MINUTES OF THE PLANNING & ZONING COMMISSION
VILLAGE OF ADDISON
WEDNESDAY, JUNE 14, 2023

The Planning & Zoning Commission meeting of the June 14, 2023 meeting was called to order at 7:00 p.m. by Chair Fotopoulos.

Present: Ariano, Cargill, Fotopoulos, McComb, Schmitt, Turk
Absent: Medina, Turk
Also Present: Mike Crandall, Jennifer Henaghan, Village of Addison and Village Attorney Miner

PUBLIC HEARING

I. CALL TO ORDER – ROLL CALL

II. CONSIDERATION TO APPROVE THE MINUTES OF THE MARCH 8, 2023 PLAN COMMISSION MEETING

Mr. Cargill made a motion to approve the minutes of the March 8, 2023, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken. Chair Fotopoulos abstained.

Motion passed unanimously.

III. PUBLIC HEARINGS AND RECOMMENDATIONS

1. **File #PZ-23-04**, consideration regarding approval of a Plat of Resubdivision with variations. The property is located at 1811-1821 W. Armitage Avenue, Addison, IL.

   P.I.N.: 02-36-408-038, 02-36-408-039

   Petitioner: Farhan Khalique

   This file was advertised in the May 22, 2023 issue of the Daily Herald Newspaper.

Mr. Schmitt made a motion to open File #PZ-23-04, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Jennifer Henaghan, Village of Addison stated the petitioner wishes to combine the two vacant lots at 1811 and 1821 W. Armitage Avenue to allow for the construction of a larger home. They are also requesting two variations. The first variation is for an 8-foot high fence along Rohlwing Road where a 6-foot high fence was previously approved. The second variation is to allow the driveway to extend 40.5 feet from the house where Code allows the driveway to extend only 20 feet.

Staff does not object to the proposed variations due to the unique circumstances of the subject property. The property is located on Rohlwing Road which is one of the busiest roads within the Village. The Zoning Ordinance doesn't have specific standards for side load garages so it doesn't really deal with them well. The proposed variation for the driveway width would allow them to back a vehicle out of the garage, turnaround and pull onto Armitage facing forward. Staff finds that the proposed relief complies with the standards set forth in Zoning Ordinance and therefore Staff recommends approval of the requested actions subject to one condition from engineering that the Rohlwing Road facing side of the fence shall be constructed of a durable, non-light reflective material.

Mr. Cargill asked what they consider durable. Ms. Henaghan stated it is one of those they will know it when they see it. Mr. Cargill said immediately it comes to mind what you see along the tollway with the sound wall and who maintains it? Ms. Henaghan said she doesn't believe the expectation with them would be for the petitioner to construct and 8 foot sound wall but rather something basically not a vinyl fence. Mr. Cargill said it would be on their property? Ms. Henaghan said yes it will.

Mr. Khalique the petitioner was present and sworn in. Mr. Khalique stated they have two lots that the owner is now proposing to combine so he can build a larger home. After the resubdivision, the lot will be approximately 139 feet wide by the 183. The reason is to build a bigger house. The owner is hoping to have about a 4,000 square foot house and it will be fully brick and stone. The two variations are for a fence on the side by Rohlwing Road and also the deeper driveway. Mr, Khalique showed the site plan on the overhead. Ms. Fotopoulos asked are you not the owner. Mr. Khalique stated he is not the owner. Ms. Fotopoulos asked who are you then representing. Mr. Khalique said he is the architect. The owner is actually living in New York and will be making the move here soon. Mr. Cargill said there is a variation required on the driveway, can you explain that to us? Mr. Khalique said the driveway is going to be a side loading garage so that is why it will be a little deeper. Ms. Fotopoulos said why the 40 feet? Mr. Khalique said that the owner can have the side loading garage. Ms. Henaghan stated the Zoning Ordinance doesn't specifically have any regulations pertaining to side load garages so that is the same 20 foot depth that is allowed for a front facing garage. Mr. Cargill said those numbers are based on an attached garage? Ms. Henaghan said actually it applies to attached or detached. Ms. Fotopoulos said since you are not the owner, does the owner have any objections for the fence? Mr. Khalique said he actually wants the fence and they are looking at a wood plastic composite with a matte finish, it's durable and looks like a European style, and there is no maintenance to it. Mr. Cargill said the fence will go the whole length of the lot line, all the way out to the sidewalk? Mr. Khalique said yes and there has to be some separation from the sidewalk. Ms. Henaghan said it could go up to the front of the house but it can't go pass the front of the house.

Chair Fotopoulos asked if the Plan Commission had any questions. There were none.

Chair Fotopoulos asked if the audience had any questions. There were none.

Chair Fotopoulos asked for positive and negative testimony.

POSITIVE TESTIMONY:

Mr. Dan Prete, 2N450 Kenmore, Lombard, IL said he is glad that a house is going to go there.

NEGATIVE TESTMONY: None

Mr. Cargill made a motion to close File #PZ-23-04, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-23-04 as described above.

Mr. Schmitt stated that he has no problem with the request or variations and it will be a nice addition.

Mr. Schmitt made a motion for a positive recommendation for File# PZ-23-04 with the staff recommendation for the fence and the durable material requested, seconded by Mr. Cargill. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-23-05**, consideration of approval of text amendments to the Zoning Ordinance with respect to the definition of buildings and structures.

   Petitioner: Village of Addison

   This file was advertised in the May 22, 2023 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-23-05, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Jennifer Henaghan, Village of Addison stated the proposed text amendments will do four things, clarify what elements are required as part of a principal building; clearly state that roofed-over porches and attached garages are considered part of a principal building for setback purposes; clarify that accessory structures may not be used as living space and also provide a definition for accessory structures to support the regulations within the Zoning Ordinance. The existing language within the Ordinance and the proposed definitions are part of the staff report and staff finds that these text amendments comply with the standards set forth in the Zoning Ordinance and recommend approval of them.

Chair Fotopoulos asked what is the reasoning why it had to be changed. Ms. Henaghan said there was a concern about accessory structures being used as living space.

Chair Fotopoulos asked if there were any questions. Mr. Cargill said for a principal building is there a requirement for them to have sanitary conditions like a toilet and a sink. I think you have to have that to occupy. Ms. Henaghan stated yes there is some different things. The building code has separate requirements as far as what makes the building occupiable but from a zoning standpoint and we also have requirements for what is considered a principal building to clarify basically what you can and can't do within certain structures on the property.

Chair Fotopoulos asked for positive and negative testimony. There was none.

Chair Fotopoulos asked if the audience had any questions. There were none.

Mr. McComb made a motion to close File #PZ-23-05, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-23-05 as described above.

Mr. Schmitt made a motion for a positive recommendation for File #PZ-23-05 for approval of text amendments to the Zoning Ordinance with respect to the definition of buildings and structures, seconded by Mr. McComb. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

3. **File #PZ-23-06**, consideration of approval of a map amendment rezoning the property from the M2 General Manufacturing District to the B2 Community Business District with a variation to reduce the number of required parking spaces. The property is located at 401 S. Irmen, Addison, IL 60101.

   Petitioner: Nery Gomez

This file was advertised in the May 22, 2023 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-23-06, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Jennifer Henaghan, Village of Addison stated the owner of the restaurant at 401 S. Irmen would like to expand into the rest of the building to operate a grocery store that would offer house made tortillas. The property is currently zoned M2 which is our General Manufacturing District, the existing restaurant use was approved as a special use at some point in the past, but adding the grocery store would require a rezoning to the B2 General Business District. In addition, changing from a manufacturing to a commercial use will increase the number of required parking spaces.

There are few comments from other areas of the Village, one about the requirements for a sprinkler system and a grease trap which was discussed with the petitioner and they said they will be in compliance with. We noted that the property is currently used for commercial purposes and has been occupied by a restaurant since at least 2002 and there are other pockets of B2 zoning along Fullerton, so this would not be entirely without precedence. The property currently has 21 parking spaces which is below the current requirement of 27 spaces, so right now for their current uses they are required to have 27. Converting the warehouse space to a grocery store would increase the parking requirement by 15 spaces which would require a variation if we were to approve that.

Staff finds that the proposed map amendment and variation comply with the standards of the Zoning Ordinance and therefore Staff is recommending approval of the requested actions.

Chair Fotopoulos said it really is on Fullerton Avenue. Ms. Henaghan stated yes. Chair Fotopoulos said her concerns are that she doesn't understand why it's even manufacturing when is has been restaurants. So where did it become manufacturing to begin with. Ms. Henaghan stated that it always had manufacturing zoning on it, it just had commercial uses.

Chair Fotopoulos said they got the variations to have the restaurants. Ms. Henaghan said as far as she could tell, she couldn't find the actual approval but going back from the years of business licenses that we have approved I assumed it was approved officially. Chair Fotopoulos said that is why the grease traps are there is because they have always been restaurants. Sprinkling is because it also has been a restaurant and that is required. Chair Fotopoulos said if we change this then years to come what would be the repercussions of this. We are changing M2 to B2 and go back and forth, it is like a seesaw and that is all industrial around it except for the few houses across the street and next to it. There is no sidewalks and do you see any repercussions by changing this? Ms. Henaghan said the change would be that it would have commercial zoning on it so anything that is permitted in the B2 District would be allowed to go there, it wouldn't be limited just to restaurants. Chair Fotopoulos said the other situation is that Staff is requiring about the garbage, they want it enclosed. Ms. Henaghan said Engineering noted that they would require a trash enclosure around the dumpster. The only variation they are requesting is for the number of parking spaces. Attorney Miner said about the parking spaces, it was noted in the Staff Report that Staff doesn't give an opinion one way or the other regarding the parking spaces but you recommended the project overall. So that is to say that Staff is in support of reducing the number of parking spaces. Is that correct? Ms. Henaghan said yes that is correct. Attorney Miner said the trash enclosure, grease trap and manhole, do those need to be included as conditions of approval tonight assuming the Commission goes that direction or can those things be addressed through the permitting process and Community Development. Ms. Henaghan said those are requirements of the permitting process.

Mr. Nery Gomez, the petitioner was present and sworn in. Mr. Gomez stated that he has the opportunity to open a grocery store.

Mr. Cargill asked is this going to be a walk-in grocery store. Mr. Gomez said yes. Chair Fotopoulos said but the restaurant will still remain? Mr. Gomez said yes. Mr. Cargill said this is a separate operation with no connecting door? Mr. Gomez said that is correct. Chair Fotopoulos said you don't have any concerns about deliveries of the trucks, it is a very tight area. Are you ok with the trucks making deliveries in that strip mall? Mr. Gomez said yes. Chair Fotopoulos said the closet grocery store you currently have to your location would be the Villa Food Market and Aldi's, so the people in that area would have to travel but yours is more convenient. Mr. Gomez said yes because he has neighbors that come to the restaurant all the time and has the opportunity to communicate with them. Mr. McComb said the 21 spaces is that actually on the parking lot or does include the street parking too. Ms. Henaghan said there is 21 actually on the property. Mr. McComb said when there was two restaurants there, was there any problem with parking during lunch hour rush. Chair Fotopoulos said the shop was really a catering business and not a walk-in.

Chair Fotopoulos asked for positive and negative testimony. There was none.

Chair Fotopoulos asked if the audience had any questions. There was none.

Mr. Schmitt made a motion to close File #PZ-23-06, seconded by Mr. Cargill. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-23-06 as described above.

Mr. Schmitt made a motion for a positive recommendation for File #PZ-23-06 for approval of a map amendment rezoning the property from M2 General Manufacturing District to the B2 Community Business District with a variation to reduce the number of required parking spaces, seconded Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN

Chair Fotopoulos said she did not know how the agendas are made but anytime where there is text amendments or our business, can we put it at the end of the agenda. Ms. Henaghan stated yes we can do that.

VI. ADJOURNMENT

Mr. Cargill made a motion to adjourn the meeting at 7:35 p.m., seconded by Mr. McComb.

Motion passed unanimously.

Respectfully submitted,

Georgianne Jakubowski

Georgianne Jakubowski

PLAN COMMISSION MEETING, JUNE 14, 2023

PLEASE SIGN IN

NAME	ORGANIZATION AND/OR ADDRESS
FARHAN A. KHALIQUE	1821 W. ARMITAGE
Elder Gomez	401 S Irmen Dr
Nery Gomez	401 S Irmen Dr