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

March 10, 2022 **7:30 PM**

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

1. Call to Order - Roll Call

2. Approval of Minutes

2.a Minutes
PZ-21-0011 Minutes.pdf
PZ-21-0012 Minutes.pdf
PZ-21-0013 Minutes.pdf

3. Public Hearing - New Business
Please note that no further testimony on a matter can be considered after the close of the public hearing.

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

3.a

Petition PZ-22-0002 / 24 E. St. Charles Road / SU – Drive Thru in the MX 3 District / Variation – Parking Lot Perimeter

- Special Use for Drive Thru in the MX 3 District per **Article 4.7.11 Drive-Through Structures** with variations related to location of the drive-up window with canopy structure,
- Variation to allow reduced perimeter parking lot landscaping as required in **Article 9.1.5.D Parking Lot Perimeter**.

PZ-22-0002_24 E St Charles SU- Drive Thru & VAR - Perimeter Landscape.pdf
24 E St. Charles Rd - Special Use Variation.pdf

3.b **Petition PZ-22-0003** / 880 N. Addison / Amendment to ORD #3727 Granting an Amendment to the PUD for 880 North Addison Road (which amended Ord 2501)

Amendment to an existing PUD originally granted in 1991 as Ordinance #2501 and amended in December 2012 as Ordinance #3727 to permit the construction of a storage canopy building to cover materials. Request is a Variance from **Article 6.10.3 Uses – Nonresidential Accessory Structures** of the Zoning Ordinance of the Village of Villa Park to permit more than one non-residential Accessory Structure building per lot, and at a size greater than one (1) percent of the area of the lot at the following legally described property.

PZ-22-003 Bone Roofing P&Z_Memo.pdf
Plat of Survey.pdf
ORD 3727 - Amendment PUD 880 N Addison Road_121712.pdf
Site plans.pdf

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

4.a **Presentation Item:**
Petition PZ-22-0001 / 100-110 S. Villa Avenue / Concept Plan Presentation by Petitioner for proposed mixed use Development / The Union / Catalyst Partners and Marquette Companies (Petitioner).
PZ-22-0001 Concept Plan Memo 031022.pdf

4.b **Discussion Items.**
Informal discussion of potential amendments to the Village Zoning Ordinance.
Discussion Items 2022 Text Amendments.pdf

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: March 10, 2022
Submitted by: Pat Boksha
Submitting Department: Planning and Zoning Commission
Item Type: Minutes
Agenda Section: Approval of Minutes

Subject:
Minutes

Suggested Action:

Attachments:
PZ-21-0011 Minutes.pdf
PZ-21-0012 Minutes.pdf
PZ-21-0013 Minutes.pdf

VILLAGE OF VILLA PARK

PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
)No. PZ-21-0011
1334 S. Villa Avenue,)
Special Use, Electronic)
Message Display, New Life)
Bible Church.)
_____)

PUBLIC HEARING

January 13, 2022

7:30 p.m.

REPORT OF PROCEEDINGS had and testimony at the public hearing of the above-entitled cause, before the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, held at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, Illinois, at the above date and time, and reported by Pamela C. Taylor, CSR/RPR, for the State of Illinois.

APPEARANCES:

BOARD MEMBERS PRESENT:

MR. JASON JARRETT, Chairman
MR. LARRY CALVERT
MR. EDWARD HOFSTRA
MR. KENNETH JACKSON
MR. ERIC LUEDTKE
MR. MICHAEL ORLOWSKI
MR. DOMINICK ROMANO
MR. JUSTIN SHLENSKY

ALSO PRESENT:

MS. CONSUELO ARGUILLES,
Director of Community Development

CHAIRMAN JARRETT: I call this regular meeting of the Village of Villa Park, Planning and Zoning Commission to order. Start with roll call.

Calvert?

COMMISSIONER CALVERT: Here.

CHAIRMAN JARRETT: Hofstra?

COMMISSIONER HOFSTRA: Here.

CHAIRMAN JARRETT: Jackson?

COMMISSIONER JACKSON: Here.

CHAIRMAN JARRETT: Kase? Luedtke?

COMMISSIONER LUEDTKE: Here.

CHAIRMAN JARRETT: Orlowski?

COMMISSIONER ORLOWSKI: Here.

CHAIRMAN JARRETT: Romano?

COMMISSIONER ROMANO: Here.

CHAIRMAN JARRETT: Shlensky?

COMMISSIONER SHLENSKY: Here.

CHAIRMAN JARRETT: Present. With that we have a quorum.

First order of business will be approval of minutes. Is there a motion to approve the minutes of the regular meeting dated 12/9/2021 and special meeting dated 12/14/2021?

COMMISSIONER SHLENSKY: I'll make that

motion.

CHAIRMAN JARRETT: Motion from Commissioner Shlensky. Is there a second?

COMMISSIONER HOFSTRA: Second.

CHAIRMAN JARRETT: Motion and a second. Questions, comments on the motion?

Being none all in favor of approval?

(All Commissioners said aye.)

CHAIRMAN JARRETT: Any opposed?

All right, the minutes are approved.

Before I get started, if anybody thinks they're going to speak on any agenda item this evening, might be the time to stand. The court reporter will swear you all in at once, and you can give your name and address one at time when you come up to the podium when it's your time to speak.

(All potential witnesses were sworn in by the court reporter.)

CHAIRMAN JARRETT: So, the order of business for each agenda item will go as follows, we'll go with Staff input, move to presentation of the Petitioner, if the Petitioner wishes to add anything to what Staff has already said, and then we'll go to public presentation and questions, that

will be the public, and then questions from the Commission. Closing comments of the Petitioner if the Petitioner has any, and then we'll close the public hearing and move to discussion amongst ourselves and make a motion to, make a motion at that time, if necessary.

So, the first item of business will be petition PZ 21-0011 for 1334 S. Villa Avenue, Special Use, Electronic Message Display, New Life Bible Church.

Whenever you're ready, Consuelo.

MS. ARGUILLES: Thank you, Chairman Jarrett.

The first item for you to consider tonight is PZ-21-0011, and that's a special use request for an electronic message display center sign at 1334 S. Villa Avenue, presently occupied by New Life Bible Church. This property is surrounded by single family residential homes, and is consistent with the contents of planned designation for single family residential.

The request before you tonight is specifically regarding a new sign that's being proposed because it is an electronic message display

panel in a residential district, it does require a special use, but the code does allow for special use because it is in a situational use, so, that's before you tonight for consideration.

This is an aerial image of the property as it sits today. The property itself, the church sits on two parcels of property. The parcel highlighted is in black here, outlined in black, it's the southern parcel, which is where the sign is being proposed at that southeast corner of the property.

Some quick background regarding the property. This property, like I said, zoned residential, and it does allow for an electronic message display sign because it is an institutional use and not residential use property, so, the code allows, granted a special use is approved, the petition of the property owner can install that electronic message display.

Some background. Background, December the 21st of 2020, the Village Board approved a similar request, allowing an electronic message display panel for a similar type of use for non-residential single family home and in this case,

it was a church on a different location on Cornell and the Board did approve a special use variation for the electronic message display sign on that property.

The subject sign that's being proposed, as part of the subject property, is the modification of an existing sign. The picture on the left-hand side of this slide does indicate what the sign looks like today, it does include a brick base, and a change of a sign, the primary sign above the front base.

The proposed improvement would keep the brick base, but also install a new two panel sign above the brick base. I say two panels because part of that permanent sign would be aesthetic sign, and then the southern portion would be the electronic message display panel.

The proposed plans indicate the sign will measure about five feet in height, and it will be surrounded by the landscaping code requirements.

It is important to note that the plat of survey the Petitioner submitted, does indicate that the sign will meet the required setbacks on the existing property lines, however, we do want to note

that there is an existing sign along the south property line that is existing, non-conforming, that will have to be modified to comply with code.

That sign in question not only is set on private property, but also projected into the public right-of-way.

We don't have record of permit for that sign, and it does encroach into the public property, and it will have to be brought to code compliance, regardless whether a special use is approved or not, the owner will have to address that non-conforming situation.

Our code does have regulations for electronic message displays, as it relates to brightness, hours of operation, landscaping, message whole time, maximum area, animation and graphics. The Petitioner has indicated they are going to comply with all those code violations, they are not seeking variation codes for any of those.

And with that, that has the special use request and it does find it's consistent with the recent approvals for electronic message display for institutional uses. This request, as I mentioned earlier, would be similar to that of the

special use that was approved last year for another church.

Staff does not object to this request and is supportive.

If Commission finds support of the special use request, the following motion can be entertained to recommend approval of the following:

A special use to install an electronic message display panel in the RS-10 residential single family dwelling district, and the lots occupied by for institutional use, for the property located at 1334 S. Villa, pin number 06-15-303-034.

CHAIRMAN JARRETT: Thank you. Just real quick before you move to the petition, I do want to point out one thing I think is in error in the memo since it's part of the record.

The third paragraph on page 2, the last line says, "However this provision does not apply to the subject property because it is located in the Ardmore Avenue Business District."

That sentence should be struck.

MS. ARGUILLES: Noted, and we'll make sure that it's corrected.

CHAIRMAN JARRETT: Thank you.

At this time does the Petitioner have anything they would like to say? State your name and address for the record. And feel free to continue after that.

MS. DODD: My name is Karen Dodd, address is 101 E. Illinois in Aurora, and I also have a representative here from the church if you have anymore questions.

I am representing J&S Electric and Sign on behalf of New Life Bible Church -- Chapel. We are requesting approval for special use to allow an electronic message center for institutional use.

There is an existing ground sign, and we would like to replace the cabinet with aesthetic panel and electronic message center.

We will comply with all the items in Section 8.7 for electronic message display panel. The sign will allow for communication of church activities for the community.

There's a wooden sign for the food pantry that needs to be relocated on to private property. We have provided a letter from the church to the city, stating we will relocate the sign once

the ground thaws, and I appreciate your time. If you have any questions.

CHAIRMAN JARRETT: All right, thank you.

Is there anyone from the public wishing to speak on this agenda item?

MS. TUCKER: Cheryl Tucker, 434 S. Cornell. I do not have a problem with this, in fact, I was a trustee when we did the one on Ardmore. I have the same concern that I had for the one on Ardmore and that is the distance from them driving on -- can you hear me? The distance of the driving of people on the street to the changing of the message on the message board.

My concern is, if there's not enough distance between them driving on the street, even though there's not as much traffic on Ardmore as there would be on Villa, that it will cause a traffic incident on them looking at it.

Do we have the lighting perfect, and the message board, I was trying to read through it, to flip the sign in enough time period that it will not cause difficulty for drivers to see their sign, but not cause of failure on that difficulty. That is my concern on the sign.

The sign is probably perfect, you guys will go through the checklist, but I'm kind of concerned where it's located with the distance of people driving by the sign and causing some type of difficulty on viewing it.

CHAIRMAN JARRETT: Just a point of clarification, our sign ordinance does have very strict standards on brightness. On the types of motion that are permitted in signs, essentially no motion, other than changing from one image to the other, and that has to be an aesthetic change, not a swipe, not a blend, not a whooshing off either left or right, and there is a minimum amount of time that has to pass between changes, so, you can't have a change every second or two seconds.

I can't speak to exactly what that number is off the top of my head, I believe it is three seconds, but don't quote me on that.

MS. TUCKER: Well, I know Willowbrook's sign had to be adjusted because it was, it was a hazard, but that's a different area of where it's at than where this is. I know there is not as much traffic, but that was my concern to cause the distance on switching.

CHAIRMAN JARRETT: I appreciate your concern, thank you. Anyone else?

MR. WEISS: I have to speak, because I'm here, I got sworn in. My name is Mat Weiss, I live at 1345 S. Villa, across the street from the church, and I want to thank this body for sending me a notice so that I knew about this meeting so I could come and see what it was about because I don't want to like learn about it, out my window at night, so thanks again.

CHAIRMAN JARRETT: So, are you across Reardon or across Villa?

MR. WEISS: I'm across Villa, so, I look at the church every day. Thanks again, appreciate it.

CHAIRMAN JARRETT: Anyone else wishing to speak on this item?

All right, questions from the Commission? All right, there are no questions, we will close the public hearing and move discussion by Commission.

So, actually, I kind of do have a question. Is this sign capable of -- are you familiar with the one at the library? So, it's a

black background that could produce lights, but it's not a LED, so, like it can't do a white background, it can do colored letters. Is this like a LED where you can have a solid white background, for instance?

MS. DODD: It's dimmable, I know we can control the lighting levels.

CHAIRMAN JARRETT: Okay, but I guess my comment is sort of a comment would be to the Petitioner. The bright white background and bright white text can be very obnoxious, and those are the things that tend to get you over the light limits, so, be careful with those things, if this is ultimately approved, so, that the Village doesn't have to come down and make you adjust your sign.

MS. DODD: Definitely.

CHAIRMAN JARRETT: Comments, any other comments?

COMMISSIONER HOFSTRA: The only thing I'll say, I live within three blocks of this, I walk by this church all the time, they really have been, the last year, doing a lot of upgrade to the grounds, painting things, it looks a whole lot better than it did a year ago, and I strongly support what they're trying to do.

CHAIRMAN JARRETT: Okay, any other comments?

COMMISSIONER CALVERT: I just have one, just to clarify. The electronic portion of this sign is going to change, it's going to be where, "Welcome To Our Church" is at?

CHAIRMAN JARRETT: Yes.

COMMISSIONER CALVERT: You're going to have a message in there that changes every few seconds, and what color will that message be?

MS. DODD: We can make it any color.

MR. THOMAS: My name is Elias Thomas, address is 508 W. Illinois Avenue, Palatine, Illinois, 60067. I'm a trustee of New Life Bible Chapel and our intention, as far as the board, not to have messages going all the time, it's simply to have something where we can say, happy Father's Day, happy Mother's Day, or some speaker is coming, if somebody wants to come attend the church, that's pretty much the intention of it. There's no turning messages when you are driving, you won't see that.

CHAIRMAN JARRETT: Okay. All right, thank you.

MR. THOMAS: Thank you.

CHAIRMAN JARRETT: Any other questions or comments? If there are none, entertain a motion. Anyone like to make a motion?

COMMISSIONER HOFSTRA: I'll make the motion. Recommend for approval of the following:

One, special use to install electronic message display panel in the RS-10 residential single dwelling district on a lot occupied by an institutional use. This is for the property located at 1334 S. Villa Avenue, 1006-15-303-034, with a finding of fact that such variance meets the standards enumerated in Article 11.5 of Appendix C of the Municipal Code, Village of Villa Park, basic zoning ordinances.

CHAIRMAN JARRETT: Motion, and is there a second?

COMMISSIONER ORLOWSKI: I'll second that.

CHAIRMAN JARRETT: Second from Commissioner Orlowski. Any question or comments on the motion?

Roll call, Calvert?

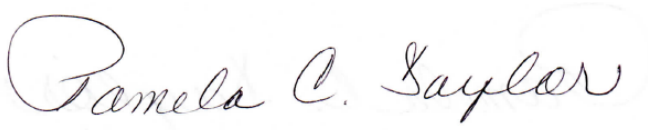
COMMISSIONER CALVERT: Yes.

CHAIRMAN JARRETT: Hofstra?

COMMISSIONER HOFSTRA: Yes.

CHAIRMAN JARRETT: Jackson?
COMMISSIONER JACKSON: Yes.
CHAIRMAN JARRETT: Luedtke?
COMMISSIONER LUEDTKE: Yes.
CHAIRMAN JARRETT: Orlowski?
COMMISSIONER ORLOWSKI: Yes.
CHAIRMAN JARRETT: Romano?
COMMISSIONER ROMANO: Yes.
CHAIRMAN JARRETT: Shlensky?
COMMISSIONER SHLENSKY: Yes.
CHAIRMAN JARRETT: I too vote yes. With that, our recommendation will pass and go forward, they can accept or reject or modify as they see fit. Thank you and good luck.
(End of Public Hearing.

I, Pamela C. Taylor, CSR/RPR of the State of Illinois, do hereby certify that I reported in machine shorthand the proceedings had at the hearing in the above-entitled cause, and that this transcript is a true and accurate transcription of my machine shorthand notes so taken to the best of my ability.



CSR #084-001184

Dated this 27th day
of January, 2022

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VILLAGE OF VILLA PARK

PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
)No. PZ-21-0012
15 W. North Avenue,)
Special Use Cannabis)
Dispensary, GRD)
Illinois, LLC.,)
_____)

PUBLIC HEARING
January 13, 2022
7:30 p.m.

REPORT OF PROCEEDINGS had and testimony at the public hearing of the above-entitled cause, before the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, held at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, Illinois, at the above date and time, and reported by Pamela C. Taylor, CSR/RPR, for the State of Illinois.

APPEARANCES:

BOARD MEMBERS PRESENT:

MR. JASON JARRETT, Chairman
MR. LARRY CALVERT
MR. EDWARD HOFSTRA
MR. KENNETH JACKSON
MR. ERIC LUEDTKE
MR. MICHAEL ORLOWSKI
MR. DOMINICK ROMANO
MR. JUSTIN SHLENSKY

ALSO PRESENT:

MS. CONSUELO ARGUILLES,
Director of Community Development

CHAIRMAN JARRETT: All right the next item of business will be PZ-21-0012, 15 W. North Avenue, Special Use Cannabis Dispensary, GRD Illinois, LLC.

It's my understanding that this application has been withdrawn, is that correct?

MS. ARGUILLES: That's correct, we received notification from the applicants of withdrawal from the application.

CHAIRMAN JARRETT: Just to double check, there's no one from the applicant or representing the applicant wishing to speak?

All right, do we have a reason for the withdrawal?

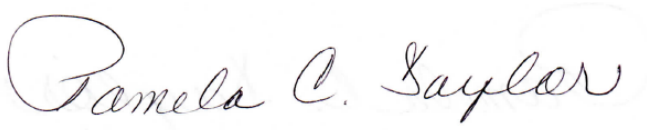
MS. ARGUILLES: The Petitioner was trying to purchase the property, and that fell through, that proposal to purchase it, so, that's the reason why he wasn't introducing the special use anymore because he wasn't able to acquire the property.

It is informing to note, however, that the applicant is the same applicant that received special use approval for a cannabis business over at 305 W. North. He intends to follow-up at that location.

CHAIRMAN JARRETT: All right, thank you.

(End of Public Hearing.)

I, Pamela C. Taylor, CSR/RPR of the State of Illinois, do hereby certify that I reported in machine shorthand the proceedings had at the hearing in the above-entitled cause, and that this transcript is a true and accurate transcription of my machine shorthand notes so taken to the best of my ability.



CSR #084-001184

Dated this 27th day
of January, 2022

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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
)No. PZ-21-0013
Amendments to Certain)
Provisions of Appendix C,)
Basic Zoning Ordinance,)
Article 6, Section 6.11.2.E;)
6.11.2.G.7; 6.11.2.G.12;)
6.12.A; 6.12.B and 14.2.22.F,)

PUBLIC HEARING
January 13, 2022
7:30 p.m.

REPORT OF PROCEEDINGS had and testimony at the public hearing of the above-entitled cause, before the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, held at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, Illinois, at the above date and time, and reported by Pamela C. Taylor, CSR/RPR, for the State of Illinois.

APPEARANCES:

BOARD MEMBERS PRESENT:

MR. JASON JARRETT, Chairman
MR. LARRY CALVERT
MR. EDWARD HOFSTRA
MR. KENNETH JACKSON
MR. ERIC LUEDTKE
MR. MICHAEL ORLOWSKI
MR. DOMINICK ROMANO
MR. JUSTIN SHLENSKY

ALSO PRESENT:

MS. CONSUELO ARGUILLES,
Director of Community Development

CHAIRMAN JARRETT: All right, thank you.

So, then the next item will be, amendments to certain provisions of Appendix C, basic zoning ordinance, Article 6, Section 6.11.2.E; 6.11.2.G.7; 6.11.2.G.12; 6.12.A; 6.12.B and 14.2.22.F.

Whenever you're ready.

MS. ARGUILLES: Okay, thank you. This request has to do with zoning text amendments to several sections of the Village's Zoning Ordinance, which is known as Appendix C of the village code.

I want to start off with some background information regarding this request.

Back in 2020, the Community Development Department did receive a, an anonymous complaint regarding properties with shipping containers on the properties, illegal placement of these containers. We did not have record of permit, we did not have record of any correspondence regarding these containers, so, we did follow-up and did issue violation notices to about 30 properties in town throughout the Village regarding these structures.

In October of 2021, one of our trustees, Trustee Kozar, along with several other members, indicated they wanted to pursue several

zoning text amendments, and those are before you here tonight for recommendation. And I'll go ahead and read those to you, okay.

The request was to strike 6.11.2 E in all C Districts, the display of a period not to exceed 90 days of seasonal items, such as gardening and patio equipment and supplies.

Number two, a proposal to strike 6.11.2 G.7, which indicates no entertainment, whether live recorded or otherwise, is permitted in the outdoor seating area.

The third item, which is to strike, 6.11.2, G.12, an occupancy permit is required prior to the opening of the outdoor seating area. The occupancy permit is valid from March 1st through November 30th, and must be renewed annually. All outdoor furniture must be removed within 24 hours of the permit expiration.

Item four strikes 6.12 A.2, there would be, indicated there maybe no more than one temporary outdoor storage container per property.

Moving along, item five strike 6.12 A.5 indicating no temporary outdoor storage containers may remain on the property for no more than 60

consecutive days per year, and to replace that with no temporary outdoor storage may remain on the subject property for more than 90 consecutive days per year.

Moving along, item six was to strike 6.12 A.6 indicating temporary storage containers may not exceed eight feet in height or cover an area of more than 130 square feet to replace that with temporary outdoor storage containers may not exceed ten feet in height or cover an area more than 200 square feet.

Item seven was to strike 6.12 A.7, indicating temporary outdoor storage containers must be placed only on a driveway or other hard surface.

Eight was, strike 6.12 A.13, indicating temporary outdoor storage containers may not be used for the purpose of conducting business or selling merchandise.

Moving along, the next item recommended to be modified was, was item A, like I mentioned, 6.12 A.13, temporary outdoor storage containers may not be granted occupancy for purposes of habitation or conducting business.

Item nine was to strike 6.12 B.4, a

requirement placing the structures on a paved surface.

Item ten was 6.12 B.7, a requirement to screen from public view with a privacy screen, for example, a fence, landscaping or similar methods, and to replace that with screened, from public view, with a privacy screening, for example a fence, landscaping or similar methods or painted.

Item 11, was to strike 6.12 B.13., may not be used for the purpose of conducting business or studying merchandise, and replace that with, may not be granted occupancy for purposes of habitation or conducting business.

Finally the item 12, 14.2.22 F, which was a definition of shipping container, which was shipping containers as a standard reusable vessel, designed without an axle or wheels, which was replaced with shipping container a type of outdoor storage container is a standard reusable vessel designed without an axle or wheels, which was, so forth.

On October 11th of 2021, the Village Board did approve text amendments to permit storage containers subject to the requirements that were

listed in the Staff report.

We broke -- the code was modified to provide one section, Section 6.12, pertaining to outdoor storage containers and nonresidential properties into two sections, Section A was speaking to temporary outdoor storage containers, and Section B, speaking in regards to permanent outdoor storage containers in nonresidential properties. That was approved.

The background, the definition of Article 14 was also modified to state that shipping container is defined as a standard reusable vessel, designed without axle or wheels, which was originally specifically or formally designed for or use in the parking cargo movement or transportation of freight, articles, goods or commodities, and/or, two, designed for or capable of being mounted or moved on a rail car, truck trailer or loaded on a ship.

A special meeting did take place before the Planning and Zoning Commission on December 14th of 2021. Six members of the Planning and Zoning Commission, including Chairman Jarrett were in attendance, and primarily discussed

the outdoor storage container regulations, as per the email that we received per those recommendations from the Board.

Discussions included consensus of limiting the number of storage containers to one, variation process for more than one container, a mix of thoughts regarding 60 or 90 consecutive days for temporary storage containers, allowing temporary outdoor storage containers to match industry standards.

Moving along, the discussion also included measuring, limiting the height to 8.5 feet tall by 8 feet wide by 20 feet in length, and 160 square feet in area, keeping the requirement to place containers on a driveway or other hard surface and keeping existing language regarding the use.

The Planning and Zoning Commission did not feel that the definition of the shipping container needed to be amended to reference occupancy for purpose of habitation or conducting business.

Regarding the permit outdoor storage containers, consensus was to keep the requirement for placing on a paved surface, which would be consistent with the language for temporary outdoor

storage containers. It would be difficult to determine when existing structures were installed because there is no record of the permit and/or determine if they are on a paved surface without going out to private property to inspect.

Chairman Jarrett, you did clarify that the definition of, did clarify item 6.12.B.7 and clarified that or similar methods was intended to allow Staff the flexibility to permit something like painting, cladding or similar materials, such as a trellis something other than a fence.

At that meeting the Planning and Zoning Commission did not feel the need to add or painted to the screening requirement or see the need to reference habitation or conducting business, therefore, the consensus at the meeting was for the existing regulations to remain.

Finally, there was a consensus to keep the definition, as is, per the online village code, which does not reference a type of outdoor storage container definition.

Regarding the size, however, there was consensus indicating to keep the language, but also to modify regarding the specifics on the height

or the size of the container, and not to allow stacking of such containers.

The minutes from the December 14th meeting were included in your packet.

Staff did follow-up regarding the other items that were brought up, specifically regarding, outdoor displays, outdoor entertainment and outdoor seating areas, and found that outdoor seating areas in this case as seasonal, as long as they are located on private property.

Those regulations can be found in Section 6.11.2.

I won't read all the specifics in the code, but I do want to specify that it does reference that a time limit of 90 days for seasonal items, that outdoor seating areas to eating and drinking establishments are subject to the following supplemental regulations, such as keeping the areas open to the sky, with some exceptions to seating area being located on private property or public right-of-way areas, provided that at least four feet from the sidewalk as provided.

Must be in a seating area located in a yard or required building setback and so forth.

There's about 13 items where it speaks to seating area obligations.

We did follow-up with conducting research on adjacent properties, as it relates to outdoor entertainment, and we found that unless it's specified and approved, that a special event in general, it's not allowed in other communities.

Lombard was an adjacent community that does require all live entertainment activities to be conducted within the confines of the building and requires a live entertainment application to be submitted to the Village for review and approval.

Regarding the temporary storage containers, the Staff found that there is no standard in terms of the length of time that they were allowed. We do not object to revising to allow 90 consecutive days versus 60 days.

Moving along, we found that permits are required when they are allowed, specifically in Addison, they generally do not permit for commercial properties unless it's in a manufacturing zoning district.

Lombard does allow cargo containers for a site that are under construction in commercial

industrial properties, as long as they're located either on a concrete paved surface or loading area, they must be in a visible area and placed outside of the required yard.

Moving along, Elmhurst does allow shipping containers for storage with an open permit. Recent text amendments do allow for outdoor service stations for some bars and restaurants to serve drinks out of them and use as an accessory structure with restrictions. That was approved in Elmhurst.

Glenview allows, on commercial property, if they meet setbacks and are screened from view. It does restrict the area and the size. Residential districts, they are only allowed in the driveways up to five days.

Other communities, such as Deerfield, Carol Stream, Highland Park, permit storage containers on a temporary basis as part of an open construction permit, otherwise, they are not permitted.

Based on the feedback received from the Planning and Zoning Commission and the research above, Staff is in support of amending 6.12.A.5 to allow temporary outdoor storage containers to remain

on the subject property for no more than 90 consecutive days versus the 60, and is in support of amending 6.12.A.6 to allow temporary outdoor storage containers up to eight and one half feet in height, eight feet wide by 20 feet in length to cover an area of more than 160 square feet in area.

Should the Commission find in support of the requested action, the motion for the items as requested could be made, and I can answer any questions that you have.

CHAIRMAN JARRETT: All right, thank you. Anyone from the public wishing to speak on this agenda item?

MS. TUCKER: Hello, Cheryl Tucker, 434 S. Cornell. I couldn't follow through with a lot of that, so, you may have already corrected a lot of what I have issues on. At this point striking 6.11 2 G 12, right now that's a moot point with Covid, there's already been a release of it with not requiring permits, due to Covid, but I do not believe that removing that would be a good idea in the future for the simple fact that that ordinance is treated in the same property of a temporary addition on to a building. We require permits for

someone that temporarily wants to have an outdoor shed or I mean, shed is not a good idea, but an outdoor facility for a short period of time, for occasions that they have on there, and by removing that, you will restrict the Commission by doing a check and balance type idea of those additional things and monitoring to make sure that the businesses in the town have basically insurance and fire guidelines they are going on.

I don't know if there's a, for them to put that permit in, is there a price that they have to do or is it just paperwork?

MS. ARGUILLES: Permits do require, do involve fees.

MS. TUCKER: For them to file that permit annually, there would be a cost to it?

MS. ARGUILLES: Typically, yes, for building permits, typically.

MS. TUCKER: That would be considered a building permit, is that what it falls under?

MS. ARGUILLES: Correct, whenever we do have to enforce the code violations, it's very typical we require permits and standard fees are a part of that.

MS. TUCKER: As a resident, I would suggest that that didn't have a permit maybe, but that it would be a permit so that the Village could basically, you know, be aware that the following restaurants do have outdoor seating going on from March to November, just as a safety issue, if that's the issue of them not wanting an annual thing because of the cost on it. Occupancy permit just to let, that they're having a temporary extension to the building, I would think that that would be something that you could control and that way you would be notified of it, without making a pricing -- I can't think of the word of it, on a business, excessive thing on the part of a business.

I believe you already said on 6 12-A on the fact that no more than one temporary thing on being strict.

I would be a little concerned if you opened that up, that means any business could put three or four storage containers, it also goes with the fact of you removing, if you remove, that it has to be placed on paved surfaces or driveway or hard surface.

Our rainy season in Villa Park, if

you allow them to put it anywhere else, in a field or restrict that, I can see a lot of those storage containers that would be halfway up their container in mud or in water, if they're not required to be on a permanent surface or stuck in the middle of the field somewhere, in some of these businesses in the back of their thing, they'll stick three or four containers in the back of their field, and if you allow it, as stated in 6 12-B 4, you remove it, that will give them a permanent thing to stick it in the middle of their field and leave it there. All they have to do is put a screening or something else around it, and here we got beautiful three or four storage containers in the middle of somebody's field, and if it's in an area where residents walk by, it looks real appealing, so, if you take that into consideration if you're coming down on those components.

That is all I have really concern about is that, and I also noticed that temporary storage containers must be on the driveway or is the same -- you're removing it temporarily, you're also removing it as a permanent one, so, it's a duplicate thing if you allow it for both. Thank you.

CHAIRMAN JARRETT: Thank you. Anyone else from the public wish to speak?

All right, seeing none, I would suggest we combine questions and comments into one section here, and I'm going to ask Commissioner Shlensky to try to keep notes as we go through this, because I know, based on our consensus from the special meeting, that some of these are listed in the requested action, where recovery will not be -- we have consensus not to move forward with, so, I'm going to ask you to keep notes and make a motion when we finish, if that's all right with you?

COMMISSIONER SHLENSKY: That's fine.

CHAIRMAN JARRETT: Okay, let's start at the top here, these are the three new ones that we did not discuss at the last hearing.

The first one is, be brief, to display for a period not to exceed 90 days for seasonal items, such as garden and patio equipment and supplies.

So, the request would be to strike that. I have a couple of concerns with that. First, is the way that it lives in the zoning ordinance, it is a listed temporary use, so, striking that actually would make it not a permitted

temporary use, it's kind of a double negative situation by striking it. And so, that I guess the question would be, if it is a permitted temporary use, should there be a time limit applied to it?

And to be clear, this is not just talking about, say, holiday displays, like putting up wreaths or putting up declarations, this is talking about things such as a Jewels floral display in the spring, really, even, it would include things like their fall pumpkin displays, and I know that, I think that not -- the issue with not having a time limit is that you're essentially creating a potential enforcement issue for Staff, people leave things out, you're talking about extending the floral area of a building, say, into a parking lot or on to a sidewalk for long periods of time, was never intended, so, I'm curious what other people feel about that, but those are my initial thoughts.

Any comments or questions regarding that?

COMMISSIONER ORLOWSKI: I'm not in favor of striking them.

CHAIRMAN JARRETT: You like the 90 days?

COMMISSIONER ORLOWSKI: Yes.

CHAIRMAN JARRETT: And I guess, I would

have a question of Staff, Consuelo, that passage, the 90 days, that's kind of an enforcement number that you're comfortable with, correct?

MS. ARGUILLES: Correct, that's been the standard here in Villa Park and it's pretty consistent with other standard procedural sales.

CHAIRMAN JARRETT: And nothing about that would stop, say, Pioneer Garden & Feed from having a fall display, transitioning it into a summer display, it's more to keep someone from setting up something permanently and calling it a temporary display because there's no time limit.

MS. ARGUILLES: Correct.

CHAIRMAN JARRETT: I guess, is there anyone up here in favor of striking it or modifying the 90 days?

COMMISSIONER HOFSTRA: I, I'm in favor of leaving it as it is.

CHAIRMAN JARRETT: Okay.

COMMISSIONER SHLENSKY: I believe that our Village benefits from a 90-day period and all C Districts under the permitted use standards.

COMMISSIONER ORLOWSKI: Correct.

CHAIRMAN JARRETT: And I believe we have a

similar, I can't say that the 90 days is the exact same number of days, but, we, for instance, we have a similar ordinance for the displays of temporary signs in commercial windows, so, that kind of forces commercial users to turn over signs, and if signs in windows become faded and falling down, you know that faded beer sign is the one that I always imagine, but failure to falling down, there's an enforcement mechanism in place by which Staff can say, that's been up a lot longer than 90 days.

All right, so, then, I believe we have consensus not to strike that?

The next issue is no entertainment whether live, recorded or otherwise is permitted in the outdoor seating area.

This to me is a bit of a political question more than a zoning question, but, I would be curious to hear anyone's thoughts on it.

COMMISSIONER JACKSON: I would like to strike that. I think that should stay in. We have those set up for a reason. It feels like a lot of these are, we got a lot of them dealing with the storage containers and the others just popped in there, learning from -- Consuelo tell us what to do

here, right?

CHAIRMAN JARRETT: Yes.

COMMISSIONER ROMANO: Question for that. If that is stricken from the record, then, any outside entertainment then occurs is just subject to --

CHAIRMAN JARRETT: Existing, our existing nuisance ordinance, correct.

Currently you can't have outdoor entertainment but you have to get a permit for it, I believe, that's the case, Consuelo?

MS. ARGUILLES: Typically, yes, that's a special event.

COMMISSIONER ORLOWSKI: I'm in favor of keeping it the same way where you got to get a permit.

CHAIRMAN JARRETT: Is there any -- my opinion on this is that, I understand that there maybe some venues in the Village that would like to have outdoor entertainment on a recurring basis. I don't know that our permit process currently allows that, but, I wouldn't be in favor of striking this whole thing.

What I would say is, is what I have said a

couple of times, is that I would maybe like to see, and this does not limit the zoning ordinance, but see the Board, Village Board perhaps, explore whether or not there's an alternative that could allow that through a permit process that wouldn't be a wholesale opening it up because there are some businesses that, for instance, maybe too close to the single family residential, this would theoretically allow it in the backyard of any business.

I could also potentially see a, maybe a special use process if it had to go through zoning, but, it would require a permit that's probably already outlined in the village code outside of the zoning ordinance.

MS. ARGUILLES: I would think that that's a special event format that we currently have.

CHAIRMAN JARRETT: Yeah, and does that allow for any type of recurring event?

MS. ARGUILLES: It's very specific to events and dates, it goes through the mayor's office.

CHAIRMAN JARRETT: And my thought on this, from the beginning, is that this is, this is really,

is there political will to do this, because we could sit up here all night and craft an ordinance with timeframe and cutoffs and locations where it would be allowed, and there's no political will to do it and it's kind of a moot point.

COMMISSIONER ORLOWSKI: Well, if it's after hours, it's going to take place, whose going to manage whether it's -- I mean it could potentially be a nightmare for the Village to try to maintain.

CHAIRMAN JARRETT: I think there's no wholesale, there's no consensus up here for a wholesale striking of it.

Any other thoughts or comments on that one?

COMMISSIONER SHLENSKY: I don't -- strike that.

I'm not in favor of striking this verbatim as the proposal reads for several points.

One, unfortunately, and there's no one person or one department to blame, I think this goes back generations. The term, entertainment, is not defined within our portion of the zoning code itself. Similarly, the term, entertainment, is not

defined in our general municipal code. Definitions matter, at least I feel definitions matter. If an entertainment is used in a multitude of different sections of our general municipal code, accordingly, I would like to call on the Board of Trustees to contemplate defining the term, entertainment, at large, and the zoning code maybe able to incorporate that same definition.

Second point, is that Section 15 of the general code is for nuisance and nuisance noises separate.

Section 15-608 is miscellaneous noise sources. Section 15-609 is nuisance noises.

I believe in the year, 2021, there was a question, or, there is discussion of the sections of, pertaining to nuisances, nuisance noises, and I believe I proposed, possibly informally to Cheryl Tucker, and say, back to the Board, well, the then administration, potential revisions and, you know, might have been too close to the election for that administration to contemplate such.

As I said, I'm not in favor of wholesale striking Section 6.11.2 G.7, because, I

would really like to call on the Board to try to align, if that means by amendment, the nuisance sections with entertainment so everything can be consistent, congruent and easily enforceable across the board.

CHAIRMAN JARRETT: Yeah, I, I think we're in agreement on that?

COMMISSIONER ORLOWSKI: Yes.

CHAIRMAN JARRETT: This is my personal opinion, I think as a Village, we're kind of at a place where it might not be the worst thing to have some sort of licensing or special use, for instance, Chicago has the, I think they call it the PPA, the, I don't remember what it stands for now. It's essentially a small performance venue permit that you can acquire that allows you to do these sort of things without regular permits because of some of the problems that they had with noise issues and complaints, and they established a process for it.

I don't know that we necessarily need to go that far, but, something along those lines is what I would like to see, whether it's certain areas or certain users, that's the permit process. That's my personal opinion.

So, there's no consensus to strike that at this time. I think our point has been made on that one.

COMMISSIONER LUEDTKE: I would like to make a comment.

CHAIRMAN JARRETT: Yes.

COMMISSIONER LUEDTKE: It would seem that whatever we talk about relative to that particular item, it seems like it needs to align properly and correctly with the other portion of the village code and the item that Justin was referring to, Article 6 and 15-608 & 609, those miscellaneous noise sources.

CHAIRMAN JARRETT: Yes.

COMMISSIONER LUEDTKE: We need to make sure that we're jiving together, whatever is in our zoning component, should align correctly with that.

CHAIRMAN JARRETT: Right.

COMMISSIONER LUEDTKE: And I am not so sure that it currently does when we say, we can't have any music, because it seems like if you read that other portion that's in our purview, but, if you read that, there's certain time limits and restrictions that sort of get put into place in terms of those nuisance issues.

So, whatever we do, I think, I think we need to make sure that that gets aligned with those portions of the other village, that's all.

CHAIRMAN JARRETT: What I was trying to think of, was Chicago's personal -- I had it and I just forgot. Something place of amusement ordinance, license. It allows you to conduct within certain guidelines, like indoor concerts on a regular basis or theoretically outdoor, depending on what's approved, and whether that's approved by zoning or through your administrative or what, that's something along those lines might be in order because I do think that, especially in the Villa Avenue area, we can see some uses where, within certain limits that might not be a bad thing. In my opinion.

COMMISSIONER SHLENSKY: Chairman, I believe that you're referencing the City of Chicago's Public Place Amusement License --

CHAIRMAN JARRETT: Yes, public place that's the word that I was looking for, thank you.

COMMISSIONER SHLENSKY: Amusement for Performing Arts License.

CHAIRMAN JARRETT: Yes, that's the word I

was looking for, thank you. I wanted to say personal place, but I knew that wasn't right.

The next item would be on the outdoor seating, whether or not an occupancy permit is required for opening seating areas and whether or not seating must be removed between basically the months of December, January, and February.

We had talked about this a couple of years ago, or actually early last year or maybe the end of 2019.

As I recall, I think most people actually did not have an issue with outdoor seating that is on private property remaining in place year round, that's my recollection.

I think that, if we're going to do something with this, one thing could be to separate to a public seating and public rights-of-way versus seating and private property.

So, for the first item here is occupancy permit is required prior to opening of outdoor seating areas. And I would assume everybody, whether it's for annually or for permanent, is there anybody up here who would be in favor of striking the need to have a permit to

establish an outdoor seating area?

Okay. I think that's, I think, I think that part is valid, needing to have a permit to establish an outdoor seating area.

The second question is whether or not there should be a time limit for that, and whether or not that time limit should apply to all outdoor seating, or could there be a delineated difference between outdoor seating and public rights-of-way and private property.

Obviously, the intent of this is not to force the owners to not have outdoor seating when the weather is nice, it's intended to allow for snow removal and such, which would be problematic if seating was allowed in the public way in the winter.

COMMISSIONER SHLENSKY: Could also be for the safety of the employees.

CHAIRMAN JARRETT: That's true. That's true.

I'm interested in hearing anyone's thoughts or comments on this one besides my own.

COMMISSIONER ORLOWSKI: I would be in favor of, if it's on public right-of-way, that we keep it the way it is. If it's on private property,

it doesn't, I wouldn't think that it would matter whether it stayed or whether it was moved, but anything that's on public right-of-way, I would assume in the winter months, would need to be removed.

CHAIRMAN JARRETT: And in that regard, I would also agree that if you're using the public right-of-way for outdoor seating, then annual permitting would be, the least that you could do, as a business owner, and allow the Village to, to reinspect that and make sure these fences or tables that you may put out are in the right place.

COMMISSIONER ORLOWSKI: Correct.

COMMISSIONER LUEDTKE: Quick question. Can you give an example of someone who has put the seating out in the public right-of-way?

CHAIRMAN JARRETT: Currently, I can't think of one.

COMMISSIONER LUEDTKE: I just want to make sure.

CHAIRMAN JARRETT: I mean other than maybe some things post during Covid, I can't think of one, but, I can think of a user who may have, and could potentially, Standard Eatery, they have their large

windows that open to the sidewalk, they have a large sidewalk, they use the parking lot, and some parts of the public right-of-way, so, I don't -- they've got a fairly small interior space, I don't think it would be a stretch to say, if they have it, they're a user who might wish to do that. They might also find a way to do it in their parking lot without losing required parking spaces as well, but, that's one, and I don't know if more.

COMMISSIONER LUEDTKE: In my mind.

CHAIRMAN JARRETT: Yes, I'm not sure, I don't know if that's more to potentially explore or another user that might open along there, but, I'm thinking now, I'm thinking mostly Villa Avenue and potentially users in the old town part of Ardmore.

COMMISSIONER LUEDTKE: Sure.

COMMISSIONER SHLENSKY: Can I ask a question of Staff?

CHAIRMAN JARRETT: Yes, please.

COMMISSIONER SHLENSKY: So, Consuelo, in your thorough memo, it's indicated that, none of the communities listed below, such as Addison, Lombard, Elmhurst, Glenview, etc., allowed for outdoor entertaining plus approval for special events as an

option, so, that goes to G 7.

Now, that we're talking about G 12, were you able to ascertain any political standards for other villages or other neighboring communities as to how G 12 applies to Villa Park?

MS. ARGUILLES: So generally, a permit is required, even if it's on private property, definitely on the public property, such as the example of the public property, public sidewalks.

On private property, a permit is required and there's some instructions in terms of making sure that minimum appearances of five feet for sidewalk appearances are provided, and that applies to private property. The equipment that is being stored is going to be secured safely.

Those are just examples that I found in my research, permit requirements and location and appearance requirements, whether it's public or private.

COMMISSIONER SHLENSKY: Specifically speaking to the seasonal prohibition of the winter months, anything from neighboring communities in that regard?

MS. ARGUILLES: If they did allow it, it

was consistent with the timeframe, some were just signage on it.

COMMISSIONER SHLENSKY: Thank you.

CHAIRMAN JARRETT: I have a follow-up question on that, were you finding that other communities required an annual permit for outdoor seating on private property?

MS. ARGUILLES: They could, it was a range of whether, if they did allow it, they required an annual permit, others they did not require an annual permit, some private property, it does vary, and it's very specific to the community what the needs are and what their wishes are.

CHAIRMAN JARRETT: I guess this is kind of the one we should try to solve, and then we can move on to the other ones.

The people be in favor of splitting it into public versus private, at least in terms of the dates?

COMMISSIONER ORLOWSKI: Yes.

CHAIRMAN JARRETT: And is there anyone up here that thinks that private property should not be allowed to keep outdoor seating areas up year round?

COMMISSIONER LUEDTKE: Repeat that again?

CHAIRMAN JARRETT: Anyone that thinks that private property -- excuse me, outdoor seating in private property should not be allowed year round?

COMMISSIONER LUEDTKE: I'm not aligned with that.

COMMISSIONER JACKSON: Yeah, I'm not either, and that proposes a storage issue for private property owners.

CHAIRMAN JARRETT: So, everyone is in favor of allowing that to happen, to remain year round?

COMMISSIONER LUEDTKE: No time limit per say.

CHAIRMAN JARRETT: And I think that timeframe is fine for anything in the public way.

COMMISSIONER CALVERT: Well, what precisely is outdoor furniture?

CHAIRMAN JARRETT: Outdoor seating for restaurants, primarily.

COMMISSIONER CALVERT: So, we're just talking about seating then?

CHAIRMAN JARRETT: Yes. There, there is a whole series of ordinances of standards, some of which are on page 4 of the Staff report that G, that

define what outdoor seating is and where it can be, where it can be allowed and how close to the building, and how much space and whether or not it needs to be fenced and so on, and that's really what this is referencing. It's generally going to be outdoor seating, though.

So, I guess we're in favor of splitting those into a public and a private property, private property versus public right-of-way.

The other question to resolve is whether or not seating on private property should be required to be re-permitted annually or whether once is enough?

COMMISSIONER ORLOWSKI: I'm in favor of annually.

CHAIRMAN JARRETT: We'll just get a quick tally on that, what do you think?

COMMISSIONER HOFSTRA: I'm annual.

CHAIRMAN JARRETT: You're annual?

COMMISSIONER ROMANO: For private property?

CHAIRMAN JARRETT: Yes.

COMMISSIONER ROMANO: I think one time is enough.

COMMISSIONER LUEDTKE: I could see one time, I mean, tied to a business of operation, that's what they're doing.

CHAIRMAN JARRETT: In theory, if they're moving it or expanding or whatever it would require a permit.

How about from this end, you said you're in favor of annually, Mike, what do you think Larry?

COMMISSIONER CALVERT: Annually.

CHAIRMAN JARRETT: Justin, what do you think, annually or one time?

COMMISSIONER SHLENSKY: I'm split perhaps my direction could be clarified by a question to Staff.

If it was to be a one time perpetual permit as per the annual. I imagine it would still be some upkeep and presentation standards that go, that make sure that it's in compliance with the other existing codes, just because a permit is granted, does not mean you can leave the outdoor seating area in shambles, correct?

MS. ARGUILLES: Yes, it would be subject to the guidelines that we presently have in the code in terms of the event, clearing the walkways and the

area.

COMMISSIONER SHLENSKY: A toss up for me.

CHAIRMAN JARRETT: What about you Ken?

COMMISSIONER JACKSON: Once, I was thinking the same thing, as long as they take care of it and upkeep, it's not a danger to anyone and falling apart.

CHAIRMAN JARRETT: So, looks like we're kind of split on that. I'm personally in favor of once, give one a little bit of a head start, so, we cover that when we vote on it separately, or we can just vote on the whole thing at once, depending on how folks feel.

COMMISSIONER LUEDTKE: And that's just for on your own private property?

CHAIRMAN JARRETT: Correct.

COMMISSIONER LUEDTKE: Splitting it out, means, if there's a public component, that's a per incident, request?

CHAIRMAN JARRETT: Yes.

So, Justin do you want to try to craft something for that?

COMMISSIONER SHLENSKY: I'm contemplating if the most efficient manner to go about this is to

split G 12 into G 12 Sub A, and G 12 Sub B, and make A or B private or public and then B in reverse.

CHAIRMAN JARRETT: Yeah, I would do that and then, leave it up to the codifiers to get it up to one hundred percent.

COMMISSIONER LUEDTKE: That would be 13 and 10?

COMMISSIONER SHLENSKY: Yeah, I don't want to have to renumber other parts of the code.

So, if I may it could be as simple, or if somebody wishes to make a motion, it could be as simple as to revise current 6.11.2 G 12 to a 6.11.2 G 12-A, an occupancy permit is required part of the opening of the outdoor seating area for public areas. The occupancy permit is valid from March 1 through November 30, and must be renewed annually. All outdoor furniture must be removed within 24 hours of permit expiration.

And 12-B, an occupancy permit is required prior to the opening of the outdoor seating area when on privately owned property.

CHAIRMAN JARRETT: That works for me.

COMMISSIONER SHLENSKY: Point of clarification, procedure for Staff. Do we

technically need to strike existing language or would a motion be satisfactory if it just reads to replace the current?

MS. ARGUILLES: I would assume a motion to replace the current language, but its up to you.

CHAIRMAN JARRETT: And because I think we're split on that, when it comes time for a motion, I'm going to ask for a separate motion on that one, because I think we're going to have broad consensus on the rest. If that's okay?

COMMISSIONER SHLENSKY: Would that then require us to split PZ-21-00113 into like a Sub A, Sub B type of deal as well.

CHAIRMAN JARRETT: I don't believe so, I think we can vote on all of these individually if we wanted.

COMMISSIONER SHLENSKY: Okay.

CHAIRMAN JARRETT: We're just passing a recommendation on to the Board. Technically we can vote on all of them, individually, but I think we're going to have broad consensus, if not unanimity upon a motion based on the previous meeting.

All right, so, moving on to the next one, there maybe no more than one temporary outdoor

storage container per property. This is temporary outdoor storage containers.

The previous meeting we had, I think, unanimity on that. Is there anyone here that -- all right, so then, you will not strike that one?

The next one is, time limit on temporary outdoor storage containers, 60 days versus 90 days. I think we were, we had a slight majority in favor of 90 days. Is there anyone that has a strong opinion about changing that from 60 days to 90 days?

COMMISSIONER CALVERT: In favor of changing that?

CHAIRMAN JARRETT: Is there anyone that would be opposed to that change? I think the 90 days align with seasonality for some users, like Walmart during Christmas season or others.

All right, so we will, that will be part of the motion to strike the 60 days and replace with the 90 days.

Now, we have the revision to dimensions. The reason for that revision, with those specific numbers are those-- the numbers in the replacement have been modified to meet a standard 20-foot shipping container. I assume there is no opposition

to that one? All right, so that will be part of the motion.

Next is temporary outdoor storage containers must be placed only on a driveway or other hard surface?

We had unanimity on that last one. Is there anyone that would be opposed to, if the anonymity was to not strike that?

COMMISSIONER ORLOWSKI: To not strike that.

CHAIRMAN JARRETT: Does anyone wish to strike that?

COMMISSIONER SHLENSKY: This is A 7?

CHAIRMAN JARRETT: Yes.

COMMISSIONER SHLENSKY: No, I believe it should remain.

CHAIRMAN JARRETT: Okay, so that will not be part of the motion.

The next one is, outdoor storage containers may not be used. This is the definition of conducting business or selling merchandise, the unanimity, I believe, at the time on not replacing that, didn't really get us anywhere, anyone in favor of striking that replacement? That will not be part

of the motion.

And then, next is placing temporary -- excuse me, placing permanent outdoor storage containers on a paved surface.

I know we had a bit of a back and forth on whether or not there was a way to grandfather in existing containers that may not be on paved surfaces, and I know Commissioner Kase, who is not here tonight, was one who is, was in favor of potentially grandfathering that. I know Staff said in their report that they would not be in favor of striking that, and they would not be in favor of grandfathering it because of potential enforcement issues, not knowing whether a shipping container arrived on the site, something else, one that maybe reported down the road, how long has it been there, did it just get there, so, I am personally not in favor of striking that. Is anyone in favor of striking that or has any additional input on that?

To clarify, that's for temporary, not permanent, that's my fault.

No one is opposed to leaving that as is, then that will not be part of the motion.

Ten. Staff did a pretty good job of

describing that one, or similar methods is intended to allow Staff broad latitude in terms of determining what is screened and what is not. Whether it's a fence, whether it's painting, whether it's a trellis, the issue was adding or painted is that all shipping containers are painted.

So, once anyone is opposed to not striking that, that will not be part of the motion.

May not be used for the purpose of conducting business or selling merchandise. This is the same as the one above, that for permanent shipping containers, based on the consensus last time unless someone feels otherwise at this time, that will not be part of the motion.

And the final one is the definition of shipping containers, to clarify, we did review the definition of shipping container on the codified version of the ordinance and the grammatical issue with the, next in line with other things, unless anyone thinks that there is a reason to change that one, that will not be part of the motion.

All right, I think that's all of those, let me make sure.

So, to clarify, we will be replacing text

for 6.11.2 G 12, to include a separation between private and public rights-of-way.

We will be changing the length of time the temporary outdoor storage containers can remain on site from 60 days to 90 days, and we will be amending 6.12 A 6 to include standard shipping containers dimensions as opposed to the more general dimension that was previously part of the ordinance.

Is there anything else we're missing, anybody have any comments or questions for Staff?

All right, if there are no more questions or comments, I will close the public hearing and ask for a motion.

COMMISSIONER SHLENSKY: Per your advice or your direction, I think two motions would be most proper here.

CHAIRMAN JARRETT: Yes.

COMMISSIONER SHLENSKY: So, the first motion to make, to this particular item will be motion to approve PZ 21 -- sorry. PZ-21-0013 seeking amending certain provisions of Appendix C, basic zoning ordinance of the Villa Park Municipal Code as detailed below. Replace 6.2 A.5 to the following:

No temporary outdoor storage container may remain on the subject property for no more than 90 consecutive days per year.

And replace 6.12 A.6 with the following:

Temporary outdoor storage containers may not exceed eight and one half feet in height, eight feet wide by 20 feet in length or cover an area of more than 160 square feet in area and recommending the amendments above the Zoning and Planning Commission determine that this amendment is in the public interest and a benefit of the welfare of the entire community.

CHAIRMAN JARRETT: All right, have a motion, and is there a second?

COMMISSIONER ORLOWSKI: I'll second then.

CHAIRMAN JARRETT: Second from Commissioner Orlowski. Roll call vote.

Calvert?

COMMISSIONER CALVERT: Yes.

CHAIRMAN JARRETT: Hofstra?

COMMISSIONER HOFSTRA: Yes.

CHAIRMAN JARRETT: Jackson?

COMMISSIONER JACKSON: Yes.

CHAIRMAN JARRETT: Luedtke?

COMMISSIONER LUEDTKE: Yes.
CHAIRMAN JARRETT: Orlowski?
COMMISSIONER ORLOWSKI: Yes.
CHAIRMAN JARRETT: Romano?
COMMISSIONER ROMANO: Yes.
CHAIRMAN JARRETT: Shlensky?
COMMISSIONER SHLENSKY: Yes.
CHAIRMAN JARRETT: I too vote yes, and our recommendation will pass to the Village Board, and I would entertain a motion on the remaining items.
COMMISSIONER SHLENSKY: Yes, just one second, please.
Next special is to approve PZ-21-0013 seeking amending certain provisions of Appendix C, basic zoning ordinance of the Villa Park Municipal Code as detailed below. Replace 6.11.2 G.12 with the following bifurcation:
A: An occupancy permit is permitted prior to the opening of the outdoor seating area for public areas. The occupancy permit is valid from March 1st, through November 30th, and must be renewed annually. All outdoor furniture must be removed within 24 hours of permit expiration.
G 12 B: An occupancy permit is required

prior to the opening of the outdoor seating area when on privately owned property.

In recommending the amendments above, the Planning and Zoning Commission has determined that this amendment is in the public interest and benefits the welfare of the entire community.

CHAIRMAN JARRETT: There is a motion, is there a second?

COMMISSIONER ORLOWSKI: I'll second that.

CHAIRMAN JARRETT: Second from Commissioner Orlowski, questions or comments on motion?

COMMISSIONER LUEDTKE: It sounds like he said under 12-A instead of occupancy permit, is permitted, I want to make sure the record, what that said, that he substituted permit, I just want to make sure.

COMMISSIONER HOFSTRA: He did use the word, require.

CHAIRMAN JARRETT: I think he said it was valid from March -- could you read back the motion?

COMMISSIONER SHLENSKY: Let me rephrase, strike the prior language.

A motion to approve PZ-21-0013, seeking,

amending certain provisions of Appendix C, Basic Zoning Ordinance of the Villa Park Code as detailed below, replace 6.11.2 G.12 with the following bifurcation:

A: An occupancy permit is required prior to the opening of the outdoor seating area for the public areas. The occupancy permit is valid from March 1st, through November 30th, must be renewed annually. All outdoor furniture must be removed withing 24 hours of permit expiration.

G 12 B: An occupancy permit is required prior to opening of the outdoor seating area when on privately owned property and recommending the amendments above, the Zoning and Planning Commission has determined that this amendment is in the public interest and the benefit and welfare of the entire community.

CHAIRMAN JARRETT: All right, we have an amended motion, is there a second?

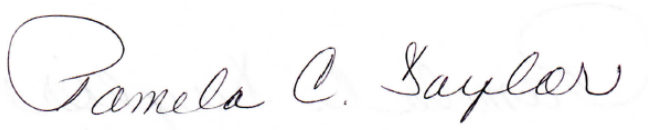
COMMISSIONER ORLOWSKI: I'll second that.

CHAIRMAN JARRETT: Second again from Commissioner Orlowski. Any questions or comments on that motion as amended?

Roll call vote, Calvert?

COMMISSIONER CALVERT: No.
CHAIRMAN JARRETT: Hofstra?
COMMISSIONER HOFSTRA: No.
CHAIRMAN JARRETT: Jackson?
COMMISSIONER JACKSON: No.
CHAIRMAN JARRETT: Luedtke?
COMMISSIONER LUEDTKE: We're voting on the split?
CHAIRMAN JARRETT: Yes.
COMMISSIONER LUEDTKE: Yes.
CHAIRMAN JARRETT: Orlowski?
COMMISSIONER ORLOWSKI: Yes.
CHAIRMAN JARRETT: Romano?
COMMISSIONER ROMANO: Yes.
CHAIRMAN JARRETT: Shlensky?
COMMISSIONER SHLENSKY: Yes.
CHAIRMAN JARRETT: I vote yes, and with that our recommendation passes to the Village Board, who can reject or modify, and that will end that public hearing and all of our formal business.
(End of Public Hearing)

I, Pamela C. Taylor, CSR/RPR of the State of Illinois, do hereby certify that I reported in machine shorthand the proceedings had at the hearing in the above-entitled cause, and that this transcript is a true and accurate transcription of my machine shorthand notes so taken to the best of my ability.



CSR #084-001184

Dated this 27th day
of January, 2022

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Planning and Zoning Commission Agenda Item Report

Meeting Date: March 10, 2022
Submitted by: Pat Boksha
Submitting Department: Planning and Zoning Commission
Item Type: Business (Commission Only)
Agenda Section: 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

Subject:

Petition PZ-22-0002 / 24 E. St. Charles Road / SU – Drive Thru in the MX 3 District / Variation – Parking Lot Perimeter

- Special Use for Drive Thru in the MX 3 District per **Article 4.7.11 Drive-Through Structures** with variations related to location of the drive-up window with canopy structure,
- Variation to allow reduced perimeter parking lot landscaping as required in **Article 9.1.5.D Parking Lot Perimeter**.

Suggested Action:

Attachments:
PZ-22-0002_24 E St Charles SU- Drive Thru & VAR - Perimeter Landscape.pdf
24 E St. Charles Rd - Special Use Variation.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: March 10, 2022
RE: PZ-22-0002 / 24 E. St. Charles Road / SU – Drive-Through in the MX-3 District / Variation – Parking Lot Perimeter

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Request Summary

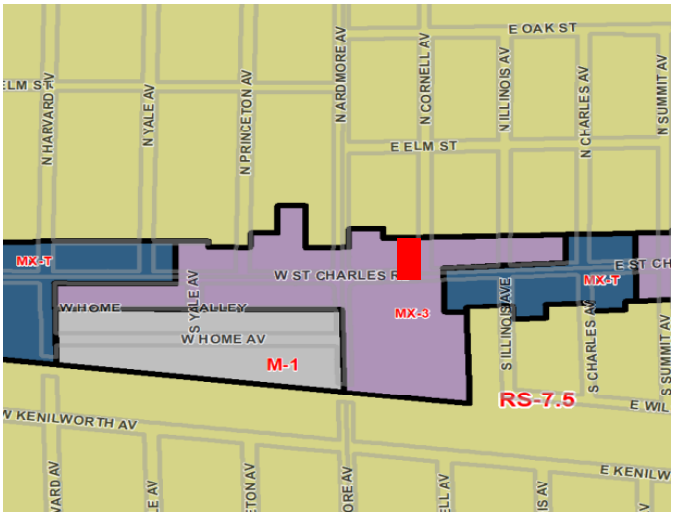
A public hearing is scheduled before the Planning & Zoning Commission at 7:30 p.m. on March 10, 2022, at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, IL, to consider a request by David Kennedy (applicant) of baily edward on behalf of Mohammed Samiruddin of SAAIIN LLC (owner) for the property at 24 E. St. Charles Road, Villa Park, Illinois which would approve:

1) Special Use for Drive-Through in the MX-3 District per **Section 4.7.11 Drive-Through Structures** with variations related to location of the drive-up window with canopy structure,
2) Variation to allow reduced perimeter parking lot landscaping as required in **Section 9.1.5.D Parking Lot Perimeter**.

Site Information

Present Zoning:	MX-3 Mixed-Use Corridor District
Present Land Use:	Vacant commercial single tenant building (former hair salon)
Property Size:	± .21 Acres
PINs:	06-03-312-032

Zoning Map



Location Map – NWC St. Charles Rd & Cornell Ave



Surrounding Zoning & Land Uses

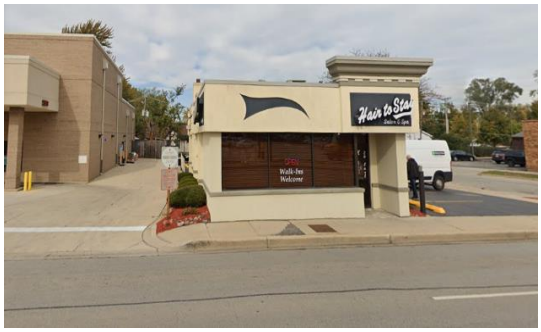
	Zoning	Present Land Use
North:	RS 7.5	Single Family Residential
West:	MX-3 Mixed-Use Corridor District	Commercial / Walgreens w/ Drive-Through
East:	MX-3 Mixed-Use Corridor District	Commercial / Multi-tenant commercial
South:	MX-3 Mixed-Use Corridor District	Commercial / Jewel Osco

Comprehensive Plan Designation

Corridor Mixed-Use: This land use category is intended for a mixture of multi-family residential, corridor commercial and institutional uses along major transportation, auto-oriented corridors. This classification encompasses the Village's main transportation corridors.

The 2009 Comprehensive Plan recognizes the St. Charles Road corridor, which runs through the heart of the community, as an opportunity to reestablish a viable, pedestrian and bicycle friendly village. A Plan goal is to transform St. Charles Road into an attractive, lively and accessible pedestrian-oriented street for all users that serves to unite adjoining neighborhoods to the north and to the south. While the Plan recommends full block property assemblage and mixed-use redevelopment as a means to reduce curb cuts and improve market conditions for this central business corridor, this parcel *is not* designated as a redevelopment opportunity, nor is assemblage an option with one retail user occupying the remainder of the block.

The Plan recommends consideration of a "road diet" – reducing the (five) 5 lane road to three (3) lanes as a strategy to rebuild the corridor and strengthen connections to other business districts, transforming the street into an attractive and multi-functional complete street which accommodates pedestrians and bicyclists. The Village anticipates that there will be a need and a public desire to revisit the topic of a roadway diet, "complete streets," and pedestrian/cyclist amenities in the corridor when St. Charles Road is up for Federal STP funding (probably around 2030). There are no plans to move forward with such a study at this time.



Background

Hair to Stay formerly occupied this 1,680 s.f. one-story building which is set on the front property line, with minimal landscaping, and two curb cuts on Cornell. The building owner, Dr. M. Samiruddin (Aziz Medical in Villa Park) would like to construct an 1,800 s.f. one-story quick serve restaurant with a Drive-Through on the west side of the new building with a right-turn only



exit onto St. Charles Road. The applicant seeks zoning approval for the Drive-Through prior to marketing. No tenant has been identified.

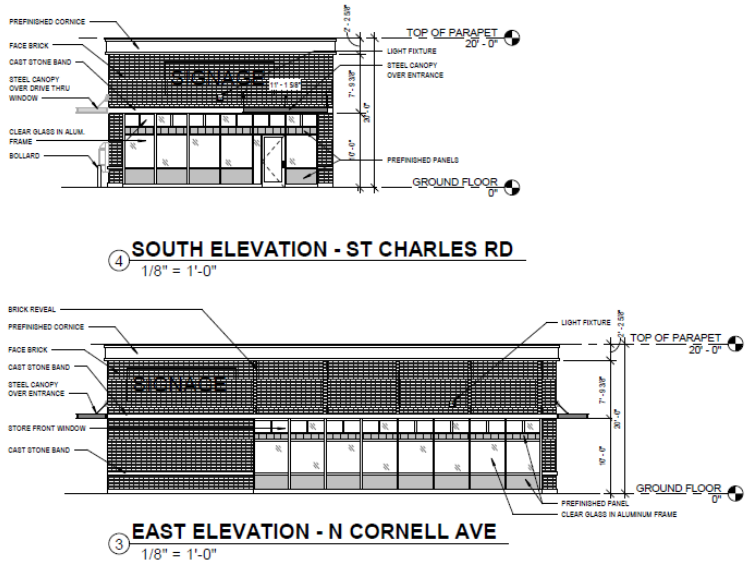
Restaurant is a permitted use in the MX-3 District. A Drive-Through in the MX-3 District requires a Special Use and the Standards for the Special Use district require that the drive be placed in the rear yard, with the stacking and canopy structure not visible from the primary street.

Staff Analysis

Community Development Comments

The property is zoned MX-3, a district introduced into the Zoning Code in 2018 and intended to accommodate low- to mid-scaled mixed-use buildings along commercial corridors.

A storefront building type is proposed. This building form defines a street wall of storefront facades along the sidewalk of the primary corridor, while allowing for limited interior side yard parking between the buildings to account for no on-street parking along the St. Charles corridor. A wider variety of commercial uses are permitted on the ground story along primary streets with residential and/or office uses elsewhere. Parking may also be internal to the building or located in the rear of the lot.



Proposed building elevation

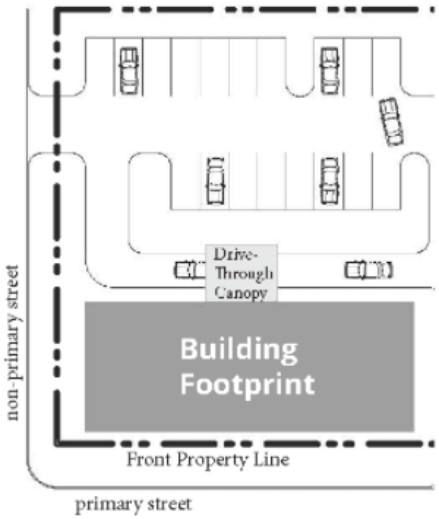
The proposed building meets the requirements in **Section 4.3.2.1 Storefront Building** as it relates to façade and roof requirements, building type, setbacks, height, uses, and design. Approximately 30 seats would be provided, requiring 10 parking spaces. The proposed outdoor seats would not trigger parking requirements as they do not exceed 10% of the indoor floor area. The required parking is provided with seven (7) spaces (including one accessible space) in the rear yard and three (3) on Cornell Avenue.

Proposed building signage does not conform to **Section 8.6.3. Wall signs** are prohibited on building walls facing an abutting R-zoned lot. Because this is a corner lot, the maximum aggregate square footage of wall signs may not exceed 2.25 s.f. per linear foot of the building's street-facing building frontage (*an additional .75 per linear foot is allowed for corner lots*). Signage for the Drive-Through signs appears to conform to **8.3.5 Drive-Through Signs**. No sign

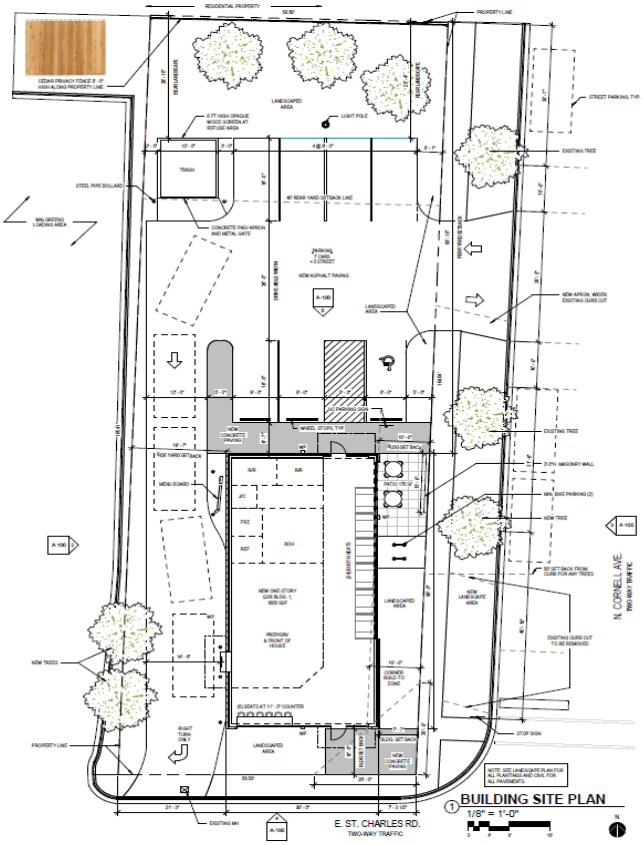
variations were requested with this application. Signage is not approved at this time and a sign permit will be required during the building permit process.

The proposal meets stacking requirements for a Drive-Through window under **Section 7.11 Drive-Through facilities** which regulates the number of stacking spaces needed in addition to the parking required for the use. A variance is needed, however, from the additional requirements for a Drive-Through in an MX District **4.7.11. - Drive-Through Structures** (see layout to the right in Figure 4-38)**.**

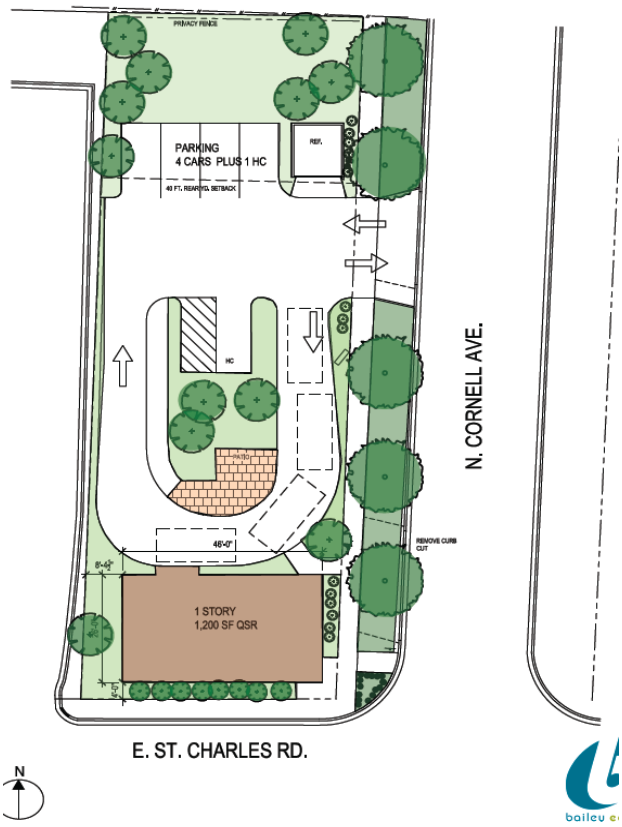
Figure 4-38. Drive-Through Facility Layout



Several site plans were reviewed (see below). Property size and dimensions limit the ability to place the Drive-Through window/canopy structure behind the building where it is not visible from the primary street. Placing the Drive-Through in the rear of the building would also reduce the number of on-site parking spaces to 5, and place all traffic in and out of the site on Cornell.



Proposed Site Plan



Early Concept

The Landscape Plan meets requirements for species placement and quantity. At request of staff, the applicant added additional plantings on the south and east side of the building. A 6' cedar fence and landscaping along the north property line will provide a buffer to the residential district. Due to lot width, a **Variation** from **Section 9.1.5.D** of the Zoning Ordinance of the Village of Villa Park is requested to reduce the amount of required parking lot perimeter landscaping. There is not room for the required seven foot (7') buffer on the interior side yard, adjacent to the Walgreen's loading dock. A five foot (5') parking lot perimeter planting bed is provided on the Street Yard.

Lighting requirements are met. Kane-DuPage Soil Conservation District indicated a Land Use Opinion is not required at this time for the proposed zoning change.

Public Works / Engineering Comments
The Public Works Department comments on the Preliminary Design have been addressed in the Site Plan, dated February 9, 2022. Of note:

- One curb cut on Cornell was removed and on-street parking is set 30' from the stop bar.
- Adequate water and sanitary sewer service is available.
- Per the Village of Villa Park municipal code, all commercial development are required to provide stormwater detention. Storm sewer improvements may be required.
- There are known drainage issues at the residential property immediately north of the development. The development will be required to demonstrate (at a minimum) that there will be no increase in stormwater runoff to the north.
- A building permit, right-of-way permit, and stormwater certification will be required.
- Improvements in public right-of-way associated with the project will need to meet ADA standards.
- The Site Plan meets stacking requirements, but auto back-up onto Cornell or St. Charles is a concern. A traffic study was submitted and reviewed; it reviewed projected traffic flow for a restaurant and for a coffee shop. The ITE Trip Generation 10th Ed. Manual notes that many of the trips to sit down and fast-food restaurants are drawn from vehicles already traveling past the site today which minimizes the overall increase in overall traffic on the road system. Potential trip generation is higher for a coffee/donut restaurant with drive-through than for a fast food restaurant with drive-through. *Therefore, Staff cannot support a coffee shop use, but can support a restaurant use.*

The project has been informally discussed with the Village Traffic & Safety Commission who held the same concerns as Staff for traffic que back-up onto Cornell and/or St. Charles Road. They request a meeting with the Developer.

Fire Department Comments
The Fire Department has provided their requirements for new construction stand-alone buildings: fire sprinkler system and a fire alarm system. Other requirements will be considered at time of building permit, for example, such as fire protection related to a commercial kitchen hood.

Police Department Review
The Police Department noted concerns over potential auto back-up onto Cornell and or St. Charles. The layout provided is preferred over the original concept which had both ingress and egress from Cornell.

Public Notice and Comment



The Public Hearing was published in the Daily Herald on February 22, 2022. A copy of the Legal Notice was mailed to properties within 350 feet (350') of the subject, exceeding the required radius of 250 feet (250'). One phone call was received from a neighbor residing on Cornell. He indicated he was calling on behalf of several neighbors. There is concern over traffic through the neighborhood but he indicated his support for the project. He (along with his neighbors) were encouraged to attend the Public Hearing and/or submit written comment.

Findings of Fact

Standards for a Special Use. (*Per the Petitioner):*

a) The proposed use or activity is expressly authorized as a special use.
Yes, the MX-3 zoning district permits restaurant Drive-Through facilities with a Special Use approval.

b) The special use is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
The special use is necessary to provide a convenient quick service restaurant facility. The local, regional, and national tenants for this use will need a Drive-Through to make this a viable business operation. We believe that with the design as proposed, the vehicle traffic will avoid issues with the residential neighborhood and the new facility will add to the general welfare of the community with a convenient restaurant use.

c) The special use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.
The special use (Drive-Through) will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. The traffic flow and layout of the site will not have a negative impact on the neighborhood. This proposal has added green space, reduced the total amount of on-site parking and we are removing one curb cut on Cornell Avenue, and adding a street tree and green space. The special use will not be injurious to property values or improvements in the vicinity. We believe that a new building and business may increase property values over the former use on the site.

d) The special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
The special use will not impede the normal and orderly development and improvement of surrounding property for uses that are allowed in this district. The site development will not interfere with future development along the St. Charles corridor. Surrounding property, whether commercial or residential may be developed or redeveloped and will not be negatively impacted by this special use.

e) The special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services.
The special use will not impede the normal and orderly development and improvement of surrounding property for uses that are allowed in this district. The site development will not interfere with future development along the St. Charles corridor. Surrounding property, whether commercial or residential may be developed or redeveloped and will not be negatively impacted by this special use.

f) The special use complies with all applicable regulations of the zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.
Complies with all regulations of Zoning as it pertains to the MX-3 District. A variation is needed for a Drive-Through Facility, per 4.7.11, and for perimeter Parking Lot Landscaping, per 9.1.5.

Standards for a Variation (*Per the Petitioner):*

1. **That the proposed variance at the proposed location is necessary to overcome a particular hardship or practical difficulty;**
   We cannot accommodate the full parking lot perimeter landscaping on the site due to how small the site is and how large the building needs to be along with the Drive-Through width on the west side. The parking needs to maintain the size in order to accommodate the required seating which conflicts with the required parking lot perimeter landscaping on the building's rear side.

2. **That a reasonable return or use of the property is not possible under the existing regulations;**
   It would mean losing the Drive-Through and parking spaces to accommodate the perimeter landscaping which would reduce the restaurants profit leaving the property undesirable for redevelopment as a Drive-Through restaurant.

3. **The existing situation is unique (not applicable in other properties in the area or zoning);**
   The location is a good corner lot for a Drive-Through restaurant but the lot would be more accommodating if there was a variance on some on the required parking lot perimeter landscaping.

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

   We are generally keeping with the same building size that is existing on the lot but we will be increasing green space. We are showing more planting and green space along the residential side which will include a 6' -0" cedar wood privacy fence. The Drive-Through will have the required stacking for cars on the building lot.

Village Staff Recommendation

Village staff reviewed the request and is supportive of the request as it conforms to the goals in the Comprehensive Plan, meets the Standards for Special Use and Variation, and provides these public benefits:

- Meets the Comprehensive Plan goal for land use (a sales tax generator will be pursued).
- Setting the building further north than the existing building improves the sight line for patrons exiting Walgreens.
- Lighting will not cast onto neighboring lots.
- Aging building will be demolished (for example, no ADA bathrooms within).
- Creates a screened, fenced and landscaped buffer between residential to the north
- A curb cut on Cornell is eliminated.
- Drive-Through egress will be onto St. Charles Road, not Cornell Avenue.
- Bike Parking and pedestrian amenity (2 outdoor picnic tables) are to be provided, with a screening wall.
- The Landscape plan meets the intent of the code, with four season salt tolerant species planted along the front and east facades. The variance requested is for parking lot perimeter landscaping. Overall significant landscaping will be added to the lot.

Requested Action

If the Commission finds in support of the requests, the following motion could be entertained:

To approve PZ-22-0002 for the following requests:

1) Special Use for Drive-Through in the MX-3 District per **Section 4.7.11 Drive-Through Structures** with variations related to location of the drive-up window with canopy structure,
2) Variation to allow reduced perimeter parking lot landscaping as required in **Section 9.1.5.D Parking Lot Perimeter**.

With the following conditions:

1. The development shall be in substantial compliance with the plans prepared by baily edward, dated February 9, 2022, including site plan, lighting plan, Landscape plan, and exterior building elevation plans.
2. Compliance with all applicable Village Codes and regulations.
3. Obtaining all necessary permits/certifications for development, including a building permit, right-of-way permit, sign permits, and a stormwater certification.
4. The final site plan will meet all requirements of the current Illinois Accessibility Code.
5. Electric lines will be buried.
6. A revised Sign Plan will be submitted, in conformance with the Zoning Code.
7. A full engineering plan will be submitted for approval.
8. Special use for Drive-Through is approved for a restaurant, but will not be approved for a Coffee Shop.

For the property located at 24 E. St. Charles Road, PINS: 06-03-312-032

With a finding of fact that such Special Use meets the standards for Special Use enumerated in **Section 11.4** and that such Variation meets the standards enumerated in **Section 11.5** of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance.

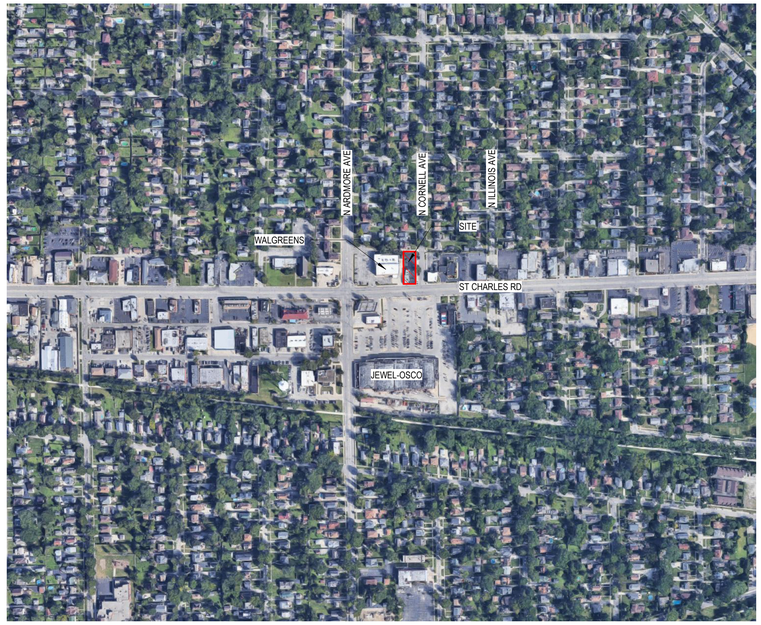
Recommendation for approval does not include approval of building or site permits. At time of construction the Village will require completed permit applications with the property owner's signature along with a copy of the estimate/proposal, and complete engineering.

Exhibits:

Site Plan, prepared by baily edward, dated February 9, 2002

	AYES	NAYS
Planning and Zoning Recommendation Required: Majority of quorum		
Village Board Final Decision Required: Two-thirds of all member of the Village Board		

24 E ST CHARLES RD
SPECIAL USE

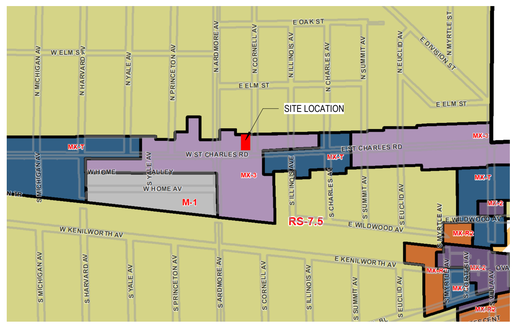


AERIAL SITE VIEW



LOCATION MAP

NOT TO SCALE



VILLA PARK ZONING MAP

MX-3 - MIXED-USE CORRIDOR DISTRICT

24 E ST CHARLES RD
VILLA PARK, IL. 60181

OWNER
MOHAMMED SAMIRUDDIN

ARCHITECT
BAILEY EDWARD DESIGN INC.

ENGINEERS & LANDSCAPING
ERIKSSON ENGINEERING ASSOCIATES, LTD.

DATE: 02/09/2022

INDEX

G100 - COVER
PLAT - PLAT OF SURVEY
A100 - BUILDING SITE PLAN & ELEVATIONS
L100 - LANDSCAPE PLAN
C100 - SITE DEMOLITION PLAN
C200 - SITE GEOMETRY AND UTILITY PLAN
E100 - SITE LIGHTING PLAN

SCALE 1" = 200'-0"

ZONING MATRIX

Site Area: 9,630.98 SF +/- (0.22 ac) Site dim.: 58.5' x 164' +/-

Analysis based on existing MX-3 zoning

SECTION	REQUIRED / PERMITTED	PROVIDED	COMMENTS
MX-3 Mixed-Use Corridor District, See Zoning Map	Low- to mid-scaled mixed-use buildings - defines a street wall of storefront facades along sidewalk.	1 story building along sidewalk	
TABLE 4-2 - Allowed Building Types (MX-3 district)	Storefront Building	Restaurant Storefront with Drive-through	Drive-through requires a Special Use.
4.3.4. General Regulations C. Refuse, Recycling, Utility and loading	Refuse, recycling and loading located in rear yards only.	Refuse located in rear with 6' screened fence all four sides with latch gate.	
4.3.4. General Regulations D. Open Arears on Lot	All front yards, build-to zones, side yards, corner side yards, and rear yards not covered by buildings, parking, or driveway shall contain either landscape, patio space, or sidewalk space.	See Landscape Plan for compliance.	1. Side (west): provide 0% of required perimeter landscaping due to drive. 2. Rear (north): provide 0% of required perimeter landscaping due to walk. 3. Reduce buffer to 5'-0".
4.4.2. Storefront Building 1. Min. Primary Frontage Building-to Zone Coverage	MX-3 = 50%	30' BLDG Frontage / 58.5' Property Frontage = 51.28%	
4.4.2. Storefront Building 2. Front Build-to Zone	6' to 10'	10'	
4.4.2. Storefront Building 3. Corner Build-to Zone	0' to 10'	7' - 7" to 10' - 0" provided along corner.	
4.4.2. Storefront Building 4. Min. Side Yard Setback	0', 5' if adjacent to other building type.	Provided if required	Side Yard setback is 18'-7" which exceeds the 5 FT minimum.
4.4.2. Storefront Building 5. Min. Rear Yard Setback	5', 40' if abutting RS or RD district	40' provided in rear yard.	Rear Yard setback to building is 93'-10" which exceeds the 40 FT minimum.
4.4.2. Storefront Building 6. Max. Impervious Cover Additional Semi-Pervious Cover	75% Maximum 25% Additional	2,702 SF Green Space / 9630 SF = 72% Impervious Cover and 28% Landscaping provided	
4.4.2. Storefront Building 10. Overall Height:	Min. Height = 1 story Max.Height = 4 stories	1 story	
4.4.2. Storefront Building 11. Ground Story:	Min. Height = 14' Max.Height = 24'	Top of parapet at 20' - 0"	
4.4.2. Storefront Building 16. Req'd Occupied Building Space	Minimum 20' deep on all full height floors from any primary street façade.	Provided	
4.4.2. Storefront Building 17. Primary Frontage Minimum Ground story transparency.	65%	Concept building South Elevation provides 73% transparency.	
4.4.2. Storefront Building 18. Minimum transparency street, courtyard, Open space Façade.	15%	Concept building East Elevation provides 53% transparency.	
Parking: Requirements			
Restaurant - Spaces Req'd.	0.33 per seat (30 seats provided) = 9.9 Req'd	7 off-street parking spaces + 3 on-street = 10 provided	
Drive through Min. stacking space 8 ft. wide x 18 ft. long	Min. 3 stacking spaces behind menu board.	3 provided, see building site plan.	

bailey edward

t 312.440.2300
f 312.440.2303
www.baileyedward.com

35 East Wacker Dr
Suite 2800
Chicago, IL
60601-2308

Bailey Edward Design
Design Firm License No. 184-001962

24 E ST CHARLES RD

VILLA PARK, IL. 60181

Drawing Title

COVER

BE Project No. 021205
02/09/2022
Drawn By: KH
Drawing No. G-100

C:\Users\Khard\Documents\021205_QSR 24 E ST CHARLES RD_R20_kevinhardBE.rvt
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ALTA/NSPS LAND TITLE SURVEY

BY

GENTILE AND ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262

Graphic Scale

10 5 0 10 20 40

1"=10'

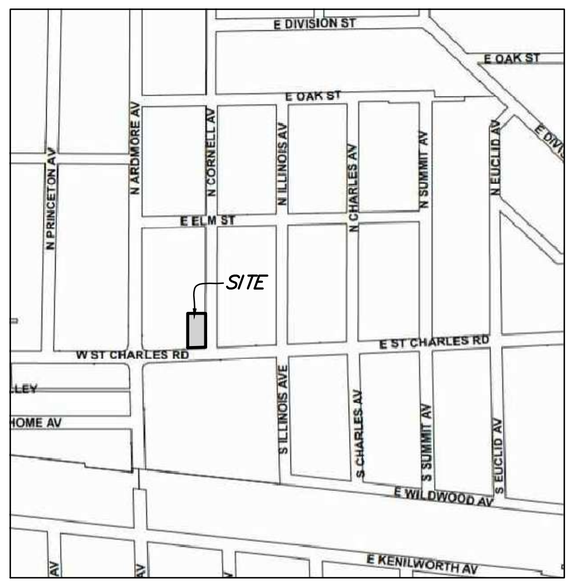
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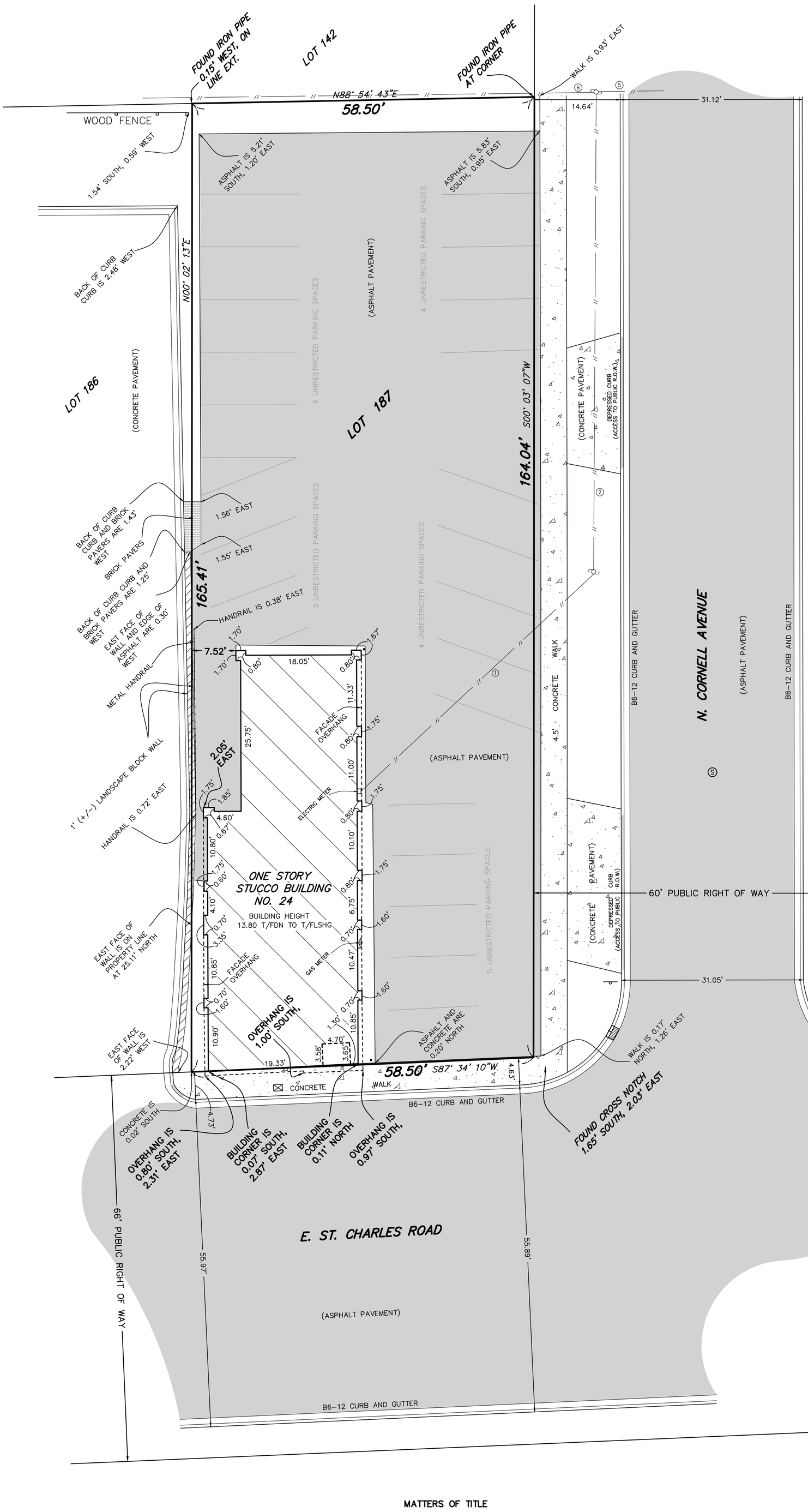
LOT 187 IN **PAYNE'S ADDITION TO VILLA PARK,** A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 8, 1922, AS DOCUMENT NUMBER 155003, IN DUPAGE COUNTY, ILLINOIS.

PROPERTY COMMONLY KNOWN AS: 24 E. ST. CHARLES ROAD, VILLA PARK, ILLINOIS 60181

CONTAINING: 9,630.98 SQ. FT., 0.22 AC. (MORE OR LESS)

VICINITY MAP
(NOT TO SCALE)





LEGEND

- UTILITY POLE
- SIGN POST
- SANITARY MANHOLE
- CURB INLET/CATCH BASIN
- BOLLARD
- TRAFFIC SIGNAL CONTROL VAULT
- OVERHEAD WIRES (# OF WIRES)

T/FDN TOP OF FOUNDATION
T/FLSHG TOP OF FLASHING

NOTES:

FLOOD ZONE INFORMATION:

UPON INSPECTION OF FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 17043C00889J, EFFECTIVE DATE AUGUST 1, 2019, IT APPEARS THAT ALL OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN ZONE "X", AREAS DETERMINED TO BE OF MINIMAL FLOOD HAZARD.

BASIS OF BEARING SYSTEM IS ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE

BASE SCALE : 1 INCH = 10 FEET
DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF
ORDERED BY : CHRIS J. AIELLO P.C.
DRAWN BY : VAF
CHECKED BY : JFG
SURVEYED BY : LR-RG

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

ORDER NO. 21-22363

MATTERS OF TITLE

MATTERS OF TITLE REFER TO WFG NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 16221416, DATED MAY 21, 2021. SCHEDULE B, PART II SPECIAL EXCEPTIONS ARE ADDRESSED AS FOLLOWS:

1. NOT A SURVEY RELATED MATTER
2. DOCUMENT NOT PROVIDED TO SURVEYOR, NOT AVAILABLE ON DUPAGE COUNTY RECORDER WEBSITE
3. VICINITY MAP HEREON PER VILLAGE OF VILLA PARK WEB SITE
4. NOT A SURVEY RELATED MATTER
5. NOT A SURVEY RELATED MATTER
6. NOT SURVEY RELATED MATTERS

EACH OF THE ADDITIONAL TABLE "A" ITEMS LISTED IN SURVEYOR'S CERTIFICATE (AS REQUESTED BY CLIENT) HAVE BEEN ADDRESSED. THE FOLLOWING ITEMS NO'S. HAVE NO NOTATION ON THIS PLAT AS THE REFERENCED CONDITIONS DO NOT EXIST ON, OR APPLY TO SUBJECT PROPERTY:

10, 16, 17, 18

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

TO: MOHAMMED SAMIRUDDIN
BANK OF AMERICA, N.A., ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR
WFG NATIONAL TITLE INSURANCE COMPANY

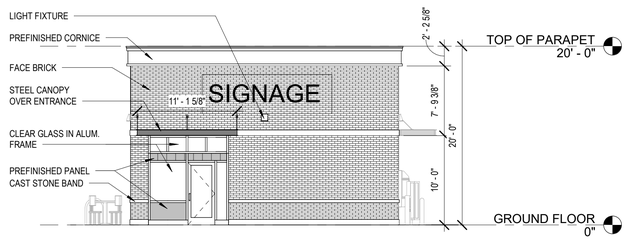
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS

1, 2, 3, 4, 7(a)(c), 8, 9, 10, 14, 16, 17, 18, 19 OF TABLE A THEREOF.

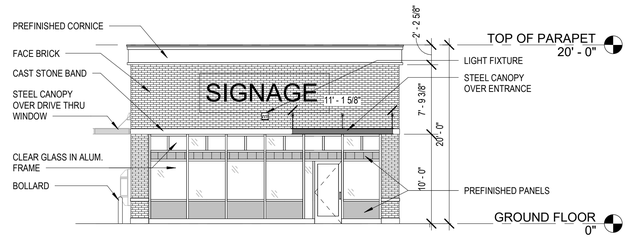
THE FIELD WORK WAS COMPLETED ON AUGUST 9, A.D. 2021.

DATE OF PLAT: AUGUST 11, A.D. 2021.

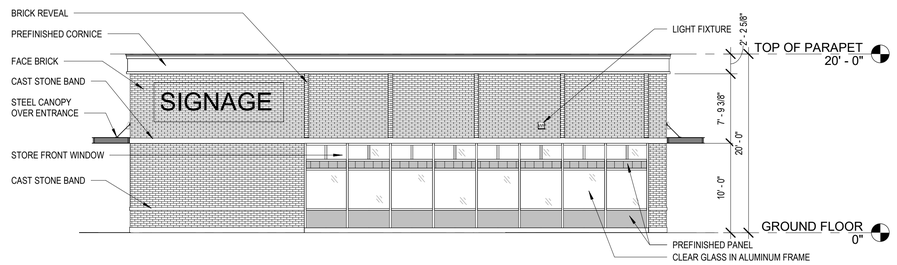
BY: _____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2925
MY LICENSE EXPIRES NOVEMBER 30, 2022
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.002870



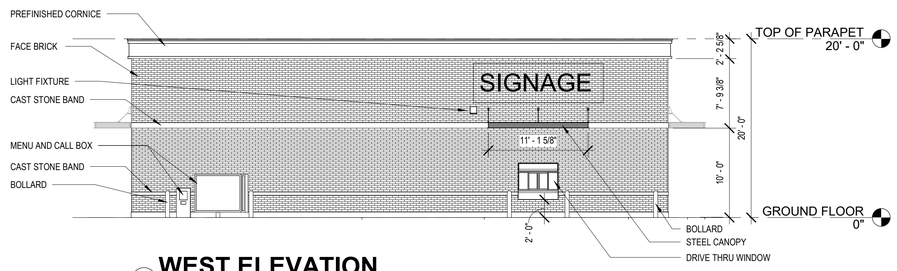
5 NORTH ELEVATION
1/8" = 1'-0"



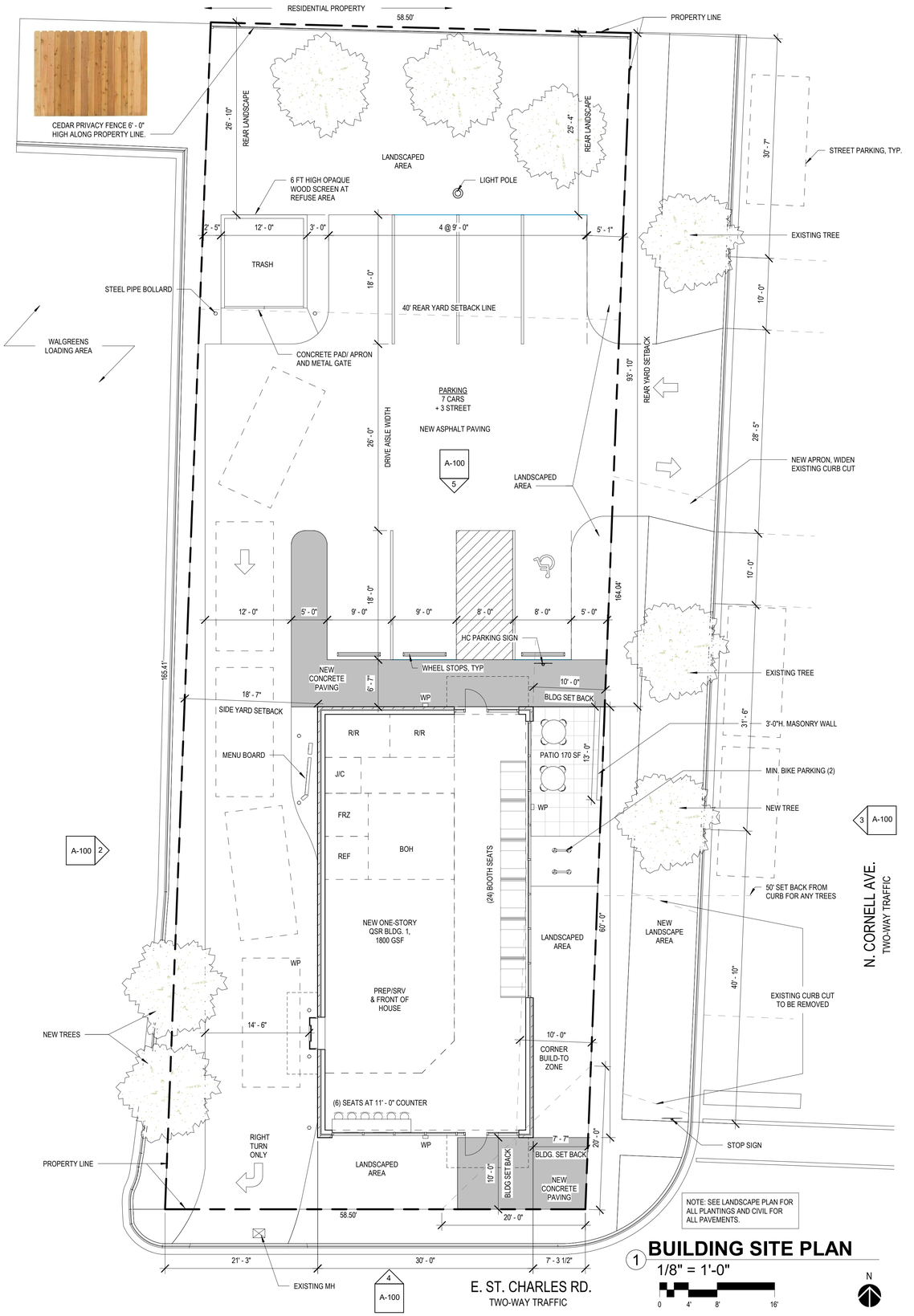
4 SOUTH ELEVATION - ST CHARLES RD
1/8" = 1'-0"



3 EAST ELEVATION - N CORNELL AVE
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



1 BUILDING SITE PLAN
1/8" = 1'-0"

0 4' 8' 16'

N

bailey edward

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f 312.440.2303
www.baileyedward.com

35 East Wacker Dr
Suite 2800
Chicago, IL
60601-2308

Bailey Edward Design
Design Firm License No. 184-001962

24 E ST CHARLES RD

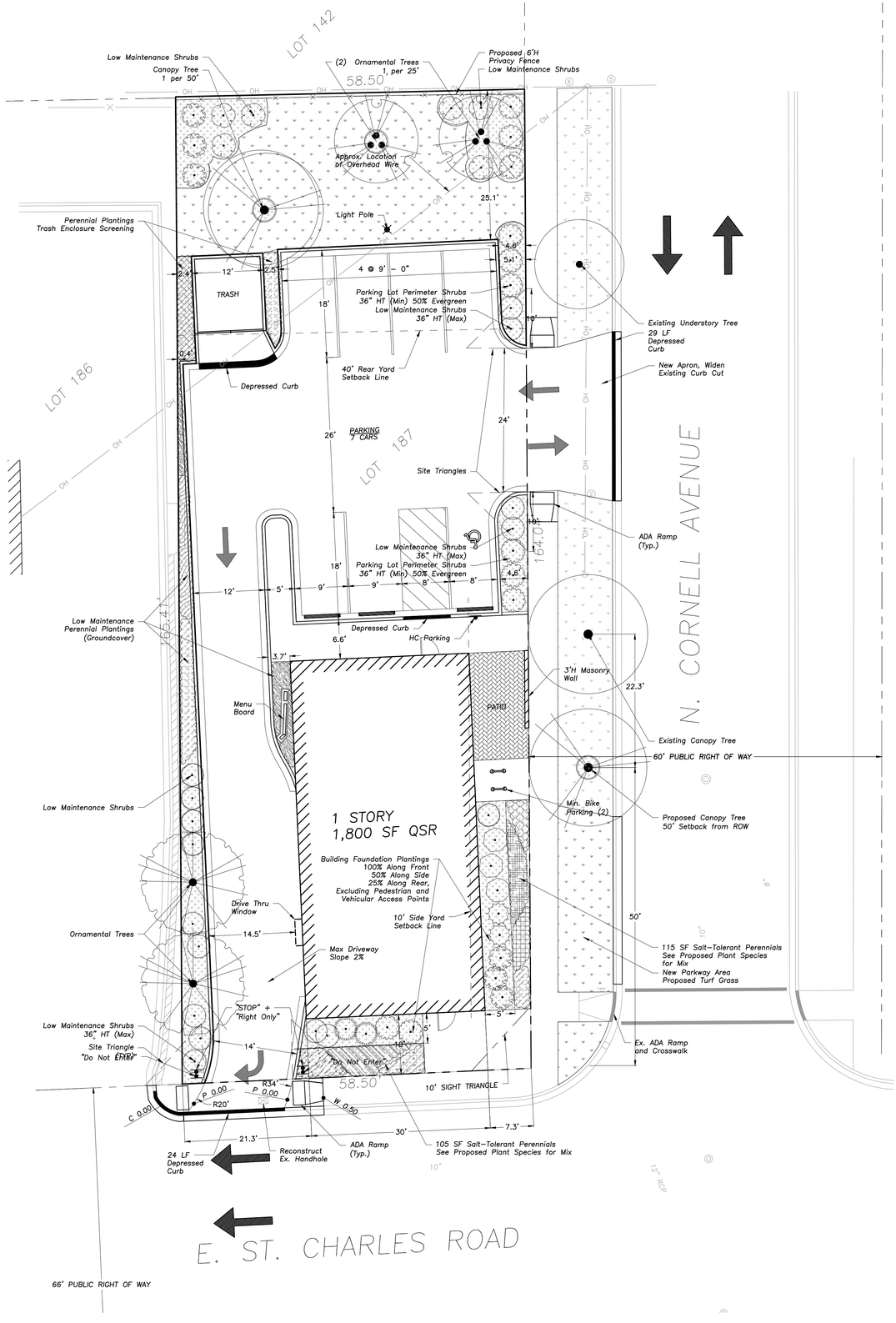
VILLA PARK, IL. 60181

Drawing Title

BUILDING SITE PLAN AND ELEVATIONS

BE Project No.: 021205
02/09/2022
Drawn By: Author
Drawing No.: A-100

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EXISTING_VEGETATION

EXISTING DECIDUOUS TREE 2

–

PROPOSED PLANT SCHEDULE

CANOPY TREES	BOTANICAL / COMMON NAME	COND	SIZE	QTY
GIN PR2	GINKGO BILOBA 'PRINCETON SENTRY' / PRINCETON SENTRY GINKGO	B & B	2.5" CAL.	1
QUE BIC	QUERCUS BICOLOR / SWAMP WHITE OAK	B & B	2.5" CAL.	1
UNDERSTORY TREES	**BOTANICAL / COMMON NAME**	**COND**	**SIZE**	**QTY**
CAR ARU	CARPINUS CAROLINIANA / AMERICAN HORNBEAM MULTI-TRUNK	B & B	6" HT.	2
CER HEA	CERCIS CANADENSIS 'HEARTS OF GOLD' / HEARTS OF GOLD EASTERN REDBUD	B & B	2.5" CAL.	2
BROADLEAF EVERGREEN	**BOTANICAL / COMMON NAME**	**COND.**	**SIZE**	**QTY**
BUX GLC	BUXUS X 'GLENCOE' TM / CHICAGOLAND GREEN BOXWOOD	B & B	36" HT.	11
ILE GLA	ILEX GLABRA / INKBERRY HOLLY	B & B	60" HT.	6
DECIDUOUS SHRUBS	**BOTANICAL / COMMON NAME**	**COND.**	**SIZE**	**QTY**
ARO MOR	ARONIA MELANOCARPA 'MORTON' TM / IROQUOIS BEAUTY BLACK CHOKEBERRY	B & B	24" HT.	3
COM PER	COMPTONIA PEREGRINA / SWEET FERN	B & B	30" HT.	3
HYD WIL	HYDRANGEA ARBORESCENS / WILD HYDRANGEA	B & B	36" HT.	6
RHU GRO	RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC	B & B	24" HT.	11
EVERGREEN SHRUBS	**BOTANICAL / COMMON NAME**	**COND.**	**SIZE**	**QTY**
PIC NID	PICEA ABIES 'NIDIFORMIS' / BIRD'S NEST NORWAY SPRUCE	B & B	30" HT.	2
TAX DEN	TAXUS X MEDIA 'DENSIFORMIS' / DENSE ANGLO-JAPANESE YEW	B & B	36" HT.	2
PERENNIALS	**BOTANICAL / COMMON NAME**	**COND**	**SIZE**	**QTY**
AMS HUB	AMSONIA HUBRICHTII / ARKANSAS BLUESTAR	CONT.	QUART	12
ECH KIM	ECHINACEA PURPUREA 'KIM'S KNEE HIGH' / KIM'S KNEE HIGH CONEFLOWER	CONT.	QUART	11
GER JOL	GERANIUM X 'JOLLY BEE' / JOLLY BEE GERANIUM	CONT.	QUART	10
RUD SUL	RUDBECKIA FULGIDA SULLIVANTII 'LITTLE GOLDSTAR' / LITTLE GOLDSTAR CONEFLOWER	CONT.	QUART	14
SAL CAR	SALVIA NEMOROSA 'CARADONNA' / CARDONNA MEADOW SAGE	CONT.	QUART	14
SCH SCO	SCHIZACHYRIUM SCOPARIUM 'THE BLUES' / THE BLUES LITTLE BLUESTEM	CONT.	QUART	7
SPO HET	SPOROBOLUS HETEROLEPIS / PRAIRIE DROPSEED	CONT.	QUART	19
PROPOSED GROUNDCOVER	**BOTANICAL / COMMON NAME**	**COND**	**SIZE**	**QTY**
LIR VAR	LIRIOPE MUSCARI 'VARIEGATA' / VARIEGATED LILY TURF	CONT.	QUART	24
NEP WAL	NEPETA X FAASSENII 'WALKER'S LOW' / WALKER'S LOW CATMINT	CONT.	QUART	43
PAC GRE	PACHYSANDRA TERMINALIS 'GREEN CARPET' / JAPANESE SPURGE	CONT.	QUART	22
VIN DAR	VINCA MINOR 'DART'S BLUE' / DART'S BLUE PERIWINKLE	CONT.	QUART	22
TURF GRASS	**BOTANICAL / COMMON NAME**	**COND**	**SIZE**	**QTY**
TUR SOD	TURF SOD / DROUGHT TOLERANT FESCUE BLEND	SOD		1,458 SF

HARDWOOD MULCH 1,477 SF

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LANDSCAPE NOTES

1. PLANT QUANTITIES SHOWN IN THE PLANT SCHEDULE ARE FOR CONVENIENCE ONLY. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND INSTALLING ALL MATERIALS SHOWN ON THE PLAN AND SHOULD NOT RELY ON THE PLANT SCHEDULE FOR DETERMINING QUANTITIES.
2. ALL PLANT MATERIALS SHALL BE NURSERY GROWN STOCK AND SHALL BE FREE FROM ANY DEFORMITIES, DISEASES OR INSECT DAMAGE. ANY MATERIALS WITH DAMAGED OR CROOKED/DISFIGURED LEADERS, BARK ABRASION, SUNSCALD, INSECT DAMAGE, ETC. ARE NOT ACCEPTABLE AND WILL BE REJECTED. TREES WITH MULTIPLE LEADERS WILL BE REJECTED UNLESS CALLED OUT IN THE PLANT SCHEDULE AS MULTI-STEM.
3. ALL LANDSCAPE IMPROVEMENTS SHALL MEET MUNICIPALITY REQUIREMENTS AND GUIDELINES, WHICH SHALL BE VERIFIED BY MUNICIPAL AUTHORITIES.
4. ALL PLANTING OPERATIONS SHALL BE COMPLETED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICES. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, PROPER PLANTING BED AND TREE PIT PREPARATION, PLANTING MIX, PRUNING, STAKING AND GUYING, WRAPPING, SPRAYING, FERTILIZATION, PLANTING AND ADEQUATE MAINTENANCE OF MATERIALS DURING CONSTRUCTION ACTIVITIES.
5. ALL PLANT MATERIALS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. ANY MATERIALS INSTALLED WITHOUT APPROVAL MAY BE REJECTED.
6. THE CONTRACTOR SHALL GUARANTEE PLANT MATERIALS FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE BY OWNER. THE CONTRACTOR SHALL OUTLINE PROPER MAINTENANCE PROCEDURES TO THE OWNER AT THE TIME OF ACCEPTANCE. DURING THE GUARANTEE PERIOD, DEAD OR DISEASED MATERIALS SHALL BE REPLACED AT NO COST TO THE OWNER. AT THE END OF THE GUARANTEE PERIOD THE CONTRACTOR SHALL OBTAIN FINAL ACCEPTANCE FROM THE OWNER.
7. ANY EXISTING TREES TO BE RETAINED SHALL BE PROTECTED FROM SOIL COMPACTION AND OTHER DAMAGES THAT MAY OCCUR DURING CONSTRUCTION ACTIVITIES BY ERECTING FENCING AROUND SUCH MATERIALS AT A DISTANCE OF 8.5' FROM THE TRUNK.
8. ALL GRASS, CLUMPS, OTHER VEGETATION, DEBRIS, STONES, ETC.. SHALL BE RAKED OR OTHERWISE REMOVED FROM PLANTING AND LAWN AREAS PRIOR TO INITIATION OF INSTALLATION PROCEDURES.
9. THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INITIATING PLANTING OPERATIONS. THE CONTRACTOR SHALL REPAIR/ REPLACE AND UTILITY, PAVING, CURBING, ETC.. WHICH IS DAMAGED DURING PLANTING OPERATIONS.
10. SIZE AND GRADING STANDARDS OF PLANT MATERIALS SHALL CONFORM TO THE LATEST EDITION OF ANSI Z60.1, AMERICAN STANDARDS FOR NURSERY STOCK, BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
11. REFER TO PLAT OF SURVEY FOR LEGAL DESCRIPTION, BOUNDARY DIMENSIONS AND EXISTING CONDITIONS.
12. ALL PLANT MATERIAL ON THIS PLANTING PLAN REPRESENTS THE INTENTION AND INTENSITY OF THE PROPOSED LANDSCAPE MATERIAL. THE EXACT SPECIES AND LOCATIONS MAY VARY IN THE FIELD DO TO MODIFICATIONS IN THE SITE IMPROVEMENTS AND THE AVAILABILITY OF PLANT MATERIAL AT THE TIME OF INSTALLATION. ANY SUCH CHANGES MUST FIRST BE APPROVED BY THE OWNER IN WRITING.
13. ALL PLANT MATERIAL SHALL BE PLANTED WITH A MINIMUM OF 3" OF A SOIL AMENDMENT ROTOTILLED TO A DEPTH OF 12", AND MULCHED WITH A MINIMUM OF 3" DEPTH OF LEAF MULCH TO MATCH EXISTING ON SITE. PLANTING BEDS TO BE AMENDED WITH MIDWEST TRADING 'ONE STEP SOIL CONDITIONER' OR APPROVED EQUAL.
14. ALL BEDS SHALL BE EDGED, HAVE WEED PREEMERGENTS APPLIED AT THE RECOMMENDED RATE.
15. ALL PARKWAYS AND PARKING LOT ISLANDS SHALL HAVE LAWN ESTABLISHED WITH SOD AS A GROUNDCOVER, UNLESS OTHERWISE NOTED.
16. ALL LAWN AREAS ON THIS PLAN SHALL BE SCARIFIED TO A DEPTH OF 3", GRADED SMOOTH AND TOPPED WITH AT LEAST 3" OF TOPSOIL. TOPSOIL TO BE LOCALLY SOURCED TOPSOIL, SCREEN AND PULVERIZED FROM MIDWEST TRADING OR APPROVED EQUAL. ALL LAWN AREAS TO BE ESTABLISHED USING SOD UNLESS OTHERWISE NOTED.
17. THIS LANDSCAPE PLAN ASSUMES THE SITE WILL BE PREPARED WITH TOP SOIL SUITABLE FOR THE ESTABLISHMENT OF THE LANDSCAPE MATERIAL PRESENTED ON THIS PLAN. IF ADDITIONAL TOP SOIL IS REQUIRED IT IS UP TO THE LANDSCAPE CONTRACTOR ON THE PROJECT TO PROVIDE, SPREAD AND PREPARE THE SITE AS NEEDED FOR THE IMPLEMENTATION OF THIS LANDSCAPE PLAN.
18. CONTRACTORS MUST VERIFY ALL QUANTITIES AND OBTAIN ALL PROPER PERMITS AND LICENSES FROM THE PROPER AUTHORITIES.
19. ALL MATERIAL MUST MEET INDUSTRY STANDARDS AND THE LANDSCAPE ARCHITECT HAS THE RIGHT TO REFUSE ANY POOR MATERIAL OR WORKMANSHIP.
20. LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR UNSEEN SITE CONDITIONS.
21. ALL PLANTINGS SHALL BE SPACED EQUAL DISTANT, BACK FILLED WITH AMENDED SOIL IN A HOLE TWICE THE ROOTBALL DIAMETER, WATERED, FERTILIZED, PRUNED, AND HAVE ALL TAGS AND ROPES REMOVED.
22. LAWN AND BED AREAS SHALL BE ROTOTILLED, RAKED OF CLUMPS AND DEBRIS.
23. REMOVE ALL DEAD AND DISEASED PLANT MATERIAL FROM SITE AND DISPOSE OF PROPERLY.
24. ALL DISTURBED AREAS FROM CONSTRUCTION MUST BE RESTORED TO PRE-CONSTRUCTION CONDITION WITH HYDROSEED.
25. ALL SEEDED LAWN AREAS TO HAVE NAG-S75 EROSION CONTROL BLANKET INSTALLED.

REQUIRED BUILDING FOUNDATION PLANTINGS:

- *FRONT : 30' WALL, 19.5' PLANTED (65% OF 100% REQ.)*
  MEETS REQUIREMENT; WITHIN TOLERANCE OF ALLOWABLE DUE TO EGRESS
- *E. SIDE : 60' WALL, 35' PLANTED (58% OF 50% REQ.)*
  MEETS REQUIREMENT
- *W. SIDE : 60' WALL, NO PLANTING (50% REQUIREMENT)*
- *REAR : 30' WALL, NO PLANTING (25% REQUIREMENT)*

N

10 0 10 20 30

Scale: 1"=10'

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VILLA PARK, ILLINOIS

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JJA	CK	1/26/22

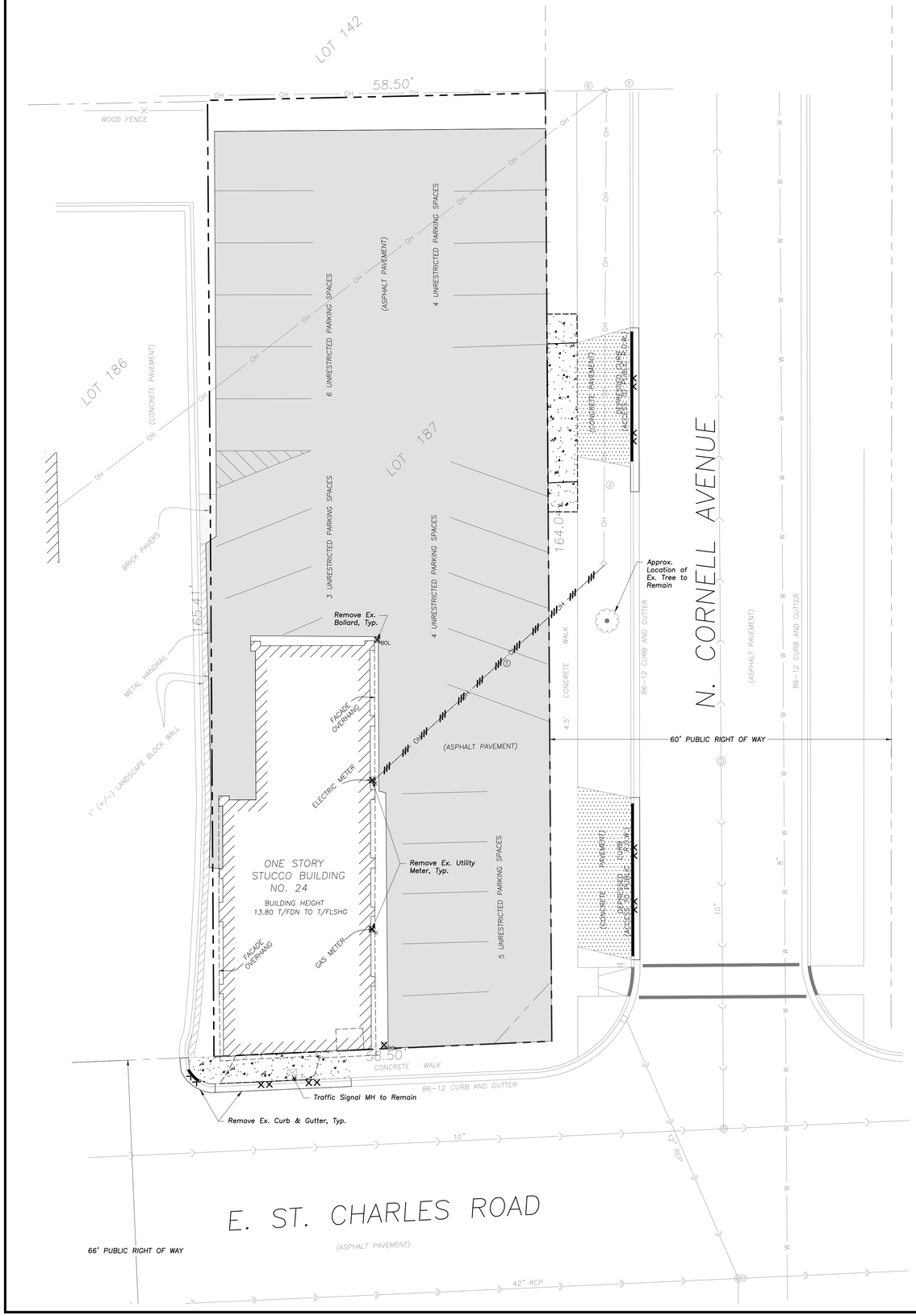
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SITE LANDSCAPE PLAN

Sheet No:

L100

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DEMOLITION LEGEND

- Utility Line Removal
- Bituminous Pavement Removal (Full Depth)
- Concrete Pavement Removal (Full Depth)
- Concrete Sidewalk Removal
- Pavement Sawcut
- Curb & Gutter Removal
- Structure Removal
- Tree Removal

DEMOLITION NOTES

1. All Signs to Be Removed Shall Be Salvaged and Stored in the Owner's Facility for Future Use as Applicable.
2. Keep All Village Streets Free and Clear of Construction Related Dirt/Dust/Debris.
3. Coordinate Existing Utility Removal with Local Authorities and Utility Companies Having Jurisdiction.
4. Coordinate Removal of Overhead Wires And Utility Poles With Authorities Having Jurisdiction And Respective Utility Providers.
5. All Sawcutting Shall be Full Depth to Provide a Clean Edge to Match New Construction. Match Existing Elevations at Points of Connection for New and Existing Pavement, Curb, Sidewalks, etc. All Sawcut Locations Shown Are Approximate and May Be Field Adjusted to Accommodate Conditions, Joints, Material Type, etc. Remove Minimum Amount Necessary for Installation of Proposed Improvements.
6. Provide and Maintain All Necessary Traffic Control and Safety Measures Required During Demolition and Construction Operations Within or Near the Public Roadway.
7. All Light Poles to Be Removed From Private Property Shall Be Removed in Their Entirety, Including Base and All Appurtenances. Coordinate Abandonment of Electrical Lines With Electrical Engineer and Owner Prior to Demolition.
8. Perform Tree Pruning In All Locations Where Proposed Pavement And/Or Utility Installation Encroach Within The Existing Drip Line Of Trees To Remain. All Trenching Within The Drip Line Of Existing Trees To Remain Shall Be Done Radially Away From Trunk If Roots In Excess Of 1" Diameter Are Exposed. Roots Must Be Cut By Reputable Tree Pruning Service Prior To Any Transverse Trenching. Obtain Approval Of The Architect Prior To Operations For A Variance From This Procedure.
9. Coordinate Tree Removal with Landscape Architect. All Trees To Be Removed Shall Be Removed In Their Entirety and Stumps Shall Be Ground to Proposed Subgrade. Use As Mulch for Proposed Landscaping Where Applicable and Acceptable to Architect.
10. Provide Tree Protection Fencing Prior To Construction Operations. Maintain Throughout Construction.

N

10 0 10 20 30

Scale: 1"=10'

LEGEND

EXISTING		PROPOSED
	Manhole	
	Catch Basin	
	Inlet	
	Area Drain	
	Clean Out	
	Flared End Section	
	Storm Sewer	
	Sanitary Sewer	
	Combined Sewer	
W	Water Main	W
G	Gas Line	G
OH	Overhead Wires	OH
E	Electrical Cable (Buried)	E
T	Telephone Line	T
	Fire Hydrant	
	Valve Vault	
	Buffalo Box	
	Downspout	
	Bollard	
	Gas Valve	
	Gas Meter	
	Electric Meter	
	ComEd Manhole	
	Hand Hole	
	Light Pole	
	Light Pole w/ Mast Arm	
	Utility Pole	
	Telephone Pedestal	
	Telephone Manhole	
	Sign	
	Fence	
	Accessible Parking Stall	
	Curb & Gutter	
	Depressed Curb	
x C 782.50	Curb Elevation	C 782.50
x G 782.00	Gutter Elevation	G 782.00
x P 783.25	Pavement Elevation	P 783.25
x W 782.10	Sidewalk Elevation	W 782.10
x 784.0	Ground Elevation	x 784.0
x T/W 785.20	Top of Retaining Wall Elevation	T/W 785.20
	Swale	
781	Contour Line	781
	Deciduous Tree	
	Coniferous Tree	
	Brushline	
	Tree Protection Fencing at Drip Line	

GENERAL NOTES

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2. Notify The Engineer Without Delay of Any Discrepancies Between the Drawings and Existing Field Conditions.
3. Notify The Owner, Engineer and JULIE at 800-892-0123 A Minimum of 48 Hours In Advance of Performing Any Work.
4. All Areas, On or Off Site, Disturbed During Construction Operations and Not Part of the Work As Shown Hereon Shall Be Restored To Original Condition to the Satisfaction of the Owner at No Additional Cost to the Owner. It is Incumbent Upon Contractor to Show That Damaged Areas Were Not Disturbed By Construction Operations.
5. These Drawings Assume That The Contractor Will Utilize An Electronic Drawing File (DWG) and Stake All Site Improvements Accordingly.
6. No Person May Utilize The Information Contained Within These Drawings Without Written Approval From Eriksson Engineering Associates, Ltd.
7. The Engineer Is Furnishing These Drawings For Construction Purposes As A Convenience To The Owner, Architect, Surveyor, or Contractor. Prior To The Use Of These Drawings For Construction Purposes, The User Of This Media Shall Verify All Dimensions And Locations Of Buildings With The Foundation Drawings And Architectural Site Plan, and Coordinate All Dimensions and Locations of All Site Items. If Conflicts Exist The User Of This Information Shall Contact The Engineer Immediately.
8. Provide An As-built Survey Prepared By A Licensed Professional Land Surveyor In Accordance With The Authorities Having Jurisdiction Which Shall Include As a Minimum All Detention Basins and Best Management Practices, Include All Storm and Sanitary Sewers, Structure Locations, Sizes, Rim and Invert Elevations, Final Detention Volume Calculations For The Basin(s), Watermain and Valve and Appurtenance Locations.
9. The Illinois Department Of Transportation Standard Specifications For Road And Bridge Construction Latest Edition, And All Addenda Thereto, Shall Govern The Earthwork And Paving Work Under This Contract Unless Noted Otherwise.

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24 E ST CHARLES RD

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JK	CK	2/9/22

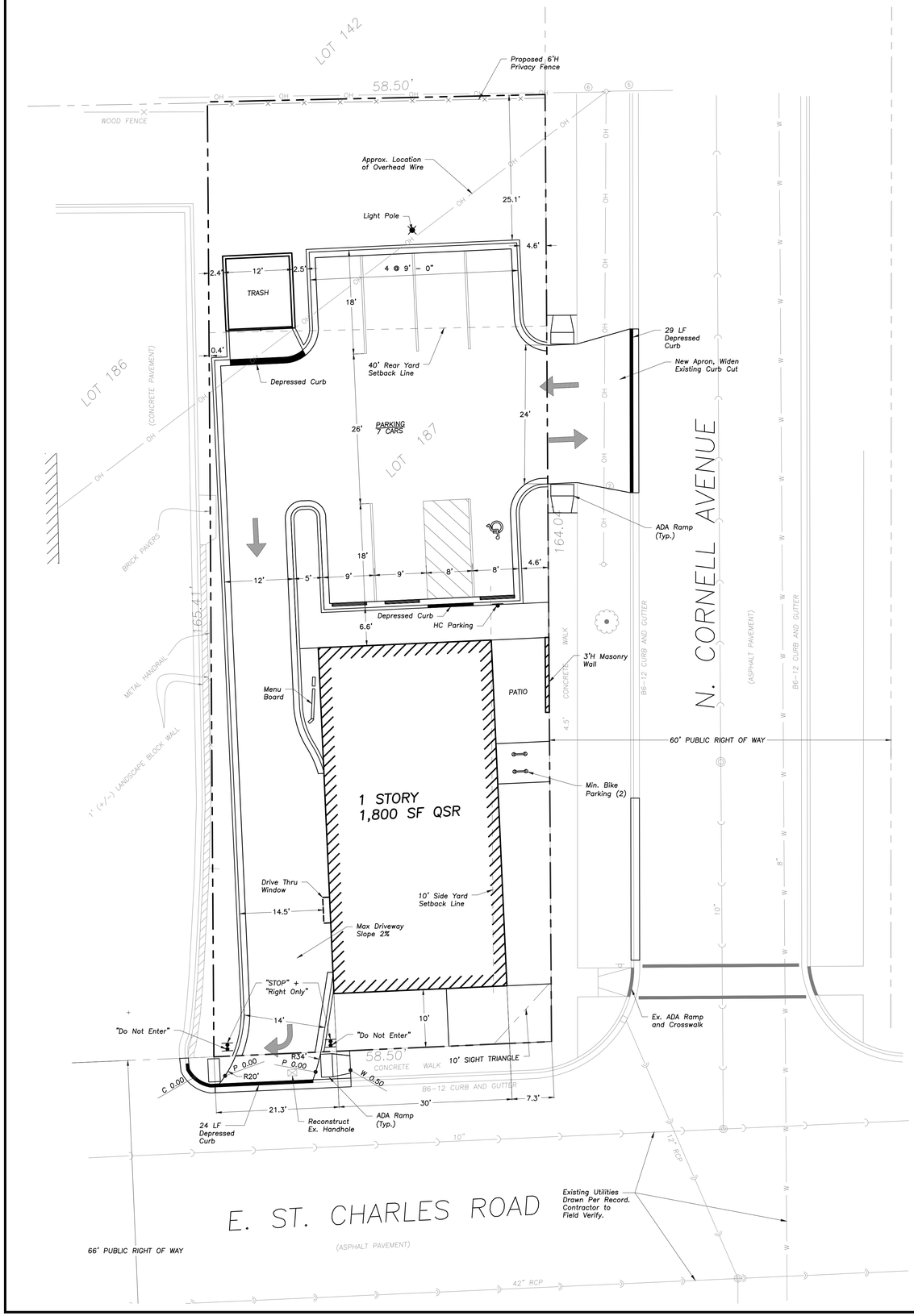
Sheet Title:

SITE DEMOLITION PLAN

Sheet No:

C100

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Plotted: 2/09/22 @ 11:40am By: jkopach



STRUCTURE NOTES

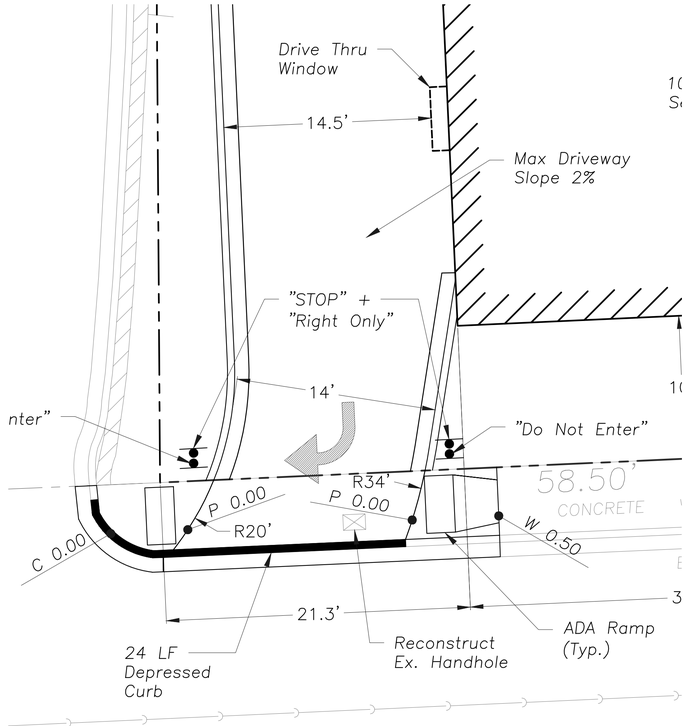
1. *All Catch Basins to Be Installed in Paved Areas Shall Have Neenah R2504–D Frame & Grate or Approved Equal.*
2. *All Catch Basins to Be Installed in Landscaped Areas Shall Have Neenah R4340–B Frame & Grate or Approved Equal. For Cone Sections Install a Minimum of 4" Grade Rings For Topsoil Respread. For Flat Slab Tops Install the Following Minimum Height of Grade Rings:*
   4' Diameter Structure– 4"
   5' Diameter Structure– 6"
   6' Diameter Structure– 8"
3. *All Catch Basins to Be Installed Along Curb and Gutter (B–6.12) Shall Have Neenah R3281–A Frame & Grate or Approved Equal.*
4. *All Catch Basins to Be Installed Along Depressed Curb and Gutter (Dep B–6.12) Shall Have East Jordan Iron Works 5120 Catch Basin Inlet Frame and Grate, or Approved Equal.*
5. *Where Structures are Shown Along the Curbline, Unless Specifically Stated Otherwise, It Is Intended That the Frame of the Structure Is To Fall Within the Flowline Of The Gutter or at the Pavement Edge Where No Gutter Exists.*
6. *All Manholes Shall Have Neenah R1713–B Frame & Closed Lid or Approved Equal, with "Storm" or "Sanitary" Imprinted as Appropriate.*
7. *For All Structures Indicated to be Adjusted, Remove and Install Adjusting Rings, Cone Section, Barrel Sections, or Flat Slab Top as Necessary.*
8. *All Flared End Sections 12" and Larger Shall Include an IDOT Standard Grate.*
9. *All Flared End Sections Shall Be Concrete.*
10. *All Sanitary Manholes Shall Include a Chimney Seal.*

GEOMETRY NOTES

1. *All Dimensions Contained Herein Reference Back Of Curb, Face Of Retaining Wall, Edge Of Pavement, Center of Structure And Outside Face Of Building Foundation Unless Otherwise Noted.*
2. *All Pavement Striping Shall Be 4" Wide Yellow Paint Per Specifications, Two Coats for Latex Paints. All Cross Hatch Striping Shall Be 45° At 2'–0" Centers.*
3. *All Accessible Parking Signs (R7–8) Must Be Placed at the Center of the Space and Within 5 Feet of the Space.*
4. *Refer to Architectural Drawings for Exact Locations of All Buildings.*
5. *Refer to Architectural Drawings for Locations and Details of All Permanent Site Fencing.*
6. *Traffic Sign Posts Shall Be Breakaway Green U–Channel Posts, 2–lb/ft, 11 Gauge Steel, Embedded 42" Minimum Into Ground.*

UTILITY NOTES

1. *Utility Service Lines as Shown Hereon are Approximate. Coordinate The Exact Locations With The Plumbing Drawings. Coordinate The Locations With The Plumbing Contractor and/or the Owner's Construction Representative Prior to Installation of Any New Utilities.*
2. *Refer to Plumbing Drawings for Continuation of All Utilities Within 5 Feet of Building Face.*
3. *Field Verify Invert & Locations of Existing Utility Mains Prior to Installing Any On–Site Utilities or Structures. All Elevations and Inverts Referencing Said Utility Shall Be Field Verified Prior To Installation Of Any New Structures Or Utilities, and Adjustments Shall Be Made as Necessary. Contact Engineer Prior to Installation if Discrepancy Exists With These Drawings.*
4. *Coordinate the Relocation Of Any Utilities Encountered And Replacement Of Any Utilities Damaged Within Influence Zone Of New Construction. Contact Engineer If The Existing Utilities Vary Appreciably From The Plans.*
5. *All Water Main and Services Shall Be Installed at a Minimum Depth of 5.5' From Top of Finished Ground Elevation to Top of Main.*
6. *Protection of water supplies shall be as described in Section 370.350 of the Illinois Recommended Standards for Sewage Works or Section 41–2.01 of the Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition.*
7. *Clean Out All Existing and Proposed Storm Inlets and Catch Basins at the Completion of Construction.*
8. *Provide Adequate Coupling Device and/or Oversized Concrete Flared–End Section to Accommodate HDPE Storm Sewer.*
9. *The "Standard Specifications for Water and Sewer Main Construction in Illinois", Current Edition Shall Govern Work Where Applicable.*
10. *Rebuild Existing Structures and Adjust Rim Elevations to Match Proposed Ground Elevations.*



ST. CHARLES RD. CURB CUT

Scale: 1" = 5'



Scale: 1"=10'

LEGEND

EXISTING		PROPOSED
	Manhole	
	Catch Basin	
	Inlet	
	Area Drain	
	Clean Out	
	Flared End Section	
	Storm Sewer	
	Sanitary Sewer	
	Combined Sewer	
W	Water Main	W
G	Gas Line	G
OH	Overhead Wires	OH
E	Electrical Cable (Buried)	E
T	Telephone Line	T
	Fire Hydrant	
	Valve Vault	
	Buffalo Box	
	Downspout	
	Bollard	
	Gas Valve	
	Gas Meter	
	Electric Meter	
	ComEd Manhole	
	Hand Hole	
	Light Pole	
	Light Pole w/ Mast Arm	
	Utility Pole	
	Telephone Pedestal	
	Telephone Manhole	
	Sign	
	Fence	
	Accessible Parking Stall	
	Curb & Gutter	
	Depressed Curb	
x C 782.50	Curb Elevation	C 782.50
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JK	CK	2/9/22

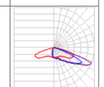
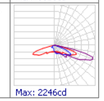
Sheet Title:

SITE GEOMETRY AND UTILITY PLAN

Sheet No:

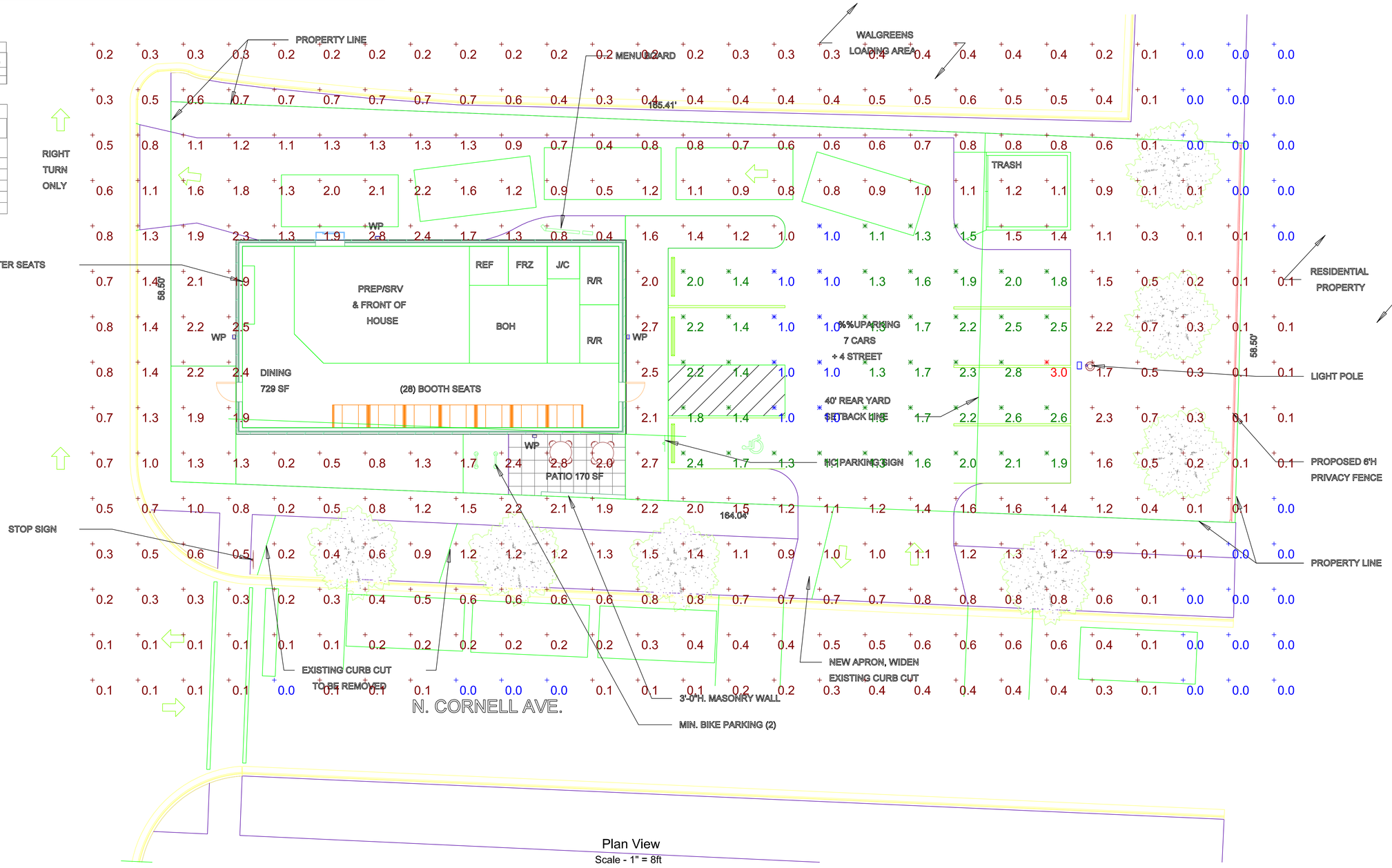
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EEA – \\file-gray\ChicagoDFS\Projects–CH\John G\BE – 24 E St Charles Road, Villa Park\Drawings\21–22363 EM_siteplan.dwg
Plotted: 2/09/22 @ 11:38am By: jkopach

Schedule											
Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage	Plot
	SA		1	Lithonia Lighting	DSX0 LED P4 30K T4M MVOLT HS	DSX0 LED P4 30K T4M MVOLT with houseside shield	1	7445	0.95	92	 Max: 5013cd
	WP		4	Lithonia Lighting	WDGE2 LED P3 30K 80CRI T3M	WDGE2 LED WITH P3 - PERFORMANCE PACKAGE, 3000K, 80CRI, TYPE 3 MEDIUM OPTIC	1	3063	0.95	32.1375	 Max: 2246cd

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone Entire Site	+	0.9 fc	3.0 fc	0.0 fc	N/A	N/A
Calc Zone Parking Area	X	1.7 fc	3.0 fc	1.0 fc	3.0:1	1.7:1

Luminaire Locations						
		Location				
No.	Label	X	Y	MH	Orientation	Tilt
1	SA	338.10	67.00	20.00	270.00	0.00
1	WP	228.90	86.70	12.00	0.00	0.00
2	WP	267.50	71.40	12.00	90.00	0.00
3	WP	253.10	56.10	12.00	180.00	0.00
4	WP	206.80	71.40	12.00	270.00	0.00



Plan View
Scale - 1" = 8ft

KSA | LIGHTING & CONTROLS

SITE LIGHTING PLAN
24 E. ST. CHARLES ROAD

Designer
D. MIROW
Date
01/26/2022
Scale
Scale as shown
Drawing No.

Summary

Planning and Zoning Commission Agenda Item Report

Meeting Date: March 10, 2022
Submitted by: Pat Boksha
Submitting Department: Planning and Zoning Commission
Item Type: Business (Commission Only)
Agenda Section: 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

Subject:

Petition PZ-22-0003 / 880 N. Addison / Amendment to ORD #3727 Granting an Amendment to the PUD for 880 North Addison Road (which amended Ord 2501)

Amendment to an existing PUD originally granted in 1991 as Ordinance #2501 and amended in December 2012 as Ordinance #3727 to permit the construction of a storage canopy building to cover materials. Request is a Variance from **Article 6.10.3 Uses – Nonresidential Accessory Structures** of the Zoning Ordinance of the Village of Villa Park to permit more than one non-residential Accessory Structure building per lot, and at a size greater than one (1) percent of the area of the lot at the following legally described property.

Suggested Action:

Attachments:
PZ-22-003 Bone Roofing P&Z_Memo.pdf
Plat of Survey.pdf
ORD 3727 - Amendment PUD 880 N Addison Road_121712.pdf

Site plans.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: March 10, 2022
RE: PZ-22-0003 / 880 N. Addison Road / Amendment to PUD to permit additional accessory uses at a size greater than 1% of total lot coverage

Request Summary

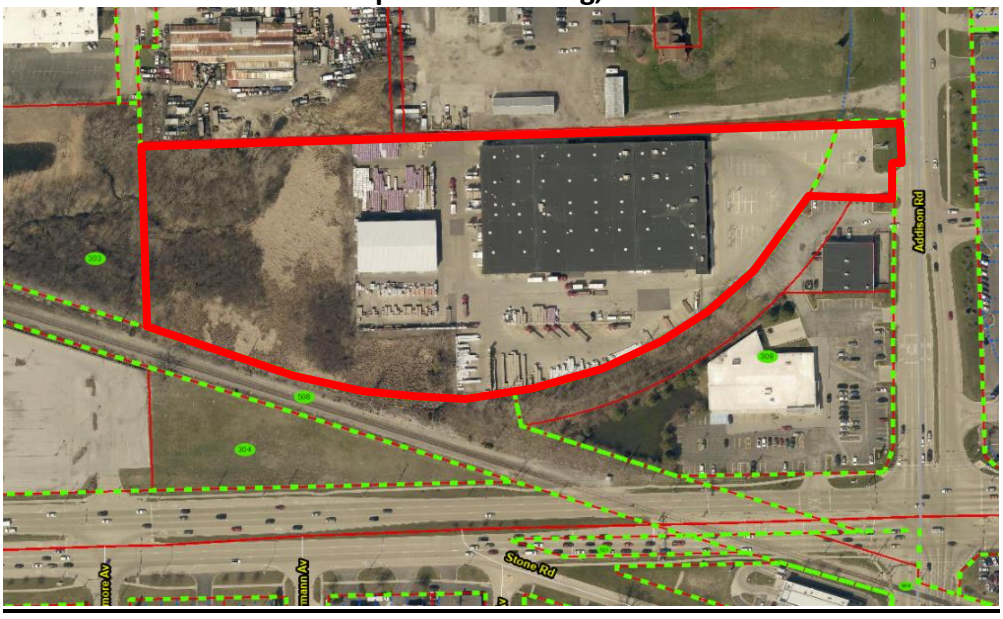
A public hearing is scheduled before the Planning & Zoning Commission at 7:30 p.m. on March 10, 2022, at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, IL, to consider a request by Peter Fazio (applicant) of Chapple Design Build on behalf of Bone Properties LLC (owner) for the property at 880 N Addison Road, Villa Park, Illinois which would approve an amendment to an existing PUD originally granted in 1991 as Ordinance #2501 and amended in December 2012 as Ordinance #3727. The request is a Variation from **Section 6.10.3 Uses – Nonresidential Accessory Structures** of the Zoning Ordinance of the Village of Villa Park to permit:

1) more than one non-residential Accessory Structure building per lot, and
2) at a size greater than one (1) percent of the area of the lot.

Site Information

Present Zoning:	M-1 Industrial
Present Land Use:	Retail/Wholesale supply, building materials
Property Size:	10.37 Acres
PINs:	03-33-307-013 and 03-33-308-015

Location Map - Bone Roofing, 880 N. Addison Road



Background

In 1991 the parcel, formerly known as 2N080 Addison Road (and owned by the Albert W. Berlin Company) was annexed via Ordinance 2500 (Recorded as R91-119279) and zoned "Planned Unit Development – Industrial" via Ordinance 2501 (Recorded as R91-119278). A pre-annexation agreement was recorded via R91-19275, and expired in 2021, contained provisions for applicable code requirements, the ability to rebuild in the event of fire, agreements for utility extensions, and a recapture agreement. The principal building was constructed in 1993 and occupied by Warning Lites/Highway Technologies until Bone Roofing purchased and relocated from Chicago.

Bone Roofing initiated an amendment to the 1991 Planned Unit Development and in December 2012 the Village passed Ordinance #3727 which amended the original PUD to include retail sales (rather than rezone to commercial), above ground fuel storage, and outdoor storage to a height of twelve (12) feet (variance from the 6' height allowed in the M-1 district for outdoor storage per **Article 15.5.E.4 [M-1 Light Industrial District Standards]**). Similar to our current Zoning Ordinance, at that time outside storage was permitted in the M 1 District at six (6) feet in height and screened from adjoining view in an attractive manner.

In 2019 a permit was issued for a 90' x 130' open air receiving shelter at a height of 27' tall with a clear bay height of 22'. The pre-engineered metal non-combustible structure is open on all four sides, expedites the unloading of flat-bed trailers and provides protected storage of large quantities of roofing insulation materials.

Bone Roofing would like to build a similar structure to the south, at a size of 80' x 130' and requests an amendment to the Planned Unit Development.



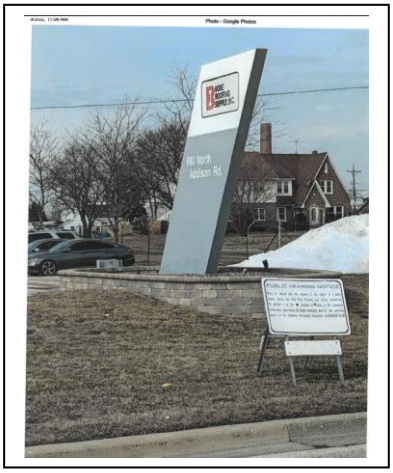
Looking west - construction of the existing accessory structure

Section 6.10.3. - Nonresidential Accessory Structures governs installation of accessory structures in all districts other than R districts:

A. Only one accessory building is allowed per lot.
B. The area of the accessory building may not exceed one hundred (100) square feet or one percent of the area of the lot, whichever is greater.

Public Notice and Comment

The Public Hearing was published in the Daily Herald on February 22, 2022. A copy of the Legal Notice was mailed to properties within 450' feet of the subject, exceeding the required radius of 250 feet. No phone calls have been received.

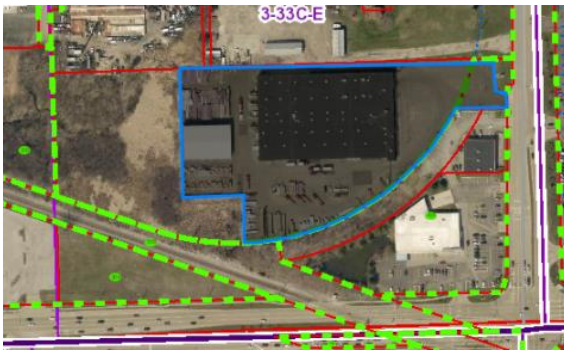


Staff Analysis

Community Development, Engineering, and Fire have reviewed the request and recommend approval.

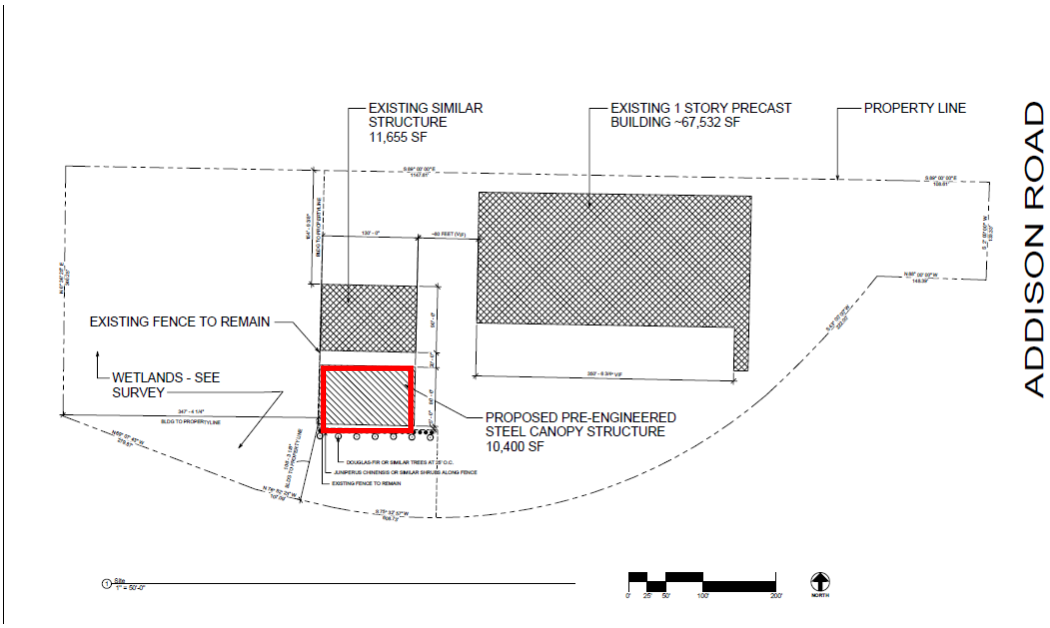
The amendment to the PUD was requested because the new structure would be the third accessory structure (in addition to the existing structure and fuel station), and the two accessory buildings total 22,100 s.f. which is 4.89% of the total lot size.

The proposed structure meet building and fire code. The location meets zoning code regulations for setback and height. Lot coverage for both building and paved surfaces is 64%; the structure would be placed on an already impervious surface, not increasing lot coverage. Please note, when the principle structure was built, impervious area was measured as "building only" to the lot.



Impervious area outlined in blue

Location of Proposed Accessory Structure *(in red)*



The Zoning Code of Villa Park includes **Section 9.1. Landscaping and Screening** requirements. Per **9.1.2 Applicability,** when redevelopment proposed on nonresidential property would expand existing gross floor area of the lot's structure by less than twenty-five (25) percent, *only* the portion of the site where the expansion is located is subject to the landscaping and screening regulations of this section.

Therefore, per **9.1.5.f Landscape and Screening Requirements Loading Areas**, to screen the structures from the adjoining properties zoned Commercial and reduce soften the visibility from North Avenue, screening should be provided the length of the second accessory building by provided by a minimum six-foot tall solid, commercial-grade wood fence or wall, or a combination berm and dense evergreen tree planting at least eight (8) feet in height at the time of planting.

It is noted that **9.1.5 D.1 Perimeter Parking along Street Yards** requires parking lots in a nonresidential district to be screened with continuous landscaping across 60 percent of the parking lot frontage to a minimum height of three (3) feet. Such landscaping must consist of berms, shade or ornamental trees, evergreens, shrubbery, hedges or other live plant material. At least fifty (50) percent of plantings must be evergreens.



880 N. Addison Road

Applicant is highly encouraged, but not required, to install continuous landscape screening along Addison Road to screen the parking lot.

Code Excerpt

ARTICLE 9. - SITE DESIGN AND PERFORMANCE STANDARDS

9.1.2. – Applicability

4. When remodeling, redevelopment or reconstruction is proposed on nonresidential property that would expand existing gross floor area of the lot's structure by less than twenty-five (25) percent, only the portion of the site where the expansion is located is subject to the landscaping and screening regulations of this section.

9.1.5. - Landscape and Screening Requirements

F. **Loading Areas**

All outside loading or storage areas visible from any abutting property or public right-of-way must be permanently screened. Screening must be provided by a minimum six-foot tall solid, commercial-grade wood fence or wall, or a combination berm and dense evergreen tree planting at least eight (8) feet in height at the time of planting.

FINDINGS OF FACT

Standards for Special Use (*Per the Petitioner*):

a) **The proposed use or activity is expressly authorized as a special use.**
Proposed use of the nonresidential storage canopy structure is for special use.

b) **The special use is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.**
The special use canopy structure will provide more organized material storage and a more efficient, safer working environment for the employees/residents of Villa Park.

c) **The special use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.**
The special use canopy will not be detrimental to the health, or general welfare of persons residing or working in the vicinity.

d) **The special use will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district.**
The special use canopy structure will not impede the normal and orderly development of surrounding property.

e) **The proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services.**
It is correct that the special use canopy structure will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services.

f) **The proposed special use complies with all applicable regulations of the zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance;**
That is correct, special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.

Standards for a Variation (*Per the Petitioner):*

1. **That the proposed variance at the proposed location is necessary to overcome a particular hardship or practical difficulty;**
The hardship comes from not having enough adequate storage space for material, therefore an additional canopy structure erection is necessary to alleviate the hardship.

2. **That a reasonable return or use of the property is not possible under the existing regulations;**
   The current property is in use for business under the existing regulations.

3. **The existing situation is unique (not applicable in other properties in the area or zoning);**
   The situation is unique because there is a need for additional covered storage area to maintain business operations. The product is unique.

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

Village Staff Recommendation

Village staff reviewed the request and is supportive of the request as it conforms to the goals in the Comprehensive Plan, and meets the Standards for Special Use for PUD and for Variation, and recommends approval.

Per **11.3.10. Conditions for Approval of an amendment to a Planned Unit Development,** the Planning and Zoning commission should consider the following items in the decision **(*Provided by Staff)*:**

1. **In what respect does the design of the planned unit development meet the requirements and design standards of this Code.**

   This is an accessory structure for an existing building and business, operating under an existing Planned Unit Development. The proposed accessory structure will improve aesthetics of the operation by placing materials at the southern property line under roof, and adding landscape screening. The additional structure will assist in keeping the site clean, decreasing potential for debris, and minimizing noise.

2. **The extent to which the proposed plan deviates and/or requires exceptions to the bulk regulations in the zoning ordinance and how the modifications in design standards from the subdivision control regulations fulfill the intent of those regulations.**

   The proposal meets bulk regulations, the amendment is related to the number of accessory buildings and total size of the accessory buildings.

3. **The extent of public benefit produced by the planned unit development, such as, but not limited to, the adequacy of common open space and/or public recreational**

facilities provided; sufficient control over vehicular traffic; provision of public services; provision and protection of the reasonable enjoyment of the land.

This is a large site. There will be no impact to site utilities or external traffic. No change is being made to ingress/egress for the site.

4. **The relationship and compatibility, beneficial or adverse, of the planned unit development to the adjacent properties and nearby land uses.**

   This is a large site. There will be no impact. Aesthetics will improve and noise should be lessened by operating under the structure.

5. **The extent to which the planned unit development fulfills the objectives of the future planning objectives or other planning policies of the village.**

   This is a long term vital business which contributes to the Village in terms of image and revenues.

6. **The planning and zoning commission finds that the planned unit development satisfactorily meets the standards for special use as defined in Section 11.4.8 of this section.**

   See the Findings of Fact included in this report.

Requested Action:
If the Commission finds in support of the applicant's request, the following motion could be entertained:

To approve Application PZ-22-0003 for the following:

1. Amendment to a previously approved Planned Unit Development under Ordinance 3727 incorporating an additional Accessory Structure into an existing property.

For the property located at 880 N Addison Road, PIN's: 03-33-307-013 and 03-33-308-015

With the following conditions:

1. That the site be developed in accordance with the Site Plan prepared by Chapple Design Group, dated November 29, 2021.
2. That additional landscaping be installed to screen the southern façade of the new accessory structure. At least fifty (50) percent of plantings must be evergreens.
3. Compliance with all applicable Village Codes and regulations.
4. Obtaining all necessary permits/certifications for development, including a building permit, right-of-way permit, sign permits, and a stormwater certification.

With a finding that such amendment meets the criteria enumerated in **Section 11.3.10** of Appendix C of the Municipal Code Village of Villa Park Zoning Ordinance.

With a finding of fact that such Special Use meets the standards for Special Use enumerated in **Section 11.4**. and that such Variation meets the standards enumerated in **Section 11.5** of **Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance**.

Exhibits:

1. Site Plan, prepared by Chapple Design Group, dated November 29, 2021.
2. Plat of Survey by Gentile and Associates, dated February 7, 2019
3. Ordinance 3727, December 17, 2012

	AYES	NAYS
Planning and Zoning Recommendation Required: **Majority of quorum**		
Village Board Final Decision Required: **Two-thirds of all member of the Village Board**		

SITE PLAN

SHOWING PROPOSED OPEN AIR RECEIVING SHELTER

BY GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262
FAX : (630) 916-6264

EASEMENT NOTES:

A) 6' WIDE EASEMENT PER R82-47722 FOR BACKSLOPES, CURB & GUTTER, STREET LIGHTING SYSTEMS, TRAFFIC CONTROL WIRING AND UTILITIES TO DUPAGE COUNTY HIGHWAY DEPARTMENT.

B) THERE IS A 10 FT. EASEMENT 5 FT. ON EACH SIDE OF THE EXISTING GAS MAIN PER DOC. R67-15885.

C) REFER TO DOCUMENT NO. R82-40903 FOR EASEMENT SERVICING UTILITY POLES THAT RUN ALONG SOUTH LINE OF PROPERTY AND INTO PARCEL 1, DOCUMENT DOES NOT SPECIFY SIZE OF OF EASEMENT (JUST GIVES RIGHT TO SERVICE AND MAINTAIN ELECTRIC TRANSMISSION LINES)- CAN NOT PLOT EASEMENT.

D) SANITARY SEWER EASEMENT IS PLOTTED PER ANGLES AND DISTANCES PER DOCUMENT R2006-069433 WHOSE LEGAL DESCRIPTION DID NOT SPECIFY CALLS RELATIVE TO EXISTING SEWER AND STRUCTURES.

E) WATER MAIN EASMENT IS PLOTTED PER ANGLES AND DISTANCES PER DOCUMENT R2006-069433 WHOSE LEGAL DESCRIPTION DID NOT SPECIFY CALLS RELATIVE TO EXISTING WATER MAIN AND STRUCTURES.

F) 44' x 90' DRIVEWAY EASEMENT TO THE VILLAGE OF VILLA PARK-PER LEGAL DESCRIPTION OF EASEMENT ATTACHED TO EASEMENT AGREEMENT; CERTAIN INFORMATION WITHIN EASEMENT AGREEMENT CALL IT A 36' EASEMENT, HOWEVER THE EASEMENT IS PLOTTED HEREON PER THE LEGAL DESCRIPTION AS IT IS THE BELIEF OF THE SURVEYOR THAT REFERENCE TO THE 36' DISTANCE WAS TAKEN FROM THE EXISTING 36' DRIVEWAY IMPROVEMENT SHOWN ON EXHIBIT. THE DRIVEWAY THAT UTILIZED THIS EASEMENT IS NO LONGER EXISTS ON LOT 1 IN CHECKER SUBD. AS IT WAS WHEN EASEMENT WAS CREATED. DOCUMENT HAS NO RECORDING NUMBER, BUT WAS EXECUTED AND NOTARIZED ON JUNE 24, 2005 BY THE TRUSTEES OF SUBJECT PROPERTY AND LOT 1 IN CHEKER'S SUBDIVISION. DOCUMENT TITLED DRIVEWAY-UTILITY EASEMENT AGREEMENT.

G) 15' UTILITIES EASEMENT, DOCUMENT HAS NO RECORDING NUMBER, BUT WAS EXECUTED AND NOTARIZED ON JUNE 24, 2005 BY THE TRUSTEES OF SUBJECT PROPERTY AND LOT 1 IN CHEKER'S SUBDIVISION. DOCUMENT TITLED DRIVEWAY-UTILITY EASEMENT AGREEMENT.

H) 15' WATER MAIN EASEMENT, DOCUMENT HAS NO RECORDING NUMBER, BUT WAS EXECUTED AND NOTARIZED ON JUNE 24, 2005 BY THE TRUSTEES OF SUBJECT PROPERTY AND LOT 1 IN CHEKER'S SUBDIVISION. DOCUMENT TITLED DRIVEWAY-UTILITY EASEMENT AGREEMENT.

PARCEL 1:
THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN CHEKER SUBDIVISION, PER DOCUMENT R79-104683; THENCE NORTH 01 DEGREES 28 MINUTES 19 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 1 PROJECTED NORTHERLY, SAID LINE BEING THE WEST LINE OF ADDISON ROAD, 175.0 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREES 28 MINUTES 19 SECONDS EAST, 133.33 FEET TO A POINT THAT IS 1944.35 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE 89 DEGREES 33 MINUTES 20 SECONDS WEST, ALONG A LINE 1944.35 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST 1/4, 107.53 FEET TO THE WESTERLY LINE OF THE ILLINOIS CENTRAL RAILROAD, A PART OF SAID RIGHT OF WAY BEING FORMERLY KNOWN AS THE RIGHT OF WAY OF ADDISON RAILROAD COMPANY AND PART BEING FORMERLY KNOWN AS THE RIGHT OF WAY OF CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 668.13 FEET, 145.54 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 41 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, 182.82 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN CHEKER SUBDIVISION, AS RECORDED NOVEMBER 20, 1979 AS DOCUMENT NO.R79-104683; THENCE ON AN ASSUMED BEARING OF NORTH 01 DEGREE 12 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF ADDISON ROAD, 175.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 47 MINUTES 46 SECONDS WEST ALONG THE GRANTOR'S SOUTH PROPERTY LINE, 15.11 FEET; THENCE NORTH 00 DEGREES 39 MINUTES 07 SECONDS WEST, 62.75 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 53 SECONDS EAST, 14.51 FEET TO THE WEST LINE OF ADDISON ROAD; THENCE SOUTH 01 DEGREE 12 MINUTES 14 SECONDS EAST ALONG THE WEST LINE OF ADDISON ROAD, 62.61 FEET TO THE POINT OF BEGINNING), IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF A LINE WHICH IS LOCATED 1944.35 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 33 AND NORTH AND WEST OF THE RIGHT OF WAY OF THE ILLINOIS CENTRAL RAILROAD COMPANY, A PART OF SAID RIGHT OF WAY BEING FORMERLY KNOWN AS THE RIGHT OF WAY OF ADDISON RAILROAD COMPANY AND A PART BEING FORMALLY KNOWN AS THE RIGHT OF WAY OF THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY, IN DUPAGE COUNTY, ILLINOIS.

PROPERTY COMMONLY KNOWN AS: 880 N. ADDISON ROAD, VILLA PARK, ILLINOIS

CONTAINING: 451,433.13 SQ. FT.
10.36 AC.

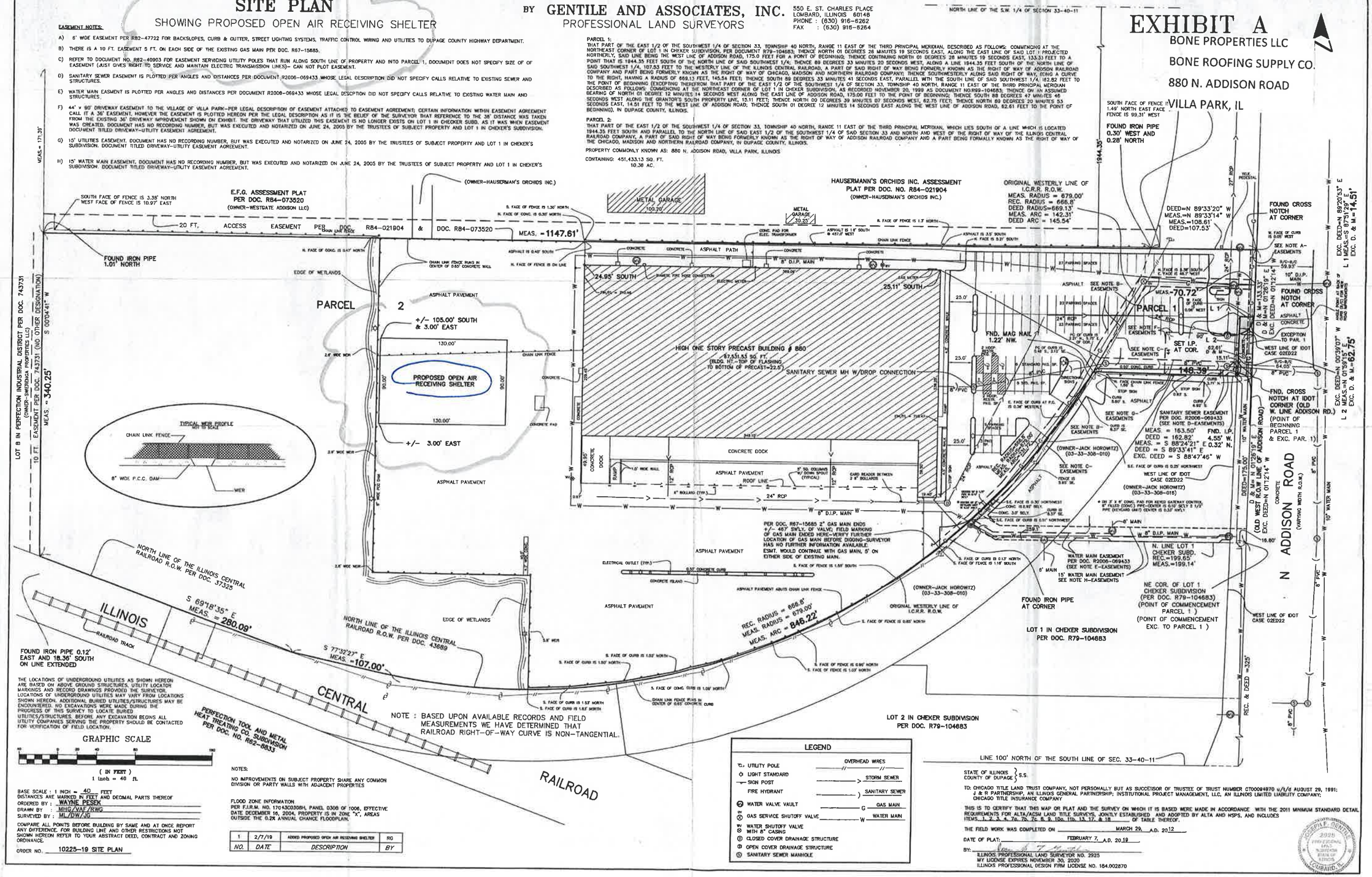
EXHIBIT A

BONE PROPERTIES LLC

BONE ROOFING SUPPLY CO.

880 N. ADDISON ROAD

VILLA PARK, IL



THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES, UTILITY LOCATOR MARKINGS AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. BEFORE ANY EXCAVATION BEGINS ALL UTILITY COMPANIES SERVING THE PROPERTY SHOULD BE CONTACTED FOR VERIFICATION OF FIELD LOCATION.

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

BASE SCALE : 1 INCH = 40 FEET
DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF
ORDERED BY : WAYNE PESEK
DRAWN BY : MHG/VAF/RWG
SURVEYED BY : ML/DW/JG

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

ORDER NO. 10225-19 SITE PLAN

NOTES:

NO IMPROVEMENTS ON SUBJECT PROPERTY SHARE ANY COMMON DIVISION OR PARTY WALLS WITH ADJACENT PROPERTIES

FLOOD ZONE INFORMATION
PER F.I.R.M. NO. 17043C0035H, PANEL 0306 OF 1006, EFFECTIVE DATE DECEMBER 16, 2004, PROPERTY IS IN ZONE "X", AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

NO.	DATE	DESCRIPTION	BY
1	2/7/19	ADDED PROPOSED OPEN AIR RECEIVING SHELTER	RG

LEGEND

- UTILITY POLE
- LIGHT STANDARD
- SIGN POST
- FIRE HYDRANT
- WATER VALVE VAULT
- GAS SERVICE SHUTOFF VALVE
- WATER SHUTOFF VALVE WITH 8" CASING
- CLOSED COVER DRAINAGE STRUCTURE
- OPEN COVER DRAINAGE STRUCTURE
- SANITARY SEWER MANHOLE
- OVERHEAD WIRES
- STORM SEWER
- SANITARY SEWER
- GAS MAIN
- WATER MAIN

STATE OF ILLINOIS } S.S.
COUNTY OF DUPAGE }

TO: CHICAGO TITLE LAND TRUST COMPANY, NOT PERSONALLY BUT AS SUCCESSOR OF TRUSTEE OF TRUST NUMBER CT00094970 u/t/d AUGUST 29, 1991; J & R PARTNERSHIP, AN ILLINOIS GENERAL PARTNERSHIP; INSTITUTIONAL PROJECT MANAGEMENT, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY; CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7a, 7b, 7c, 8, 9, 10a, 11b, 13, 17, & 18 OF TABLE THEREOF.

THE FIELD WORK WAS COMPLETED ON MARCH 29, A.D. 2012

DATE OF PLAT: FEBRUARY 7, A.D. 2019

BY: _____

JOSEPH GENTILE 2925 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS LOMBARD, IL

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2925
MY LICENSE EXPIRES NOVEMBER 30, 2020
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.002870

Ordinance No. 3727

AN ORDINANCE GRANTING AN AMENDMENTTO THE PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 880 NORTH ADDISION ROAD

WHEREAS, the Village of Villa Park, DuPage County, Illinois, is a municipal corporation duly organized and existing under the laws of the State of Illinois; and,

WHEREAS, the President and Board of Trustees of the Village of Villa Park (the "*Corporate Authorities*") have heretofore adopted Ordinance No. 2501 approving a planned unit development (PUD) for the property commonly known as 880 North Addison and legally described on *Exhibit A*, attached hereto and made a part hereof (the "*Subject Property*"); and,

WHEREAS, the Planning and Zoning Commission of the Village of Villa Park conducted a public hearing on December 13, 2012, with regard to a petition to amend the approved PUD after public notice in the form required by law was given by publication, not more than thirty (30) days nor less than fifteen (15) days prior to the hearings, in a newspaper of general circulation in the Village of Villa Park; and,

WHEREAS, the Planning and Zoning Commission of the Village of Villa Park has heretofore filed its report of findings and recommendation that the proposed amendment to the PUD be granted, with certain conditions, with the Corporate Authorities for its review and consideration.

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

Section 1. That the provisions of this Ordinance shall apply to the Subject Property.

Section 2. All exhibits submitted at the public hearing before the Villa Park Planning and Zoning Commission are hereby incorporated by reference and the Corporate Authorities, after serious review, hereby accept the findings and the recommendation of said Planning and Zoning Board regarding the proposed amendment to the Planned Unit Development.

Section 3. That the petition seeking an amendment to the heretofore approved PUD for the Subject Property, as depicted on *Exhibit B* attached hereto and made a part hereof, is hereby approved to permit retail sales, outdoor fuel storage and outdoor storage to a height of twelve (12) feet, subject to the following conditions:

a. Development and operations shall be in accordance with the site plan submitted dated November, 2012.

b. Petitioner will submit all appropriate permits for all upgrades and modifications to the building.

c. Petitioner shall meet all state and local codes relative to the outdoor fuel storage.

d. Petitioner will meet all stormwater and floodplain regulatory requirements.

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

Section 5. This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed this 17 day of December, 2012.

AYES: ALL

NAYS: _____

ABSENT: ~~TRustee Kase~~

Approved this 17 day of December, 2012.

Village President

Attest:

Village Clerk

VILLAGE OF VILLA PARK CORPORATE SEAL DU PAGE COUNTY, ILL.

Published in pamphlet form:

12-17, 2012

EXHIBIT A

Parcel 1:

That part of the East ½ of the Southwest ¼ of Section 33, Township 40 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1 in Cheker Subdivision, per Document R79-104683; thence North 1 degrees 26 minutes 19 seconds East, along the East line of said Lot 1 projected Northerly, said line being the West line of Addison Road, 175.0 feet for a point of beginning; thence continuing North 1 degrees 26 minutes 19 seconds East, 133.33 feet to a point that is 1944.35 feet South of the North line of said Southwest ¼; thence North 89 degrees 33 minutes 20 seconds West, along a line 1944.35 feet South of the North line of said Southwest ¼, 107.53 feet to the Westerly line of the Illinois Central Railroad, a part of said right of way being formerly known as the right of way of Addison Railroad Company and part being formerly known as the right of way of the Chicago, Madison and Northern Railroad Company; thence Southwesterly along said right of way, being a curve to the right, having a radius of 669.13 feet, 145.54 feet; thence south 99 degrees 33 minutes 41 seconds to the East, parallel with the South line of said Southwest ¼, 162.82 feet to the point of beginning, in Dupage County, Illinois.

Parcel 2:

That part of the East ½ of the Southwest ¼ of Section 33, Township 40 North, Range 11, east of the Third Principal Meridian, which lies South of a line which is located 1944.35 feet South of and parallel to the North line of said East ½ of the Southwest ¼ of said Section 33 and North and West of the right of way of the Illinois Central Railroad Company, a part of said right of way being formerly known as the right of way of Addison Railroad Company and a part being formerly known as the right of way of the Chicago, Madison and Northern Railroad Company, in Dupage County, Illinois.

The property is commonly known as 880 North Addison Road, Villa Park, Illinois.

PIN NO.: 03-33-308-015-0000 & 03-33-307-013

VILLA PARK PLANNING & ZONING COMMISSION

20 S. Ardmore Avenue, Villa Park

MEETING AGENDA

December 13, 2012 7:30 pm

- Call Meeting to Order
- Public Participation on Non-Agenda Items
- Public Hearings
  - **Petition PZ-12-0003 Conditional Use for Automobile Sales at 187 East North Avenue, Villa Park (M & L Imports, Petitioner).**
  - **Petition PZ-12-0004 Amendment to Existing PUD to Allow Retail Sales, Outdoor Fuel Storage and Dispensing, and Outdoor Storage to a Maximum Height of 12 feet at 880 North Addison Road, Villa Park (Bone Properties, LLC, Petitioner.)**

  PUBLIC HEARING PROCEDURE: (Please note that no further testimony on this matter can be considered after the close of the public hearing.)
  a. Presentation of Petitioner
  b. Staff Input
  c. Public Participation and Questions
  d. Questions from the Commission
  e. Closing Comments of Petitioner
  f. Close Public Hearing
  g. Discussion by Commission Members
  h. Motion
- Upcoming Public Hearings
- Briefing on Village Board Actions and Related Matters
- Old Business
- New Business
  - Discussion on Signs
- Commissioner Comments
- Staff Comments
- As Appropriate
- Adjournment

MEMORANDUM

TO: Planning and Zoning Commission Members

FROM: Patrick M. Grill, AICP
Director of Community Development

DATE: December 7, 2012

RE: Sign Discussion

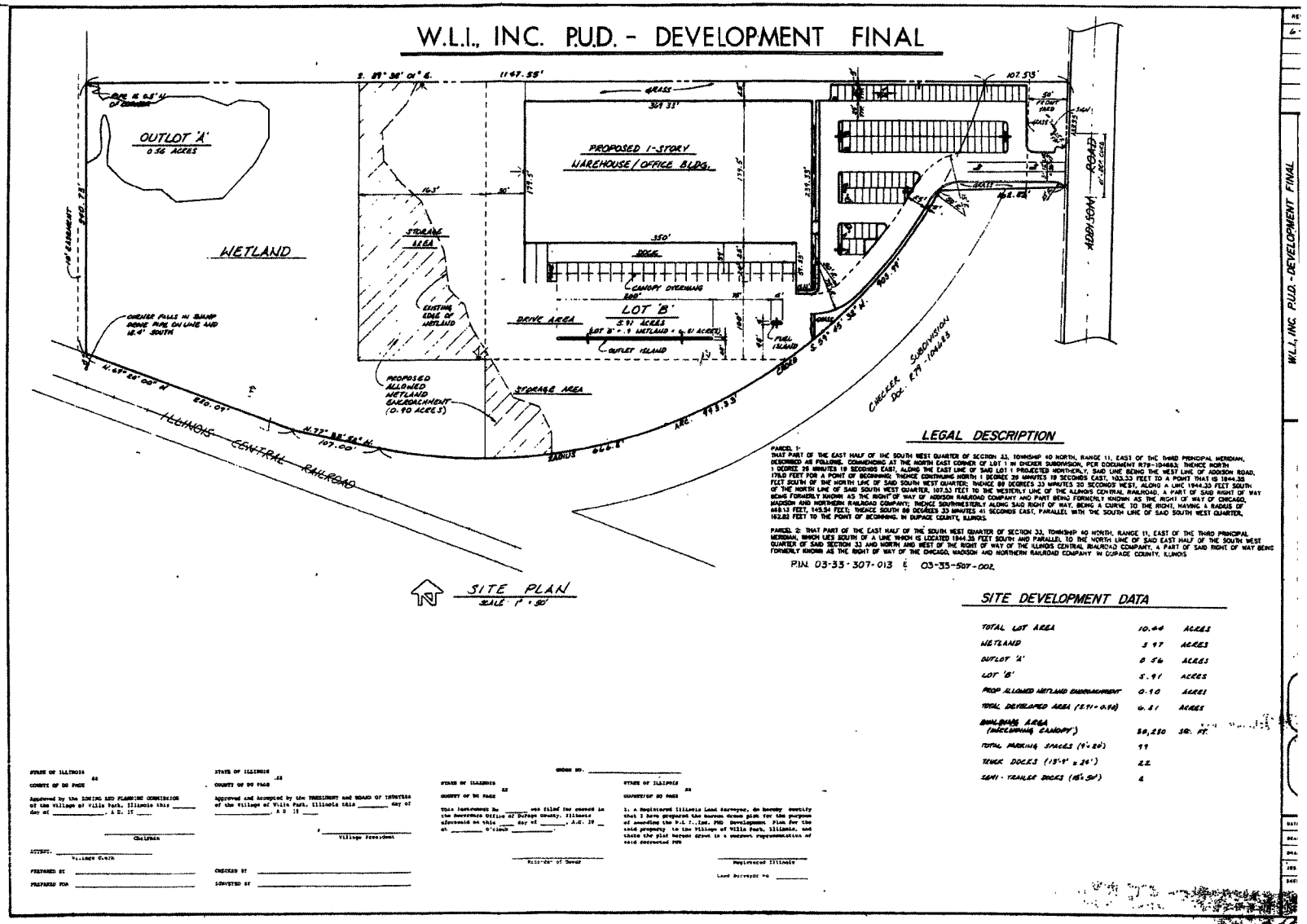
Given my brief tenure in Villa Park to date, I was hoping to have a general discussion on signs and hear what the consensus attitude was towards issues such as electronic message boards and non-conforming signs. Signs can be a contentious issue and I want to make sure that I understand what specific direction there is at it relates to the sign code.

Electronic message boards are becoming more and more accepted in communities. Our current code allows for them, but for specific prohibitions on flashing and movement there are no other restrictions.

The code also calls for an amortization period for non-conforming signs. If you have a copy of the code, or wish to check on-line, go to Article 23.F. of the existing zoning code. Here you will find the specific amortization schedule for non-conforming signs. My question is, "Do you want this enforced?"

I look forward to your comments during this discussion.

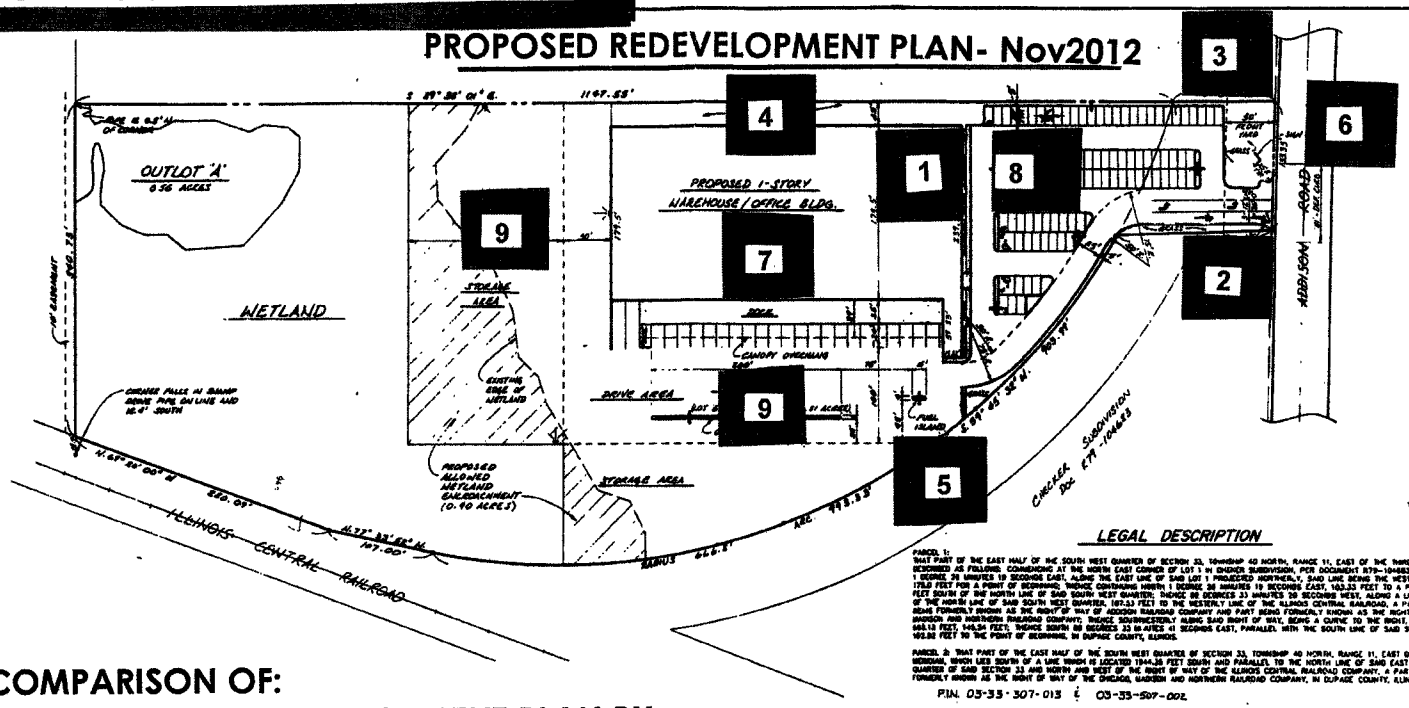
1991 P.U.D. APPROVED FINAL PLAN
Developer: W.L.I., Inc.



W.L.I., INC. P.U.D. - DEVELOPMENT FINAL

APPLICANT:
BONE PROPERTIES, L.L.C./ Developer
BONE ROOFING SUPPLY

PROPOSED REDEVELOPMENT PLAN- Nov2012



LEGAL DESCRIPTION

PARCEL 1:
THAT PART OF THE EAST HALF OF THE SOUTH WEST QUARTER OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH EAST CORNER OF LOT 1 IN CHUNDER SUBDIVISION, PER DOCUMENT R78-104883; THENCE NORTH 1 DEGREE 39 MINUTES 19 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 1 PRODUCED NORTHERLY, SAID LINE BEING THE WEST LINE OF ADDISON ROAD, 175.0 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 1 DEGREE 39 MINUTES 19 SECONDS EAST, 150.25 FEET TO A POINT THAT IS 1944.38 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH WEST QUARTER; THENCE SOUTH 89 DEGREES 33 MINUTES 39 SECONDS WEST, ALONG A LINE 1944.38 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH WEST QUARTER, 187.33 FEET TO THE WESTERLY LINE OF THE ILLINOIS CENTRAL RAILROAD, A PART OF SAID RIGHT OF WAY ROAD FORMERLY KNOWN AS THE RIGHT OF WAY OF ADDISON RAILROAD COMPANY AND PART BEING FORMERLY KNOWN AS THE RIGHT OF WAY OF CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 668.10 FEET, 144.34 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 41 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST QUARTER, 193.82 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE EAST HALF OF THE SOUTH WEST QUARTER OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF A LINE WHICH IS LOCATED 1944.38 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF SAID EAST HALF OF THE SOUTH WEST QUARTER OF SAID SECTION 33 AND NORTH AND WEST OF THE RIGHT OF WAY OF THE ILLINOIS CENTRAL RAILROAD COMPANY, A PART OF SAID RIGHT OF WAY FORMERLY KNOWN AS THE RIGHT OF WAY OF THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 03-33-307-013 & 03-33-307-002

SITE DEVELOPMENT DATA

TOTAL LOT AREA	10.44	ACRES
WETLAND	3.97	ACRES
OUTLOT 'A'	0.56	ACRES
LOT 'B'	5.91	ACRES
PROP ALLOWED WETLAND ENCROACHMENT	0.90	ACRES
TOTAL DEVELOPED AREA (5.91+0.90)	6.81	ACRES
BUILDING AREA (INCLUDING CANOPY)	30,250	SQ. FT.
TOTAL PARKING SPACES (9'x20')	99	
TRUCK DOCKS (13'-9" x 20')	22	
SEMI - TRAILER DOCKS (14'x50')	6	

PROPOSED REDEVELOPMENT PLAN- Nov2012
880 ADDISON ROAD, VILLA PARK, IL.
11/2012

COMPARISON OF:
THE PROPOSED REDEVELOPMENT PLAN BY BONE PROPERTIES, L.L.C. vs. EXISTING P.U.D. DEVELOPMENT OF 880 ADDISON RD.

NOTE: APPLICANT'S PROPOSED REVISIONS ARE HIGHLIGHTED IN RED

Proposed Revisions:

1. Widen Driveway Ingress To East Building Elevation- w/new overhead door entrance/exit into existing building
2. Lane Use Markings on driveway entrance/exit at Addison Road Intersection
3. Enhanced Landscaping at Addison Road setback and building entrance-east side
4. Utilize north 25 ft. driveway width for ingress around building-
5. Install Above Ground Fuel Storage Facility (Diesel, Propane, and future alternate fuels)
6. Install new identification sign in front yard
7. Conduct sales (wholesale & retail)as a roofing supply business- Requires a C-3 Zoning Designation – conditional use of the proposed PUD
8. Construct a canopy at new overhead door
9. Outdoor Inventory Storage- (Special Use) NOT TO EXCEED 12Ft in Height

SPECIAL NOTE: All work to retro-fit the existing building & improvements shall be subject to the Village of Villa Park's review, approval, permits, and inspections

Village of Villa Park

20 South Ardmore Avenue, Villa Park, Illinois 60181-2696

COMMUNITY DEVELOPMENT DEPARTMENT
Director • Patrick M.Grill, AICP

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

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Community Development Staff

DATE: December 7, 2012

RE: **Petition PZ-12-0004 PUD Amendment for Retail Sales, Outdoor Fuel Storage and Outdoor Storage at 880 N. Addison Road, Villa Park (Bone Roofing, Petitioner)**

PETITION: PZ-12-0004 **PETITIONER**: Bone Properties, L.L.C.

STATUS OF PETITIONER: Contract Purchaser

ZONING REQUEST:
The petitioner is requesting to amend the existing PUD on the property to include retail sales, outdoor fuel storage and outdoor storage to maximum height of 12 feet at 880 N. Addison Road:

1. Planned Unit Development pursuant to Article 21

PROPOSED USE: Warehousing and Storage of Roofing Materials and Retail Sales

PRESENT USE/ZONING: Warehousing and Storage of Signage Materials (Highway Technologies)/P.U.D. I

LOT SIZE: Approximately 10.5 acres

PIN: 03-33-307-031 and 03-33-308-015

UTILITES: Sewer and water are available to this lot.

TRAFFIC: A traffic study was not required.

PUBLIC HEARING: December 13, 2012

SURROUNDING ZONING AND LAND USES:

North: M-2 General Manufacturing in the Village of Addison/developed industrially ; and I-1 Light Industrial District in unincorporated DuPage County and developed as a greenhouse by Hausermann Orchids

East: P.U.D. - C/North Park Mall

West: M-2 General Manufacturing in the Village of Addison/developed industrially

South: C-3 Service Business District/Advanced Auto; and R-1 Residence District/Undeveloped (separated by Chicago Central & Pacific tracks)

COMPREHENSIVE PLAN DESIGNATION: Corridor Mixed-Use

RELIEF REQUESTED:

Zoning Request 1: *Special Use pursuant to Section 6.10.A.(14) for planned manufacturing development.*

Petitioner is requesting an amendment to an existing PUD that would allow for retail sales, outdoor fuel storage and outdoor storage to a height of 12 feet at an existing location at 880 N. Addison Road that was granted by Ordinance 2501 on June 1st, 1991. The property has been occupied by Warning Lites/Highway Technologies since its construction in 1993.

FINDINGS OF FACT:

1. **The special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;**
   This has been demonstrated by the following:
   - Property is located in an established industrial area.
   - Principal use of the property conforms to the current zoning.
2. **The location size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, shall be such that it will be in harmony with the appropriate and orderly development of the district in which it is to be located.;**
   This has been demonstrated by the following:
   - The use is consistent with other uses in the area.
   - Parking and circulation areas meet our current standards for parking lots.
   - All access and circulation will occur on the subject property
   - There are no proposed changes to the curb cut onto Addison Road.
3. **The location, nature and height of buildings, walls and fences, and the nature and extent of the landscaping on site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or will not impair the value thereof; and**
   This has been demonstrated by the following:
   - The principal use is permitted in our Industrial Districts.
   - The use is consistent with other uses in the area.

- Cosmetic improvements are proposed to be made to the building.

4. **Parking area shall be of adequate size for the particular use, properly located, and suitable screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances;** This has been demonstrated by the following:
   - Parking and circulations areas meet our current standards for parking lots.
   - There are no proposed changes to the curb cut on Addison Road.
   - Public Works department has not indicated any concerns relative to traffic.

INTERNAL STAFF REVIEW:

Village Manager:	No comments or concerns
Public Works:	Petitioner will have to meet all code requirements for improvements including stormwater, wetland and floodplain regulations.
Fire Chief:	No concerns provided building is upgraded to meet current fire safety regulations and outdoor fuel storage area is constructed according to state and local regulations.
Police Chief:	No comments or concerns
Historic Pres.:	No Comments at the time the staff report was drafted

SUMMARY:
This is a request to amend an existing PUD originally granted in 1991 as Ordinance # 2501. Bone Roofing currently operates at 1950 Narragansett in Chicago. They have outgrown this facility and wish to purchase the property at 880 N. Addison Road to operate it as a warehouse and sales facility. Their operation includes an outdoor fuel storage area and outdoor storage. Pictures of their existing facility have been included to show how Bone maintains their current facility.

In order to occupy the building at 880 N. Addison, Bone Roofing needs the ability to conduct retail sales at this location, construct an outdoor fuel storage area and utilize outdoor storage to a height of 12 feet. Currently our codes are silent as they relate to retail sales in industrially-zoned areas and outdoor fuel storage. Additionally, outdoor storage is permitted to a height of six feet (6').

Rather than rezone to property to commercial which still would have required some type of consideration for warehousing, Staff felt that keeping the property zoned for manufacturing was more prudent since the Village has few large industrially-zoned properties such as 880 N. Addison.

REQUESTED ACTION:
If the Commission finds in support of the applicant's request, the following motion could be entertained:

> To approve Application PZ-12-0004 amending Ordinance 2501 to include retail sales as a permitted use, outdoor fuel storage and outdoor storage to a height of 12' (twelve feet).

For a property located at 880 N. Addison Road. P.I.N 03-33-307-013 & 03-33-308-015

With the following conditions:

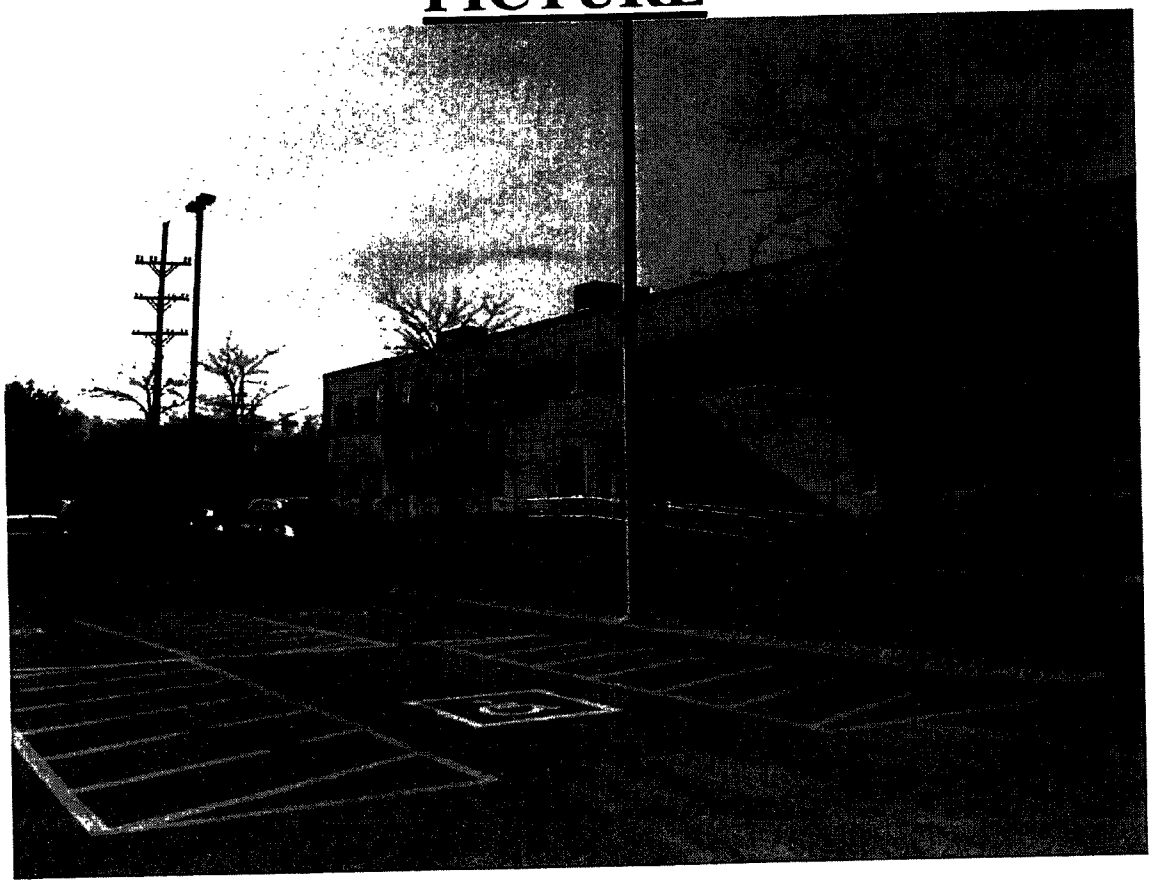
1. Development and operations shall be in accordance with the site plan submitted dated Nov 2012.
2. Petitioner will submit for appropriate permits for all upgrades and modifications to the building.
3. Petitioner will meet all state and local codes relative to the outdoor fuel storage.
4. Petitioner will meet all stormwater and floodplain regulatory requirements.

With a finding of fact that such special use meets the standards enumerated in Article 6.10.D. of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance

PLANNING AND ZONING ACTION:
Majority of quorum.
____AYES, _____NAYS

VILLAGE BOARD VOTE REQUIRED:
Two-thirds of all member of the Village Board.
____AYES, _____NAYS

PICTURE



Village of Villa Park

20 South Ardmore Avenue, Villa Park, Illinois 60181-2696

COMMUNITY DEVELOPMENT DEPARTMENT
Director • Patrick M. Grill, AICP

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

PIN: #1 – 03-33-308-015-0000 Acreage: 10+
#2 – 03-33-307-013-0000
Address: 880 North Addison Road
Zoning: C2 ELU: Warehouse & Sales
FP/Wetlands: Yes, +/- 3 ACRES

Application #/Name:
Hearing Date:
Fee Paid: Date Received:
Received By:

Zoning Request:

RESP: *To amend the existing PUD to allow retail sales, outdoor fuel storage and dispensing and outdoor storage to a maximum height of 12 feet for a roofing supply business.*

Legal Description:

RESP: *See attached "Exhibit A – Gentile ALTA Survey"*

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

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

Bone Properties, LLC /
Print/Signature of Applicant
(Owner/Authorized Agent)

1950 N. Narragansett
Street

Chicago, IL 60639
City, State, ZIP

(773) 237-9740/(773) 237-9844
Phone Number/Fax Number

See Exhibit B – Sales Contract – Signature to follow
Print/Signature of Owner
(If in a trust, trust disclosure form required)

Street

City, State, ZIP

Phone Number/Fax Number

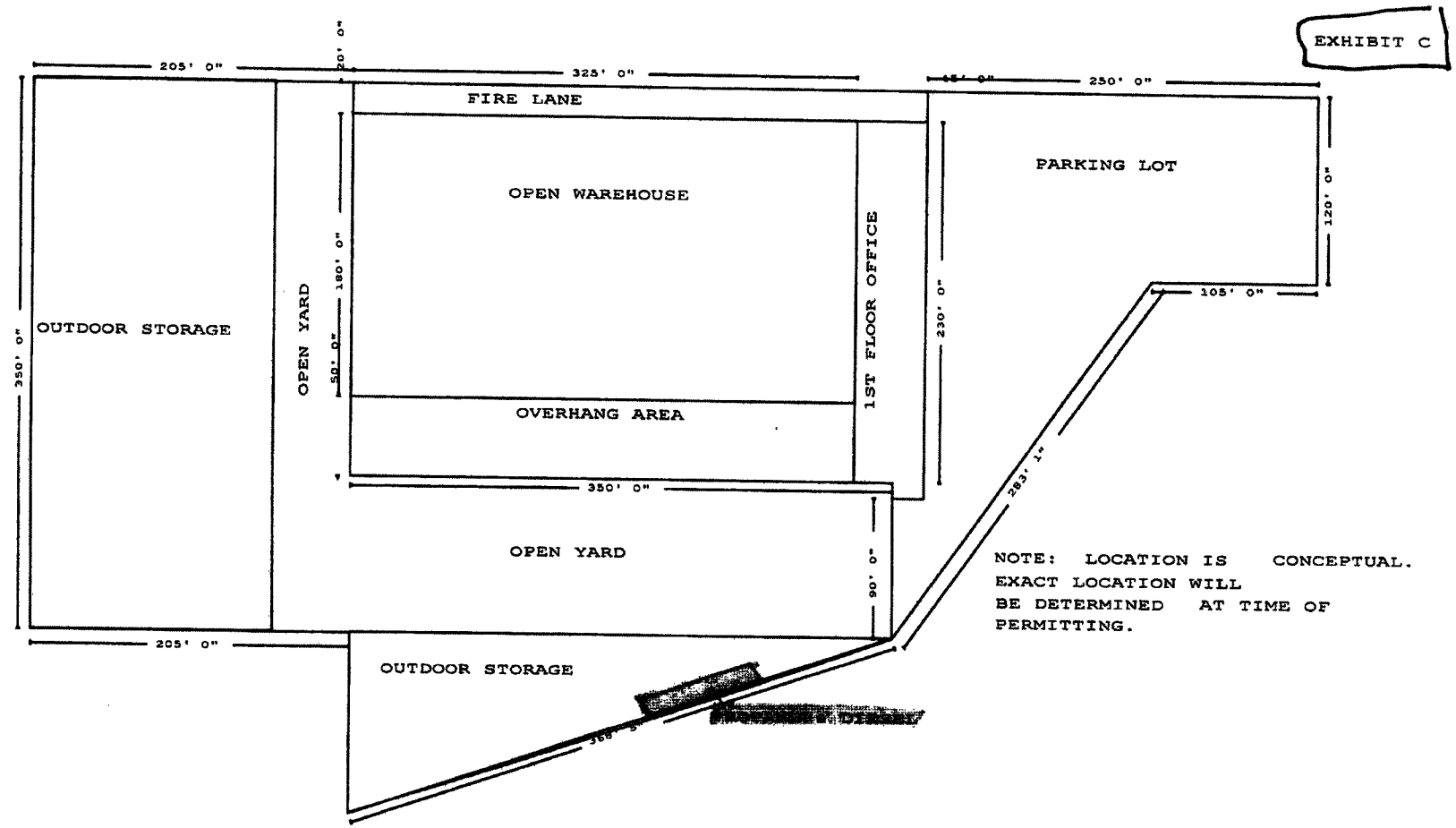
Please Provide Name & Phone Number
Developer: *Bone Properties, LLC (773) 237-9740*
Attorney: *Marc Porter, (312) 251-5272*
Land Planner: *N/A*
Engineer: *TBD*
Architect/ Landscape Architect: *TBD*

Subscribed and sworn to before me this:
13 Day of November, 2012
Notary Public

OFFICIAL SEAL
PATRICIA A O'KEEFE
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/21/16

Checklist for the Planning & Zoning Commission Applicants

EXHIBIT C



NOTE: LOCATION IS CONCEPTUAL. EXACT LOCATION WILL BE DETERMINED AT TIME OF PERMITTING.

BONE ROOFING SUPPLY
1950 N Narragansett
Chicago, Il 60639
(773)237-9740
FAX(773)237-9844

Contractor: Contractors Job #

Designer:

PROJECT: 880 ADDISON

Tapered ISO

Slope DATE: 11/12/12

MIN: MAX:

Scale: Job #

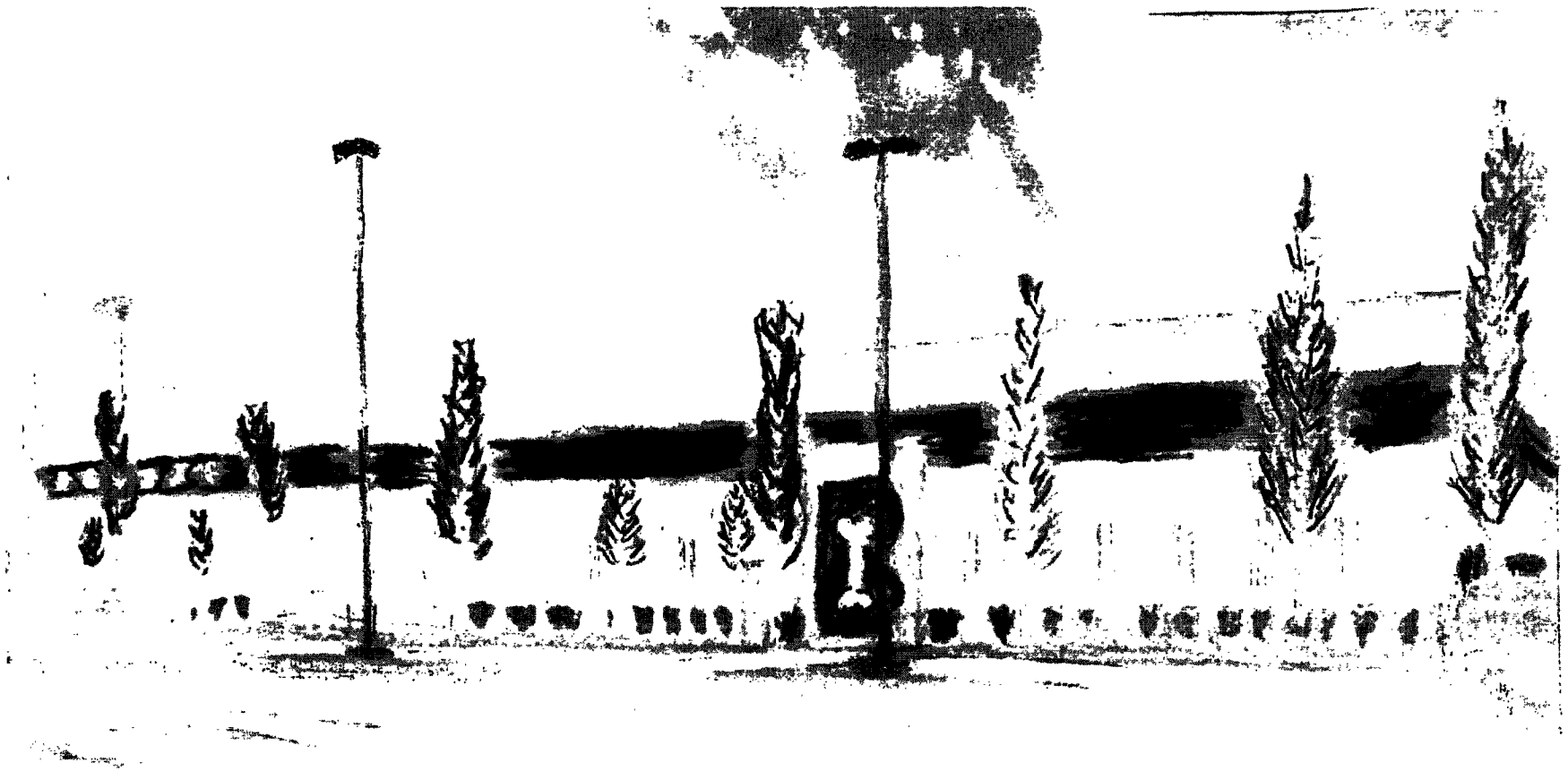
Exhibit D

Exhibit D

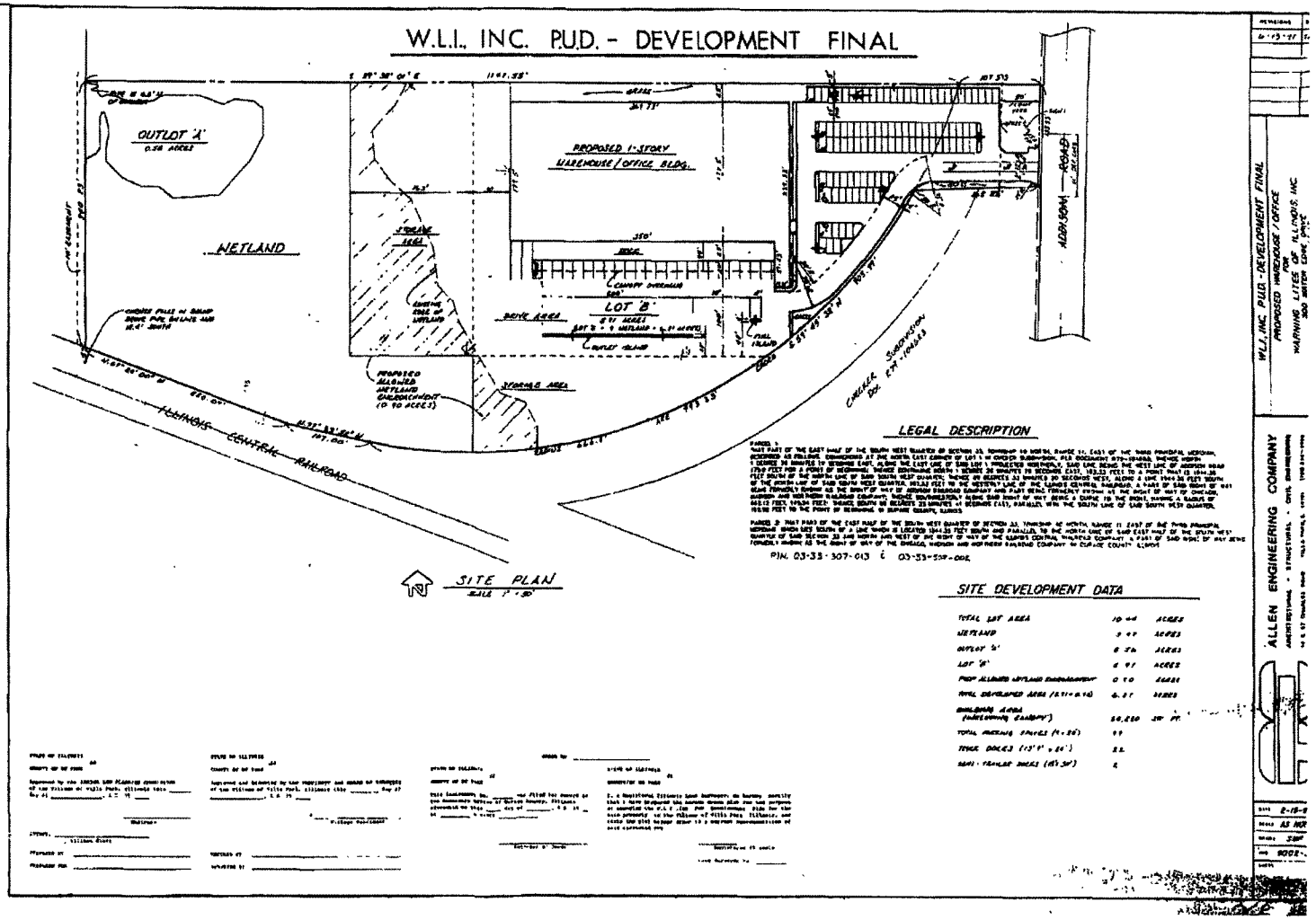
Exhibit D


Exhibit D

EXHIBIT E



1991 P.U.D. APPROVED FINAL PLAN
Developer: W.L.I., Inc.



BONE ROOFING SUPPLY CO
2021 STORAGE SHELTER

880 N. Addison Road
Villa Park, IL.

General Conditions

-GENERAL CONDITIONS OF CONSTRUCTION TO BE PER LATEST EDITION OF AIA DOCUMENT A201
-ANY DISCREPANCIES IN DRAWINGS, SPECIFICATIONS OR WITH FIELD CONDITIONS SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.
-ALL WORK TO BE IN CONFORMANCE WITH ALL APPLICABLE MUNICIPAL, COUNTY, STATE AND FEDERAL ORDINANCES, REGULATIONS, CODES AND AMENDMENTS
-DO NOT SCALE FROM DRAWINGS.

General Notes

1. COMPLY WITH CODES, LAWS, ORDINANCES AND REGULATIONS OF PUBLIC AUTHORITIES GOVERNING THE WORK.
2. OBTAIN AND PAY FOR PERMITS AND INSPECTIONS REQUIRED BY PUBLIC AUTHORITIES.
3. REVIEW DOCUMENTS, VERIFY DIMENSIONS AND FIELD CONDITIONS AND CONFORM THAT WORK IS BUILDABLE AS SHOWN. REPORT ANY CONFLICTS OR OMISSIONS TO THE ARCHITECT FOR CLARIFICATION PRIOR TO PERFORMING AN WORK IN QUESTION.
4. SUBMIT REQUESTS FOR SUBSTITUTIONS, REVISIONS OR CHANGES TO ARCHITECT FOR REVIEW PRIOR TO PURCHASES, FABRICATION OR INSTALLATION.
5. COORDINATE THE WORK WITH THE OWNER, INCLUDING SCHEDULING TIME AND LOCATION FOR DELIVERIES, BUILDING ACCESS, USE OF BUILDING SERVICES AND FACILITIES, AND USE OF ELEVATORS. MINIMIZE DISTURBANCE OF BUILDING FUNCTIONS AND OCCUPANTS.
6. TENANT WILL PROVIDE WORK NOTED "BY OTHERS" OR "NIC" UNDER SEPARATE CONTRACT. INCLUDE SCHEDULE REQUIREMENTS IN CONSTRUCTION PROGRESS SCHEDULE AND COORDINATE TO ASSURE ORDERLY SEQUENCE OF INSTALLATION.
7. COORDINATE TELECOMMUNICATIONS, DATA, AND SECURITY SYSTEM.
8. MAINTAIN EXITS, EXIT LIGHTING, FIRE PROTECTION DEVICES, AND ALARMS IN CONFORMANCE WITH APPLICABLE CODES AND ORDINANCES.
9. PROTECT AREA OF WORK AND ADJACENT AREAS FROM DAMAGE.
10. MAINTAIN WORK AREAS SECURE AND LOCKABLE DURING CONSTRUCTION. COORDINATE WITH TENANT AND LANDLORD TO ENSURE SECURITY.
11. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. IN CASE OF CONFLICT, CONSULT ARCHITECT.
12. PARTITIONS ARE DIMENSIONED FROM FINISHED FACE TO FINISHED FACE UNLESS NOTED OTHERWISE. MAINTAIN DIMENSIONS MARKED "CLEAR" OR "HOLD". ALLOW FOR THICKNESS OF FINISHES.
13. ENSURE SURFACES TO RECEIVE FINISHES ARE CLEAN, TRUE AND FREE OR IRREGULARITIES. DO NOT PROCEED WITH WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED.
14. FLOOR FINISH TRANSITION TO OCCUR AT CENTERLINE OF DOOR.

Applicable Codes

This list of Building and Fire Codes were adopted on March 9, 2020 and went into effect on April 1, 2020, as adopted and amended through Ord. 4137, with local amendments:
2015 International Building Code
2015 International Residential Code
2015 International Mechanical Code
2015 International Fuel Gas Code
2014 Illinois Plumbing Code
2014 National Electrical Code
2018 Illinois Accessibility
2018 International Energy Conservation Code
2015 International Existing Building Code
2015 International Fire Code
2015 Property Maintenance Code
2015 Swimming Pool and Spa Code

Project Data

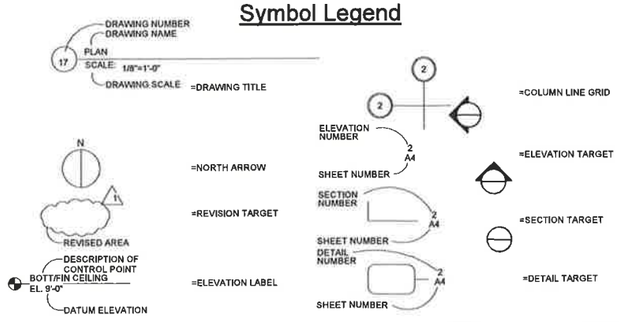
CONSTRUCTION TYPE: IIB
USE: S2 LOW HAZARD STORAGE
PROPOSED STRUCTURE: 10,400 SF
EXISTING STRUCTURE: 80,877 SF (PER SURVEY)

PROJECT SCOPE:
INSTALL NEW PRE-ENGINEERED FREE-STANDING SHELTER STRUCTURE WITHOUT WALLS IN EXISTING OPEN STORAGE LOT. EXISTING PAVEMENT TO BE RESTORED. NO CHANGE TO GRADING OR IMPERVIOUS AREA

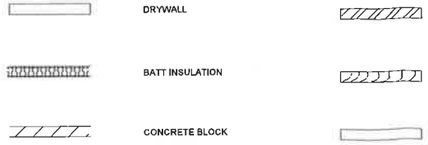
Location Map



Symbol Legend



Material Legend



Drawing Sheet Index

Sheet No.	Sheet TItle	Current Revision	Current Revision Description	Issue Date
ARCHITECTURAL				
T1	TITLE SHEET	1	Revision 1	11.30.2021
A1	SITE PLAN	1	Revision 1	11.30.2021
A2	PLANS	1	Revision 1	11.30.2021
A3	ROOF PLAN	1	Revision 1	11.30.2021
A4	ELEVATIONS			11.30.2021
STRUCTURAL				
S1	FOUNDATION PLAN AND NOTES	1	Revision 1	11.30.2021
S2	FOUNDATION DETAILS	1	Revision 1	11.30.2021

Architect's Certification

I HEREBY CERTIFY THAT THESE PLANS AND SPECIFICATIONS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE COMPLY WITH ALL APPLICABLE BUILDING CODES OF THE CITY OF CHICAGO, ILLINOIS

SIGNED:
STATE OF ILLINOIS LICENSE #001.019145

Illinois Design Firm Registration Number
Timothy Bennett Architects, PC
#184-007554 Exp. April 30, 2023

STATE OF ILLINOIS
TIMOTHY RYSER BENNETT
1-19145
LICENSED ARCHITECT
12.17.2021
exp 11.30.2022

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-DO NOT SCALE FROM DRAWINGS

No.	Description	Date
1	Revision 1	12.17.2021

Bone Roofing Supply Co.

2021 Outdoor Storage Shelter

880 N. Addison Road
Villa Park, IL.

TITLE SHEET

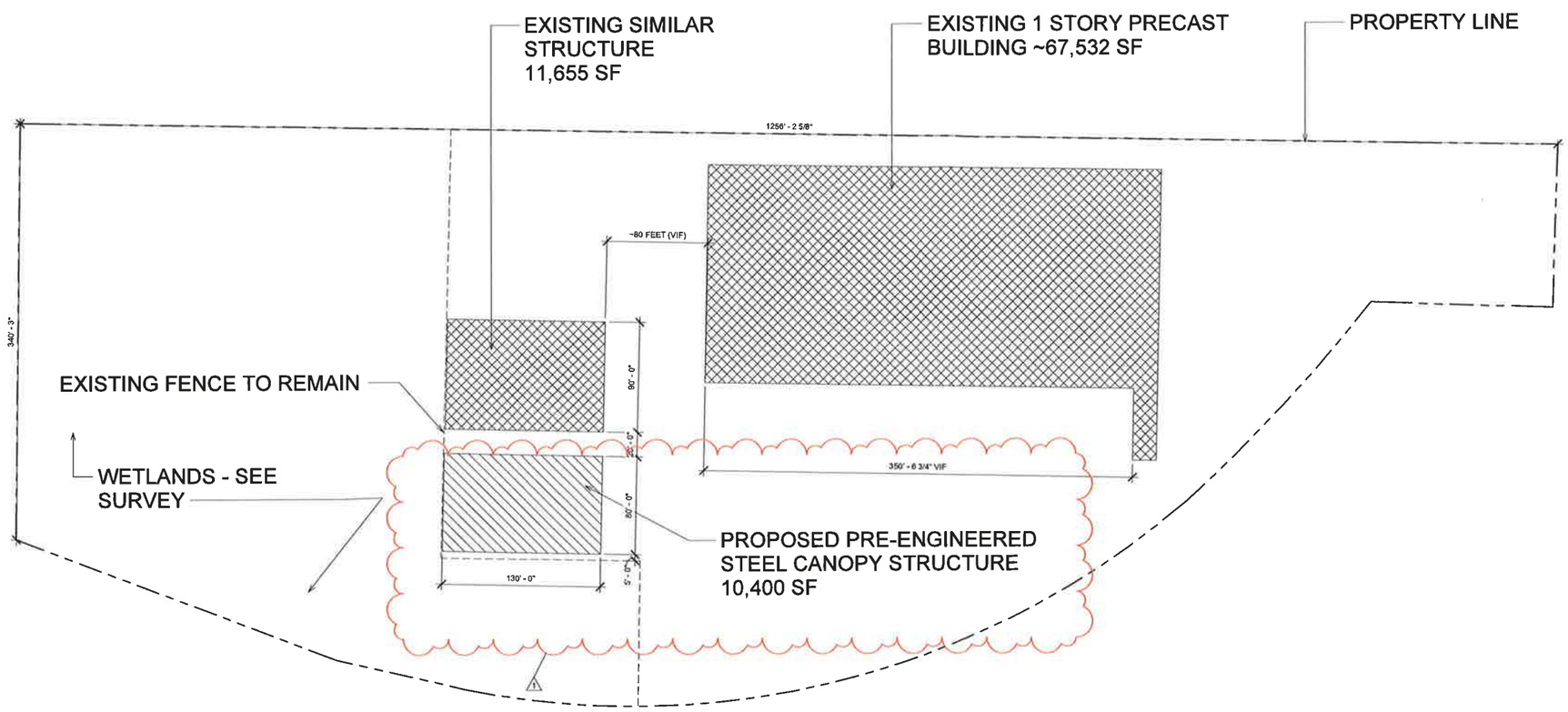
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Project number	21115
Date	11.29.2021
Drawn by	TRB
Checked by	TRB

T1

Scale

12/17/2021 11:54:39 AM



① Site
1" = 50'-0"

0' 25' 50' 100' 200'

NORTH

12/17/2021 11:54:39 AM

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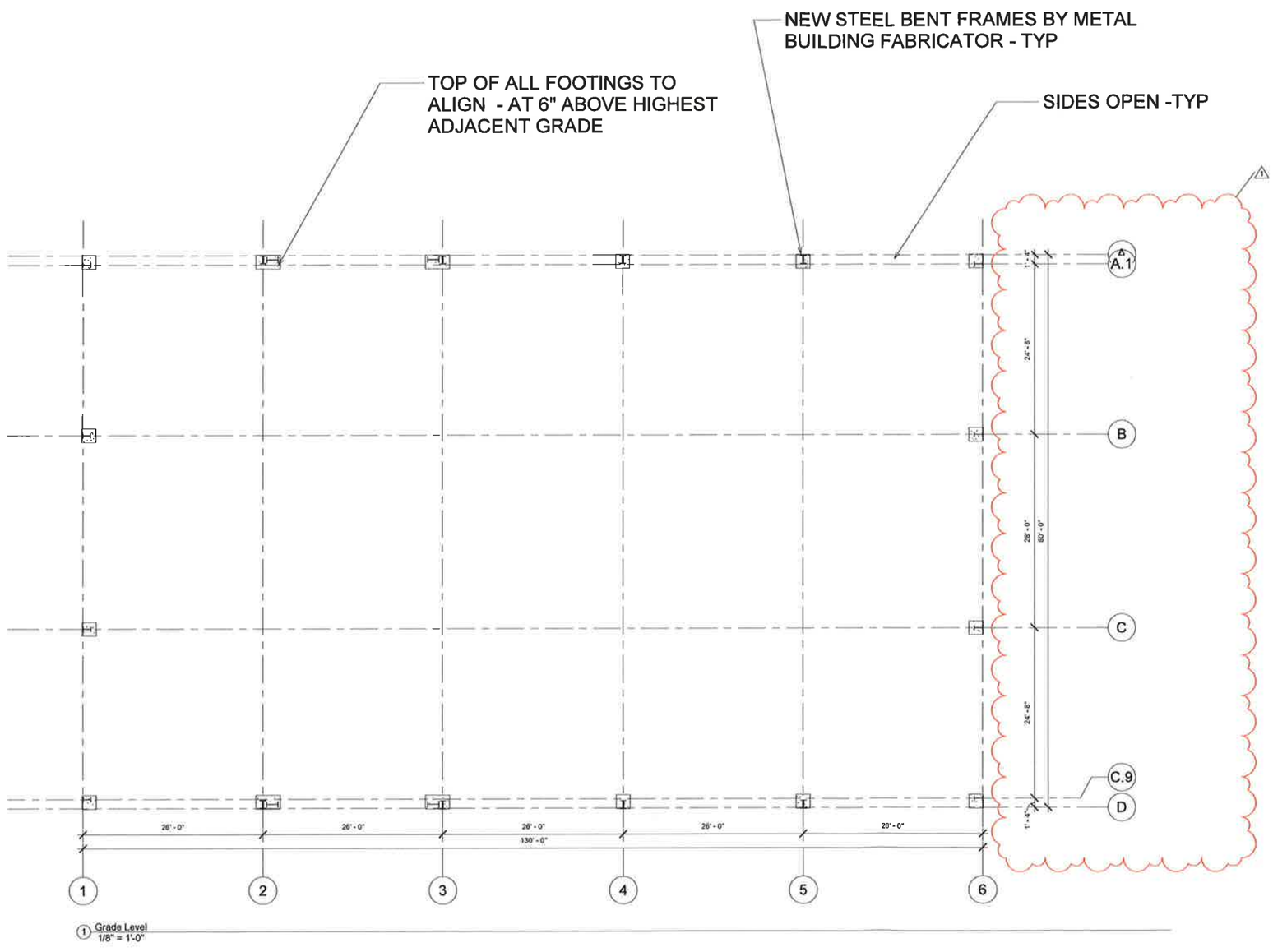
SITE PLAN

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A1

Scale 1" = 50'-0"



1 Grade Level
1/8" = 1'-0"

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2021 Outdoor Storage Shelter

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Villa Park, IL.

PLANS

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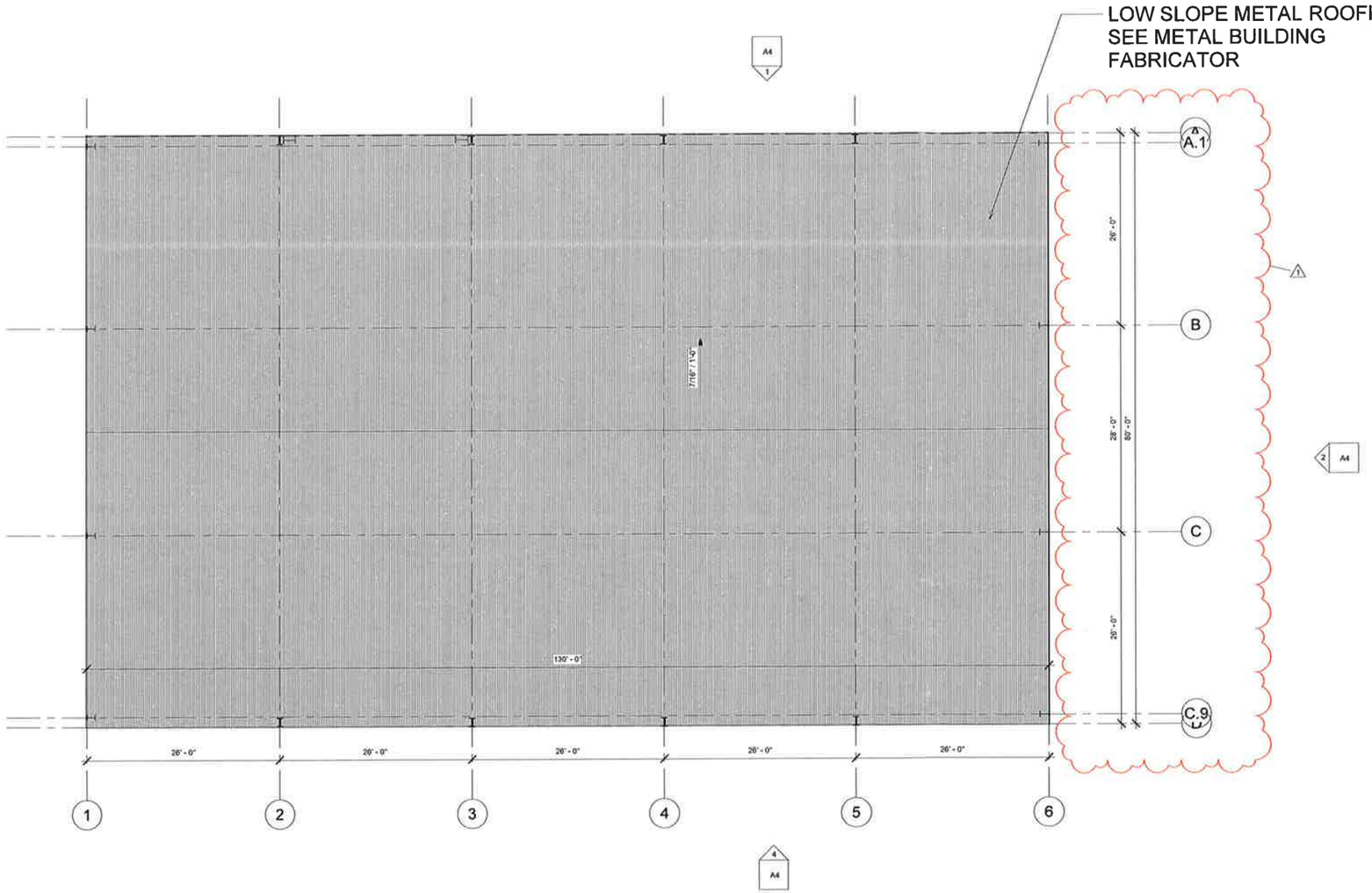
A2

Scale 1/8" = 1'-0"

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1 Roof
1/8" = 1'-0"

NORTH

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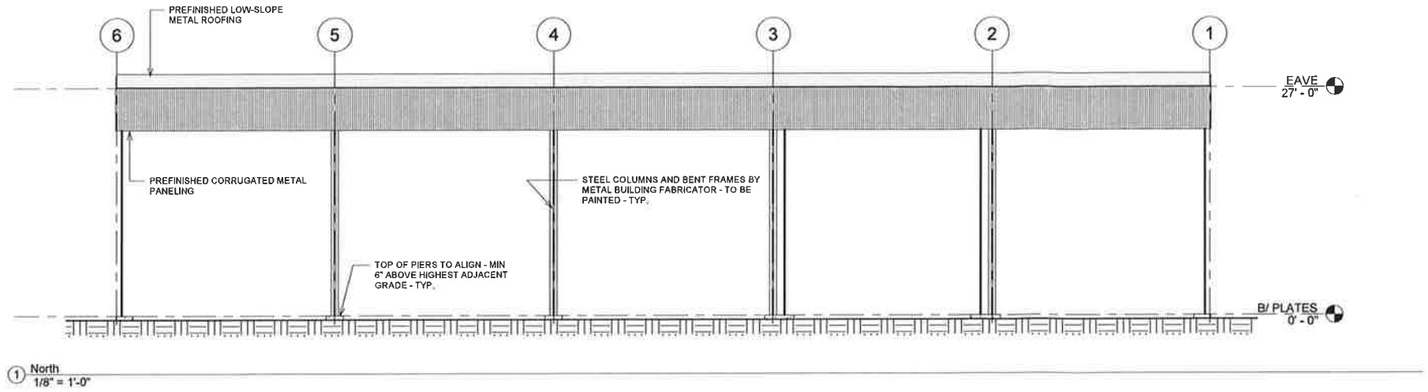
ROOF PLAN

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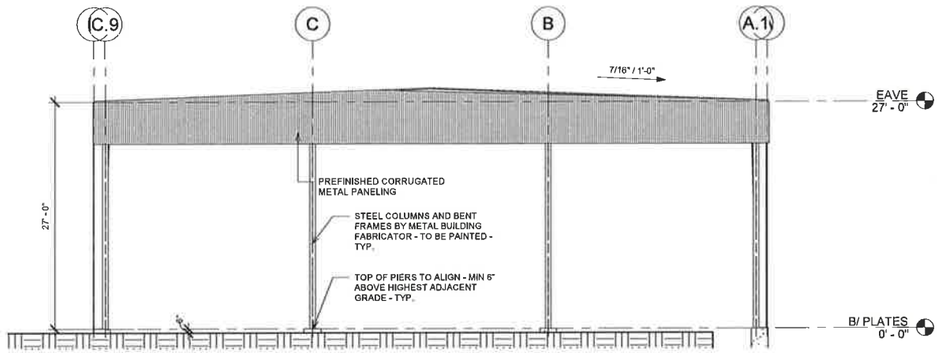
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A3

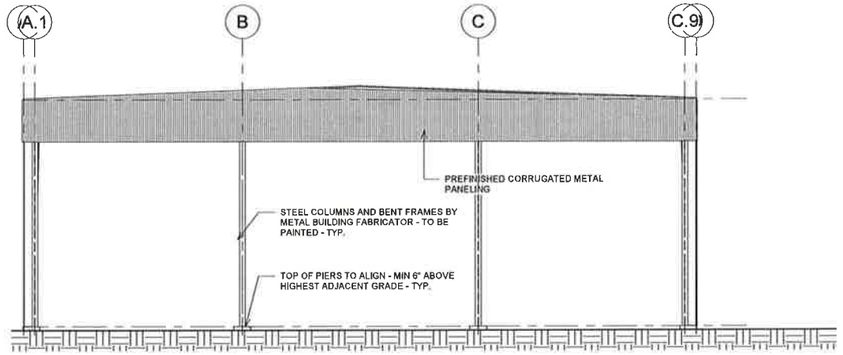
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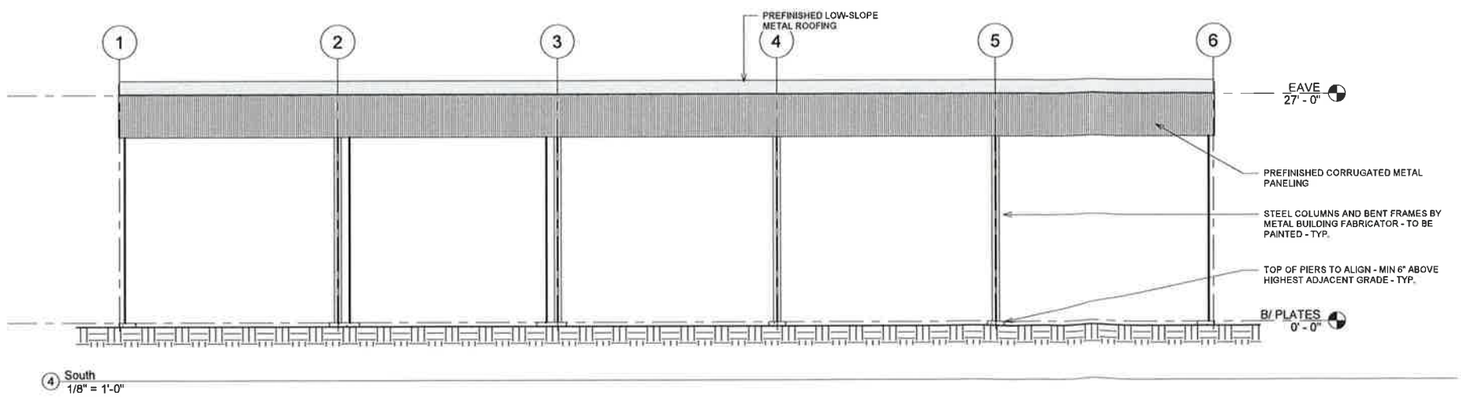
1 North
1/8" = 1'-0"



2 East
1/8" = 1'-0"



3 West
1/8" = 1'-0"



4 South
1/8" = 1'-0"

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Bone Roofing Supply Co.

2021 Outdoor Storage Shelter

880 N. Addison Road
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ELEVATIONS

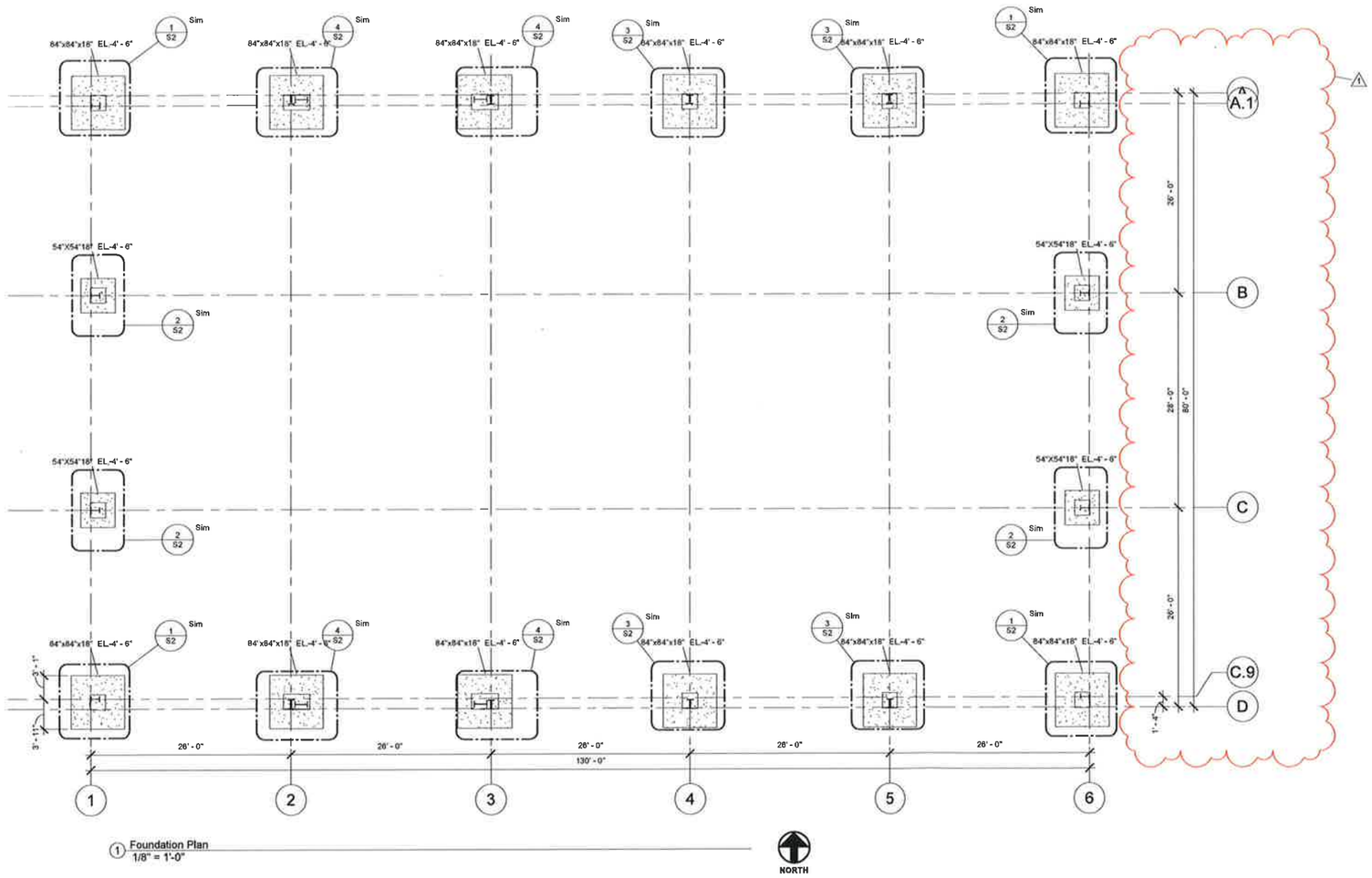
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Project number	21115
Date	11.29.2021
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A4

Scale 1/8" = 1'-0"

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1 Foundation Plan
1/8" = 1'-0"

NORTH

STRUCTURAL NOTES

FOUNDATIONS:
Maximum allowable soil pressure is assumed to be 3000 PSF. General Contractors soils engineer shall verify the design soil pressure at the required bearing depths in a letter/report to the Architect and Structural Engineer after footing excavations are complete and prior to pouring foundation concrete. Remove all topsoils and unsuitable fills within the building area. The soil report indicates some over-dig and compacted backfill may be required. Engineered backfill required to establish foundation and slab bearing grades shall be with materials as recommended by the geotechnical engineer. Engineered backfill lifts and compaction shall be monitored and tested by the General Contractors geotechnical engineer with results submitted in a letter/report to the Architect and Structural Engineer for review. General Contractor shall provide all sheathing, bracing and pumping required to install foundations as shown and to keep the excavated area dry and free of water.

CONCRETE:
Concrete shall have a minimum ultimate compressive strength of 3000 psi (4000 psi for flatwork) at 28 days. Reinforce all concrete walls and provide #5 at 16" on center x 4'-0" horizontal corner bars at all intersecting walls. Provide air- entrainment additives for all exposed finish concrete such as sidewalks and pavements.

REINFORCING STEEL:
Use A.S.T.M. A615 - GRADE 60 reinforcing steel with detailing, laps and clearances conforming to the requirements of the latest edition of the A.C.I. Building Code (318). Use plastic tipped or galvanized concrete accessories.

GENERAL:
All structural design and drawing utilize the "International Building Code" as required. Locations and types of all joints, concrete pours and mechanical openings shall be coordinated by the General Contractor for review by the Architect and Structural Engineer. All existing conditions shall be jobsite measured and surveyed prior to any new material fabrication.

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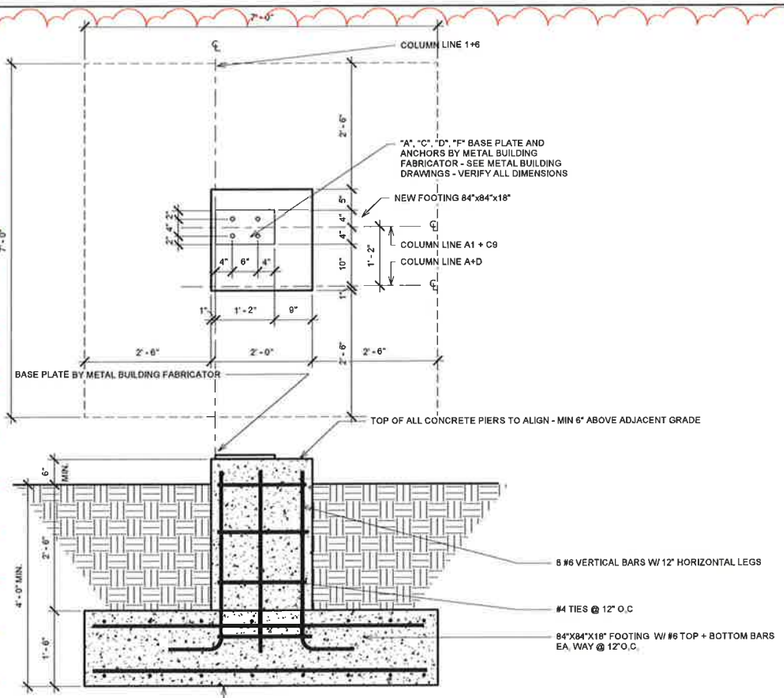
FOUNDATION PLAN AND NOTES

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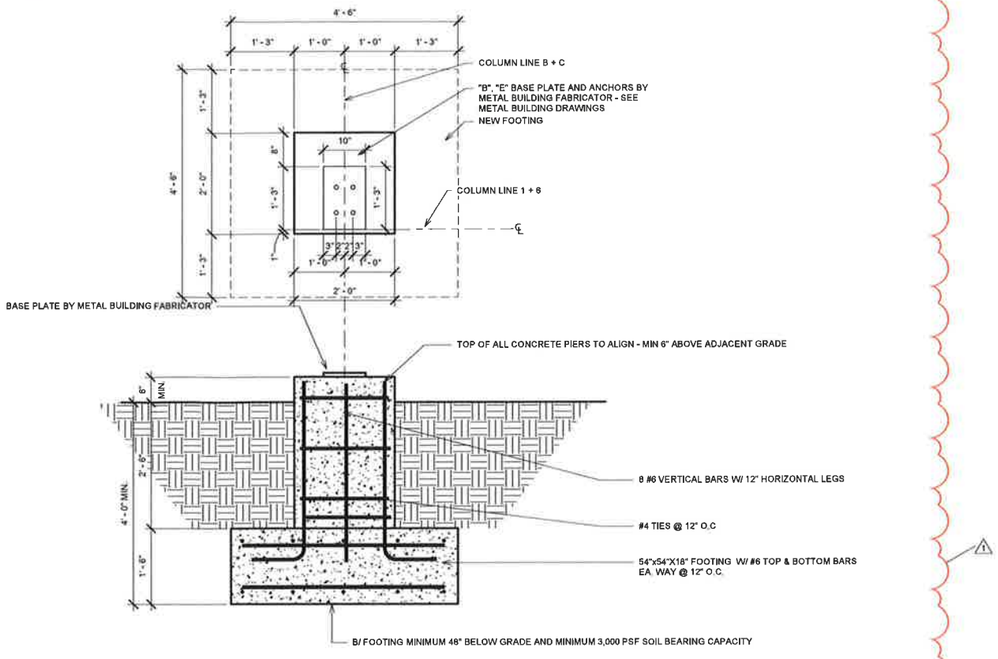
Project number	21115
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Scale	1/8" = 1'-0"

S1

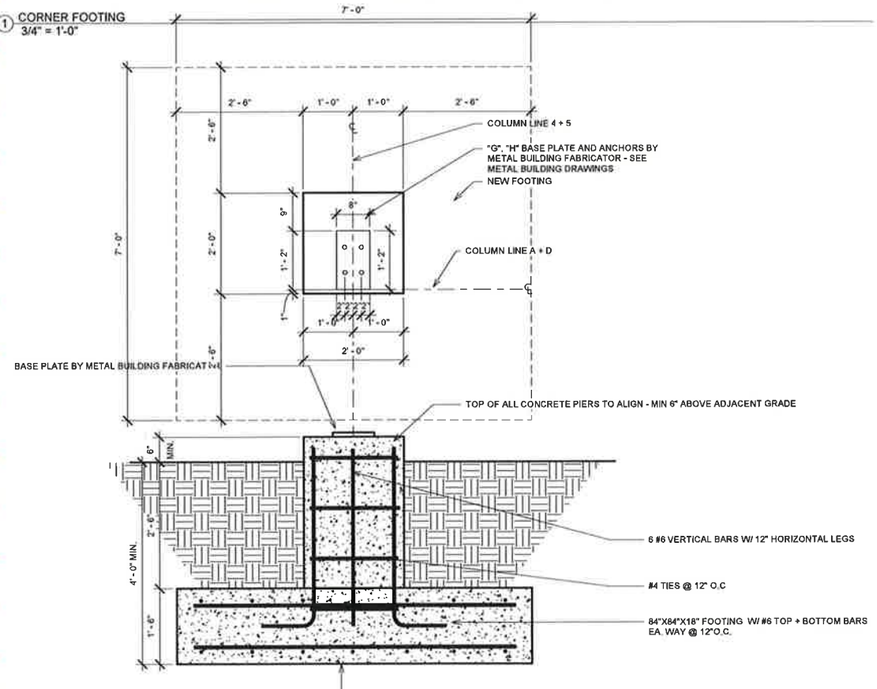
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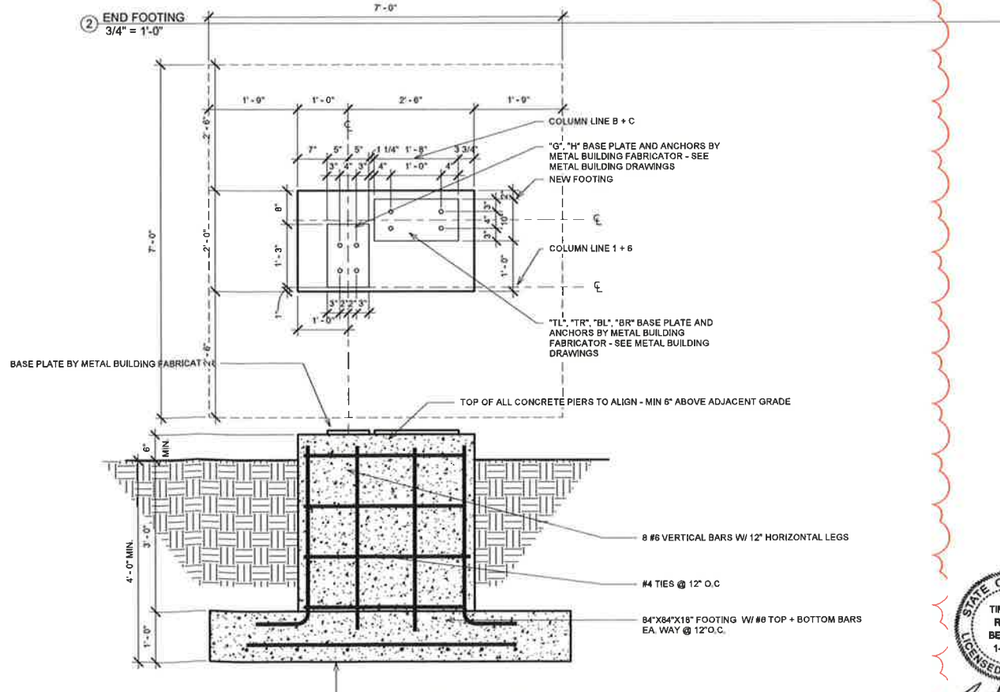
① CORNER FOOTING
3/4" = 1'-0"



② END FOOTING
3/4" = 1'-0"



③ SIDE FOOTING
3/4" = 1'-0"



④ BRACING BAY FOOTING
3/4" = 1'-0"

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Villa Park, IL.

FOUNDATION DETAILS

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S2

Scale 3/4" = 1'-0"

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1-19145
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Planning and Zoning Commission Agenda Item Report

Meeting Date: March 10, 2022
Submitted by: Pat Boksha
Submitting Department: Planning and Zoning Commission
Item Type: Business (Commission Only)
Agenda Section: Other Business (Public Comments on Non-Agenda Items)

Subject:
Presentation Item:
Petition PZ-22-0001 / 100-110 S. Villa Avenue / Concept Plan Presentation by Petitioner for proposed mixed use Development / The Union / Catalyst Partners and Marquette Companies (Petitioner).

Suggested Action:

Attachments:
PZ-22-0001 Concept Plan Memo 031022.pdf

Village of Villa Park

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

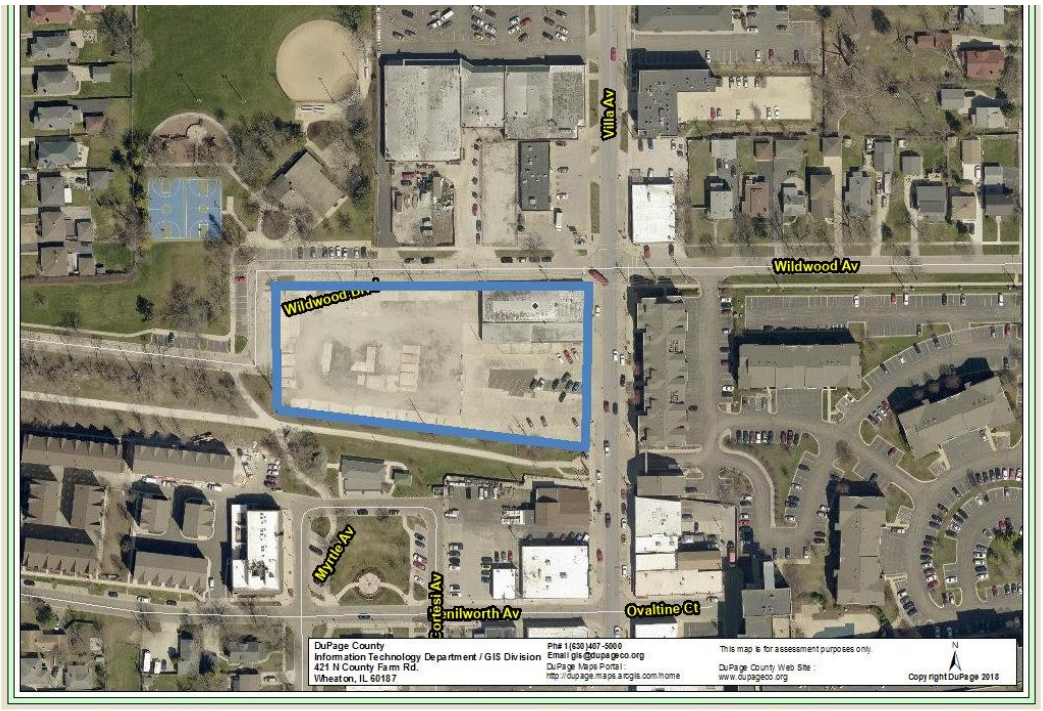
TO: Planning & Zoning Commission
FROM: Community Development Department
Economic Development Department
DATE: March 3, 2022
RE: Petition PZ-22-0001 / 100-110 S. Villa Avenue / Concept Plan Presentation / The Union / Catalyst Partners and Marquette Companies (Petitioner)

Catalyst Partners and Marquette Companies are proposing Development a mixed-use, high density residential project for 100 – 110 S. Villa Avenue. The $50 million project, The Union, would consist of 215 market rate apartments, approximately 8,000 sf of commercial space and 425 parking stalls (100 spaces for public use).

The development team is experienced. Local projects include the Water Street District in downtown Naperville and the Marq on Main in downtown Lisle. They conducted a community engagement meeting at the Community Recreation Building February 24.

A Planned Unit Development (PUD) is proposed. Per the four part process for PUD development is outlined in **SEC. 11.3. - PLANNED UNIT DEVELOPMENT** of the Zoning Ordinance, the Developer will present their concept plan to the Commission for informal review. The Commission is asked to provide constructive feedback to the petitioner, as set forth in section 11.3.6. The purpose of the concept PUD plan is to enable the applicant to obtain the informal feedback from the planning and zoning commission regarding the overall project concept, density and dwelling unit or land use type prior to spending considerable time and expense in the preparation of detailed PUD plans.

Development Site



Planning and Zoning Commission Agenda Item Report

Meeting Date: March 10, 2022
Submitted by: Pat Boksha
Submitting Department: Planning and Zoning Commission
Item Type: Business (Commission Only)
Agenda Section: Other Business (Public Comments on Non-Agenda Items)

Subject:
Discussion Items.
Informal discussion of potential amendments to the Village Zoning Ordinance.

Suggested Action:

Attachments:
Discussion Items 2022 Text Amendments.pdf

Village of Villa Park

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

TO: Planning & Zoning Commission
FROM: Ellen Weber, Interim Director Community Development
DATE: March 10, 2022
RE: Informal discussion of potential amendments to the Village Zoning Ordinance

---

The Commission is asked to hold informal discussion on several potential Text Amendments. A few were first discussed in early 2021 and put aside for future consideration. A few have come up in the past 60 days. Please review and provide direction to Staff if these should be pursued.

1. Drive width

This was first discussed in 2021, with proposal to modify as follows:

- Article 7 Parking, **Section 7.8.4.B** – Revising driveway width from 22' to 24' when leading to two (2) or more parking spaces
- Article 7 Parking, **Section 7.8.5** – Revising circular driveway width from 10' to 12' and amending required landscaping to evergreen along the entire length of circular drive

2. Private service walk width and encroachment

This was first discussed in 2021, with proposal to modify as follows:

- Article 14 Measurements and Definitions – **Section 14.1.9** – Adding maximum 5' sidewalk width unless connecting to existing sidewalks which are wider in which case the width shall be the same as the existing sidewalk.
- Article 2 Other Regulations, **Section 2.6.5** . – New section to reference permitted obstructions found in **Section 14.1.9**, Table 13-1

Would the Commission also like to include a requirement that service walks be placed at least 2 feet from the interior side yard and not adjacent to a residential property as it can contribute to basement seepage?

I note that landscape requirements in the Zoning Ordinance Article 9.1.2 Applicability apply only to mixed use developments and multi-family developments with 3 or more units per lot and not to detached single family homes and duplexes. Is there interest in requiring foundation landscaping between a service walk and a home when new sidewalks would be installed?

3. 2nd Accessory structure in the residential districts –

This was first discussed in 2021, with a proposal to modify as follows:

- In addition to garage, amend to allow for up to 2 accessory structures, such as pergolas, gazebos, sheds.

- Increase permitted square footage to accommodate current trends-many prefab structures exceed 140 sq.ft.

Also discussed at that time, the maximum lot coverage (impervious site coverage) was updated.

4. Fee-in-lieu of public parking in certain business districts

This is a new topic. Development of certain business districts such as along Villa and Ardmore will attract restaurant users and others who may ask for a waiver of parking requirements. Some towns have introduced a "fee-in-lieu" concept which recognizes the shared element of public parking and that parking is "not free." Within a geographic area, businesses may petition for parking requirements to be waived under certain conditions. New development which would trigger parking requirements may not reducing existing number of spaces, and the developer/business owner would pay a dollar amount for each needed parking place. Sometimes this is within a Special Service Area. The funds would be used by the municipality to maintain, beautify, and / or construct public parking.

Is there interest in pursuing such a concept? If so, Community Development staff would work with Public Works and our Economic Development Director to bring a recommendation back for consideration.

5. Deck encroachments in side yards

This is a new topic. **Section 14.1.9 Setbacks** only permits decks in the rear yard. Decks may not project more than 25% of a required setback depth and must be set back at least five feet from a side lot line.

A homeowner of a property with Kenilworth as a corner side yard has asked to build a deck in the side yard. Due to placement of a detached garage in her rear yard it is not possible to place a deck on the rear of the house. The required linear length of the front yard is a minimum of 50' and due to the triangular nature of the lot, the front yard is 90+ feet, almost that a double lot, plus landscaping already exists along the corner side yard, the deck would not create externalities for a neighbor.

Looking at an aerial, you can see the row of triangular lots on Kenilworth:



Is there interest in considering an amendment to permit decks in the side yard as a special, or permitted use when the closest lot line (to which the house is sited) is 150% or more of required linear length? For some the front yard is longer, for others it is the rear yard.