

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 9, 2020

7:30 PM

Chairman Jason Jarrett

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

- 1. Call to Order - Roll Call**
- 2. Public Comments on Agenda Items**
- 3. Amendments to the Agenda**
- 4. Approval of Minutes**
 - 4.a Minutes
 - [General Minutes 12-12-2019.pdf](#)
 - [Minutes PZ 19-0012 12-12-2019.pdf](#)
 - [Minutes PZ 19-0013 12-12-2019.pdf](#)
- 5. Business**
 1. Petition PZ-19-0014 Resubdivision of existing lot into two lots at 225 W. Roosevelt Road. Petitioner, Mitch Goltz. 2. Petition PZ-19-0015 Variance to add a shed for property located at 121 East Highland Avenue. Petitioner, Robert McGinn. 3. Petition PZ-19-0016 Text Amendment reducing the distance between a principal building and a detached garage from 10 feet to 5 feet. Petitioner, Village of Villa Park.
- 6. Public Hearing(s)**

Please note that no further testimony on a matter can be considered after the close of the public hearing. a. Presentation of Petitioner b. Staff Input c. Public Participation and Questions d. Questions from the Commission e. Closing Comments of Petitioner f. Close Public Hearing g. Discussion by Commission Members h. Motion
- 7. Public Comments on Non-Agenda Items**
- 8. Commissioner Comments**
- 9. Village Board Liaison Comments**
- 10. Village Staff Comments**

11. Adjournment

Upcoming Hearings

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

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

Planning and Zoning Commission Agenda Item Report

Meeting Date: January 9, 2020

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Minutes

Agenda Section: Approval of Minutes

Subject:

Minutes

Suggested Action:

Attachments:

[General Minutes 12-12-2019.pdf](#)

[Minutes PZ 19-0012 12-12-2019.pdf](#)

[Minutes PZ 19-0013 12-12-2019.pdf](#)

IN RE THE MATTER OF:)
)
Regular meeting minutes.)

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.

Meeting Minutes
December 12, 2019

2

1 BOARD MEMBERS PRESENT:

2 MR. MIKE ORLOWSKI

3 MR. KEN JACKSON

4 MR. LARRY CALVERT

5 MR. EDWARD HOFSTRA

6 MR. BENJAMIN KESKIC

7 MR. JACK LANENGA

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9 ALSO PRESENT:

10 MR. PATRICK GRILL, Director of Community
Development

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12 MR. ALBERT BULTHUIS, Village President

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1 COMMISSIONER ORLOWSKI: I'd like to call this
2 Planning & Zoning Commission meeting to order
3 December 12th, 2019 at 7:36. I'll do a roll call.
4 And I'm not good with everybody's names, so --

5 COMMISSIONER HOFSTRA: Just turn to page three
6 of your notes.

7 COMMISSIONER ORLOWSKI: Ken Jackson.

8 COMMISSIONER JACKSON: Present.

9 COMMISSIONER ORLOWSKI: Larry.

10 COMMISSIONER CALVERT: Here.

11 COMMISSIONER ORLOWSKI: Edward.

12 COMMISSIONER HOFSTRA: Yes.

13 COMMISSIONER ORLOWSKI: Jack.

14 COMMISSIONER LANENGA: Yep.

15 COMMISSIONER ORLOWSKI: Dominick.

16 (Whereupon, there was no response.)

17 COMMISSIONER ORLOWSKI: Ben.

18 COMMISSIONER KESKIC: Here.

19 COMMISSIONER ORLOWSKI: Okay. We'll do public
20 comments on agenda items. Anyone from the public
21 wishing to make any comments? Seeing none. We
22 don't have anyone from the public here.

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1 We'll move on to amendments to the agenda.

2 Any amendments to the agenda?

3 Approval of minutes.

4 COMMISSIONER JACKSON: I'll make a motion to
5 approve the minutes from 11/14/19.

6 COMMISSIONER LANENGA: Support.

7 COMMISSIONER HOFSTRA: Second.

8 COMMISSIONER ORLOWSKI: All in favor.

9 (Whereupon, there was a collective
10 aye response from the Board.)

11 COMMISSIONER ORLOWSKI: Business. We have two
12 petitions.

13 (Whereupon, the public hearings were
14 held.)

15 COMMISSIONER ORLOWSKI: Village Board liaison
16 comments.

17 PRESIDENT BULTHUIS: No comments.

18 COMMISSIONER ORLOWSKI: No comments. Village
19 Staff comments.

20 MR. GRILL: Yes.

21 COMMISSIONER ORLOWSKI: What do we got?

22 MR. GRILL: A couple of times over the past

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1 year we have had requests for expansion of a
2 principal structure that would bring that principal
3 structure less than 10 feet to an attached garage on
4 the subject property. Zoning Code prohibits such an
5 expansion, and nobody comes forward, because you
6 can't really prove a hardship for a variance in an
7 issue like that. So I wanted to sort of get the
8 feeling and opinion from the Board, because right
9 now under in the Zoning Code, under residential
10 garages and carports it says, no detached garage may
11 be located within 10 feet of any principal building.
12 So if right now your home is say 15 feet from your
13 garage, and you want to do an addition, and that
14 addition would make it less than 10 feet to that
15 garage, we'd have to say no even though you may meet
16 setbacks, you may meet lot coverage requirements,
17 but because the Code says you can't be any less than
18 10 feet to your detached garage, you can't do it.

19 So would the Board have issue if Staff
20 presented a Text Amendment at next month's meeting
21 that says, instead of saying 10 feet from any
22 principal building that we limit it to five feet?

1 Because it's that distance when the Building Code
2 requires additional fire separation components to
3 the structure.

4 COMMISSIONER JACKSON: I like that idea. What
5 about all the homes that have detached garages that
6 have come part of the attached housing? Are there
7 different rules required when you attach a garage?

8 MR. GRILL: There is. And we allow garages to
9 be attached to a principal structure. The garage
10 would have to meet all of the setback requirements
11 for a principal structure for that to happen, and
12 the Building Code, the fire elements to the Building
13 Code, would have to come into effect with firewall
14 ratings between the garage and the principal
15 structure.

16 COMMISSIONER JACKSON: I don't see any reason
17 why we shouldn't do it then.

18 COMMISSIONER HOFSTRA: So we allow a detached
19 garage to be expended and join a principal
20 structure?

21 MR. GRILL: Only if the detached garage meets
22 the setback requirements of the principal structure,

1 and all the other bulk regulations of the Zoning
2 Ordinance are met.

3 COMMISSIONER HOFSTRA: That's what I'm watching
4 through my back yard be done. That's why I'm trying
5 to understand what is the requirements to now attach
6 it to the house.

7 MR. GRILL: I would like to know which address
8 that is so I can ensure that they got the
9 appropriate permits to do that.

10 COMMISSIONER HOFSTRA: I don't need to get in
11 trouble with my neighbor. If I tell you where I
12 live, you can look to the southeast of me, and you
13 will find it. Not on the record.

14 MR. GRILL: And without objections, that will
15 cause for a Text Amendment for next month's meeting
16 that would change that specific language to say, no
17 detached garage may be located within five feet of
18 any principal building.

19 COMMISSIONER KESKIC: Does that garage also
20 extend to sheds and other --

21 MR. GRILL: No. This is specifically principal
22 structures and garages.

1 COMMISSIONER HOFSTRA: So if they attach a
2 garage to a house, that garage is there and they
3 attach it to the house, there's firewall
4 restrictions that need to be met.

5 MR. GRILL: Correct. Yes. I mean, when it's
6 greater than five feet, there's no additional
7 firewall rating that you have to put into either the
8 principal building or the detached garage. You got
9 less than that, less than five feet, then you do
10 have to do additional --

11 COMMISSIONER JACKSON: What if you want to
12 expand your garage so that it's within five feet of
13 your house?

14 MR. GRILL: So long as the detached garage
15 meets our area requirements, yes.

16 COMMISSIONER JACKSON: I thought you could only
17 have a three-car garage though.

18 MR. GRILL: Maybe you have a single-car garage
19 at this point, and you want to try to make it a
20 two-car garage.

21 COMMISSIONER JACKSON: Or tandem.

22 MR. GRILL: We say three cars, but we also have

1 a size limit. And if you have Fiats, you may be
2 able to put six cars in there. I wouldn't know it,
3 because you should have your garage door closed
4 when, you know --

5 COMMISSIONER JACKSON: All right. I like it.
6 Let's do it. I agree.

7 COMMISSIONER CALVERT: And this would only
8 apply to the garage and the house that's on your
9 particular parcel.

10 MR. GRILL: Correct.

11 COMMISSIONER CALVERT: You couldn't expand the
12 garage and be within five feet of the neighbor's
13 house.

14 MR. GRILL: No.

15 COMMISSIONER ORLOWSKI: No. That's where you
16 set the variance, for your setbacks.

17 COMMISSIONER HOFSTRA: Existing detached
18 garages have the same setbacks as principal
19 structures?

20 MR. GRILL: No. That's why I say I'd like to
21 know in that particular instance, because setbacks
22 from detached garages are different than setbacks

1 for principal structures. But I will say, in a
2 couple of instances over the last year we have had
3 people that, you know, did want to make improvements
4 to their homes, but they would be less than 10 feet
5 from their home and a detached garage, and we've had
6 to say no, and they've asked about variances, and we
7 said, you don't have a hardship, so --

8 COMMISSIONER JACKSON: I would approve that.
9 Let's do it.

10 COMMISSIONER ORLOWSKI: Landline. That's your
11 hardship. Landline. I need more space.

12 MR. GRILL: With that, I don't have any other
13 additional comments.

14 COMMISSIONER JACKSON: Thank you.

15 COMMISSIONER LANENGA: Nothing else is in the
16 pipeline?

17 MR. GRILL: We do -- for next month, we may
18 have a subdivision up on Roosevelt Road, 225, where
19 the BioLife and fitness place are. They want to
20 create an outlot right at the hard corner at
21 Michigan.

22 COMMISSIONER ORLOWSKI: I was going to say, it

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1 looks like they already did.

2 MR. GRILL: Well, they want to, so --

3 COMMISSIONER LANENGA: That's Villa Park?

4 MR. GRILL: Uh-huh.

5 COMMISSIONER ORLOWSKI: Okay. That's it?

6 MR. GRILL: Yep.

7 COMMISSIONER ORLOWSKI: We'll move to
8 adjournment.

9 COMMISSIONER LANENGA: So moved.

10 COMMISSIONER ORLOWSKI: All in favor.

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

13 COMMISSIONER ORLOWSKI: We're adjourned.

14 (Whereupon, the meeting was
15 adjourned.)

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2 | COUNTY OF DU PAGE)



MARY FAILLO, CSR, RPR

Meeting Minutes
December 12, 2019

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A able 9:2 above-entitled 12:12 addition 5:13,14 additional 6:2 8:6,10 10:13 address 7:7 adjourned 11:13 11:15 adjournment 11:8 agenda 3:20 4:1 4:2 agree 9:6 ALBERT 2:12 allow 6:8,18 Amendment 5:20 7:15 amendments 4:1 4:2 apply 9:8 appropriate 7:9 Approval 4:3 approve 4:5 10:8 Ardmore 1:18 area 8:15 asked 10:6 attach 6:7 7:5 8:1,3 attached 5:3 6:6 6:9 Avenue 1:18 aye 4:10 11:12 B back 7:4 Ben 3:17 BENJAMIN 2:6 BioLife 10:19 Board 2:1 4:10 4:15 5:8,19	11:12 bring 5:2 building 5:11,22 6:1,12,12 7:18 8:8 bulk 7:1 BULTHUIS 2:12 4:17 Business 4:11 C C.S.R 1:20 12:5 call 3:1,3 CALVERT 2:4 3:10 9:7,11 carports 5:10 cars 8:22 9:2 cause 7:15 12:12 certify 12:7 change 7:16 closed 9:3 Code 5:4,9,17 6:1,12,13 collective 4:9 11:11 come 6:6,13 comes 5:5 comments 3:20 3:21 4:16,17 4:18,19 10:13 Commission 1:1 1:6,16 3:2 12:9 COMMISSIO... 3:1,5,7,8,9,10 3:11,12,13,14 3:15,17,18,19 4:4,6,7,8,11,15 4:18,21 6:4,16 6:18 7:3,10,19 8:1,11,16,21 9:5,7,11,15,17 10:8,10,14,15 10:22 11:3,5,7 11:9,10,13	Community 2:10 complete 12:14 components 6:2 conditions 12:10 corner 10:20 correct 8:5 9:10 12:13 County 12:2,6 12:10 couple 4:22 10:2 Court 12:10 coverage 5:16 create 10:20 CSR 12:19 D December 1:7 3:3 detached 5:10 5:18 6:5,18,21 7:17 8:8,14 9:17,22 10:5 Development 2:10 different 6:7 9:22 Director 2:10 distance 6:1 Dominick 3:15 door 9:3 Du 12:2,7 duly 12:6 E E 1:20 Edward 2:5 3:11 effect 6:13 either 8:7 elements 6:12 ensure 7:8 entire 12:14 everybody's 3:4 Existing 9:17	expand 8:12 9:11 expansion 5:1,5 expended 6:19 extend 7:20 F FAILLO 1:20 12:5,19 favor 4:8 11:10 feeling 5:8 feet 5:3,11,12,14 5:18,21,22 7:17 8:6,9,12 9:12 10:4 Fiats 9:1 find 7:13 fire 6:2,12 firewall 6:13 8:3 8:7 fitness 10:19 five 5:22 7:17 8:6,9,12 9:12 foregoing 12:13 forth 12:15 forward 5:5 G garage 5:3,10,13 5:15,18 6:7,9 6:14,19,21 7:17,19 8:2,2,8 8:12,14,17,18 8:20 9:3,8,12 10:5 garages 5:10 6:5 6:8 7:22 9:18 9:22 going 10:22 good 3:4 greater 8:6 GRILL 2:10 4:20,22 6:8,21 7:7,14,21 8:5	8:14,18,22 9:10,14,20 10:12,17 11:2 11:4,6 H Hall 1:16 happen 6:11 hard 10:20 hardship 5:6 10:7,11 hearing 12:12 hearings 4:13 held 4:14 hereinabove 12:15 HOFSTRA 2:5 3:5,12 4:7 6:18 7:3,10 8:1 9:17 home 5:12 10:5 homes 6:5 10:4 house 7:6 8:2,3 8:13 9:8,13 housing 6:6 I idea 6:4 Illinois 1:18,22 12:1,6 improvements 10:3 instance 9:21 instances 10:2 issue 5:7,19 items 3:20 J Jack 2:7 3:13 Jackson 2:3 3:7 3:8 4:4 6:4,16 8:11,16,21 9:5 10:8,14 join 6:19
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K	month's 5:20 7:15 motion 4:4 move 4:1 11:7 moved 11:9	12:15 Planning 1:1,6 1:14 3:2 12:8 point 8:19 Present 2:1,9 3:8 presented 5:20 President 2:12 4:17 principal 5:2,2 5:11,22 6:9,11 6:14,19,22 7:18,21 8:8 9:18 10:1	requires 6:2 residential 5:9 response 3:16 4:10 11:12 restrictions 8:4 right 5:8,12 9:5 10:20 Road 10:18 roll 3:3 Roosevelt 10:18 RPR 12:19 rules 6:7	10:18 subject 5:4 12:9 Support 4:6
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Landline 10:10 10:11 LANENGA 2:7 3:14 4:6 10:15 11:3,9 language 7:16 Larry 2:4 3:9 Let's 9:6 10:9 liaison 4:15 limit 5:22 9:1 live 7:12 located 5:11 7:17 long 8:14 look 7:12 looks 11:1 lot 5:16	names 3:4 need 7:10 8:4 10:11 neighbor 7:11 neighbor's 9:12 notes 3:6	Q	sayings 5:21 says 5:10,17,21 Second 4:7 see 6:16 Seeing 3:21 separation 6:2 set 9:16 12:15 setback 6:10,22 setbacks 5:16 9:16,18,21,22 sheds 7:20 shorthand 12:11 single-car 8:18 six 9:2 size 9:1 sort 5:7 South 1:18 southeast 7:12 space 10:11 specific 7:16 specifically 7:21 SS 12:1 Staff 4:19 5:19 State 1:20 12:1,6 structure 5:2,3 6:3,9,11,15,20 6:22 structures 7:22 9:19 10:1 subdivision	taken 1:12,16 12:11,14 tandem 8:21 tell 7:11 terms 12:9 testimony 1:12 12:11,14 Text 5:20 7:15 Thank 10:14 thought 8:16 three 3:5 8:22 three-car 8:17 time 12:15 times 4:22 transcript 12:13 trouble 7:11 true 12:13 try 8:19 trying 7:4 turn 3:5 two 4:11 two-car 8:20
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MARY 1:20 12:5,19 MATTER 1:3 mean 8:5 meet 5:15,16 6:10 meeting 1:4,6 3:2 5:20 7:15 11:14 meets 6:21 8:15 MEMBERS 2:1 met 7:2 8:4 Michigan 10:21 MIKE 2:2 minutes 1:4 4:3 4:5 month 10:17	objections 7:14 Okay 3:19 11:5 opinion 5:8 order 3:2 Ordinance 7:2 ORLOWSKI 2:2 3:1,7,9,11 3:13,15,17,19 4:8,11,15,18 4:21 9:15 10:10,22 11:5 11:7,10,13 outlot 10:20	rating 8:7 ratings 6:14 really 5:6 reason 6:16 record 7:13 Regular 1:4,6 regulations 7:1 report 12:14 reported 12:10 Reporters 12:10 request 12:7 requests 5:1 required 6:7 requirements 5:16 6:10,22 7:5 8:15	sheds 7:20 shorthand 12:11 single-car 8:18 six 9:2 size 9:1 sort 5:7 South 1:18 southeast 7:12 space 10:11 specific 7:16 specifically 7:21 SS 12:1 Staff 4:19 5:19 State 1:20 12:1,6 structure 5:2,3 6:3,9,11,15,20 6:22 structures 7:22 9:19 10:1 subdivision	Uh-huh 11:4 understand 7:5 usual 12:9
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	P.M 1:7 page 3:5 12:2,7 parcel 9:9 Park 1:1,14,16 1:18 11:3 12:8 part 6:6 particular 9:9 9:21 PATRICK 2:10 people 10:3 permits 7:9 petitions 4:12 pipeline 10:16 place 10:19			

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want 5:13 8:11	6			
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watching 7:3	7:36 3:3			
We'll 3:19 4:1				
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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Text Amendment adding)
PUDs as Special Uses,)
deleting Section 5-1 PUD) Petition PZ-19-0012
District from the Zoning)
Ordinance and adding)
PUDs as Special Uses to)
Table 6-1.)

PUBLIC HEARING BEFORE THE
PLANNING & ZONING COMMISSION
DECEMBER 12, 2019
7:30 P.M.

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

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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

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1 BOARD MEMBERS PRESENT:

2 MR. MIKE ORLOWSKI

3 MR. KEN JACKSON

4 MR. LARRY CALVERT

5 MR. EDWARD HOFSTRA

6 MR. BENJAMIN KESKIC

7 MR. JACK LANENGA

8
9 ALSO PRESENT:

10 MR. PATRICK GRILL, Director of Community
Development

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12 MR. ALBERT BULTHUIS, Village President
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1 COMMISSIONER ORLOWSKI: Petition PZ-19-0012,
2 continuation of a Text Amendment adding Planned
3 Development as a Special Use. We'll lead with that,
4 and see if Patrick wants to take it from there.

5 MR. GRILL: I can take it from there.

6 You have before you this evening changes
7 that we discussed at last month's Planning & Zoning
8 Commission meeting. I did receive an e-mail from
9 Jason today. He did have one comment specifically
10 on page three, the top paragraph, under 11.3.3,
11 definition and size limitations. We did discuss
12 that there would be no minimum size PUD with the
13 exception of industrial or manufacturing, and that
14 it would be two.

15 So with that, all we need to do is just
16 include the last three words of the stricken
17 language and put in manufacturing districts, or
18 actually just manufacturing districts shall be at
19 least two acres in area.

20 COMMISSIONER JACKSON: Okay.

21 MR. GRILL: And with that, Staff would
22 entertain any questions. If you're satisfied with

1 what has been presented, you can just recommend the
2 approval as noted this evening, and then Staff would
3 obviously take that to the next available Village
4 Board agenda.

5 COMMISSIONER ORLOWSKI: Any questions from the
6 Commission? None?

7 COMMISSIONER LANENGA: May I make a motion?

8 COMMISSIONER ORLOWSKI: Sure. We can jump
9 right to that.

10 COMMISSIONER LANENGA: I move to approve
11 application PZ-19-0012 for a Text Amendment to
12 revise Section 1-3 as attached, deleting Section 5-1
13 and amending Table 6-1 in Article 6 of Appendix C of
14 the Villa Park Zoning Ordinance, by adding Planned
15 Unit Developments as a Special Use in all districts.
16 Do I need to mention the change --

17 MR. GRILL: Yes.

18 COMMISSIONER LANENGA: Including changing page
19 3.11.3.3 to manufacturing districts shall be at
20 least two acres in area.

21 MR. GRILL: So we have a motion.

22 COMMISSIONER ORLOWSKI: Second?

1 COMMISSIONER HOFSTRA: Second.

2 COMMISSIONER ORLOWSKI: Roll call vote.

3 Ken Jackson.

4 COMMISSIONER JACKSON: Yes.

5 COMMISSIONER ORLOWSKI: Larry.

6 COMMISSIONER CALVERT: Yes.

7 COMMISSIONER ORLOWSKI: Edward.

8 COMMISSIONER HOFSTRA: Yes.

9 COMMISSIONER ORLOWSKI: Jack.

10 COMMISSIONER LANENGA: Yep.

11 COMMISSIONER ORLOWSKI: Dominick.

12 (Whereupon, there was no response.)

13 COMMISSIONER ORLOWSKI: Ben.

14 COMMISSIONER KESKIC: Yes.

15 COMMISSIONER ORLOWSKI: And I too vote yes.

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

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1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

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

Mary Lailo

MARY FAILLO, CSR, RPR



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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Text Amendment deleting)
certain uses and adding)
cannabis dispensing)
facility and medical)
cannabis dispensing)
facility as Special Uses) Petition PZ-19-0013
in the C-3 Service)
Business District and)
adding a new Section)
6.4.18 to Article 6)
referencing cannabis)
businesses including)
definitions,)
prohibitions, and)
restrictions.)

PUBLIC HEARING BEFORE THE
PLANNING & ZONING COMMISSION
DECEMBER 12, 2019
7:30 P.M.

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

2 MR. MIKE ORLOWSKI

3 MR. KEN JACKSON

4 MR. LARRY CALVERT

5 MR. EDWARD HOFSTRA

6 MR. BENJAMIN KESKIC

7 MR. JACK LANENGA

8
9 ALSO PRESENT:

10 MR. PATRICK GRILL, Director of Community
Development

11
12 MR. ALBERT BULTHUIS, Village President

1 COMMISSIONER ORLOWSKI: So that will bring us
2 to the second petition, PZ-19-0013, and that too is
3 the Village of Villa Park, petitioner.

4 MR. GRILL: Before you this evening is a Text
5 Amendment to the Zoning Ordinance that further
6 refines and defines the requirements for cannabis
7 dispensaries in Villa Park. What's before you this
8 evening basically follows what the state has allowed
9 municipalities to do. We had earlier passed a Text
10 Amendment that required a Special Use for cannabis
11 facilities in any C-3 District. This further
12 refines that by including all of the definitions
13 that the state approved as part of the recreational
14 cannabis ordinance from May, and we have added
15 additional language that requires the hours of
16 operation being no earlier than 9:00 a.m., nor later
17 than 9:00 p.m. that we can issue a maximum of three
18 Special Uses for these cannabis facilities, and that
19 no Special Use may be granted for any location
20 within 1,500 feet of one another, and then, lastly,
21 no on-site consumption of cannabis.

22 With that, Staff would entertain any

1 questions that the Commission may have.

2 COMMISSIONER ORLOWSKI: Questions from the
3 Commission?

4 COMMISSIONER HOFSTRA: Yeah. Pat, when I look
5 at point B, it just says that we're going to
6 prohibit -- hereby prohibited to be conducted with
7 the following uses: The growing, the cultivating,
8 the infuser facility, the processing facility, and
9 transport. So really what are we doing? We're
10 allowing them to sell?

11 MR. GRILL: Yes. Yes. We are allowing them to
12 sell. If they come to the Village and request a
13 Special Use, and it is within a C-3 District, then
14 they can request a Special Use, and as a Special Use
15 the Commission and the Village Board would be able
16 to condition that approval to ensure that the
17 operations did not have a negative or deleterious
18 effect on the Village.

19 COMMISSIONER HOFSTRA: Okay. So I was just
20 wondering the thought process behind why prohibited
21 within the Village boundary, those five pieces of
22 business.

1 MR. GRILL: Because it's language that is
2 included in the state ordinance, and we want people
3 to know that you can't do any of those. The only
4 facilities we want to approve are the facilities
5 that sell it.

6 COMMISSIONER HOFSTRA: Okay.

7 MR. GRILL: And, in fact, on that issue, under
8 B-2, where it says, cannabis cultivated centers,
9 that should be cannabis cultivation centers.

10 COMMISSIONER JACKSON: So we'll allow for
11 distribution, but no craft growers. What's a craft
12 grower? Is that like a craft brewery?

13 COMMISSIONER ORLOWSKI: No. Actually, if you
14 got the license, you can be what they call a craft
15 grower, and you can grow up to five plants within
16 your residence.

17 MR. GRILL: Well, no. We actually define craft
18 grower in this language.

19 COMMISSIONER ORLOWSKI: Okay. I read through
20 what the state -- what they have in their law for
21 2020, and what they've passed, and that's, I mean --

22 MR. GRILL: Well, the five plants, that's only

1 for people who have a medical marijuana
2 prescription. They're allowed to grow within the
3 confines of their own home.

4 Now, you know, on January 1st of 2020,
5 existing medical facilities will have the ability to
6 start selling recreational marijuana. Come May 1,
7 an additional 75 new licenses will be issued by the
8 state that allow those 75 people to begin selling
9 recreational cannabis. The decision on those 75 is
10 likely to come down by like -- March 31st I think
11 the state is going to their list come out, their
12 approved list.

13 To date, we've had quite a few discussions
14 with individuals about being able to open a facility
15 in Villa Park. We have told them that it requires a
16 Special Use. To date, nobody has allowed for any
17 Special Uses for recreational cannabis dispensaries.

18 COMMISSIONER ORLOWSKI: And I know Lombard said
19 no, period.

20 MR. GRILL: Lombard or Elmhurst?

21 COMMISSIONER ORLOWSKI: Lombard.

22 MR. GRILL: I thought Lombard said yes.

1 Elmhurst said no.

2 PRESIDENT BULTHUIS: Lombard said yes. I was
3 at the meeting.

4 COMMISSIONER HOFSTRA: So are we allowing
5 individuals to grow five plants in their home?

6 MR. GRILL: Yes. Only because the state has
7 said that if you have a medical marijuana
8 prescription that you -- come January 1, you would
9 be able to grow your own plants in your own home.

10 COMMISSIONER HOFSTRA: If you have a medical --

11 MR. GRILL: If you have a medical, correct.
12 And nothing that we would do with our own ordinance
13 could prohibit that.

14 COMMISSIONER JACKSON: But we prohibit
15 recreational growing, recreational use growing,
16 right?

17 MR. GRILL: No. The state prohibits it, and we
18 can't be more lenient than the state.

19 COMMISSIONER JACKSON: You've got three
20 licenses, right, that were approved for Villa Park?
21 Three shops that could open up?

22 MR. GRILL: That is a Village restriction that

1 we're putting on ourselves that we will not issue
2 more than three. I mean, theoretically, I mean, if
3 you did the geography and the 1,500 feet, you could
4 get more than three, but we have decided that three
5 at this point is enough.

6 COMMISSIONER HOFSTRA: Where do our surrounding
7 communities stand? I heard Lombard said yes.

8 MR. GRILL: Lombard said yes. Addison said
9 yes. Elmhurst said no. Oakbrook Terrace said yes.

10 COMMISSIONER LANENGA: Patrick, what was the
11 rationale behind 1,500 feet? That's about three
12 blocks. That seems like -- we're a pretty big
13 Village.

14 MR. GRILL: Again, that's what the state came
15 up with, and we could be more restrictive if we
16 wanted to, but we couldn't be less restrictive. We
17 couldn't say, well, we think 1,500 feet is too much.
18 We only want a thousand. We can't do that.

19 COMMISSIONER ORLOWSKI: Most of the language
20 that's in here is exactly straight out of what the
21 state is allowing.

22 COMMISSIONER CALVERT: A few years ago we were

1 discussing medical cannabis. There was some
2 restrictions regarding locations near schools and
3 churches and things like that. Do those still
4 stand?

5 MR. GRILL: Not from a state level, but because
6 that can be considered more restrictive, it's
7 something that the Village could impose on it if
8 they wanted to.

9 COMMISSIONER JACKSON: But based on our zoning,
10 where we're going to allow them --

11 MR. GRILL: We haven't put a restriction to
12 distances to schools and day cares and things like
13 that.

14 COMMISSIONER JACKSON: They're going to be in
15 C-3 Districts, so the C-3 Districts are -- most of
16 them are away from the schools, aren't they? At
17 least a couple blocks away from each school, right?

18 MR. GRILL: With the expectation of Willowbrook
19 High School, I don't know any other school that
20 would be within 1,500 feet, or, you know, a thousand
21 feet from any other C-3 District.

22 COMMISSIONER JACKSON: Okay.

1 COMMISSIONER CALVERT: The C-3 Districts are --
2 what are those again?

3 MR. GRILL: C-3 Districts are our most lenient
4 commercial districts, but they're found only along
5 North Avenue, Roosevelt Road, and a couple of
6 instances on Route 83.

7 COMMISSIONER ORLOWSKI: The high school has
8 their own rules. Got to go to the nurse's office.

9 COMMISSIONER JACKSON: Cannabis will not be
10 allowed at Willowbrook.

11 COMMISSIONER ORLOWSKI: No. It will be. They
12 have to have a medical card, and they have to go to
13 the nurse's office to do whatever they do with it
14 there.

15 COMMISSIONER LANENGA: Real quick. This has
16 already been approved. This is just telling us
17 where it's going to be. This is not an approval in
18 any way, shape, or form. This is just saying, if
19 we're going to have it, this is where it's going to
20 be.

21 MR. GRILL: Right. And these are the
22 restrictions we're placing on it.

1 COMMISSIONER LANENGA: Yeah.

2 COMMISSIONER HOFSTRA: So we approved selling
3 recreational pot in the city of Villa Park now? I
4 mean, I think that's --

5 MR. GRILL: Technically, not yet. Until the
6 Village Board approves a specific location, we
7 haven't approved anything, so -- but we have said
8 that we will allow it. If somebody comes to us and
9 agrees to these restrictions, that we would be
10 inclined to say yes. We're not required to say yes,
11 but we'd be inclined to say yes.

12 COMMISSIONER HOFSTRA: So the city of Elmhurst
13 said no to recreational sales in the city limits?

14 MR. GRILL: Uh-huh.

15 COMMISSIONER JACKSON: Well, if that happens,
16 and it's going to go through, and people are going
17 to buy it, and the tax revenues we can get from
18 it -- you know, people from Elmhurst are going to
19 come to Villa Park. It's the closest place, so --

20 COMMISSIONER ORLOWSKI: I'll make one comment.
21 If nobody's researched it, it's not -- it's not what
22 the '60s and '70s and '80s pot and marijuana type

1 verbiage is. I mean, today it's oils, edibles.
2 That's your -- and the things that they can actually
3 do with those for medical purposes is actually
4 phenomenal.

5 COMMISSIONER HOFSTRA: We're not talking about
6 medical. We're talking about recreational.

7 COMMISSIONER JACKSON: Both.

8 COMMISSIONER ORLOWSKI: Both. What they're
9 going to be selling is one and the same.

10 COMMISSIONER JACKSON: And they're going to be
11 selling the oils, the edibles for anxiety, sleep,
12 pain, you name it, and people are going to use it
13 with or without a prescription.

14 COMMISSIONER ORLOWSKI: Any other questions?

15 COMMISSIONER KESKIC: I just want to kind of
16 clear up if there is any issues with a dispensary
17 coming close to a school that would be brought up in
18 a Special Use when they would have to come and kind
19 of pitch their location.

20 MR. GRILL: Correct. Yes.

21 COMMISSIONER ORLOWSKI: Any more?

22 Closing comments from the petitioner.

1 Nothing?

2 Close the public hearing.

3 Discussion by Commission members. Anyone
4 want to make a motion?

5 COMMISSIONER LANENGA: I'll make a motion.

6 Move to approve application PZ-19-0013 for a Text
7 Amendment to delete certain uses and add cannabis
8 dispensing facility and medical cannabis dispensing
9 facility as Special Uses in the C-3 Service Business
10 District and adding a new Section 6.4.18 to Article
11 6 referencing cannabis businesses, including
12 definitions, prohibitions, and restrictions.

13 COMMISSIONER JACKSON: I'll second.

14 COMMISSIONER ORLOWSKI: Second. Roll call
15 vote.

16 Ken Jackson.

17 COMMISSIONER JACKSON: Yes.

18 COMMISSIONER ORLOWSKI: Larry.

19 COMMISSIONER CALVERT: Yes.

20 COMMISSIONER ORLOWSKI: Edward.

21 COMMISSIONER HOFSTRA: No.

22 COMMISSIONER ORLOWSKI: Jack.

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COMMISSIONER LANENGA: Yes.

COMMISSIONER ORLOWSKI: Ben.

COMMISSIONER KESKIC: Yes.

COMMISSIONER ORLOWSKI: And I too vote yes.

(Whereupon, the public hearing was
concluded.)

1 | STATE OF ILLINOIS)
) SS.

2 | COUNTY OF DU PAGE)

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

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MARY FAILLO, CSR, RPR



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