

**MINUTES OF THE PLANNING & ZONING COMMISSION MEETING
VILLAGE OF ADDISON
AUGUST 11, 2021**

The Planning & Zoning Commission meeting of the August 11, 2021 meeting was called to order at 7:00 p.m. by Chair Fotopoulos.

Present: Ariano, Fotopoulos, Kamide, McComb, Turk
Absent: Schmitt
Also Present: Jennifer Henaghan and Mike Crandall, Village of Addison, Trustee Del Rosario
Dave Freeman, Village Attorney

PUBLIC HEARING

I. CALL TO ORDER – ROLL CALL

**II. CONSIDERATION TO APPROVE THE MINUTES OF THE JULY 14, 2021
P&Z COMMISSION MEETING**

Mr. Kamide made a motion to approve the minutes of the July 14, 2021 meeting, seconded by Mr. Turk. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

III. PUBLIC HEARINGS AND RECOMMENDATIONS

Mr. Kamide made a motion to open the public hearing, seconded by Mr. Turk.

- I. File #PZ-21-13**, consideration regarding a pre-annexation agreement, rezoning from the R1 Single-Family Residence District to the R3B Multiple Family Residence (Low Density) District, a plat of resubdivision, and a special use for a planned development with variations and exceptions. The property is located at 5N151, 5N141, 5N109, 5N085 and 5N061 Medinah Road in Addison, IL.

P.I.N.: 02-13-302-008, -010, -011, 012, -018 and -019

Petitioner: Medinah Road Development Company, LLC

This file was advertised in the July 26, 2021 issue of the Daily Herald Newspaper.

Mr. Kamide made a motion to open File #PZ-21-13, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Chair Fotopoulos asked Jennifer Henaghan if residents were properly notified of this public hearing. Ms. Henaghan said no.

Mr. Kamide made a motion to table File #PZ-21-13 to the October 13, 2201 meeting to allow notices to go out properly, seconded by Mr. McComb.

Attorney Freeman said that he suggests that we ask Ms. Henaghan whether there is any other procedural issues that also need to be addressed before we vote just on tabling this only for the reason of notice.

Ms. Jennifer Henaghan stated that we do not have a formalized approval for the FPA from Glendale Heights. Attorney Freeman suggested that we proceed with the motion to table but based upon both the failure to properly notify the residents as well as the fact that we don't have the approval for the FPA from the Glendale Heights that we can't proceed tonight.

Mr. Kamide amended his motion to table File #PZ-21-13 for the above reasons that were aforementioned, seconded by Mr. McComb. Roll call was taken. Attorney Freeman asked Chair Fotopoulos what is the date that this file will be heard? Chair Fotopoulos said October 13, 2021.

Motion passed unanimously.

Consideration of File PZ-21-13 as described above.

Mr. Kamide made a motion to close File #PZ-21-13, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-21-15**, consideration regarding proposed Text Amendments to the Village of Addison Zoning Code with respect to fees, violations, penalty and enforcement.

Petitioner: Village of Addison

This file was advertised in the July 26, 2021 issue of the Daily Herald Newspaper.

Mr. Kamide made a motion to open File #PZ-21-15, seconded by Mr. McComb.

Ms. Jennifer Henaghan stated this item for Text Amendments pertaining to application fees to the Planning & Zoning Commission, and fines for violations of the Zoning Ordinance. Application fees have not been amended since 2009 which set the rate schedule through 2012. Since that time, cost have increased and Staff is recommending that fees be raised according to inflation rates which have increased 20% since that time. We are making an additional recommendation that the base filing fee be lowered to \$300.00 for applications for a single family residence and raised to \$500.00 for all other applications which reflects the additional work and complications with multifamily, commercial and industrial properties and give a slight break to homeowners. The current minimum daily fine for violation of the Zoning Ordinance is \$50.00 which is inconsistent with fines with other violations of the Municipal Code. Those are generally \$150.00 so we are recommending that those fines be raised from \$50.00 to \$150.00 per day with a maximum daily fine of \$1,000 instead of \$500.00.

Chair Fotopoulos asked if there was any questions from the Plan Commission. Mr. Kamide said even though it has been a period of time since the fees have been raised, it seems like they are being raised considerably and wondering if it is counterproductive towards economic development of these properties. Is it necessary to raise these fees that high? Ms. Henaghan said in her experience she hasn't spoken with any potential developers who have raised the application fees as a hindrance or a reason why they would not develop in Addison, but if the Commission is looking to do something we are certainly open to other ideas. Mr. McComb had a question on the per day fine. Is that per violation or each violation could be between \$50 and \$500 a day depending on how serious it is. Attorney Freeman said yes that is correct.

Chair Fotopoulos asked if the audience had any questions. There was none. Chair Fotopoulos asked for positive and negative testimony. There was none.

Mr. Kamide made a motion to close File #PZ-21-15, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-21-15 as described above.

Mr. Kamide made a motion to open File #PZ-21-15 for consideration, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Mr. Kamide made a motion for a positive recommendation for File #PZ-21-15 regarding the proposed text amendments to the Village of Addison Zoning Code with respect to fees, violations, penalty and enforcement, seconded by Mr. McComb. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

IV. AUDIENCE PARTICIPATION

Mr. James Gray, Managing Director of Cornice & Rose stated he would like more clarification on why the file is being tabled. Mr Gray said he has had numerous conversations regarding the FPA issue with Jennifer Henaghan. He feels that it is more or less resolved. Mr. Gray said he has sequence of letters which addresses the FPA issue. Basically what CMAP and IEPA are saying is that they do not want municipalities using an FPA issue to deter any kind of development moving forward in communities. One issue is the essence of the issue and the second one is that he has read through the Staff Report that was prepared and he didn't see the FPA issue raised. Why wasn't this addressed earlier, and tonight it is enough of an issue that we are kicking everything out until two months. Mr. Gray said he feels this issue has been resolved and IEPA told them that they will be sending a letter that should affectively resolve it. Mr. Gray would like to request that this could be addressed in the September meeting.

Chair Fotopoulos said unfortunately our agenda for September is very full and that is why we are moving this to October. We would like to see a formal approval of the FPA. The subject property is currently outside the Village Facility Planning Area which means the property would need to be transferred from Glendale Heights FPA to Addison's FPA for the Village to provide sanitary sewer.

Attorney Freeman said even if we had the FPA Approval we couldn't proceed tonight because of the notice issue. This matter is being continued for two months because the agenda for the September hearing has already been set and there is only so many items that this Commission can hear at anyone meeting. At the beginning of this meeting, the Chair asked Jennifer Henaghan whether or not the Village have received the formal approval from Glendale Heights and she indicated that the Village had not. If we have the approval and if its in the file and for some reason she errored then it won't be an issue, but even if we had it we couldn't proceed tonight anyway.

V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN

None

VI. ADJOURNMENT

Mr. Kamide made a motion to adjourn the meeting at 7:30 p.m., seconded by Mr. McComb.

Motion passed unanimously.

Respectfully submitted,


Georgianne Jakubowski

PLANNING & ZONING COMMISSION, AUGUST 11, 2021

PLEASE SIGN IN

NAME	ORGANIZATION AND/OR ADDRESS
James Gray	Carmice & Rose
Scott Benz	5N041 Medinah
Natalie Stec	5N041 Medinah
Jonathan Spencer	Carmice & Rose
Ted Karas	349 Galway Bloomington IL
Henry Dominum	2421 Nicola Addison
Don De Santi	2409 NICOLA CT ADDISON
Jorge Ocampo	177 Annalisa Ct. Bloomington
Saddiq M Deimling	4N517 Melish Rd Addison
Ramon + Maribel King	1399 Lilac Ln. Addison
CAROL EHRHARDT	4N450 MEDINAH ADDISON
JOHN EHRHARDT	4N450 MEDINAH ADDISON