

**MINUTES OF THE PLANNING & ZONING COMMISSION
VILLAGE OF ADDISON
WEDNESDAY, AUGUST 14, 2024**

The Planning & Zoning Commission meeting of the August 14, 2024 meeting was called to order at 5:30 p.m. by Chair Fotopoulos.

Present: Ariano, Cargill, Fotopoulos, McComb, Schmitt, Turk
Absent: None
Also Present: Mike Crandall and Dan Wohlfeil, Village of Addison, Dan Medina, Addison Fire Protection District and Village Attorneys Dave Freeman and Pat Miner

PUBLIC HEARING

I. CALL TO ORDER – ROLL CALL

**II. CONSIDERATION TO APPROVE THE MINUTES OF THE JUNE 12, 2024
PLANNING & ZONING COMMISSION MEETING**

Mr. Schmitt made a motion to approve the minutes from the June 12, 2024 meeting, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

III. PUBLIC HEARINGS AND RECOMMENDATIONS

1. **File PZ-24-09**, consideration of approval of a Plat of Resubdivision and associated variations to allow for the construction of a building addition. The property is located at 1775 W. Armitage Court, Addison, IL 60101.

P.I.N.: 03-31-101-007

Petitioner: Brian Mazzocchi

This file was advertised in the July 30, 2024 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-24-09, seconded by Mr. Schmitt. Roll call was taken.

Motion passed unanimously.

Mike Crandall, Village of Addison stated the petitioner is was requesting permission of a resubdivision to turn his parcel into a lot of record, for which they will need a variation to reduce the minimum lot width from 100 feet to 95 feet. They are also requesting a variation to maintain the existing 9.77-foot side yard setback (where 10 feet is required) as well as a variation to reduce the number of required parking spaces from 11 to 9 to allow for the

construction of an addition on the north side of the existing building. After this was looked at and the public notice was sent out, it was determined that plat of resubdivision really wasn't necessary for the addition that was being proposed. Typically, when we do a plat of resubdivision for an individual parcel, there is usually multiple PIN numbers, property lines that are associated with the project. In this particular case, there is one PIN number for the parcel that is there. There are defined property lines so that we didn't feel that it was necessary to have the petitioner go through a whole plat of resubdivision process. The lot that the parcel is located on is Lot 3, there is actually seven other parcels that are on this lot. We didn't feel that it was necessary but we did want to address the variations that were requested. The petitioner is requesting to add on to the building to the north, this would be the full width of the existing building so they would not be able to maintain the minimum 10 foot side yard setback. The existing building doesn't have a 10 foot side yard setback, it's actually 9.77, so with the addition the petitioner is just asking to follow the same line of the existing building line. By adding on the back, they will be losing two parking spaces, 11 was there before and requesting 9. We did send this out to our Fire District to look at and had no comment other than what would be addressed during the normal permit process which are sprinkler systems and other things that would be necessary. It was also sent to the Engineering Department and the work that is being proposed, they also didn't feel it was necessary to move forward with the plat of resubdivision and they had no issue with regard to reducing the number of parking spaces at that location. Staff finds and recommends approval of the requested actions and complies with the Zoning Ordinance.

Chair Fotopoulos asked if there were any questions. There were none.

The petitioner was present and sworn in along with Mr. Anthony DiVizio, architect for the project. Mr. DiVizio stated they need the variance for the parking and setback.

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

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

Mr. Turk made a motion to close File #PZ-24-09, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-09 as described above.

Mr. Cargill made a motion to accept the proposed variation for the parking and setback, seconded by Mr. Schmitt. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-24-11**, consideration regarding variations to the Zoning Ordinance, Subdivision Control Ordinance and Standard Specifications for Design and Construction to allow parking of vehicles on a plastic grid paving system. The property is located at 12 W. Factory Road, Addison, IL 60101.

P.I.N.: 03-33-111-018

Petitioner: Peter Alvarez, Auto Gallery Chicago, LLC

This file was published in the July 30, 2024 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-24-11, seconded by Mr. Schmitt. Roll call was taken.

Motion passed unanimously.

Mike Crandall, Village of Addison stated the petitioner is requesting variations to allow vehicles to be parked and stored on a plastic grid paver system instead of a paved surface. In March of 2024, the petitioner applied for a building permit to improve the green space on the west side of the building with a parking lot that would have a true grid permeable paver system. The true grid system they are proposing to use consists of inter-locking plastic grid tiles that are placed directly on the grass surface and are pressed down with a heavy roller. The petitioner was informed at the time that the Village requires open parking space areas to be blacktopped or approved with comparable hard surface. This was routed to other departments to look at. Our Engineering Division looked at this and comments are within the staff report, allowing this type of parking surface would set a precedent that would undermine the Standard Specifications for Design and Construction. Unless the Standards are changed, Engineering objects to using pavement materials that have not been included. Fire Department was also routed these plans and proposal. They had questions and concerns about maintenance on-going, maintenance that comes with the use of "grass-crete" product. The proposal does not prevent environmental contamination of vehicle fluids, whereas impervious surface concrete and similar does provide a level of environmental protection. One of the things that we try and look at here is the variation something that the Planning and Zoning Commission can justify, are there particular physical surroundings, shape or topographical conditions of the specific property involved, that would bring a particular hardship to this request. Staff didn't find anything that would fit any of the requirements that would allow or grant the Planning and Zoning Commission the ability to approve based on an actual hardship. Staff is not recommending approval of the requested variation, we don't feel that it complies with the Standards of the Zoning Code.

Mr. Cargill asked does this mean they wanted to put that surface out in front of their building between the building and the street. Mr. Crandall said it is close to it, it is actually off to the side of it. They show an area of where it is going, which is being used for parking of vehicles. They have automobiles that are sold (internet sales); this is just to the west of the building. There would be access off of the street to the new grid system area; not sure if the whole entire system to the street is a grid system or just the parking area and they would be willing to provide a paved hard surface area including an apron to get to the street meeting the standards of the Village. This is a 100 ft. x 100 ft. area and is in line with the building and it's to the west. Mr. Cargill said there is another building, does it go all the way down? Mr. Crandall said it is a vacant area, an open space that is to the west of the building.

Mr. Peter Alvarez, petitioner, was present and sworn in along with Mr. Alvarez's attorney Nicole Alvarez. Attorney Alvarez stated they are looking to use a true grid system on a vacant lot adjacent to the existing warehouse to store inventory. It has been advised that the Village considers this request for an additional parking lot but it is not the intention of Auto Gallery Chicago to use this land as a parking lot the way that an average person would understand what a parking lot would be used. This parking lot would not be accessible for patrons and visitors. We would not have people pulling in off a Factory Road onto the property to access this particular piece of land. We are looking to do, as when you come out of the building, have a pathway and we already have a curb cut, go back to the storage area that would be completed enclosed with the fence. The true grid system would essentially look like so many other businesses in Addison that have a contiguous or adjacent lot to their buildings that is covered in gravel. The business is looking to allow for excess inventory storage that it would migrate cars outside when needed, bring them back in when necessary but to be able to secure them. Right now, there is asphalt parking and concrete driveways available for customers and employees. This would be different. There are various properties throughout the industrial area where businesses who sell and do other types of work use graveled lots next to their building to store heavy machinery, signage, trailers, semi-trucks, this is exactly what it looks like all through these commercial spaces in this particular zone. Auto Gallery Chicago has a position that if they are denied this particular variance request for this various specific use, it would be inevitable enforcement of this particular ordinance on them versus all the other businesses that they drive past every single day in their own neighborhood. This is not necessarily a request for a variance for a standard parking lot, this is something other. It is just for storage of inventory. It is important to know that the property at 12 W. Factory Road is occupied by Auto Gallery Chicago for 13 years. It brings in a lot of business and has gone above and beyond what other property owners have done in this area.

The petitioner, Peter Alvarez, was sworn in. Mr. Alvarez stated the true grid system would like gravel but to keep the gravel in place you need the grid system, and it won't go into the street.

Chair Fotopoulos asked if the Plan Commission had any questions. Mr. Turk asked if other businesses doing the same thing. Mr. Alvarez stated no. Mr. Turk asked are if they are storing things on it. Mr. Alvarez said they are storing things right on the gravel. Mr. Turk asked are they storing automobiles on this. Mr. Alvarez said no. Mr. Crandall said outside storage is permitted in the Zoning Code. Mr. Crandall said if you put in an impervious surface you would be required to provide detention or some type of a storm sewer. Dan Medina, Addison Fire District stated their concern aside from maintenance of the system itself and the parking areas is environmental concerns with vehicles, oils and anything that would leak would create an environmental hazard and with that comes with response and clean up. Mr. Dan Wohlfeil, Village of Addison stated no but is curious about the specifications of it, where it is used, permeability of it and longevity. Mr. Schmitt stated he feels it is a bad precedence. Chair Fotopoulos said this is a final decision

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

Chair Fotopoulos asked if there was positive or negative testimony. There was none.

Attorney Freeman said to Chair Fotopoulos you might want to suggest to the Director if he could go through the factors that are set forth on Page 2 of the staff report before the Commission members make a decision with regard to this. It seems as though there is a split on the Commission just in terms of the questions that have been asked with regard to how they decide this issue. I feel it would be important to the Commission members to hear from the Director with regard to the factors that would go into this analysis.

Mike Crandall, said when varying the Zoning Ordinance there must be determination that there are practical difficulties or a practical hardship in complying with the code as follows:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. That the plight of the owner is due to unique circumstances; or
3. That the variation, if granted will not alter the essential character of the locality.

In addition, the Planning & Zoning Commission, shall also take into consideration the extent to which the following facts have been established by the evidence:

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved, would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
4. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
5. That the proposed variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Attorney Freeman said those are the factors that these Commissioners should take into consideration when making a decision with regard to this matter. Mr. Crandall stated yes that is my understanding.

Mr. Schmitt made a motion to close File #PZ-24-11, seconded by Mr. Ariano. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-11 as described above.

Mr. Schmitt made a motion to deny the request variation for File #PZ-24-11, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. Attorney Freeman said he would suggest to Mr. Schmitt that as part of his motion we adopt the findings that he referenced during the question period of the petitioner with regard to the factors that are listed on the Page 2 of the Staff Report.

Mr. Schmitt made a motion to withdraw his previous motion and continue the hearing until the next meeting in September, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There were none.

Roll call was taken.

Motion passed unanimously.

3. **File #PZ-24-12**, consideration regarding a fence variation for the property at 313 W. Fullerton Avenue, Addison, IL 60101.

P.I.N.: 03-33-101-022

Petitioner: Mayra Pasillas

This file was advertised in the July 30, 2024 issue of the Daily Herald Newspaper.

Mr. Schmitt made a motion to open File #PZ-24-12, seconded by Mr. McComb. Roll call taken.

Motion passed unanimously.

Mike Crandall, Village of Addison stated the petitioner is requesting a variation to allow a privacy fence to be located approximately 15.5 feet from the Fullerton Avenue right-of-way where a minimum setback of 30 feet is required. The home is on a lot that is legal non-conforming, with an approximately 15.5 foot setback from Fullerton Avenue. The house is 15.5 feet setback from Fullerton. It does an entry stoop and stair that encroach further into the right-of-way. The zoning ordinance does state that a side yard that adjoins a street shall be considered a front yard and fences are not to be located in front yards in the R2 District. The minimum required front yard is 30 feet. This property was constructed as a 1-1/2 story frame single family residence. This was constructed in 1947 and annexed into the Village in 1962. The front yard along Fullerton is only 15.5 feet, historically in the past, even though fences are not allowed in the required front yard setback, we have set a precedence as to as long as the fence was not installed forward of the principal building that was acceptable. Our Engineering Department has looked at this and they no objection installing the fence as long as the fence was installed not passed the principal structure and doesn't interfere with a site distance and drainage.

The petitioner was present and sworn in. Ms. Pasillas said they mainly want to put the fence up for safety of her children and pets.

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

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

Mr. Schmitt made a motion to close File #PZ-24-12, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-12 as described above.

Mr. Cargill asked is the fence line going to be the front of the building. Mr. Crandall stated yes, it will be in line with the front of the building and won't go past the front building setback line.

Mr. McComb made a motion to approve PZ#24-12, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

4. **File #PZ-24-14**, consideration regarding the proposed Text Amendments to Section VI of the Zoning Ordinance of the Village of Addison with respect to the general requirements and allowable uses within Manufacturing Districts.

Petitioner: Village of Addison

This file was advertised in the July 30, 2024 issue of the Daily Herald Newspaper.

Mr. Turk made a motion to open File #PZ-24-14, seconded by Mr. Cargill. Roll call was taken.

Motion passed unanimously.

Mike Crandall, Village of Addison stated the Village is requesting approval of text amendments to the Zoning Ordinance with respect to the general requirements and allowable uses within Manufacturing Districts.

- Requiring any service, processing, and/or repair activities to be conducted entirely within an enclosed building; and
- Allowing “public and private clubs and lodges, including health clubs and related recreational facilities” as special uses within the M1, M2, and M3 Districts. (These uses are already permitted in M4.)

Businesses are working outside of the building. They are working in the front yards, cars are up on jacks, hoods are open and there is just a lot of different types of activities that are happening. In our commercial districts, we have verbage in the zoning ordinance that says you have to have the activities conducted inside of a business. After going through the park, one of our inspectors know the zoning ordinance pretty well as is aware of what we allow in the commercial districts and suggested potentially that we implement this in our manufacturing districts which is a great idea. This helps our inspectors to ensure that the industrial park looks the best it can and we recommend that the following language be added to the zoning ordinance. It is identical to the requirements for the business districts:

- all businesses, All business, service, storage, merchandise, display, and where permitted, repair and processing, shall be conducted wholly within an enclosed building, except as otherwise permitted herein for specified uses such as off-street automobile parking, off-street loading, and open-sales lots or outside storage in districts where they are permitted.

Staff also recommends allowing “public and private clubs and lodges, including health clubs and related recreational facilities” as special uses within the M1, M2, and M3 Districts. (These uses are already permitted in M4.) We regularly receive inquiries from gyms, athletic training facilities, and other similar businesses who are looking to rent affordable square footage in the industrial parks. Although these types of uses are prohibited in the M1, M2, and M3 districts, a quick Google Maps search shows many existing uses in the M2 District, such as: Hustle Strength & Performance at 1010 W. Fullerton, Addison United Soccer Club at 400 S. Rohlwing, White Tiger Kenpo Karate at 823 S. Rohlwing, Izzy Style Wrestling at 1 W. Official, Cheer Extreme at 191 W. Factory,

and Delta Performance Softball at 60 W. Fay. Unless the Village wishes to move these businesses out of Addison, the Zoning Ordinance should be amended to make them legal uses.

Staff finds that the proposed text amendments comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends approval of the requested actions.

Chair Fotopoulos asked if the Plan Commission had any questions. Mr. McComb said with the health clubs that are in one of those districts, can they do workouts outside on the parking lot, are they allowed to do that? Mike Crandall said that he hasn't seen that in our community. We are aware of a business that is on the corner of Villa and North Avenue. With this amendment that we are asking for prior to this one, everything has to be conducted inside the building.

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

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

Mr. Cargill made a motion to close File #PZ-24-14, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-14 as described above.

Mr. Schmitt made a motion to approve the text amendment as read for File #PZ-24-14, seconded by Mr. McComb. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

5. **File #PZ-24-13**, consideration of approval of variations to Section 9 of the Village Code and the Standard Specifications for Design and Construction for a proposed detention system. The property is located at 233 N. Mill Road, Addison, IL 60101.

P.I.N.: 03-29-202-003

Petitioner: Pascual Gonzalez

This file was advertised in the July 30, 2024 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-24-13, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Mike Crandall, Village of Addison stated The Little Prince Daycare is proposing an addition onto their building and not seeking any variations for the addition. They received Appearance Review Approval from the Village Board and have been working out the engineering design for the property. They are requesting variations to the allowable slopes and link the width ratio of the proposed detention facility. They have to construct a detention facility based on the new additional impervious area with the addition that they are providing on site. They do have some hardships with the site. They have some site constraints which is why they are asking for steeper slopes on the variation and that does affect the link width ratio of the detention basin that is going to be installed. They are requesting this and this was also sent to our engineering department for their review, specifically our Village Engineer. His comments are outlined within the staff report. There are three variations:

- With respect to requesting a variation to use "4:1 slopes in the landscaping areas in order to minimize the length to width ratio of the detention basin" variation request. Generally

Engineering does not object in principle to this request adjacent to detention ponds. However, we reserve the right to fully review the grading plan when final engineering plans are submitted to check for slope reasonableness in other landscape areas.

- With respect to “The shape of the basin is not able to be 3:1.” variation request. The wider shape of the basin is important to increase the holding time of runoff and allow the native vegetation to filter out pollutants. Narrow ponds that have been accepted have been required to have channelized bottoms to increase flow path distance. We reserve the right to fully review the plans when final engineering plans are submitted.
- With respect to a variation requesting 4:1 slopes on the side of the basin, Engineering does not object in principle to this request as most reasonable requests have been granted. With the pond being four feet deep we are generally ok with it.

Brett Duffy, engineer, Spaceco, Inc., was present and sworn in. Mr. Duffy stated they would like to add an addition to the existing building. They have already received approval from the Building Appearance Review and the variation is to change the shape of the pond.

Chair Fotopoulos asked if the Plan Commission had any questions. Mr. Cargill said to keep it in that configuration, you want to make it deeper? Mr. Duffy said no, the major request is the length or width ratio. Mr. Crandall said we are in the process of revising our stormwater ordinance requirements in the 3:1 ratio and is something that is being considered to be changed to make it a little more acceptable.

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

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

Mr. Cargill made a motion to close File #PZ-24-13, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-13 as described above.

Mr. McComb made a motion to File-PZ-24-13 based on unique circumstances subject to the review and approval of the Village Engineer during the permit process, approval of a side slope reduction of the proposed landscaped areas and the side slopes of the proposed detention facility allowing for a less than 3:1 length to width ratio, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

6. **File-PZ-24-10**, consideration of approval of a pre-annexation agreement, annexation, rezoning to the R3C Multiple Family Residence District (Medium Density), and a resubdivision with variations to allow for the construction of a 61-unit townhome development. The property is located at 330-496 E. Fullerton Avenue, Addison, IL 60101.

P.I.N.: 03-27-322-018, 03-27-322-019, 03-28-427-018

Petitioner: Yellowstone Construction, LLC

This file was advertised in the July 30, 2024 issue of the Daily Herald Newspaper.

Consideration of File #PZ-24-10 as described above.

This file has been tabled until the next Planning and Zoning meeting of September 18, 2024 at 5:30 p.m.

IV. AUDIENCE PARTICIPATION - None

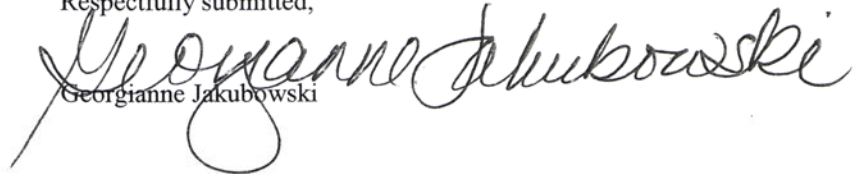
- V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN** – Discussion was held to have the September Planning and Zoning meeting on Wednesday, September 18, 2024 at 5:30 p.m.

VI. ADJOURNMENT

Mr. Cargill made a motion to adjourn the meeting at 7:10 p.m., seconded by Mr. Ariano.

Motion passed unanimously.

Respectfully submitted,


Georgianne Jakubowski

