

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

April 13, 2023

7:30 PM

Chairman Jason Jarrett

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

1. Call to Order - Roll Call

2. Approval of Minutes

2.a Minutes

[General Minutes 3-9-23.pdf](#)

[Discussion Minutes 3-9-23.pdf](#)

[Minutes PZ-22-0016 3-9-23.pdf](#)

3. Public Hearing - New Business

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

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

3.a

PZ-23-001 / Zoning Ordinance Text Amendments / Consider Text Amendments to Appendix C – Basic Zoning Ordinance to remove conflicts, clarify certain language, and follow best practice for Article 7- Parking / Article 9 - Site Design and Performance Standards / Article 14 - Measurements and Definitions / Petitioner, Village of Villa Park.

[PZ-23-001 Staff Memo - Zoning Ordinance Text Amendments.pdf](#)

[Proposed Amendments - REDLINE.pdf](#)

[Exhibit A - Proposed Amendments.pdf](#)

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

5. Adjournment

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

Planning and Zoning Commission Agenda Item Report

Meeting Date: April 13, 2023

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Minutes

Agenda Section: Approval of Minutes

Subject:

Minutes

Suggested Action:

Attachments:

[General Minutes 3-9-23.pdf](#)

[Discussion Minutes 3-9-23.pdf](#)

[Minutes PZ-22-0016 3-9-23.pdf](#)

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

4 Start with roll call:

5 Calvert?

6 COMMISSIONER CALVERT: Here.

7 CHAIRMAN JARRETT: Hofstra?

8 COMMISSIONER HOFSTRA: Here.

9 CHAIRMAN JARRETT: Jackson?

10 (No response.)

11 CHAIRMAN JARRETT: Kase?

12 (No response).

13 CHAIRMAN JARRETT: Luedtke?

14 COMMISSIONER LUEDTKE: Here.

15 CHAIRMAN JARRETT: Orłowski?

16 COMMISSIONER ORŁOWSKI: Here.

17 CHAIRMAN JARRETT: Romano?

18 COMMISSIONER ROMANO: Here.

19 CHAIRMAN JARRETT: Shlensky?

20 COMMISSIONER SHLENSKY: Here.

21 CHAIRMAN JARRETT: I too am
22 present. With that we have a quorum.

23 We have approval of minutes.

24 Anyone have any questions, comments,

1 amendments to the minutes?

2 (No response.)

3 CHAIRMAN JARRETT: Okay. Is there
4 a motion to approve the minutes from 1-12-23?

5 COMMISSIONER HOFSTRA: So moved.

6 CHAIRMAN JARRETT: Motion.

7 Second?

8 COMMISSIONER LUEDTKE: Second.

9 CHAIRMAN JARRETT: All in favor?

10 ALL PRESENT: Aye.

11 CHAIRMAN JARRETT: Any opposed?

12 (No response.)

13 All right. The minutes are approved.

14 (Proceedings concluded at
15 7:34 p.m.)

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

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

13 IN WITNESS WHEREOF, I do hereunto set my
14 verified digital signature at Chicago, Illinois,
15 this 24th day of March, 2023.

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

1	K	S
1-12-23 3:4	Kase 2:11	Shlensky 2:19,20 Start 2:4
7	L	V
7:34 3:15	Luedtke 2:13,14 3:8	Villa 2:2 Village 2:2
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IN RE THE MATTER OF:)
)
COMMISSION DISCUSSION)

7:30 P.M.

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President
MR. MARC McLAUGHLIN, Community Development
MS. STEPHANIE BARAJAS, Planner

9

1 CHAIRMAN JARRETT: All right.
2 Anybody wishing to speak on non-agenda items?

3 I don't see anybody.

4 COMMISSIONER LUEDTKE: What's
5 happening at Ardmore and North, the old Martin's
6 Big and Tall? I see lots of construction
7 happening over there?

8 MS. BARAJAS: It's going to be a
9 dermatology center. They've got a few permits
10 going for interior work and exterior, the parking
11 lot.

12 COMMISSIONER LUEDTKE: Nice.

13 COMMISSIONER SHLENSKY: Can I
14 piggyback off of updates?

15 MR. McLAUGHLIN: Sure.

16 COMMISSIONER SHLENSKY: The plans
17 that were approved or the petitions that were
18 approved by us and then also I believe approved by
19 the Board for the building that is currently still
20 labeled as Hair To Stay, that was going to be some
21 kind of drive-through cafe, is that getting any
22 traction or movement or, do we have any updates
23 regarding that?

24 COMMISSIONER LUEDTKE: Yeah, next

1 to Walgreen's.

2 MR. McLAUGHLIN: No conversation
3 with them.

4 PRESIDENT CUZZONE: Can I address
5 that?

6 CHAIRMAN JARRETT: Yes, please.
7 Come on up.

8 PRESIDENT CUZZONE: Nick Cuzzone,
9 21 West Adams Street.

10 We did have a -- They asked to put in a
11 type of -- they wanted to put in a beer tapper
12 with some food and gaming.

13 And after talking to the Board, the
14 Board was not really in favor of something like
15 that.

16 It was similar to what Red Arrow used to
17 be in Elmhurst. I don't know if you are familiar
18 with that.

19 But you get a card, you put money on
20 like a credit card, you go in, and they have some
21 tappers set up, and you pour as much beer as you
22 want, and you get charged by the ounce.

23 And for a small place like that and they
24 were just going to have some limited food, the

1 Board really was not in real favor of that.

2 COMMISSIONER SHLENSKY: It also
3 highly deviates from the plan that was presented
4 before us in the first place.

5 PRESIDENT CUZZONE: Right. So that
6 was the last contact we had with them and that was
7 like two months ago.

8 COMMISSIONER SHLENSKY: If I can
9 ask another Village-related question to our
10 President.

11 Eco Terra, the development, I understand
12 that you guys have, I think, biweekly meetings
13 with them or had biweekly meetings with them.

14 With the weather changing, seasons
15 changing, do we have any proposed timeline on
16 that?

17 PRESIDENT CUZZONE: No real update
18 right now.

19 MR. McLAUGHLIN: They are still
20 operating under the demolition permit. It's still
21 good for another 45ish days.

22 COMMISSIONER SHLENSKY: But they
23 have not applied for an extension?

24 MR. McLAUGHLIN: They have not

1 applied for an extension, nor have they final
2 submitted their plans for the construction. It's
3 just a weird limbo period.

4 PRESIDENT CUZZONE: We were hoping
5 to have a representative at the last Board meeting
6 and they declined to have somebody there. The
7 owner was out of the country.

8 And we are hoping I think the second
9 meeting in March we should have some update from
10 them. They should be there. We are hoping to do
11 that.

12 MR. McLAUGHLIN: They have been
13 invited to that meeting.

14 CHAIRMAN JARRETT: So then also I
15 believe both of the zoning changes for the old
16 Odium site and the one we did on St. Charles were
17 approved by the Board?

18 MR. McLAUGHLIN: That's correct.

19 CHAIRMAN JARRETT: And one quick
20 thing before -- I don't want to steal Mark's
21 thunder.

22 MR. McLAUGHLIN: Steal it.

23 CHAIRMAN JARRETT: I will lead with
24 the Board stuff.

1 So March 22, 4:00 to 6:00 p.m. at Iowa
2 Community Center there is a --

3 COMMISSIONER SHLENSKY: The Junior
4 League?

5 CHAIRMAN JARRETT: No.

6 There is a community meeting with
7 Civiltech regarding the Villa Avenue improvement
8 project, which I believe is being done in concert
9 with Elmhurst as well.

10 Am I correct on that?

11 MR. McLAUGHLIN: Yes, because in
12 that area is a shared right-of-way.

13 CHAIRMAN JARRETT: Yes.

14 So Civiltech is doing an engineering
15 review for improvements from essentially Wildwood
16 to North Avenue along Villa. Part of which would
17 hopefully include serious cycling improvements to
18 make our section of the Salt Creek trail actually
19 cyclable because that stretch of Villa is horrible
20 for that currently.

21 COMMISSIONER SHLENSKY: Wildwood to
22 North?

23 CHAIRMAN JARRETT: Yes.

24 COMMISSIONER SHLENSKY: On

1 Wednesday, the 22nd?

2 CHAIRMAN JARRETT: Yes, 4:00 to
3 6:00 p.m.

4 My understanding from the memo is it's
5 going to be an open-house style meeting, so come
6 in, probably look at the different options that
7 are being presented.

8 Probably -- I don't imagine there will
9 be a formal presentation, maybe there will be, I
10 don't know, but usually those styles and things
11 are casual; come in, walk around, talk to people,
12 give them your comments, write down your comments.

13 MR. McLAUGHLIN: Tell them you want
14 to bike there.

15 CHAIRMAN JARRETT: Tell them you
16 want to bike there.

17 Then it also says they are accepting
18 written comment until April 5, 2023.

19 COMMISSIONER SHLENSKY: I will come
20 with a screaming baby.

21 CHAIRMAN JARRETT: And then the
22 Village Board approved the funds and the contract
23 with Houseal Levigne for the new comp plan update.

24 They are an incredibly reputable firm.

1 One of the, I would say, more prominent in the
2 planning world space. There's a lot out there.

3 MR. McLAUGHLIN: Comp plans is what
4 they do.

5 CHAIRMAN JARRETT: Yes,
6 comprehensive plans is their game.

7 The other thing I like about them just
8 as a firm is that they are pretty heavy on the
9 community outreach, just as a firm, heavily
10 involved with the APA and the AICP, and in a way
11 that a lot of the other planning firms are less
12 so, so glad to see them as a selection.

13 That's all I have.

14 Anybody else have anything?

15 COMMISSIONER ORLOWSKI: I do.

16 Any word on the Villa Avenue project,
17 downtown Villa Avenue?

18 MR. McLAUGHLIN: Oh, they are
19 finalizing their proforma for the ask on their
20 redevelopment grant. So we are waiting for those
21 numbers to get solid before we can negotiate that.

22 COMMISSIONER ORLOWSKI: And have we
23 heard anything out of the property owner on Park
24 Avenue by Ardmore?

1 CHAIRMAN JARRETT: 27 West Park.

2 MR. McLAUGHLIN: No.

3 COMMISSIONER ORLOWSKI: Nothing?

4 MR. McLAUGHLIN: No.

5 The last time I talked to them was last
6 year when they were turning the water off before
7 it froze -- which I don't think it actually froze
8 this year -- but no.

9 COMMISSIONER ORLOWSKI: If you get
10 a chance go by the old Odium they are cranking
11 over there.

12 COMMISSIONER SHLENSKY: Oh, yeah.

13 COMMISSIONER LUEDTKE: The rec
14 center.

15 Will we see the presentation? There
16 will probably be some special use --

17 MR. McLAUGHLIN: Yes.

18 COMMISSIONER LUEDTKE: -- or
19 variance or whatever?

20 MR. McLAUGHLIN: Correct. Minimum
21 special use with a subdivision. TBD on any
22 additional requests or variations.

23 We are hoping not. I would like to go
24 straight use but ...

1 COMMISSIONER LUEDTKE: Do you know
2 when that's going to be coming?

3 MR. McLAUGHLIN: Soon, like they
4 are wrapping up. Because I can't apply because I
5 have to review.

6 So Williams Architect is actually going
7 to be the applicant on behalf of the municipality.
8 So they are wrapping up all of their documentation
9 to submit to us so we can actually review as a
10 third party.

11 But yeah, soon.

12 And then we have to actually notify
13 250 feet, same thing. So it's going to be a full
14 public hearing for that particular use.

15 COMMISSIONER SHLENSKY: If it
16 becomes a multitude of requests would you consider
17 PUD on it?

18 MR. McLAUGHLIN: I would consider
19 it but I don't think we will get there.

20 COMMISSIONER SHLENSKY: Okay.

21 CHAIRMAN JARRETT: I think there
22 was some concern. I don't know if it's still
23 there because I haven't seen the plans obviously.
24 But there was some concerns about whether they

1 would meet the parking requirements because they
2 are relying on 100 parking spaces.

3 MR. McLAUGHLIN: I have drastically
4 increased their parking by my internal reviews.

5 CHAIRMAN JARRETT: Okay. Because I
6 know initially there was -- they were going to
7 save money by not --

8 MR. McLAUGHLIN: Yeah, you will
9 see.

10 CHAIRMAN JARRETT: Okay.

11 MR. McLAUGHLIN: It's parked pretty
12 good for Phase 1.

13 CHAIRMAN JARRETT: Good.

14 MR. McLAUGHLIN: There is a
15 multi-phase approach. It takes time and money to
16 grow.

17 COMMISSIONER ORLOWSKI: Anyone
18 poking around on Robinette's property, demolition?

19 MR. McLAUGHLIN: Yes, Robinette.

20 COMMISSIONER ORLOWSKI: The whole
21 thing is for sale.

22 MR. McLAUGHLIN: Yeah. So they are
23 trying to put together a team, and that's not in
24 our municipality, but yes.

1 COMMISSIONER ROMANO: Is Lufkin a
2 concept or is that going? Is that going to
3 happen?

4 MR. McLAUGHLIN: We awarded the
5 design; right?

6 PRESIDENT CUZZONE: Yeah.

7 MR. McLAUGHLIN: They are going.
8 Funding is there. It's honing in on design and
9 bidding. Budgeted and granted.

10 COMMISSIONER SHLENSKY: Then all
11 TIF discussions are on hold until the union is
12 solidified?

13 MR. McLAUGHLIN: Yeah. So you
14 probably heard the public hearing on March 13 has
15 been canceled.

16 COMMISSIONER ORLOWSKI: Canceled.

17 MR. McLAUGHLIN: Yes. That will be
18 republished and redone.

19 COMMISSIONER SHLENSKY: Yeah.

20 COMMISSIONER LUEDTKE: What was the
21 agenda at that meeting to be?

22 MR. McLAUGHLIN: Public hearing on
23 the creation of the TIF.

24 COMMISSIONER LUEDTKE: Just to

1 create it?

2 COMMISSIONER SHLENSKY: For the St.
3 Charles corridor.

4 MR. McLAUGHLIN: Correct.

5 That was a single-purpose meeting
6 between COW and Village Board. That was going to
7 be a public hearing but we are pulling it back as
8 we hone in on the numbers.

9 CHAIRMAN JARRETT: All right. Is
10 that everybody's questions?

11 COMMISSIONER LUEDTKE: Yes, thank
12 you.

13 CHAIRMAN JARRETT: There's a lot of
14 stuff that needed to be asked.

15 COMMISSIONER LUEDTKE: Yeah,
16 apparently.

17 CHAIRMAN JARRETT: All right.
18 Unless there is anything else, motion to adjourn?

19 COMMISSIONER SHLENSKY: So moved.

20 COMMISSIONER HOFSTRA: Second.

21 CHAIRMAN JARRETT: All in favor?

22 ALL PRESENT: Aye.

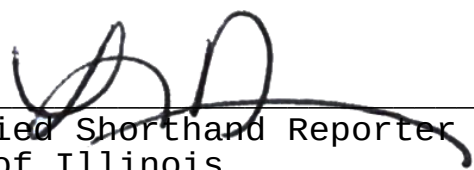
23 CHAIRMAN JARRETT: All right. We
24 are adjourned.

1 (Proceedings adjourned at
2 9:34 p.m.)
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1 I, LYN DOERING, Certified Shorthand
2 Reporter and Notary Public in and for the State of
3 Illinois do hereby certify that the foregoing
4 proceedings were reported stenographically by me,
5 was thereafter reduced to a printed transcript by
6 me, and constitutes a true record of the testimony
7 given and the proceedings had;

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

13 IN WITNESS WHEREOF, I do hereunto set my
14 verified digital signature at Chicago, Illinois,
15 this 29th day of March, 2023.

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

1	apparently 13:16	chance 9:10
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VILLAGE OF VILLA PARK, ILLINOIS
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF:)
)
AHLUL BAIT CULTURAL CENTER NFP)
) PZ-22-0016
721 EAST MADISON STREET)

PUBLIC HEARING

MARCH 9, 2023

7:30 P.M.

REPORT OF PROCEEDINGS had before the
VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, held at the Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
commencing at 7:35 o'clock p.m. on Thursday, the
9th day of March, 2023.

APPEARANCES: MR. JASON JARRETT, Chairman
MR. DOMINICK ROMANO, Commissioner
MR. ERIC LUEDTKE, Commissioner
MR. LARRY CALVERT, Commissioner
MR. JUSTIN SHLENSKY, Commissioner
MR. EDWARD HOFSTRA, Commissioner
MR. MICHAEL ORLOWSKI, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President
MR. MARC McLAUGHLIN, Community Development
MS. STEPHANIE BARAJAS, Planner

REPORTED BY LYN DOERING, CSR.

1 CHAIRMAN JARRETT: So we have one
2 item of business this evening. Before we get
3 started I will explain to everybody how the
4 process works.

5 We will start with staff input, then the
6 presentation of the Petitioner, if they have one,
7 and then we will move to public participation and
8 questions. That's where anybody from the
9 audience, if they want to speak, they are welcome
10 to come up to the podium and speak. You have
11 about three minutes, give or take. I will try to
12 be flexible but don't run over.

13 If you have somebody ahead of you that
14 said exactly what you think, you can say, I think
15 exactly what they think, I just want you to know
16 that, and we will hear that.

17 We will move to questions from the
18 Commission, which is up here. Closing comments
19 from the Petitioner, if they have any. And then
20 we will move to discussion up here and a motion
21 this evening, if necessary.

22 So I would ask, if you think you are
23 going to speak this evening, if you think there is
24 even a chance, stand now, raise your right hand

1 and be sworn in, and then I won't have to swear
2 anybody in individually later.

3 So if you think there is even a chance
4 you want to comment because otherwise you will
5 have to do it up here by yourself. It's a little
6 more awkward that way.

7 (Whereupon said witnesses
8 were duly sworn).

9 CHAIRMAN JARRETT: All right. So
10 the first item of business is PZ-22-0016 for 721
11 East Madison Street, PIN No. 0615200044 for a
12 Special Use for a Museum or Cultural Center and a
13 Special Use for a Religious Assembly in the
14 OR/Office Research District, Petitioner Ahlul Bait
15 Cultural Center NFP.

16 One thing I do want to remind everybody
17 before we get too far into this is we have a court
18 reporter. She is recording all of this in a
19 transcript just like in a court. So please, no
20 outbursts, let's not cheer, clap, boo, talk over
21 each other.

22 If you are up here it's your time to
23 talk. Up here is our time to talk. But she has
24 to capture all of this for a public record that

1 could in theory end up in court, if there is
2 anything that happens with the project.

3 All right. We will start with staff
4 input.

5 Mark, whenever you are ready.

6 MR. McLAUGHLIN: Good evening.
7 Yes, we have a petition for two special use
8 requests. They are independent requests. You
9 will see that at the very bottom of the petition,
10 it's two separate votes for when you get down
11 there:

12 One is for the museum and cultural
13 center. The other is for religious assembly.

14 Two things here: This is already an
15 existing building, with an existing parking lot,
16 with existing infrastructure.

17 No proposed construction changes have
18 been provided. If that is something they want to
19 do down the road, that is something they may want
20 to consider. That is not a part of today's
21 petition.

22 It is the building as it is, 8,000
23 square foot building, 76 parking stall parking
24 lot.

1 So really it's, is this an appropriate
2 use of this particular location. We are not
3 getting into landscaping. We are not getting into
4 the other sites and stuff.

5 It is noted that during our review that
6 the trash enclosure that's on site is in the wrong
7 location. It's not a permanent location.

8 Currently there is a permit application
9 in our office that is under a zoning and
10 construction review to install it on the south
11 side of the building. So we are getting rid of
12 that violation right off the bat.

13 It's not actually part of this. We are
14 handling it in the permit process.

15 Additionally it was noted that the
16 address is unique, 721 East Madison, with no
17 vehicular or pedestrian access to Madison.

18 So we have discussed with the contract
19 purchaser that if the zoning goes through and they
20 move forward with the acquisition we will be
21 readdressing this to an Illinois Route 83 address.
22 We are going to clarify all that stuff.

23 When the property changes hands is the
24 best time to make all these fixes and we are

1 taking advantage of that.

2 Everything else honestly, it's open for
3 the Petitioner to tell a little bit about what's
4 going on. I just want to note, two different
5 requests, two different motions at the end.

6 CHAIRMAN JARRETT: Okay. Thank
7 you.

8 All right. Presentation from the
9 Petitioner, if you have a presentation for this
10 evening. If you don't have a Powerpoint you are
11 free to be right here.

12 MR. WATOR: No Powerpoint, very
13 simple.

14 My name is Dariusz Wator and I am the
15 Attorney for the Petitioner here.

16 This is the Ahlul Bait Cultural Center.
17 It is an Illinois not-for-profit corporation that
18 was established a number of years ago to provide
19 cultural and religious-based support for members
20 of the community that they originate from. Many
21 of them are from Iraq and other Middle Eastern
22 countries.

23 To provide not only support -- Not only
24 to provide cultural-based education but also to

1 provide support for these individuals as they came
2 to our country as immigrants in order to provide
3 things as simple as English as a second language
4 classes, as well as other educational
5 opportunities, support one another, give them a
6 place to come back to, to provide kind of like a
7 reference point for the countries and the cultures
8 that they originally come from.

9 The organization at present is centered
10 in Evanston but they have been for the last few
11 years looking to purchase a property to provide
12 administrative and logistic and administrative
13 headquarters for the organization. They have been
14 looking near and far and settled on this property
15 to put their offer down.

16 And yes, they are the contract purchaser
17 from the current owner of the property.

18 The contract for purchase is actually
19 about nine and a half steps towards being
20 complete. The last element is actually something
21 that was mentioned a few minutes ago, which is
22 that we are waiting for the clearance of that
23 violation in the final permitting process to be
24 completed to allow that enclosure to be built

1 around the dumpster.

2 Once that's complete we will actually
3 probably go to escrow, close on the property, and
4 then complete the process of the construction
5 after we are done with that.

6 Fundamentally speaking, the purpose of
7 the purchase is for administrative and logistical
8 purposes for the organization.

9 So the baseline purpose for the contract
10 itself was that this building was of the
11 appropriate size, location and nature to provide
12 the office space and structure to be able to run
13 the organization; okay.

14 Now, the reason for the application
15 process was because of the large amount of work
16 that they do, cultural and religious, the
17 organization felt it was best to start this
18 process and get the special use authorization for
19 these activities, not for -- not based on
20 necessarily the amount of these activities or the
21 expansiveness of them but just to have the
22 necessary administrative authorizations.

23 As was also mentioned, we are buying the
24 structure as it is. There is no intentions of

1 changing anything of the layout in the building
2 itself.

3 The organization will be taking over one
4 floor of the property. The remaining tenants are
5 going to stay for the foreseeable future.

6 Any necessary work to perhaps improve
7 the infrastructure of the property will be for the
8 most part cosmetic at the beginning.

9 The activities themselves, which to
10 break them up into two constituent parts:

11 The application for the religious
12 assembly was mainly because the organization would
13 like to, based on the geography and the location
14 of the membership, have the opportunity to have
15 certain religious activities occur at the
16 location.

17 So this may be religious instruction
18 classes in the office spaces that are already in
19 existence.

20 It may be marriage ceremonies of a
21 Muslim-based nature. Now, this does not mean that
22 there will be wedding-based banquet facilities
23 built there, nor will those types of activities
24 occur, just the opportunity to have the religious

1 ceremony itself occur there.

2 There will be cultural -- There will
3 also be -- I already mentioned the religious
4 instruction.

5 There may be counseling for bereaved
6 family members of members by an Imam.

7 Also again, limited in scope and size to
8 the capabilities of the property; therefore we are
9 not talking about an expansive number of people.
10 Most of it would relate to individual counseling
11 sessions between the family members and the Imam.

12 The other aspect to it was the museum
13 cultural application for the special use on that
14 side of things.

15 Again, one of the purposes of the
16 organization is to provide its membership with a
17 structure and a baseline place to come back to for
18 their own -- based on cultures that they originate
19 from; okay. Just to give them a place to go back
20 to, to have their children receive either cultural
21 instruction, linguistic instruction; okay.

22 There is also the possibility of just
23 having presentations by members of the community,
24 who may have some something to offer, in terms of

1 cultural instruction, historical instruction, etc.

2 Not necessarily of an expansive nature.

3 Again, the facilities there are office-oriented so
4 we are not talking about an auditorium-type of
5 college instruction but personalized for a
6 conference room to be able to have members meet
7 with the individual, who may be a member of the
8 community, but also have the opportunity to have a
9 location where they might have outside individuals
10 come in and present to the membership itself.

11 The main point -- I almost forgot.

12 There are also sports activities and
13 clubs that the organization runs, especially for
14 the youth and children of the membership.

15 So now, they wouldn't be obviously
16 running sporting activities in an office space,
17 but it would be a meeting point for some of those,
18 especially the clubs that the kids engage in.

19 But for the most part most of that would
20 be administrative in nature, as a meeting point
21 for the membership and, you know, engaging further
22 onto wherever that activity may actually occur.

23 But again, with the clubs, many of them
24 are both religious and culturally-oriented, so

1 some of those meetings for those clubs and club
2 members would actually occur inside the premises
3 as well.

4 I want to make one thing clear, and I
5 was speaking before, this is -- the intention of
6 the religious assembly is not for this to be
7 converted to a place of mass religious meeting;
8 okay. This is not going to -- This is not a
9 mosque. There is already a separate location
10 where the membership meets and has a facility for
11 that.

12 Again, the religious side of the
13 application here is it to allow for the type of
14 almost individualized religious activities that I
15 mentioned a few minutes before.

16 We believe that the nature of the
17 building, its layout, its location in proximity to
18 both major streets and the neighbors is such that
19 the application -- allowing both of these special
20 uses to be favorably voted upon would not intrude
21 or impede anyone else's ability to work/live in
22 the general vicinity of this building,
23 particularly since we are not, again, changing any
24 part of the structure itself or modifying it for

1 altered uses.

2 And therefore, we believe that this
3 application is of such a nature that we hope that
4 the Board here will find it in the -- in the
5 interest of my client's membership to vote
6 favorably on both applications. Thank you.

7 CHAIRMAN JARRETT: Okay. Thank
8 you.

9 All right. Public participation
10 questions, so I would ask people to come up one at
11 a time, state your name and address for the
12 record, speak clearly, try to keep it to about
13 three minutes maximum.

14 It's a lot more time than it feels like.
15 I will try to give you a heads up, if you are
16 getting close to it.

17 And then address questions to me and
18 then I can pass them -- we can have them answered
19 all at once. That way we don't have to have
20 people jumping up back and forth, because we are
21 being recorded both here and on video, so I want
22 to make sure whoever is speaking is in front of a
23 mic.

24 So whoever wants to go first, name and

1 address and have at it.

2 MS. PLATTENBERGER: Patty

3 Plattenberger, my address is 713 East Madison
4 Street Villa Park. I am here with many of my
5 neighbors to object to the granting of this SUP.
6 We believe that it will cause traffic and safety
7 concerns in these primarily residential streets.

8 I was going to talk about the address
9 but that's going to be corrected, but as everyone
10 who lives in Villa Park knows, it is very
11 difficult to the access that property off of 83
12 because of the traffic on 83 and the traffic in
13 and out of Walmart.

14 So a much easier way to access -- and
15 it's being done now -- is to come down Madison,
16 park on our residential street and access through
17 that side.

18 You know, the front of the building is
19 off of that frontage road which doesn't appear to
20 have a name and 83. But if you have ever tried to
21 go into that Walmart you can see the traffic is
22 horrendous.

23 And it is our belief, human nature being
24 what it is, that people will come down Madison,

1 either to drop off or to pick up and/or park on
2 our street.

3 Now, that building is in a pretty
4 significant flood zone and that parking lot has
5 flooded. My neighbors tell me it has flooded.

6 So when that happens of course people
7 will park on Madison Street and our neighborhood
8 can't accommodate that type of parking. There is
9 just -- You know, it won't work.

10 In the late eighties, early nineties,
11 the Village, because of the traffic concerns, made
12 our street a cul de sac dead-end street. So I
13 think by allowing this and allowing people to
14 come -- and again, human nature being what it
15 is -- to access off of Madison also affecting
16 Riverside right there would nullify all of that.
17 A tremendous amount of work that was done by the
18 Village to alleviate that problem.

19 Some of the neighbors were at Tuesday's
20 meeting of traffic and safety to talk about this
21 and we were shocked and surprised to find out they
22 knew nothing about it. So they listened to us and
23 responded that they needed time to study it, to
24 figure out if -- you know, what this would

1 mean, in terms of the traffic and parking on our
2 street.

3 So we are asking, first of all, that
4 this be denied, but in lieu of that, at the very
5 least, give traffic and safety the time they need
6 to study it.

7 CHAIRMAN JARRETT: Okay. You are
8 at about three minutes. I will give you a few
9 more seconds, if you need.

10 MS. PLATTENBERGER: I just have one
11 thing to add.

12 I didn't get -- I know that they should
13 have been mailed out and that people within 250
14 feet should have gotten this notice. I live at
15 713 which is right there and I didn't get the
16 notice and I don't think a lot of people did.

17 CHAIRMAN JARRETT: Okay.

18 MS. PLATTENBERGER: I also have a
19 petitioned signed by about 29 or 30 of the
20 neighbors saying that they object to this.

21 CHAIRMAN JARRETT: So why don't you
22 give that to me and we will circulate it and I
23 will give it to Mark here to make sure it gets in
24 the record.

1 Whoever is next?

2 MR. LANG: Hello, my name is Cole
3 Lang, address is 734 South Riverside, Villa Park.
4 I just wanted to just approach, I guess, and ask a
5 question:

6 How many parking spots did they say were
7 in that parking lot?

8 MEMBERS OF AUDIENCE: 76.

9 MR. LANG: 76.

10 Approximately how many members of this
11 organization or group that would be inhabiting
12 this area or this building?

13 CHAIRMAN JARRETT: Yeah, that's a
14 question we will definitely be asking. So I will
15 get you an answer for that.

16 MR. LANG: I felt a lot of broad
17 numbers I guess in there, but also like how many
18 people would be expected to show up at a said
19 wedding reception or whatever was mentioned in the
20 report?

21 I would like to know how many -- You
22 know, if there is 150 members, surely it will be
23 double in size, if they have a wedding reception
24 or whatever they were talking about there as well.

1 So I wanted to comment on the amount of
2 spaces. There will be overflow into our streets.
3 And obviously I object as well.

4 And I would like to second what Patty
5 said. It's just too much -- you know, too much
6 space with just the overflow of traffic and such.

7 CHAIRMAN JARRETT: Thank you. We
8 will be asking those questions for sure.

9 MR. MARTENS: Henry Martens. I am a
10 55-year continuous resident of Villa Park. I
11 thank the Board for hosting this tonight and
12 inviting me up here to speak.

13 In the 55 years I have been here in
14 Villa Park I can remember when Madison was open
15 the entire length. Late eighties, early nineties
16 we fought hard to get Madison closed into a dead
17 end.

18 Before it was the dead end, in the
19 morning traffic would back up from the Route 83
20 bumper to bumper west of Villa.

21 After it became a dead end we fought
22 again to get no parking in the dead end zone.

23 We still have office tenants -- current
24 office building tenants that park in the

1 neighborhood and walk in.

2 We have discussed the address on
3 Madison. If you use that address, and you search
4 with GPS, you are routed through the neighborhood.

5 Madison and Riverside, there is a school
6 bus stop morning and afternoon. Resident parking
7 is only one side of the street.

8 It is a T-intersection, that if you have
9 people coming from different directions that are
10 unfamiliar with the area trying to get down the
11 dead-end zone to drop off at the back door, the
12 cul de sac is not a cul de sac, it's a dead end,
13 so there is not enough room for standard cars to
14 turn around; it requires backing up. So you have
15 one way in, person backing up, and one way out.

16 Depending on the size of the amount of
17 people coming for Saturday/Sunday classes or
18 worship services it will turn traffic into a
19 nightmare.

20 The property, the parking lot and the
21 wooded area is deep in the flood wash. I have
22 seen it a number of times where cars are fully
23 submerged. The parking lot is approximately four
24 or five feet lower than the level of Frontage Road

1 and when the creek comes out of the bed --
2 streambed it doesn't take long to fill that
3 parking lot.

4 It's an extremely hard place to find and
5 it is a much harder place to leave.

6 If you go into the parking lot, the only
7 access to that parking lot is north on a short
8 section of Frontage Road. The parking lot is a
9 beautiful parking lot.

10 When you leave, you go south on Frontage
11 Road about 200 feet to a stop sign. The only
12 person at that intersection that has a stop sign
13 is people leaving the office building.

14 CHAIRMAN JARRETT: Uh huh.

15 MR. MARTENS: The people coming in
16 from the 55 mile an hour Route 83 have a turn lane
17 that they don't stop. They come right in.

18 The people leaving Walmart have two
19 lanes of traffic without a stop sign; one is a
20 turn lane, one is a turn north and one is turn
21 south. They don't let people in from the north
22 that are sitting at the stop sign.

23 So if you hold an event there that has
24 79 cars or 76 cars and people leave, one car at a

1 time gets out from the stop sign, and then it's a
2 three to four minute cycle for another car to come
3 out.

4 CHAIRMAN JARRETT: You are a little
5 bit over three minutes, if you could make a couple
6 of quick points.

7 MR. MARTENS: We know other traffic
8 issues in this town between the high school and
9 the IFS school, people park in Cambria and walk
10 through the neighborhood to get to those.

11 Currently Jackson has something on the
12 traffic and safety committee about looking at the
13 Ardmore School, if you drive through town.
14 Ardmore and Harvard or School and Harvard, when
15 the kids are getting in and out is impassable.

16 If we are doing this for property tax
17 and this is a not-for-profit organization what is
18 the gain of strangling the community with the
19 hazards of traffic?

20 And the people buying the property don't
21 want to be one year into it and can't -- and
22 realize they can't get out of their property.

23 If we wanted traffic problems we would
24 live elsewhere. We are homeowners, we are voters,

1 we are united in not wanting this.

2 If we allow this to happen and we come
3 up with a workable solution for the traffic in the
4 residential area, how long will it take for
5 Walmart to tolerate people parking in their lot
6 and walking off their property?

7 That is what I have to say.

8 And, Ms. Court Reporter, 717 East
9 Madison, I am next to the wooded lot on that
10 property that no one maintains.

11 CHAIRMAN JARRETT: Thank you.

12 MR. MARTENS: Thank you and thanks
13 for hearing me.

14 CHAIRMAN JARRETT: Anyone else?

15 MR. CERVANTES: My name is Luis
16 Cervantes. I live at 714 East Madison Street,
17 right across the street from this building.

18 The same people who park on our roads
19 now, I had an issue with them already, because
20 they were making deliveries at this building, and
21 they were there two years in, and I thought I was
22 having a decent conversation until I asked them if
23 they could make their deliveries on the front side
24 of the building, and they actually park right

1 where that garbage can is, where the gentleman
2 said they were going to move it.

3 And having that issue -- Right now, if
4 they don't make the deliveries they still park on
5 the street. Every once in awhile one of their
6 cars will pull up into the driveway, park, and
7 there is a door on that side of the building, on
8 the north side of the building where people come
9 in and out.

10 I was hoping they could at least put a
11 fence there so that can't happen. A lot of people
12 come out of the building, then smoke in the back,
13 the back end.

14 I have kids. I don't need more traffic
15 coming through there. I have grandkids. We
16 already get traffic there.

17 There is a traffic sign there that says,
18 Do not enter. You can't even see it. It's not
19 big enough. It's not properly placed.

20 So hopefully it doesn't happen, but if
21 it does, how do we fix these concerns?

22 CHAIRMAN JARRETT: Okay.

23 MR. CERVANTES: And I agree with
24 all my neighbors and that's why I am here.

1 CHAIRMAN JARRETT: Thank you.

2 MR. PLATTENBERGER: Hi, Matthew
3 Plattenberger, also at 713 East Madison.

4 So when the meeting started the lawyer
5 got up here and said, you know, This is going to
6 be an administrative office building, which you
7 know, seemed pretty reasonable for that space.

8 I am not aware of any office buildings
9 where weddings are held, team practices, work
10 get-togethers or league sign-ups. So I want to be
11 very careful that we don't allow this and then
12 have a problem that we are not expecting down the
13 road. So thank you.

14 CHAIRMAN JARRETT: Thank you.

15 Anyone else have comments?

16 MR. MARTENS: I have some exhibits.
17 I don't know if they go to you or to the court
18 reporter.

19 CHAIRMAN JARRETT: You can give
20 them to me and they will go in the record and be
21 part of the file.

22 MR. ASHWORTH: My name is Al
23 Ashworth, 528 East Madison.

24 A couple of these items have been

1 addressed by the City already. They want to make
2 sure it didn't happen but I want to make sure that
3 if this property is rezoned that part of the
4 zoning that is actually stated there is no access
5 to Madison.

6 One of my fears is that eventually
7 something would change with the building and
8 access will be somehow granted. We are afraid of
9 that.

10 They say right now they are not doing
11 anything with the building but ten years down the
12 road there might be something done with the
13 building; okay and that.

14 I am also concerned about the parking
15 situation there. I already have -- If you come
16 down Riverside Drive, come off 83, turn in
17 Madison, the way I get home, there is quite often
18 cars parked right there, even at the T of that
19 street, which can make it difficult, especially in
20 bad weather. So that's one thing I wanted to
21 address.

22 I question whether or not people are
23 notified. 250 feet from what? To me it should be
24 from the very edge of the property around and that

1 does not seem like it was done.

2 So I would ask that you have to redo
3 this because of the fact the zoning requirement
4 was not done. I am not positive on that but I
5 would like you to look into that.

6 I would also ask if there is going to
7 be -- If there is going to be any changes to the
8 property in the future or this type of zoning type
9 thing that that would be expanded to 250 feet to
10 750 feet for more people to get notice on what's
11 going on.

12 But parking on that street, you cannot
13 pass two cars and a parked car there at the same
14 time. So if you have cars parked there you are
15 restricting it to basically a one-way flow.

16 And even from my house, if people park a
17 vehicle on the other side of the street, you
18 always see the other car stopping and waiting for
19 traffic to come through before they will proceed.
20 So if you actually have a whole line of cars that
21 will become a major problem.

22 Also again, restrict deliveries to the
23 front side of the building. The back side of the
24 building would be very good.

1 I like that you are changing the
2 address because right now we have people going up
3 and down the street looking for the address and
4 that. So thank you.

5 CHAIRMAN JARRETT: Thank you.

6 MR. COLMONE: Joe Colmone, 742
7 South Riverside.

8 I have been a resident of Villa Park for
9 about nine years now. I have three children.
10 Live right on the corner basically of Madison and
11 Riverside.

12 My three kids go to Ardmore. They wait
13 for the bus every morning. They get off the bus
14 in the afternoon. There is maybe four or five
15 other kids taking the bus in the morning and
16 coming home afterwards.

17 On Madison there is constantly cars
18 zipping down the street pretty quick, turning
19 those corners. Sometimes there's buses going both
20 directions in the morning. There is not enough
21 space for additional cars on that street.

22 Also just, you know, I grew up in small
23 town, lived in the city for many years, moved out
24 to a quiet suburb to have a community. It's great

1 to see many of my neighbors here today.

2 As my little ones were learning to ride
3 a bike we would always go down that dead-end
4 street because it was safe. There is nowhere else
5 to go besides on the sidewalks and the sidewalks
6 are broken, so we would go on that little area
7 there. And if this were to open up, you were to
8 open up that access area into the building, that
9 wouldn't be able to happen.

10 The community has been growing. There
11 is a lot of more families. We see many people
12 walking in the streets these days in strollers.
13 They are eventually going to be doing the same
14 thing that I did for the last nine years, so I
15 just wanted to say that I would also be against
16 this.

17 CHAIRMAN JARRETT: Okay. Thank
18 you.

19 MR. RODRIGUEZ: Hello, Fidencio
20 Rodriguez, and I agree with most of the comments
21 here.

22 I do have a question of what the hours
23 of operation would be for this building, seeing
24 that I also have two little kids that are four and

1 five years old, and if there is going to be late
2 nights or loud people or access in and out or
3 mornings on the weekends, you know, when people
4 would usually stay in, so my concern is the hours
5 of operation.

6 Of course all the parking situation,
7 since I live in 743 South Riverside Drive, which
8 is right around the corner from there, so I just
9 want to address those concerns. To have the
10 address actually taken care of, that helps.

11 But I am also concerned about the
12 traffic. And some people don't even stop at that
13 stop sign at the moment. So we have people flying
14 down by Madison, people taking quick right turns.
15 I can't imagine how much of a mess it would be for
16 all of these vehicles to be going through that
17 area.

18 I know I am being a little selfish with
19 the kids also wanting to ride the bikes around the
20 cul de sac, but there is a lot of broken sidewalks
21 where people have fallen, like my wife and stuff
22 like that, running and stuff like that. So if
23 there is a place where we can have the kids be
24 able to do activities like that that would also be

1 helpful.

2 CHAIRMAN JARRETT: All right.

3 Thank you.

4 Anyone else wishing to speak? This will
5 be your last opportunity at least at this hearing.

6 MS. ROJEK: Hi, Angie Rojek, 639
7 Riverside. So I am on the same street.

8 I just want to echo what everyone else
9 is saying. I wasn't planning on speaking. I just
10 came tonight because I wanted to hear what was
11 going on.

12 The one thing I will say is people are
13 always parked on Madison to go through that -- the
14 office building.

15 And also people go flying down our
16 street as it is anyway coming off of 83. They
17 really zoom down it because it's a long street
18 too. So I just wanted to comment on that and just
19 agree with what everyone is saying.

20 CHAIRMAN JARRETT: Okay. Thank
21 you, Angie.

22 Anyone else?

23 MR. BIGECK: Don Bigeck, 632 East
24 Madison.

1 There was two things. This is a little
2 off the beaten path. Everybody knows we don't
3 want people parking in our areas.

4 If it weren't for the Walmart that came
5 in, we wouldn't have that cul de sac. As hard as
6 the Village fought for it -- or we always
7 requested it from the Village. It wasn't going to
8 happen until Walmart come in. And Walmart
9 actually was the deciding factor on the cul de
10 sac.

11 Two things I want it to be known is that
12 Walmart has a nice parking lot there for these
13 people. I know there is going to be an overflow
14 over there and they are going to want to park on
15 Madison.

16 Couldn't we get Walmart to make a little
17 arrangement for some parking over there for just
18 in case of an overflow?

19 No. 2: I would like to see -- at the
20 stop and go light there is lights up there to
21 prohibit you from making a right turn on red, if
22 you are over the white line, you know, where you
23 stop at, and you get a ticket for that.

24 I would like to see that eliminated,

1 make it much easier, because there's cars backed
2 up six to ten cars waiting for the person that
3 refuses to go through that light because it isn't
4 an arrow. And right now that's as far as I've got
5 to go.

6 CHAIRMAN JARRETT: Okay. Thank
7 you.

8 I saw someone over here quickly a minute
9 ago.

10 MR. STELDER: Jim Stelder, 531
11 Madison.

12 We were there before Walmart went up and
13 we were told at the time that the only way Walmart
14 would be approved from IDOT traffic-wise was if
15 the cul de sac would be blocked off.

16 When it wasn't blocked off there were
17 cars doing 50-60 miles an hour, as somebody said
18 earlier, it was bad.

19 When the cul de sac went up they slowed
20 to about 52 miles an hour, so it wasn't much.

21 Parking is a big issue. That's what my
22 concern would be.

23 CHAIRMAN JARRETT: Okay. Thank
24 you.

1 Anyone else?

2 (No response.)

3 CHAIRMAN JARRETT: All right.

4 Questions from the Commission?

5 I guess before we go to specific
6 questions, are there any of these questions that
7 you would like to address right now?

8 MR. WATOR: Sure. I think that may
9 address a lot of what you may be asking.

10 CHAIRMAN JARRETT: Yeah. I think
11 we will have a number of the same questions and
12 you can address the questions that you might have.

13 MR. WATOR: Sure.

14 The first thing I would like to dispel
15 is I believe that there is a misconception of the
16 size of our organization. That there is suddenly
17 going to be an influx of hundreds of people into
18 this building into the space of a limited time and
19 a limited day.

20 The reality of this situation is that
21 this entire organization consists of 40 members;
22 okay. 12 of whom work on the administrative side
23 of the organization itself. And not all of them
24 work at the same time because they are also

1 working full time.

2 The board itself consists primarily of
3 engineers. Which if you are an engineer you are
4 working long hours.

5 So this isn't going to be a situation
6 where there is going to be dozens upon dozens of
7 cars needing to access both the Frontage Road,
8 access back onto 83 and/or having to be parked
9 there.

10 Quite frankly, it is very likely that
11 the volume of vehicles both parked and accessing
12 that property is going to be right around the same
13 amount that may have been occurring prior to the
14 first floor tenant having vacated it.

15 Because right now the second floor
16 tenant is still there and is staying. And the
17 first floor is empty but for two suites and those
18 two individuals are going to be vacating as well.

19 So it will be occupied by the
20 Purchaser/Applicant here; okay. So just to
21 address that.

22 The nature and the organization of
23 traffic flow into and out of Frontage Road off of
24 83 and back onto it, my client is very well-aware

1 of both the pitfalls and the benefits of having
2 access to that area.

3 Pitfalls obviously being described at
4 length by all of the neighbors here and the
5 benefits are pretty much having access to Route 83
6 and you are on 88 heading elsewhere or heading
7 northbound at a fair clip. So we are not talking
8 about again dozens upon dozens of vehicles in and
9 out of there on a daily basis.

10 The staff, as I mentioned, the staff
11 is -- they contribute their time to the
12 organization. So based on the size of the
13 organization you are not going to have all 12
14 administrative personnel in that office everyday,
15 all day.

16 Most of their activities occur in the
17 early evening hours during the week or during
18 regular -- what one might consider -- business
19 hours on Saturday, on a weekend. So you are
20 talking about 4:00, 5:00, 6:00 o'clock in the
21 evening during the week, 10:00, 11:00 o'clock
22 until maybe 2:00 or 3:00 o'clock on a Saturday,
23 for the most part.

24 And again, those individuals that might

1 have activities going on there or need to get
2 administrative work completed.

3 The impact -- Obviously this is -- It's
4 hard to say exactly what kind of impact that flow
5 of additional persons might have on the overall
6 traffic in that area, but again, I don't believe
7 that it would be any higher than it would be if
8 both floors of that building were fully occupied.

9 Now, I can't speak to what has occurred
10 in the past, in terms of deliveries and parking on
11 Madison.

12 We don't have access onto Madison. We
13 would be entering and exiting the building off of
14 the permitted route onto Frontage.

15 I guess the easiest way -- maybe not the
16 easiest way but the most concrete way to address
17 the concerns are, new sheriff in town. We -- The
18 current party that is selling to us is an absentee
19 landlord, let's put it that way. He is not
20 on-site.

21 In this particular case with the
22 property being purchased by my client that
23 would -- Obviously they would be on-site and be
24 able to address those issues.

1 Again, understanding that the membership
2 and the administrative personnel would understand
3 that when we're -- you know, part of the parking
4 lot is flooded over, because of the creek or not
5 it doesn't matter; we have a parking lot, this is
6 what you use.

7 And obviously, if there would be
8 impermitted parking by other tenants, again we are
9 on the spot and we are able to address those
10 issues through the proper regulations with our
11 tenants and to a certain extent in cooperation
12 with the City.

13 So again, I understand the concerns of
14 the neighbors on that Madison cul de sac.

15 There is no intent that this -- There is
16 no intent of changing that arrangement. Again,
17 this is -- We are buying an office building and we
18 will increase the population of that office
19 building minimally over and above what it is at
20 this point.

21 In light of all that information there
22 are no grand plans for any sort of an expansion of
23 the existing structure or otherwise and see no
24 purpose in attempting or planning or viewing the

1 cul de sac and the cutoff of Madison from Frontage
2 to be anything but beneficial actually because it
3 does cut down on the traffic for anybody that's at
4 the building.

5 Again, I think that in light of all
6 that -- all that I just brought up, I think it
7 does address some of the concerns, but I won't
8 speak for the neighbors here to do that.

9 But I wanted to address these things
10 because I think again there is a misconception of
11 the exact scope and size of the entity that is
12 going to be running its offices out of that.

13 And one thing to speak to directly, I
14 would beg to differ as to weddings occurring in
15 offices.

16 When I went down to Arizona for my
17 oldest daughter's wedding down there, the civil
18 ceremony, it looked like a storefront for goodness
19 sakes in Pima County. And the Justice of the
20 Peace, I think he was a travel agent, part-time,
21 so that's -- it was surprising.

22 So I got married in front of Judge
23 Wheaton in DuPage, so it's a little bit more of a
24 bigger to-do. At least it was for me because I

1 like her as a judge.

2 Anyway, that's all I wanted to kind of
3 address, some of the stuff that was brought up in
4 the open comments.

5 CHAIRMAN JARRETT: Okay. One quick
6 question that also might help, if you think you
7 know the answer:

8 What is the biggest single occupy-able
9 space on the first floor roughly?

10 MR. WATOR: You mean, like one of
11 the offices?

12 CHAIRMAN JARRETT: Yeah, the
13 biggest single space.

14 MR. WATOR: I think it's an office
15 space. It's almost like a conference room. I
16 it's like 10 x 20.

17 Mr. Jawad?

18 MR. JAWAD: I think more than that.

19 MR. WATOR: A little bit bigger?

20 Maybe 15 by 30, so --

21 COMMISSIONER LUEDTKE: Bigger than
22 this room?

23 MR. WATOR: No, no, no, definitely
24 not.

1 COMMISSIONER HOFSTRA: How many
2 office suites are in the first floor?

3 MR. WATOR: I was afraid you were
4 going to ask me that and I didn't look at the
5 floor plan before coming in.

6 Do you recall how many individual
7 offices?

8 This is Mr. Jawad. He is a member of
9 the board of the organization, so he has been
10 there, so obviously he's --

11 CHAIRMAN JARRETT: Yeah, can we get
12 your name and address for the record please?

13 MR. JAWAD: Yeah, my name is Alaa
14 Jawad.

15 Yeah, for first floor is about five to
16 six offices, I believe. I'm sure no more than six
17 or seven, yeah.

18 CHAIRMAN JARRETT: Okay. Other
19 questions specifically for the Applicant while he
20 is standing? We can always ask him to stand again
21 but ...

22 COMMISSIONER HOFSTRA: And how many
23 are on the second floor?

24 Do you have any idea how many people are

1 there on a given office day?

2 MR. WATOR: I believe they have
3 approximately eight employees up there, who are
4 there on a consistent basis.

5 They run a property management business
6 so I think it's a little bit of an in and out
7 there, but I think it's about eight to ten
8 individuals.

9 And again, there are the two individuals
10 who are still currently present, who are renting
11 out suites on the first floor, but those
12 individuals have received notice of termination.
13 So that first floor will be opened up and it will
14 only be our organization on the first floor.

15 CHAIRMAN JARRETT: Okay.

16 COMMISSIONER SHLENSKY: Counsel, I
17 have a question.

18 With regards to the tenants or tenant
19 that occupies the second floor, within their lease
20 is there specified amounts of parking that come
21 with the second floor lease?

22 MR. WATOR: No, no.

23 The parking is open for all tenants. So
24 there are no restrictions or limitations in that

1 lease.

2 COMMISSIONER CALVERT: You said the
3 building was approximately 8,000 square feet. Is
4 that divided equally between the first floor and
5 second floor?

6 MR. WATOR: Each floor is 8,000
7 square feet approximately.

8 COMMISSIONER CALVERT: And is there
9 a basement?

10 MR. WATOR: There is not a
11 basement.

12 CHAIRMAN JARRETT: Mark, I have a
13 question for you.

14 MR. McLAUGHLIN: Yeah.

15 CHAIRMAN JARRETT: If they needed
16 to, say, either expand into the second floor or
17 any substantial alterations to the first floor,
18 let's just say turning five offices into an
19 assembly space, that would require them to amend
20 the special use; correct?

21 MR. McLAUGHLIN: Not necessarily.

22 If we are okay with allowing the special
23 use as is they have the ability to work within the
24 existing building as they see fit.

1 CHAIRMAN JARRETT: Okay.

2 MR. McLAUGHLIN: If they expand it,
3 then we are talking about potentially expanding
4 the building.

5 CHAIRMAN JARRETT: I guess the
6 question --

7 MR. McLAUGHLIN: It's not tied to a
8 specific floor.

9 CHAIRMAN JARRETT: Okay. Currently
10 as it stands, it's not?

11 MR. McLAUGHLIN: Correct. Yes.

12 I can clarify some of the parking things
13 that popped up, if you would like as well?

14 CHAIRMAN JARRETT: Yeah, please.

15 MR. McLAUGHLIN: Okay. So on-site
16 is 76 parking stalls and 4 ADA. So that's the
17 total parking on-site.

18 We ran a very conservative model on our
19 parking requirements for the museum and the
20 cultural facility and we overlapped the religious
21 assembly on top of it. So you can't actually have
22 them together but we threw the numbers on top.

23 Total required parking spaces for both
24 of those is 30. So severely, what I would say,

1 over-parked.

2 CHAIRMAN JARRETT: So you are
3 saying 30 for each of those?

4 MR. McLAUGHLIN: No, 30 total.

5 CHAIRMAN JARRETT: 30 for total?

6 MR. McLAUGHLIN: Yeah. There is
7 only 40 seats for the religious assembly, 40
8 members, 40 seats.

9 Even if they doubled that we are not
10 getting anywhere near the 76 and 4 ADA per our
11 code. So well-over-parked for what our code is.

12 And as he said, the parking lot is in
13 good condition, striped. It's all good from our
14 perspective. No code violations on it.

15 COMMISSIONER LUEDTKE: Does that
16 also take into account second floor spaces?

17 MR. McLAUGHLIN: Yes.

18 COMMISSIONER LUEDTKE: So you are
19 saying that that two-story building that has a
20 parking requirement of 30 cars?

21 MR. McLAUGHLIN: Correct. At the
22 proposed use right now.

23 COMMISSIONER LUEDTKE: At the
24 proposed use.

1 MR. McLAUGHLIN: Yes.

2 COMMISSIONER CALVERT: I have a
3 question, Mark.

4 Is there a building occupancy limit for
5 that building?

6 MR. McLAUGHLIN: Yes. One second,
7 it's right here.

8 Under 50.

9 COMMISSIONER CALVERT: For the
10 entire building?

11 MR. McLAUGHLIN: Yes. And that's
12 because of the sprinkler fire safety.

13 So if the occupant goes over that, that
14 would require them to retrofit sprinklers. No one
15 is intending to do that because of the financial
16 burden that it is.

17 COMMISSIONER CALVERT: It's 50 for
18 the entire 8,000 square feet?

19 MR. McLAUGHLIN: For the building,
20 yeah.

21 COMMISSIONER ORLOWSKI: That's
22 actually what I was going to ask.

23 Have we heard any feedback or anything
24 from police and fire?

1 MR. McLAUGHLIN: No. There is no
2 violations on-site. They had an inspection for
3 the fire inspectors. Everything is good.

4 CHAIRMAN JARRETT: Now, on Madison
5 is that no parking on both sides of the street
6 towards the cul de sac or it is just one side,
7 which is pretty typical?

8 Is it the south side or the north side?

9 MR. MARTENS: There's no parking
10 east of Riverside on either side of the street.

11 CHAIRMAN JARRETT: Okay. That's
12 what I wanted to know.

13 COMMISSIONER CALVERT: Does parking
14 still occur, even though it's posted?

15 MR. MARTENS: Yes, by tenants.

16 COMMISSIONER SHLENSKY: Once again,
17 that's an enforcement issue with village staff.

18 MR. McLAUGHLIN: More specifically
19 police department, not community development.

20 COMMISSIONER SHLENSKY: I wasn't
21 throwing anybody under the bus.

22 COMMISSIONER CALVERT: And the no
23 parking is just east of Riverside; that's where
24 it's posted on both sides of the street for

1 Madison?

2 MR. MARTENS: There is one sign
3 posted in front of the wooded lot and there is one
4 sign posted directly across the street in front of
5 710.

6 MS. PLATTENBERGER: It's completely
7 covered when the trees are in bloom.

8 MR. McLAUGHLIN: Two signs.

9 MS. PLATTENBERGER: But when you
10 are west of that only parking on one side.

11 COMMISSIONER CALVERT: And then
12 parking is permitted then west of Riverside on
13 Madison?

14 MS. PLATTENBERGER: Yes, on one
15 side only.

16 CHAIRMAN JARRETT: One little
17 comment I do want to make, there was a comment
18 about tax base and whether or not, it being a
19 religious use, that's actually not something we
20 take into account.

21 We have land use standards and zoning
22 standards that we apply. There is a list of them
23 that are in the application and we basically
24 decide whether or not they meet those standards.

1 If somebody wants to take taxes into
2 account that's actually not us. That would be the
3 Village Board. So we actually really can't
4 consider that. So that shouldn't be a concern.

5 COMMISSIONER ROMANO: I have a
6 question for Mark.

7 MR. McLAUGHLIN: Yes.

8 COMMISSIONER ROMANO: Is it a gray
9 area that a religious organization, even
10 administrative offices, still needs that special
11 use for a religious assembly or cultural?

12 MR. McLAUGHLIN: Yeah. So that was
13 part of the conversation about how do they apply.
14 And that's why it's two petitions and two
15 applications.

16 The religious assembly, as he said, was
17 for them to use as for their own members. So we
18 added on there to confirm that there wasn't any
19 gray area, if they decided to do that.

20 If they were just offices, we wouldn't
21 be here.

22 COMMISSIONER ROMANO: That's what I
23 wanted to clarify.

24 MR. McLAUGHLIN: Yes.

1 COMMISSIONER ROMANO: Is the
2 business side of religion still --

3 MR. McLAUGHLIN: Business.

4 COMMISSIONER ROMANO: -- religion?

5 MR. McLAUGHLIN: No, it's office.

6 COMMISSIONER ROMANO: The
7 Petitioner could go forward if they said this is
8 strictly administrative offices?

9 MR. McLAUGHLIN: Yes. Office is an
10 allowed use in the Office Research District.

11 COMMISSIONER LUEDTKE: I have a
12 couple questions.

13 Should this petition be approved and
14 ultimately approved at the Village Board level, is
15 your operation staffed by the day, like someone is
16 there?

17 Is there somebody acting in the building
18 management capacity to field potential complaints
19 from the neighbors because there's 25 cars that
20 keep parking on Madison, on Riverside?

21 Would there be somebody that gets -- Or
22 would we be forcing them to call into the Village?

23 I mean, what's the protocol in that type
24 of a situation?

1 Will there be somebody that's staffed
2 that's managing the building for you?

3 MR. WATOR: The administration
4 functions normally. Again, not everyone -- Of the
5 12 administrative members no one is there everyday
6 9:00 to 5:00.

7 So essentially, what you are asking is,
8 are we going to be an absentee landlord.

9 COMMISSIONER LUEDTKE: No, I am not
10 asking that.

11 MR. WATOR: Okay.

12 COMMISSIONER LUEDTKE: Please don't
13 put words in my mouth.

14 MR. WATOR: Okay.

15 COMMISSIONER LUEDTKE: I am asking,
16 will there be somebody there that's acting as part
17 of this operation?

18 MR. WATOR: Yes.

19 COMMISSIONER LUEDTKE: Okay.

20 Second question:

21 You had mentioned on multiple occasions
22 during your presentation that instruction was
23 happening. Please describe instruction.

24 When I hear instruction I think of

1 schooling, I think of ten people in a room,
2 multiple rooms. You say Saturdays.

3 No idea what's going on. We have been
4 given no sort of description about sort of your --
5 about the operation.

6 So the demand, the load from an
7 occupancy standpoint really impacts these other
8 conversation about parking.

9 So can you please expand and explain the
10 whole instruction component of the operation?

11 MR. WATOR: Based on the size of
12 the organization most of these -- most of the
13 activities are going to entail two, three, four,
14 five members at most.

15 The instruction may be -- it may be an
16 ESL course; okay.

17 Some of the membership are recent
18 immigrants. So they may be doing -- They may
19 bring in a teacher who will do the class. It may
20 be just other members assisting.

21 There is -- There may be a religious
22 study course. It may be reading the Quran. It
23 may be other more culturally-oriented classes.

24 So when I say instruction, I am just

1 using one word for multiple activities where it's
2 mostly the membership itself involved in engaging
3 in these activities.

4 Like I said, it may be as simple as a
5 presentation, in terms of a culturally --
6 something cultural from a region that -- a
7 presentation by a member of the organization from
8 a region that they are from or it may be a
9 discussion of current events.

10 But again, for the most part we are --
11 we are talking about administrative processes of
12 organization being handled in this office.

13 And as was discussed, we applied for the
14 special use because this is a nonprofit which is
15 both culturally and religiously based, so we
16 wanted to be forthright and forthcoming with the
17 Village instead of the alternative.

18 So the notion of having multiple rooms
19 with 10 or 20 people in them is just numbers-wise
20 very difficult, because again, the membership,
21 they will get together on days where it's also
22 convenient for them. They are not going to be
23 there every weekend on Saturday. They are not
24 going to be there during the week on most weeks.

1 It's when the events are occurring or
2 things need to be handled that they have a
3 particular interest in or that they get called in
4 to participate in.

5 COMMISSIONER LUEDTKE: Thank you.

6 MR. McLAUGHLIN: Chairman, one
7 quick issue.

8 CHAIRMAN JARRETT: Yes.

9 MR. McLAUGHLIN: I misspoke on the
10 other one. I reverse my 30 number.

11 They have 30 more stalls than required,
12 not that they require 30. My mistake. Sorry.

13 CHAIRMAN JARRETT: So it's a
14 requirement of 40-some odd?

15 MR. McLAUGHLIN: Yes.

16 I think when you round it, it's 50.
17 They have approximately 80.

18 CHAIRMAN JARRETT: For my
19 curiosity, where is the dumpster enclosure moving
20 to?

21 MR. McLAUGHLIN: Sure.

22 The very southwest corner of the
23 building where you can see the 20.5 dimension?

24 CHAIRMAN JARRETT: Yes.

1 MR. McLAUGHLIN: In front of that
2 between the curb and the building. So it's off
3 the parking lot north of the curb.

4 CHAIRMAN JARRETT: Okay. The
5 permit right now has not been issued yet. It's
6 still under review.

7 COMMISSIONER ROMANO: Currently the
8 garbage service is picking up from Madison though;
9 right?

10 MR. McLAUGHLIN: Correct.

11 CHAIRMAN JARRETT: There is a curb
12 cut on Madison which actually is a bit odd because
13 there is no driveway. I am not even sure if that
14 is legal.

15 MR. McLAUGHLIN: That's why we are
16 changing the address. We are fixing it.

17 CHAIRMAN JARRETT: Then my guess
18 is -- the neighbors could probably speak to -- you
19 don't need to.

20 My guess is that garbage enclosure has
21 never been used because there is no sidewalk?

22 MR. McLAUGHLIN: No, the garbage on
23 Madison is used.

24 CHAIRMAN JARRETT: But I mean, I

1 don't think previously the dumpster went into the
2 enclosure.

3 MR. McLAUGHLIN: Yeah, that's true,
4 yes.

5 CHAIRMAN JARRETT: It's left at the
6 sidewalk.

7 MR. McLAUGHLIN: That's true, yes.

8 CHAIRMAN JARRETT: Because there is
9 flagstones on the north side; right?

10 MR. McLAUGHLIN: Yes.

11 CHAIRMAN JARRETT: It's not even a
12 paved sidewalk?

13 So that was a weird one, whenever that
14 was approved or not approved.

15 MR. McLAUGHLIN: I don't know.

16 CHAIRMAN JARRETT: I know it was
17 before your time.

18 MR. McLAUGHLIN: Correct, sir.

19 CHAIRMAN JARRETT: I am not passing
20 blame.

21 But I am not sure how you would roll a
22 full dumpster there. You certainly wouldn't back
23 a garbage truck in there; that's what I am saying.

24 MR. McLAUGHLIN: Yes.

1 MR. MARTENS: Can I address some of
2 that?

3 CHAIRMAN JARRETT: Yes.

4 MR. MARTENS: There is a sidewalk
5 that runs along Madison. It is right at the curb,
6 six-foot wide.

7 CHAIRMAN JARRETT: Yes, but there
8 is no sidewalk between that and the building
9 though.

10 MR. MARTENS: Right.

11 But they do back over the curb onto the
12 property and pick up a seven-yard dumpster one day
13 a week.

14 MR. WATOR: Which we didn't learn
15 about until we fought and got our FOIA back from
16 the City and found the violation and a little bit
17 of the explanation of what was going on there.

18 So we addressed it with the attorney for
19 the seller, who then started this whole process
20 of, well, you shouldn't be doing that in the first
21 place.

22 CHAIRMAN JARRETT: Yeah, I believe
23 that. Because I actually ride by there quite a
24 bit and I never noticed it until I started looking

1 at the property with this. And then, We have a
2 dumpster sitting on Madison; that's not a good
3 look.

4 MR. McLAUGHLIN: Correct.

5 COMMISSIONER CALVERT: Can I ask a
6 couple questions here?

7 CHAIRMAN JARRETT: Yes, please.

8 COMMISSIONER CALVERT: I guess I
9 should have done this and I didn't. When I drove
10 by the property I went through Route 38 and
11 through the parking lot area.

12 But on the Madison side is there access
13 to the building from Madison currently?

14 CHAIRMAN JARRETT: Yes, there is a
15 door on Madison.

16 COMMISSIONER CALVERT: I see that,
17 where there is a concrete patio.

18 CHAIRMAN JARRETT: With a flagstone
19 walk from Madison up to the door.

20 And on the survey you can see the
21 garbage enclosure marked out but the garbage
22 dumpster -- the dumpster basically sits on the
23 sidewalk at Madison and does not go to the
24 enclosure because there would be no way to roll it

1 back and forth.

2 There is no sidewalk up the east side of
3 the building. There is a path -- There is a path
4 in the old right-of-way of Frontage Road.

5 COMMISSIONER CALVERT: Right.

6 CHAIRMAN JARRETT: But there is no
7 sidewalk along the side of the building on the
8 property itself.

9 COMMISSIONER CALVERT: So people
10 who were parking on Madison they are accessing the
11 building from this entrance on the Madison side?

12 CHAIRMAN JARRETT: Correct.

13 COMMISSIONER CALVERT: Okay. Is it
14 unreasonable that that door just be locked and no
15 access permitted?

16 MR. WATOR: I think that would
17 create a fire hazard. We need two exits.

18 COMMISSIONER CALVERT: You can exit
19 it but you can't enter it.

20 COMMISSIONER HOFSTRA: It's a
21 matter of controlling key access to that door.

22 MR. WATOR: I may be wrong -- it
23 wouldn't be the first time even today -- but I
24 believe we have to have -- since these are the

1 only two exit points I don't think we can have --
2 I know what you are saying -- like a keycard or
3 just simply you can leave but you can't come back
4 in.

5 But since we only have two exit and
6 entry points I don't think we could do that on
7 that side but certainly we could do that.

8 CHAIRMAN JARRETT: The specifics of
9 that are probably a little out of our purview too.

10 I understand what you are saying,
11 limiting access to the north.

12 COMMISSIONER CALVERT: Right.

13 Where I am going with that is, is it
14 unreasonable that there just be a fence along the
15 Madison Street so that you can't access the
16 building from Madison; you have to go around to
17 the parking lot and go in the front door.

18 And that will alleviate -- If you can't
19 access the building from Madison then there would
20 be no purpose really of parking on Madison and
21 Riverside because you can't get into the building.

22 MS. ROJEK: I just want to comment
23 on that.

24 I imagine Walmart would have a problem

1 with that because a lot of people are dropped off
2 at the bus stop further north and walk through the
3 Walmart that work there.

4 COMMISSIONER CALVERT: Well, you
5 would still have the little path.

6 COMMISSIONER HOFSTRA: You would
7 still have the right-of-way.

8 COMMISSIONER CALVERT: Yeah, you
9 would still have that little right-of-way path at
10 the corner. You just couldn't get into the
11 building or anything with a fence, you know,
12 blocking around the building.

13 MS. ROJEK: Around the building.

14 COMMISSIONER CALVERT: Around the
15 building.

16 MS. ROJEK: But you could still get
17 there --

18 COMMISSIONER CALVERT: You could
19 still walk through to get to the Frontage Road
20 from Madison, a pedestrian could.

21 MR. MARTENS: Can I make a comment
22 again?

23 COMMISSIONER ORLOWSKI: Mark,
24 whenever we change the address of the building and

1 then have the dumpster enclosure moved, can we
2 have that curb cut removed and actually replace it
3 with a curb?

4 Can we make that a requirement?

5 MR. McLAUGHLIN: You could make
6 that a condition because then that would be on
7 their responsibility, as opposed to public works.

8 COMMISSIONER ORLOWSKI: Right.

9 COMMISSIONER CALVERT: I know you
10 don't have this information right off the top of
11 your head, Mark, but perhaps we can get this
12 information for discussion at a later date.

13 How many accidents have there really
14 been at Route 83 and Frontage Road there in the
15 last three years?

16 MR. McLAUGHLIN: I don't have that
17 information.

18 COMMISSIONER CALVERT: I know you
19 don't but maybe we can find that information out?

20 CHAIRMAN JARRETT: Yeah, the way
21 that exits out is a little odd.

22 COMMISSIONER CALVERT: I agree,
23 it's awkward, but it's the way it is.

24 COMMISSIONER SHLENSKY: That's a

1 condition of the property that the Petitioner must
2 have considered in their due diligence prior to
3 making an offer on the property.

4 CHAIRMAN JARRETT: Completely, I
5 understand that, and it's just a weirdly-designed
6 intersection.

7 COMMISSIONER SHLENSKY: No
8 disagreement there.

9 MR. McLAUGHLIN: I will note, the
10 Village has undergone a very, very, very initial
11 planning for redesigning that intersection in
12 conjunction with Elmhurst across 83.

13 CHAIRMAN JARRETT: That's good to
14 hear.

15 MR. McLAUGHLIN: Years out there
16 because it's an IDOT project but we have started
17 applying for that.

18 COMMISSIONER SHLENSKY: I am in
19 full support of Don's idea of taking the red
20 light/red turn camera out, in addition to the one
21 on 22nd and 83 in Oak Brook.

22 CHAIRMAN JARRETT: One thing
23 related to that, Mark, is that that intersection
24 actually does get used as a cut-through to

1 Elmhurst by pedestrians and cyclists, even though
2 there is not a crosswalk there.

3 MR. McLAUGHLIN: Okay.

4 CHAIRMAN JARRETT: Because there is
5 a light there and then you are on Frontage Road
6 and residential roads on the other side of the
7 street in Elmhurst.

8 I don't know how IDOT would feel about
9 that but we can't get crosswalks across 83
10 anywhere.

11 MR. MARTENS: Mr. Chair?

12 CHAIRMAN JARRETT: Yes.

13 MR. WATOR: One thing I would like
14 to point out about that building, the parking lot
15 is at a lower level. It is not ADA accessible.
16 There is no ramp to the front door.

17 That back door might be the only way
18 people with limited ability to walk can get in
19 that building.

20 CHAIRMAN JARRETT: Yeah, and I
21 would -- That's one thing that I was wondering
22 about too.

23 I know that it's an existing building
24 and you are not going to necessarily be required

1 to bring it up to ADA standards but is that
2 something you or the client -- your client/the
3 Applicant has considered?

4 The building doesn't appear to be
5 essentially ADA accessible, and if it is, it's
6 going to be from the north.

7 MR. WATOR: Full disclosure, no.
8 We haven't gotten to that point yet of discussing
9 that.

10 Certainly accessibility for individuals
11 who may have those requirements is something that,
12 you know, a building owner -- especially a
13 building of this size and nature needs to take
14 into account. But we haven't discussed those
15 specifics yet.

16 They wanted to get in, buy it, and get
17 this part taken care of, and then address other
18 issues as they come.

19 Certainly it is a consideration that has
20 to be taken into account.

21 CHAIRMAN JARRETT: Yeah.

22 MR. WATOR: Have there been active
23 conversations, no, not yet.

24 CHAIRMAN JARRETT: It seems to me

1 there are ways. I mean, you could probably do a
2 ramp east-west at the main entrance that would get
3 you there.

4 The other way would be a sidewalk that
5 wraps around, but then that gets you back into --
6 and then to the north -- but that gets you back
7 into traffic potentially from the north.

8 MR. WATOR: The only thing about
9 that is obviously if it would be accessed, the
10 traffic from the north for someone who may need
11 access because they have a disability, they are
12 not parking over there anyway because they would
13 have to make their way over all of that back area.

14 CHAIRMAN JARRETT: Right, as it
15 currently is.

16 MR. WATOR: Now, to address one
17 thing mentioned earlier:

18 If it won't be a violation of fire code,
19 then yes. I mean, we would certainly be more
20 amenable economically to creating an access or
21 limiting access through that back door by simply
22 making it a buzzer or creating a keycard system or
23 simply just saying, You can exit but you can't
24 come back in from that area.

1 Certainly not ideal, because again, that
2 doesn't preclude someone from exiting the building
3 and going out that north side. There is really no
4 100 percent way of precluding that from happening.

5 But again, I think that one of the
6 factors on that issue of potential parking along
7 Madison, as opposed to the two-hour parking lot,
8 is the fact that, yes, there will be members of
9 the -- at that point the property owner on-site,
10 who can then, for lack of a better word, police
11 that sort of activity with any -- whether it's
12 membership or of the organization or other tenants
13 in the building.

14 Because that doesn't exist right now,
15 because like I said, the owner of the property is
16 off-site, and the second floor tenant is doing
17 most of -- if any -- of the administration of the
18 building.

19 So it's kind of difficult to have them
20 enforce any kind of regulation of their own -- you
21 know, it's like they are policing their own
22 employees which becomes difficult to kind of do
23 sometimes.

24 CHAIRMAN JARRETT: Would the

1 removal -- Would the condition of the removal of
2 the curb-cut on Madison; is that something your
3 Applicant is amenable to?

4 The reason I ask because if we apply a
5 condition that special use is not granted without
6 that condition.

7 MR. WATOR: Sure.

8 I wouldn't say there wouldn't be any
9 reason why not; although again, I think that curb
10 cut you are talking about addresses the issue of
11 the access by the garbage truck. I am not sure
12 how it stops individual pedestrians.

13 But if it's a condition that the Board
14 feels would be -- When I say pedestrians,
15 individuals leaving our building to access onto
16 Madison because they parked their cars.

17 CHAIRMAN JARRETT: Right.

18 As an example, if the curb cut is there,
19 even though it's not associated with the property,
20 that there is always the potential for you
21 proposing construction of say a driveway.

22 Now, that would have to go through
23 permitting and everything, but if the curb cut is
24 there, that's less likely to happen.

1 MR. WATOR: Sure.

2 CHAIRMAN JARRETT: Additionally,
3 just speaking from -- I live in a neighborhood of
4 corner lots with driveways on the side, short
5 driveways, so I know a lot of people who use curb
6 cuts as alternate parking spots for their vehicles
7 overnight.

8 So if you have an administrative -- I am
9 speculating -- an administrative or member in the
10 neighborhood, I can see where somebody pulls in
11 there, parks, or a delivery truck pulls into that
12 apron, parks, runs in the back door and comes
13 back.

14 MR. WATOR: Sure.

15 CHAIRMAN JARRETT: Not having that
16 there maybe helps.

17 Maybe it doesn't because people can
18 still ignore no parking signs and park at the
19 curb.

20 MR. WATOR: Sure.

21 CHAIRMAN JARRETT: I guess my
22 question is; that's not a deal breaker for your
23 client?

24 MR. WATOR: Mr. Jawad, that would

1 be a curb cut in the back of that space, having
2 one installed. I don't think that would be, no
3 problem?

4 MR. JAWAD: We wouldn't have a
5 problem.

6 CHAIRMAN JARRETT: It's having that
7 curb cut removed.

8 MR. WATOR: Having it removed
9 rather, sorry.

10 CHAIRMAN JARRETT: Yeah, because
11 there is an existing curb cut there.

12 MR. MARTENS: Mr. Chair, could you
13 please address that with public works; the three
14 homes on that street and that business, there is
15 no storm water inlets on that whole street. When
16 we get a substantial rain the water goes through
17 that curb cut, across the property to the creek.

18 So if you remove the curb cut there will
19 be nine inches of water in the street with my
20 driveway the only place to go and I am already
21 taking about six inches of water across there to
22 the creek when it floods. So just please review
23 that. Thank you.

24 CHAIRMAN JARRETT: Thanks for

1 bringing that to my attention.

2 MR. McLAUGHLIN: You can condition
3 it with a permit from Public Works. If they don't
4 issue the permit, then they have at least met
5 their obligation.

6 CHAIRMAN JARRETT: Any other
7 questions before we --

8 MR. McLAUGHLIN: I would like to do
9 a little clarification.

10 There was discussion of a potential
11 fence condition. I would just be cautious --
12 caution you to pick a size that doesn't require a
13 variation because that is the front because we are
14 not here to talk about a variation request for
15 fencing.

16 CHAIRMAN JARRETT: Yes, that's
17 technically the front. That would be a four-foot
18 fence.

19 MR. McLAUGHLIN: Four-foot if it's
20 open. Three foot if it's solid.

21 COMMISSIONER LUEDTKE: Would it be
22 the front if it changes the address to 83?

23 MR. McLAUGHLIN: It would not. It
24 stays the front because of the geometry of the

1 lot.

2 CHAIRMAN JARRETT: If they put a
3 fence there they are going to want a gate there
4 which kind of negates the purpose of the fence;
5 doesn't it?

6 I mean, you would want a gate there.

7 MR. McLAUGHLIN: There is no --
8 what is that, pebble field stone?

9 Whatever that walk is, that doesn't meet
10 any sort of actual standard per us. So that's not
11 a pedestrian access. It's just that four by four
12 stoop off the door.

13 So I would not be inclined for a gate
14 there. It doesn't go anywhere.

15 CHAIRMAN JARRETT: Any other
16 questions before we move into discussion?

17 MS. ASHWORTH: I thought the
18 American Disability Act was a federal law?

19 CHAIRMAN JARRETT: As far as the
20 occupancy of the building, I don't know, because
21 that's not something we review. That gets done in
22 the permitting process.

23 MS. ASHWORTH: I feel it's law and
24 I think they need to abide by it.

1 CHAIRMAN JARRETT: I understand.
2 Trust me, it's something I totally support. What
3 is your name for the record please?

4 MS. ASHWORTH: My name is Michelle
5 Ashworth.

6 CHAIRMAN JARRETT: Before we move
7 into our discussion do you have any closing
8 comments?

9 MR. WATOR: No.

10 CHAIRMAN JARRETT: Okay. Thank
11 you.

12 We have a condition of the curb cut
13 removal pending review by public works.

14 Does anybody have any issue with that?

15 COMMISSIONER ROMANO: No.

16 COMMISSIONER HOFSTRA: No.

17 CHAIRMAN JARRETT: There was a
18 mention of a condition of a fence on the rear of
19 the property. I don't know how I feel about that
20 personally.

21 COMMISSIONER CALVERT: I would
22 actually want more information on how effective it
23 could be before we made it a condition.

24 And I would like to explore the

1 possibility more in depth as well of access to the
2 building from Madison and restrict the access to
3 that door for entrance anyway.

4 CHAIRMAN JARRETT: Yes. But
5 restricting access to the entrance is not
6 something we are going to be able to do.

7 COMMISSIONER CALVERT: No.

8 CHAIRMAN JARRETT: I understand
9 what you are saying.

10 COMMISSIONER CALVERT: I think it's
11 something we need to find out for the next
12 meeting.

13 COMMISSIONER SHLENSKY: It's my
14 hope that with the modification, if you will, to
15 the postal address of the property that a lot of
16 concerns that we have heard today would be
17 self-corrected because Google Maps would want
18 self-correct to find the actual true entranceway
19 via 83 and Frontage Road itself.

20 And then secondly, we have already
21 addressed the enforcement issue publicly, so I
22 hope that it's also addressed by the Village Board
23 itself, along with routing that through our police
24 department for the sake of all the residents that

1 came today to rightfully complain of the lack of
2 enforcement in your neighborhood already.

3 COMMISSIONER ROMANO: I want to
4 talk a little bit more to the fence, grant that
5 special use.

6 Does this really have to be a wire or
7 wood fence, maybe not, but maybe some type of
8 barrier to dissuade the people coming on or off
9 the property from Madison?

10 I think that's not unreasonable to ask
11 for. I think the people are in the habit of going
12 that way. I think that along with the address
13 change would make it very clear.

14 I think that's the only way I could see
15 fit to go on a special use and I am still not
16 100 percent convinced on that.

17 My concern is on a carte blanche after
18 the fact of granting this that anything could go
19 from here onto the future. So if those other
20 tenants leave this could become a full religious
21 organization here and it's at the right location
22 for it. Parking might not be sufficient. It
23 doesn't belong in that area, per se.

24 I don't know. I am still stuck on the

1 fact that administrative duties could be carried
2 out there without the special use.

3 COMMISSIONER ORLOWSKI: Are we in
4 the discussion right now?

5 CHAIRMAN JARRETT: Yeah.

6 COMMISSIONER ORLOWSKI: I agree
7 with that. I am not -- There is not really a lot
8 of information.

9 There is a lot of talk of what might
10 take place or what we might do or we are not
11 really sure yet. And I am not ready to grant a
12 special use for something that we are not really
13 sure of yet.

14 Generally whenever we have hearing like
15 this we have documentation in front of us that
16 gives us all the information on what's going to
17 take place and how it's going to take place,
18 where, where everything is going to be. And
19 that's not provided.

20 So I kind of agree with what's said. To
21 get a special use prior to really having, Yes,
22 this is what we are going to do, then I can't
23 grant.

24 CHAIRMAN JARRETT: Okay.

1 COMMISSIONER SHLENSKY: The
2 occupancy capacity rather, maximum, Mark, you said
3 is 50?

4 MR. McLAUGHLIN: Under 50.

5 COMMISSIONER SHLENSKY: Under 50;
6 okay.

7 CHAIRMAN JARRETT: One point that I
8 would agree with, with Mike and Dominick on, is
9 that we are pretty -- I think in the packet we got
10 for St. Paul's when they were adding a vestibule
11 in the back and I think they were adding a parking
12 lot too, there were changes there.

13 But on the other hand I also understand
14 as a small organization you have a vision of what
15 your organization will be when you move into a
16 space but you don't really know until you are in
17 it and you are using it and your membership is
18 coming.

19 And you've got administrative staff -- I
20 don't know if they are volunteers or if they are
21 paid -- but who aren't full-time staff, who are
22 coming in off hours and in their free time.

23 It's a bit of a different organization
24 and it's hard to nail down. So I do understand

1 that aspect of it too.

2 My primary concern with it is minimizing
3 impact on Madison, because while it's not, if it
4 was -- if Madison didn't exist to the north, we
5 wouldn't be having any of these conversations, but
6 it is there and so we have to consider it.

7 So I don't know it's so much the use as
8 what the use's impacts are on the immediate
9 residential areas, to me personally.

10 MR. McLAUGHLIN: Chair, regarding
11 the additional membership or growing in size, from
12 a parking perspective on what they already have
13 they could triple their membership and still meet
14 the parking requirements per our code.

15 They are at 40, 80, they can go to 120
16 and still have enough parking per our code and
17 with the existing, without any additional. If
18 they decide to grow they would still be good from
19 our perspective.

20 CHAIRMAN JARRETT: Right.

21 And any expansion of the use, like an
22 addition of the building, would be an amendment to
23 the special use.

24 MR. McLAUGHLIN: Right. We are

1 talking about what's physically there right now.

2 CHAIRMAN JARRETT: Even any
3 significant change to the property, like as an
4 example, they decide they want to wipe out -- they
5 don't need the southern 20 spaces so they are
6 going to wipe them out and turn them into a soccer
7 field.

8 MR. McLAUGHLIN: Right.

9 CHAIRMAN JARRETT: They have to
10 come back.

11 MR. McLAUGHLIN: Because you feel
12 comfortable, Look how big the parking lot is now,
13 you are approving it for what it is now. That's
14 why the plat of survey, that site plan, is
15 attached. That's the document you are all
16 potentially granting this on.

17 Yes, an addition, well that's not what
18 we talked about. You cut your parking in half,
19 that's not what we talked about.

20 But anything they do within the building
21 that's existing, we can work within the request
22 that they asked for.

23 COMMISSIONER SHLENSKY: They could
24 very well triple their membership but they are

1 still limited to under 50 --

2 MR. McLAUGHLIN: Right.

3 COMMISSIONER SHLENSKY: -- unless
4 they want to sprinkler the building.

5 MR. McLAUGHLIN: Exactly.

6 COMMISSIONER SHLENSKY: Which I'm
7 sure everyone recognizes is a tremendous financial
8 overhaul.

9 MR. McLAUGHLIN: Exactly.

10 COMMISSIONER SHLENSKY: So I am
11 generally in support of this. I just want it to
12 be clear.

13 I am in support of it with the curb cut
14 -- or the removal of the curb cut condition
15 because the Petitioner would have to undertake a
16 tremendous financial overhaul to sprinkler the
17 building, if they wanted to expand and go beyond
18 the current occupancy maximum of 50 persons.

19 MR. McLAUGHLIN: Additionally on
20 the fence, if that is a condition that ends up
21 being placed, just for a reality, it will be
22 20 feet from where the sidewalk is. That's where
23 the property line is.

24 So it's carriage walk, 20 feet, and then

1 will be a fence, if that is a condition.

2 If you are going to go that route I
3 recommend four-foot black aluminum.

4 CHAIRMAN JARRETT: From a distance
5 you would call it wrought iron --

6 MR. McLAUGHLIN: Correct.

7 CHAIRMAN JARRETT: -- but it's not.
8 In Chicago we call it a four-foot ornamental
9 fence.

10 MR. McLAUGHLIN: Correct, yes.
11 Along the length of the Madison right-of-way.

12 MR. WATOR: Just for the record we
13 would have no problem with a fence.

14 CHAIRMAN JARRETT: Okay. As you
15 said, to be four feet it has to be opaque, which
16 means ornamental.

17 MR. McLAUGHLIN: Correct.

18 CHAIRMAN JARRETT: Okay. I guess
19 that leaves us:

20 With those two conditions, is there a
21 consensus that we could make a motion this evening
22 or do we have a number of people wanting more
23 information before they vote?

24 MR. McLAUGHLIN: Additionally, if

1 you wanted to take it one step you could condition
2 no vehicular access to Madison from this property.

3 CHAIRMAN JARRETT: No vehicular
4 access to Madison from where?

5 MR. McLAUGHLIN: This property.

6 MS. PLATTENBERGER: That's
7 impossible.

8 COMMISSIONER SHLENSKY: There is no
9 road that currently exists there; correct?

10 MR. McLAUGHLIN: Currently.

11 You want to lock it in?

12 CHAIRMAN JARRETT: That would
13 require the Village's support; correct?

14 MR. McLAUGHLIN: The whole thing;
15 correct. I get it.

16 CHAIRMAN JARRETT: But I guess it
17 doesn't hurt to add a condition.

18 MR. McLAUGHLIN: Solidifying the
19 removal of the curb cut so that in the future you
20 can't apply for a driveway permit.

21 CHAIRMAN JARRETT: Got it. I see
22 what you are saying, yeah.

23 COMMISSIONER LUEDTKE: Mark, I want
24 to clarify, are you suggesting that this existing

1 building has a maximum occupancy load of 50, as it
2 exists?

3 MR. McLAUGHLIN: Correct.

4 COMMISSIONER LUEDTKE: How are we
5 calculating that number?

6 MR. McLAUGHLIN: Through the
7 Illinois National Fire Code, with consultation
8 with the fire department.

9 We also haven't seen the plans for the
10 future layout and everything.

11 COMMISSIONER LUEDTKE: Regardless
12 of that, we don't care about the future plans, we
13 care about the building that's there. It's a
14 16,000 square foot building.

15 MR. McLAUGHLIN: Yeah. The use
16 that it's at, office, non-assembly.

17 COMMISSIONER LUEDTKE: They are
18 saying that's 50.

19 MR. McLAUGHLIN: Under 50, yeah.

20 COMMISSIONER CALVERT: I thought it
21 was 8,000 square feet?

22 COMMISSIONER LUEDTKE: No, it's two
23 stories. Total of 16.

24 COMMISSIONER CALVERT: Total of 16.

1 COMMISSIONER LUEDTKE: Yeah.

2 I question that number, but that's just
3 me, because I know from a building code standpoint
4 that's not the same as 100 people generically.

5 So I don't see how fire -- I don't see
6 how fire becomes -- I don't see how the fire code
7 rate becomes more liberal than the building code,
8 in terms of its rate, but we can check that.
9 Because that's just my ...

10 Where did you get that 50 from? Did
11 fire tell you that or where is that number coming
12 from, Mark?

13 MR. McLAUGHLIN: Yeah, in
14 consultation with the fire department.

15 CHAIRMAN JARRETT: That was based
16 on the full 16,000 square feet, not just 8,000
17 square feet?

18 MR. McLAUGHLIN: Yeah, they have
19 their fire inspection report for all the buildings
20 so...

21 CHAIRMAN JARRETT: It could also
22 relate to their only being two exits.

23 COMMISSIONER LUEDTKE: And that
24 it's not sprinkled and it's sort of limiting the

1 occupancy to that number then.

2 MR. McLAUGHLIN: Also true, yes.

3 COMMISSIONER LUEDTKE: So that's
4 sort of capping it based on the facility as it
5 exists.

6 COMMISSIONER ORLOWSKI: You would
7 almost need two doors on each side.

8 MR. McLAUGHLIN: I'm not even going
9 to go --

10 COMMISSIONER ORLOWSKI: No, I am
11 just saying.

12 COMMISSIONER LUEDTKE: Thank you,
13 Mark.

14 MR. McLAUGHLIN: You are welcome.
15 Thank you.

16 CHAIRMAN JARRETT: Larry, Mike,
17 Dominick, with the conditions that we discussed --

18 COMMISSIONER ROMANO: I would be
19 comfortable with a vote with the three conditions.

20 CHAIRMAN JARRETT: I am not asking
21 if you are voting yes or no. That's not my
22 question.

23 My question is, do you guys, Mike and
24 Larry, do you feel that you have to have more

1 information to vote?

2 COMMISSIONER CALVERT: No.

3 CHAIRMAN JARRETT: Okay.

4 Justin, do you have those conditions?

5 COMMISSIONER SHLENSKY: Have not
6 been typing but I believe that I can put something
7 together real quick.

8 CHAIRMAN JARRETT: We can discuss
9 that.

10 So the first condition would be removal
11 of the Madison Street curb cut --

12 COMMISSIONER SHLENSKY: Yes.

13 CHAIRMAN JARRETT: -- pending
14 review of public works.

15 MR. McLAUGHLIN: Approval of public
16 works.

17 CHAIRMAN JARRETT: Yeah, pending
18 approval of public works. That will make it
19 better.

20 The addition of a four-foot ornamental
21 fence along the north property line.

22 And a condition of no vehicular access
23 to the property from Madison Street.

24 COMMISSIONER ROMANO: Just to

1 clarify on the fence, are we talking about a fence
2 that would extend upward to truly cut off traffic
3 or are you just thinking --

4 CHAIRMAN JARRETT: I believe it's
5 --

6 MR. McLAUGHLIN: If you look at
7 again the site plan, the plat of survey where you
8 see Madison Street, the 210.48, Page 5 of 5 of the
9 staff report, so it will stop where it crosses
10 that property corner, Madison Street.

11 CHAIRMAN JARRETT: Which at that
12 point you might as well walk around the front;
13 right?

14 COMMISSIONER ROMANO: If that's
15 what the condition is, so it be it, but I would
16 think just something like this, if they don't want
17 to go...

18 CHAIRMAN JARRETT: Yeah. I think
19 staff understands our intent. So that if they
20 want to go with a smaller fenced area with an
21 east-west --

22 MR. McLAUGHLIN: Okay.

23 CHAIRMAN JARRETT: -- as opposed, I
24 think along --

1 MR. McLAUGHLIN: I think it will
2 also make the street view feel more appealing as
3 well.

4 CHAIRMAN JARRETT: Yes, I think so
5 too.

6 MR. McLAUGHLIN: Dual purpose.
7 You are talking about less fence for
8 sure but I think this will give it a nice finish.

9 CHAIRMAN JARRETT: Yeah.

10 COMMISSIONER SHLENSKY: It's simply
11 the fence along the north property line?

12 MR. McLAUGHLIN: Yeah.

13 COMMISSIONER SHLENSKY: Okay. I
14 think I've got it, proper language.

15 CHAIRMAN JARRETT: Before we move
16 into that motion does anybody have any other
17 comments or questions?

18 MR. McLAUGHLIN: Clarification, are
19 all three of these conditions going on both of the
20 requests?

21 COMMISSIONER SHLENSKY: That's my
22 understanding.

23 CHAIRMAN JARRETT: Yes.

24 MR. McLAUGHLIN: So motion that as

1 such.

2 COMMISSIONER SHLENSKY: There will
3 be two separate motions.

4 MR. McLAUGHLIN: Thank you.

5 CHAIRMAN JARRETT: Both the motions
6 should include the conditions, just in case the
7 votes don't shake out here, at the Villa Board
8 level --

9 COMMISSIONER SHLENSKY: Yeah, I've
10 got them for both.

11 CHAIRMAN JARRETT: -- the
12 conditions apply for both.

13 MR. WATOR: Just one question, we
14 had talked about the enclosure for the dumpster,
15 do you want to handle that based on the permit
16 application?

17 MR. McLAUGHLIN: Yeah, we are
18 already doing that.

19 MR. WATOR: So not a condition
20 though?

21 MR. McLAUGHLIN: We are already
22 doing it.

23 MR. WATOR: Okay.

24 MR. McLAUGHLIN: Not you. The

1 property is a violation and we are going to
2 resolve that.

3 It's going to be hard to get to that
4 dumpster when you put a fence up too.

5 CHAIRMAN JARRETT: And no curb cut
6 for the garbage truck.

7 MR. McLAUGHLIN: Exactly.

8 CHAIRMAN JARRETT: If anybody has a
9 motion?

10 COMMISSIONER SHLENSKY: I will make
11 a motion to recommend approval of PZ-22-0016 for a
12 Special Use to be granted for a Museum or Cultural
13 Facility upon the following conditions:

14 No. 1: Removal of Madison Street curb
15 cut pending approval of public works.

16 No. 2: Addition of four-foot ornamental
17 fence along north property line.

18 No. 3: Prohibition of vehicular access
19 to building from Madison Street.

20 CHAIRMAN JARRETT: Could you strike
21 that and make it to the property from Madison
22 Street.

23 COMMISSIONER SHLENSKY: Yes.
24 Prohibition of vehicular access to

1 property from Madison Street.

2 CHAIRMAN JARRETT: Thank you.

3 COMMISSIONER ROMANO: I will
4 second.

5 CHAIRMAN JARRETT: We have a second
6 for the motion.

7 Questions and comments on the motion?

8 One thing I did want to say too real
9 quick is that on the record:

10 Village staff reviewed the petition and
11 was supportive of the request, that's part of the
12 memo, that will be in the public record, but I
13 wanted to make that clear.

14 So we have a motion and a second on the
15 approval of the Special Use for Museum and
16 Cultural Facility.

17 Roll call vote:

18 Calvert?

19 COMMISSIONER CALVERT: Yes.

20 CHAIRMAN JARRETT: Hofstra?

21 COMMISSIONER HOFSTRA: Yes.

22 CHAIRMAN JARRETT: Luedtke?

23 COMMISSIONER LUEDTKE: No.

24 CHAIRMAN JARRETT: Orlowski?

1 COMMISSIONER ORLOWSKI: No.

2 CHAIRMAN JARRETT: Romano?

3 COMMISSIONER ROMANO: Yes.

4 CHAIRMAN JARRETT: Shlensky?

5 COMMISSIONER SHLENSKY: Yes.

6 CHAIRMAN JARRETT: I too vote yes.

7 With that our recommendation will pass
8 to the Village Board, who can accept, reject or
9 modify.

10 All right. So we need a motion for the
11 Special Use for the Religious Assembly.

12 COMMISSIONER SHLENSKY: I make a
13 motion to recommend approval of PZ-22-0016 for a
14 Special Use to be granted for Religious Assembly
15 upon the following conditions:

16 No. 1: Removal of Madison Street curb
17 cut pending approval of public works.

18 No. 2: Addition of four-foot ornamental
19 fence along north property line.

20 No. 3: Prohibition of vehicular access
21 to property from Madison Street.

22 CHAIRMAN JARRETT: All right. We
23 have a motion. Is there a second?

24 COMMISSIONER ROMANO: I will

1 second.

2 CHAIRMAN JARRETT: We have a

3 second.

4 Questions or comments on the motion?

5 Roll call:

6 Calvert?

7 COMMISSIONER CALVERT: Yes.

8 CHAIRMAN JARRETT: Hofstra?

9 COMMISSIONER HOFSTRA: Yes.

10 CHAIRMAN JARRETT: Luedtke?

11 COMMISSIONER LUEDTKE: No.

12 CHAIRMAN JARRETT: Orłowski?

13 COMMISSIONER ORŁOWSKI: No.

14 CHAIRMAN JARRETT: Romano?

15 COMMISSIONER ROMANO: Yes.

16 CHAIRMAN JARRETT: Shlensky?

17 COMMISSIONER SHLENSKY: Yes.

18 CHAIRMAN JARRETT: I too vote yes.

19 With that our recommendation will pass
20 to the Village Board, who can accept, reject or
21 modify.

22 And that will end our public hearing.
23 The public hearing is closed.

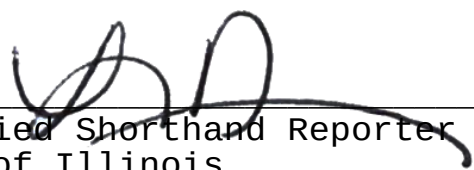
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Planning and Zoning Commission Agenda Item Report

Meeting Date: April 13, 2023

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Public Hearing - New Business

Subject:

PZ-23-001 / Zoning Ordinance Text Amendments / Consider Text Amendments to Appendix C – Basic Zoning Ordinance to remove conflicts, clarify certain language, and follow best practice for Article 7- Parking / Article 9 - Site Design and Performance Standards / Article 14 - Measurements and Definitions / Petitioner, Village of Villa Park.

Suggested Action:

Attachments:

[PZ-23-001 Staff Memo - Zoning Ordinance Text Amendments.pdf](#)

[Proposed Amendments - REDLINE.pdf](#)

[Exhibit A - Proposed Amendments.pdf](#)

Village of Villa Park

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



TO: Planning & Zoning Commission
FROM: Community Development Department
DATE: April 13, 2023
RE: **Petition PZ-23-001 / Zoning Ordinance Text Amendments**

Petitioner: Village of Villa Park – Director of Community Development

Request Summary:

The Petitioner is requesting a public hearing to consider Text Amendments to Appendix C – Basic Zoning Ordinance to remove conflicts, clarify certain language, and follow best practice.

Zoning Request:

The following sections are proposed to be amended:

- Article 7 “Parking”, Section 7.10 “Accessible Parking” – Adding clarification and removing conflicts to the Illinois Accessibility Code.
- Article 9 “Site Design and Performance Standards”, Section 9.2 “Fences” and Section 9.3 “Visibility Triangles” - Adding regulations, definitions, and clarification including permitted location and height of fences.
- Article 14 “Measurements and Definitions”, Section 14.2 “Definitions” – Correcting alphabetical order, correcting labels, clarifying Yard definitions, and adding graphics.

Notification:

Legal Notice was published in the Daily Herald on March 27, 2023 in advance of the public hearing.

Project Summary:

As noted in the past, the current Zoning Ordinance has some deficiencies in the text as a result of the process in which it was drafted and adopted. A year ago, a series of text amendments had been proposed to the Planning and Zoning Commission and recently adopted by the Village Board. In a continued effort to remove inconsistencies and add clarification for the day-to-day enforcement and interpretation, the following amendments are proposed.

Article 7 “Parking”, Section 7.10 “Accessible Parking”

- Removing any language that is specific to the Zoning Ordinance and following the Illinois Accessibility Code as adopted and amendment.

Article 9 “Site Design and Performance Standards”, Section 9.2 “Fences”

- Removing the blanket use of open-mesh fences (chain-link) in industrial uses
- Establishing an exemption to M zoning districts for open-mesh fences (chain-link) to 8’ in height
- Clarifying where barbed wire is allowed to match open-mesh fences (chain-link) areas
- Table 9.1 is amended to remove inconsistencies of where fences are allowed on a lot based on height and type
- Correct definitions for lot types
- Remove outdated graphics
- The attached exhibit shows the allowed locations based on the proposed language

Article 9 “Site Design and Performance Standards”, Section 9.3 “Visibility Triangles”

- Correct the language to define the Driveway Visibility Triangle

Article 14 “Measurements and Definitions”, Section 14.2 “Definitions”

- Correct the alphabetical order of the definitions
- Add graphics for clarity
- Correct the label of Figure 13.6 which should be 14.6
- Better define the Yard definitions
- Add graphics of Yards for clarity and interpretation

Findings:

Per Section 11.2.9. – Review and Approval Criteria: The decision to amend the Zoning Ordinance text is a matter of legislative discretion that is not controlled by any one standard. In making recommendations and decisions about Zoning Ordinance text amendments, the Planning and Zoning Commission and Village Board must consider at least the following factors:

1. Whether the proposed text amendment is in conformity with the policy and intent of the comprehensive plan; and
2. Whether the proposed Zoning Ordinance text amendment corrects an error or inconsistency in the Zoning Ordinance, meets the challenge of a changing condition or is necessary to implement established Village policy.

Staff Recommendation:

Village staff has reviewed the petition and is supportive of the request.

Recommended Action:

To recommend approval of PZ-23-001 for a Zoning Ordinance Text Amendment as outlined on Exhibit A.

Legend

LotLines

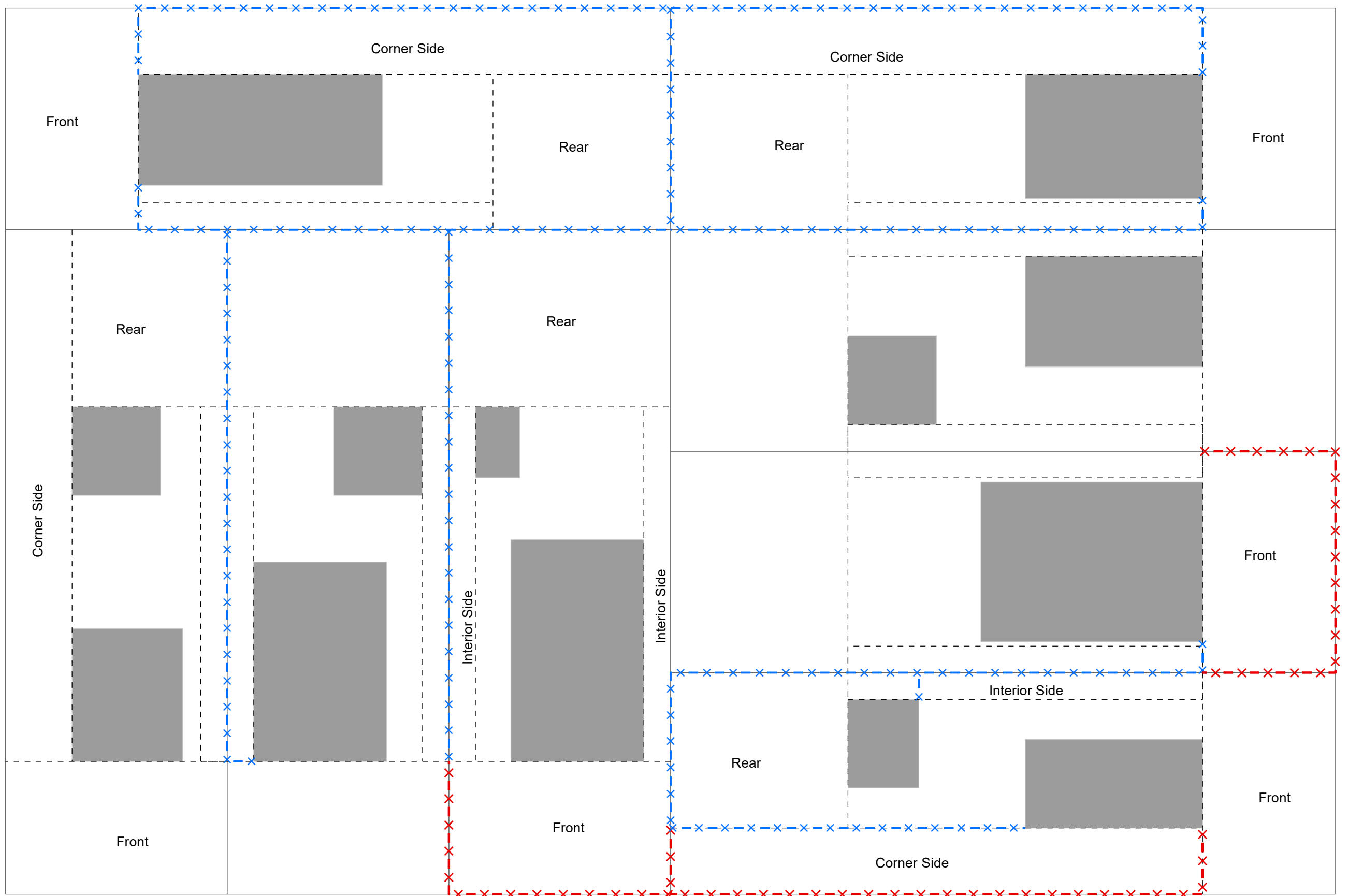
Setbacks

Buildings

Fence
height

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Sec. 7.10. - ACCESSIBLE PARKING

7.10.1. The number, location, and design of accessible parking spaces for persons with disabilities must be provided in accordance with this section and the Illinois Accessibility Code.

7.10.2. Accessible spaces must be provided in accordance with the Table 7-5.

Table 7-5: Accessible Parking Spaces

Total Off-Street Parking Spaces Provided	Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
over 1,000	20 plus 1 for each 100 over 1,000
Medical facilities specializing in treatment of persons with mobility impairments	20% of total
Outpatient medical facilities	10% of total

7.10.3. Accessible parking spaces count towards the satisfying minimum off-street parking requirements.

7.10.4. Each accessible parking space, except on-street spaces, must be at least sixteen (16) feet in width, with either an eight-foot or five-foot wide diagonally striped access aisle. The access aisle may be located on either side of the vehicle portion of the accessible space. Abutting accessible parking spaces may not share a common access aisle.

7.10.5. Accessible parking spaces must be posted with signs in accordance with applicable state law. Signs must identify the current fine amount for violations. The sign must be fabricated to be two (2) separate panels; one for the disability symbol and one for the current fine amount as established by village board. Accessible parking spaces must also be painted with the standard ADA white symbol on blue background.

7.10.6. Accessible parking spaces and accessible passenger loading zones that serve a particular building must be the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a particular building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

7.10.7. The regulations of this section apply to required spaces and to spaces that are voluntarily designated for accessible parking.

Sec. 9.2. - FENCES

9.2.1. - General

A. Applicability

The fence regulations of this section apply to all fences unless otherwise expressly stated.

B. Exemptions

Open mesh-type fences enclosing school sites, park and recreation uses, ~~or utility and public service uses~~ ~~or industrial uses~~ are exempt from the fence regulations of this section. Open mesh-type fences in M zoning districts are exempt from Section 9.2.2, Allowed Fence Heights and Locations, but shall not exceed 8' in height.

C. Permits Required

A fence permit is required from the community development department before the construction or erection of any fence or required screening.

D. Installation

The finished side of all fences (i.e., the side of the fence without posts or visual structural support elements) must face outward, toward the abutting lot or right-of-way.

E. Fences in Easements

Fences may be constructed in utility easements and easements granted to the village if the property owner acknowledges in a form approved by the village attorney that the village and its agents have the right to remove the fence at any time in order to repair, maintain or inspect the easement. The village is authorized to remove fences in easements without notifying the property owner, but the village must attempt to provide advance notice to the property owner if practical. The property owner is solely responsible for all expenses for repair, replacement, or damage to the fence within the easement as a result of either the fence removal or the repair, maintenance or inspection of improvements. The village has no liability whatsoever in connection with fences placed in easements. No fence permit may be issued if construction of the proposed fence will create an obstruction to the natural flow of water within any drainage easement.

F. Barbed Wire

No fence may contain any barbed wire or be designed, constructed, or installed to cause injury to any person, except in industrial-M zoning districts or as approved through the special use process in all other districts. Barbed wire may be installed in M zoning districts, provided that the lowest portion is at least eight (8) feet above grade. The barbed wire regulations of this paragraph do not apply to village-owned property.

9.2.2. - Allowed Fence Heights and Locations

Maximum allowed fence heights depend on the type of fence and its location, as indicated in Table 9-1.

Table 9.1 Allowed Fence Heights and Locations

Yard Type Fence Type	Maximum Fence Height (feet) [1]			
	Interior Lots	Corner Lots	Through Double Frontage Lots	Corner Through Double Frontage Lots
Front				
Solid Fence	3	3	3	3
Open Fence	4	4	4 [2]	4 [2]
Exterior Corner Side, Abutting a Front Yard				
Solid <u>or</u> Open Fence	-	6-4 (see 9.3.2)	-	6-4 (see 9.3.2)
Open Fence	-	4	-	4
Corner Side, Not Abutting a Front Yard				
Solid <u>or</u> Open Fence	-	6	-	6
Interior Side [3]				
Solid or Open Fence	6	6	6	6
Rear				
Solid or Open Fence	6	6	6	6

[1] Fence posts and ornamental post caps may extend above the maximum fence height by up to 6 inches.
[2] Fences up to 6 feet in height are allowed in yards abutting IL Route 83, between E Park Boulevard Avenue and E Madison Street Ave.
[3] Fences in interior side yards may not extend closer to any street than the front of the principal structure

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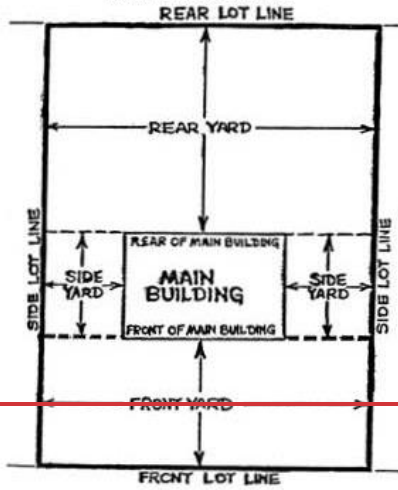
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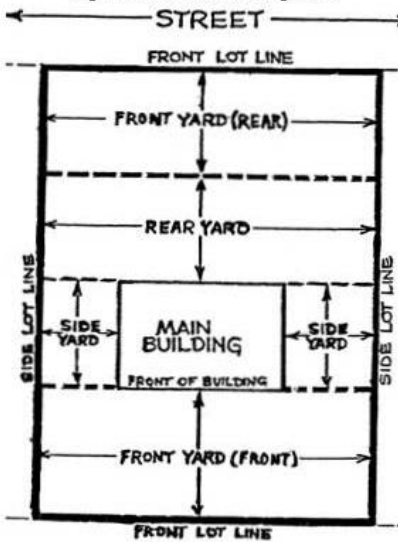
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Figure 9-1. Interior Lot



STREET

Figure 9-3. Interior Through Lot



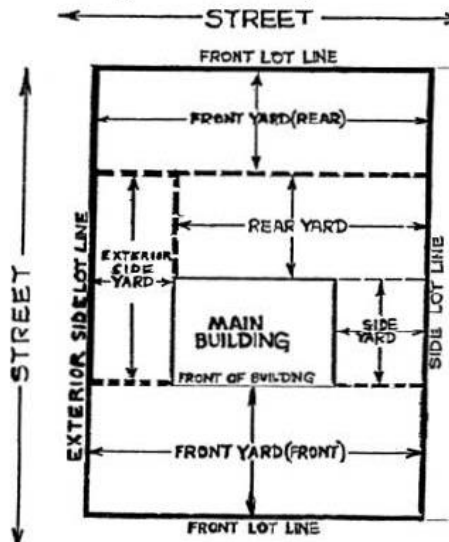
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Figure 9-2. Corner Lot



STREET

Figure 9-4. Corner Through Lot



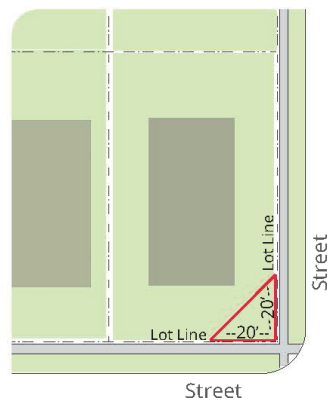
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Sec. 9.3. - VISIBILITY TRIANGLES

9.3.1. - Intersections

On corner lots in all zoning districts, except C-1, C-2, MX-1, MX-2, MX-3, MX-T, MX-R1, and MX-R2, nothing may be erected, placed, planted, or allowed to grow between a height of three (3) feet and ten (10) feet above grade within the required intersection visibility triangle, which is formed by two (2) lines that begin at the point of intersection of the subject lot's street lot lines and extend for a distance of twenty (20) feet along each street lot line and a third connecting line that forms the triangle (see Figure 9-5). In the C-1, C-2, MX-1, MX-2, and MX-3, MX-T, MX-R1, and MX-R2 districts, the determination of whether a visibility triangle is required shall be reviewed by the village engineer and determined by the director of community development.

Figure 9-5. Intersection Visibility Triangle



9.3.2. - Driveways

Solid fences and other visual obstructions exceeding three (3) feet in height are prohibited within driveway visibility triangles. Driveway visibility triangles are required along both sides of driveways. The triangles are formed as follows:

- A. One side of the triangle extends from the intersection of the street and sidewalk property line and the driveway edge for a distance of ten (10) feet along the lot line away from the driveway abutting the street.

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B. The second side of the triangle extends from the intersection of the street sidewalk property line and the property line driveway edge for a distance of ten (10) feet inward from the lot line along the driveway edge.

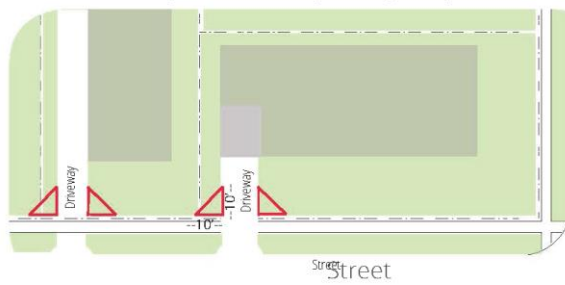
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C. The third side of the triangle connects the other two (2) sides (see Figure 9-6).

Figure 9-6. Driveway Visibility Triangle



14.2.10. - Words and Terms Beginning with "F"

A. **Fair:** An event for the exhibition and promotion of activities in the fields of agriculture, industry, labor, education and such other areas of activities as may be of interest to the public.

B. **Fence:** A freestanding structure of metal, masonry, composition or wood or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement or screening. Any plantings, shrubbery, hedges or other vegetation, whether used individually or in combination with a freestanding structure of metal, masonry, composition or wood, that is installed to provide an effective visual barrier constitutes a "fence" under this ordinance if it is more than ten (10) feet in length. Decorative lattice is not intended to be used as a fence.

C. **Fence, Solid:** ~~Any fence that when viewed from an angle of ninety (90) degrees, is less than seventy-five (75) percent open.~~

Fence, Open: Any fence that when viewed from an angle of ninety (90) degrees, is at least seventy-five (75) percent open.

Example:



D. **Fence, Open:** ~~Any fence that when viewed from an angle of ninety (90) degrees, is at least seventy-five (75) percent open.~~

Fence, Solid: Any fence that when viewed from an angle of ninety (90) degrees, is less than seventy-five (75) percent open.

Example:

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E. **Fest or festival:** An event that includes some or all of the following: amusement rides; carnivals circuses; fairs; parades; display and sale of arts, crafts, merchandise, food, or (alcoholic or nonalcoholic) beverages.

F. **Flood base elevation:** That elevation of the highest flood of record, determined by the village engineer's record of the elevations of the highest flood at locations as indicated on the zoning map. Flood base elevations at intermediate locations must be interpolated along the watercourse between the two (2) nearest base elevations, one upstream and downstream. The controlling flood base elevation for any building site is the same as the flood base elevation at the nearest point of the watercourse, as measured on a line perpendicular to the direction of the watercourse.

G. **Floodplain:** That continuous land area adjacent to a watercourse, whose elevation is equal to or below the flood base elevation, including any land that is surrounded on more than one-half its perimeter by land having an elevation equal to or lower than the flood base elevation.

H. **Flood reservoir:** A ponding area created for the purpose of impounding floodwaters and alleviating any flood damage that might result from human-made fills.

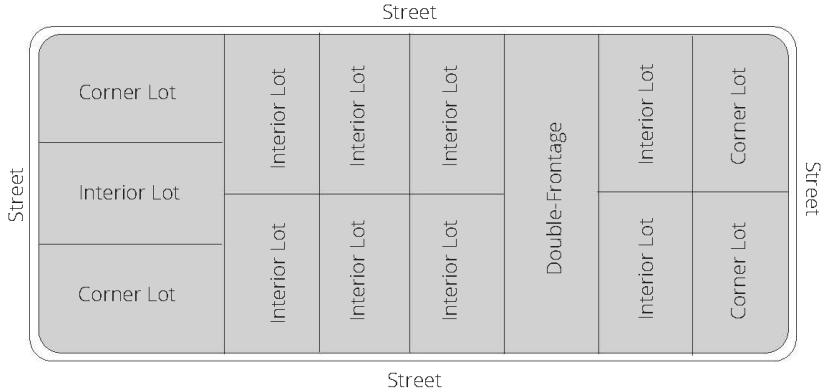
I. **Foot-candle:** A measure of illumination, the amount of light falling onto a surface. One lumen of light, shining evenly across one square foot of surface, illuminates that surface to one foot-candle.

J. **Foundation area:** The ground area immediately adjacent to a building on all sides. Foundation areas extend a minimum of five (5) feet in all directions from the foundation of the building.

14.2.15. - Words and Terms Beginning with "L"

- A. **Landscape architect:** A person who, based on education, experience, or both in the field of landscape architecture, is eligible to register and has obtained a certificate to practice landscape architecture under 225 ILCS 15/1.
- B. **Landscape area, perimeter:** An area around the perimeter of a property not facing a public street. The perimeter landscape area extends from the property line to the nearest building face, parking area, or access drive, exclusive of the foundation area and the interior parkway.
- C. **Lawfully Established:** A use, structure, lot or sign (as the context indicates) that was established in conformance with all applicable zoning code regulations in effect at the time of its establishment.
- D. **Lot:** A parcel of land that is designated by its owner or developer, at the time of applying for a building permit or other form of development approval required under this ordinance, as a tract all of which is to be used, developed, or built upon as a unit under single ownership. So long as it satisfies the above requirements, such lot may consist of:
1. A single lot of record; or
 2. A combination of contiguous complete lots of record.
- E. **Lot, corner:** A lot located at the intersection of two (2) streets or a lot bounded on 2 sides by a curving street two (2) chords of which form an angle of 120 degrees or less measured on the lot side.
- F. **Lot, double-frontage:** A lot having frontage on two (2) parallel or non-intersecting streets, as distinguished from a corner lot.

Figure 143-6. Lot Types



- G. **Lot, Interior:** Any lot that is not a corner lot.
- H. **Lot line:** The property boundary line of a lot.
- I. **Lot line, front (street):** A street lot line forming the boundary of an interior lot or the shorter street lot line on a corner lot.
- J. **Lot line, rear:** The lot line that is most distant from, and is, or is most nearly, parallel to the front lot line. If a rear lot line is less than fifteen (15) feet long, or if the lot comes to a point at the rear, the rear lot line is an imaginary line at least fifteen (15) feet long, lying wholly within the lot, parallel to the front lot line.
- K. **Lot line, side (interior):** A lot line that is neither a street lot line nor a rear lot line.
- L. **Lot line, side (street):** A street lot line forming the longer boundary on a corner lot.
- M. **Lot line, street:** Any lot line that abuts a street, including front (street) lot lines and side (street) lot lines.
- N. **Lot of record:** A lot that is part of a real estate subdivision, the plat of which has been recorded in the office of the County Recorder of Deeds, pursuant to statute

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14.2.28. - Words and Terms Beginning with "Y"

- A. **Yard:** An actual open, unoccupied space that exists on a lot between a building and a respective lot line.
- B. **Yard, Corner Side:** A yard extending along a side street lot line between the front yard and the rear lot line.
- C. **Yard, Front:** A yard extending along the full length of the front lot lines between the side lot lines.
- D. **Yard, Interior Side:** A yard extending along a side lot line between the front yard and the rear yard.
- E. **Yard, Rear:** A yard extending along the full length of the rear lot line between the interior side yards lot lines on an interior lot, and between the side lot line and the corner side yard on a corner lot, excluding any front yards.
- Yard, Side:** A yard extending along a side lot line between the front yard and the rear lot line.
- F. **Yard, Street:** Any yard abutting a street.

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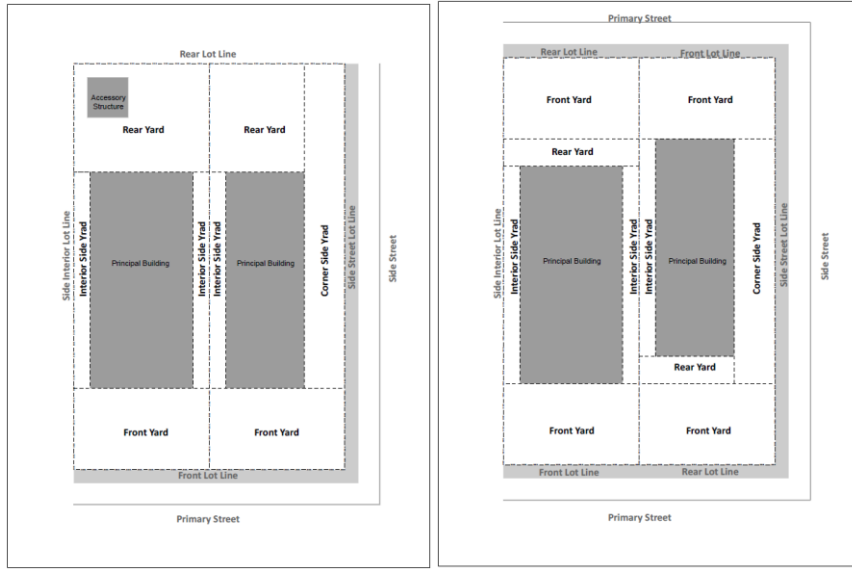
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Figure 14-7. Yard Types



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Sec. 7.10. - ACCESSIBLE PARKING

7.10.1. The number, location, and design of accessible parking spaces must be provided in accordance with the Illinois Accessibility Code.

Sec. 9.2. - FENCES

9.2.1. - General

A. Applicability

The fence regulations of this section apply to all fences unless otherwise expressly stated.

B. Exemptions

Open mesh-type fences enclosing school sites, park and recreation uses, or utility and public service uses are exempt from the fence regulations of this section. Open mesh-type fences in M zoning districts are exempt from Section 9.2.2, Allowed Fence Heights and Locations, but shall not exceed 8' in height.

C. Permits Required

A fence permit is required from the community development department before the construction or erection of any fence or required screening.

D. Installation

The finished side of all fences (i.e., the side of the fence without posts or visual structural support elements) must face outward, toward the abutting lot or right-of-way.

E. Fences in Easements

Fences may be constructed in utility easements and easements granted to the village if the property owner acknowledges in a form approved by the village attorney that the village and its agents have the right to remove the fence at any time in order to repair, maintain or inspect the easement. The village is authorized to remove fences in easements without notifying the property owner, but the village must attempt to provide advance notice to the property owner if practical. The property owner is solely responsible for all expenses for repair, replacement, or damage to the fence within the easement as a result of either the fence removal or the repair, maintenance or inspection of improvements. The village has no liability whatsoever in connection with fences placed in easements. No fence permit may be issued if construction of the proposed fence will create an obstruction to the natural flow of water within any drainage easement.

F. Barbed Wire

No fence may contain any barbed wire or be designed, constructed, or installed to cause injury to any person, except in M zoning districts or as approved through the special use process in all other districts. Barbed wire may be installed in M zoning districts, provided that

the lowest portion is at least eight (8) feet above grade. The barbed wire regulations of this paragraph do not apply to village-owned property.

9.2.2. - Allowed Fence Heights and Locations

Maximum allowed fence heights depend on the type of fence and its location, as indicated in Table 9-1.

Table 9.1 Allowed Fence Heights and Locations

Yard Type Fence Type	Maximum Fence Height (feet) [1]			
	Interior Lots	Corner Lots	Double Frontage Lots	Corner Double Frontage Lots
Front				
Solid Fence	3	3	3	3
Open Fence	4	4	4 [2]	4 [2]
Corner Side, Abutting a Front Yard				
Solid or Open Fence	-	4	-	4
Corner Side, Not Abutting a Front Yard				
Solid or Open Fence	-	6	-	6
Interior Side				
Solid or Open Fence	6	6	6	6
Rear				
Solid or Open Fence	6	6	6	6

[1] Fence posts and ornamental post caps may extend above the maximum fence height by up to 6 inches.

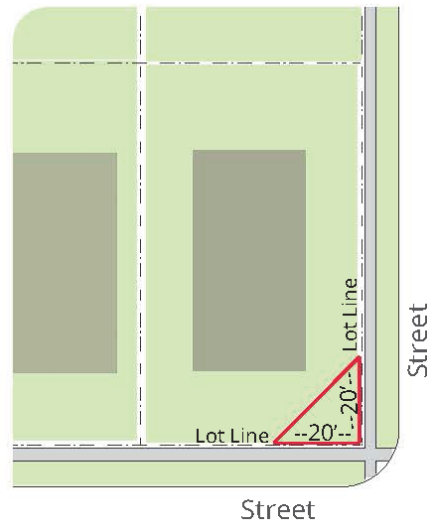
[2] Fences up to 6 feet in height are allowed in yards abutting IL Route 83, between E Park Boulevard and E Madison Street.

Sec. 9.3. - VISIBILITY TRIANGLES

9.3.1. - Intersections

On corner lots in all zoning districts, except C-1, C-2, MX-1, MX-2, MX-3, MX-T, MX-R1, and MX-R2, nothing may be erected, placed, planted, or allowed to grow between a height of three (3) feet and ten (10) feet above grade within the required intersection visibility triangle, which is formed by two (2) lines that begin at the point of intersection of the subject lot's street lot lines and extend for a distance of twenty (20) feet along each street lot line and a third connecting line that forms the triangle (see Figure 9-5). In the C-1, C-2, MX-1, MX-2, and MX-3, MX-T, MX-R1, and MX-R2 districts, the determination of whether a visibility triangle is required shall be reviewed by the village engineer and determined by the director of community development.

Figure 9-5. Intersection Visibility Triangle

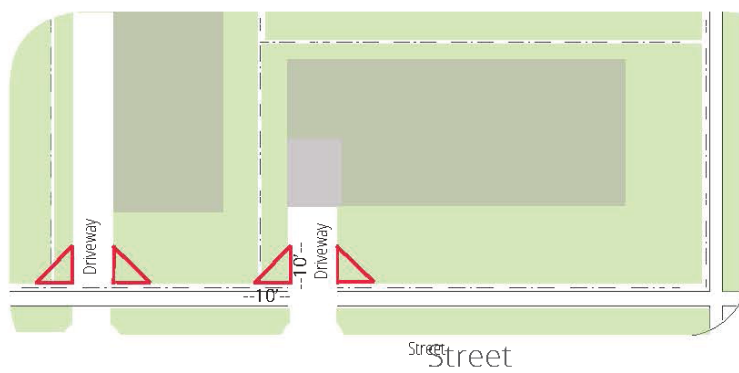


9.3.2. - Driveways

Solid fences and other visual obstructions exceeding three (3) feet in height are prohibited within driveway visibility triangles. Driveway visibility triangles are required along both sides of driveways. The triangles are formed as follows:

- A. One side of the triangle extends from the intersection of the property line and the driveway edge for a distance of ten (10) feet along the lot line away from the driveway.
- B. The second side of the triangle extends from the intersection of the property line and the driveway edge for a distance of ten (10) feet inward from the lot line along the driveway edge.
- C. The third side of the triangle connects the other two (2) sides (see Figure 9-6).

Figure 9-6. Driveway Visibility Triangle



14.2.10. - Words and Terms Beginning with "F"

A. **Fair:** An event for the exhibition and promotion of activities in the fields of agriculture, industry, labor, education and such other areas of activities as may be of interest to the public.

B. **Fence:** A freestanding structure of metal, masonry, composition or wood or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement or screening. Any plantings, shrubbery, hedges or other vegetation, whether used individually or in combination with a freestanding structure of metal, masonry, composition or wood, that is installed to provide an effective visual barrier constitutes a "fence" under this ordinance if it is more than ten (10) feet in length. Decorative lattice is not intended to be used as a fence.

C. **Fence, Open:** Any fence that when viewed from an angle of ninety (90) degrees, is at least seventy-five (75) percent open.

Example:



D. **Fence, Solid:** Any fence that when viewed from an angle of ninety (90) degrees, is less than seventy-five (75) percent open.

Example:



E. **Fest or festival:** An event that includes some or all of the following: amusement rides; carnivals circuses; fairs; parades; display and sale of arts, crafts, merchandise, food, or (alcoholic or nonalcoholic) beverages.

F. **Flood base elevation:** That elevation of the highest flood of record, determined by the village engineer's record of the elevations of the highest flood at locations as indicated on the zoning map. Flood base elevations at intermediate locations must be interpolated along the watercourse between the two (2) nearest base elevations, one upstream and downstream. The controlling flood base elevation for any building site is the same as the flood base elevation at the nearest point of the watercourse, as measured on a line perpendicular to the direction of the watercourse.

G. **Floodplain:** That continuous land area adjacent to a watercourse, whose elevation is equal to or below the flood base elevation, including any land that is surrounded on more than one-half its perimeter by land having an elevation equal to or lower than the flood base elevation.

H. **Flood reservoir:** A ponding area created for the purpose of impounding floodwaters and alleviating any flood damage that might result from human-made fills.

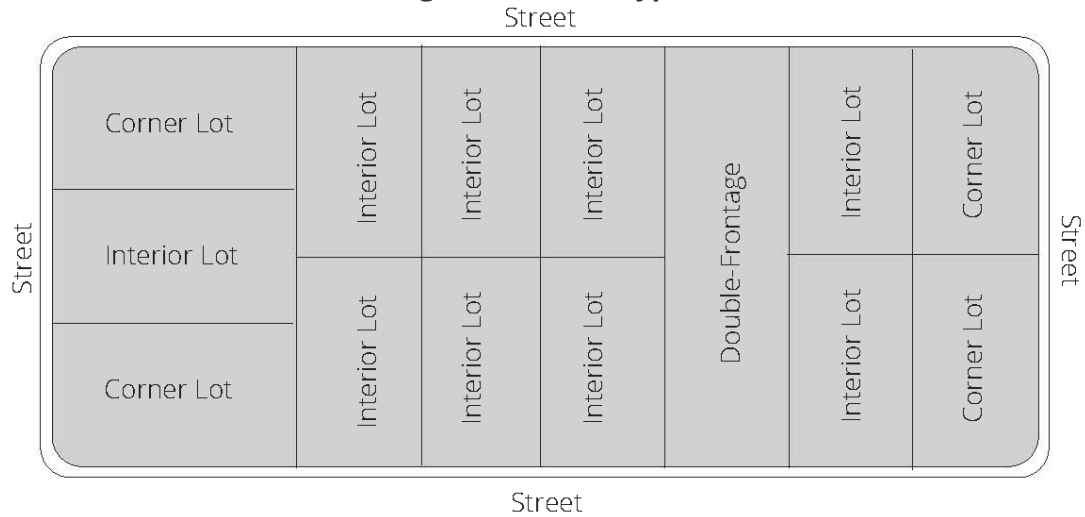
I. **Foot-candle:** A measure of illumination, the amount of light falling onto a surface. One lumen of light, shining evenly across one square foot of surface, illuminates that surface to one foot-candle.

J. **Foundation area:** The ground area immediately adjacent to a building on all sides. Foundation areas extend a minimum of five (5) feet in all directions from the foundation of the building.

14.2.15. - Words and Terms Beginning with "L"

- A. **Landscape architect:** A person who, based on education, experience, or both in the field of landscape architecture, is eligible to register and has obtained a certificate to practice landscape architecture under 225 ILCS 15/1.
- B. **Landscape area, perimeter:** An area around the perimeter of a property not facing a public street. The perimeter landscape area extends from the property line to the nearest building face, parking area, or access drive, exclusive of the foundation area and the interior parkway.
- C. **Lawfully Established:** A use, structure, lot or sign (as the context indicates) that was established in conformance with all applicable zoning code regulations in effect at the time of its establishment.
- D. **Lot:** A parcel of land that is designated by its owner or developer, at the time of applying for a building permit or other form of development approval required under this ordinance, as a tract all of which is to be used, developed, or built upon as a unit under single ownership. So long as it satisfies the above requirements, such lot may consist of:
1. A single lot of record; or
 2. A combination of contiguous complete lots of record.
- E. **Lot, corner:** A lot located at the intersection of two (2) streets or a lot bounded on 2 sides by a curving street two (2) chords of which form an angle of 120 degrees or less measured on the lot side.
- F. **Lot, double-frontage:** A lot having frontage on two (2) parallel or non-intersecting streets, as distinguished from a corner lot.

Figure 14-6. Lot Types



- G. **Lot, Interior:** Any lot that is not a corner lot.
- H. **Lot line:** The property boundary line of a lot.
- I. **Lot line, front (street):** A street lot line forming the boundary of an interior lot or the shorter street lot line on a corner lot.
- J. **Lot line, rear:** The lot line that is most distant from, and is, or is most nearly, parallel to the front lot line. If a rear lot line is less than fifteen (15) feet long, or if the lot comes to a point at the rear, the rear lot line is an imaginary line at least fifteen (15) feet long, lying wholly within the lot, parallel to the front lot line.
- K. **Lot line, side (interior):** A lot line that is neither a street lot line nor a rear lot line.
- L. **Lot line, side (street):** A street lot line forming the longer boundary on a corner lot.
- M. **Lot line, street:** Any lot line that abuts a street, including front (street) lot lines and side (street) lot lines.
- N. **Lot of record:** A lot that is part of a real estate subdivision, the plat of which has been recorded in the office of the County Recorder of Deeds, pursuant to statute

14.2.28. - Words and Terms Beginning with "Y"

- A. **Yard:** An actual open, unoccupied space that exists on a lot between a building and a respective lot line.
- B. **Yard, Corner Side:** A yard extending along a side street lot line between the front yard and the rear lot line.
- C. **Yard, Front:** A yard extending along the full length of the front lot line between the side lot lines.
- D. **Yard, Interior Side:** A yard extending along a side lot line between the front yard and the rear yard.
- E. **Yard, Rear:** A yard extending along the rear lot line between the interior side lot lines on an interior lot, and between the side lot line and the corner side yard on a corner lot, excluding any front yards.
- F. **Yard, Street:** Any yard abutting a street.

Figure 14-7. Yard Types

