,5,8 36:16 36:16 92:8 93:15 93:20 101:8 129:2 135:6 157:5,15 161:9 stopped 66:12,15 stops 30:10	store 45:18,25 55:9 92:15 154:4 stores 31:4 55:11 81:25 stories 11:3 46:6,8 46:9,14,25 47:8,9 47:11 121:7,24 175:23 176:7 180:11 storm 18:23 37:23 37:23 38:4 77:16 77:21 78:9 91:2 94:23 95:1 166:16 166:17,17 167:1,1 167:6 169:17,18 230:16 stormwater 78:13 167:15 story 47:3,5,15 48:18,23 49:21 57:7,9,10,12 136:20 139:4 171:3 175:22 177:16,22,24 178:9 180:13 straight 16:8 23:19 185:2 straightforward 224:21 street 12:3,7,8 16:10 20:14 27:4 30:13 32:12 39:19 52:25 58:24 67:14 68:1 73:22,23 78:19 81:11 85:2 85:19 92:17 93:13 102:13 105:3 106:3,3 108:24 114:5,7 122:13,19 122:19 130:2 135:24 136:11,23

162:7 173:5 180:10 183:4,12 219:9,10 streets 114:10 161:16 streetscape 10:2,4 16:4,18 31:13 38:10 39:18 63:15 90:14 124:14 140:9,15 142:16 172:23 173:1 176:22 streetscapes 63:14 streetway 89:9 stress 174:18 strict 13:8 115:25 strike 155:24 204:4 striping 18:18 strong 4:7 strongly 19:22 structure 160:18 175:22 structures 169:2 218:24 227:25 228:6 231:25 struggle 172:13 187:18 188:13 201:22,23 struggling 77:2 stuck 131:22 154:13 students 49:11 studies 45:12 55:16 studio 150:24 study 12:24 18:19 42:20 59:2 90:24 116:10,17 133:19 stuff 79:17 96:24 158:4 167:5	style 97:20 108:22 108:22 subdivision 9:2,16 18:20 submitted 19:15 19:18 substandard 75:21 subtle 209:2 suburban 171:19 suburbs 34:21 51:11 suffered 94:24 sufficient 75:24 112:6 119:7 189:10 suggest 82:11 suggested 35:5 195:14 suggesting 138:3 223:19 suitable 175:24 suitably 58:21 suite 234:13 sumia 64:19,19 65:2 69:4,7,9 170:15,20 summarized 228:11 summary 120:2 summer 96:11,18 summerfest 94:5 105:12 162:13 210:15,19 sunday 203:24 super 185:10 supply 32:2 77:20 168:17 187:22,25 188:11 supplying 30:17	support 5:10 17:22 19:18 35:20 37:9 40:12 41:15 41:19 47:20 48:9 supported 58:13 supportive 173:14 supports 41:9 supposed 55:1 67:25 70:10 78:25 79:1 97:11 sure 4:7 5:20 9:5 12:10 18:24 21:13 29:21 40:15 60:21 62:23 69:7 74:9 74:24 79:22 83:20 96:23 111:20 113:7 117:22 118:17 119:20 121:25 129:8,19 133:3 139:20,21 141:17 145:2,6 146:8 161:13 162:16 169:23 175:1 178:13 191:9 193:11 194:17,22 204:5 212:23 220:20 223:2 surface 10:1 117:13 167:16 201:6 210:11,21 215:8 221:8 224:12 230:15,17 surfaces 163:15,24 165:15 201:2 surfacing 229:18 surrounded 61:24 surrounding 59:20 96:4 98:23 109:22 176:3	survive 81:21 sway 178:3 swear 6:8,8 swing 119:1 sworn 6:5 143:13 system 37:23 38:4 59:4 91:3 95:2 167:18,22 184:10 t t 19:3,3 21:20 46:7 54:25 55:7,8,12 97:6 110:21 114:1 114:1 125:5 136:12 176:5 229:24 234:1,1 table 17:10 77:5 189:14 194:5,6 220:23,24 229:16 tables 90:19 tabling 188:25 tai 99:20 take 21:4 39:25 40:6 42:25 48:12 74:13 76:7 77:5,6 77:23 80:5 85:19 89:8 90:18 91:23 107:20 110:8,14 112:24 119:11 124:16 126:8 151:5 164:24 181:25 182:1 192:20 taken 54:5 64:11 91:22 takes 90:5 182:16 196:10 talk 5:7 15:2 19:13 27:15 56:9 71:16 90:21 100:18 101:13 120:15 130:11 141:25

202:23 227:7 talked 15:8 17:17 45:4 52:25 54:13 68:13 119:25 126:17 148:13 160:25 165:21,21 217:25 221:14,15 224:9 talking 99:10 125:24 147:3,4 149:5 175:4 194:12 199:16,21 210:9 212:25 talks 14:25 90:16 tall 114:21 taller 47:12 99:4 tallest 99:5 tanks 22:3 tape 119:10 target 126:2 tax 50:8 92:9 95:3 226:10 taxi 100:11 tearing 167:11 technically 43:24 122:15 143:20 191:14 192:6 203:13 214:24 ted 78:3,3 teenager 80:20 81:3 tell 6:9 56:22 185:14 telling 135:4 200:23 tells 55:10 temptation 129:4 tenant 25:15 27:9 32:25 53:4 98:3 129:2 131:10,25 154:10 155:4,15	183:16 tenants 24:22 28:3 28:4,15 31:7 32:13,17,20,22 42:7 83:5 85:12 98:24 101:22 117:23 144:18 151:22 154:6 159:8 182:17 183:22 186:19 187:25 188:1,4 tend 195:16 tendency 89:11 term 101:25 220:2 220:9 terms 114:4 124:11 165:14 167:15 180:24 191:5 211:9 terrace 67:14 terrible 108:21 test 54:4 66:10 101:20 text 37:6 206:21 207:3 217:12,17 218:17 224:25 225:13,18 226:13 226:22 227:2,9,20 229:7 thank 6:13 8:13 9:6 10:13 19:25 21:15 48:15 60:21 62:23 64:13,17 65:2 69:20,22 76:3,15 78:1,2 80:9 83:5,7 85:22 85:23 91:24,25 94:14,16 95:12,13 103:1,4,8 105:21 106:15 107:2,4 108:6,7,25 109:5	110:19 112:7,9 113:6 126:21 130:14 135:17 150:25 154:25 166:4,11 170:11 170:12 178:18 179:14,17,20 181:4 185:7,22 189:12 190:18 206:5 214:11 220:19 thanks 9:7 20:15 20:16,17 60:19 69:8 74:23 80:8 96:22 102:8 110:18 113:11 130:15 that'd 132:5 theoretically 115:12 184:5 191:13,24 thereof 181:13 thick 40:8,9 thicknesses 40:1,7 145:21 thing 25:3 27:12 36:22 39:22 53:24 57:25 62:11 66:4 71:20,21 77:15 98:9 99:17 101:3 104:5 140:2 144:4 151:17,21 152:19 154:21 175:2,3,5 179:2 192:17 193:16 207:1 208:23 212:18 226:24 things 21:9 24:15 24:21 27:16,17 50:15,16 51:6 56:14 60:11 61:10	77:6 91:23 92:24 97:10 113:21 114:8 115:7 126:1 129:9 132:18 133:8 134:12 135:7 137:22 148:21 150:16 161:8 166:11 173:3,11 182:5 191:2,4 193:5,23 197:18 198:7,24 199:11 201:3,4 206:3 212:21 219:1 224:13 think 6:5 9:18 11:25 17:22,24 19:11 22:2,2 24:17 25:21 26:20 27:1 30:5,11 31:6 31:16 33:18 35:14 37:5 38:24 39:2 40:3,5,20 42:15 44:20 45:8 46:22 46:24 47:1,13 48:14 49:21 52:15 53:9 54:6,12 55:6 55:6 56:14 59:10 59:12,15 60:4,14 60:15 61:11,19 62:9,11,13 65:5,6 76:4,22,24 77:4,8 77:21 78:13 79:25 79:25 84:8,22 85:5 95:22 98:8 101:6,13,13 102:16,24,25 103:2,2 108:2,16 110:16 112:25 113:1,2,3 115:20 116:19 121:10,10 121:11,22,23

122:2,23 123:10 124:10 126:15,24 127:1 128:21 130:1,24 131:3,5 132:5 134:23 135:1 136:21,21 139:3,12 141:2,21 143:21 145:15 147:15 148:2 149:5,9,12,16,25 152:21,21,23 153:1,18 156:7,13 156:20 160:17 162:5 163:11 164:11,17 166:1,5 168:11,14 170:10 171:25 173:7,15 173:25 174:9,13 175:11,15 178:25 181:9,11,17 182:2 182:5,13 184:7 185:11 186:2 189:25 193:14,20 193:21,25 194:5,9 196:14 197:18 198:3,8 199:12 202:9 207:4,5,9 208:23 209:2,17 209:25 210:13 211:16,21,21 212:17,24,25 213:2 214:4 217:3 217:7,12 219:21 224:24 225:25 226:24,24,25 228:20,21,24 233:3 thinking 5:13 63:16 112:21 124:13	thinks 44:24,25 third 24:10 31:19 33:13 42:22 115:1 117:25 138:9 151:21 193:20 194:8 199:13 thirdly 128:24 thirtieth 203:11 thirty 200:6 thomas 95:14,15 96:8,23 101:18 102:6 thought 46:13 135:2 140:21 151:19,20 152:4 154:10 186:11 192:10 221:18,24 224:24 227:3 thoughts 18:8 83:18 105:20 163:18 170:6 171:11 183:13,23 192:7 194:24 thread 107:11 199:8 three 4:19 5:2 10:12 24:18 25:9 30:10 32:16,18 33:20,21 40:1,22 43:1,3 48:23 53:24 54:1,3 57:8 57:10 61:1,10,15 67:9 72:16 87:20 94:19 95:7 97:2 98:19 101:20 104:22 106:5 115:16 120:22 129:22,23,25 130:12 131:2 132:11,20 136:1,3 136:6 145:21,22	151:11 152:13 156:2 175:23 177:16,22 178:9 180:13 190:21,23 192:4,6,23 193:15 193:23 194:4 196:17 198:7,10 199:15,19,20 200:4,8,12,16,19 200:20,21,25 201:21 202:2,11 202:14,15,21 204:18 206:2 209:13 210:22 212:22 214:2,16 216:21 threshold 116:9 127:2 165:24 threw 39:23 throw 118:1 138:18 171:12 181:8 thursday 47:19 208:18 thursday's 203:14 ticket 130:19 tickets 92:20 130:22 tied 37:22 tight 160:10 209:23 tighter 151:20 156:12 time 15:21 16:5 20:22 21:5 22:25 24:10 28:13 32:21 33:7 38:14 41:16 43:15 48:13 58:9 58:14 59:3,15 60:3,19 61:7 64:14 67:5 78:16	78:16,17,20,21 80:10 83:8 90:4 91:24 92:2,24 93:10 96:25 99:13 99:14,18 101:15 101:25 106:5 108:8 110:22 112:11,13 122:3 135:16 154:22,24 155:19 157:17 160:9 169:14 170:5 171:19 172:20 186:2 188:17 192:1,9 196:14 197:8 199:2 202:9,20,22 204:6,8,13 206:5 226:14 227:2 times 29:23 52:14 56:9 80:24 94:1,3 98:16 105:5 130:24 137:24 174:19 184:12 223:17 tire 90:21 tired 186:3 today 17:24 94:6 124:2 157:25 185:9 186:23 189:12 192:5 193:9 today's 183:18 token 197:15 told 56:1 67:8 104:5 tomorrow 7:21 214:7 tones 22:11 tonight 6:2 9:6,13 19:20 63:12 64:2 179:12 190:23

191:20 197:22 tony 85:24,24 top 23:17 116:2 193:9 topic 46:5 84:24 topics 41:12 47:24 topography 38:2 torn 174:6 total 11:5 81:5 95:19 107:10 145:16 225:21 totality 188:15 190:16 totally 10:23 12:12 82:15 87:25 touch 87:22 186:13 touched 35:22 116:7 tower 137:1 town 77:23 80:1,2 94:11 102:16 109:23 townhomes 223:11 townhouses 110:1 120:21 towns 98:6 102:15 track 98:1 tracks 67:13 92:14 traditional 14:8 14:14 96:13 traditionally 14:7 traffic 10:12 12:23 12:24 18:19 25:15 25:22,25 26:2,19 26:23 27:3 28:25 31:18,20 35:4,18 35:19 37:2 41:14 42:21 43:4,13 44:3,11 45:8	47:23 48:1,5 50:6 50:12 53:9,12 54:18 55:13,19 56:2 57:6,24,25 58:23 59:2,6 63:3 63:7,18 64:5,11 74:1,6,15,16 75:1 75:2 78:21 82:12 82:21 83:3 86:9 86:18,23 88:17 89:3,21,24 95:7 106:7,11,20,25 108:14 116:10,10 116:17 120:16 134:22 144:8,17 144:17 152:3,20 152:22 153:17,22 154:1,2,21 155:17 161:4,6 164:9 174:1 187:12 191:11 222:11,18 trail 184:21,25 train 50:3 82:3 92:14 99:3 109:24 109:25 174:16 180:5 transcribe 3:14 119:9,14 214:25 transcribing 4:2 20:11 transcript 234:4 transit 180:3 transition 55:2,7 97:17 136:13 transitional 21:21 97:12 transparency 115:1 transparent 127:14	transportation 80:22 107:19 trash 61:14 62:11 117:19,22,24 118:1,2,5,15,19 119:24 164:13 traverse 43:14 trend 34:9,10 47:12 52:22 60:17 107:16 triangle 10:6 13:21,24 14:1 15:6,14 35:21 36:2 63:15 72:2 89:15 173:3,4 177:9,11 190:5 221:13,17,20 222:2,9,15 223:9 triangles 229:22 tried 23:25 42:16 66:17 98:17 trip 43:24 trips 18:14 42:21 43:2 44:5 74:16 trouble 112:7 truck 45:17 46:2 86:15 154:11 157:13,14 trucking 88:20 trucks 86:25 89:12 157:21 true 107:17,18 144:6 174:2 234:4 trueness 208:20 truly 224:16 trust 49:9 144:25 221:10 trustee 175:7 179:9 trustees 58:15,17	truth 6:9,9,10 try 13:12 15:11,18 35:16 60:25 61:2 69:19 75:17 82:18 82:19,22 86:4 114:2 119:16 123:9 161:7 166:1 191:24 trying 20:11 22:14 58:10 69:19 77:3 92:7 100:12 106:9 116:19 122:14,22 137:12 149:23 164:8 165:11 182:23,23 196:17 199:8 214:25 tuesday's 63:3 turn 26:13,23 35:1 57:22,23 82:23 88:15 90:5 113:22 147:13,14 149:11 161:20 162:1 187:5 214:16 turning 28:16 52:21 76:8 106:9 143:22 147:10,11 149:13 150:4 151:18 177:10 turns 215:12 twenty 57:19 62:6 130:23 208:14 twice 205:19,21 226:2 twist 101:24 two 6:15 9:16 11:4 11:6 17:8 22:15 24:25 25:4,5,9,12 25:19,20 30:10,16 32:16,20,21 33:5,6 33:7,20,21 40:8,10 44:17,18,23 45:2,9

45:13 46:14,25 56:18,20 57:19 61:13 62:5,6 63:14 66:5,6 67:4 67:9,22,23 68:2,24 70:9 78:5 82:21 86:15,18,23 88:25 95:3,24 98:5 100:18,22 112:16 112:20 113:4 120:22 129:4,18 129:24 131:2 132:4,19 133:18 134:3 139:19 144:8,12 148:12 149:20 150:14 151:11,23 153:12 154:21,21 155:7 155:23 156:2 161:21 162:2 171:24 175:6,17 176:13 177:20 180:8,13 190:22 192:3,6 193:23 196:16 198:9 199:5 202:11 208:9 219:12 223:9 224:3,5 227:4 228:18,22 tying 84:1 type 33:15,19 55:9 84:19 98:3 140:2 182:7 220:2,14,17 types 14:21 34:18 174:10 220:11 typically 51:14,16 51:18 57:6 118:23	ultimately 158:9 167:19 180:18 185:3 213:14,15 unable 10:3 64:21 unacceptable 83:4 unanimous 207:6 unavailable 203:22 uncertainty 191:5 191:6,7 unclear 123:12 underground 61:16 underneath 159:19,19 understand 7:6 43:10 58:7 63:21 107:24 119:10 129:6 138:3 141:5 143:4 144:22 145:18 146:2 149:19 151:3 152:6 155:14 157:3,7,19 161:5 165:2,17 172:14 173:20,22 194:20 195:12,16 201:1 201:24 undesirable 180:19 unequivocally 95:5 unfair 93:18,20 unfortunately 185:2 unheard 47:4,5 uniform 50:13 unilaterally 188:14 union 47:8 50:20 127:22 178:5	union's 52:5 unique 13:15 38:17 39:5 70:20 70:24 72:5 188:24 190:6,9,17 uniqueness 41:10 190:2,2 unison 3:8,23 6:11 6:25 8:22 216:7 218:12 233:7 unit 11:3 32:2 33:4 51:23 97:25 98:5 98:22 131:19,23 133:22 139:9,11 139:17 142:5,18 145:25 180:13 182:9 192:20 197:20 198:21 199:14 united 80:25 units 11:4,7 24:12 30:16,16,18 31:22 31:23 32:7 40:10 46:10,14,15 52:2 57:3 71:5 72:7 79:24 84:8,20 85:12 93:16 94:9 94:9 99:2 121:7 132:17 137:17,20 145:24 159:2 168:8 171:5,21 174:10 176:13 177:20 180:8,9 187:23 193:4 unmanageable 145:25 unnecessary 228:21 unpopular 82:15 update 179:15,18 179:20	updated 113:25 220:25 uphold 70:10 upper 27:13 31:23 36:1 urban 79:3 80:7 usa 66:5 usable 31:11 usage 98:22 168:7 use 7:5,11,12,16 12:17 28:3,5 42:12,14,15 50:1,7 50:10 51:7 70:19 73:14,16 75:5,6,14 75:14 89:12 97:11 111:17 115:6 120:17,18 129:16 131:19 148:14 186:19 user 29:7 users 154:4 uses 14:9,18 46:3 56:2 58:20,22 59:21 105:14 usually 28:18 63:23 103:24 166:11,24 203:14 utilities 51:24 utility 25:4,12 28:21 29:6
u			v
u 70:6 110:21 ugly 79:16			v 110:21 vacancies 60:18 vacant 48:23 vacation 179:12 vague 176:25 valid 63:9 76:23 validity 55:15 value 72:6 van 110:20,20 111:1

variance 16:3 17:1 17:21 30:25 40:13 46:13 58:4 65:17 89:17 94:22 112:2 112:6 123:18 124:4,25 125:1,10 137:21 140:4,5 142:14 148:25 149:3,5 166:1 172:3 176:11 186:23 188:18,19 188:25 193:19 199:17 200:11 201:21 211:1 222:14 variances 9:2 13:20 30:14 63:11 63:17,21,22 64:1,3 64:9 65:12,18,22 69:15 91:19 93:21 97:4 108:6 124:2 172:23 173:11 176:12 177:13 178:3,18 188:16 variation 13:7,12 17:6 37:11 70:7 70:12 71:13,14 72:1,14,18,20,25 73:2 128:5 140:10 142:13,19,23 163:22 165:8 171:16 198:18 200:20,24 201:13 204:8 216:12,12 220:10 variations 9:17 17:8 69:25 70:16 75:25 115:25 124:15 186:25 187:2,2 190:17	varied 56:20 59:1 variety 14:21 various 15:5 143:9 vehicle 7:5 43:2 80:20 81:2 90:4 vehicles 67:23 80:23,23 81:14 82:22 86:25 87:1 87:1 89:8,10,11 90:10 146:16 vehicular 89:23 90:22 vendors 63:23 ventilation 7:15 vents 160:20 verbally 68:17 veritext 234:11 version 218:21 224:10 versus 51:21 54:13 63:13 77:3 116:10 173:19 186:21,22 188:23 201:10 220:13 vertical 137:2 viability 193:2 viable 33:25 46:24 71:22 132:17 189:1 vibe 109:11 110:5 vibrant 59:25 60:2 video 3:14 4:1 view 23:22 36:25 37:2 66:14 74:11 88:17 89:15,18 177:21 223:19 viewing 89:15,18 89:20 villa 1:12 2:2 48:10 49:8 56:2,3 56:4 63:1,11,19	66:13,14 81:23 83:17,23 92:8,12 93:3,8 99:3,6,8 105:18 107:21 110:6 111:12 114:11,12,12 171:20 172:19 174:14 175:19 178:4,12 180:6,15 180:22 181:22 182:17 185:12,13 204:25 village 2:2 6:14 14:8 16:5,12 19:21 26:20 31:13 35:19 37:4,9 40:11 41:8 44:21 50:7 53:3 56:1 62:17 63:20 64:8 64:10 70:8 76:10 76:14 77:2,11 83:24 88:20 99:2 105:10,14 110:4 110:10 113:18 115:8,23 116:11 121:11 126:18 143:8 151:4 152:8 152:25 153:4,11 158:9 161:15 172:1,24 174:23 177:15 178:13 184:4 185:16 187:11 190:11 205:2,15 208:12 208:16 213:13,14 213:15 217:3,23 221:21 225:3,20 226:18 227:5,8,13 227:25 230:1,18 231:14	visibility 10:5 13:21,24 14:1 15:6,13 35:21 36:2 63:13,15 82:16 153:10,23 155:6,10 173:4 177:9,10 221:13 221:20 223:9 229:22 vision 29:2 49:15 visit 183:1 visitor 66:19 visitors 81:8 visual 177:17 visually 136:9 volumes 222:11 vote 19:20 108:5 112:5 179:19 188:15,17,19,20 190:23,24 191:5 193:16,17,18,18 193:22 194:25 195:18,22 196:11 196:25 197:1 199:4,6 204:18 206:7,9 209:1 231:12 232:21 voted 110:13 votes 228:22 vp 50:9 w wait 45:12 90:13 158:5 191:15 waiting 7:17 76:5 191:12 waived 222:15 walk 24:22 25:12 33:14 84:16 93:14 101:12 103:25 107:20,21

walkable 31:2	121:24 125:18	washers 51:23	191:2 209:14
walking 31:4 50:2	132:15,21 133:23	washington	211:11,17,18
79:7,9 81:21 85:2	134:7 135:12	107:20	213:21 215:25
93:10,11,13	144:5 147:17	waste 168:1,6	223:12,23 227:14
102:15 106:21,21	148:24 149:14	199:2	228:23
walkway 24:17,19	152:21,22,23	water 18:23 37:23	ways 25:19,20
24:21,24 26:10	153:4,22 154:19	38:4 52:1 77:16	115:17 151:23
28:15 30:3 36:17	156:10 170:8	77:17,20,21 78:18	154:21 155:17,24
88:1,4 186:16	172:17 174:15	87:9 88:2 90:14	157:23 161:21
walkways 29:11	175:9 176:25	91:2 166:16,17,18	188:24,24 201:1,5
29:12,13	178:15 185:7,21	167:1,1,6 168:1,6	210:11
wall 40:6,9 133:4	187:18 189:11,16	168:6,11,15,17	we've 7:10 13:4
136:20 138:4,5,24	189:19 190:14	169:10,19 172:19	15:4 16:20,21
143:20 145:21	191:6 203:18	230:16	18:5 20:21,22
146:20 150:17	204:7 206:25	way 4:8,14 11:11	26:11 28:8 30:1
181:10 182:5	208:22 212:13	12:2 13:5 17:15	30:21 40:7,20
199:12 200:25	213:16 222:12,20	18:12,15 19:19	78:7 89:4 94:2
209:3 210:10	223:18 225:22,23	25:18 26:4 30:1	95:18 108:12
215:8,11	231:15,22	36:21 38:1,2	112:1,12 113:16
walls 40:1,2,8	wanted 7:25 23:23	40:25 41:18 44:3	125:16 141:5
want 5:4 12:10	24:18 26:23 28:7	44:14,17,18,19,23	152:12,14 153:23
14:5 18:6,7 19:18	41:18 44:20,21	44:25 45:1,2,3,9	156:21 168:11,12
19:22 20:22 21:1	45:11 64:20 66:13	45:10,13 46:18	178:1 184:19
21:4,14 25:17,25	70:8 80:8 95:16	53:23 57:25 58:1	187:5 191:1,8,19
26:1 32:13 33:3	120:4,12 125:14	68:24 71:17,22,23	196:24 197:7,8
35:18 44:8,13	178:22	72:8 80:17 82:11	198:23 204:21
50:22 54:15,16	wanting 5:7 92:1	82:21 86:18,23	217:25 224:9
55:11 56:9 62:12	wants 33:23 60:5	89:8 105:3 110:2	wear 90:21
62:18 64:11 65:19	61:3 112:10	117:2,4,6,14	weather 87:9
66:4 69:10,11	160:17 171:10	125:23 135:21	96:19 201:4
72:7,16 75:7	183:20 204:17	137:3 144:8,12,17	weber 125:12
78:21 80:1 81:22	211:17,17 217:18	144:17 146:1,12	126:8,17,20
83:11 85:7 86:6	warmth 176:2	147:22 148:12	154:20 165:20
92:8 93:6,7 96:9	warrant 171:17	152:4,20 153:12	166:21 175:17
97:10 100:4,8	189:14	153:14,22 154:21	177:8 178:2,21
102:23 103:5	warranted 179:5	154:23 155:7	179:11,14 181:3
105:2 106:1,3,6,10	189:14 190:1	156:1,22 160:16	202:21 203:4,7,11
108:3,14 110:17	222:3	161:17 165:11,22	203:16,20,23
112:24,24 113:5	warrants 17:25	171:20 174:2,4,17	204:2,11,14 206:4
113:11,21 114:9	warriors 185:18	176:2 177:21	206:16,23 207:3
115:10 119:20		182:24 190:7	207:11,15 208:2,7

208:9,15,20 209:24 210:8 211:9 212:1,5 213:4 214:13,20 215:6,15 218:3,15 220:3,6,12,19 221:12 222:4 223:3,8 224:1,23 225:8,11 226:3,16 227:3,21,24 228:5 228:11,15 wednesday 96:12 96:14 208:16 week 11:11 101:19 214:14 weekday 43:4,7 weekend 203:23 214:10 weeks 192:4,7 196:17 198:10,10 202:11,11,12,12 202:14,15 206:2 212:22 214:16 216:21 weigh 202:6 weight 201:5 weird 173:4 185:13 welcome 166:13 186:15 went 43:17 46:24 48:11 53:12,14,18 53:23 66:23 67:12 67:21 68:9,11 188:18 206:18 werthmann 55:22 west 7:4 9:1 12:9 21:17 22:22 29:9 78:4 101:10 103:14,15 135:17 135:19 155:18	161:22 162:10,16 175:21 176:8 179:22 197:19 199:12 200:25 206:24 209:3 210:10 213:1,10 213:18 215:8,11 westbound 18:7 155:12 western 138:4,5 146:6 147:24 181:10 182:4 westernmost 146:10,11,15,16 147:24 whichever 38:1 219:15 wholesale 210:6 wide 36:24 49:23 82:25 148:5,17 154:22 158:3 widening 219:19 wider 148:19 150:5,10 186:16 width 29:18 31:15 43:21 116:25 148:10 219:2,11 219:18 229:10,11 widths 219:6 wife 84:16 wife's 87:17 wiggle 173:2 williams 68:4 willing 120:3,11 138:12 139:23,25 161:3 173:7 191:18 211:13 window 128:11,20 128:23 windows 160:21	wine 97:19 winery 109:11,13 wish 97:1 wishes 4:17 105:22 153:11 wishing 6:2 wodon 113:11 woman 7:8 8:8,13 9:5,11 20:2,4 68:13 70:2 118:10 118:13 119:8 124:10 125:1 wonderfully 136:16 word 93:23 worded 224:5 229:2,5 words 187:21 194:10 work 4:14 12:15 13:21 22:14 33:17 35:16 43:17 46:12 55:25 74:4 114:12 133:19 138:21 145:18 146:4,12 146:23 150:10 159:22 160:1 168:25 169:5,19 169:19 171:20 181:24 185:24 201:3 204:5 210:17 212:4 214:4,20 223:3 worked 13:11 55:23 92:15 169:9 working 7:20 19:9 161:1 works 24:18,25 25:7 28:19 127:9 133:18 139:3 143:6 145:7 153:8	166:9 173:21 182:3 200:21 211:12 221:22 224:7,15 230:2,19 world 66:14 114:17 worried 211:4 worse 160:22 172:14,15 worst 164:18 wow 102:16 wrap 61:3 69:6 74:22 102:5 wrapped 217:18 write 38:15 194:15 202:22 writing 185:16 written 106:1 120:2 175:17 178:22 190:6 223:23 wrong 8:9 57:13 65:9 106:12 wrote 96:23 119:24 175:19
x			
x 64:16 91:11,20			
y			
yale 64:20 76:17 79:6 85:25 94:19 yard 9:24 39:8 103:24 172:6 176:17 yardi 32:3 65:23 yards 219:9,10 yeah 8:10 20:3 21:2 28:10 101:16 113:4,7,13 116:23 118:11 119:3,15 122:25 125:1			

126:5,19,22 127:5	104:24 108:1,11
128:19 129:9	109:8 115:16
132:7 134:11,16	136:18
135:20 138:23	yelling 161:6
139:13 141:1	yellow 19:5 24:20
142:21 143:2,3,23	young 33:16 51:15
148:4,22 149:17	108:13
149:25 152:17	younger 174:11
155:25 156:18,23	youngsters 95:10
157:10,19 160:6	z
161:13 162:9,14	zero 36:7 39:1,2
162:20,24 165:1	39:10 131:12
165:20 166:8	200:3 222:7
172:9 177:25	zone 39:15 66:20
179:13 181:1,2	66:20 68:9 152:10
182:8,9,10,12,20	172:25 176:6
183:2,3 184:20	zoned 104:6
190:19,20 192:19	zones 68:7
192:20 193:1	zoning 1:12 2:3
194:1 197:24	12:14 13:2,3,22
198:9,16 199:3	14:9,25 15:5 19:2
200:18 201:25	37:5 39:16 54:22
202:5 204:4 205:6	55:9 58:14,16
205:11 206:5,6,7,9	70:14,18 97:20
206:15,16 207:2	104:8 113:25
207:11,15 208:7,8	114:1,1,2,19 115:8
209:18 211:1,7	115:11,17 176:10
212:7 213:8	176:19 217:24
214:15,16 215:14	223:20 230:9
215:16 217:11,14	zoning's 29:1
220:12,12 222:16	zucher 107:5,5
222:21,25 225:5	
227:6,7,13,18,19	
227:24 228:2	
231:16,20	
year 88:6 92:21	
130:18	
years 34:12,13	
52:21,22 55:19	
77:12,13 83:16,16	
85:25 100:10	

Planning and Zoning Commission Agenda Item Report

Meeting Date: July 14, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Public Hearing - New Business

Subject:

Petition PZ-22-0011 / 224 W. Stone / VL Auto Body. Special Use for Vehicle Body and Pain Finishing Shop / Victor E. Rodriguez of Victor & Luis Auto Body d/b/a VL Auto Body, Inc. Applicant) on behalf of Fred Blumenhagen of FNJ Properties (Owner)

Suggested Action:

Attachments:

[PZ-22-0011 Staff Memo July 14 2022.pdf](#)

[EX 1 Letter to Director 224 W Stone.pdf](#)

[EX 2 Plat 224 Stone.pdf](#)

[EX 3 Spray Paint Booth Plan Submittal.pdf](#)

Village of Villa Park

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



TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: July 14, 2022

RE: **Petition PZ-22-0011 / 224 W. Stone / VL Auto Body**

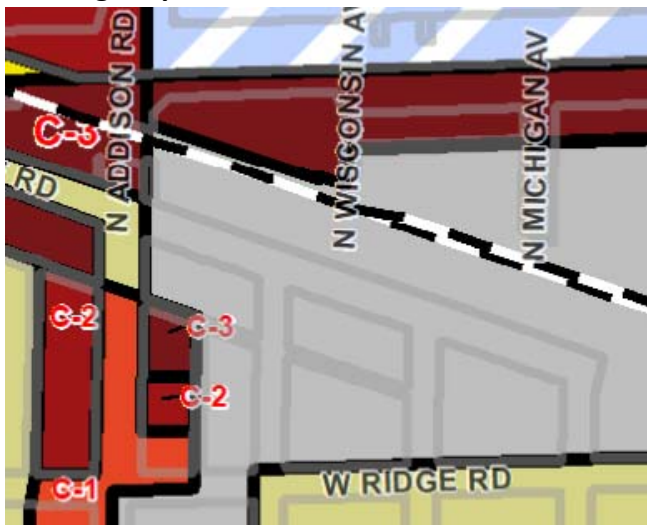
Special Use for Vehicle Body and Paint Finishing Shop / Victor E. Rodriguez of Victor & Luis Auto Body d/b/a VL Auto Body, Inc. Applicant) on behalf of Fred Blumenhagen of FNJ Properties (Owner)

Request Summary:

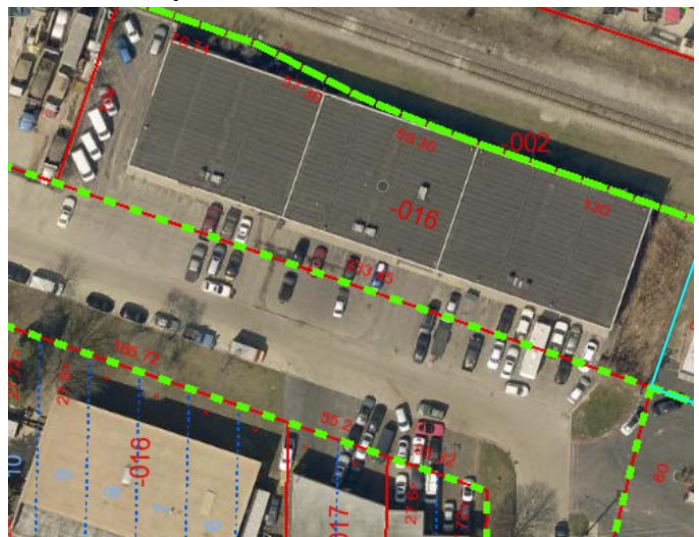
A public hearing is scheduled before the Planning & Zoning Commission at 7:30 p.m. on June 9, 2022, at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, IL, to consider a request by Victor E. Rodriguez of VL Auto Body (Applicant) on behalf of Fred Blumenhagen of FNJ Properties (Owner) for the property at 224 W. Stone, Villa Park, Illinois which would approve:

A Special Use, identified in the Village Zoning Ordinance under **Article 6, Section 6.1.3** in the M-1 Light Industrial District for *Vehicle Body and Paint Finishing Shop*, pursuant to the procedures set forth in Article 11, **Section 11.4** of the Village Zoning Ordinance.

Zoning Map



Location Map – 224 W. Stone



Site Information:

Present Zoning: M-1 Light Manufacturing

Present Land Use: Automotive Repair

Property Size: .71 AC.

PINS: 06-04-212-016

Surrounding Zoning

North: M-1 Light Manufacturing

West: M-1 Light Manufacturing

Present Land Use

Manufacturing

Manufacturing

East:	M-1 Light Manufacturing	Manufacturing
South:	M-1 Light Manufacturing	Manufacturing

Comprehensive Plan Designation - Business District Mixed-Use:

Stone Road is considered part of the North Avenue Business District in the Plan. Policy consideration for the North Avenue Corridor is to create a dynamic mix of land uses by adding larger scale commercial uses including anchor retail development, office complexes and restaurants in addition to the existing light industrial, warehousing and other business park uses. Stone Road is classified as industrial and is not identified for special treatment in the Plan, and is characterized by manufacturing, office, auto repair. Many of the buildings contain triple basins which has made them attractive to auto repair businesses. Auto intensive uses have created a strain on the surrounding neighborhood. After complaints in 2021, the Village has paid special attention to Stone Road, working with property owners to ensure life safety concerns such as clear paths for building access and a clear roadway for deliveries and emergency vehicles are maintained. Property owners have been very receptive and building maintenance and property clean-up has been evident.

Community Input:

The Legal Notice for Petition 22 011 was published in the Daily Herald on Tuesday, June 28, 2022 and a mailing was sent to properties within 250' of the subject property. Inadvertently, the Public Notice sign was posted at 225 W. Stone, but no sign was posted at 224 W. Stone. Both petitions are for Special Use for *Vehicle Body and Paint Finishing*. Per 11.1.4 Public Hearing Notices, a sign is considered a courtesy notice, and failure to provide does not invalidate the public hearing; public Notice met Village Code requirements.

Background:

The subject property is located at the east end of the Stone Road Business area. 224 W. Stone is the easternmost unit in a multi-tenant industrial building. The building backs up to the railroad tracks. Parallel parking is along the west property line, and a detention area along the east property line.

VL Auto Body moved to Villa Park from Addison in May of 2019. Owner Victor Rodriguez works alone and has 40 years' experience. The unit contains a 400 sq. ft. office, 3400 sq. ft., which includes one paint booth bay (325 sq. ft.), and one overhead door. Business services are paint and body work, no auto repair services. It is possible to park five cars (plus the paint booth) within the building. There are no specific auto bays. All work is conducted inside.



Review

Per 11.4.1. Intent, special use approval procedures are intended to provide a transparent, public review process for land uses that, because of their widely varying design and operational characteristics, require case-by-case review in order to determine whether they will be compatible with surrounding uses and development patterns.

Village Staff has reviewed the request and determined the factors which impact compatibility of a paint and body shop operation. They are listed below, followed by Staff analysis for each.

1. Does the proposed paint booth protect the health of workers (in this and neighboring businesses)? Via the building permit process, Fire Department and Building Division will verify that the Paint booth is designed and installed according to plans stamped by an architect, with proper ventilation and suppression system.

Analysis: The applicant will submit for a building permit once zoning approvals for a Special Use are provided. The business opened in 2019 without Special Use application or Certificate of Occupancy. Village staff has indicated to the applicant that the zoning action can precede the preparation of plans due to cost associated with the plans. Compliance to Fire and Building Codes would be a condition of approval.

2. Does the proposed paint booth protect the environment?
 - a. A Triple Basin system is required to ensure paint solvents and chemicals are flushed out and not entering water system.
 - b. A reduced pressure zone “RPZ” – backflow prevention valve is required to protect the water system

Analysis: A triple basin and RPZ are needed. Building owner and business owner have been advised.

3. What is the business model? If automotive, proper State Licensing for business activities will be confirmed, including all applicable such as:
 - a. Rebuilder license if cars are being rebuilt
 - a. Dealer license if cars are being sold
 - b. Illinois Business Tax ID number if sales tax are collected on business sales and services.

Analysis: The petitioner has provided copies of applicable state licenses. Business model is auto body work, with no repair services.

4. Will parking and storage of cars being worked on impact the neighborhood? A Site Plan indicating employee, customer, and parking for cars being serviced will be required to determine if parking will impact neighboring properties.

Analysis: Parking is a concern on Stone Road. Property can meet the parking requirements. An approval should include a condition that cars be parked only on the subject property, and not encroach into the Public Right-of-way.



224 W Stone is a 3,800 sq. ft. automotive repair shop, occupying the eastern portion of the building, with one (1) service doors. VL Auto Body does not have dedicated service bays within the shop, but does confirm that he regularly has 4 or 5 cars within the building but only 3 service bays would be possible in order to move a car to the paint booth in the rear of the shop. Parking requirements are 1 parking space per vehicle body and paint finishing shop service bay; 2 per repair service bay, and .5 per employee, for a total of ten spaces. (1 + 8 + 1 = 10 spaces required)

Vehicle Sales and Service	Unit of Measure (spaces per)	Minimum Parking Ratio
Commercial vehicle repair and maintenance	Service bay	2.0
Personal vehicle repair and maintenance	Service bay	2.0
Personal vehicle sales and rentals	1,000 sq. ft.	2.5
Vehicle body and paint finishing shop	Service bay	1.0
All	Employee	0.5

The unit has 55' of linear frontage plus an additional paved 9' to the east, accommodating parking of 5 cars wide in front of the building, (including the space in front of the detention pond), 2 deep, allowing ten vehicles to be parked in the front of the building. Another four vehicles can be parked within the building.

Note, the first row is on the subject lot, and the second row on the right of way. A third row, perpendicular or parallel would encroach into the road and conditional approval should prohibit any parking on the roadway.



Special Use Criteria

Applications must address relevant review and decision-making criteria. In all cases, the burden is on the applicant to show that an application complies with all applicable review or approval criteria.

Per 11.4.8. Review and Approval Criteria, no special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is consistent with and in substantial compliance with all village board policies and plans and that the applicant has presented evidence to support each of the following conclusions:

- A. That the proposed use or activity is expressly authorized as a special use;**
Vehicle Body and Paint Finishing Shop is an activity expressly authorized as a special use in the M-1 District, per Article 6 – Uses of the Zoning Code.
- B. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;**
Auto repair and Vehicle Body and Paint Finishing Shop is a necessity business. The business caters to the local community and is known in the area. The business meets the vision for Stone Road as identified in the Comprehensive Plan.
- C. That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.**
The building permit process will confirm that the paint booth meets the specifications of the Fire Department and installed properly. Triple basin and RPZ valve are already installed in the building. Parking will be on the subject property to prevent disrupting the operation of neighboring businesses.
- D. That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;**
The area is built out with utilities in place and if the business ensures all vehicles associated with operations – repair, employees, and visitors remain off the roadway, sufficient off street parking is available onsite and will not impact surrounding properties.
- E. That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services; and**
Adequate utilities, access roads, and drainage exist. Parking is limited on Stone Road, but with 55' linear frontage, the vehicle has sufficient parking to meet current parking code. Cars must be placed on the subject property without encroaching onto public right of way.
- F. That the proposed special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.**
The Paint Booth will not be installed without approved Building and Fire Permits which conform to zoning, fire, and building code requirements.

Analysis: The application meets the requirements of Sec. 11.4. SPECIAL USES. Automotive paint and – body shop is a special use in the M1 District. The petition has been filed by the business owner with signature by the property manager authorized to represent the owner. Proper public notice has been provided. The Planning and Zoning Commission recommendation will be forwarded to the Village

Board who is authorized to impose conditions upon any approval. The village board may act by simple majority vote of a quorum. Special use approval runs with the land and is not affected by changes of tenancy or ownership.

Requested Action:

If the Commission finds in support of the requests, the following motion could be entertained:

To recommend approval of PZ-22-011 for the following requests:

A Special Use, identified in the Village Zoning Ordinance under **Article 6, Section 6.1.3** in the M-1 Light Industrial District for *Vehicle Body and Paint Finishing Shop*, pursuant to the procedures set forth in Article 11, **Section 11.4** the Village Zoning Ordinance.

With the following conditions:

1. Compliance with all applicable Village Codes and regulations.
2. Business owner will obtain all necessary permits/certifications for development, including building, spray paint booth, and sign permits; and, a certificate of occupancy.
3. Installation of triple basin and RPZ valve.
4. All parking related to the business will be on the subject property, not within the road and will comply with all rules and regulations imposed by the village regulating parking in the parkway.p
5. Property will be maintained in such a manner as to not create a public nuisance as defined in the Property Maintenance Code
6. Fire Lanes will be approved by the Chief of the Fire Department, and maintained by the business owner.

For the property located at 224 W. Stone, PIN 06-04-212-016

with a finding of fact that such special uses meet the standards enumerated in Article 11.2 and 11.4. of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance.

Attachments:

- Exhibit 1 Narrative Letter
- Exhibit 2 Plat of Survey
- Exhibit 2 Spray Paint Booth Requirements

	AYES	NAYS
Planning and Zoning Recommendation Required: Majority of quorum		
Village Board Final Decision Required: Simple majority vote if a positive recommendation, and, a two-thirds of all member of the Village Board if a negative recommendation		

Hellen Weber
Director of Community Development
Village of Villa Park
20 S. Ardmore Ave.
Villa Park, Illinois 60181

May 30, 2022

Re: 224 W. Stone Rd., Villa Park IL

Dear Ms. Weber:

My name is Victor Rodriguez and I own and operate V&L Auto Body, Inc., which has been located at 224 W. Stone Rd. in Villa Park since May 2019. I am writing in support of my application for a zoning variance with respect to the reference property. I have been advised that I need to seek a zoning variance in order to continue operating my business at the present location.

As I understand it, the building in which I operate is currently zoned for industrial use. The Village has raised concerns about my work activities and potential contamination issues, and possible noise and odor disruptions in my neighborhood.

All of my business activities strictly comply with current industrial standards for body repair and painting. I have one spray booth for painting cars and trucks in need of repair. That spray booth is state of the art and contains all up-to-date filters and screens necessary to avoid any contamination or odor in or surrounding my business. Importantly, I do not perform any mechanical services and therefore do not deal with waste oil and other potentially contaminated fluids. I work alone and I am a present every day that my business is open. I personally oversee operations and make sure that all activities comply with Village standards.

I also note that I have a service that picks up debris from my business activities for recycling, and that I otherwise comply with all disposal requirements of the Village.

I have been engaged in auto body repair for 40 years and have never been ticketed or penalized for failing to comply with local environmental and/or noise and odor standards. Prior to occupying my present location, I operated my business in Addison at 35 E. Blaeke Ave for eight years. I encourage the Village to investigate my prior business activities in Addison to confirm that my business has always complied with all applicable health and safety requirements.

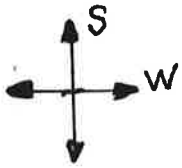
Presently, I am current on all rent due and lease requirements for my facility. My work activities are intended to raise tax revenue for the Village and generally improve the local business community. I submit my application in an effort to continue to work for the common good of the Village.

Thank you. Please let me know if you have any questions or comments with respect to the foregoing.

Sincerely,

Victor E Rodriguez
V+L auto Body Inc

66Z

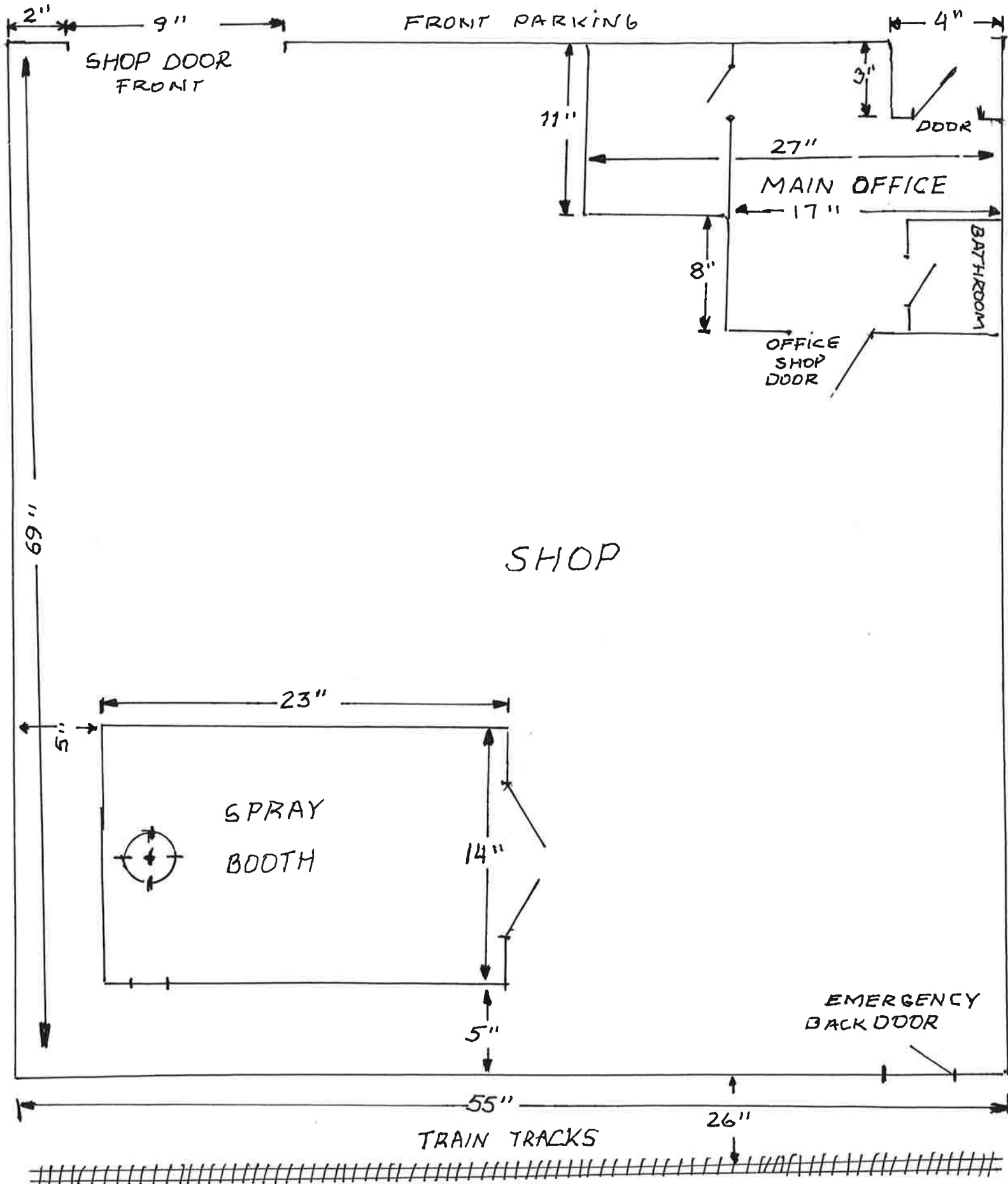


STONE RD

V&L

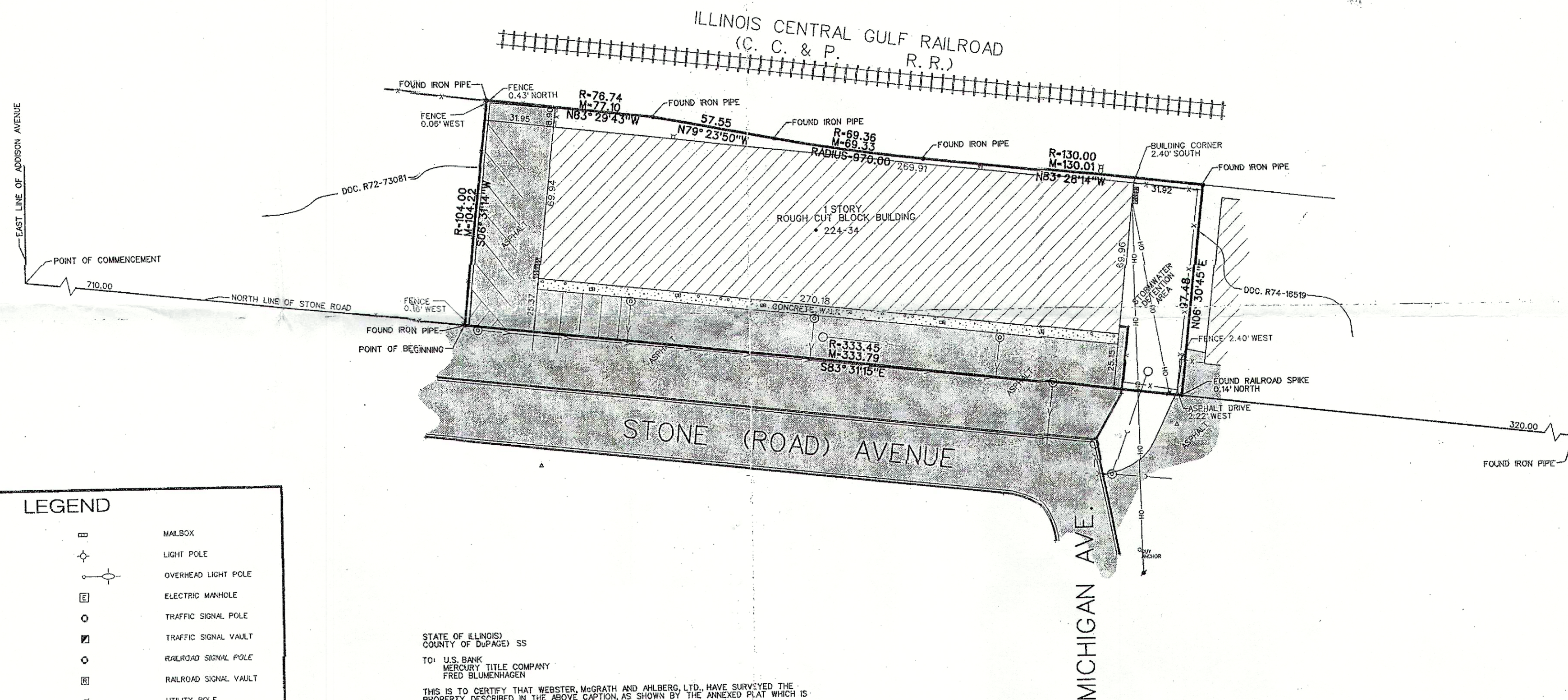
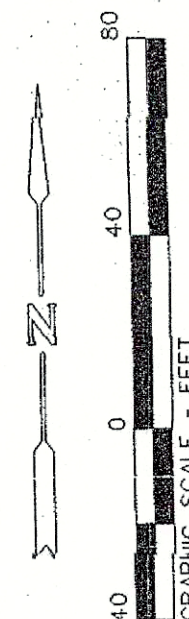
224

FRONT PARKING



C-31712

THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH RANGE 1E EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT OF INTERSECTION OF THE NORTHERLY LINE OF STONE ROAD AND THE EAST LINE OF ADDISON AVENUE EXTENDED NORTH; THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF STONE ROAD, A DISTANCE OF 70.0 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND CONVEYED TO J.J. BURTON, BY DEED DATED AUGUST 31, 1972 AND RECORDED NOVEMBER 28, 1972 AS DOCUMENT R72-7346; FROM SAID POINT BEING SO TO E.T. UX, BY DEED DATED AUGUST 31, 1972 AND RECORDED NOVEMBER 28, 1972 AS DOCUMENT R72-7346; THENCE SOUTHEASTERLY ALONG THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED TRACT, A DISTANCE OF 133.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF A PARCEL OF NORTHERLY LAND CONVEYED TO R.J. SMITH BY DEED DATED DECEMBER 6, 1972 AND RECORDED APRIL 11, 1974 AS DOCUMENT R74-45519; THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID TRACT, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID TRACT, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO THE LAST DESCRIBED LINE, BEING A LINE 15.0 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF THE CENTER LINE OF THE ILLINOIS CENTRAL GULF RAILROAD; THENCE NORTHEASTERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, BEING A LINE 15.0 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF THE CENTER LINE OF THE ILLINOIS CENTRAL GULF RAILROAD, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID TRACT, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO THE POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTH, HAVING AN ARC RADIUS OF 97.0 FEET, A DISTANCE OF 68.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED TRACT, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO ITS INTERSECTION WITH A LINE THAT IS 10.0 FEET NORTHERLY OF, AND PARALLEL WITH, THE NORTHERLY LINE OF STONE ROAD; THENCE SOUTHWESTERLY, TANGENT TO THE LAST DESCRIBED CURVED LINE, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED TRACT, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO ITS INTERSECTION WITH A LINE THAT IS 10.0 FEET NORTHERLY OF, AND PARALLEL WITH, THE NORTHERLY LINE OF STONE ROAD; THENCE SOUTHWESTERLY, TANGENT TO THE LAST DESCRIBED CURVED LINE, A DISTANCE OF 150.0 FEET, MORE OR LESS, TO ITS INTERSECTION WITH A LINE THAT IS 10.0 FEET NORTHERLY OF, AND PARALLEL WITH, THE NORTHERLY LINE OF STONE ROAD; THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF THE PARCEL OF LAND CONVEYED TO J.J. BURTON, AFORESAID, A DISTANCE OF 104.0 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.



	SANITARY MANHOLE		MAILBOX
	SANITARY CLEINOUT		LIGHT POLE
	STORM MANHOLE		OVERHEAD LIGHT POLE
	STORM CATCH BASIN		ELECTRIC MANHOLE
	STORM INLET		TRAFFIC SIGNAL POLE
	FLARED END SECTION		TRAFFIC SIGNAL VAULT
	TRANSFORMER		RAILROAD SIGNAL POLE
	ELECTRICAL BOX		RAILROAD SIGNAL VAULT
	CABLE T.V. BOX		UTILITY POLE
	TELEPHONE BOX		OVERHEAD WIRES
	TELEPHONE MANHOLE		UNDERGROUND ELECTRIC
	ELECTRIC METER		UNDERGROUND GAS
	GAS METER		UNDERGROUND TELEPHONE
	GAS VALVE		UNDERGROUND CABLE T.V.
	B-BOX		WATER MAIN
	WATER VALVE		SANITARY SEWER
	WATER VALVE VAULT		STORM SEWER
	FIRE HYDRANT		FENCE LINE
	POST INDICATOR VALVE		GUARD RAIL
	SIGN		DECIDUOUS TREE
	FLAG POLE		PINE TREE
	R - RECORD DIMENSION		DROVE IRON PIPE
	M - MEASURED DIMENSION		FOUND IRON PIPE

STATE OF ILLINOIS)
COUNTY OF DuPAGE) SS

TO: U.S. BANK
MERCURY TITLE COMPANY
FRED BLUMENHAGEN

THIS IS TO CERTIFY THAT WEBSTER, McGRATH AND AHLBERG, LTD., HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION, AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT AND TRUE REPRESENTATION OF SAID SURVEY.

ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS THIS 23 DAY OF July

September, AD., 2007.

WEBSTER, McGRATH AND AHLBERG, LTD.

BY: [Signature]
ILLINOIS PROF. LAND SURVEYOR NO. 249
LICENSE EXPIRATION DATE: NOVEMBER 30, 2004
207 SOUTH NAPERVILLE STREET
WHEATON, ILLINOIS 60187
(630) 668-7603



Rev	Date	Description	By	PLAT OF SURVEY					
				PREPARED FOR:					
				KATZ RANDALL WEINBERG & RICHMOND					
				333 W. WACKER DRIVE					
				SUITE 1800					
				CHICAGO, IL 60606-1288					
				LOCATION:					
				224-34 STONE AVE.					
				VILLA PARK, IL					
				KRWV FILE NO.: 02987.08300					
WEBSTER, McGRATH & AHLBERG LTD.				JOB *	40740	DATE:	9/18/03	SCALE:	1" = 40'
Consulting Engineers				SURV:	BB	DRAWN:	JS	DESIGN:	
Land Surveying And Civil Engineering Since 1906									
207 South Naperville St.									
Wheaton, Illinois 60187									
Design Firm License No.184-003101				FILE *	C-31742			SHEET *	
(630) 668-7603 FAX (630) 682-1760 EMAIL WMALTD@WMALTD.COM									



Villa Park Fire Department

20 S. Ardmore, Villa Park, IL 60181

Phone (630) 833-5350

Fax (630) 941-5978

Spray Booth Submittals

All supporting documentation showing items listed below are required for review. The checklist is based on the 2015 Edition of the International Mechanical Code, the 2015 Edition of the International Fire Code, as well as NFPA 13, 17, 33, 72, and UL 1254.

- o A minimum of (5) five copies of shop drawings, and submittal data shall be provided with the permit application.
- o All plans must have the designer and installers name, address, phone number, email, and the design professional's qualifications.
- o Drawings are to be uniform in size and drawn to a recognized scale.

Spray Booths:

- o Design and construction of the spray booth shall be in accordance with IFC 2404 and NFPA 33. At a minimum spray booths shall be constructed of approved noncombustible materials in accordance with Section 2404.
- o All surfaces shall be smooth and continuous, permit the free passage of exhaust air and shall be designed to confine any residue within the booth.
- o Flooring shall be non-sparking and non-combustible.
- o Area of the spray booth shall not exceed 1,500 sq. ft., 10 percent of the floor area, of a single booth of 500 sq. ft.
- o Minimum of 3 ft. clearance is required around all sides of booth.
- o Lighting and illumination within the spray booth shall be Class 1, Division 2 or Class 2, Division 2.
- o Electrical wiring and equipment outside of the spray booth, 5 feet horizontally and 3 feet vertically shall be Class I, Division 2 or Class II, Division 2.
- o Upon activation of the fire suppression system, the spray/drying operations shall be shut-off.
- o Interface to the main building FACP, if provided, that will automatically shut-off the spraying operations upon fire alarm system activation.

- o Interlocks shall be provided to: 1) prevent spraying while drying operations are in progress, 2) automatically shunt the drying operation upon a ventilation failure, and 3) shunt the drying operation if the temperature exceeds 200 degrees.
- o Emergency controls for the spraying operations shall be interfaced into the FACP.
- o A minimum of one (1) manual fire alarm and emergency system shutdown shall be readily accessible to personnel within the area of the spraying operations.
- o Appropriate labeling and signs in accordance with IFC Section 2403.2.6 & 2403.2.7, must be provided;
 - o "Smoking or Open Flames Prohibited".
 - o "No Welding" See IFC Section 1503.2.7 for required wording.
- o A placard specifically identifying the flammable/combustible material therein. An NFPA 704 placard may be required.
- o Ventilation for the spraying and drying operations shall be in accordance with the 2015 International Mechanical Code and IFC Section 2404.7.
- o A minimum air velocity of 100 feet per minute shall be provided across the spray booth cross section during operation.
- o Provide a manometer to measure the airflow.
- o Air exhausted from spray operations shall not be recirculated.
- o Termination points for the exhaust ducts shall be in accordance with IFC Section 2404.7.6
- o Provide the total amount of flammable/combustible paint materials to be within the paint mixing or storage room.
- o Illumination of the spray booth shall be in accordance with Section 2404.6.2.
- o All electrical wiring shall be in accordance with NFPA 70 and NFPA 33.
- o Any other requirements of the 2015 IMC, 2015 IBC and 2015 IFC Chapter 24, not listed within this guideline shall also be met

Spray Rooms Requirements:

- o When approved, spray rooms shall be constructed in accordance with the IBC. Flooring shall be non-sparking and non-combustible. All walls, floors and ceilings shall be protected by minimum 1-hour rated construction.
- o All of the above requirements shall also apply to spraying rooms unless otherwise noted in the IFC Chapter 24.

Ventilation:

- Mechanical ventilation shall be kept in operation at all times while spraying operations are being conducted and for a sufficient time thereafter to allow vapors from drying coated articles and finishing material residue to be exhausted. Spraying equipment shall be interlocked with the ventilation of the spraying area such that spraying operations cannot be conducted unless ventilation system is in operation.
- Air exhausted from spraying operations shall not be recirculated unless they comply with the exceptions in IFC 2404.7.2.
- Ventilation system shall be designed, installed and maintained so the average air velocity over the open face of the booth, or cross sectional area in the direction of airflow during spraying operations is a minimum of 100 linear feet per minute.
- Each spray booth/spray room shall have an independent exhaust duct system discharging to the outside.
- The termination point for exhaust ducts discharging to the atmosphere shall not be less than the following distances:
 - *Ducts conveying explosive or flammable vapors, fumes or dusts:*
 - 30 feet from property lines;
 - 10 feet from openings into the building;
 - 6 feet from exterior walls and roofs;
 - 30 feet from combustible walls or openings into buildings which are in the direction of the exhaust discharge;
 - 10 feet above adjoining grade;
- Electric motors driving exhaust fans shall not be placed inside booths or ducts. Fan rotating elements shall be nonferrous or non-sparking or the casing shall consist of, or be lined with, such material. Belts shall not enter the duct or booth unless the belt and pulley within the duct are tightly enclosed.

Filters:

- Air intake filters that are part of a wall or ceiling assembly shall be listed as Class I or Class II in accordance with UL 900. Exhaust filters shall be required.
- Supports/holders for filters shall be constructed of noncombustible materials.
- Overspray collection filters shall be readily removable and accessible for cleaning or replacement.
- Visible gauges, audible alarms or pressure-activated devices shall be installed to indicate or ensure that the required air velocity is maintained.

- Spray booths equipped with a filter roll that is automatically advanced when the air velocity is reduced to less than 100 linear feet per minute shall be made to shut down the spraying operation if the filter roll fails to advance automatically.
- Discarded filter pads shall be immediately removed to a safe, detached location or placed in a noncombustible container with a tight-fitting lid and disposed of properly.
- Spray booths using dry filters shall not be used for spraying materials that are highly susceptible to spontaneous heating and ignition. Filters shall be changed prior to spraying materials that could react with other materials previously collected (i.e.: lacquer when combined with varnishes, stains or primers).
- Water wash spray booths shall be of an approved design so as to prevent excessive accumulation of deposits in ducts and residue at duct outlets. Such booths shall be arranged so that air and overspray are drawn through a continuously flowing water curtain before entering an exhaust duct to the building exterior.

Light:

- Where spraying spaces, spray rooms or spray booths are illuminated through glass panels or other transparent materials, only fixed lighting units shall be utilized as a source of illumination.
- Glass panels for luminaires or for observation shall be of heat-treated glass, wired glass or hammered-wire glass and shall be sealed to confine vapors, mists, residues, dusts and deposits to the flammable vapor area. Panels for luminaires shall be separated from the luminaire to prevent the surface temperature of the panel from exceeding 200 degrees F.
- Luminaires attached to the walls or ceilings of a flammable vapor area, but outside of any classified area and are separated from the flammable vapor area by vapor-tight glass panels, shall be suitable for use in ordinary hazard locations. Such luminaires shall be serviced from outside the flammable vapor area.
- Luminaires that are an integral part of the walls or ceiling of a flammable vapor area are allowed to be separated from the flammable vapor area by glass panels that are an integral part of the luminaire. Such luminaires shall be listed for use in Class I, Division 2 or Class II, Division 2 locations, whichever is applicable, and also shall be suitable for accumulations of deposits of combustible residues. Such luminaires are allowed to be serviced from inside the flammable vapor area.
- Portable electric lamps shall not be used in flammable vapor areas during spraying operations. Portable electric lamps used during cleaning or repairing operations shall be of a type approved for hazardous locations.

Fire Protection:

- o Spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 of the International Fire Code. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.
- o If the building is equipped with an automatic fire sprinkler system, then the automatic sprinkler system for the booth and/or spray room shall be designed as follows:
 - *Powder coating operations – Ordinary Hazard (Group 2) per NFPA 13*
 - *All other spray operations – Extra Hazard (Group 2) per NFPA 13*
- o Portable fire extinguishers complying with Section 906 shall be provided for spraying areas in accordance with the requirements for an extra (high) hazard occupancy.
- o Automatic sprinklers installed in flammable vapor areas shall be protected from accumulation of residue from spraying operations in an approved manner. Bags used as a protective covering shall be 0.003-inch-thick polyethylene or cellophane or shall be thin paper.
- o Automatic sprinklers contaminated by overspray particles shall be replaced with new automatic sprinklers.
- o Where protecting automated spray application operations, automatic fire-extinguishing systems shall be equipped with an approved interlock feature that will, upon discharge of the system, automatically stop the operation of spraying operations and work piece conveyors into and out of the flammable vapor area.
- o Where the building is equipped with a fire alarm system, discharge of the automatic fire-extinguishing system shall also activate the building alarm notification appliances.
 - o A manual fire alarm and emergency system shutdown station shall be installed to serve each flammable vapor area.
 - o At least one manual fire alarm and emergency system shutdown station shall be readily accessible to operating personnel.
 - o Where access to this station is likely to involve exposure to danger, an additional station shall be located adjacent to an exit from the area.
 - o Air makeup and flammable vapor area exhaust systems shall not be interlocked with the fire alarm system and shall remain in operation during a fire alarm condition.
 - *Exception:*
 - *Where the type of fire-extinguishing system used requires such ventilation be discontinued, air makeup and exhaust systems shall shut down and dampers shall close.*

Planning and Zoning Commission Agenda Item Report

Meeting Date: July 14, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Public Hearing - New Business

Subject:

Petition PZ-22-0007 / 225 W. Stone / Let's Go Motors. Special Use for Vehicle Body and Paint Finishing Shop / Macario Ramos of Let's Go Motors d/b/a G's N Z's Motors (Applicant) on behalf of Chicago Title 8002374750 (Owner)

Suggested Action:

Attachments:

[PZ-22-0007 Staff Memo July 14, 2022.pdf](#)

[Ex 1 Site Plan 225 W Stone.pdf](#)

[Ex 2 Interior 225 W Stone.pdf](#)

[Ex 3 Spray Paint Booth Plan Submittal.pdf](#)

Village of Villa Park

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



TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: July 14, 2022

RE: **Petition PZ-22-0007 / 225 W. Stone / Let's Go Motors**

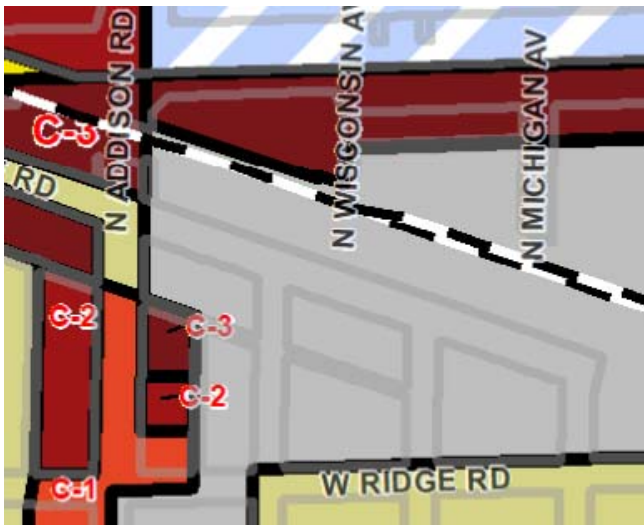
Special Use for Vehicle Body and Paint Finishing Shop / Macario Ramos of Let's Go Motors d/b/a Gs N Zs Motors (Applicant) on behalf of Chicago Title 8002374750 (Owner)

Request Summary:

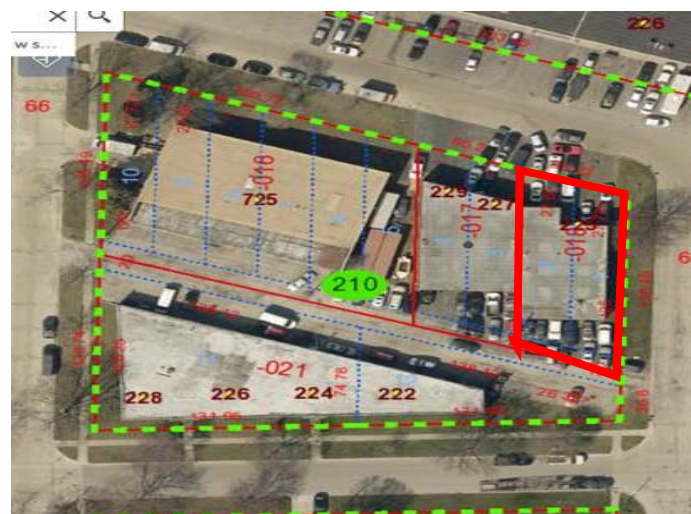
A public hearing is scheduled before the Planning & Zoning Commission at 7:30 p.m. on June 9, 2022, at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, IL, to consider a request by Macario Ramos of Let's Go Motors (Applicant) on behalf of Chicago Title 8002374750 (Owner) for the property at 225 W. Stone, Villa Park, Illinois which would approve:

A Special Use, identified in the Village Zoning Ordinance under **Article 6, Section 6.1.3** in the M-1 Light Industrial District for *Vehicle Body and Paint Finishing Shop*, pursuant to the procedures set forth in Article 11, **Section 11.4** of the Village Zoning Ordinance.

Zoning Map



Location Map – 225 W. Stone



Site Information:

Present Zoning: M-1 Light Manufacturing
Present Land Use: Automotive Repair
Property Size: (+/-) 13,184 SQ. FT., 0.302 AC.
PINS: 06-04-210-017, 06-04-210-018

Surrounding Zoning

North: M-1 Light Manufacturing
West: M-1 Light Manufacturing

Present Land Use

Manufacturing
Manufacturing

East: M-1 Light Manufacturing
South: M-1 Light Manufacturing

Manufacturing
Manufacturing

Comprehensive Plan Designation - Business District Mixed-Use:

Stone Road is considered part of the North Avenue Business District in the Plan. Policy consideration for the North Avenue Corridor is to create a dynamic mix of land uses by adding larger scale commercial uses including anchor retail development, office complexes and restaurants in addition to the existing light industrial, warehousing and other business park uses. Stone Road is classified as industrial and is not identified for special treatment in the Plan, and is characterized by manufacturing, office, auto repair. Many of the buildings contain triple basins which has made them attractive to auto repair businesses. Auto intensive uses have created a strain on the surrounding neighborhood. After complaints in 2021, the Village has paid special attention to Stone Road, working with property owners to ensure life safety concerns such as clear paths for building access and a clear roadway for deliveries and emergency vehicles are maintained. Property owners have been very receptive and building maintenance and property clean-up has been evident.

Community Input:

A Legal Notice was published in the Daily Herald on Tuesday, May 24, 2022. It was mailed to properties within 250' and a sign alerting the community to the hearing was posted on the property. The legal notice inadvertently contained an error, identifying the property as "commonly known as 24 E. Stone," though the business address and PIN were correct.

At time of publication the Site Plan was under revision with additional information was needed, and therefore incomplete. On June 9, 2022 the petition was tabled, date certain to the July 14, 2022 meeting of the Planning and Zoning Commission. The notice was republished on Wednesday June 28, 2022 for the July 14, 2022 Public Hearing. A mailing was also sent and a sign posted.



The Village received comments/questions:

- A caller specifically reported work being done outside the business and expressing concern over auto parking.
- A call whether there health safety impacts for the children in the nearby school.
- An email asking about health impacts, and indicating concerns over test drives through the neighborhood at on Michigan at high speed.

Callers were advised that the potential for externalities (life safety and parking) is the basis to require a Special Use – for case by case review; that Building and Fire permit plans are required, drawn by an architect to address the life safety; and that the Villa Park Police should be called regarding traffic concerns.

Background:

The subject property is located at the east end of the Stone Road Business area. 225 W. Stone is a multi-tenant industrial building, with 3 tenants. Department records indicate that in 1971 property

owner Michael Doyle was granted a variance for 5' sideback (no loading was necessary on that side). The alley behind the property has been vacated by O #1684, in 1977.

Let's Go Motors operates under an Auto Dealer license from the State of Illinois. The business model is to purchase vehicles and sell, not rebuild vehicles. The applicant indicates clean title vehicles are bought, minor body work is completed and vehicles are sold.

Review

Per 11.4.1. Intent, special use approval procedures are intended to provide a transparent, public review process for land uses that, because of their widely varying design and operational characteristics, require case-by-case review in order to determine whether they will be compatible with surrounding uses and development patterns.

Village Staff has reviewed the request and determined the factors which impact compatibility of a paint and body shop operation. They are listed below, followed by Staff analysis for each.

1. Does the proposed paint booth protect the health of workers (in this and neighboring businesses)? Via the building permit process, Fire Department and Building Division will verify that the Paint booth is designed and installed according to plans stamped by an architect, with proper ventilation and suppression system.

Analysis: The applicant will submit for a building permit once zoning approvals for a Special Use are provided. It was determined the zoning action would precede the preparation of plans due to cost associated with the plans. Compliance to Fire and Building Codes would be a condition of approval.

2. Does the proposed paint booth protect the environment?
 - a. A Triple Basin system is required to ensure paint solvents and chemicals are flushed out and not entering water system.
 - b. A reduced pressure zone "RPZ" – backflow prevention valve is required to protect the water system

Analysis: A triple basin and RPZ already exist in the building.

3. What is the business model? If automotive, proper State Licensing for business activities will be confirmed, including all applicable such as:
 - a. Rebuilder license if cars are being rebuilt
 - a. Dealer license if cars are being sold
 - b. Illinois Business Tax ID number if sales tax are collected on business sales and services.

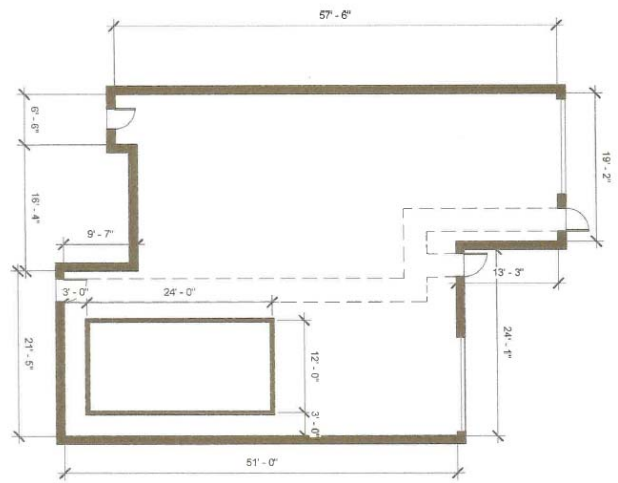
Analysis: The petitioner has provided copies of applicable state licenses and the IBT number. He reports vehicles are not being re-built and that the business model is basic maintenance and minor body repair of vehicles purchased with clean titles. A condition of approval will be proper remittance of sales tax to the State.

4. Will parking and storage of cars being worked on impact the neighborhood? A Site Plan indicating employee, customer, and parking for cars being serviced will be required to determine if parking will impact neighboring properties.

Analysis: Parking is a concern on Stone Road and the main concern for this request. The Petitioner has provided a Site Plan including a parking plan. An approval would include a condition that cars be parked only on the subject property, and not encroach into the Public Right-of-way.

The petitioner has indicated auto sales is the main function of the building and parking requirements were determined using that classification. Let's Go Motors specializes in Nissan vehicles, operating as Gs N Zs Motors.

225 W Stone is a 3,500 sq. ft. internet automotive dealership shop, occupying the eastern portion of the building, with two (2) service doors. The 20' alley to the rear is private and not public.



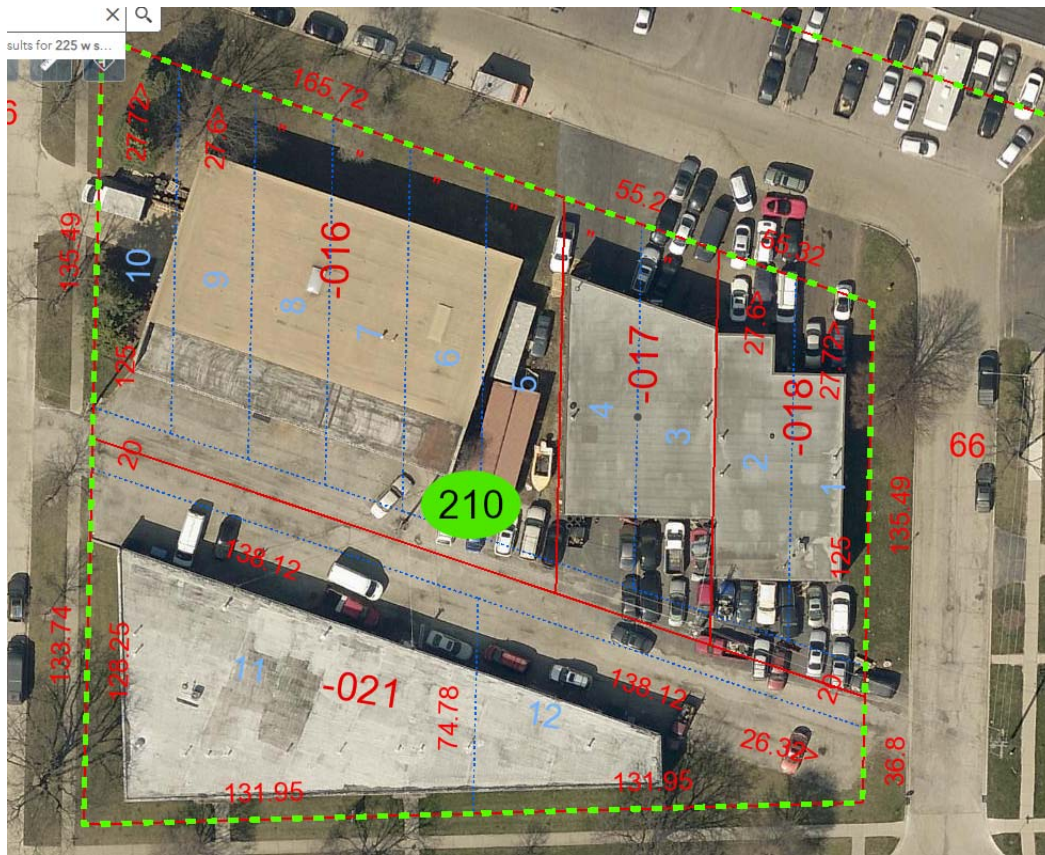
Vehicle Sales and Service	Unit of Measure (spaces per)	Minimum Parking Ratio	Additional Requirements
Commercial vehicle repair and maintenance	Service bay	2.0	
Personal vehicle repair and maintenance	Service bay	2.0	
Personal vehicle sales and rentals	1,000 sq. ft.	2.5	
Vehicle body and paint finishing shop	Service bay	1.0	
All	Employee	0.5	

Parking requirements are 1 parking space per vehicle body and paint finishing shop service bay; 2.5 per every 1,000 sq. ft. of personal vehicle sales and rental; and .5 per employee. With 1 paint booth, 3,500 sq. ft., and 3 employees, parking requirements are 13 spaces:

- 1 for the paint booth*
- 9 for the auto dealership (2.5 spaces per sq. ft. required for 1,000 sq. ft.)*
- 2 for the 3 employees*

The Site Plan, (Exhibit 1) includes 14 spaces on-site. Note, while the shop is wide and will accommodate 4 - 7 Nissan cars ((generally 6' x 14' in size) within the building, the Site Plan is drawn to scale with 10' x 20' size parking spaces. Although the site could potentially accommodate more Nissan cars the Site Plan indicates 10' x 20' parking stalls because a

Special Use is transferrable and “runs with the land,” per Sec. 11.4.10. It is noted that the Site Plan depicts less cars than are often parked onsite, as shown in this aerial photo.



The application meets the requirements of Sec. 11.4. SPECIAL USES. Automotive paint and – body shop is a special use in the M1 District. The petition has been filed by the business owner with signature by the property manager authorized to represent the owner. Proper public notice has been provided. The Planning and Zoning Commission recommendation will be forwarded to the Village Board who is authorized to impose conditions upon any approval. The village board may act by simple majority vote of a quorum. Special use approval runs with the land and is not affected by changes of tenancy or ownership.

Special Use Criteria

Applications must address relevant review and decision-making criteria. In all cases, the burden is on the applicant to show that an application complies with all applicable review or approval criteria. Per 11.4.8. Review and Approval Criteria, No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is consistent with and in substantial compliance with all village board policies and plans and that the applicant has presented evidence to support each of the following conclusions:

- A. That the proposed use or activity is expressly authorized as a special use;**
Vehicle Body and Paint Finishing Shop is an activity expressly authorized as a special use in the M-1 District, per Article 6 – Uses of the Zoning Code.

- B. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;**
Vehicle Body and Paint Finishing Shop is an activity necessary to maintenance of vehicles. The business is a specialty destination for those specifically seeking Nissan vehicles and draws customers who may also shop and dine at Villa Park restaurants. The business meets the vision for Stone Road as identified in the Comprehensive Plan. Auto sales provide sales tax to a municipality.
- C. That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.**
The building permit process will confirm that the paint booth is installed to meet the specifications of the Fire Department and installed properly. Triple basin and RPZ valve are already installed in the building. Parking will be in accordance to an approved site plan to prevent disrupting the operation of neighboring businesses.
- D. That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;**
The area is built out and if the business is operated in accordance with the Site Plan, sufficient off street parking is available onsite and will not impact surrounding properties.
- E. That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services; and**
Adequate utilities, access roads, and drainage exist. Parking is limited on Stone Road, therefore the business has provided a site plan indicating where vehicles will be parked. The site plan places 14 vehicles on the property, not encroaching onto public right of way.
- F. That the proposed special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.**
The Paint Booth will not be installed without approved Building and Fire Permits which conform to zoning, fire, and building code requirements.

Requested Action:

If the Commission finds in support of the requests, the following motion could be entertained:

To recommend approval of PZ-22-0007 for the following requests:

A Special Use, identified in the Village Zoning Ordinance under **Article 6, Section 6.1.3** in the M-1 Light Industrial District for *Vehicle Body and Paint Finishing Shop*, pursuant to the procedures set forth in Article 11, **Section 11.4** the Village Zoning Ordinance.

With the following conditions:

1. Compliance with all applicable Village Codes and regulations.
2. Business owner will obtain all necessary permits/certifications for development, including building, spray paint booth, and sign permits; and, a certificate of occupancy.
3. Installation of triple basin and RPZ valve.

4. All parking related to the business will be on the subject property, not within the road and will comply with all rules and regulations imposed by the village regulating parking in the parkway.
5. Property will be maintained in such a manner as to not create a public nuisance as defined in the Property Maintenance Code
6. Fire Lanes will be approved by the Chief of the Fire Department, and maintained by the business owner.
7. Complete remittance of sales tax to the State of Illinois.

For the property located at 225 W. Stone, 06-04-210-017, 06-04-210-018

with a finding of fact that such special uses meet the standards enumerated in Article 11.2 and 11.4. of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance.

Attachments:

- Exhibit 1 Site Plan, prepared by the petitioner, indicating available parking
 Exhibit 2 Interior Drawing 225 W Stone
 Exhibit 3 Spray Paint Booth Plan Submittal Requirements

	AYES	NAYS
Planning and Zoning Recommendation Required: Majority of quorum		
Village Board Final Decision Required: Simple majority vote if a positive recommendation, and, a two-thirds of all member of the Village Board if a negative recommendation		

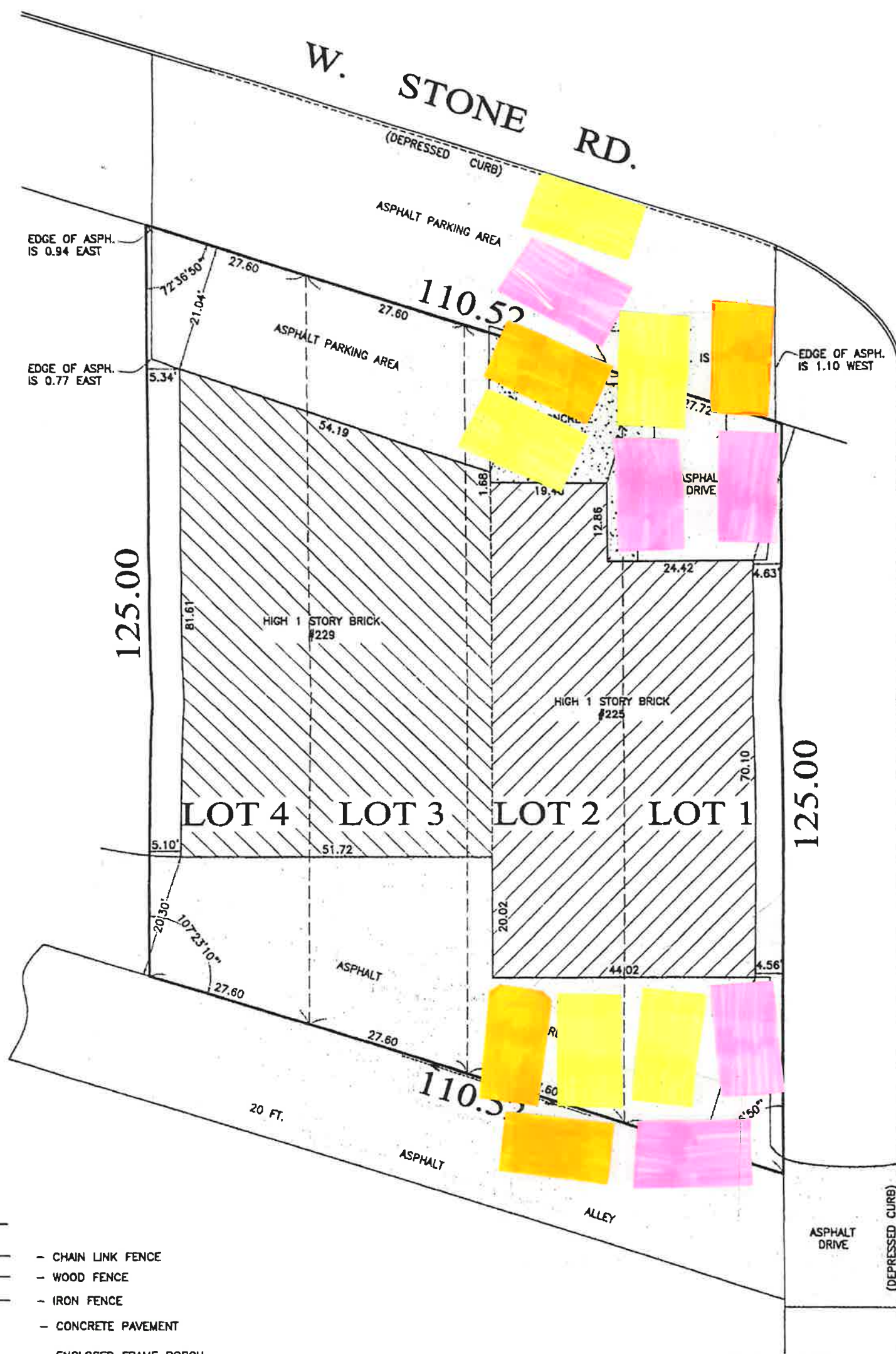
PHONE: (773) 282-5900
FAX: (773) 282-9424
mmsurvey1285@sbcglobe.com

PLAT OF SURVEY OF

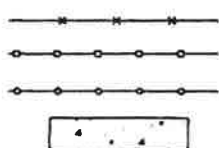


LOTS 1, 2, 3 AND 4 IN BLOCK 2 IN SECOND ADDITION TO NORTH AVENUE TERRACE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 4, 1926 AS DOCUMENT 226034, IN DUPAGE COUNTY, ILLINOIS.

TOTAL LAND AREA = 13,184 sq.ft.



LEGEND:



E.FR.P.	- ENCLOSED FRAME PORCH
O.FR.P.	- OPEN FRAME PORCH
O.BR.P.	- OPEN BRICK PORCH
O.C.P.	- OPEN CONC. PORCH
E.C.	- EDGE OF CONCRETE
E.BR.	- EDGE OF BRICK

State of Illinois
County of Cook

We, M M Surveying Co., Inc., do hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey.

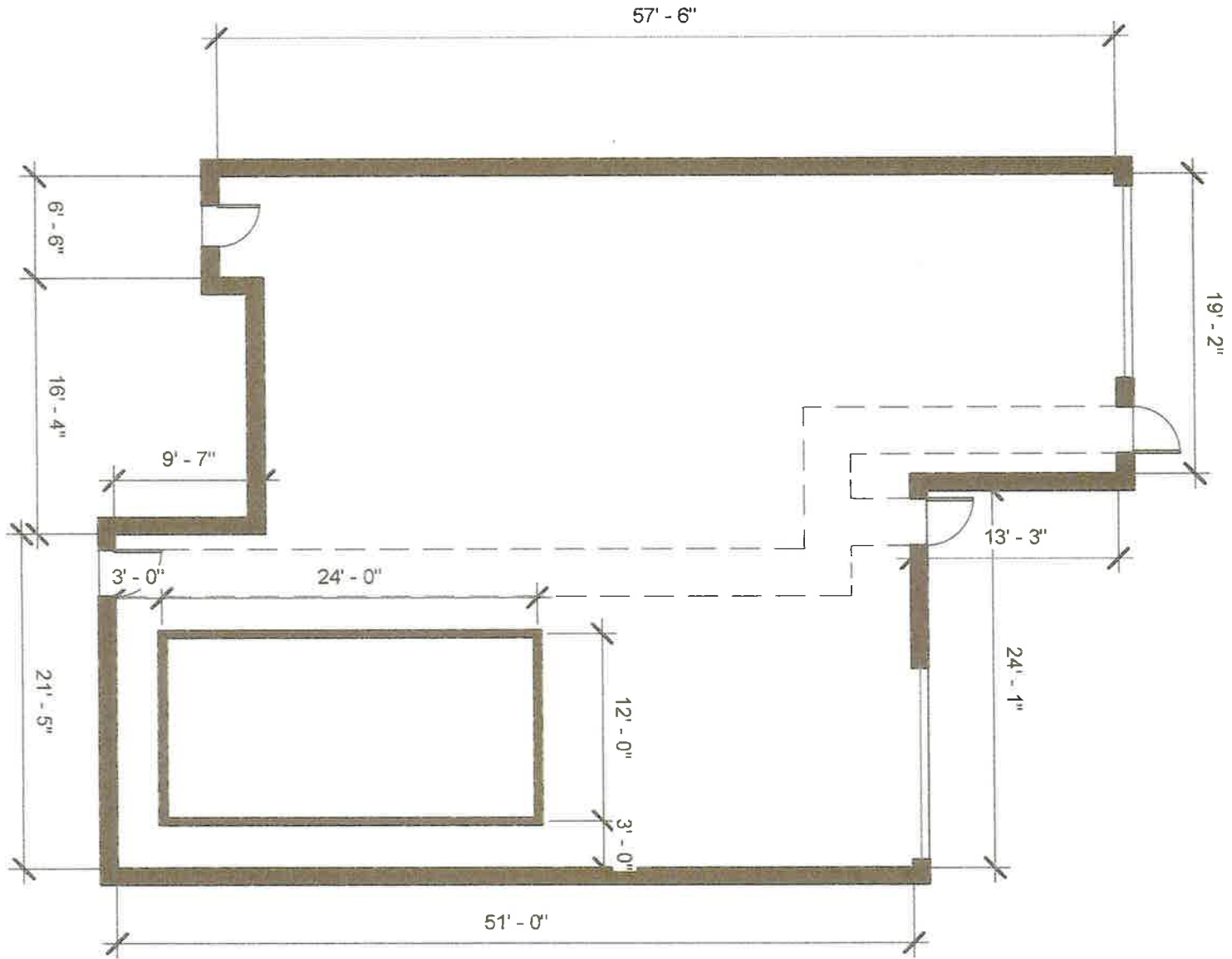
Signature: M. Mahajan

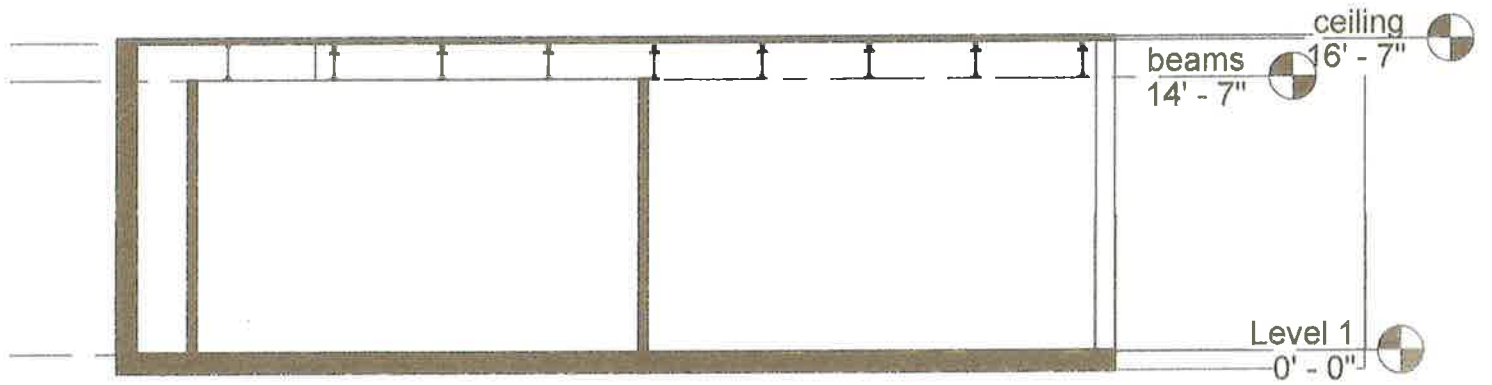
ORDER NO. 88703

SCALE: 1 INCH = 20 FEET

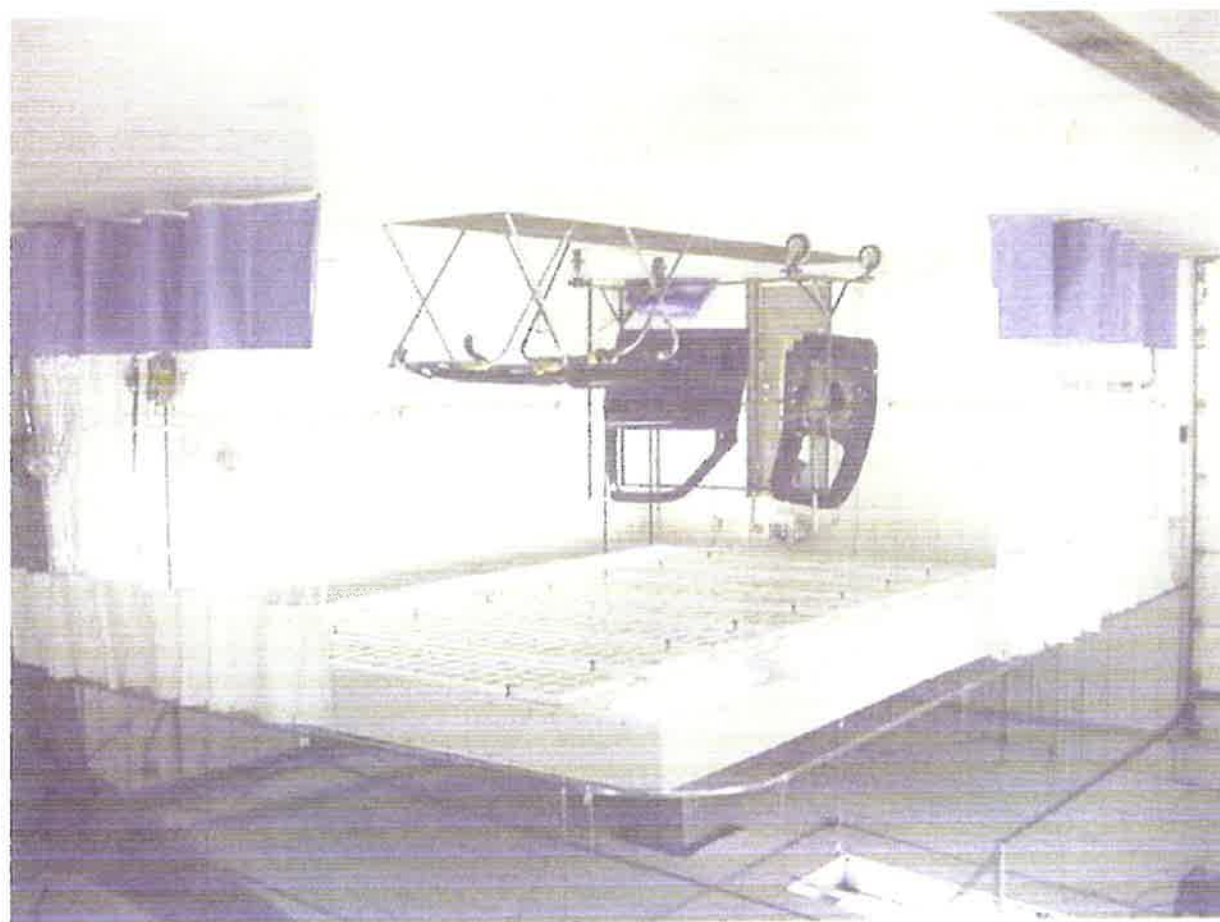
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM
STANDARDS FOR A BOUNDARY SURVEY.
FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN
HEREON, REFER TO YOUR DEED, TITLE POLICY AND LOCAL ZONING

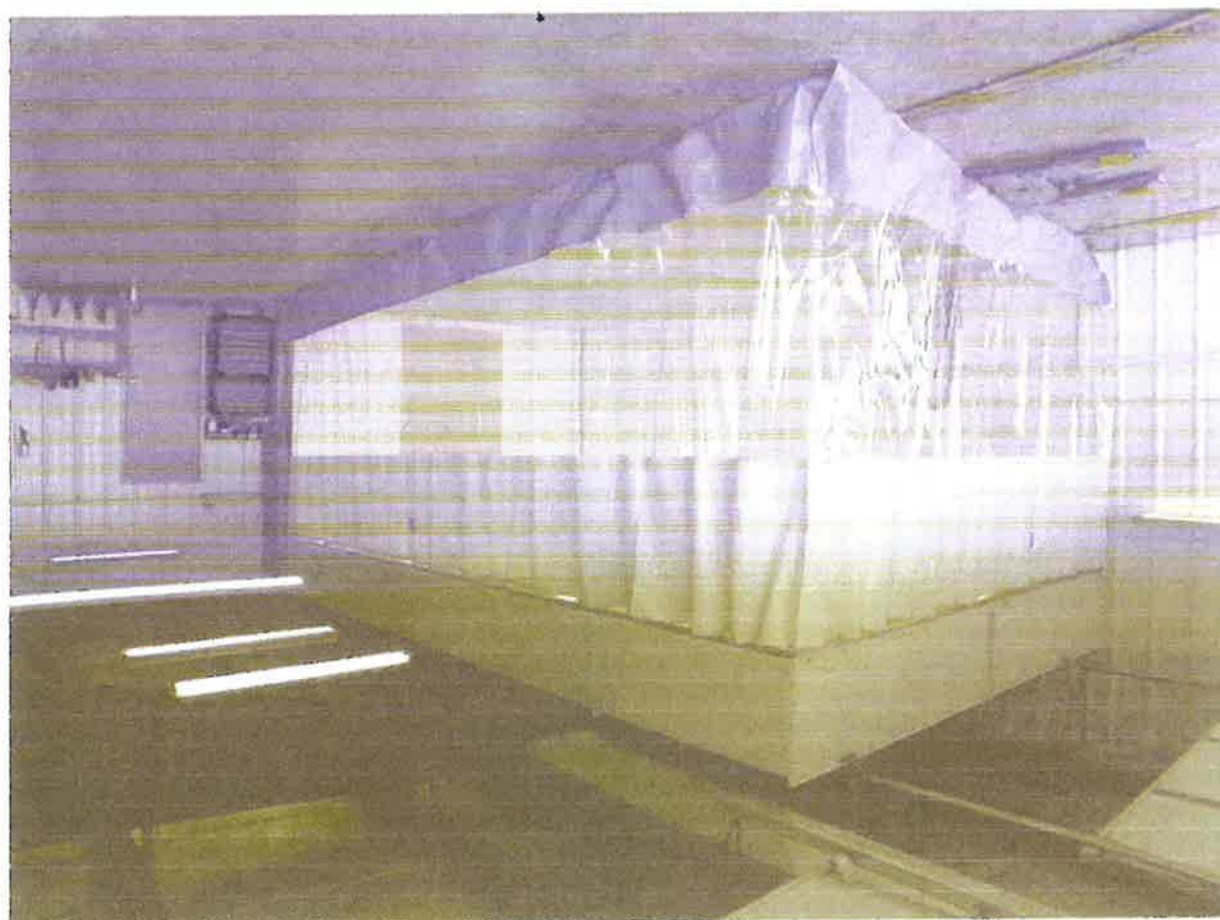


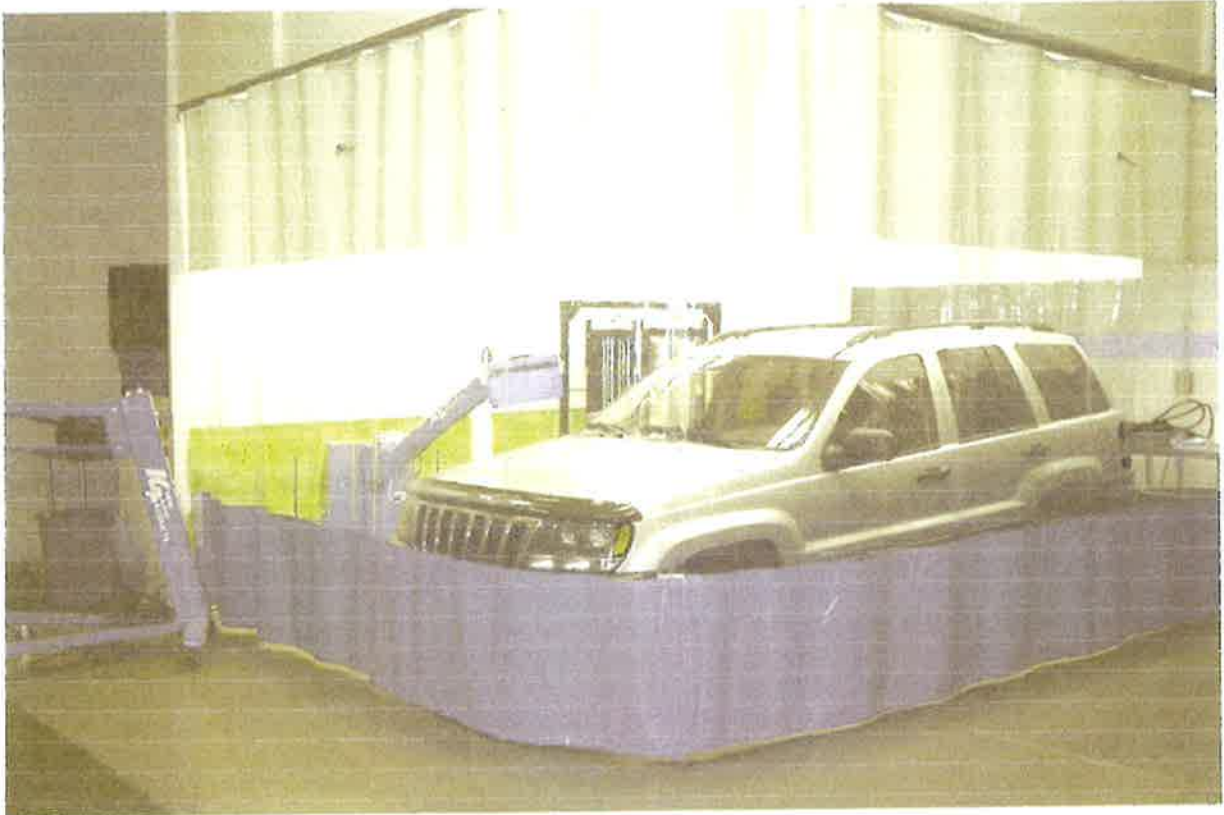




① Section
1" = 10'-0"







The Col-Met 2 Sided Limited Finishing Prep Station works well for painting, sanding, and prepping vehicles by pulling fresh air from the cleaner upper levels of the auto body shop. It utilizes a pressurization fan, and the air is extracted to the prep station through a filter bank situated in the ceiling close to the entry. From the work area, air is drawn into a filtered exhaust plenum at the opposite end and sent out through the stack and exhaust fan.

This finishing prep station boasts a heavy duty construction. The hanging intake plenum and exhaust wall plenum are made with 18-gauge galvanized steel panels. The 18" diameter tube axial fan and 1 ½ HP, 3-phase motor are designed to function efficiently in removing the exhaust. Illumination is bright inside the booth from eight, four-tube, 48" long, 32-watt fluorescent lights mounted in the roof panel. The Col-Met 2 Sided Limited Finishing Prep Station meets NFPA 33 regulations regarding limited finishing workstations. All fixtures are ETL listed.

The painting area includes Goff wall curtains with mounting for creating an enclosure. For making installation easy, assembly hardware, panels, sealants, and filters are included. It does not come with a threaded rod for suspending the intake plenum. This Col-Met finishing prep station is available in two models. Model 8705 is a two-sided model that comes with front and side curtains, and it uses your existing shop walls for side and back. Model 8713 is a three-sided model that includes front and two side curtains. It uses your existing shop wall for a back wall.

Key Features of the Col-Met 2 Sided Limited Finishing Prep Station:

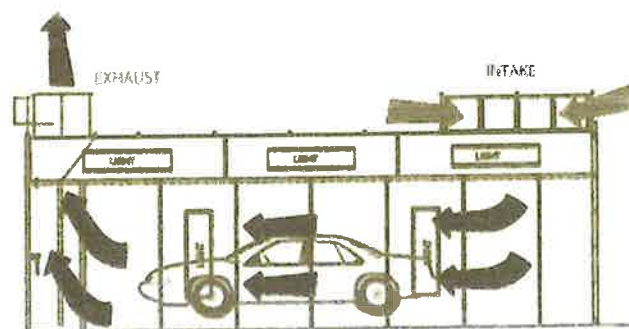
- Easy to install and operate
- Easy maintenance
- Heavy-Duty construction with the intake plenum and exhaust wall plenum made from 18-gauge galvanized steel panels
- One 18" diameter tube axial fan with 1 ½ HP three-phase motor
- Full booth illumination from eight, 4-tube 48" long, 32-watt, fluorescent lights
- Modified downdraft and downdraft airflow
- Filtered exhaust plenum
- Meets NFPA 33 regulations
- ETL listed

Technical Specifications

- Inside dimensions: 14' wide x 7' - 10' tall x 24' deep (actual installed height is required to order Goff Curtain walls)
- Plenum Construction: 18-gauge galvanized steel
- Tubeaxial Fan Diameter: 18"
- 3-Phase Motor: 1-1/2 HP

Ships by truck freight. You will be contacted with shipping charges before the order is processed.

Forklift required at time of delivery.





Villa Park Fire Department

20 S. Ardmore, Villa Park, IL 60181

Phone (630) 833-5350

Fax (630) 941-5978

Spray Booth Submittals

All supporting documentation showing items listed below are required for review. The checklist is based on the 2015 Edition of the International Mechanical Code, the 2015 Edition of the International Fire Code, as well as NFPA 13, 17, 33, 72, and UL 1254.

- o A minimum of (5) five copies of shop drawings, and submittal data shall be provided with the permit application.
- o All plans must have the designer and installers name, address, phone number, email, and the design professional's qualifications.
- o Drawings are to be uniform in size and drawn to a recognized scale.

Spray Booths:

- o Design and construction of the spray booth shall be in accordance with IFC 2404 and NFPA 33. At a minimum spray booths shall be constructed of approved noncombustible materials in accordance with Section 2404.
- o All surfaces shall be smooth and continuous, permit the free passage of exhaust air and shall be designed to confine any residue within the booth.
- o Flooring shall be non-sparking and non-combustible.
- o Area of the spray booth shall not exceed 1,500 sq. ft., 10 percent of the floor area, of a single booth of 500 sq. ft.
- o Minimum of 3 ft. clearance is required around all sides of booth.
- o Lighting and illumination within the spray booth shall be Class 1, Division 2 or Class 2, Division 2.
- o Electrical wiring and equipment outside of the spray booth, 5 feet horizontally and 3 feet vertically shall be Class I, Division 2 or Class II, Division 2.
- o Upon activation of the fire suppression system, the spray/drying operations shall be shut-off.
- o Interface to the main building FACP, if provided, that will automatically shut-off the spraying operations upon fire alarm system activation.

- o Interlocks shall be provided to: 1) prevent spraying while drying operations are in progress, 2) automatically shunt the drying operation upon a ventilation failure, and 3) shunt the drying operation if the temperature exceeds 200 degrees.
- o Emergency controls for the spraying operations shall be interfaced into the FACP.
- o A minimum of one (1) manual fire alarm and emergency system shutdown shall be readily accessible to personnel within the area of the spraying operations.
- o Appropriate labeling and signs in accordance with IFC Section 2403.2.6 & 2403.2.7, must be provided;
 - o "Smoking or Open Flames Prohibited".
 - o "No Welding" See IFC Section 1503.2.7 for required wording.
- o A placard specifically identifying the flammable/combustible material therein. An NFPA 704 placard may be required.
- o Ventilation for the spraying and drying operations shall be in accordance with the 2015 International Mechanical Code and IFC Section 2404.7.
- o A minimum air velocity of 100 feet per minute shall be provided across the spray booth cross section during operation.
- o Provide a manometer to measure the airflow.
- o Air exhausted from spray operations shall not be recirculated.
- o Termination points for the exhaust ducts shall be in accordance with IFC Section 2404.7.6
- o Provide the total amount of flammable/combustible paint materials to be within the paint mixing or storage room.
- o Illumination of the spray booth shall be in accordance with Section 2404.6.2.
- o All electrical wiring shall be in accordance with NFPA 70 and NFPA 33.
- o Any other requirements of the 2015 IMC, 2015 IBC and 2015 IFC Chapter 24, not listed within this guideline shall also be met

Spray Rooms Requirements:

- o When approved, spray rooms shall be constructed in accordance with the IBC. Flooring shall be non-sparking and non-combustible. All walls, floors and ceilings shall be protected by minimum 1-hour rated construction.
- o All of the above requirements shall also apply to spraying rooms unless otherwise noted in the IFC Chapter 24.

Ventilation:

- Mechanical ventilation shall be kept in operation at all times while spraying operations are being conducted and for a sufficient time thereafter to allow vapors from drying coated articles and finishing material residue to be exhausted. Spraying equipment shall be interlocked with the ventilation of the spraying area such that spraying operations cannot be conducted unless ventilation system is in operation.
- Air exhausted from spraying operations shall not be recirculated unless they comply with the exceptions in IFC 2404.7.2.
- Ventilation system shall be designed, installed and maintained so the average air velocity over the open face of the booth, or cross sectional area in the direction of airflow during spraying operations is a minimum of 100 linear feet per minute.
- Each spray booth/spray room shall have an independent exhaust duct system discharging to the outside.
- The termination point for exhaust ducts discharging to the atmosphere shall not be less than the following distances:
 - *Ducts conveying explosive or flammable vapors, fumes or dusts:*
 - 30 feet from property lines;
 - 10 feet from openings into the building;
 - 6 feet from exterior walls and roofs;
 - 30 feet from combustible walls or openings into buildings which are in the direction of the exhaust discharge;
 - 10 feet above adjoining grade;
- Electric motors driving exhaust fans shall not be placed inside booths or ducts. Fan rotating elements shall be nonferrous or non-sparking or the casing shall consist of, or be lined with, such material. Belts shall not enter the duct or booth unless the belt and pulley within the duct are tightly enclosed.

Filters:

- Air intake filters that are part of a wall or ceiling assembly shall be listed as Class I or Class II in accordance with UL 900. Exhaust filters shall be required.
- Supports/holders for filters shall be constructed of noncombustible materials.
- Overspray collection filters shall be readily removable and accessible for cleaning or replacement.
- Visible gauges, audible alarms or pressure-activated devices shall be installed to indicate or ensure that the required air velocity is maintained.

- o Spray booths equipped with a filter roll that is automatically advanced when the air velocity is reduced to less than 100 linear feet per minute shall be made to shut down the spraying operation if the filter roll fails to advance automatically.
- o Discarded filter pads shall be immediately removed to a safe, detached location or placed in a noncombustible container with a tight-fitting lid and disposed of properly.
- o Spray booths using dry filters shall not be used for spraying materials that are highly susceptible to spontaneous heating and ignition. Filters shall be changed prior to spraying materials that could react with other materials previously collected (i.e.: lacquer when combined with varnishes, stains or primers).
- o Water wash spray booths shall be of an approved design so as to prevent excessive accumulation of deposits in ducts and residue at duct outlets. Such booths shall be arranged so that air and overspray are drawn through a continuously flowing water curtain before entering an exhaust duct to the building exterior.

Light:

- o Where spraying spaces, spray rooms or spray booths are illuminated through glass panels or other transparent materials, only fixed lighting units shall be utilized as a source of illumination.
- o Glass panels for luminaires or for observation shall be of heat-treated glass, wired glass or hammered-wire glass and shall be sealed to confine vapors, mists, residues, dusts and deposits to the flammable vapor area. Panels for luminaires shall be separated from the luminaire to prevent the surface temperature of the panel from exceeding 200 degrees F.
- o Luminaires attached to the walls or ceilings of a flammable vapor area, but outside of any classified area and are separated from the flammable vapor area by vapor-tight glass panels, shall be suitable for use in ordinary hazard locations. Such luminaires shall be serviced from outside the flammable vapor area.
- o Luminaires that are an integral part of the walls or ceiling of a flammable vapor area are allowed to be separated from the flammable vapor area by glass panels that are an integral part of the luminaire. Such luminaires shall be listed for use in Class I, Division 2 or Class II, Division 2 locations, whichever is applicable, and also shall be suitable for accumulations of deposits of combustible residues. Such luminaires are allowed to be serviced from inside the flammable vapor area.
- o Portable electric lamps shall not be used in flammable vapor areas during spraying operations. Portable electric lamps used during cleaning or repairing operations shall be of a type approved for hazardous locations.

Fire Protection:

- o Spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 of the International Fire Code. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.
- o If the building is equipped with an automatic fire sprinkler system, then the automatic sprinkler system for the booth and/or spray room shall be designed as follows:
 - *Powder coating operations – Ordinary Hazard (Group 2) per NFPA 13*
 - *All other spray operations – Extra Hazard (Group 2) per NFPA 13*
- o Portable fire extinguishers complying with Section 906 shall be provided for spraying areas in accordance with the requirements for an extra (high) hazard occupancy.
- o Automatic sprinklers installed in flammable vapor areas shall be protected from accumulation of residue from spraying operations in an approved manner. Bags used as a protective covering shall be 0.003-inch-thick polyethylene or cellophane or shall be thin paper.
- o Automatic sprinklers contaminated by overspray particles shall be replaced with new automatic sprinklers.
- o Where protecting automated spray application operations, automatic fire-extinguishing systems shall be equipped with an approved interlock feature that will, upon discharge of the system, automatically stop the operation of spraying operations and work piece conveyors into and out of the flammable vapor area.
- o Where the building is equipped with a fire alarm system, discharge of the automatic fire-extinguishing system shall also activate the building alarm notification appliances.
 - o A manual fire alarm and emergency system shutdown station shall be installed to serve each flammable vapor area.
 - o At least one manual fire alarm and emergency system shutdown station shall be readily accessible to operating personnel.
 - o Where access to this station is likely to involve exposure to danger, an additional station shall be located adjacent to an exit from the area.
 - o Air makeup and flammable vapor area exhaust systems shall not be interlocked with the fire alarm system and shall remain in operation during a fire alarm condition.
 - *Exception:*
 - *Where the type of fire-extinguishing system used requires such ventilation be discontinued, air makeup and exhaust systems shall shut down and dampers shall close.*

Planning and Zoning Commission Agenda Item Report

Meeting Date: July 14, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Public Hearing - New Business

Subject:

Petition PZ-22-0006 / Village Code Amendments to Zoning Ordinance (Appendix C)

Suggested Action:

Attachments:

[PZ 22-0006 Text Amendments July 14 2022.pdf](#)

[Att 1 Red Lined Scribner Errors ART 4.MX Districts.pdf](#)

[Att 2 Bldg Type Comparison.pdf](#)

[Att 3 Use Table SEC 6.1.3.pdf](#)

[Att 4 Accessory Uses and Structures SEC 6.10 .pdf](#)

[Att 5 Setbacks and Encroachments SEC 14.1.9.pdf](#)

Village of Villa Park

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



TO: Planning & Zoning Commission
FROM: Community Development Department
DATE: July 14 9, 2022
RE: Petition PZ-22-0006 / Village Code Amendments to Zoning Ordinance (Appendix C)

The Commission continues to discuss zoning text amendments to Appendix C of the Village Code which will clarify code requirements, address best practices and/or current development trends. PZ 22-0006 was first brought to public hearing on May 12, 2022. That memo outlined recent consideration of changes to the Village Code, re-presented items related to driveway placement and configuration, and began discussing amendments to the Accessory Uses regulations.

On May 12, 2022 the Planning and Zoning Commission held consensus on several of the proposed changes but no formal action was taken. Those items were discussed again, with consideration of red-lined text on June 9, 2022. A formal motion was considered and approved unanimously to confirm a positive recommendation by the Commission for the following text amendments:

- **Article 7 – Parking, Section 7.8.4.** – amending driveway width at property line and garage
- **Article 7 – Parking, Section 7.8.5** – amending width of a Circular Driveway and requiring low growing evergreen shrubs along the length of the circular drive
- **Article 7 – Parking, 7.8.7** - Driveway Design – cross referencing lot coverage requirements with Table 2-3 Lot and Building Regulations (R districts)
- **Article 7 – Surfacing, 7.9.4.** - Parking Area Design – amending the minimum specifications for driveway construction
- **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.
- **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.

This evening the Commission is asked to continue discussion regarding Accessory Structures so that red-lined text can be finalized. The Amendments under consideration this evening are 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 zoning text amendment are shown throughout in red:

1. SCRIBNER ERRORS – Article 4. MX Districts (Article 4 Sec 4.1 through Sec. 4.8.2)

Attachment 1 is a redlined version of Article 4. MX Districts. Changes include typos, mis-labeling of figures, and simplification of the MX-2 District (not MX-2a and MX-2b). Please review and provide any comments, or needed corrections.

2. POLICY CLARIFICATION - first floor land use in a General Building

Please discuss a recommended new definition for ground story and basement within General Buildings and clarify parking on the first floor. Should the MX-T District, as a transition between the mixed-use shopping nodes and residential areas be a mixed-use building (vertically and horizontally)? Is there enough differentiation between MX-T vs. a MX-R zoning if the first floor of a General Building in the MX-T building can be 100% residential.

The purpose of the districts are:

- 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.
- 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.

The policy consideration is for use restrictions within each “Building Type,” not within the Zoning District. Attachment 2 compares the regulations for Storefront and General Building types. Building types by location are identified here:

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

Attachment 3 contains Article 6, Section 6.1 Uses. The same uses are building types are permitted in both MX-R1 and MX-R2 (almost solely residential).

- The Commission should consider if 4.4.3C.14 Ground story & Basement is intended to treat first floor residential in the transitional MX-T District the same different than the MX-R districts. Additionally, the Commission should clarify if first floor is considered an “upper floor” as it would relate to 4.4.3C.16 Parking within building.

Uses for Storefront Buildings restrict first floor to commercial, with any use on upper floors.

4.4.2. Storefront Building		
C. Uses (Refer to Figure 4-5)		
13	Primary Frontage Ground Story	All permitted non-residential uses.
14	Non-Primary Frontage, Upper Stories, Basement	Any permitted use.

Uses for General Buildings permit a mix on the first floor and office or residential on the upper floors.

4.4.3. General Building		
C. Uses (Refer to Figure 4-8)		
14	Ground Story & Basement	All permitted uses are limited to no more than 50% of gross floor area of the story, except commercial service, eating and drinking establishments, and retail sales
15	Upper Stories	Any permitted use except commercial service, eating and drinking establishments, and retail sales
16	Parking within Building	Permitted fully in any basement and in rear of upper floors

The following text amendment is recommended which would require mixed use on the first floor in 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. Without some clarification, the building may be all residential, and not a mixed-use.

4.4.3 - General Building

Permitted Districts		MX-T	MX-R1	MX-R2	References and Additional Requirements
C. Uses (Refer to Figure 4-8)					
14	Ground Story & Basement	~~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~~ "All permitted uses are limited to no more than 50% of gross floor area of the story, except commercial service, eating and drinking establishments, and retail sales."			Refer to Article 6

As proposed, this would limit the residential on first floor of a general building in MX-T, MX-R1, and MX-R2 districts, creating a "mixed use" on the first floor and

3. Continued discussion - "ACCESSORY USES AND STRUCTURES" (Sec. 6.10.)

This text amendment was first introduced in 2021 so regulations could be updated to be consistent with surrounding communities, meet current trends and petitions, and to provide flexibility. Planning, Engineering, and Building staff have met to discuss and consider zoning and building code requirements. Previously the Commission discussed a different treatment for open structures without walls, such as pergolas, possibly not counting these towards maximum accessory structure, unless they are enclosed. However, floor area of open structures with a solid floor would count towards lot coverage. Setbacks for enclosed accessory structures consistent with garage setbacks.

Development staff is of the opinion that use of the term "Accessory Building" and "Accessory Structure" can be used interchangeably but differentiated from an "Accessory Use." All are incidental and supporting of the Principal Structure and Principal Use on the property. *The code currently uses the terms interchangeably, but definitions don't clarify that.*

Additional information regarding definitions will be presented at the meeting.

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. 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, odor from cooking, 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.

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.

Multiple sections of the Zoning Code address Accessory Structures:

- Section 6.10 Accessory Uses and Structures
- Section 14 Definitions and Measurements
- Section 14.9.1's Table 13-1 relating to encroachments, and
- Section 6.10.2 Residential Accessory Structures which discusses "accessory "buildings" and limits each lot to one accessory building but defines lot coverage as the cumulative total coverage of all accessory structures, including garages.
- Article 7 Parking which requires each residential dwelling unit to have a minimum of 2 parking spaces within a garage.
- Section 6.10.4 Residential Garages and Carports regulates Height, size, and location of each. Note, when attached to the principle structure, garages are regulated through Article 2. Residential Districts.

Detached garages are common in Villa Park. Only one attached or detached garage is allowed on any RS-zoned lot. Some communities permit a second garage on larger lots and modern life continues to increase desire for storage. The Village routinely receives requests for additions onto garages and expanded sheds. Staff recommends that the Zoning Code permit:

- 1 detached garage
- 1 shed (if lot coverage is met)
- 1 gazebo (if lot coverage is met)
- Any combination of other accessory structure/buildings – again, if lot coverage is met.

In discussing this recommendation, staff considered stormwater control through lot coverage to be the main goal, balanced with aesthetics and need for a modern household to store items inside, thereby keeping a property neat and free from debris.

Staff recommends that each property be permitted one garage (at maximum size), one shed, and other accessory structures which would be permitted to the extent that the property can still meet the maximum lot coverage. Placement on the site would be regulated based on building code. And, whether an accessory structure counts towards lot coverage is based on whether the structure/building has a roof and/or if the accessory is being placed on an already impervious surface – such as a gazebo on a deck

(avoiding a “double count”). Garages, Sheds, and Gazebos could be defined as buildings, or all could be termed “accessories.”

A matrix regarding proposed regulation of accessory structures – maximum area, and setbacks will be provided at the meeting.

Please provide discussion on these questions first discussed in May:

- Would two garages would be permissible on the RS-10 lots, if lot coverage could be met and the detached garage was in the rear? Note, second garages would require a paved driveway.
- Would a 10’ door be acceptable on a detached garage in order to park work trucks, RV’s, and larger vehicles in a confined building?
- Would a 10’ door be acceptable on attached garage with the garage door visible from the street, where a second garage is not an option?

4. Continued discussion - Encroachment Table

In May the Commission indicated preference for an expanded table related to encroachments. Discussion of this item will be continued. It will begin to look like the table below. Note, the table below has been modified to be consistent with Village practice of allowing up to a maximum five foot (5’) private sidewalk width.

Private Side Walk Width (Article 14 – Measurements and Definitions, 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. "No" indicates that the identified structure is prohibiting from obstructing or encroaching into the respective setback area. Bracketed numbers refer to supplemental conditions immediately following the table.

Table 13-1: Permitted Setback Obstructions/Encroachments

	Street (Front or Side)	Interior Side	Rear	
Air conditioners, window	Yes	Yes	Yes	
Air conditioning condensers	No	Yes	Yes	Sound and visual screening required when located in interior side setback.
Arbors and trellises, detached	No	No	Yes	
Arbors and trellises, attached	Yes	Yes	Yes	
Awnings and canopies, attached	Yes	Yes	Yes	Maximum projection may not exceed twenty-five (25) percent of required setback depth.
Balconies, open	Yes	No	Yes	
Basketball goal and net	Yes	No	Yes	Permitted in driveway only when located in street setback.

Bay windows	Yes	Yes	Yes	May project (encroach) no more than three (3) feet.
Carports (See also 6.10.4)	No	No	Yes	
Chimneys, attached	Yes	Yes	Yes	May project (encroach) no more than two (2) feet.
Clotheslines	No	No	Yes	
Compost container	No	No	Yes	
Decks, open - no more than 4 feet above ground level	No	No	Yes	Maximum projection may not exceed twenty-five (25) percent of required setback depth. Must be set back at least five (5) feet from side lot line.
Dog run or pet enclosure (See also 6.10.5)	No	No	Yes	
Driveways	Yes	Yes	Yes	
Eaves, sills, cornices, gutters or downspout	Yes	Yes	Yes	May project (encroach) no more than two (2) feet. May project (encroach) no more than four (4) feet.
Fences, walls, or hedges (See also Sec. 9.2)	Yes	Yes	Yes	
Fireplace, fire pit or permanent grill/barbecue structure	No	No	Yes	
Firewood	No	Yes [6]	Yes	May project (encroach) no more than two (2) feet.
Flagpole	Yes	Yes	Yes	
Garages, detached (See also 6.10.4)	No	Yes	Yes	
Gardens (vegetable) and garden structures including cold frames, hoop houses and greenhouses	No	Yes	Yes	
Geothermal heat pumps	No	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	
Patios, terraces, open - no more than 4 feet above ground level	No	No	Yes	Requires minimum five-foot setback in all cases (for swimming pools, includes decking and paved area).
Ponds and waterfalls	No	No	Yes	

Porches, open	Yes [2]	No	No	Maximum projection may not exceed twenty-five (25) percent of required setback depth.
Private service walks up to (5) feet wide unless connecting to existing sidewalks which are wider in which case the width shall be the same as the existing sidewalk.)	Yes	Yes	Yes	
Rain barrel or rainwater collection device	No	Yes	Yes	
Recreational, playground equipment and playhouses	No	No	Yes	
Refuse containers	No	Yes	Yes	
Satellite receiving antenna (See also 6.10.8)	No	No	Yes	
Sheds (See also Sec. 6.10)	No	Yes	Yes	
Solar energy equipment, building-mounted	Yes	Yes	Yes	
Solar energy equipment, ground-mounted	No	No	Yes	
Stairways or steps, open	Yes	Yes	Yes	
Sump pump discharge pipe extensions	Yes	No	Yes	
Swimming pools and sports courts	No	No	Yes	Requires minimum five-foot setback in all cases (for swimming pools, includes decking and paved area).
Swing sets	No	No	Yes	
Television or radio towers or antennas (See also 6.10.10)	No	No	Yes	
Tennis courts, other paved recreational areas	No	No	Yes	
Trees, shrubs, ground cover and flowers	Yes	Yes	Yes	
Treehouse	No	No	Yes	
Wheelchair ramp or accessibility feature	Yes	Yes	Yes	

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 above and continuation of the Public Hearing to August 11, 2022. The item is being considered as an open Public Hearing and was published as such. Red-lined text will be presented on August 11, 2022

Recommended Motion

A formal recommendation is not presented here this evening, pending final preparation of red-lined text. Please consider a motion to continue the Public Hearing to August 11, 2022.

Attachment 1 red-lined Scribner Errors Art 4 MX Districts

Attachment 2 Building Type Comparisons

Attachment 3 6 Section 6.1.3 Use Table

Attachment 4 Section 6.1 Accessory Uses and Structures

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-2a	Mixed-Use Main Street District (a)
MX-2b	Mixed-Use Main Street District (b)
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-2a 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

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.



- 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**
 - 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

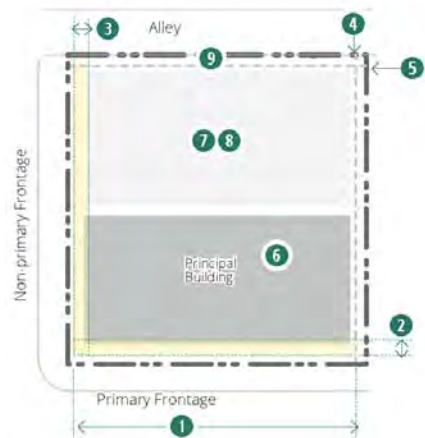
		Permitted Districts			
		MX-1	MX-2	MX-3	References and Additional Requirements
A. Building Siting (Refer to Figure 4-4)					
①	Minimum Primary Frontage Build-to Zone Coverage	95%	95%	50%	Refer to 4.5.1
②	Front Build-to Zone	0' to 5'	0' to 5'	6' to 10'	Minimum 13 ft. streetscape area is required along street frontages; refer to 4.5.2
③	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 10'	
④	Minimum Side Yard Setback	0'; 5' if adjacent to other building type			
⑤	Minimum Rear Yard Setback	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

(Supp. No. 203)

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6	Maximum Impervious Cover Additional Semi-Pervious Cover	75% 25%	75% 25%	75% 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. <u>Side</u> 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. <u>Side</u> facade garage access requires an administrative adjustment	Rear, side, or corner side facade		
B. Height (Refer to Figure 4-5)					
10	Overall: Minimum Height Maximum Height	2 stories 8 stories	1 stories 4 stories	1 stories 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: Minimum Height Maximum Height	14' 24'	14' 18'	14' 24'	Measured floor to floor; more than 18' in height counts as 2 stories; see 4.5.4 for measuring
12	Upper Stories: Minimum Height Maximum Height	9' 14'	8.5' 12'	9' 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	Minimum Transparency Street, Courtyard, Open Space Facade	20%	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 60' of building facade			Refer to 4.7.7 for principal entryway
21	Entryway Configuration and Elevation	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	Ground Story Vertical Facade Divisions	One 2" deep expression line per every 30' of facade width			
23	Horizontal Facade Divisions	Within 3' of the top of the ground story and the bottom of the any 5th floor			
24	Permitted Roof Types	Parapet, pitched, flat; tower permitted			Refer to Section 4.6 for roof types

Figure 4-5. Storefront Building: Height and Use Requirements

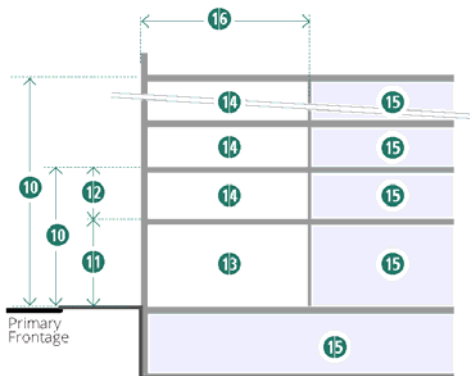
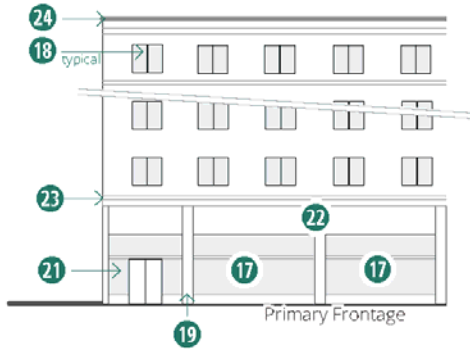


Figure 4-6. Storefront Building: Facade Design Requirements

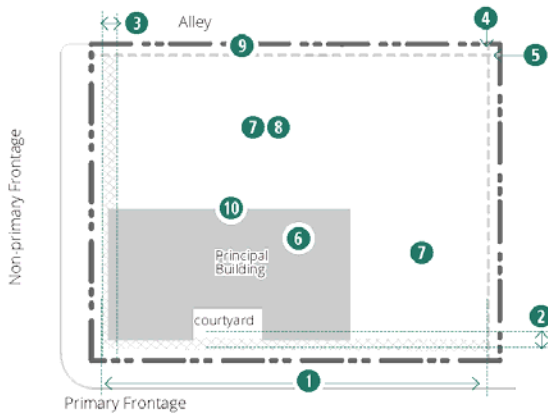


4.4.3. General Building

		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 Additional Semi-Pervious Cover	70% 25%	70% 20%	65% 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	Permitted Driveway Access Locations	Alley. If no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street about 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	rear, side, or corner side facade		
B. Height (Refer to Figure 4-8)					
11	Overall: Minimum Height Maximum Height	2 stories 5 stories	2 stories 6 stories	2 stories 4 stories	Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring
12	Stepped Back Upper Stories	Stories above the third shall be stepped back a minimum of 12 feet from the front facade			
13	All Stories: Minimum Height Maximum Height	9' 14'	8.5' 12'	9' 14'	Measured floor to floor; see 4.5.4 for measuring

Figure 4-7. General Building: Siting



		Permitted Districts			References and Additional Requirements
		MX-T MX-1	MX-R1 MX-2	MX-R2 MX-3	
C. Uses (Refer to Figure 4-8)					
14	Ground Story & Basement	All permitted uses are limited to no more than 50% of gross floor area of the story , except commercial service, eating and drinking establishments, and retail sales are limited to no more than 50% of gross floor area of the story			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

Figure 4-8. General Building: Height and Use Requirements

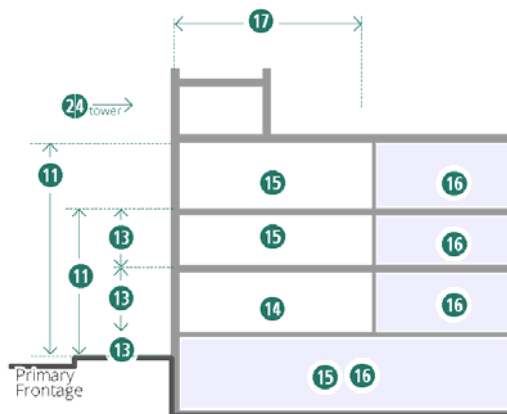
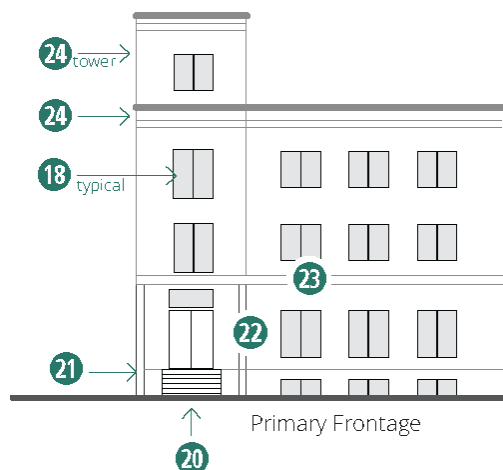


Figure 4-9. General Building: Facade Design Requirements



4.4.4. Row Building

		Permitted Districts			
		MX-T	MX-R1	MX-R2	References and Additional Requirements
A. Building Siting (Refer to Figure 4-10)					
1	Minimum Primary Frontage Build-to Zone Coverage	75%	65%	65%	Refer to 4.5.1
2	Front Build-to Zone	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	Corner Build-to Zone	0' to 10'	5' to 10'	5' to 15'	
4	Units outside Build-to Zone	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	Minimum Side Yard Setback	0' per unit; 10' between buildings		0' per unit; 15'	

				between buildings	
6	Minimum Rear Yard Setback	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	Maximum Building Width	None		8 units per building and 180'	6 units per building and 140'
8	Maximum Impervious Cover Additional Semi-Pervious Cover	65% 25%	65% 20%	60% 20%	
9	Surface Parking or Accessory Garage	Rear yard only	Rear yard only	Rear yard only	
10	Permitted Driveway Access Locations	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	Permitted Attached Garage Entrance Location	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: Minimum Height Maximum Height	2 stories 3.5 stories	2 stories 3.5 stories	2 stories 3 stories	See 4.5.3 for measuring
13	All Stories: Minimum Height Maximum Height	8.5' 12'	9' 14'	9' 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

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		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

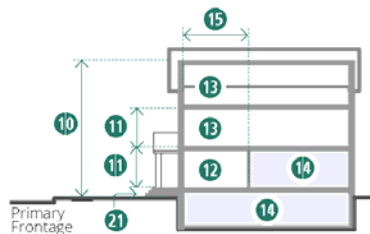


Figure 4-12. Row Building: Facade Design Requirements

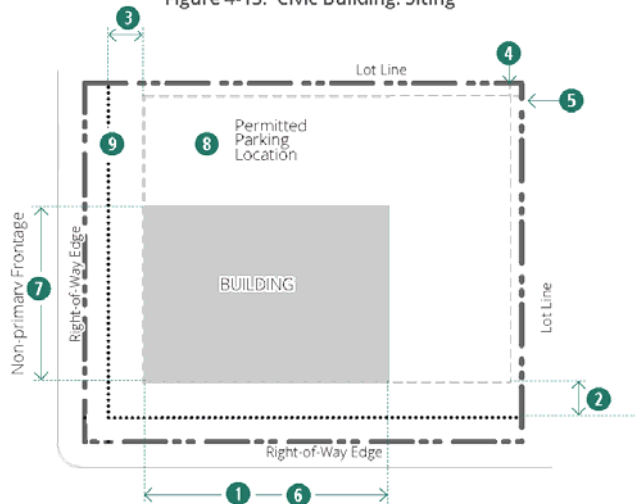


4.4.5. Civic Building

		Permitted Districts		References and Additional Requirements
		MX-1 MX-2 MX-3	MX-T 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'	

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 Additional Semi-Pervious Cover	70% 20%	70% 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 MX-1 MX-3	MX-T MX-R1	
B. Height (Refer to Figure 4-14)				
11	Overall: Minimum Height Maximum Height	2 story 8 stories in MX-1; 4 stories in MX-2 and MX-3	1 story 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 Maximum Height	9' 20'	9' 16'	Measured floor to floor; more than 18' in height counts as 2 stories; see 4.5.4 for measuring
13	All Stories: Minimum Height Maximum Height	9' 14'	9' 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

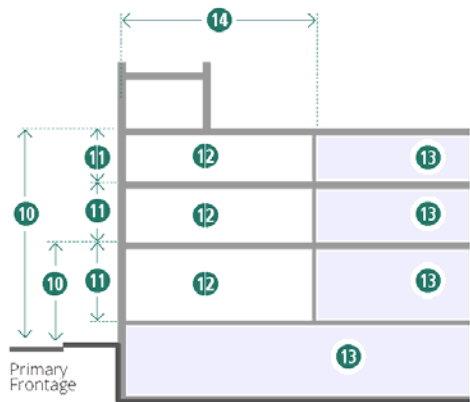


Figure 4-15. Civic Building: Facade Design Requirements



(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.

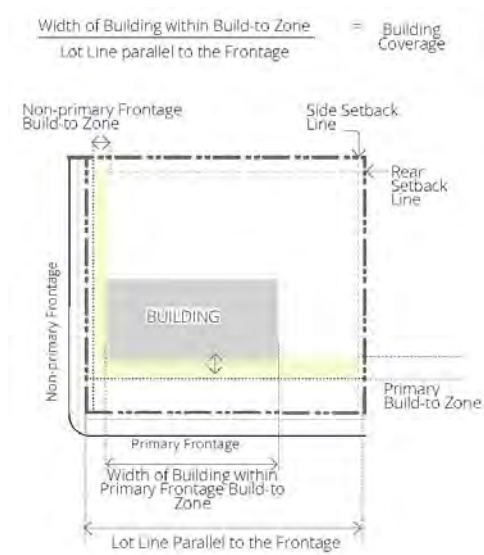
B. Courtyards

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.

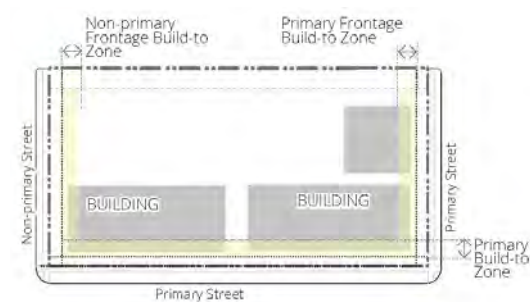
B. **Minimum Streetscape Area**

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.

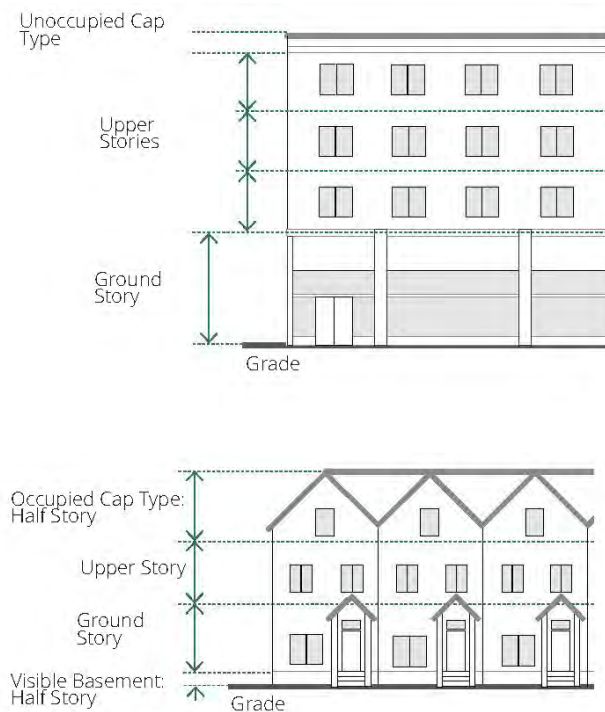
1. Towers. Where noted, towers may exceed the overall maximum height per Subsection .4.6.5.

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.

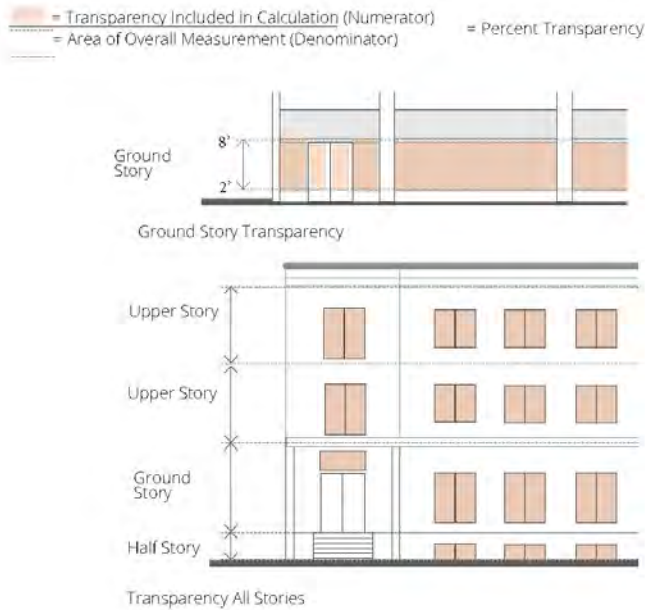
D. **Tall Stories**

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



(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.

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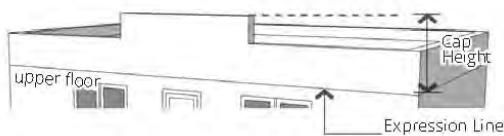
3. The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

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

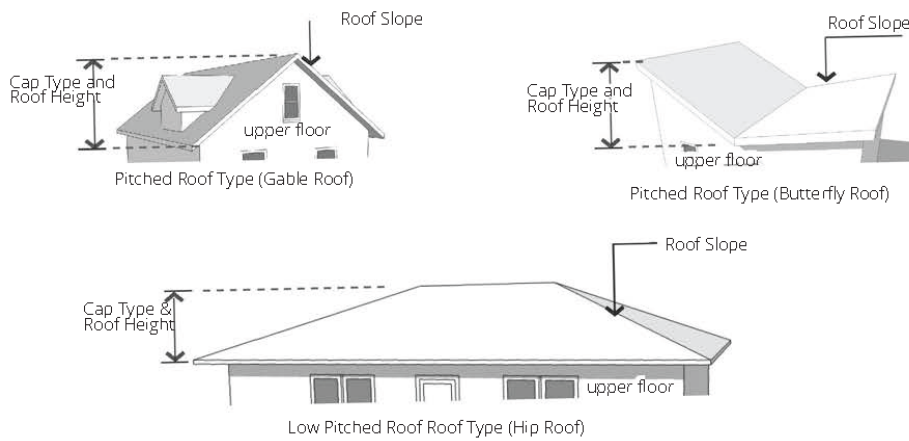


Figure 4-22. Parallel Ridge Line



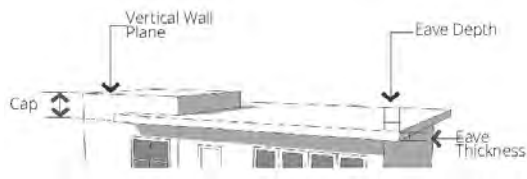
4.6.4. Flat Roof

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

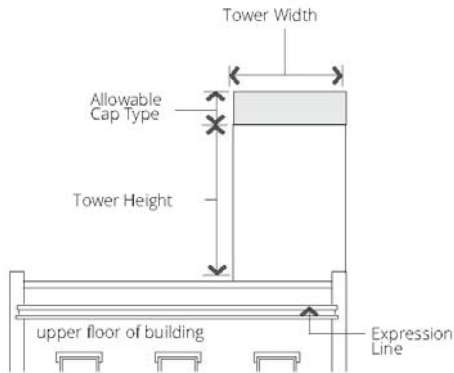


4.6.5. Towers

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).

Figure 4-26. Roof Materials



Roof Materials: Asphalt Composite Shingles



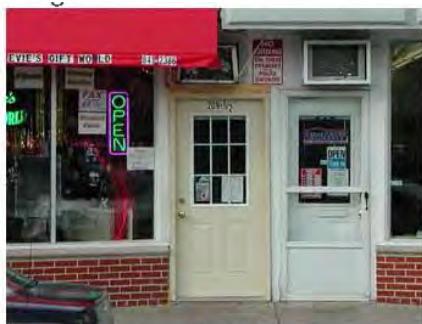
Roof Materials: Metal



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



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

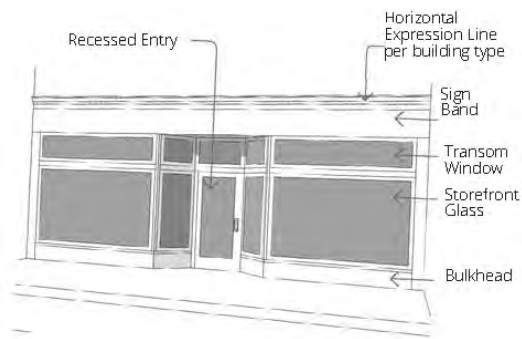


4.7.8. Storefront Design

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

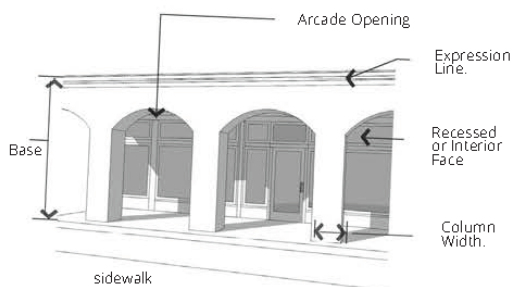


4.7.9. Arcade Design

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



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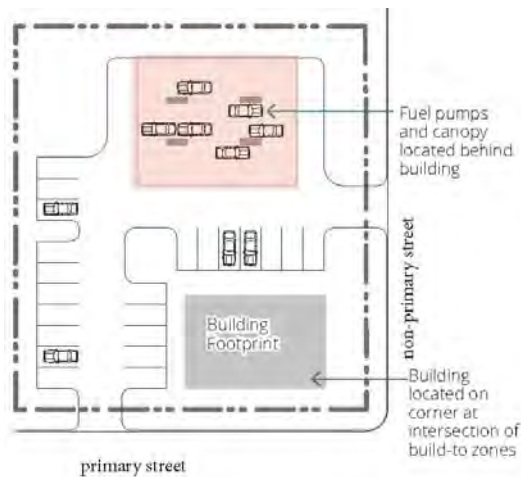
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4.7.10. Fuel Stations and Car Washes

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



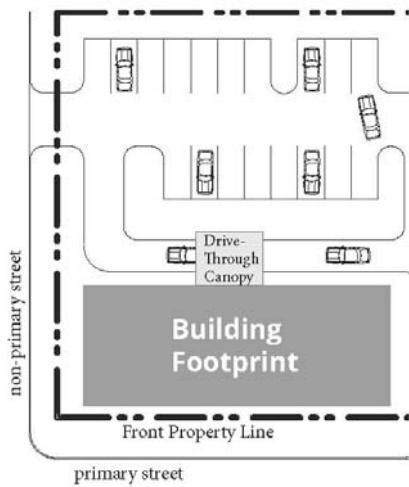
4.7.11. Drive-Through Structures

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.

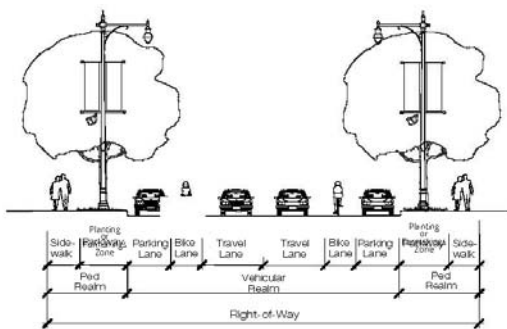
4.8.1. Typical Street Elements

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

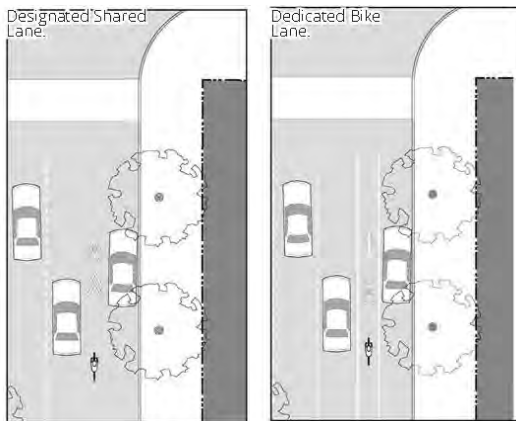


Table 4-3: Minimum Recommended Soil Volumes and Permeable Area per Planted Tree

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.

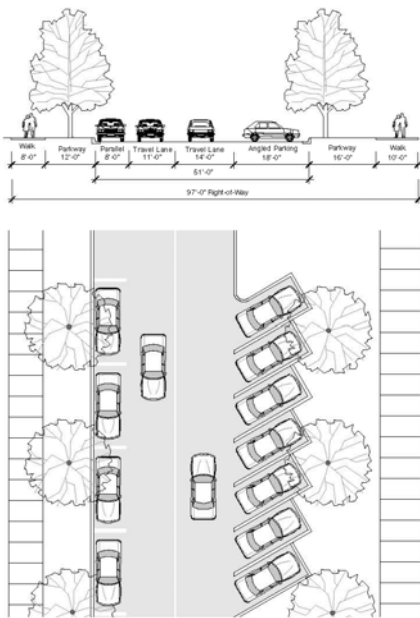
- A. Ardmore Avenue, ninety-seven (97) feet right-of-way. The following alternatives are suggested for Ardmore Avenue north of the Metra Tracks with a ninety-seven (97) feet wide right-of-way.

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. Parkway 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. Parkway 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. Parkway 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. 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

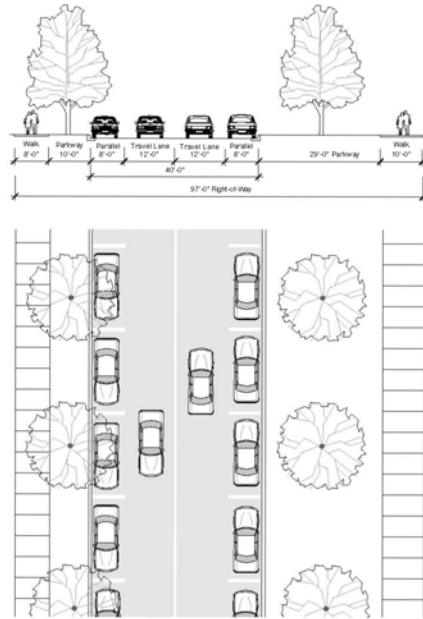
Figure 4-41. Ardmore Avenue 97' ROW—Alternative 1

Figure 4-41. Ardmore Avenue 97' ROW - Alternative 1



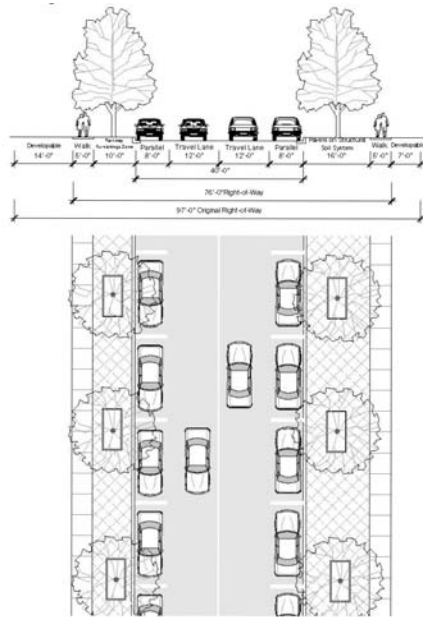
Ardmore Avenue 97' ROW—Alternative 2	
Location	North of Metra Tracks
Typical ROW Width	97'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	12 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required on both sides of street.
Pavement Width	40 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
Pedestrian Facilities	Minimum 8-foot sidewalk both sides
Street Buffer	Minimum 10 feet wide Parkway

Figure 4-42. Ardmore avenue 97' ROW - Alternative 2



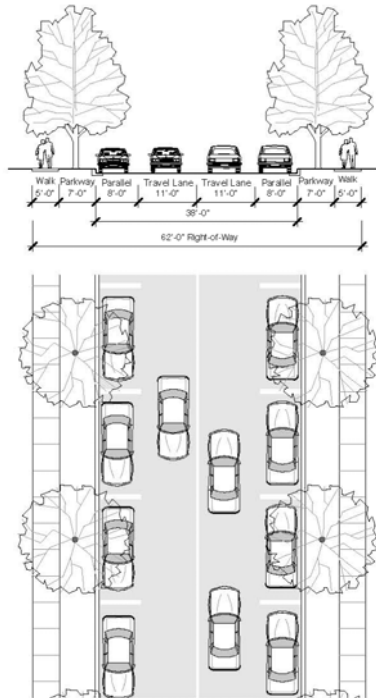
Ardmore Avenue 97' ROW—Alternative 3	
Location	North of Metra Tracks
Typical ROW Width	97'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	12 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required on both sides of street.
Pavement Width	40 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
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



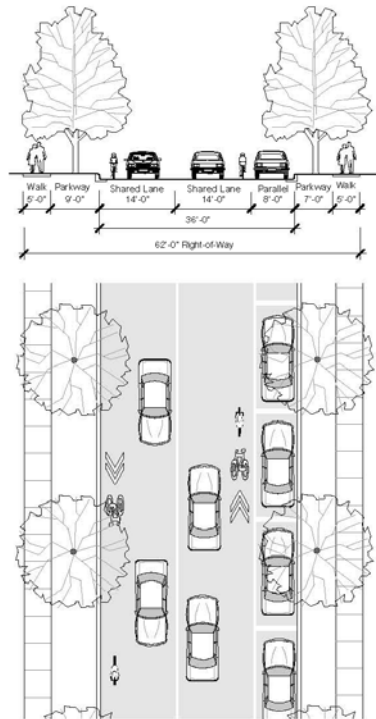
Ardmore Avenue 62' ROW—Alternative 1	
Location	South of Metra Tracks
Typical ROW Width	62'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	11 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required both sides of street.
Pavement Width	38 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
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'
Vehicular Realm	
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
Pedestrian Realm	
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



SEC. 4.4. BUILDING TYPE REGULATIONS

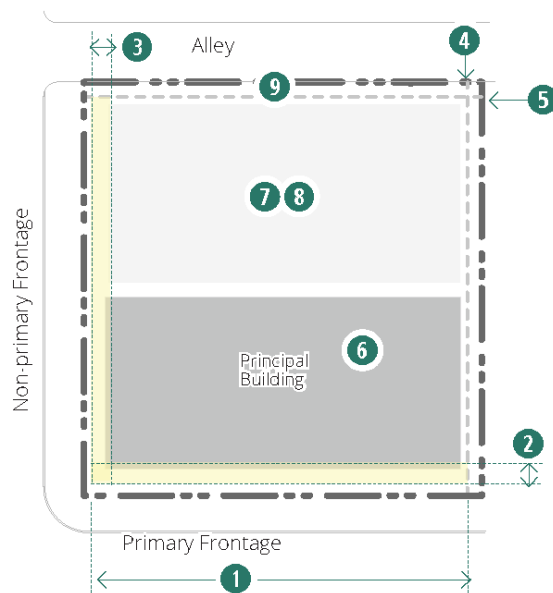
Regulations applicable to each building type allowed in MX districts are presented on the following pages:

4.4.2. Storefront Building

		Permitted Districts			
		MX-1	MX-2	MX-3	References and Additional Requirements
A. Building Siting (Refer to Figure 4-4)					
①	Minimum Primary Frontage Build-to Zone Coverage	95%	95%	50%	Refer to 4.5.1
②	Front Build-to Zone	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	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 10'	
④	Minimum Side Yard Setback	0'; 5' if adjacent to other building type			
⑤	Minimum Rear Yard Setback	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
⑥	Maximum Impervious Cover Additional Semi-Pervious Cover	75% 25%	75% 25%	75% 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. 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			Shared driveways and parking is encouraged

		an administrative adjustment (see Sec. 11.6)		
9	Permitted Garage Entrance Location	Rear facade.. Side facade garage access requires an administrative adjustment	Rear, side, or corner side facade	
B. Height (Refer to Figure 4-5)				
10	Overall: Minimum Height Maximum Height	2 stories 8 stories	1 stories 4 stories	1 stories 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: Minimum Height	14' 24'	14' 18'	14' 24'	Measured floor to floor; more than 18' in height

	Maximum Height				counts as 2 stories; see 4.5.4 for measuring
12	Upper Stories: Minimum Height Maximum Height	9' 14'	8.5' 12'	9' 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	Minimum Transparency Street, Courtyard, Open Space Facade	20%	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 60' of building facade			Refer to 4.7.7 for principal entryway
21	Entryway Configuration and Elevation	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	Ground Story Vertical Facade Divisions	One 2" deep expression line per every 30' of facade width			

23	Horizontal Facade Divisions	Within 3' of the top of the ground story and the bottom of the any 5th floor	
24	Permitted Roof Types	Parapet, pitched, flat; tower permitted	Refer to Section 4.6 for roof types

Figure 4-5. Storefront Building: Height and Use Requirements

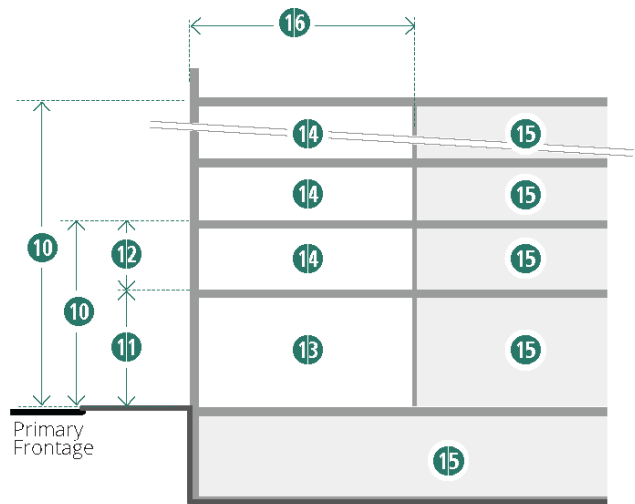
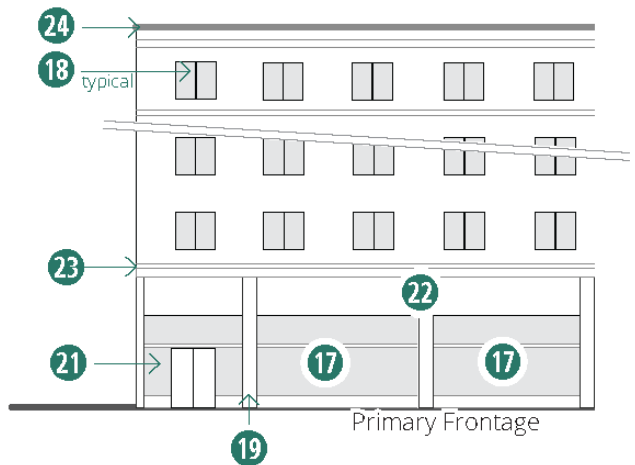


Figure 4-6. Storefront Building: Facade Design Requirements



4.4.3. General Building

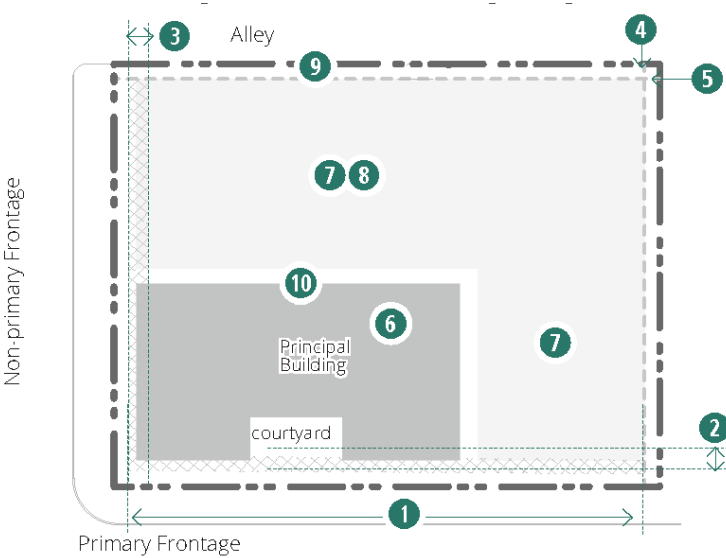
		Permitted Districts			
		MX-T	MX-R1	MX-R2	References and Additional Requirements
A. Building Siting (Refer to Figure 4-7)					
1	Minimum Primary Frontage Build-to Zone Coverage	75%	75%	60%	Refer to 4.5.1
2	Front Build-to Zone	5' to 10'	5' to 10'	10' to 20'	Minimum 13 ft. streetscape area is required 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 Additional Semi-Pervious Cover	70% 25%	70% 20%	65% 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	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 façade. Side facade garage access requires an		rear, side, or corner side facade	

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(Supp. No. 203)

		administrative adjustment		
B. Height (Refer to Figure 4-8)				
11	Overall: Minimum Height Maximum Height	2 stories 5 stories	2 stories 6 stories	2 stories 4 stories Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring
12	Stepped Back Upper Stories	Stories above the third shall be stepped back a minimum of 12 feet from the front facade		
13	All Stories: Minimum Height Maximum Height	9' 14'	8.5' 12'	9' 14' Measured floor to floor; see 4.5.4 for measuring

Figure 4-7. General Building: Siting



	Permitted Districts			References and Additional Requirements
	MX-T	MX-R1	MX-R2	

C. Uses (Refer to Figure 4-8)					
14	Ground Story & Basement	All permitted uses are limited to no more than 50% of gross floor area of the story, except commercial service, eating and drinking establishments, and retail sales			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

Figure 4-8. General Building: Height and Use Requirements

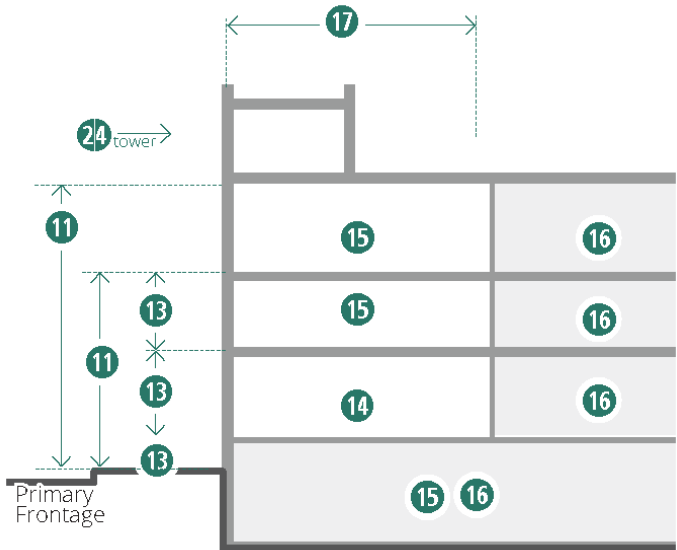
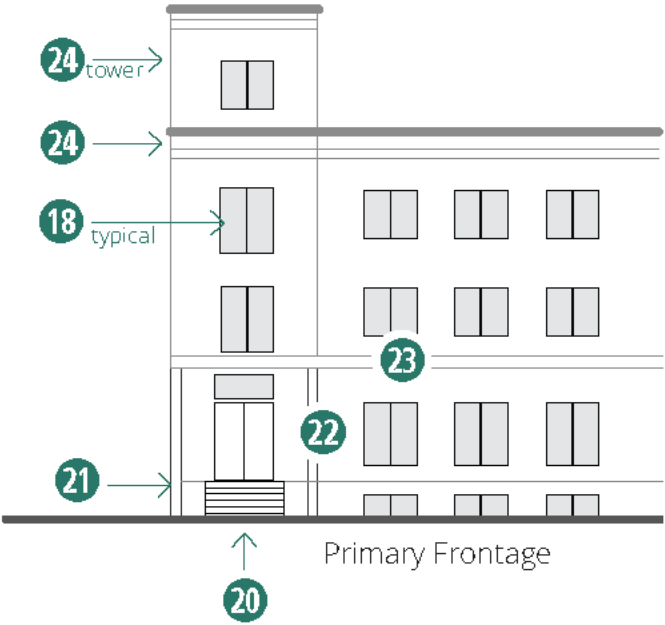


Figure 4-9. General Building: Facade Design Requirements



6.1.3. Use Subcategories

Each use category is further divided into more specific "subcategories." Use subcategories classify principal land uses and activities based on common functional, product or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions.

A. Specific Use Types

Some use subcategories are further broken down to identify specific types of uses that are regulated differently than the subcategory as a whole.

B. Determination of Use Categories and Subcategories

1. The community development director is authorized to classify uses on the basis of the use category, subcategory and specific use type descriptions of this article. When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the community development director is authorized to determine the most similar and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this section. In making such determinations, the community development director must consider:
 - a. The types of activities that will occur in conjunction with the use;
 - b. The types of equipment and processes to be used;
 - c. The existence, number and frequency of residents, customers or employees;
 - d. Parking demands associated with the use; and
 - e. Other factors deemed relevant to a use determination.
2. If a use can reasonably be classified in multiple categories, subcategories or specific use types, the community development director must categorize the use in the category, subcategory or specific use type that provides the most exact, narrowest and appropriate "fit."
3. If the community development director is unable to determine the appropriate use category for a proposed use, the community development director is authorized to classify the use as a prohibited use and deny permits and certificates for establishment of the proposed use. This decision may be appealed in accordance with Sec. 11.7.

Table 6-1: Use Table

USE CATEGORY	Zoning District															Regula tions (Sec.)
Subcategory	RS-10	RS-7.5	RD-7.5	RM-9	O-R	C-1	C-2	C-3	MX-1	MX-2	MX-3	MX-T	MX-R	M-1	M-2	
Specific Use Type																
RESIDENTIAL																
Household Living																6.2.1
One household per lot	●	●	●	●	-	-	⦿	⦿	⦿	⦿	⦿	●	●	-	-	
Two households per lot	-	-	●	●	-	-	⦿	⦿	⦿	⦿	⦿	●	●	-	-	
Three or more households per lot	-	-	-	●	-	-	⦿	⦿	⦿	⦿	⦿	●	●	-	-	
Group Living																
Group home, small (8- persons or less)	●	●	●	●	-	-	-	-	-	-	-	●	●	-	-	6.2.2.A

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(Supp. No. 203)

Group home, large (9 or more persons)	-	-	-	?	-	-	-	-	-	-	-	?	?	-	-	
Nursing home	-	-	-	?	?	-	-	-	-	-	-	?	?	-	-	
Sheltered Care	-	-	-	?	?	-	-	-	-	-	-	?	?	-	-	
PUBLIC, CIVIC AND INSTITUTIONAL																
Cemetery	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
College or University	-	-	-	-	?	?	?	?	-	-	?	?	-	-	-	
Community Center	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
Fraternal Organization	-	-	-	-	?	-	?	•	-	-	•	?	?	?	?	
Governmental Facility	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
Hospital	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
Library	?	?	?	?	?	?	?	?	•	•	•	•	-	?	?	
Museum or Cultural Facility	?	?	?	?	?	?	?	?	•	•	•	•	-	?	?	
Natural Resource Preservation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Parks and Recreation	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
Religious Assembly	?	?	?	?	?	?	?	?	?	?	?	•	?	?	?	
Safety Service	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
School	?	?	?	?	•	?	?	?	?	?	?	?	?	?	?	
Utilities and Public Service Facility																
Minor	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Major	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	
COMMERCIAL																
Animal Service																
Boarding or shelter	-	-	-	-	-	-	-	•	-	-	?	-	-	•	•	6.4.1.B
Grooming	-	-	-	-	-	-	•	•	•	•	•	?	-	•	•	
Veterinary care	-	-	-	-	-	-	•	•	•	•	•	•	-	•	•	
Assembly and Entertainment (except the following)	-	-	-	-	-	-	?	•	•	•	•	-	-	-	-	
Dance hall	-	-	-	-	-	-	-	?	-	-	-	-	-	-	-	
Off-track betting	-	-	-	-	-	-	-	•	-	-	-	-	-	-	-	
Paintball, billiards center, video game arcade	-	-	-	-	-	-	-	•	-	-	-	-	-	?	•	6.4.2.
Theater or cinema	-	-	-	-	-	-	•	•	•	•	•	-	-	-	-	
Commercial Service																
Body art service	-	-	-	-	-	?	•	•	•	•	•	-	-	•	•	
Building service	-	-	-	-	-	-	-	?	-	-	-	-	-	•	•	
Business support service	-	-	-	-	-	-	•	•	•	•	•	-	-	•	•	
Consumer maintenance and repair	-	-	-	-	-	?	•	•	•	•	•	-	-	•	•	
Personal improvement service	-	-	-	-	-	?	•	•	•	•	•	•	-	•	•	
Fortune telling or psychic services	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	
Research service	-	-	-	-	•	-	•	•	•	•	•	•	-	•	•	
Day Care																
Day care home	•	•	•	•	-	-	-	-	•	•	•	•	•	-	-	6.4.5.C
Day care center	-	-	-	-	?	•	•	•	•	•	•	•	-	-	-	6.4.5.C

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(Supp. No. 203)

Eating and Drinking Establishment																	
Restaurant	-	-	-	-	-	●	●	●	●	●	●	●	-	-	-		
Bar	-	-	-	-	-	-	●	●	●	●	●	●	-	-	-		
Microbrewery	-	-	-	-	-	-	●	●	●	●	●	●	-	-	-		
Wine making facility	-	-	-	-	-	-	●	●	●	●	●	●	-	-	-		
Financial Service (except the following)	-	-	-	-	●	●	●	●	●	●	●	●	-	-	-		
Personal credit establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●	6.4.7.B	
Currency exchanges	-	-	-	-	-	-	-	●	-	-	-	-	-	-	-	6.4.7.C	
Funeral or Mortuary Service	-	-	-	-	?	-	-	●	-	-	●	●	-	-	-		
Lodging	-	-	-	-	-	-	-	●	●	●	●	●	?	?	?		
Medical Service	-	-	-	-	-	-	●	●	●	●	●	●	-	-	-		
Office	-	-	-	-	●	●	●	●	●	●	●	●	-	-	-		
Parking, Non-Accessory	-	-	-	-	?	-	?	?	-	-	?	?	-	-	-		
Retail Sales																	
Convenience goods	-	-	-	-	-	●	●	●	●	●	●	●	-	-	-		
Consumer shopping goods	-	-	-	-	-	-	●	●	●	●	●	●	-	-	-		
Building supplies and equipment	-	-	-	-	-	-	?	●	-	-	●	-	-	●	●		
Tobacco products	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
Self-service Storage Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●	6.4.14	
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
Trade School	-	-	-	-	-	-	●	●	●	●	●	●	-	-	-		
Vehicle Sales and Service																	
Commercial vehicle repair and maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
Commercial vehicle sales and rentals	-	-	-	-	-	-	-	?	-	-	-	-	-	●	●		
Fueling station	-	-	-	-	-	-	-	?	-	-	?	-	-	-	-		
Personal vehicle repair and maintenance	-	-	-	-	-	-	-	?	-	-	?	-	-	●	●		
Vehicle body and paint finishing shop	-	-	-	-	-	-	-	-	-	-	-	-	-	?			
Vehicle sales and rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
WHOLESALE, DISTRIBUTION & STORAGE																	
Equipment & Materials Storage, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	?	?		
Trucking and Transportation Terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
Warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
Wholesale Sales and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
INDUSTRIAL																6.6	
Artisan Industrial	-	-	-	-	-	-	-	●	●	●	●	●	-	●	●		
Limited Industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●		
General Industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●		

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(Supp. No. 203)

Intensive Industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	?	
Junk or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
RECYCLING																		
Recyclable Material Drop-off Facility	-	-	-	-	-	-	-	-	?	-	-	-	-	-	-	•	•	
Recyclable Material Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	?	•	
AGRICULTURE																		
Crop Agriculture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Community Garden	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
OTHER																		
Cannabis Facilities	-	-	-	-	-	-	-	-	?	-	-	-	-	-	-	-	-	
Drive-in or Drive-through Facility	-	-	-	-	-	-	-	?	?	-	-	?	-	-	-	-	-	
Planned Unit Dev.	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	11.3
Wireless Telecommunications	See Article 10																	

Ord. No. 4036 , § 2(Exh. A), 6-11-18; Ord. No. 4069 , § 1, 2-25-19; Ord. No. 4084 , § 1, 6-10-19; Ord. No. 4125 , § 1, 1-13-20; Ord. No. 4126 , § 3, 1-13-20; Ord. No. 4149 , § 2, 5-11-20)

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. They are subordinate and clearly incidental to the principal use of the property; and
3. They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.

C. 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.
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.

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. 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.
 - B. No detached accessory building may be located closer than five (5) feet to any garage.
 - C. The area of an accessory building 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 (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 one hundred forty (140) square feet.
 - 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.

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).

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.

6.10.5. Dog Runs

- A. Dog runs and other animal enclosures are allowed only in rear yards and must be set back at least ten (10) feet from all lot lines.
- B. Fencing for dog runs and animal enclosures may not exceed six (6) feet in height if solid or eight (8) feet in height if open. Dog runs and enclosures in R districts may not exceed fifty (50) feet in length or eight (8) feet in width.
- C. Only one such dog run or animal enclosure is allowed per R-zoned lot.

6.10.6. Home Occupations.

A. General

1. Home occupations are allowed as an accessory use to an allowed household living use, subject to the regulations of this section.
2. Day care homes are not regulated as home occupations and are exempt from the home occupation regulations of this section. Day care homes are allowed as indicated in Table 6-1.

B. Operator

The operator of a home occupation must be a full-time resident of the dwelling unit, and no more than one non-resident may be employed on the premises.

C. Floor Area

Floor area devoted to the home occupation may not exceed twenty-five (25) percent of the floor area of the dwelling or seven hundred (700) square feet, whichever is less.

D. Location

The home occupation must be conducted entirely within the dwelling and not from a detached or attached garage or other accessory structure. Equipment, materials, samples and vehicles incidental to the home occupation may be stored in a detached or attached garage or other accessory structure, provided that the business activity is confined to the dwelling.

E. Sales

The home occupation may not involve the sale of goods that are stored and delivered to the buyer on the lot, except as incidental to a permitted service. Pick-ups of previously made orders are allowed.

F. Operation and Appearance

1. There may be no visible evidence of the conduct of a home occupation when viewed from the street or right-of-way or from an adjacent lot.

-
2. There may be no change in the exterior appearance of the dwelling unit that houses a home occupation or site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include parking lots, or adding commercial-like exterior lighting.
 3. No outdoor storage of equipment or materials used in connection with the home occupation are allowed.
 4. No equipment or process shall be used in a home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process may be used that creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
 5. Home occupations may not generate refuse or recyclable material in excess of the amount allowable for regular residential pickup.
 6. Home occupations may not cause or create any nuisance, or cause or create any substantial or undue adverse impact on any adjacent property or the character of the area, or threaten the public health, safety or welfare.

G. Vehicle Traffic and Parking

1. The home occupation may not involve regular receipt or delivery of merchandise, goods or equipment by any motor vehicle bearing a Division of Motor Vehicles License Class "C" or higher.
2. The home occupation may not result in the simultaneous presence on the subject lot and the adjoining street of more than 3 motor vehicles in excess of the number of vehicles attributable to the residential use of the premises.
3. Visitors in conjunction with the home occupation (clients, patrons, pupils, sales persons, etc.) are prohibited between the hours of 10:00 p.m. and 7:00 a.m.

H. Multiple Home Occupations

If there is more than one home occupation within the dwelling, the regulations of this section apply to the sum total of the activity related to such home occupations.

I. Expressly Prohibited Activities

All of the following uses are expressly prohibited as home occupations:

1. Animal service uses;
2. Eating and drinking establishments;
3. Religious assembly;
4. Retail sales uses;
5. Lodging;
6. Business or commercial storage of recreational vehicles, mobile homes, vehicles or mechanical equipment;
7. Funeral and mortuary services;
8. All industrial, manufacturing and recycling uses;
9. Medical services;
10. Vehicle sales and service;

-
11. Consumer repair services and appliance repair services; and
 12. Any use or activity that does not comply with all applicable regulations of this ordinance.

6.10.7. Electric Vehicle Charging Stations

A. General

1. Private (restricted-access) electric-vehicle (EV) charging stations are permitted as accessory uses to lawfully established principal uses in all zoning districts.
2. Public EV charging stations are permitted as accessory uses to lawfully established principal nonresidential uses in all zoning districts.

B. Parking

1. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
2. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles.

C. Equipment

Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.

D. Signage

Public electric vehicle charging stations must be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

6.10.8. Satellite Dish Antennas

A. Where Allowed

1. Satellite dish antennas up to forty (40) inches in diameter are permitted as of right as an accessory use to all lawfully established principal uses in all zoning districts. They are subject to all applicable accessory structure setback regulations.
2. Satellite dish antennas over forty (40) inches in diameter, up to one hundred twenty (120) inches in diameter, are permitted as of right as an accessory use to all lawfully established principal uses in mixed-use and nonresidential zoning districts. They are subject to all applicable accessory structure setback regulations.

B. Location

1. In RM districts, satellite dish antennas may be located anywhere in the buildable area of the lot (outside of required building setbacks) or on an allowed principal or accessory building on the lot.
2. In RS and RD districts, satellite dish antennas may be located only to the rear of any principal structure. If usable communication signals cannot be obtained from a rear location, the satellite antenna may be located in the side yard. If usable satellite communication signals cannot be received by locating the antenna in the rear or to the side of the principal structure, the antenna may be placed in the street yard outside of the required building setback or on the roof in a

location that is visible from the street, provided that the diameter of the satellite dish antenna does not exceed eighteen (18) inches.

3. Ground-mounted satellite dish antennae must be visually screened to reduce visual impact from surrounding properties at street level and from public streets.

6.10.9. Solar Energy Systems

A. General

1. Solar energy systems are permitted as of right as an accessory use to all lawfully established principal uses in all zoning districts.
2. Accessory solar energy systems must comply with all applicable building and electrical code requirements.

B. Building-Mounted Solar Energy Systems

1. Building-mounted solar energy systems may be mounted on principal and accessory structures.
2. Building-mounted solar energy systems may not encroach into required street setbacks or street yard areas. Systems mounted on principal structures may encroach into interior side and rear building setbacks in accordance with 14.1.9.
3. Only building-integrated or flush-mounted solar energy systems may be installed on street-facing building elevations.
4. Solar energy systems may not extend more than 3 feet above the applicable maximum building height limit for the subject building type or more than 5 feet above the highest point of the roof line, whichever is less.

C. Ground-Mounted Solar Energy Systems

1. In residential zoning districts, ground-mounted solar energy systems may not be located in a required street setback or street yard area.
2. Ground-mounted solar energy systems may be located within required interior side and rear setbacks.
3. Ground-mounted solar energy systems are subject to applicable accessory structure height and lot coverage regulations.

6.10.10. Amateur Radio Facilities

- A. Amateur radio facilities are subject to a maximum overall height limit of sixty-five (65) feet. Special use approval to exceed sixty-five (65) feet in height may be granted in accordance with the special use procedures of Section 11.4 if the village board determines, based on evidence provided by the applicant, that the additional height is the minimum needed to engage in amateur radio communications under a license issued by the FCC.
- B. Antennas and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely matching the color of the supporting structure, in order to make the antenna and related equipment as visually unobtrusive as possible.

6.10.11. Apiaries

Bees may be kept in apiaries in accordance with the regulations of this section.

A. **Permits**

Before erecting or placing an apiary, an applicant must provide written notice to all abutting property owners and obtain a permit from the community development director. Apiary permits must be renewed annually.

B. **Registration**

Apiaries must be registered with the Illinois Department of Agriculture. Proof of registration must be submitted to the community development director.

C. **Siting**

Apiaries are allowed only in the rear yard.

D. **Setbacks**

Apiaries must be set back at least ten (10) feet from all lot lines and at least of 10 feet from the principal structure on the lot.

E. **Number**

A maximum of two (2) hives are allowed per lot in R districts. A maximum of six (6) hives are allowed per lot in all other zoning districts.

F. **Safety**

Beekeepers must requeen colonies that exhibit unusually aggressive behavior, such as stinging or swarming, and ensure that an on-site water source is available within twenty-five (25) feet of the apiary during the months of March through November.

G. **Maintenance**

Apiaries must be maintained so as not to become a nuisance. Colonies must be maintained in movable-frame hives with adequate spacing and management techniques to avoid overcrowding and swarming.

H. **Screening**

Apiaries must be screened to provide a flyway barrier. Such screening shall be at least six (6) feet in height and consist of a solid fence, vegetative barrier, or combination of such materials. The entrance to the apiary must include a latched gate that must remain closed at all times that a beekeeper is not present.

I. **Sales**

On-site retail sales activities are prohibited unless retail sales is permitted in the subject zoning district.

(Ord. No. 4036 , § 2(Exh. A), 6-11-18; Ord. No. 4134 , § 1, 2-10-20)

14.1.9. Setbacks

A. Measurement

1. Setbacks are measured from the referenced lot line (street front, street side, interior side or rear) to the closest point of the building or structure.
2. Street setbacks are measured from the lot line that abuts the street, except for lots that front on North Avenue, St. Charles Road or Roosevelt Road where the following special minimum setback regulations apply:
 - a. North Avenue: minimum one hundred (100) feet from centerline of right-of-way.
 - b. St. Charles Road: minimum forty (40) feet from centerline of right-of-way.
 - c. Roosevelt Road: minimum fifty (50) feet from centerline of right-of-way
3. Required front street setbacks extend from side lot line to side lot line. Required side street setbacks extend from front lot line to rear lot line. The front street setback for an irregularly shaped flag lot will be measured from the portion of the front lot line adjacent to the street, even though the rear lot line may be wider in order to contextual infill.
4. Interior side setbacks are measured from side lot lines that do not abut a street. Required interior side setbacks extend from the point of the required front setback to the point of the required rear setback.
5. Rear setbacks are measured from the rear lot line. Required rear setbacks extend from side lot line to side lot line.
6. On double-frontage lots, front street setbacks apply from both opposing lot lines that abut the street.

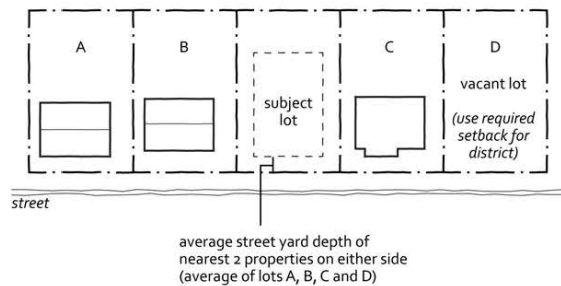
B. Contextual Setbacks for Infill Development

1. Applicability

Contextual front street setback requirements apply in R and O-R districts to any new building constructed on a lot that abuts one or more lots occupied by principal buildings that are set back a greater or lesser distance than required by the subject lot's zoning district.
2. Measurement
 - a. The **minimum contextual setback** is determined by calculating the mean street yard depth that exists on the nearest two (2) lots on either side of the subject lot.
 - b. If one or more of the lots required to be included in the minimum contextual setback calculation are vacant, the vacant lot will be deemed to have a street yard depth equal to the minimum street setback requirement of the subject zoning district. See [Figure] 13-1.
 - c. The contextual setback provisions of this section may not be used to reduce the required setback in an R district to less than twenty (20) feet or to require a building setback in an R district of more than forty (40) feet.
 - d. The maximum front yard setback shall not be greater than the average setback on the street front for the length of the block (from cross street to cross street).

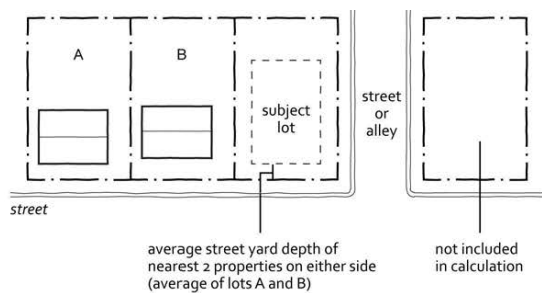
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Figure 13-1. Calculation of Contextual Setback (1)



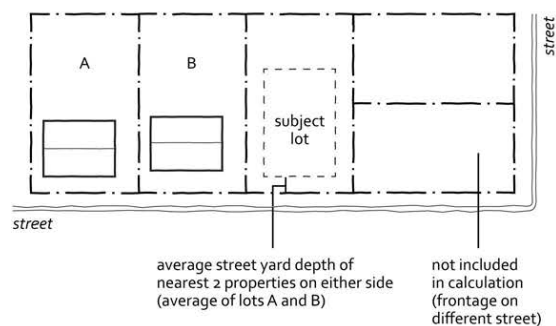
- c. Lots with frontage on a different street than the subject lot or that are separated from the subject lot by a street or alley are not used in computing the minimum contextual setback. See Figure 13-2.

Figure 13-2. Calculating Contextual Setback (2)



- d. When the subject lot is a corner lot, the mean street yard depth will be computed on the basis of the nearest two (2) lots with frontage on the same street as the subject lot. See Figure 13-3.

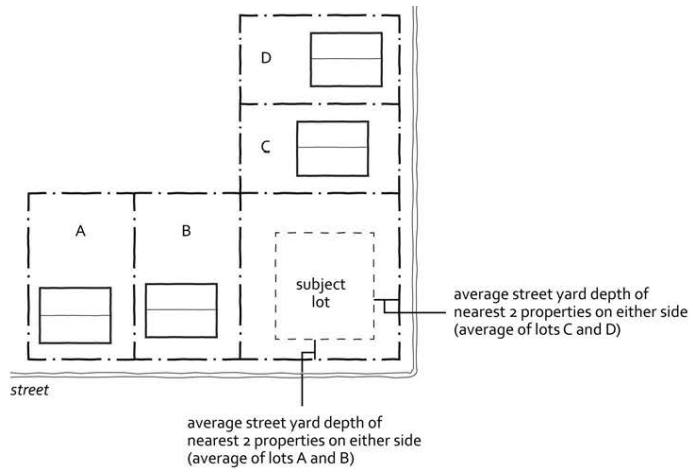
Figure 13-3. Calculating Contextual Setback (3)



- e. When the subject lot abuts a corner lot with frontage on the same street, the mean street yard depth will be computed on the basis of the abutting corner lot and the nearest two (2) lots with frontage on the same street as the subject lot. See Figure 13-4.
- f. The contextual setback provisions of this section may not be used to reduce the required setback in an R district to less than twenty (20) feet or to require a building setback in an R district of more than forty (40) feet. The maximum front yard setback shall not be greater than the average setback on the street.
- g. The contextual setback provisions of this section may not be used to reduce the required setback in an O-R district to less than fifteen (15) feet or to require a building setback in an O-R district of more than thirty-five (35) percent of the depth of the subject lot.

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Figure 13-4. Calculating Contextual Setback (4)



C. Permitted Obstructions and Encroachments – See [MEMO](#)