

**VILLAGE OF ITASCA  
PLAN COMMISSION REGULAR MEETING  
DRAFT MINUTES  
April 17, 2019**

**CALL TO ORDER**

The Village of Itasca Plan Commission Meeting was called to order by Chairman Kischner at 7:05 p.m.

**ROLL CALL**

**Present:** Commissioners, Brendan Daly, Frank Carello, Eric Swets, Jeffrey Holmes, Lori Drummond, and Krista Ray; Chairmain Mark Kischner

**Absent:** None.

**Also Present:** Shannon Malik Jarmusz, Director of Community Development; Konstantine Savoy, Senior Planning Consultant; Charles Hervas, Village Attorney; Nicole Espedido, Recording Secretary

**PUBLIC HEARING**

**Case** #PC 19-007  
**Owner:** John Florina, Jr.  
**Location:** 204 George Street – Elm Street Subdivision  
**Request:** 3 Lot Subdivision and Zoning Variances for lot size, lot width, and corner front yard setback in the R-2 Single-Family Residence District.

**Petitioner Presentation:**

Mr. Florina previously filed a motion and was approved for a 3 lot subdivision. This second petition is regarding three variances. The first variance proposal is to have the frontage of each lot be 64.5 feet and not the required 65 feet. The second variance requires 9100 square feet but there is a shortage of 600-650 square feet. The third variance is in regards to the corner lot frontage on George Street where Mr. Florina is requesting 20 feet and not the required 30 feet. Ms. Malik Jarmusz spoke of the 17 feet north of the property where a JULIE was performed. It was found that NICOR, COMED power poles, and sewer were located in that area and resolution is needed. Staff can support the subdivision request as it is consistent with the Village's comprehensive plan for single residential in the area. Ms. Malik Jarmusz cleared the record in that Staff request that the dedication to be properly verified and put in place as part of the subdivision request.

### **Plan Commission Discussion:**

Commissioner Daly asked Mr. Florina if building as far north to the 20 feet setback line, would it then stick 10 feet farther than the next two homes to the east. Mr. Florina answered that it could be further than 10 feet depending on the other homes. The lots on George Street are 259 feet deep so there is room for the homes to be moved further south. Commissioner Carello commented that there is so much footage that the variation will be unnoticeable. Commissioner Daly is concerned on which way the house is going to sit on the corner lot because of the setbacks. Mr. Florina replied that the corner will still allow more building towards the east. Even with the 20 foot setback there will still be 28 feet of buildable area and a 39 foot setback from the sidewalk will be maintained.

Commissioner Holmes questioned which direction all the homes will be facing. Mr. Florina answered that at least two of the houses would face Elm Street. The corner lot, however, can be selected either way and he believes it could logically face George Street. Ms. Malik Jarmusz added that it is not unusual to make a request for relief on corner lots and this area has a particularly large right of way. Commissioner Drummond commented that the sidewalk provided in the staff report helps to visualize the project better. Chairman Kischner noted that right of way issues would be cleared up as well. Commissioner Carello asked if Mr. Florina is simply rezoning the property and not the one developing them. Mr. Florina stated that his purpose is to only subdivide.

### **Public Comment**

Lillian Moretti, 515 S. Walnut, asked where the cars would park if the corner of George Street to the nursing home is a fire lane. Ms. Malik Jarmusz answered that it is a publicly dedicated street as opposed to a private fire lane. Woman stressed that the police told her the east side of the street is a fire lane and is wondering where Mr. Florina's cars would park aside from the driveway. Ms. Malik Jarmusz advised the woman to speak with the Police Department, however, it is a separate issue for this hearing. Mr. Florina believes that the fire lane sign stops at the driveway before the nursing home's parking lot so the new residents will be able to park.

### **Chairman Kischner closed public comments**

#### **Staff Recommended Conditions of Approval:**

1. Final subdivision plat and permit documents must be in substantial compliance with approved preliminary plat as approved by the Plan Commission and Village Board.
2. The project must comply with all Village Ordinances, Building Codes, Subdivision Regulations, Standard Specifications, and the DuPage County Stormwater Ordinance. Stormwater Volume Control BMP's may be required.
3. All Village Board approved proposals are subject Final Engineering approval.
4. The revised resubdivision plat shall incorporate a 17 ft. right-of-way dedication prior to final engineering review.
5. The Subdivision Ordinance requires that street trees be planted for properties affected by a request for subdivision. The requirement is one tree for every 50' of frontage. The

new trees must be no smaller than 2" in caliper, measured 1' from the ground. Install new trees where they do not already exist and provide a plan indicating all existing and proposed trees, featuring species, quality, and location information. All street trees shall be of a species that will not conflict with utility poles at mature height.

6. Existing and proposing lot coverage calculation tables must be provided at the time of the building permit application. Include service sidewalks, decks, sheds, patios, and any other improvements other than landscaping or grass.
7. An existing tree plan and tree preservation plan is required prior to the development of individual lots.

Commissioner Daly asked if the plat shows the final disposition after the 17 ft. right-of-way dedication. Mr. Florina explained that the plat of the Elm Street subdivision should only be showing the actual footage without the additional 17 ft. with that 50 ft. already being dedicated. Ms. Malik Jarmusz mentioned that the current property line is where the iron pipes are showing on the subdivision plat and a new document will be drafted to show the dedication. Commissioner Drummond asked if the 17 ft. is north of the property line. Mr. Florina clarified that the 50 ft. will be dedicated for the George Street parcel so that there will be the same north property line for both subdivisions.

### **Findings of Fact**

1. The requested variances are necessary and will maximize dualization of the property;
2. The plight of the owner is due to unique circumstances, and
3. The granting of the variations will not alter the essential character of the area.

### **ROLL CALL VOTE**

**AYES** - Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

**NAYS** - None.

Attorney Hervas read aloud the sample motion.

I moved to recommend approval of Petition 19-007 for preliminary approval for a three lot subdivision and for zoning variances for lot size, lot width, and corner front yard as outlined in the staff memo. Further the motion is subject to the staff recommended conditions outlined in the staff memo.

### **Motion**

Commissioner Drummond made motion to agree, seconded by Commissioner Swets.

### **ROLL CALL VOTE**

**AYES** - Commissioners Daly, Carello, Swets, Holmes, Drummond, and Ray

**NAYS** - None.

### **Chairman Kischner motioned to close**

## **Motion**

Commissioner Drummond made motion to close, seconded by Commissioner Carello.

**Case** #PC 19-008  
**Petitioner:** Syed Kazmi, Cartronics  
**Owner:** Ray Shenouda  
**Location:** 1200 W. Irving Park Rd.  
**Request:** Special use for an auto repair business in the B-3 Service Business District.

Ms. Malik Jarmusz notified that this has been withdrawn. Attorney Hervas confirmed that no motion is needed.

**Case** #PC 19-009  
**Petitioner:** Kunjan Shah, MRK Realty LLC  
**Owner:** Koeffel Development Group LLC  
**Location:** 1119 N. Prospect Ave.  
**Request:** Special Use permit and planned development amendment to operate a child care center in the O-R Office-Research District.

## **ROLL CALL**

**Present:** Commissioners Brendan Daly, Frank Carello, Eric Swets, Jeffery Holmes, Lori Drummond, and Krista Ray; Chairman Mark Kischner

**Absent:** None.

## **Petitioner Presentation:**

Mr. Shah presented a petition for a special use permit for a child care center which is proposed for the last remaining lot at the Prospect Courtyards Office Park. Ms. Malik Jarmusz explained that the request includes a planned development amendment because this lot was originally intended to be for office use.

## **Plan Commission Discussion:**

Staff began discussion on the architecture and the proposal of a fence. Mr. Savoy asked the petitioner to explain their plan which details the play area to be increased by about 1,000 ft. and the location and height of the fence. Mr. Shah stated that the initial plan submitted had 6,000 sq. ft. play yard, however, upon further consideration, the play area needs to be increased by 1,000 sf to accommodate the children. There is also a new request for a fence to be placed around the building for the safety of the children.

Chairman Kischner asked if the fence would be in the front of the building. Mr. Shah confirmed this and further explained that the only access in and out of the building would be through the front gate and that the fence is alarmed. Chairman Kischner noted that there appears to be only one emergency egress out of the facility. Mr. Shah stated that there are other exits leading out through the fence but that they are alarmed should a child try to leave. Commissioner Carello understands the need for security but there are individual fenced areas that do not appear to have egresses. Mr. Shah believes that the gate in the back is also sufficient to handle the volume in case of an emergency. Commissioner Carello is concerned that at full capacity and in case of an emergency, there should be more than the two proposed exits to avoid chaos. Mr. Shah said that the plans are not finalized yet but that they can show more in detail of how this can be addressed. Commissioner Swets commented that there are building codes for egresses and that they would have to follow State regulations for day cares for fenced areas. Chairman Kischner said that the fire department still has to approve the plans. Commissioner Swets raised concerns that the fire department will be unable to gain access since it is behind the fence.

Matt from corporate said that Kiddie Academy requires a 5 ft. fence around the play area and a minimum of 4 ft. elsewhere on the perimeter. The materials of this have not yet been planned because of potential recommendations that could be made by staff. He also added that concrete bollards will be placed outside of the fencing adjacent to parking and any transformers. Commissioner Carello asked if there was an egress plan on how to get out of the fences. Matt explained that this is a concept plan that goes into a floor plan which eventually leads to a concept package. The concept package is a corporate version that is presented as the intended plan of action and will include all the codes and licensing.

Commissioner Swets would like to see an elevation view of the front of the building with the fence. Commissioner Drummond said that the elevation sent in was a 2 story building and not what this is going to be. Commissioner Ray asked Mr. Shah if this is his first franchise with Kiddie Academy to which he answered yes. Ms. Malik Jarmusz mentioned that staff was just notified of the fence going around the whole building and not just the play area, which was the initial concept. This raises question if it is appropriate for the planned development. The Zoning Ordinance does not permit fences by right in the Office Research District, but the Village Board and Plan Commission can approve one as part of a site plan. Ms. Malik Jarmusz thinks that this needs to be revisited to determine if this is a requirement for corporate or if the fence can be located only around the play area. Matt replied that the policy for the fence is for safety reasons only not for aesthetic but plans can be altered. Commissioner Swets stated that he would want to see a final drawing of the fence to get a better visual before approval. He also requests a motion to be put in place that they would have to take the fence down when done with the property because another owner may not utilize fence. Matt stated that they would be able to entertain any other ideas subject to approval but that the main focus is the usage of the fence versus design.

Commissioner Carello asked of the 5 ft. front and 4ft. all around fence if they could look at the elevation and make it have a masonry feel rather than a chain linked fence. Matt agreed to make it look as suggested so to still have the barrier but not an actual fence. Commissioner

Ray has seen their buildings and has no issue with the fence. Commissioner Carello asked what kind of fence and Matt answered aluminum but that they can typically accommodate with what they want.

Chairman Kischner suggested taking an informal poll for the use and development. Staff all agreed on the intended use for the property. Chairman Kischner recommended developing the plan more before they pass it onto the Village Board/Staff. Matt asked for a conditional approval with regards to the aesthetic and barrier. Chairman Kischner stated the Staff does not think that the proposed architecture and materials do not match the surrounding buildings. Mr. Savoy commented that the approved planned development had standards which included landscape and architecture all of which followed prototype. Although he appreciates the petitioner's motives, he does not feel comfortable putting the next step approval on staff due to the details that are in need of attention. He also believes that there are little landscaping capabilities due its uniqueness and that development quality will be problematic for a future user.

Commissioner Ray asked about bussing for kids' safety and Mr. Shah explained that the bus is like a transit bus/small shuttle. Commissioner Carello agreed with Mr. Savoy in that they can take their floor plan and develop it into what is needed to be implemented. Chairman Kischner believes that there is not enough information and to ask for a continuance. He is also asks to address the golf course as a concern. Commissioner Carello asked about a protective net over the play area and Mr. Shah confirmed.

Commissioner Daly asked for an explanation about the concept floor plan SD-1.1 note for future expansion. Mr. Shah said that they are selling it for about 1 acre land but that they are only using 10,000 sq. ft. so the remaining land can be used for future expansion. Commissioner Daly asked that in lieu of future expansion, could they move the playground around to the east side and away from the transformer. There are also no gates to exit on the south end because that would send the kids towards the lake. He recommends no expansion but to move the playground which would allow for landscaping trees, follow more of the ordinance, and also address the safety of the kids. Commissioner Swets agrees with the landscaping because of green space.

### **Audience Comment**

Sue Ellen Eichholz, an associate of the management company of Prospect Courtyards, expressed concern with the golf course proximity due to having seen many golf balls where the playground is to sit. She would like to see a drawing of the netting. She would also like the building to match the aesthetic of the other buildings in the development. She asked about the busing and lighting since they turn off at a certain time. They were also unaware of the fencing being so high and since the play area is now larger it is of concern. There are at least two issues a year of broken car windows due to golf balls.

### **Chairman Kischner closed public comment**

The franchisor commented that Mr. Shah and the association are working on obtaining access and utility easements due to it being a land lock parcel within the development.

## **Motion**

Commissioner Drummond made motion to continue PC 19-009 to June 19<sup>th</sup>, 2019, seconded by Commissioner Swets, motion carried with unanimous approval.

## **REGULAR MEETING AGENDA**

### **ROLL CALL**

**Present:** Commissioners, Brendan Daly, Frank Carello, Eric Swets, Jeffrey Holmes, Lori Drummond, and Krista Ray; Chairmain Mark Kischner

**Absent:** None.

### **MINUTES**

Chairman Kischner and Commissioner Drummond made corrections to the meeting date listed on page 4 to be April 17<sup>th</sup>, 2019 and not May 20<sup>th</sup>, 2019.

### **MOTION**

Commissioner Swets made motion to approve the amended minutes from March 20, 2019, Commissioner Carello seconded the motion. Motion carried by unanimous voice vote by the members present.

### **NEW BUSINESS**

Ms. Malik Jarmusz announced the Village has been awarded a CMAP/RTA grant through their 2019 Community Planning Technical Assistance Grant program. The Village wishes to update the downtown strategic plan which has not been updated in about 10 years. This will allow the opportunity for community feedback so that the future of the downtown area can be envisioned. Commissioner Daly asked about home rule and Attorney Hervas noted that being home rule allows for more development tools but smaller communities under 25,000 in population are not automatically considered home rule under the law. There will be workshops for both staff and the community to participate in for the downtown plan. Ms. Malik Jarmusz notified that there will be a Plan Commission meeting in May for the Bridge final planned development and final subdivision plat, as well as the continuance for Gullo's for their special use permit for temporary truck and trailer parking, and potentially a discussion pertaining to a Zoning Ordinance text amendment to require a special use for video gaming. Commissioner Daly inquired if the antennas on the Bridge site have come down yet and Ms. Malik Jarmusz indicated that there is a permit but the work has been delayed.

### **PUBLIC COMMENT**

No Audience comment.

## **ADJOURNMENT**

Commissioner Drummond moved to close the meeting. Commissioner Daly seconded the motion. The motion carried with unanimous approval and the April 17<sup>th</sup>, 2019 meet adjourned at 8:33 p.m.

## **NEXT SCHEDULED MEETING**

The next regular meeting is scheduled for Wednesday, May 15<sup>th</sup>, 2019 at 7:00 p.m.