

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

January 10, 2019

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

November 29, 2018. PZ-18-0011 Cannabis Dispensing Organizations Special Use in C-3.
December 13, 2018. PZ-18-0010 Rezoning and Annexation of Property at 17W411
Manor Lane. December 13, 2019 Pre-Application for Delta Sonic.

2a. Zoning & Planning Commission

[Minutes. PZ-18-0011.pdf](#)

[Minutes PZ-18-0010.pdf](#)

[Minutes Pre-Application 12 13 2018.pdf](#)

3. Business

Petition PZ-17-0016 Consideration for Final Commercial Planned Unit Development Plan at 5-55 E. North Avenue, Petitioner, Richard J. McMahon.

4. Public Hearing(s)

Please note that no further testimony on a matter can be considered after the close of the public hearing. a. Presentation of Petitioner b. Staff Input c. Public Participation and Questions d. Questions from the Commission e. Closing Comments of Petitioner f. Close Public Hearing g. Discussion by Commission Members h. Motion

5. Public Comments on Non-Agenda Items

6. Commissioner Comments

7. Village Board Liaison Comments

8. Village Staff Comments

9. Upcoming Hearings

The following item(s) may be considered at a future commission meeting. Continued
Petition PZ-8-0010 Rezoning and Annexation of property located at 17W411 Manor Lane,

Petitioner Manor Lane, LLC.

10. 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: January 10, 2019

Submitted by: Pat Boksha

Submitting Department: Community Development

Item Type: Minutes

Agenda Section: Approval of Minutes

Subject:

Zoning & Planning Commission

Suggested Action:

Attachments:

[Minutes. PZ-18-0011.pdf](#)

[Minutes PZ-18-0010.pdf](#)

[Minutes Pre-Application 12 13 2018.pdf](#)

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Text Amendment Adding) Petition PZ-18-0011
Cannabis Dispensing)
Organizations as a)
Special use in the)
C-3 Service Business.)

PUBLIC HEARING OF THE
PLANNING & ZONING COMMISSION

PROCEEDINGS HAD and testimony taken
before the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
before NOREEN E. RESENDEZ, RPR, CSR, qualified in
the State of Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT

MR. JACK LANENGA

3 MS. LINDA J. BELLOW

MR. MIKE ORLOWSKI

4 MR. LARRY CALVERT

MR. DOMINICK ROMANO

5 MR. KEN JACKSON

6
7 ALSO PRESENT:

8 MR. PATRICK GRILL, Director of Community
Development.

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MR. AL BULTHUIS, Village President.

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1 COMMISSIONER JARRETT: I'll call this
2 regular meeting of the Villa Park Planning
3 and Zoning Commission to order with Chairman
4 Whitehurst absent, I would entertain a motion
5 to nominate a chairman pro temp.

6 COMMISSIONER ORLOWSKI: I'll make a
7 motion to nominate a chairman pro temp, Jason
8 Jarrett.

9 COMMISSIONER JARRETT: Motion second?

10 COMMISSIONER BELLOW: Second.

11 COMMISSIONER JARRETT: All in favor?

12 THE BOARD: Aye.

13 COMMISSIONER JARRETT: Motion carries.

14 Roll call. Orlowski.

15 COMMISSIONER ORLOWSKI: Yes.

16 COMMISSIONER JARRETT: Bellow.

17 COMMISSIONER BELLOW: Yes.

18 COMMISSIONER JARRETT: Lanenga.

19 COMMISSIONER LANENGA: Yes.

20 COMMISSIONER JARRETT: Romano.

21 COMMISSIONER ROMANO: Here.

22 COMMISSIONER JARRETT: Calvert?

23 COMMISSIONER CALVERT: Yes.

24 COMMISSIONER JARRETT: Chairman

1 Whitehurst, Rickel, and Jackson are absent.

2 So we'll move into the first order
3 of business, which is approval of minutes
4 from November 8th, 2018. Those are in your
5 packet. Any questions, comments, changes?
6 I'll entertain a motion to approve the
7 minutes.

8 COMMISSIONER ORLOWSKI: I'll make a
9 motion to approve the minutes of
10 November 8th, 2018.

11 COMMISSIONER JARRETT: Is there a
12 second?

13 COMMISSIONER BELLOW: Second.

14 COMMISSIONER JARRETT: Roll call.
15 Orlowski?

16 COMMISSIONER ORLOWSKI: Yes.

17 COMMISSIONER JARRETT: Bellow.

18 COMMISSIONER BELLOW: Yes.

19 COMMISSIONER JARRETT: Lanenga.

20 COMMISSIONER LANENGA: Yes.

21 COMMISSIONER JARRETT: Romano.

22 COMMISSIONER ROMANO: Yes.

23 COMMISSIONER JARRETT: Calvert.

24 COMMISSIONER CALVERT: Yes.

1 COMMISSIONER JARRETT: And I, too, vote
2 yes.

3 Move into the first item of
4 business, the first public hearing,
5 Petition PZ-18-0011 Text Amendment Adding
6 Cannabis Dispensing Organizations as a
7 Special use in the C-3 Service Business.
8 Petitioner, Village of Villa Park.

9 Let's start with the presentation
10 of the Petitioner.

11 MR. GRILL: Staff is here before you
12 tonight relative to a text amendment that
13 would permit cannabis dispensing
14 organizations in the C-3 zoning district as a
15 special use. As you are aware J.B. Pritzker
16 has said one of his first orders of business,
17 once he is sworn in as governor, is to
18 develop alternate revenue sources for the
19 State. His -- the biggest one he's proposing
20 is recreational marijuana and Staff wants to
21 also bolster the Village's revenues, and if
22 that means allowing cannabis dispensing units
23 in the C-3 district, that's what we'd like to
24 be able to do.

1 The basis for the C-3 is that it
2 would then basically allow it only along
3 North Avenue and Roosevelt Road. There is
4 one parcel along Route 83 that's also zoned
5 C-3. It currently has an automobile sales
6 location there. The reason for the special
7 use is because we want anybody who wants to
8 have one of those organizations have to
9 notify all surrounding residents within
10 250 feet of the site so that we can get their
11 input and be able to condition it as may be
12 needed given the site and what is being
13 proposed, and that's why Staff is in favor of
14 this.

15 With that I can answer any
16 questions that the Commission may have.

17 COMMISSIONER JARRETT: Please let the
18 record show that Commissioner Jackson arrived
19 at 7:34.

20 Any public participation
21 questions?

22 MR. BULTHUIS: Am I a Petitioner? If I
23 may make a comment?

24 MR. GRILL: You would be a member of

1 the public. So you have to be sworn in.

2 (Whereupon, Mr. Al Bulthuis
3 was duly sworn.)

4 MR. BULTHUIS: The reason we are asking
5 for the -- allowing them in the C-3
6 district -- I'll just give you a little bit
7 of history. I was approached a number of
8 months ago by a cannabis -- a medical
9 cannabis person who has a location that is
10 relatively close to Villa Park, where you can
11 easily drive there. He's looking for a new
12 location, a bigger building, bigger parking
13 considering what Patrick just said about the
14 possibility of the State allowing
15 recreational sales.

16 You know, I'm kind of torn between
17 in that if we should let -- allow it or not
18 allow it. Personally I don't know what I
19 would do if I had a major disease, whether it
20 would give me some relief; but considering,
21 as Staff has mentioned, the financial
22 situation that we are here in Villa Park, we
23 don't have an Oak Brook Terrace mall, we
24 don't have a Lombard mall. We basically have

1 a bedroom community and so we're always
2 looking for more funds and things are getting
3 a little bit tighter every year with
4 obligations we have in regards to pensions
5 and the continuing increase in overhead. So
6 putting that -- my personal feelings aside, I
7 have to look out for what's -- as the Village
8 president, look out for what's the best for
9 Villa Park and bring in the revenue that we
10 can.

11 Now, Like I said we had a
12 gentleman who contacted me. He's looking for
13 a location preferably on a busy street, which
14 would be North Avenue. Most of North Avenue
15 is C-3. There's a few C-2s. Roosevelt Road,
16 most of that is a little bit of a mix between
17 C-2 and C-3. I think predominantly over
18 there it's C-2 but some C-3s. So that's why
19 we are just trying to limit to where they
20 would be able to go in town to keep them away
21 from our central business districts that we
22 have off of St. Charles Road, off -- not
23 allow them on Park or Ardmore or by the train
24 station, they couldn't fit there. There's a

1 couple little spots on Addison Road, as you
2 know, that are M districts, which they would
3 be allowed in. So that's why we wanted to
4 come here to sort of get the input from this
5 board to what your opinion is on it so then
6 we could -- if you say yes or no, we can go
7 to the Village Board, if they want to hear
8 it after -- if you were to say no. So we
9 just, you know, are just asking you to
10 consider it and if you come up with any ideas
11 or objections that you might have, feel free
12 to state them. That's why I'm here to hear
13 what you have to say.

14 COMMISSIONER JARRETT: Thank you. Any
15 other public participation? Seeing none. We
16 will move to questions from the Commission.
17 Any questions?

18 MR ORLOWSKI: I have none.

19 MR CALVERT: I have a question. Is
20 this text amendment for just medicinal
21 marijuana or is it for recreational as well
22 or both?

23 MR. GRILL: It would be for both.

24 MR CALVERT: And what is the proposed

1 or potential revenue to Villa Park?

2 MR. GRILL: Staff has not been able to
3 determine that yet because a lot of it's
4 going to depend on ultimately what the State
5 is going to allow. A lot of that --
6 regulations have not been posted yet,
7 published. So we don't know what
8 restrictions the Village would have on it in
9 terms of what it would be able to charge in
10 terms of additional taxes or user fees.

11 MR CALVERT: As a non home-ruled
12 government, are we allowed to add additional
13 sales tax to it or would that be decided
14 later as well?

15 MR. GRILL: A lot of it depends on
16 ultimately on what the State passes.

17 MR CALVERT: And can we restrict it to
18 Roosevelt or North Avenue?

19 MR. GRILL: You restrict it to the
20 zoning, which right now, like I said, C-3 is
21 only along North Avenue, Roosevelt Road, and
22 one portion of Route 83.

23 COMMISSIONER JARRETT: That's the car
24 lot on the west side --

1 MR. GRILL: East side.

2 COMMISSIONER JARRETT: Okay.

3 MR. GRILL: KNB Motors.

4 COMMISSIONER JARRETT: There was a
5 regular C-3 on Villa that's gone, correct,
6 with the -- correct --

7 MR. GRILL: Correct.

8 COMMISSIONER JARRETT: Any other
9 questions from the Commission?

10 COMMISSIONER ROMANO: Patrick, I'm just
11 trying to picture exactly where Villa Park
12 aligns with Roosevelt Road. I know Oak Brook
13 Terrace touches it at a certain point there
14 in Lombard. So are we talking about the
15 stretch from, what roughly, Summit to Meyers,
16 is that where we are?

17 MR. GRILL: No. We actually go from
18 just west of Route 83 on the north side all
19 the way to Michigan basically on the west.

20 COMMISSIONER ROMANO: Okay. I was
21 basing it on the gas station that's going in
22 over there.

23 COMMISSIONER JARRETT: Any other
24 questions? Closing comments from the

1 Petitioner?

2 MR. GRILL: Other than, certainly we
3 understand the State is likely to come up
4 with a lot of various restrictions as it
5 relates to recreational marijuana, we just
6 want the Village to be in a position to be at
7 the forefront if the State does move on this
8 and be in a position to capture whatever
9 economic development that we can from the
10 recreational marijuana.

11 COMMISSIONER JARRETT: Thanks. With
12 that we'll close the public hearing and move
13 into discussion by Commission members. Any
14 comments?

15 COMMISSIONER JACKSON: It's going to
16 happen. We may as well embrace it. It's
17 happening in other states. I was out in
18 Colorado with a coworker. It's all over the
19 place there. I was out in Portland, Oregon,
20 it's all over. We may as well embrace it.
21 It's going to start being here and if we can
22 on the bandwagon early, I think it will be
23 helpful to Villa Park for the tax revenue
24 that we'll receive. And, you know, we are

1 centrally located, so I'm for it.

2 COMMISSIONER JARRETT: I think Mike and
3 I and maybe Linda, I don't remember, were the
4 only ones up here when we --

5 COMMISSIONER JACKSON: There was a
6 dispensary -- I remember that.

7 COMMISSIONER JARRETT: -- over at the
8 Elmhurst Board that wanted to come up we were
9 a little behind on that one.

10 COMMISSIONER JACKSON: They were torn
11 on that one and the Village Board decided
12 against it. I remember that.

13 COMMISSIONER ORLOWSKI: To me it wasn't
14 so much that -- not that I was torn against
15 it, it was they were asking to us make
16 changes to something that they didn't have a
17 license for yet.

18 COMMISSIONER JARRETT: Right. And at
19 that point, I think titles were made part of
20 securing a license and it was a catch 22.

21 COMMISSIONER ORLOWSKI: Which would
22 have put us in a predicament if they didn't
23 get the license, which they didn't, and then
24 we would have a piece of property that was

1 already rezoned, so ...

2 But, no, it's something that
3 you're not going to stop and there is other
4 villages doing the same thing we're doing
5 right now.

6 COMMISSIONER JARRETT: I don't -- I
7 don't see an issue with it particularly in
8 the C-3. Any other comments?

9 COMMISSIONER LANENGA: That's exactly
10 where I'm at. A C-3 is a great place. Do
11 it.

12 COMMISSIONER JARRETT: Any more
13 comments? I'll entertain a motion.

14 COMMISSIONER LANENGA: I move to
15 approve Application PZ-18-0011 for a Text
16 Amendment to Table 6-1 and Article 6 of
17 Appendix C of the Villa Park Zoning Ordinance
18 by adding cannabis dispensing organizations
19 as a special use in a C-3 service business
20 district.

21 COMMISSIONER JARRETT: There's a
22 motion. Is there a second?

23 COMMISSIONER ORLOWSKI: Second that.

24 COMMISSIONER JARRETT: Roll call.

Orlowski.

COMMISSIONER ORLOWSKI: Yes.

COMMISSIONER JARRETT: Bellow.

COMMISSIONER BELLOW: Yes.

COMMISSIONER JARRETT: Lanenga.

COMMISSIONER LANENGA: Yes.

COMMISSIONER JARRETT: Romano.

COMMISSIONER ROMANO: Yes.

COMMISSIONER JARRETT: Calvert.

COMMISSIONER CALVERT: Yes.

COMMISSIONER JARRETT: Jackson.

COMMISSIONER JACKSON: Yes.

COMMISSIONER JARRETT: I too vote yes.

With that our recommendation passes to the
Village Board. They can either accept,
reject, or modify our recommendation.

That is the end of the public
hearings.

(Whereupon, the public hearing
was concluded.)

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF DU PAGE)
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6

7 I, NOREEN E. RESENDEZ, RPR, CSR
8 No. 084-004185, duly qualified by the State of
9 Illinois, County of Du Page, do hereby certify
10 that at the request of the VILLAGE OF VILLA PARK
11 PLANNING & ZONING COMMISSION, subject to the usual
12 terms and Conditions of County Court Reporters,
13 Inc., reported in shorthand the proceedings had
14 and testimony taken at the public hearing of the
15 above-entitled cause, and that the foregoing
16 transcript is a true, correct and complete report
17 of the entire testimony so taken at the time and
18 place hereinabove set forth.

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Noreen E. Resendez, CSR

A	Avenue 1:22 6:3 8:14,14 10:18 10:21 aware 5:15 Aye 3:12	14:19 C-3s 8:18 call 3:1,14 4:14 14:24 Calvert 2:4 3:22 3:23 4:23,24 9:19,24 10:11 10:17 15:9,10 cannabis 1:6 5:6 5:13,22 7:8,9 14:18 capture 12:8 car 10:23 carries 3:13 catch 13:20 cause 16:15 central 8:21 centrally 13:1 certain 11:13 certainly 12:2 certify 16:9 chairman 3:3,5 3:7,24 changes 4:5 13:16 charge 10:9 Charles 8:22 close 7:10 12:12 Closing 11:24 Colorado 12:18 come 9:4,10 12:3 13:8 comment 6:23 comments 4:5 11:24 12:14 14:8,13 Commission 1:1 1:14,21 3:3 6:16 9:16 11:9 12:13 16:11 Commissioner 3:1,6,9,10,11 3:13,15,16,17	3:18,19,20,21 3:22,23,24 4:8 4:11,13,14,16 4:17,18,19,20 4:21,22,23,24 5:1 6:17,18 9:14 10:23 11:2,4,8,10,20 11:23 12:11,15 13:2,5,7,10,13 13:18,21 14:6 14:9,12,14,21 14:23,24 15:2 15:3,4,5,6,7,8 15:9,10,11,12 15:13 community 2:8 8:1 complete 16:16 concluded 15:20 condition 6:11 Conditions 16:12 consider 9:10 considering 7:13 7:20 contacted 8:12 continuing 8:5 correct 11:5,6,7 16:16 County 16:3,9 16:12 couple 9:1 Court 16:12 coworker 12:18 CSR 1:23 16:7 16:23 currently 6:5	determine 10:3 develop 5:18 development 2:8 12:9 Director 2:8 discussion 12:13 disease 7:19 dispensary 13:6 dispensing 1:6 5:6,13,22 14:18 district 5:14,23 7:6 14:20 districts 8:21 9:2 doing 14:4,4 DOMINICK 2:4 drive 7:11 Du 16:3,9 duly 7:3 16:8
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Petition No. PZ-18-0011
November 29, 2018

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IN RE THE MATTER OF:)
)
Rezoning and Annexation) Petition PZ-18-0010
of property located at)
17W411 Manor Lane.)

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

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BOARD MEMBERS PRESENT:

MR. ROBIN WHITEHURST, Chairman

MR. JASON JARRETT

MR. MIKE ORLOWSKI

MR. KEN JACKSON

MR. JACK LANENGA

MR. LARRY CALVERT

ALSO PRESENT:

MR. PATRICK GRILL, Director of Community
Development

1 CHAIRMAN WHITEHURST: Okay. So we'll move on
2 to the next agenda item, which is public hearings,
3 and tonight we have Petition PZ-18-0010, rezoning
4 and annexation of property located at 17W411 Manor
5 Lane. Petitioner is Manor Lane, L.L.C. Is there
6 someone here tonight representing the petitioner?

7 So if both of you gentlemen intend to
8 speak, I'm going to want you both to stand up right
9 now and get sworn in, and then as it's your turn to
10 speak you would state your name and address for the
11 record.

12 (Whereupon, the witnesses were sworn
13 in under oath.)

14 CHAIRMAN WHITEHURST: So whoever would like to
15 speak first can come up and -- do you have a
16 presentation on slide, or is that for later? That's
17 for later.

18 MR. FOREST: We don't have a presentation.

19 CHAIRMAN WHITEHURST: Okay. So if you want to
20 come up to the podium, and then, like I said, state
21 your name and address for record.

22 For everybody else, we're going to follow
23 the public hearing procedure that's in the agenda
24 that I think is available outside. The petitioner

1 will present first, we then go to Staff input, then
2 we'll move on to public participation and questions.
3 There will be questions from the Commission then.
4 We'll get some closing comments from petitioner.
5 We'll then ask anyone if they have any further
6 comments from the public, we'll close the public
7 hearing, and then will be discussion by Commission
8 members. That's pretty much what's outlined here.
9 So please proceed.

10 MR. FOREST: I'm Mike Forest. This is Rich
11 Bianco. We own the property at Manor and Villa
12 Lane. We're requesting annexation into the Village
13 for us to build a building for our office.

14 CHAIRMAN WHITEHURST: Okay. It would be
15 helpful maybe if you kind of give us an overview.
16 We have a packet here, but maybe give us an overview
17 of general uses that you plan to --

18 MR. FOREST: The property currently is in
19 unincorporated Du Page County. I believe it's zoned
20 R-1 residential in Du Page County. The south side
21 of the property is adjacent to the property that we
22 own at 600 North Villa, which is in the Village of
23 Villa Park, and it is zoned M-1. So we're looking
24 to bring this property into the Village as an M-1

1 zoning property. It's not spot zoning, because it's
2 adjacent to property already zoned M-1.

3 In addition to us asking for annexation,
4 we are going to run sewer and water down the edge of
5 our property, all the way down to 300 feet on Manor
6 Lane. That's for service for us and for future
7 annexations of any of the properties that are west
8 of us that are going down the street.

9 CHAIRMAN WHITEHURST: Okay. Great. And you're
10 a construction business, right?

11 MR. FOREST: We are. We're a carpenter and
12 general contractor. We've been in business for 50
13 years. We build schools, municipal buildings,
14 retirement homes, banks. Mostly commercial
15 projects.

16 CHAIRMAN WHITEHURST: Great. Thank you.

17 MR. FOREST: You're welcome.

18 CHAIRMAN WHITEHURST: All right. So we're
19 going to move on to Staff input.

20 MR. GRILL: As stated by the petitioner, this
21 is a request for annexation and rezoning to M-1 of
22 about an acre and-a-half parcel at the southwest
23 corner of Manor and Villa. The property is
24 contiguous to the Village both to the north and to

1 the south of this property, and it does conform to
2 the 2009 Comprehensive Plan, last updated in 2009.

3 They submitted a site plan and elevations,
4 and those were included in your packet. And what it
5 does show is a single building, approximately 13,500
6 square feet in size. About two-thirds of that would
7 be warehouse, and the front third would be the
8 office. The setbacks are approximately 95 feet from
9 Villa Avenue, and 56 feet from Manor Lane. The
10 Zoning Code requires a 35-foot setback. In terms of
11 the rear yard, the petitioner is proposing about a
12 65-foot setback from the west property line. In
13 addition, there would be about 40 feet of green
14 space, and then the side yard along to the south
15 would be about 50 feet, whereas 10 is required by
16 the M-1 zoning. So in terms of setback compared to
17 what the M-1 zoning has, it does meet all of the
18 requirements of setbacks. It also meets the height
19 requirement for buildings located in the M-1. That
20 height requirement is 35 feet, and the petitioner is
21 proposing a 14-foot-high building.

22 Petitioner also is proposing a six-foot
23 fence along the west property line, which would be a
24 requirement of the landscape ordinance, but there

1 would be additional landscape that would need to be
2 provided, but that would be done at that time of
3 permitting. Because this does involve annexation,
4 the Zoning & Planning Commission can recommend that
5 the site plan and architectural be part of the
6 annexation agreement that would have to go along
7 with this request. The Staff provided, you know, a
8 subject parcel map site plan. The plat of the
9 property, some photos, and the land use report from
10 the Kane Du Page Sewer & Water Conservation service.

11 If the Commission finds in support of the
12 applicant's request, they could entertain the
13 following motion, to approve application PZ-18-0010
14 for rezoning from R-4 in unincorporated Du Page
15 County to M-1 in the Village of Villa Park, for the
16 pin number 06-03-107-020.

17 In addition, if you are interested in
18 holding him to the site plan in the elevations, you
19 could choose to add language that said that the site
20 plan -- that the site be developed generally in
21 conformance with the site plan as prepared by
22 Richard Rogers and labeled sheet A1, and generally
23 in conformance with the elevations as prepared by
24 Richard Rogers and labeled as sheets A6 and A7.

1 If the Commission has any additional
2 questions, Staff would be happy to answer them.

3 CHAIRMAN WHITEHURST: Thank you. Okay. That
4 was Staff input. We're going to move into public
5 participation and questions. So anyone that's
6 wishing to speak in regards to this petition, I
7 would like everyone that wants to, to stand up now,
8 we'll have you sworn in, and then one at a time
9 you'll come up and state your name and address for
10 the record just like you heard petitioner do, okay.

11 All right. Everyone -- sir, you want to
12 be sworn in? Please stay standing, and she's going
13 to swear you in.

14 (Whereupon, the witnesses were sworn
15 in under oath.)

16 CHAIRMAN WHITEHURST: So someone decide who is
17 going to go first, and then just please step up and
18 state your name and address for the record.

19 MS. THIELENHOUSE: I guess I'll go first.

20 CHAIRMAN WHITEHURST: Okay. Thank you.

21 MS. THIELENHOUSE: Hi. I live at 17 West 461
22 Manor Lane, which is two lots down from this
23 property.

24 CHAIRMAN WHITEHURST: Okay.

1 MS. THIELENHOUSE: I'm going to show you what a
2 six-foot fence does for you.

3 CHAIRMAN WHITEHURST: Sorry. Can you give us
4 your name, please.

5 MS. THIELENHOUSE: Barbara Thielenhouse.

6 Okay. This is what a six-foot fence does
7 for you for this gentleman's property behind me,
8 okay. I don't know if you'd like to pass this
9 around. Should I hand this to you?

10 CHAIRMAN WHITEHURST: Sure. Thank you.

11 MS. THIELENHOUSE: It's industrial. Heavy
12 industrial. I don't believe that there's just going
13 to be a building there. I do believe that he will
14 be entering and leaving with dump trucks up and down
15 the street, which we've had problems with all along.
16 I don't think that he has respect for us as his
17 neighbors. Does not care. They bang their trucks
18 the middle of the day, middle of the night. Doesn't
19 matter. Rattles your house. So I don't trust --
20 and I don't think a six-foot fence. I believe that
21 the elevation is supposed to be a 12-foot fence.
22 And I have a question about the elevation of the
23 property. Is it going to flood us out? Are they
24 raising the property?

1 CHAIRMAN WHITEHURST: So you're asking about
2 storm water and what's going to happen with storm
3 water.

4 MS. THIELENHOUSE: Uh-huh.

5 CHAIRMAN WHITEHURST: I think that's probably
6 going to be a common question for maybe several
7 residents in the area.

8 MS. THIELENHOUSE: Yep. Because we live right
9 next to it, and I'm going to be boxed in now by his
10 stuff behind me and on this side. It's not going to
11 be just a nice, little building. He doesn't follow
12 the rules.

13 CHAIRMAN WHITEHURST: Okay. So on the storm
14 water issue, I think it's usually helpful that
15 Director Grill kind of come up and explain how we
16 handle that situation, and what the oversight is,
17 and the process the petitioner has to go through.
18 If you could -- and it's not something that Planning
19 & Zoning does. It's out of our expertise. But
20 there are experts that are going to provide
21 oversight on this issue, so --

22 MR. GRILL: You will notice that the petitioner
23 is proposing a detention pond along Villa Avenue
24 that happens to be the low spot of the property, but

1 before the Village can issue any permits the
2 petitioner has to meet all of the storm water
3 requirement of Village of Villa Park and Du Page
4 County for that matter, and no permit will be issued
5 unless they do meet those requirements, so -- and to
6 have the petitioner put that engineering together at
7 this point is a little premature only from the
8 standpoint of he doesn't know whether or not the
9 project's going to be approved, and the cost of the
10 engineering is fairly significant, and that's why we
11 don't make them provide that up front, but he will
12 have to meet all of the storm water requirements
13 that every other development in the Village has to
14 meet.

15 CHAIRMAN WHITEHURST: So at a concept level,
16 they've done some preliminary calculations perhaps
17 on storm water, and I believe they indicated a
18 detention pond here or retention pond. Excuse me.

19 MR. GRILL: Correct.

20 CHAIRMAN WHITEHURST: Has our public works had
21 a chance to look at this?

22 MR. GRILL: They have looked at it
23 preliminarily, and I believe the developer is on the
24 right track in terms of their engineering, and I

1 guess it should be noted that in concept a
2 development can not generate any more runoff after
3 development than it did prior to development. So
4 that's generally what the concept is.

5 CHAIRMAN WHITEHURST: So that's the general
6 concept.

7 MS. THIELENHOUSE: That's a low point on our
8 block, so if it's raised at all it's going to be a
9 problem.

10 CHAIRMAN WHITEHURST: And even if the
11 engineering company that -- whoever the petitioner
12 hires will long work along with public works, and if
13 there is load water coming onto that property from
14 other properties they will have to consider that in
15 their calculations as well.

16 MS. THIELENHOUSE: Okay. Also, this depletes
17 our property value. We're a residential area. Who
18 wants to buy my house? It's for sale if you want to
19 pay what I paid for it.

20 (Whereupon, there was a discussion
21 off the record.)

22 CHAIRMAN WHITEHURST: So we have one speaker at
23 a time, because we have a reporter here that's
24 trying to record accurately by name and everything,

1 so we want to make sure that we're able to do that
2 so that everyone can be heard and everyone can be
3 recorded, okay, so please.

4 MS. THIELENHOUSE: Okay. I have to tell you
5 right now, he's behind us. A six-foot fence is
6 ridiculous, and the property is -- he's got heavy
7 equipment on something that's light industrial
8 behind us already, and that's just going to keep
9 happening. It should have been -- there should be
10 like, what is it, a 20-foot set up behind us with a
11 12-foot fence is, I believe, what the State zoning
12 is. Why would you put a six-foot fence on that
13 side? I mean, you can see what a six-foot fence
14 does for you. Nothing. And the slamming and the
15 banging, rattling my house. He's not going to be
16 any more respectful when he's on the end. And it
17 depletes our property value. And the trucks are
18 going to be coming in and out all different ways.
19 Villa Avenue is a mess. I mean, you can't even ride
20 your motorcycle down there. You slide all over the
21 place. It's dangerous. Because the gravel is just
22 all over the place.

23 Now, I understand years ago, and if you
24 got a variance -- you know what a variance is for?

1 It's for a church, a child care. It's not for dump
2 trucks, you know. This was decided before. It's
3 been allowed to keep going on. And if you let them
4 move in there and do that -- he bought that property
5 knowing it was residential. He was at one time
6 going to build like a condo or something there,
7 condo building. Now it's going to be this. At one
8 time he tore down a fence and just started parking
9 his stuff over there on the dirt. We stopped him
10 from doing that. He has no respect for us.

11 We are residents. We paid good money for
12 our homes. We're already depleted because of the
13 guy next to me, and you know about that, who is
14 still running his trucks in and out of there who is
15 not supposed to be within a condemned house. Now
16 we've got this going on, and it's getting worse. I
17 don't think this is fair to us residents. I mean,
18 unless the city wants to buy all our houses. And
19 when that whole plan happened, it was for the whole
20 purchase of our whole neighborhood. They were going
21 to buy our whole neighborhood and put up like a
22 Super K-mart or something like that. It wasn't
23 supposed to be picking us off and allowing this to
24 move in.

1 So this plan that was in effect was for a
2 whole different reason. I don't think it applied
3 anymore, unless they want to buy our whole
4 neighborhood. In which case, give us all good
5 money. We'll leave, because we're sick and tired of
6 this crap. This keeps going.

7 Dump trucks going up and down our street
8 banging all night long, and they just keep getting
9 away with more and more and more, you know, and
10 unless we bring in Action 7 and lawyers and stuff,
11 which we really don't want to have to do. We'd like
12 to solve this in a very simple manner, good for
13 everybody, but this is just getting outrageous.
14 It's just outrageous what's happening.

15 I got a trucking company next to me on the
16 other side. They're knocking down my fence.
17 They're plowing out of there. I got junk all over
18 in the back. I mean, my property value is shot, and
19 it's specifically because Villa Park keeps allowing
20 this crap. That's what happened to my property
21 value. So just keep that in mind.

22 CHAIRMAN WHITEHURST: Okay. Whoever wants to
23 go next.

24 MR. OSING: Hi. My name is Jon Osing. I'm at

1 644 North Villa Avenue. We recently purchased our
2 property and moved in in late September. We were
3 not aware that this was a possibility when we
4 purchased our house, and that would have made a
5 significant impact in our decision about this
6 property simply because we paid frankly at the top
7 of what we could afford.

8 Our property is a decent size, and part of
9 the appeal of the property is a place where we can
10 raise a family kind of peacefully. And we are, you
11 know, not naive, we are aware of the traffic and the
12 goings on directly around us, but the addition of
13 more industrial work going on that close to our
14 property is going to create a number of issues that
15 we didn't anticipate. And, frankly, we would have
16 had pretty serious second thoughts about the
17 property if this had been built and when we had been
18 looking at the property.

19 Agree that the traffic is very difficult.
20 We saw the traffic as we looked at the house and
21 decided it was not ideal, but it was something we
22 were willing to overlook because of the -- what we
23 perceived the value of the house. Unfortunately,
24 adding an additional warehouse and adding more

1 industry only stands to further complicate the
2 traffic situation. And, unfortunately, there are
3 times in the day when we can't even get out of our
4 driveway as it is now, and to bring additional
5 trucking in there would be -- it can't be a
6 positive.

7 I agree that a six-foot fence is not
8 enough. There are security lights on the property,
9 which unfortunately we weren't able to see at the
10 time of purchase. Those security lights light up
11 the entire southern part of our house, and I have to
12 believe that there would be similar security lights
13 brought in for any type of building, given the
14 perceived need to have them now. I don't see why
15 that would change.

16 In Villa Park -- we first moved into Villa
17 Park in 2005, and we moved to South Wisconsin, and
18 we lost probably \$60,000 in the market crash, and it
19 has taken us more than a decade to recover from that
20 financial hit. Instead of having equity from our
21 house purchase, we lost a lot of money, and we had
22 to go into our 401k in order to purchase it new, and
23 part of the reason we felt okay in making that
24 choice was simply the facts that markets generally

1 -- that market crash was supposed to be an
2 aberration, but now we are far more sensitive to
3 anything that is going to have a very strong,
4 negative push on our property value, and this to me
5 is -- this would bring down our property value.
6 And, you know, frankly, we're very concerned what
7 this does to our ability to afford the house, to
8 afford to stay in it, and what our possibilities of
9 retirement is. We don't want to have to leave, and
10 if we do have to leave, do we get that money back,
11 or do we take a second hit, or do we have to tell
12 people that this is not a good place to invest as a
13 resident. I have been a great proponent of Villa
14 Park, but can I tell people that if every time I
15 sell a house I lose my shirt. And then I agree that
16 the sound is an issue. There is a lot of banging.
17 During this time -- my wife and I both work, and we
18 don't tend to be both home a lot during the day, so
19 we don't get the brunt of it, to be honest. We
20 certainly notice it, and I can't imagine that an
21 industrial building built closer to us is going to
22 be quieter. I mean, that just would not be. So I
23 have to believe that that would only serve to
24 increase the sound that we would be experiencing.

1 So that's all I got.

2 CHAIRMAN WHITEHURST: Thank you. Who would
3 like to go next?

4 MR. SCHMIDT: Patrick Schmidt, 17W445 Manor. I
5 oppose it for many of the reasons he opposes it, and
6 I also had an issue with the drainage. There's a
7 pond on Villa right now that floods. You're going
8 to put another pond and flood more? I don't think
9 it's a very good idea. And I'm on the west side of
10 this property. This six-foot fence, it's as tall as
11 me. It's not very adequate. And I'll leave it at
12 that, because other people have said about what I
13 want to say, so --

14 CHAIRMAN WHITEHURST: All right. Thank you.

15 MS. SCHMIDT: Tammy Schmidt, 17W445 Manor Lane.
16 I also disagree with them being there due to we have
17 noise going on as early as 4:00 in the morning. I
18 have plenty of videotape at home, videotapes of the
19 trucks, garbage in my yard that's been thrown over
20 their fences. The fence still is on my property
21 line that was backed into years ago that was
22 supposed to be fixed. We were supposed to get a new
23 fence, which they put in. Never moved it off my
24 property line, so it's more on my property line.

1 Also, we were supposed to get trees, which I still
2 have the letter from both Mr. Grill and the owner of
3 the property that we never received. I believe that
4 was 2014. It's a nightmare. I can't even enjoy my
5 back yard due to the dust that is not under control
6 ever. And I recently showed one of the Village
7 Board members that came to my house to watch some of
8 this, and he also got to view these videos where I
9 am not even allowed to sit in my own back yard
10 because of the dust level. And that's what we all
11 mean about the disrespect that's been going on to
12 the neighbors in this Village in that area. We feel
13 like we've been bullied since day one.

14 We've had truck drivers park all down our
15 street. That was supposed to stop. They're still
16 parking on our street, throwing garbage in the
17 neighborhood, and it's just ridiculous. We have
18 them driving up and down our street. We got no
19 parking signs. They're still driving up our street.
20 The other company was suppose to leave. They're
21 still there.

22 So as a house owner, it doesn't feel very
23 good to be let down constantly and nothing ever
24 being fixed from eight years ago or whenever I

1 started this process, when they started coming along
2 side my house and parking all the vehicles on that
3 empty lot. And that's all I have to say.

4 MR. MENDEZ: My name is Porfirio Mendez. I
5 live at 17 West 505 Manor Lane. I disagree with
6 what they're doing, what they're saying, but more
7 disagree about 17 479 Manor Lane. I am right next
8 to it. I just hadn't made a meeting all the time.
9 I couldn't come because my work. I work so many
10 hours for my payment. I bought that property, and I
11 fix it. And so these guys come in and bully me. He
12 nearly threaten me trying to find me, so I told him
13 that -- you know, I just asked the question what are
14 you doing since the beginning. He came and have a
15 meeting with Patrick in the city hall. I came by
16 after the meeting was with him. He had me to go to
17 the city. So I told Patrick that I'm alone. I'm
18 alone with that. I'm manage to the city too. I
19 don't have no choice, because I don't want to have
20 no problems with nobody.

21 So as time is passing by there, the guy is
22 not doing anything. They're not doing anything.
23 The County wasn't doing anything. I forced for
24 myself to move out where I came from. I have two

1 mortgage waiting for this guy either to annex to the
2 city, to fix it, or he going to have to move his
3 stuff out.

4 Please don't wait until we get in a fight.
5 You guys, American people, they talk, you know.
6 Mexican people, when they started talking and
7 disrespect people, they seem like they go to a
8 different -- you know, different package to fix the
9 problem. I don't want to get there. I don't want
10 to have no problems. I got my family. I want to
11 work. I want to get on the house. I'm fixing it.
12 I put new siding in. I put a new roof. I'm fixing
13 it the best I can. This is how I'm doing my job.

14 I talk to the guy a few times. I say,
15 don't do this. I bring my truck here once. I got a
16 small business too. The County came, gave me a
17 notice, and I moved my truck immediately. I don't
18 want to fight nobody. I don't want to be against
19 the law.

20 This guy, he's not doing anything. Right
21 now I'm at my house. They have the back yard,
22 dumping whatever they bring from the construction
23 site, burning the stuff. And I don't know what
24 they're bringing and what they're burning. They

1 have all yellow jackets walking back and forth on my
2 property. I don't know who they are. I'm
3 concerned. I don't leave there because I'm
4 threatened of those people. I don't know who they
5 are. So, I mean, I think you guys have to reenforce
6 that property.

7 I built once in the City of Aurora. I
8 annexed to the city. They did not let me move in
9 until I brought the papers, all the drawings,
10 retention pond, all of the soil testing, and
11 endangered species. You name it, I brought it. It
12 took me three years to build that building where I'm
13 at, my little business. And once I pass all my
14 inspections, they did allow me to say here is your
15 permit to occupy your business. I send letter to
16 all the neighborhood. Everybody approve it. I
17 don't have any problems with nobody.

18 The reason I bought this property here is
19 I work over here in Elmhurst all the time, and I
20 live in Oswego, so it's very hard for me to travel
21 back and forth. I know it's low side, you look at
22 it, you know. Everybody say, oh, why you living
23 here. I don't care where I live. I want to just
24 live comfortable, no problems with nobody.

1 When I bought that house, it used to be a
2 residential area right here. The guy living next to
3 it. We never had any problems. I'm a licensed
4 plumber. I agreed to help him whatever needs to be
5 helped. I know all the issues they have in there.

6 They're parking their trucks on the septic
7 field. They run it right now, the heavy trucks, on
8 the top of the septic tank, which is very dangerous.
9 If that thing collapse, I have a lot of mosquitoes
10 around there. Finally, I talked to Patrick. I told
11 him, I'm very concerned about that. If that
12 collapses, the water comes. You get dark water
13 right there in the back of the yard. That's where
14 the heavy trucks. It's a very dangerous situation
15 for me and my dogs.

16 So I, please, beg you to do something for
17 this guy, or if he is going to annex to the city
18 like these gentlemen and bring whatever they want to
19 bring to the table, I mean, I'm not against my
20 neighbors, but at the same time, he needs to move
21 out immediately. So this way he can provide
22 something on writing, what he's going to do, because
23 it's a year already, and he's not doing nothing to
24 fix this problem, and it's getting worse and worse.

1 I mean, you put yourself in my shoes. You
2 bought this property. You try to talk to the guy.
3 He say, I'm going to do whatever I want to do here.
4 Nobody tell me what to do. I says, here I'm paying
5 taxes as you are. So I just back up. This doesn't
6 work for me. Since then, I have a nightmare like
7 this gentleman here. I invest money, buy my
8 property, save money, pay for it, and fixing it.

9 Now I don't know if I'm going to keep
10 forward to put another sink that I need to put in.
11 I got one bathroom to finish a little sink. I told
12 my wife, it's not worth it. It's not worth it for
13 me to finish that sink. I have nightmares.

14 So, please, I beg you. That guy needs to
15 move out immediately until he brings the drawings,
16 and to annex to the city, bring complete drawings,
17 sewer and water, retention pond, endangered species,
18 so he can get it all right. Thank you.

19 CHAIRMAN WHITEHURST: Thank you. Anyone else?

20 MS. THIELENHOUSE: Can I speak again? I want
21 to clarify something.

22 CHAIRMAN WHITEHURST: I think there's someone
23 out there that hasn't --

24 MS. OSING: I just wanted to mention one thing.

1 Carrie Osing. I'm at 644 North Villa. I agree with
2 everything that Jon said. I just wanted to mention
3 one other thing. And that when we moved into this
4 house -- it's 135-year-old house. I don't know how
5 much it can take from all the vibration that is
6 going to be happening from all of the equipment
7 that's going to be coming in and all of the
8 industrial equipment. I'm just concerned about
9 that.

10 That's all I wanted to mention. Thank
11 you.

12 CHAIRMAN WHITEHURST: Thank you. Anyone else
13 from the public?

14 MS. THIELENHOUSE: Can I speak again real
15 quick?

16 CHAIRMAN WHITEHURST: Yeah.

17 MS. THIELENHOUSE: Okay. What she was talking
18 about, the vibration. I am having electrical
19 problems right now from that.

20 My house was built in the '50s. From all
21 the banging, there's shorts in my wires from the
22 lights that are outside, and it's coming from the
23 banging. This is the property that he's talking
24 about that's next door to me. The picture I gave

1 you was his property behind me. That six-foot fence
2 with all the heavy industrial equipment and the dust
3 blowing. I live next door to Pat and Tammy. We
4 really couldn't have outside parties or anything
5 like that, and it's just going to continue. And I
6 thought you might want to see what's going on next
7 door to me too. That's sandwiched between him and
8 I. So there's some pictures to show you exactly
9 what's going on in our neighborhood with the trucks
10 going up and down the street.

11 CHAIRMAN WHITEHURST: So I realize you all
12 aren't looking at what we have to see, which is why
13 I asked if that was the presentation, but the site
14 plan that we're looking at is really just the corner
15 at Manor Lane and Villa Avenue. It does not go all
16 the way and past the lumber yard. It is just the
17 corner. So that's going to be kind of what I'm
18 going to ask. I think we're hearing about another
19 piece of property that maybe isn't particularly in
20 question tonight.

21 So, Director Grill, are you familiar
22 enough with maybe the petitioner owns another parcel
23 here or has more operations in this neighborhood?

24 MR. GRILL: Well, the one person they're

1 talking about who had put gravel over his septic
2 field is currently in adjudication with the Village.
3 He has been cited and --

4 CHAIRMAN WHITEHURST: And it is not this
5 petitioner tonight.

6 MR. GRILL: It is not this petitioner tonight,
7 no.

8 CHAIRMAN WHITEHURST: Okay.

9 MR. GRILL: This is only the first three lots
10 basically along Manor from Villa.

11 COMMISSIONER JARRETT: This just -- I don't
12 think you read these hearings. This gentleman came
13 in for annexation and to have this annexed and
14 rezoned M-1 along with this, so he could continue a
15 business he was already running out of there.

16 CHAIRMAN WHITEHURST: Okay. So this yellow,
17 that's the lot that we're looking at tonight, and
18 what the petitioner is asking to be made an M-1.

19 MR. SCHMIDT: And I'm on the west end of that
20 property.

21 CHAIRMAN WHITEHURST: Okay. In terms of
22 ongoing banging, noise being generated, trucks,
23 dust, et cetera, that's coming from these parcels --

24 MS. THIELENHOUSE: 600 Villa. The property

1 that he owns now and he rents out to trucking
2 companies.

3 CHAIRMAN WHITEHURST: Okay. So the property --
4 the former lumber yard property.

5 MS. THIELENHOUSE: Correct.

6 CHAIRMAN WHITEHURST: The petitioner, you
7 operate out of this parcel currently?

8 MR. FOREST: We do.

9 CHAIRMAN WHITEHURST: You do have operations on
10 this property.

11 MR. FOREST: We're one of the four tenants in
12 that building.

13 CHAIRMAN WHITEHURST: In this building, okay.

14 COMMISSIONER JARRETT: And then the last
15 gentleman to speak, and I think they've all kind of
16 alluded to it, this guy here is very disruptive.
17 It's a condemned house, essentially.

18 CHAIRMAN WHITEHURST: In the end, Director
19 Grill, you were saying this parcel here, there's
20 currently ongoing --

21 MR. GRILL: Yes. Because the south portion is
22 in the Village, and the Village has issued tickets,
23 and he is in adjudication right now.

24 CHAIRMAN WHITEHURST: Okay.

1 MR. GRILL: The Village wants him to restore
2 the property back to its original condition.

3 CHAIRMAN WHITEHURST: But there's a legal
4 process going on.

5 MR. GRILL: Correct.

6 CHAIRMAN WHITEHURST: Okay. That's what I
7 needed to know.

8 Okay. Thank you members of the public,
9 and thank you for some of those clarifications.

10 So I think we're going to move into
11 questions from the Commission. And who would like
12 to get started? I already started some, but I had
13 to get clarification.

14 MS. THIELENHOUSE: The first picture I gave you
15 is his property behind us.

16 CHAIRMAN WHITEHURST: I understand, ma'am.
17 Again, from what I said, we've got to speak one at a
18 time and when it's our turn. Otherwise it makes it
19 very, very difficult for our great reporter here to
20 make sure that we get everything recorded properly.
21 So you'll have another chance. I mentioned that
22 there is another final chance for any closing public
23 comments after we get a chance to ask questions, and
24 the petitioner gets a chance for closing comments,

1 okay.

2 All right. Commission members.

3 Questions.

4 COMMISSIONER LANENGA: Patrick, what's our
5 noise ordinance? Do we have a 7:00 limit, 8:00
6 limit in Villa Park?

7 MR. GRILL: We do have a noise ordinance. If
8 you'd bear with me just a moment I'll read it.

9 COMMISSIONER LANENGA: Sorry. I should have
10 looked it up.

11 COMMISSIONER ORLOWSKI: While he's looking that
12 up, the property currently is not in the Village of
13 Villa Park; correct?

14 MR. GRILL: Correct.

15 COMMISSIONER ORLOWSKI: Okay. So no matter
16 what our noise limitations are, the Village of Villa
17 Park couldn't --

18 COMMISSIONER LANENGA: The property north of
19 it.

20 MS. THIELENHOUSE: But the noise is in the
21 Village.

22 COMMISSIONER ORLOWSKI: Okay. And there's how
23 many tenants in that building?

24 MR. FOREST: Four.

1 MR. GRILL: In the Code, the one that was just
2 recently passed by the Village Board, includes a
3 table of maximum permitted sound levels, but it's a
4 two-fold table. It's decibels and frequency, and
5 the higher the frequency, the higher the decibel
6 level can be. It's a relationship where if the --
7 excuse me. The lower the frequency, the higher the
8 decibel level can be. The higher the frequency, the
9 lower the decibel level has to be. But there's a
10 range that includes nine different segments of
11 sound, so -- and they're not allowed to exceed the
12 maximum decibel level based on the frequency.

13 CHAIRMAN WHITEHURST: Okay. Are there hour
14 limitations, hours of the day, or is it just an all
15 day based on decibel?

16 MR. GRILL: It's measured at the property line
17 of the property where the sound is emanating from.

18 CHAIRMAN WHITEHURST: There's no restriction on
19 hours of operation or anything like that?

20 MR. GRILL: No. There are no restrictions on
21 hours of operation. The only restriction we have is
22 relative to construction noise, and that's where the
23 property is under construction. But outside of
24 that, the only enforcement we have is on the sound

1 being generated from the property.

2 CHAIRMAN WHITEHURST: Okay. All right. Other
3 questions?

4 COMMISSIONER ORLOWSKI: The sewer main that
5 they're showing coming from the retention pond,
6 going to the existing storm sewer. Is that -- I'm
7 hoping I'm reading it correctly. That's a 42-inch
8 storm sewer.

9 MR. GRILL: That's a storm sewer, right. The
10 sanitary comes off of Villa at Manor and extends
11 westward to the west end of property, both water and
12 sewer, and the storm sewer goes under Villa and ties
13 in with that storm sewer.

14 COMMISSIONER ORLOWSKI: And that's a new --
15 from what it describes here, that would be a new
16 eight-inch storm sewer under Villa.

17 MR. GRILL: Correct.

18 COMMISSIONER JARRETT: Normally they're
19 designed to only let so much water out at a time to
20 not --

21 MR. GRILL: -- overwhelm the system, correct.

22 COMMISSIONER JARRETT: Right.

23 CHAIRMAN WHITEHURST: Yeah. I'm going to go
24 ahead and jump in. So, for the petitioner, can you

1 describe how you intend to utilize the site in
2 question tonight, especially in regards to -- I've
3 got an overhead door and warehouse. How is that
4 going to be used?

5 MR. FOREST: We're a carpenter contractor and a
6 general contractor. Our people work in the field.
7 All of our material -- most of our materials are
8 delivered to the field. We sometimes stock and send
9 out small deliveries. We have a pickup truck. We
10 have no heavy trucks that we own as our business.
11 We'll have a UPS truck. We'll deliver. We'll have
12 a lumber truck, which is a straight truck that drops
13 off material into the warehouse. The fenced-in area
14 in the back of the property so we can do a dump or
15 unload the material in back, bring it into the
16 warehouse, machine it, stock it, and send it out to
17 a job site. But, for the most part, our work is
18 done on each of the job sites. So it's an office
19 for 10 people who will be working in the office, and
20 warehouse is basically for storage.

21 CHAIRMAN WHITEHURST: You mention -- are you
22 intending to have any outdoor storage of materials?

23 MR. FOREST: Not -- no. I'm not intending on
24 having any -- we're not going to have any gravel.

1 We're a carpenter contractor, so we deal with
2 lumber, metal studs, doors, windows, casework. Most
3 of those items we really want to go to the job site.
4 We don't want them in our shop. But sometimes
5 because of delays, they have to come to the shop,
6 and then it goes out to the --

7 CHAIRMAN WHITEHURST: But you're going to store
8 those things inside, because they're obviously
9 weather and temperature-sensitive items.

10 MR. FOREST: Yes. Correct.

11 CHAIRMAN WHITEHURST: Okay. Then when you get
12 -- if you get approval and you build out this
13 building, what is your intention with the current
14 location that you're operating? Are you going to
15 maintain operations there?

16 MR. FOREST: Our business operations?

17 CHAIRMAN WHITEHURST: Yeah. Next door.

18 MR. FOREST: We are not. We are planning on
19 moving our business over to the smaller area.

20 CHAIRMAN WHITEHURST: And your business
21 currently at the former lumber yard site, does it
22 follow along the same lines as what you're
23 describing? Is that office space and pickup trucks
24 and --

1 MR. FOREST: Correct. And we have a warehouse
2 that stores material. We have a dumpster on the
3 outside of the building for our garbage, and we plan
4 on putting the dumpster on the inside of that
5 fenced-in area.

6 CHAIRMAN WHITEHURST: Okay. Yeah. I didn't
7 see that on the plan. That was one of my questions.
8 Where do you intend to put the dumpster?

9 MR. FOREST: Inside the fenced-in area.

10 CHAIRMAN WHITEHURST: Okay. But it's not
11 really shown, and -- so typically we want to see an
12 enclosure around the dumpster, and we want to see a
13 fence enclosed around that dumpster so that you can
14 have a gate, because we want to keep that trash in
15 the dumpster.

16 MR. FOREST: We're proposing a gate for that
17 area. A rolling gate that goes along the back of
18 the building. So that area will be enclosed with a
19 gate. I don't know if we need an additional
20 dumpster enclosure inside the fenced-in area.

21 CHAIRMAN WHITEHURST: I'd be looking for that,
22 yes. Yeah.

23 MR. GRILL: If I could add, any dumpster has to
24 be enclosed by a masonry dumpster enclosure.

1 CHAIRMAN WHITEHURST: Thank you. So there's
2 that. My next question is, again, I think you're at
3 a stage with your site plan, but there's some things
4 that we usually like to see, which is a lighting
5 plan, as mentioned by some of the neighbors. How do
6 you intend to light the building and the site? And
7 we do have a lighting ordinance.

8 MR. FOREST: We plan to conform with the
9 lighting ordinance. Again, before we hire all those
10 people to come on and do that, we'd like to know the
11 project is going to go ahead.

12 CHAIRMAN WHITEHURST: Understood. But I always
13 like to ask the question and make sure everyone
14 hears and understands that you're going to follow
15 our lighting ordinance, which includes requirements
16 for cutoff so light doesn't spill on a neighboring
17 property, and the Village Staff will review that.

18 MR. FOREST: And regarding the six-foot fence,
19 that is the Village Ordinance. We wanted a taller
20 fence, and Patrick and I have had conversation about
21 this, but the six-foot fence is the Village
22 Ordinance. We're not allowed to build anything
23 taller than that.

24 CHAIRMAN WHITEHURST: So along that line,

1 especially if you're on your property line that
2 abuts a residential property, the six-foot fence is
3 there, but, again, I'm not seeing the landscaping
4 plan, so I'm going to -- you're going to conform to
5 our landscape ordinance. However, any consideration
6 been given to landscaping screening to augment that
7 of the fencing?

8 MR. FOREST: We haven't got that far yet, but
9 we'd certainly be open to that.

10 CHAIRMAN WHITEHURST: And I think -- so I think
11 we would probably put into our -- if we were to
12 recommend approval by the Board, we would probably
13 certainly put in our motion that there would be
14 landscaping to provide more of a buffer between your
15 use, the M-1 use, and the neighboring residential
16 property to be worked out with Village Staff upon
17 review. That's something that's very typical, and
18 we're usually looking for something like 20-foot
19 landscaped area and some taller trees, et cetera.

20 MR. FOREST: I think we exceed that in the
21 back.

22 CHAIRMAN WHITEHURST: You do. You have plenty
23 of --

24 MR. FOREST: We exceed that green space between

1 the property to the west --

2 CHAIRMAN WHITEHURST: You have the space. I
3 just don't see a planning key, an indication,
4 because you haven't gotten there yet, with types of
5 trees and plantings, but it is something that this
6 Commission would typically like to see, or we would
7 like to know that it's going to be put in place,
8 especially an M-1 use up against a residential. It
9 kind of mitigate some of the concerns that you heard
10 from the neighbors tonight. So, okay, that was the
11 next thing I was going to ask.

12 So you mentioned you've been in business
13 for 50 years. Has your business been in Villa Park
14 that long, or --

15 MR. FOREST: No. We've been in Villa Park
16 since 2002.

17 CHAIRMAN WHITEHURST: Great. Okay. And right
18 now currently at the lumber yard, you're just one of
19 the tenants. You don't own and operate that whole
20 facility?

21 MR. FOREST: Rich and I own that property.

22 CHAIRMAN WHITEHURST: You do.

23 MR. FOREST: We do. We bought that from the
24 lumber company when the lumber company was going out

1 of business.

2 CHAIRMAN WHITEHURST: So I think you've heard a
3 lot of concerns about operations there.

4 MR. FOREST: And there have been trucks on that
5 property since, I believe, 1977 or '79, as long as
6 the building has been there.

7 MS. SCHMIDT: Yeah. And there also was an
8 easement.

9 CHAIRMAN WHITEHURST: Hold on. I mean, it's a
10 lumber yard. When I first moved to the Village it
11 was a lumber yard, and trucks went on and off, and
12 there was lumber stored there. But when I drive by
13 there today and I look at that property there's a
14 big difference from when it was a lumber yard with
15 all of the various vehicles that were stored there.
16 There's a lot of operations going on there. So I
17 understand what some of the concerns are. So what
18 are your -- you know, that parcel and that operation
19 isn't under consideration tonight. However, it does
20 give us an indication of, you know, what kind of a
21 neighbor you're going to be. So I think you heard a
22 lot of concerns here tonight on how it's going,
23 operations there, and, you know, disruption, and,
24 you know, I don't think that any of us, the rest of

1 us, when it went from a lumber yard to this four
2 uses kind of envisioned what we see today. Like if
3 you were coming in to annex that, and it wasn't
4 annexed in, and you wanted to continue operations
5 the way it was, we would be having a conversation
6 about storage, screening, some of the things I was
7 just talking about, landscape, et cetera.

8 So, anyway, I think we kind of understand
9 -- that's probably more in the comments, but I think
10 it's something that obviously, you know, your
11 neighbors are concerned, so --

12 Okay. I think those are my questions.
13 Other comments or questions?

14 COMMISSIONER CALVERT: Could you just take a
15 moment -- because I got a little confused here
16 exactly who is who. And there were a lot of
17 comments about many different parcels, and I thought
18 I was very prepared. I read the packet. I thought
19 it was just this building on the corner and --

20 MR. FOREST: It is just the building on the
21 corner.

22 COMMISSIONER JACKSON: But there has been some
23 previous issues and previous things that have
24 happened.

1 MR. FOREST: There's other things going on in
2 that neighborhood currently.

3 COMMISSIONER CALVERT: So what generates all of
4 the noise and the dust from this other property?

5 MR. FOREST: Trucks.

6 MS. THIELENHOUSE: Dump trucks.

7 MR. FOREST: There's also a large gravel yard
8 right across the street that's 30, 40, 50 feet long
9 where semis are driving on that at all hours also.

10 CHAIRMAN WHITEHURST: So I think this will be
11 helpful, because Jason's got a good idea of what --
12 he helped me to sort things out.

13 COMMISSIONER CALVERT: Yes.

14 CHAIRMAN WHITEHURST: Okay. So does that
15 clarify the --

16 COMMISSIONER CALVERT: It does.

17 CHAIRMAN WHITEHURST: Okay. Any other
18 questions that you have?

19 COMMISSIONER CALVERT: No.

20 CHAIRMAN WHITEHURST: Okay. Mr. Jackson, you
21 looked like you were ready to ask a question.

22 COMMISSIONER JACKSON: I only have comments, to
23 be honest.

24 CHAIRMAN WHITEHURST: Okay. Thank you.

1 Mr. Orlowski, any more?

2 COMMISSIONER ORLOWSKI: No. I'm waiting for
3 comments.

4 CHAIRMAN WHITEHURST: Mr. Jarrett.

5 COMMISSIONER JARRETT: Not at the moment. I
6 may think of something, but --

7 CHAIRMAN WHITEHURST: I have one more question
8 for Staff. Director Grill, I mean, lately we've
9 been saying landscape plans and lighting plans,
10 et cetera. That's not a requirement for an
11 annexation, or is that a -- I'm just going to ask
12 the question.

13 MR. GRILL: Because this property is going
14 through the annexation process, it would be in your
15 purview -- normally under straight zoning, that's
16 not asked for, and that's what they're asking for is
17 rezoning, and then they'd have to meet the zoning
18 requirements, but because it's annexation it does
19 sort of open the door to ask for additional items
20 that typically are not provided as part of a
21 straight zoning process.

22 CHAIRMAN WHITEHURST: Understood.

23 MR. GRILL: The other issue I guess I could
24 comment on is the issue with fencing. Now, we do

1 have an ordinance that says you've got to have a
2 six-foot fence between this and residential
3 property. But because this is an annexation and
4 because it can be written into the annexation
5 agreement, we're not necessarily bound by that six
6 foot height requirement.

7 CHAIRMAN WHITEHURST: And I guess my question
8 would be do we have -- I know we've had this
9 discussion several times where we've had more
10 intensive use next to a residential, and we've asked
11 for fencing and planting and everything else. So I
12 guess from Staff's perspective, is there a good
13 example of one that we've been through that we know
14 kind of works that we can use as an example?

15 MR. GRILL: If we were talking about
16 commercial, there's some that we could pull from,
17 but never an industrial one.

18 CHAIRMAN WHITEHURST: I don't think it's so
19 much of the noise, but the visual.

20 MR. GRILL: Yeah.

21 CHAIRMAN WHITEHURST: Because I think the noise
22 can be handled by the sound ordinance that we now
23 have in our Zoning Code.

24 MR. GRILL: Correct.

1 CHAIRMAN WHITEHURST: But for me -- I'm going
2 to make a comment. But for me personally, I need to
3 see more information on the site plan as the process
4 moves along, so that's going to be -- so, thank you.

5 MR. GRILL: I would recommend you not move on
6 this until you see that then.

7 CHAIRMAN WHITEHURST: Yeah. Thank you.

8 All right. I'm going to get back to our
9 agenda here, because I'm hearing no more questions
10 from Commission members. Per the agenda, closing
11 comments from the petitioner. Do you have any?

12 MR. FOREST: No.

13 CHAIRMAN WHITEHURST: Okay. Thank you. Any
14 last comments from the public before I close the
15 public hearing? So last chance for anyone else to
16 speak.

17 MR. SCHMIDT: I could go on and on about the
18 beeping at 3:00 in the morning.

19 CHAIRMAN WHITEHURST: I think we understand
20 that there's noises in the neighborhood and
21 disruptions happening at all times, and I don't
22 think we -- we understand that. Everyone was pretty
23 consistent on their comments there. So I guess I'm
24 looking for something new, or a reaction to any of

1 the questions that we asked. Otherwise --

2 MR. SCHMIDT: Is there a five ton limit on
3 Villa Avenue?

4 CHAIRMAN WHITEHURST: Why don't you come down
5 and restate your name.

6 MR. SCHMIDT: Patrick Schmidt, 17W445 Manor.

7 CHAIRMAN WHITEHURST: Okay.

8 MR. SCHMIDT: Villa Park. Five ton limit from
9 North Avenue going southbound on Villa. Those
10 trucks weigh 20 tons empty. That street was not
11 designed for that. And we're going to expand this?

12 CHAIRMAN WHITEHURST: So that is not something
13 that Planning & Zoning takes care of. So I think I
14 saw Director Grill writing down, and that would be a
15 question for Traffic & Safety and probably Public
16 Works.

17 MR. GRILL: Police department.

18 CHAIRMAN WHITEHURST: Police department. There
19 we go.

20 COMMISSIONER JARRETT: And those trucks -- just
21 for my clarity, those are trucks that are going to
22 the lumber yard site?

23 MR. SCHMIDT: 600 North Villa. Those are
24 rentals.

1 COMMISSIONER JARRETT: But you've also got some
2 good size trucks coming in on Manor that are not
3 supposed to be.

4 MR. SCHMIDT: All the time. We've had -- who
5 are they -- York Township put signs, no trucks.
6 Nobody listens. You call the police, and 45 minutes
7 later. What good is that? Now, this new building,
8 truck driver gets lost, he's going to come down our
9 street again. It's just adding to it.

10 CHAIRMAN WHITEHURST: What's presented to us
11 tonight that we're considering is really an office
12 with small warehouse and one overhead door. This
13 site and the site plan wouldn't be a trucking and
14 intensive use. I think the building and what's
15 proposed for the site that we're looking at tonight,
16 again, realizing we're not looking at the former
17 lumber yard site.

18 MR. SCHMIDT: I know what we're looking at.

19 CHAIRMAN WHITEHURST: Okay. When we look at
20 that, I would say that this is not any more intense
21 than any other smaller business that we see. No
22 outside storage we heard from the petitioner, and we
23 would probably include that in our conditions. We
24 wouldn't want to see outside storage.

1 MR. SCHMIDT: Okay. The dumpster issue. On
2 this property right now, it's exposed.

3 CHAIRMAN WHITEHURST: Yeah. Again, we're not
4 reviewing that property tonight. Okay.

5 MR. SCHMIDT: All right. I'm done.

6 CHAIRMAN WHITEHURST: I keep saying that so
7 that everybody understands. We've been given -- the
8 Village Board refers petitions to our Board. We
9 review that property and that petition. If the
10 current petitioner has another property in the
11 Village that is not operating up to standards, we
12 appreciate knowing that information, but that really
13 will go to the Board as part of this record. This
14 is why we're being careful that we let everyone
15 speak one at a time. That gets communicated to the
16 Board, and the Board can do what they want to with
17 that and refer that then to the appropriate other
18 commissions boards and departments, okay.

19 MR. SCHMIDT: I understand.

20 CHAIRMAN WHITEHURST: So I'm telling you that
21 because we have a role to play, and we're going to
22 focus on that role, but I think we appreciate
23 hearing everything that we're hearing, and from you
24 folks that live in the area, and then what we need

1 to do, because this is a more intensive use than a
2 residential use, is see if we can mitigate an impact
3 on your use and your use of the property, which is
4 why I was asking questions about landscaping,
5 lighting. These are all things that are within our
6 purview to try to mitigate that impact that an
7 industrial use will have on your residential
8 property. Does that make sense?

9 MR. SCHMIDT: Can I bring up lighting? Is
10 there existing --

11 CHAIRMAN WHITEHURST: No. Not now. You can
12 say what you'd like to see on this property, but I
13 can tell you that --

14 MR. SCHMIDT: I just had no one else. I had a
15 chance for them to listen, so -- I'm done.

16 CHAIRMAN WHITEHURST: Okay. Thank you.

17 COMMISSIONER JARRETT: So as far as lighting
18 goes, our current ordinance requires that no light
19 shall leave the boundary of the site of new
20 development.

21 MR. GRILL: One foot candle.

22 COMMISSIONER JARRETT: One foot candle on the
23 boarder, which is not very much. Existing lighting,
24 something that was built 50 years ago, before we had

1 a lighting ordinance, there's nothing we can do
2 about that unless it's disruptive or dangerous.

3 MR. GRILL: Or new.

4 COMMISSIONER JARRETT: Or new.

5 MR. GRILL: Now, the issue with the dumpster
6 enclosures is we can't apply that retroactively to
7 existing buildings anymore so than we apply new
8 building codes to existing buildings, so --

9 COMMISSIONER JARRETT: You don't go and make
10 somebody tear down their garage because it's too
11 close to the property line and it was built 50 years
12 ago.

13 MR. GRILL: Correct.

14 CHAIRMAN WHITEHURST: So it's the same
15 principle. But I think there's enough concerns
16 brought up, and I know that Patrick's listening and
17 writing things down, and where there are issues that
18 are enforceable for our various ordinances, I'm sure
19 Village Staff will look into that, and that's really
20 as far as we can go with that. We really need to
21 focus on this particular application that's before
22 us tonight.

23 MS. THIELENHOUSE: You know what? That would
24 be okay if he was a new person, but we already know

1 who he is. That's the issue. And doesn't the State
2 zoning supersede Village zoning?

3 CHAIRMAN WHITEHURST: No. The State enacts
4 legislation that allows communities to have zoning
5 ordinances. The Zoning Ordinance of the Village of
6 Villa Park is what we follow.

7 MS. THIELENHOUSE: The reason the State has
8 zoning is to stop villages from doing stupid stuff
9 and getting ridiculous, okay. I was prelaw, so I
10 got some idea what I'm talking about, and I'm saying
11 to you that because of this person's -- see. Here's
12 the problem. Your prior regime was all different
13 people, okay. So I'm not blaming you guys. What
14 I'm saying is nothing was ever resolved. And we're
15 afraid that if he does build this building, and the
16 stuff doesn't go like it's supposed to, like it's
17 been going all along, nothing's going to happen.
18 It's going to be allowed. And just like that
19 property is zoned a certain -- you know, it's not
20 zoned for heavy equipment. He says he doesn't have
21 any heavy equipment. He does. You can see it in
22 the picture.

23 CHAIRMAN WHITEHURST: I hear that, and you made
24 yourself very clear. I just want you to understand

1 our comments and everything we're going to focus on
2 is the parcel that's at question tonight, and the
3 petition that's directly before us. The other
4 issues -- so here's what going to happen. We're
5 going to finish up this agenda tonight. We're going
6 to close the public hearing. We're going to move
7 into discussion by Commission members, and then
8 we're going to make a motion.

9 We are a recommending body. Whatever we
10 recommend goes to the Village Board. The Village
11 Board will either accept our recommendation,
12 they'll vote, they'll reject it, or they'll modify
13 and do one of the other. Send it back, or whatever
14 they choose to do. That's the Village Board.
15 They're the deciding body, okay.

16 So you'll have an opportunity when it goes
17 before the Board, it will be announced, to go and
18 express your concerns. But, again, I would focus on
19 the property at question and the use at question.
20 Because this is what is before them and on their
21 plate.

22 On a separate issue, if you want to
23 complain about the operations that are going on on
24 that site, I think they would be interested to hear

1 that, your complaints about what's going on, how
2 it's being used, can't you do something to mitigate
3 that, because it's impacting our lives. So I'm not
4 saying don't pursue that, do. But I'm just saying,
5 this is what we're looking at tonight, okay.

6 MS. THIELENHOUSE: How do we proceed with that?

7 CHAIRMAN WHITEHURST: Village Board. Whether
8 it's an agenda item or not, sign your card, say you
9 want to speak, get up, state your name and address
10 for the record, and tell what your issue is.

11 COMMISSIONER JARRETT: My suggestion is always
12 start with Staff. If you don't get action from
13 Staff, take it to the Village Board, take it to the
14 trustees, take it to the president. Our Village
15 President.

16 CHAIRMAN WHITEHURST: Okay. So I'm going to
17 close up the public hearing, and then we're going to
18 move into, like I said, discussion by Commission
19 members. So I heard a lot of Commission members
20 saying they had discussion points, and I think,
21 again, for the purposes of being clear about what
22 we're looking at tonight, let's focus on the parcel
23 that's before us. I think the other comments will
24 be carried on to the Board certainly, and then, you

1 know, to me it's can there be ways to mitigate, as I
2 was saying, the impact of this use. So that's my
3 personal starting comment. So anyone else want to
4 jump in, please?

5 COMMISSIONER JARRETT: Yeah. I don't think I'm
6 in a vastly different place. The annexation itself
7 I have no issue with. The use -- the proposed use,
8 the kind of light industrial office. And it is
9 really on the light side of light industrial. It's
10 not heavy manufacturing. It's not heavy industrial.
11 I don't have an issue with that.

12 CHAIRMAN WHITEHURST: I don't even see where
13 you could get a large piece of equipment in here.
14 It's not designed for it.

15 COMMISSIONER ORLOWSKI: That's what I was -- I
16 don't see anywhere on this site plan where large
17 construction 18-foot box trucks or dump trucks would
18 fit.

19 COMMISSIONER JARRETT: But I would say that
20 this being an M-1 zoning, an annexation on adjacent
21 to residential uses, they're not -- most of them are
22 not incorporated, some of them are, and, you know,
23 the part of the Village that could use a little
24 sprucing up. I don't think there's enough here. I

1 want to see more. I mean, I can support the use. I
2 can support the annexation. But this is an
3 annexation, so the Village really has an opportunity
4 to get it right the first time.

5 MR. GRILL: Correct.

6 COMMISSIONER JARRETT: And to lock things into
7 place going forward. Not just for one user, but for
8 the property going forward to make sure it's all
9 done right the first time, and not give a zoning,
10 give a special use and then hand it all off to
11 somebody to do whatever.

12 MR. GRILL: Correct.

13 COMMISSIONER JARRETT: And I would like to see
14 more of that, personally.

15 COMMISSIONER ORLOWSKI: Yeah. I would like to
16 see a lighting plan, landscape plan.

17 COMMISSIONER LANENGA: And fencing.

18 COMMISSIONER ORLOWSKI: Fencing. The one thing
19 that I'll bring up for the landowner that's coming
20 in tonight, bad neighbor policy isn't getting you
21 any winnings. Villa Avenue I will agree is a mess.
22 Rocks, debris, and everything else coming out of
23 your property. And I wouldn't want to see the same
24 thing on this property.

1 CHAIRMAN WHITEHURST: Yeah. And I think just
2 to be clear, that's why I want to see more
3 information. I want to see the lighting plan,
4 landscape plan. They do not have to be a finished
5 plan, but they have to be at least a concept that
6 gives us a feeling for there's going to be
7 sufficient design to mitigate some of these issues.
8 I think, you know, the civil engineer needs to pay
9 attention to where that dumpster is going to go and
10 what that enclosure is going to be, where it's going
11 to be, because there's going to be requirements for
12 it not being in the setback, et cetera. There's
13 other landscape requirements as well that we want to
14 see that that's going to be met, and I'm -- you
15 know, this is all going to be curbed and paved.
16 There's going to be no gravel or anything like that.
17 We would not approve that anyway, and it wouldn't
18 happen. So I think we want to see all those things,
19 right? We're on the same page.

20 COMMISSIONER ORLOWSKI: Yep. Depth on the
21 retention pond.

22 MR. GRILL: That gets into some pretty detailed
23 engineering.

24 CHAIRMAN WHITEHURST: Well, I think the only

1 thing that if it's deep enough that it needs maybe a
2 fence or something like that, I think we would want
3 to know that.

4 MR. GRILL: Okay.

5 CHAIRMAN WHITEHURST: Otherwise, I think, you
6 know, the elevations that we see, those give us a
7 really good idea of what the building is going to
8 look like, so I think those are adequate. If you
9 want -- again, because it's an annexation, I mean, I
10 wouldn't mind seeing colors and what the materials
11 are, just for our understanding. I think
12 predominantly the information is on the site plan.
13 It's to make sure everything is going to work.

14 COMMISSIONER ORLOWSKI: Also, any type of a
15 signage that they're going to have, like a building
16 sign or anything.

17 CHAIRMAN WHITEHURST: Yeah. It's often helpful
18 for us to understand what we're thinking about from
19 a signage perspective as well, and, you know, we
20 would expect that you're going to first, you know,
21 propose signage that's, you know, allowed by the
22 ordinance in terms of square footage and location
23 and those things, because if you wanted something
24 beyond that, it would be a variation request for the

1 signage. But it's often helpful for us to see that,
2 even if it's compliant, just so that we know what it
3 is and what it's going to be. And this is not
4 atypical. If you want to go back and look at what
5 we've asked other businesses to do, this is very
6 typical in what we're asking for.

7 Any other comments? So what I'm hearing
8 then is that we would like to continue this until a
9 date certain so we can get some more information, is
10 what I'm hearing from my fellow Commissioners. Is
11 that fair?

12 COMMISSIONER JACKSON: Yes. We need to know
13 more information. We need to know this property is
14 more, I guess, adaptable to the neighborhood than
15 the other adjacent property.

16 CHAIRMAN WHITEHURST: And I'm going to echo
17 what Jason said at the beginning of his comments,
18 which is annexation is no problem to me. An annex
19 in the Village. It's continuous in terms of the
20 use. I agree it's a lighter industrial use. And
21 even how the site plan works, and how it's shown. I
22 don't think I have a problem with that. And,
23 actually, I kind of like the idea that there's a
24 nicer, newer building and developed property with

1 landscaping that I'm seeing as I come south on
2 Villa, before I get to the lumber yard. So, you
3 know, if you look at the photos that are in our
4 packet, you know, it's not a pleasant view,
5 obviously. So if we can get a nice development, I
6 think it helps everyone. The neighbors included.
7 So all that I'm for. It's just that we need more
8 information to move forward.

9 So then I guess I will ask the petitioner.
10 We usually like to continue it to a date certain.
11 If we wanted to move it until January, that would
12 mean you would need information to Director Grill by
13 when?

14 MR. GRILL: To be on the 10th, we would have to
15 see something by basically, yes, just after
16 Christmas.

17 CHAIRMAN WHITEHURST: Like December 28, or is
18 there a date specific?

19 MR. GRILL: I would prefer to see it by the
20 26th.

21 CHAIRMAN WHITEHURST: Okay. So it doesn't give
22 you a whole lot of time. So I want to make sure
23 that you have time to then -- if you can't make that
24 date with the information, then we would be looking

1 at a date certain in --

2 MR. FOREST: You're talking about a tentative
3 lighting plan, a tentative landscaping plan?

4 CHAIRMAN WHITEHURST: Yeah. Yeah. But we're
5 going to want to see, you know, pole locations, and
6 if you can run some photometrics, we're going to
7 want to see that, and a lot of times you can get
8 fixture manufacturers to run you that, you know, for
9 little or no dollars. But we're going to want to
10 see that. On landscaping, we would want to see
11 types of plants located where, and a plant schedule
12 of what they may be.

13 MR. FOREST: So you want a finished landscaping
14 plan.

15 CHAIRMAN WHITEHURST: No. We don't want to see
16 details. We don't have to see -- and you can work
17 with Staff, and they can help you as far as what the
18 expectation is.

19 MR. FOREST: Okay. As far as the signage goes,
20 we're only looking at putting a sign on the
21 building. We're not looking at putting a monument
22 sign up.

23 CHAIRMAN WHITEHURST: Okay. So a sign on the
24 building per ordinance.

1 MR. FOREST: Precisely.

2 CHAIRMAN WHITEHURST: Okay. And that's all
3 that -- you know, if we just do the annexation and
4 you don't show a thing about signage, that's what
5 we're all going to -- that's what it's going to be,
6 and then you would have to -- is there a sign permit
7 that's separate, Patrick?

8 MR. GRILL: Yes.

9 CHAIRMAN WHITEHURST: Yeah. So there would be
10 a separate sign permit that you would go to. So in
11 terms of dates, do you want to try to go for January
12 and then -- or do you want to go for February is my
13 question?

14 MR. FOREST: Yeah. With people out for the
15 holidays, I think February would make a better shot.
16 But can I get back to Patrick in the next day or so?

17 CHAIRMAN WHITEHURST: We have to make a motion
18 right now.

19 MR. FOREST: February.

20 CHAIRMAN WHITEHURST: Sorry.

21 MR. FOREST: That's okay.

22 CHAIRMAN WHITEHURST: So what's the date in
23 February?

24 MR. GRILL: 14th.

1 CHAIRMAN WHITEHURST: Okay. All right. Other
2 comments? Procedural? Anything else on this end?
3 You're cool with that? February?

4 Okay. And then you can get with Director
5 Grill on a date then of when he'll need materials
6 for the February, okay.

7 Okay. If nothing else, then a motion.

8 COMMISSIONER JARRETT: I'd like make a motion
9 to continue application PZ-18-0010 to a date certain
10 of February 14th, 2019.

11 CHAIRMAN WHITEHURST: I have a motion. Do I
12 have a second?

13 COMMISSIONER ORLOWSKI: I'll second that.

14 CHAIRMAN WHITEHURST: Second on the motion.
15 Any questions on the motion? Comments? Hearing
16 none, we're going to vote by roll call.

17 Jason Jarrett.

18 COMMISSIONER JARRETT: Yes.

19 CHAIRMAN WHITEHURST: Mike Orlowski.

20 COMMISSIONER ORLOWSKI: Yes.

21 CHAIRMAN WHITEHURST: Ken Jackson.

22 COMMISSIONER JACKSON: Yes.

23 CHAIRMAN WHITEHURST: Dominick Romano.

24 COMMISSIONER ROMANO: (No response.)

1 CHAIRMAN WHITEHURST: Larry Calvert.

2 COMMISSIONER CALVERT: Yes.

3 CHAIRMAN WHITEHURST: Jack Lanenga.

4 COMMISSIONER LANENGA: Yes.

5 CHAIRMAN WHITEHURST: And I too vote yes.

6 So thank you. And we'll see you in
7 February.

8 MR. FOREST: Thank you.

9 CHAIRMAN WHITEHURST: Thank you.

10 (Whereupon, the public hearing was
11 adjourned.)

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ADDENDUM MINUTES

DECEMBER 13, 2018

Following conclusion of the public hearing portion of the agenda, the Zoning & Planning Commission took a short break and reconvened at approximately 8:51 p.m. for a Pre-Application conference to discuss a proposal for 257-305 E. North Avenue. Delta Sonic Car Wash Systems is proposing a redevelopment of this property into a convenience center, car wash, detail center and gas station.

Should Delta Sonic choose to move forward, the commissioners would like to see a traffic study that includes a site circulation analysis, revised landscape plan that addresses the east side of the property and the area that is currently IDOT ROW, day and night graphics of elevations, a sign plan and a photometric plan. Overall, the commissioners seemed pleased with the proposal.

Following a brief comment by Director Grill, the Zoning & Planning Commission moved to adjourn the meeting at approximately 9:29 p.m.