

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 9, 2020

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. Public Comments on Agenda Items

The Village appreciates the public's patience and cooperation as we attempt reduce the spread of COVID-19 by observing healthy social distancing practices.

If members of the public are interested in attending the meeting in person, are are symptom free, social distancing and adorning a proper face covering will be utilized to mitigate the community spread of disease. Attendance will be monitored at the door.

3. Amendments to the Agenda

4. Approval of Minutes

4.a Minutes

[General Minutes June 11, 2020.pdf](#)

[Minutes June 11, 2020.pdf](#)

5. Business

Petition PZ-20-0009. 454 S. Wisconsin Avenue, Variance to improve non-conforming driveway, Hellerman Residence, Max Hellerman, Petitioner.

Petition PZ-20-0008. 225 W. Roosevelt Road, Special Use for Automotive Service, Bell Tire, Christopher Enright, Petitioner.

6. Public Hearing(s)

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

a. Presentation of Petitioner

b. Staff Input

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

7. Public Comments on Non-Agenda Items

8. Commissioner Comments

9. Village Board Liaison Comments

10. Village Staff Comments

11. Adjournment

Upcoming Hearings

The following item(s) may be considered at a future commission meeting.

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 9, 2020

Submitted by: Pat Boksha

Submitting Department: Community Development

Item Type: Minutes

Agenda Section: Approval of Minutes

Subject:

Minutes

Suggested Action:

Attachments:

[General Minutes June 11, 2020.pdf](#)

[Minutes June 11, 2020.pdf](#)

1

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Regular Meeting Minutes.)

REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION
JUNE 11, 2020
7:30 P.M.

PROCEEDINGS HAD and testimony taken before

the VILLAGE OF VILLA PARK PLANNING & ZONING

COMMISSION, taken at Villa Park Village Hall, 20

South Ardmore Avenue, Villa Park, Illinois, before

MARY E. FAILLO, C.S.R., qualified in the State of

Illinois.

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1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT, Chairman

3 MR. DOMINICK ROMANO

4 MR. EDWARD HOFSTRA

5 MR. JACK LANENGA

6 MR. MIKE ORLOWSKI

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9 ALSO PRESENT:

10 MS. CONSUELO ARGUILLES, Director of Community
Development

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1 CHAIRMAN JARRETT: I call this regular meeting
2 of the Village of Villa Park Planning & Zoning
3 Commission to order. First order of business, roll
4 call.

5 Hofstra.

6 COMMISSIONER HOFSTRA: Here.

7 CHAIRMAN JARRETT: Lanenga.

8 COMMISSIONER LANENGA: Here.

9 CHAIRMAN JARRETT: Orłowski.

10 COMMISSIONER ORŁOWSKI: Here.

11 CHAIRMAN JARRETT: Romano.

12 COMMISSIONER ROMANO: Here.

13 CHAIRMAN JARRETT: I too am present. We have a
14 quorum.

15 So first item of businesses will be -- we
16 don't normally start with public comments on agenda
17 items, but I would say that the Village appreciates
18 the public's patience and cooperation during these
19 very trying times as communities across the globe
20 attempt to reduce the spread of COVID-19. Social
21 distancing has been recommended to mitigate the
22 spread of COVID-19. The Village remains committed

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1 to a transparent and open government. Participation
2 in this meeting is encouraged in any of the
3 following ways. E-mail your questions to Consuelo
4 Arguilles, Director of Community Development, in
5 advance of the meeting. Your comments will be read
6 into the public record at the appropriate time. If
7 members of the public are interested in attending in
8 person, and are symptom free, social distancing will
9 be utilized to mitigate the community spread of
10 disease. However, per Governor Pritzker's Executive
11 Order No. 10, all gatherings of more than 10 people
12 are prohibited. Therefore, attendance will be
13 monitored at the door.

14 I understand we have some people in the
15 back, so during public comments we'll bring them
16 forward one at a time to speak, and then let them go
17 back and monitor from there.

18 So number three is amendments to the
19 agenda. I do want to point out one small amendment
20 that Staff has requested, and that is that typically
21 our format had been to start with presentation of
22 the petitioner and then move to Staff input. The

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1 new director would like to start with Staff input,
2 which I know a number of communities do, and that
3 does give the presenter an opportunity to respond to
4 the Staff report if they would like to. I've seen
5 it done both ways. I don't have a problem with it.
6 I would recommend we change it and see how it goes.
7 And if we don't like it, we can go back. Can I get
8 a motion for that?

9 COMMISSIONER HOFSTRA: So moved.

10 COMMISSIONER LANENGA: Support.

11 CHAIRMAN JARRETT: All in favor.

12 (Whereupon, there was a collective
13 aye response from the Board.)

14 CHAIRMAN JARRETT: So our next order of
15 business is approval of the minutes. That would be
16 the minutes of April 9th, 2020. While we're on this
17 item, I'd also like to point out that the minutes
18 from the March meeting have not yet been presented
19 to us. So if those could make their way to us so
20 they can be available on the website, that would be
21 nice.

22 Questions or comments on the minutes? Do

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1 we have a motion to approve the minutes?

2 COMMISSIONER LANENGA: So moved.

3 CHAIRMAN JARRETT: Second?

4 COMMISSIONER HOFSTRA: Second.

5 CHAIRMAN JARRETT: All in favor.

6 (Whereupon, there was a collective
7 aye response from the Board.)

8 CHAIRMAN JARRETT: Motion passes.

9 (Whereupon, the public hearing was
10 held.)

11 CHAIRMAN JARRETT: All right. Any public
12 comments on non-agenda items?

13 MS. ARGUILLES: No. None is received.

14 CHAIRMAN JARRETT: All right. Any Commissioner
15 comments?

16 I want to thank you guys for working
17 through this. It was kind of a tricky one.

18 COMMISSIONER LANENGA: I think the most
19 important thing is what we're talking about has
20 nothing to do with the successful of Creme. They
21 are fantastic. I was there tonight again, and it is
22 just a great environment. Everything about it is

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1 excellent. Anything we say negative shouldn't have
2 any reflection on their success. They're doing
3 great.

4 CHAIRMAN JARRETT: No. And I've met a number
5 of business owners over the last year or two. Even
6 before you guys moved in. They reached out to me
7 and say, we've got parking problems. We've got this
8 problem. We've got people standing in front of our
9 place. But I try to express to the business owners
10 that if 10 years ago I told them that they'd have a
11 parking problem and they'd be mad about it, they
12 would have told me I was crazy, because there was no
13 business there. I mean, the handful of places that
14 were there were struggling to stay open. Half the
15 businesses probably weren't even occupied. So I
16 understand that parking is an issue, but we as a
17 Village need to work not just to secure more parking
18 but to plan long range instead of being reactive to
19 what's happening in that area if we want it to
20 really succeed and grow.

21 COMMISSIONER ORLOWSKI: Makes it easier.

22 CHAIRMAN JARRETT: Yeah. Okay. Any other

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1 Commissioner comments?

2 COMMISSIONER ROMANO: I would just like to
3 bring up, what do -- I guess, what do we have to do
4 versus what does Staff have to do to have the
5 traffic examined in that area? Because Fuel and
6 Creme aside, we don't want anybody hurt, killed, or
7 worse, you know, in this area, so what -- what do we
8 have to do? Because it seems like it's been a year
9 now acknowledging that this is an issue over there.

10 CHAIRMAN JARRETT: Yeah. You know, I've beat
11 this drum a little more over the last few months and
12 have spoken to Director Grill. Unfortunately, with
13 the whole COVID situation, but one of the things
14 that I had wanted to do is have a workshop or two
15 and to -- you know, this May was obviously an
16 exception, because of the COVID situation, but
17 Patrick and I discussed the possibility of getting
18 together and picking an item or two that's important
19 to us as a Commission to start working on on our own
20 as a Commission, because -- I don't want to say
21 complaint. We're a Planning & Zoning Commission,
22 right, but a lot of meetings have a Planning

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1 Commission and a Zoning Board of Appeals. We
2 largely have functioned as a Zoning Board of Appeals
3 for the last seven or eight years. The first two or
4 three years we took a lot of steps in areas of
5 planning, and, you know, we've done some things like
6 the new Zoning Ordinance, which was great, the
7 Comprehensive Plan, which was great. The
8 Comprehensive Plan was 12 years ago, and I think
9 there are opportunities for us to do more of that.
10 That's how we got our -- when I came on this
11 Commission, we didn't have a Landscape Ordinance.
12 You really weren't required to landscape a parking
13 lot or building. That's how we wound up with Jewel
14 Osco, but by, what, my second or third year here,
15 Mike, something like that, beginning of the year, we
16 put together the things we wanted to do, and
17 landscaping was at the top of it, and we spent many
18 a workshop trying for another one. Specifically
19 electronic signs. And we spent two years on that.
20 Workshops with others Commissions. And, honestly,
21 we had to really push from here to get that, but we
22 got it done. That one took longer than it should

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1 have too to get through the legislative side of it,
2 but it did get approved. So there are opportunities
3 for us to do that. We just need to communicate them
4 to Staff. And this is importantly on our elected
5 officials, because some of what we want to do, it
6 doesn't matter how hard we work, if they don't
7 support it, it never gets passed.

8 AUDIENCE MEMBER: I'd hate for any of you to be
9 held responsible for any deaths, because there's so
10 much Village talk about a traffic problem over on
11 that side, and no one's doing anything about it, and
12 that is my fear for the Village. Anything happens,
13 all business goes away. We become the town that did
14 nothing about something that's totally preventible,
15 and that is super, super scary for all of you
16 elected officials, including our businesses that
17 we're trying to produce. Someone's got to do
18 something about it.

19 CHAIRMAN JARRETT: I'm sorry. I understand
20 your passion, but I think you've heard everybody up
21 here is just as passionate, and, unfortunately -- I
22 don't know. There's a number of ways to get

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1 results, and whether it's here or Traffic & Safety,
2 and sometimes there's no results, and it's
3 frustrating, but I appreciate your comments.

4 Village Board liaison. Is Al in the back?

5 Okay. So no comments from the Village Board
6 liaison.

7 Any Village Staff comments? Welcome.

8 It's good to have you here.

9 MS. ARGUILLES: Glad to be here.

10 COMMISSIONER LANENGA: Aren't you glad we got
11 you out early tonight?

12 MS. ARGUILLES: I wasn't counting on that.

13 CHAIRMAN JARRETT: You're fortunate. Mike and
14 I came on the Commission the same night, and we were
15 here until about 12:30, and it was the longest
16 public hearing I've ever been a part of on a single
17 agenda item.

18 So welcome. We're glad to have you.
19 We're looking forward to working with you very
20 closely on some of these items.

21 All right. Any other questions or
22 comments up here before we adjourn? Motion to

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1 adjourn.

2 COMMISSIONER HOFSTRA: Motion to adjourn.

3 CHAIRMAN JARRETT: All in favor.

4 (Whereupon, there was a collective
5 aye response from the Board.)

6 CHAIRMAN JARRETT: We're adjourned.

7 (Whereupon, the meeting was
8 adjourned.)

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COUNTY OF DU PAGE)

Mary Lailo



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A	11:4 beat 8:10 beginning 9:15 Board 2:1 5:13 6:7 9:1,2 11:4 11:5 12:5 bring 4:15 8:3 building 9:13 business 3:3 5:15 7:5,9,13 10:13 businesses 3:15 7:15 10:16	communicate 10:3 communities 3:19 5:2 community 2:10 4:4,9 complaint 8:21 complete 13:14 Comprehensive 9:7,8 conditions 13:10 Consuelo 2:10 4:3 cooperation 3:18 correct 13:13 counting 11:12 County 13:2,6 13:10 Court 13:10 COVID 8:13,16 COVID-19 3:20 3:22 crazy 7:12 Creme 6:20 8:6 CSR 13:19	E 1:20 E-mail 4:3 early 11:11 easier 7:21 EDWARD 2:4 eight 9:3 elected 10:4,16 electronic 9:19 encouraged 4:2 entire 13:14 environment 6:22 everybody 10:20 examined 8:5 excellent 7:1 exception 8:16 Executive 4:10 express 7:9	glad 11:9,10,18 globe 3:19 go 4:16 5:7 goes 5:6 10:13 good 11:8 government 4:1 Governor 4:10 great 6:22 7:3 9:6,7 Grill 8:12 grow 7:20 guess 8:3 guys 6:16 7:6
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VILLAGE OF VILLA PARK
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IN RE THE MATTER OF:)
)
Variance to allow for)
shipping container as)
storage, variance from)
minimum required parking)
from 16 to 0 spaces,) Petition PZ-20-0003
variance to allow for a)
tent-covered seating)
area, and variance to)
allow outdoor)
entertainment for)
property located at 324)
East Central Boulevard.)

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

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

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

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

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

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT, Chairman

3 MR. DOMINICK ROMANO

4 MR. EDWARD HOFSTRA

5 MR. JACK LANENGA

6 MR. MIKE ORLOWSKI

7
8
9 ALSO PRESENT:

10 MS. CONSUELO ARGUILLES, Director of Community
Development

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

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

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

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

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

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

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

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

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

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

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

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

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

1 the existing Fuel building.

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

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

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

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

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

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

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

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

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

19 MS. ARGUILLES: Okay. Is petitioner here?

20 MR. KOZAR: Yes.

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

1 MR. KOZAR: Sure.

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

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

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

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

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

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

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

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

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

22 So a rooftop deck would be unique in Villa

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 Thank you.

21 CHAIRMAN JARRETT: Thank you.

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

1 should I sit down? What is protocol?

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

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

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

15 CHAIRMAN JARRETT: Okay.

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

18 MS. HALLORAN: My name is Kathy Halloran.

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

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

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

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

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

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

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

1 heck is going on.

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

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

16 CHAIRMAN JARRETT: Thank you.

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

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

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

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

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

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

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

3 CHAIRMAN JARRETT: Thank you.

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

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

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

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

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

3 CHAIRMAN JARRETT: You're not alone.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 CHAIRMAN JARRETT: Thank you.

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

19 MS. ARGUILLES: Okay.

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

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

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

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

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

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

22 Now lets add entertainment to the mix.

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

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

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

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

22 The other one came from Joseph Bingaman.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 potential accidents. Thank you for your time.

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

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

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

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

22 I hope that you will look favorably upon

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 Many of you have asked about the Village

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 That concludes the public comments that we
13 received.

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

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

1 start?

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

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

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

11 MR. KOZAR: Sure. No problem.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 MR. KOZAR: Who is they?

7 COMMISSIONER HOFSTRA: The other businesses.

8 MR. KOZAR: They do pay taxes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 maybe --

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

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

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

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

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

22 COMMISSIONER HOFSTRA: Okay.

1 CHAIRMAN JARRETT: Is that it on the questions?

2 COMMISSIONER HOFSTRA: For right now.

3 CHAIRMAN JARRETT: Okay. Any other questions?

4 COMMISSIONER LANENGA: The shipping container.

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

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

19 COMMISSIONER LANENGA: Something to think
20 about.

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

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

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

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

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

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

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

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

5 CHAIRMAN JARRETT: Any questions, Mike?

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

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

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

6 COMMISSIONER ORLOWSKI: Correct.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 Regarding Petition PZ-20-0003 for Fuel and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 MR. KOZAR: On a scooter.

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

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

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

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

1 the picnic table or wherever.

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

16 Any other comments?

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

21 CHAIRMAN JARRETT: I understand.

22 COMMISSIONER LANENGA: It seems to me that the

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

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

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

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

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

1 is the way it should go, there's not enough
2 presented to me here in way of evidence that it
3 won't be a noise issue and that it won't be a
4 pedestrian issue. And I'm not just talking about
5 vehicles or even parking. I'm talking generally.
6 We're talking about the site.

7 Mr. Kozar, how many four-tops do you put
8 out on your patio on a nice Friday evening?
9 Non-COVID Friday evening, roughly. Doesn't have to
10 be an exact number. I'm not going to hold you to
11 it, but is it 15, 30, 50?

12 MR. KOZAR: I would think 15, but I'm just kind
13 of going off the top of my head. I could get back
14 to you.

15 CHAIRMAN JARRETT: Yeah. So without the 166
16 number that was quoted, and even if you're just
17 talking about 45 people outside, 10 or 15 inside,
18 you're going to have some at the bar and some at
19 some tables, and these could be low. It's his
20 business. He can correct me if I'm wrong in this
21 one. What do you got, a half dozen employees on a
22 Friday night?

1 MR. KOZAR: Six.

2 CHAIRMAN JARRETT: Yeah. Roughly.

3 MR. KOZAR: True.

4 CHAIRMAN JARRETT: So you're talking potential
5 50, 70 plus people on the site, and then adding 50
6 to that, and then you're at 120. It's just a lot of
7 potential issues beyond just the parking. And
8 there's no evidence at all submitted to us in any
9 form that it won't be an issue. Staff feels that
10 way too. So I'm not really sure -- I have some
11 thoughts about the motion, if we make a motion
12 tonight. But go ahead, if you have some additional
13 comments. Do you have some additional comments?

14 COMMISSIONER LANENGA: I don't.

15 CHAIRMAN JARRETT: Any comments down at this
16 end?

17 COMMISSIONER ROMANO: Yeah. I mean, I'll just
18 briefly beat the same drum. The container, I
19 believe it would be done -- tastefully done with the
20 fence. And maybe the Village needs to address it,
21 but I would be okay with a variance for that. The
22 tent. As I said last time, I don't really like the

1 tent. I think it's a way to circumvent service to
2 the building by keeping a tent up. I've been
3 telling people for a long time, I don't think it's
4 safe. I mean, my kids were there the other night
5 when an umbrella went up over the building, let
6 alone one of these things. They can be fire
7 hazards. You have people outside. They think it's
8 okay to smoke, and then these things go up as well.
9 So I don't think there's anything that could make me
10 get behind the tent. Deck. I love it. I love the
11 idea of a deck. I think the parking kind of has
12 been solved, but to everyone's point, it's not just
13 parking. It's the area. And Public Safety should
14 take a look at what's going on down there. There
15 are solutions. And if there were some other
16 solutions, I don't think I would have a problem with
17 additional occupancy. The last thing you guys want
18 is any person, let alone a child, run over right in
19 front of your business. I mean, you don't get over
20 something like that. People don't forget it.
21 They're not going to sit outside and be feet away
22 from where a child was mowed down in the street.

1 MR. KOZAR: That's why we put the bollards
2 under those planters. To protect them so they can't
3 get in there. They're not just regular planters.

4 COMMISSIONER ROMANO: But, again, if they run
5 out into traffic. And as far as outdoor
6 entertainment, yes, but there are Noise Ordinances
7 already. And as I think we talked about the last
8 time, it's permitted by permit, as I believe. It is
9 a permit process, and it has to be obeyed by the
10 Noise Ordinances, so I think that's something that's
11 already out there that can be dealt with. Now, you
12 probably know more than I do about having
13 entertainment outside, and I think it is six of one,
14 half a dozen of the other when you're talking about
15 somebody playing outside versus somebody playing
16 inside with the garage doors open. That really is a
17 wash right there. So something does need to be done
18 to address that. But, yeah, there's just certain
19 things I couldn't grant the variance on now as it is
20 in front of us.

21 CHAIRMAN JARRETT: Okay. So I have a question
22 that Staff might be able to answer. They might not.

1 Because these are all one application, correct -- or
2 are they separate applications?

3 MS. ARGUILLES: They're separate applications.

4 CHAIRMAN JARRETT: Okay. So we can vote on
5 them all separately.

6 MS. ARGUILLES: Correct.

7 CHAIRMAN JARRETT: And we could theoretically
8 either -- okay. That's what I want to know. We can
9 part them out separately. That's good. Because I
10 do believe -- as much as I want to see shipping
11 containers handled as a Special Use as we discussed
12 two months ago, assuming that that's something the
13 Board wants to forward to us, or we take out on our
14 own to forward on to them, I think there's consensus
15 up here that the storage container is not an issue;
16 is that correct?

17 COMMISSIONER ROMANO: Yes.

18 CHAIRMAN JARRETT: Okay. And the other three I
19 don't think there's a strong consensus either way on
20 the specific -- if we vote on an item and it fails,
21 then as the Code says here, they cannot reapply for
22 a variation for a year for the same variation. So

1 if we're going to vote in the negative on something
2 or if we're unsure on something, then it would be
3 better to continue it and give them a chance to
4 present additional information. If we're strongly
5 opposed to something, then we should have a motion
6 to vote it down. If we're in favor of it, then we
7 should vote for it.

8 So on the variation required minimum
9 parking from 16 spaces to 0 spaces, there's a lot
10 going on up here. Based on what I have now on the
11 roof deck -- because, again, we're not just talking
12 about 16 spaces to 0 spaces for an indoor use.
13 We're talking about an indoor use that we don't have
14 anything in front of us showing us what that use
15 will look like. We have something from two or three
16 months ago that wasn't on the record. I would need
17 to see a minimum of that, but probably a traffic
18 study, personally, to approve that. I don't know
19 how everybody else feels. I know how Mike feels.

20 COMMISSIONER ORLOWSKI: Well, I mean, I'll get
21 in here real quick. I don't even know how we can
22 even vote on a variance for a shipping container

1 when the Village already has shipping containers out
2 there by businesses that are using them for storage.
3 So, me personally, I wouldn't even feel
4 comfortable voting. I mean, that's -- I know what
5 the Village has done in the past with other
6 businesses. So the problem that I have is if
7 they've already allowed it to happen, we really have
8 to not look at it, to me, as a variance, but we have
9 to put something either in a Text Amendment or an
10 Ordinance or somewhere in zoning, because there are
11 -- I walk the Village constantly, and I know there's
12 well over 30 containers out there between small
13 businesses, large businesses. Target uses them.
14 Walmart uses them. Some businesses have them
15 stacked two high. So to say that we're going to
16 make one do this --

17 COMMISSIONER LANENGA: You can't just say go
18 ahead and do it.

19 COMMISSIONER ORLOWSKI: Right. So my thing is
20 we've got to find a way to make things correct in
21 the Village.

22 COMMISSIONER LANENGA: Nobody disagrees with

1 that.

2 COMMISSIONER ORLOWSKI: So are we saying that
3 all the other businesses that are out there are
4 going to have to come do the same process?

5 CHAIRMAN JARRETT: Right. That's what I was
6 saying earlier that I want to avoid. The fact that
7 I'm in favor of it, I'm hesitant to cast a vote to
8 allow a variation to permit a shipping container,
9 because there are other businesses within two blocks
10 of them that have them with very similar conditions.

11 COMMISSIONER ORLOWSKI: I honestly feel as far
12 as the shipping container is that I think between
13 Fuel and Creme, the Village, they can come up with
14 something in writing and hold them to what he wants,
15 because I know he needs the storage. I have no
16 problem with that. I have issues with the rest, but
17 I think if we do this on a shipping container we're
18 going to have a whole bunch more.

19 CHAIRMAN JARRETT: Right. That's what I was
20 saying earlier too. That's the trick on it, and
21 it's really the trick with covered tent seating and
22 outdoor entertainment as well.

1 COMMISSIONER ORLOWSKI: Correct.

2 CHAIRMAN JARRETT: I mean, like I said in my
3 opening statement there, I'm not even really sure
4 that we're qualified to grant these as variations,
5 because I think some of them go specifically against
6 other Village Ordinances.

7 COMMISSIONER ORLOWSKI: Correct. So, me
8 personally, I don't think we can even -- we couldn't
9 take -- we would have to move this -- I mean, we
10 couldn't take a vote.

11 CHAIRMAN JARRETT: Well, we could vote to deny
12 them all, or we could vote to approve some, or we
13 could continue the whole thing, which leaves the
14 applicant hanging, but --

15 COMMISSIONER ORLOWSKI: Right. Let me ask
16 Staff. Is there any -- knowing -- I think everybody
17 kind of knows the way we feel. Is there anything
18 that we can do to allow the shipping container to
19 move forward without voting on it?

20 MS. ARGUILLES: No. As the Code stands today,
21 it would require a variation. That is one of the
22 reasons why the petitioner has asked for a variation

1 to allow that shipping container. Until -- you
2 know, we could definitely look at it from the COVID
3 update perspective, and we can just base that on
4 history of not only shipping containers, but other
5 items as well. But as is now, it would require a
6 variation, and Mr. Kozar has applied for a variation
7 for that.

8 In terms of the motion, we could decide to
9 make separate motions on the request, modify the
10 conditions, add conditions, not add them. The
11 Commission has that authority to separate them.
12 Likewise, the Commission can continue it and request
13 more details. There's various options.

14 CHAIRMAN JARRETT: It makes it a little
15 trickier, because we're all over the place on this.

16 MR. KOZAR: As petitioner, can I just make a
17 suggestion that you vote to allow me to have the
18 container, and even by my own motion we continue the
19 tent, the entertainment, and the parking, and work
20 to either get you further information on it as you
21 request, or we allow time to do a Text Amendment on
22 any of these different matters, or a combination of

1 both. I bring you information. We do whatever
2 studies. You know, I work to do what you ask of me
3 in terms of studies, more information, things of
4 that sort, you know. I don't know what all I could
5 do, but I will be as cooperative as I could be.

6 Mike is right that, you know, in terms of
7 the container, you know, I'm here because I was told
8 you can't just do something and then, you know, not
9 go through the procedure, and since I don't have
10 control over the Text Amendment I'm doing my best to
11 go through the procedure. I paid \$1,300 to be
12 before you today, so, you know, the container is
13 something that you already generally allow in the
14 Village, you know. Like Mike said, having 30 plus
15 containers all over the place, you know where mine
16 is going to be, and it's to aid in the business, you
17 know, and just allow me to get stuff off the patio,
18 and, you know, it's going to be right there. I'm
19 not going to abuse that. The other three, let's
20 continue those and get more information to you, do
21 studies, work with Consuelo on a Text Amendment, you
22 know, however you want, and at least allow that to

1 be out there, you know, to get whatever it is that
2 you guys need, and during that time, you know,
3 perhaps put something together for the other
4 businesses at large that -- the 30 businesses or
5 whatever it is that need a shipping container, but,
6 you know, allow me to do what is requested of me and
7 go through the process and at least, you know, have
8 one of the four requests, which all of you in
9 principal don't have an argument with, you know,
10 don't have a necessary problem with the container.
11 Clad and same fencing, and it's all very tasteful.
12 Karen would never allow me to do something on that
13 property that wasn't tasteful, and I can assure you
14 of that.

15 MS. ARGUILLES: Mr. Kozar, if you're going to
16 continue, I would ask you to come and approach the
17 podium.

18 CHAIRMAN JARRETT: That's fine. You beat me to
19 my question, which was would you be okay -- and we
20 can continue whether or not you want us to, or we
21 could vote whether or not you want us to, but,
22 technically speaking, you're okay with us continuing

1 the other three if that's the way we decide?

2 MR. KOZAR: I want to work with the Village.

3 CHAIRMAN JARRETT: I just want to know, because
4 as an applicant, you have a right to a vote.

5 MR. KOZAR: Succinctly speaking, yes.

6 CHAIRMAN JARRETT: You have the right to a
7 vote, whether or not we have to revote again, is
8 what I'm getting at. But I would like to make sure
9 if we're going to continue something that you're
10 comfortable with that, because it does not affect
11 the Board if we don't vote.

12 Okay. So hearing Mr. Kozar's comments, he
13 gets the point that I was getting to -- Mike and I
14 discussed a little bit -- that we have a consensus
15 here that there's not an issue with the storage
16 container. I would like to see the storage
17 container. If we have a motion on that tonight, and
18 I think we have consensus on that motion if somebody
19 makes it, that we need to include the condition B.
20 And then do I have consensus that continuing the
21 other three to give the applicant an opportunity to
22 either present more evidence or to work with Staff

1 to find a -- or for Staff to work with us? Because
2 if you haven't read the March transcript, the one
3 that we have not approved yet, there's a lot of
4 detail in that. Discussions on the Special Use and
5 discussion on the number of items that were either a
6 conflict in the Village Code and the Zoning
7 Ordinance or things that we thought as a Commission
8 could be updated to reflect the new image of Villa
9 Park, because many of them were put in in the
10 mid '90s to respond to one specific use, because we
11 didn't have any Ordinances, and they weren't
12 particularly well thought out. For instance, we
13 have an Ordinance in place that prohibits all
14 outdoor seating during the winter months. There is
15 a bullet point list of those items that some of them
16 are strictly in the Zoning Code that could come back
17 to us, but some of them like the outdoor
18 entertainment, the tent variation, they also
19 incorporate the Village Ordinances outside of the
20 Zoning Ordinance, the specific Village Code, and
21 those need to match, right, so we also need to then
22 put -- and this was expressed back in March from the

1 Village Board on whether or not they want to pursue,
2 because we don't want to go around granting a bunch
3 of variations for outdoor entertainment that fly on
4 the basis of what the Village Board would approve
5 anyway, if that makes sense.

6 Okay. So I think we have consensus here
7 for a motion to approve. Who wants to read it? For
8 the first variation we need to make sure the
9 findings of fact are included, and then a separate
10 motion -- we can do it in one motion to approve --
11 actually, let's approve one, and then we can
12 continue the other ones. Two separate motions.

13 COMMISSIONER LANENGA: I'd like to move for
14 approval of variation one of application PZ-20-0003,
15 the variation to allow for a shipping container as
16 storage with the following conditions. That the
17 storage shipping container be erected generally as
18 shown on Exhibit B and screened from view by a fence
19 similar in all aspects to the existing fence located
20 on the north property line running east to west
21 between the two principal buildings, but I'd also
22 like to move that variations two, three, and four,

1 minimum parking, tent covered seating area, and
2 outdoor entertainment be continued to our next
3 meeting.

4 CHAIRMAN JARRETT: All right. So we have two
5 motions. Can I have a second on the first motion?

6 COMMISSIONER ORLOWSKI: Second that.

7 CHAIRMAN JARRETT: Okay. Any questions or
8 comments on the first motion to approve variation to
9 allow for a shipping container as storage with the
10 conditions and finding of fact as described in the
11 motion?

12 MS. ARGUILLES: Commissioner, Chairman Jarrett,
13 if I may interject, condition A is specific to
14 Exhibit A, which shows the shipping container. So
15 if I may suggest that it's conditions A and B.

16 COMMISSIONER LANENGA: I'd like to amend my
17 motion to include A, that the site be developed
18 generally as shown in Exhibit A as submitted by the
19 petitioner.

20 CHAIRMAN JARRETT: Is there a second on that
21 amendment?

22 COMMISSIONER ORLOWSKI: I'll second it.

1 CHAIRMAN JARRETT: All right. So questions or
2 comment on the first motion to approve the variation
3 to allow a shipping container? Okay. Roll call
4 vote.

5 Hofstra.

6 COMMISSIONER HOFSTRA: Yes.

7 CHAIRMAN JARRETT: Lanenga.

8 COMMISSIONER LANENGA: Yes.

9 CHAIRMAN JARRETT: Orłowski.

10 COMMISSIONER ORŁOWSKI: Yes.

11 CHAIRMAN JARRETT: Romano.

12 COMMISSIONER ROMANO: Yes.

13 CHAIRMAN JARRETT: And I too vote yes.

14 The second motion is to continue the
15 variation requests two, three, and four, the
16 requirement of parking, tent covered seating area,
17 and allow outdoor entertainment.

18 Any questions or comments on that motion?

19 No. Okay. Roll call vote.

20 Hofstra.

21 COMMISSIONER HOFSTRA: Yes.

22 CHAIRMAN JARRETT: Lanenga.

1 COMMISSIONER LANENGA: Yes.

2 CHAIRMAN JARRETT: Orłowski.

3 COMMISSIONER ORŁOWSKI: Yes.

4 CHAIRMAN JARRETT: Romano.

5 COMMISSIONER ROMANO: Yes.

6 CHAIRMAN JARRETT: And I too vote yes. So with
7 that, our recommendation on variation one will
8 advance to the Village Board who can accept, reject,
9 or modify as they see fit, and we will continue two,
10 three, and four. We did not continue it to a date
11 certain, and so that will need to be republished at
12 a time when we rehear that. Correct?

13 MS. ARGUILLES: That's correct.

14 CHAIRMAN JARRETT: Okay. Thank you.

15 MR. KOZAR: Thank you gentlemen.

16 (Whereupon, the public hearing was
17 concluded.)

18

19

20

21

22

1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

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

Mary Lailo

MARY FAILLO, CSR, RPR



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