

**Call to Order:** Mr. Patel called the meeting to order in the Roselle Village Hall Council Chamber at 7:00 p.m.

**Roll Call:**

Present: Commissioners Patel, Stare, Wurtz, Bickford, and Stringfellow  
Absent: Commissioners Keller-Stein and Zinni  
Staff: Matthew Fitzgibbon, Planner; Anita Furlin, Finance Assistant; Jeff O'Dell, Village Administrator

**Approval of the Agenda:** Commissioner Stare asked for a motion to approve the agenda as presented; the motion was made by Commissioner Stare, seconded by Commissioner and the motion passed by unanimous voice vote.

**Approval of Minutes:** Commissioner Bickford made a motion to approve the minutes for the meeting of November 1, 2017, as presented. Commissioner Stare seconded the motion. The motion carried unanimously.

**Consideration of Petitions:**

**PZ 16-1038 Elm and Howard Rowhomes**

Mr. Stare made a motion to open the **public hearing** for **PZ 16-1038**, Elm and Howard Rowhomes. The motion was seconded by Mr. Wurtz. The motion carried 5-0.

Mr. Fitzgibbon provided an overview of the proposed row home development. Rowhomes are consistent with the comprehensive plan; staff supports the type of use proposed. The Village identified rowhomes as a desirable redevelopment opportunity within the town center; this is also consistent with CMAPS's 2040 plan – to increase housing units in town centers and near commuter trains. Planner Fitzgibbon noted that any recommendation to approve the project should consider a few outstanding matters; a landscape plan shall be submitted for review; uniform guest parking should be provided; the commission should also note that the 10' landscape buffer is not provided to the south and west.

Planner Fitzgibbon also stated that the developers need to enter into a mutual maintenance agreement with Park Place condominium. A public access easement is recorded on the existing drive aisle to the condominiums; this drive aisle will provide access to the northern 6 proposed rowhomes adjacent to Park Place condominiums; this was the original plan; the developers simply need to agree to pay their proportionate share for the use and the maintenance of the drive aisle.

Planner Fitzgibbon itemized the inquiries he received based on the public notice: Christopher Feid, 104 S. Howard Avenue, came in to see copies of the plans and asked questions; Greg and Mary Jane DeLuga, 225 Main Street asked questions about the

proposal and received copies of the plans; they discussed the access aisle and the need for a maintenance agreement. A woman called and asked general questions about the proposal; she stated she did not object to rowhomes at the site.

Mr. Fitzgibbon provided copies of Commissioner Keller-Stein's comments, as she is unable to attend; Mr. Fitzgibbon will read them into the record after the attending members and audience speak.

Mr. Fitzgibbon introduced Sargon Mando and Sargon Boudakh, owners; Sam Polena, project engineer; and Kevin and Barbara Meese, general contractors for the project.

Mr. Sam Polena, 3922 W. Main Street, McHenry, Illinois, was sworn in. Mr. Polena is the civil engineer for the project and stated that he was available to answer any questions.

Mr. Bickford asked if the 6-unit building to the north is proposed in the same exact configuration as the originally approved building; Mr. Polena stated that it is very close to the same footprint, but not exact.

Mr. Stare asked where are the driveways and where do residents access?

Mr. Polena identified the location of the drive aisles on the site plan.

Mr. Wurtz asked for further clarification regarding the drive aisles and access to the garages.

Mr. Polena identified the location of the drive aisles on the site plan.

Mr. Stringfellow asked for further clarification regarding the drive aisles and access to the garages.

Sam Polena identified the location of the drive aisles on the site plan.

Hiren Patel asked Mr. Fitzgibbon if there is a concern that an easement goes directly up to a building. Mr. Fitzgibbon stated that in this context and design, the paved area is the drive aisle, and accordingly needs an easement on it to allow for public use. Mr. Polena added that the area is essentially common area for the rowhomes, with the added easement to allow public movement across the drive aisle. Mr. Patel thought that the easement should not go directly up to the building.

Josh Bickford asked what the east elevation will look like from Howard Street; will this area be landscaped? There was general discussion about the east elevation; plans were shown of the east elevation. Mr. Bickford asked Mr. Fitzgibbon if that area is required to be landscaped. Mr. Fitzgibbon said that he has requested landscape plans from the developer, which are a requirement of the PUD application; Mr. Fitzgibbon stated that he expects the developer to provide a landscape plan at some point, and that the project should have areas where more landscaping can be provided.

Sargon Mando, owner and developer, 1651 Louis Avenue, Elk Grove Village, Illinois, was sworn in. Mr. Mando described the elevations. He stated that the original elevations were slightly modified; the original plans showed vinyl siding whereas the new plans call for brick and stone siding.

Jason Wurtz asked if the north elevation of the south building is a mirror image of the south elevation of the north building. Yes, replied Mr. Fitzgibbon and Mr. Mando.

Jason Wurtz asked if the balconies on the elevations are functional; Mr. Mando replied yes.

Jason Wurtz asked about the type of separation to the existing house to the south. Mr. Polena said that a six-foot fence is proposed. Mr. Wurtz asked if a fence would be provided if a landscape buffer were provided there. Mr. Fitzgibbon stated that a landscape buffer and a fence would be appropriate.

Mr. Polena said that they considered several options, and that the developer preferred a fence only, with no landscape buffer.

Hiren Patel asked if the trees shown on the parking exhibit are existing or proposed; the developer said they are proposed; Mr. Fitzgibbon said a landscape plan will be required; Mr. Patel noted that the parking exhibit shows a tree in the drive aisle.

Mr. Patel asked how storm-water is managed; Mr. Polena gave an overview of the storm-water plan that utilizes underground vaults; Mr. Fitzgibbon stated that Mr. Polena has been working closely with the Village Engineer, and the development must meet the DuPage County County-wide Storm-water Ordinance.

Mr. Patel asked if there were any more questions from the Commissioners; Mr. Stringfellow asked Mr. Fitzgibbon if the fire department has concerns with access to the buildings; Mr. Fitzgibbon said that the fire department comments were about the requirement for fire suppression systems in the residential units.

Mr. Patel invited members of the attending audience to speak.

Chris Feid, 104 S. Howard, was sworn in.

Mr. Feid stated that he has lived in the house directly south of the proposed development for four years. Mr. Feid voiced his opposition to the project. Mr. Feid stated that the proposal did not conform to the Village's goals to encourage redevelopment only when it is complimentary to existing uses. He stated that the development is not complimentary to his house in the style of design. Mr. Feid stated that the proposal will create congestion in the alley and on the street, and he feared that motorists would speed down the alley; he feared that the drive aisle was too near his property and that cars could potentially hit the fence and careen through to his yard. Mr. Feid asked the engineer a question about the flooding history in the area. Chairman Patel encouraged Mr. Feid to

address the Commission, and that the question or concerns would each be addressed in turn.

Mr. Feid asked how the storm-water is managed. Mr. Polena stated that the water is captured from the surface through catch basins and directed and detained in an underground vault. Mr. Feid asked if the vaults can leak. Mr. Polena stated no. Mr. Feid asked where the water goes from there. Mr. Polena stated that it is directed to the village's storm-sewer pipes. Mr. Polena said that the conditions will be improved with this development. Mr. Patel and Mr. Fitzgibbon requested that Mr. Feid lay out each of his concerns so that staff or the petitioner may respond to them.

Mr. Feid stated that he had concerns about the traffic from the drive aisle next to his home. Can the buildings be turned? How will the alley be used? Will residents on Park and Howard retain use of the alley? Mr. Feid said that residents on that block haul trailers through the alley. Can the building to the south be 4 units rather than 6? That would make the alley and drive aisle more usable. Can the proposed development be lowered 2 feet to assure that water does not flow from the townhome site onto his property? Mr. Feid asked if the developer has demonstrated any hardships for variations. Mr. Feid commented that the home at 100 S. Howard should be salvaged and remodeled to maintain the character of the block. Mr. Feid asked how snow removal would be handled. Mr. Feid asked where the trash enclosure would be.

Mr. Fitzgibbon asked Mr. Polena to again describe the storm-water management; Mr. Polena said that a curb at the end of the south drive aisle, adjacent to Mr. Feid's home, will capture water from entering Mr. Feid's home. Mr. Polena described how the water would be captured through catch-basins and directed to underground vaults; Mr. Polena stated that the site likely cannot be lowered 2 feet, as the proposed design is the best proposal relative to the site grades. Mr. Patel asked Mr. Polena if this meets the storm-water ordinance. Mr. Polena stated that the proposed plan meets the DuPage ordinance, and slightly exceeds the required storage amount for the entire area.

Mr. Fitzgibbon stated that the use of the alley should not be restricted due to this development; Mr. Fitzgibbon stated that an easement across the northern rowhome drive aisle will be required to allow existing residents who back to the alley to proceed south through the alley, then east, across the easement on the subject site, to Howard Avenue.

Mr. Fitzgibbon asked Mr. Polena to answer the question about reducing the southern building to four units. Mr. Polena said that changing the southern building to four units makes a big difference for the project. Mr. Mando stated that the project will not work with four units on the south.

Mr. Fitzgibbon said that more housing units are a desirable goal for the town center, and that the Village anticipates more cars as more townhomes are built; however, the new developments need to accommodate that traffic with appropriate guest parking allocation; with appropriate buffer and screening to existing buildings, with appropriately sized drive aisles and traffic patterns; this proposal does not provide the landscape buffer and also should identify uniform guest parking on site. Mr. Fitzgibbon stated that each unit is

proposed with a two- car garage, and nine of the twelve units could accommodate two cars parked outdoors, behind the garages; this could possibly serve as guest parking, but it is not uniform, since three units are proposed to be hatched with “no parking’ behind their garages.

Mr. Stare stated that was a problem.

Mr. Fitzgibbon said that this project is proposed as a planned unit development, and any variances are written into the special use for the PUD; the Village does not evaluate PUD’s based on hardships, but rather another set of standards; these standards are outlined in the zoning ordinance and are provided in the commissioner’s packet.

Mr. Fitzgibbon stated that a trash enclosure is not provided for on the site plan. Mr. Polena said that residents will store their garbage cans in the garage and haul them to the street on garbage day.

Mr. Patel asked if anyone else from the audience wished to speak.

Ken Murphy, 232 Maple, was sworn in. Mr. Murphy said he supports Mr. Feid’s objections. Mr. Murphy said he is against new, taller buildings in the neighborhood.

Mr. Stringfellow asked where the 10’ landscape buffer is between the existing house and the proposed development; Mr. Fitzgibbon stated that the proposal does not provide the 10’ landscape buffer, as recommended by the comprehensive plan.

Mr. Wurtz asked what function the buffer serves, if it is only 10 feet; Mr. Fitzgibbon stated that the buffer allows for some separation between the drive aisle and the home to the south, if even 10 feet; also, the landscape plantings and the fence may be installed in that buffer.

Mr. Patel suggested a 10 foot buffer be provided. Mr. Patel stated that a buffer would help to separate the development from the home to the south and provide for more green space.

Mr. Wurtz asked how many different designs the developer considered, adding that he is in favor to adding rowhomes to the area, so long as they are designed to fit the neighborhood.

Mr. Mando stated that this was the second or third design.

Mr. Fitzgibbon stated he has only reviewed the current design.

Mr. Wurtz stated he supports more density on the town center; supports the rowhomes and townhome concept.

Mr. Patel discussed design modifications with Mr. Polena that moved the buildings closer together to achieve the 10 foot buffer to the south. Mr. Polena explained that the fronts of

the buildings, as currently proposed, are separated by 40 feet, which is as close as they can be. Mr. Stare said that his son lives in a rowhome in Elgin where the buildings are closer than 40 feet.

Mr. Patel sited a project in another location that was a good example of rowhomes.

Mr. Stare referenced the discussion about guest parking, and said Ms. Keller-Stein's letter also mentions concerns about guest parking. Mr. Fitzgibbon reiterated that this proposal does not provide an area for parking or uniform parking; rather, the developer identifies 2 parking spaces on the paved surface, behind 7 of the 12 units, as guest parking. Mr. Fitzgibbon cited, as an example, the Hattendorf Rowhomes, where each unit has a two-car garage, each unit has 2 spaces behind each of the seven units' garages, and separate guest parking is provided on site. The Hattendorf rowhomes also have green space and a buffer area to homes to the north of it.

Mr. Polena said he understand the concern regarding guest parking.

Mr. Patel reiterated the concern for a buffer area to the south. Mr. Patel said the southern building could be modified to fewer units to address these concerns.

Mr. Fitzgibbon read Ms. Keller-Stein's letter for the record. Many of the items had been discussed, except, what is the material of the fence?

Mr. Polena said the material has not yet been determined.

Mr. Patel asked if there were any final comments from the public.

Mr. Gregory DeLuga, XXX Main Street, was sworn in. Mr. DeLuga urged the Planning and Zoning Commission to seriously consider guest parking; he stated that they regularly have issues with lack of parking for guests at Park Place condominiums. He stated that the matters are compounded during the Taste of Roselle. He suggested that the Library enter into a long term lease agreement to allow guest parking on their lot. He also suggested that more green space be included in the project.

Michael Precaccio, 225 Main Street, was sworn in. Mr. Procaccio asked how many bedrooms are the units and what the homes will be priced at. Mr. Mando said they are two-bedroom units to sell from \$349,000 to \$359,000.

Mr. Bickford asked to clarify what type of buffer is the Village is seeking? Mr. Fitzgibbon suggested minimally a 10-foot landscape buffer. Mr. Polena said they believed a fence would be preferred over the landscape buffer area. Mr. Fitzgibbon said the Village would accept both a minimum 10' landscape buffer and a fence. Mr. Bickford said he favors more housing units redeveloped here, but due to the narrow scope of the site, would prefer to see different design before moving forward with a recommendation on this proposal.

Mr. Stare would like to see a modified plan.

Mr. Fitzgibbon stated the PUD review process allows for that; the commission may elect to continue the public hearing to allow for the petitioner to modify the plans based on the input from the public hearing; they may also pass on a vote with conditions to the Village Board.

Mr. Patel suggested to continue the public hearing since there seemed to be a strong consensus among the commissioners to make changes to the design.

Mr. Fitzgibbon said the next regularly scheduled meeting is Tuesday, February 7, 2017. The commission may continue to that date, since staff already has agenda items being prepared for that date.

Mr. Patel asked the commissioners to review their comments for the petitioner.

Mr. Bickford said he favors more housing units redeveloped here, but due to the narrow scope of the site, would prefer to see different design.

Mr. Stringfellow said it seemed like too many units; the project needs guest parking.

Mr. Wurtz supports more density in the town center, but prefers a design that is sympathetic to the existing homeowners and that provides more for the future homeowners at this development, like more landscaped areas and guest parking.

Mr. Stare agreed with the other members, and reiterated that guest parking [lack of] is an issue.

Mr. Polena said that to provide a 10 landscape buffer will require the drive aisle to be only one-way. Mr. Polena said that the fire department may have an issue with that. Mr. Fitzgibbon stated that revised drawings would be routed to the other departments for review and comment.

Mr. Patel stated that this is a good use for these parcels, but feels that it is too crowded; he would like to see a reduction in the size of the buildings; he feels water retention should be better explained, and Mr. Patel recommended a landscape buffer.

Mr. Stare made a motion to continue the public hearing to Tuesday, February 7, 2017, seconded by Mr. Wurtz. The motion carried 5-0.

### **PZ 16-1046 Home Daycare Text Amendment**

Mr. Bickford made a motion to open public hearing PZ 16-1046, seconded by Mr. Stringfellow; the motion passed 5-0.

Mr. Fitzgibbon gave an overview of the drafted amendment. Essentially the proposed amendments define the three types of home daycare as defined by the State of Illinois, and relates those three types back to the Village code for consistency. A daycare center allows between 3 to 8 children by state standards, and is permitted administratively as a

Level I home occupation in the zoning ordinance; a daycare home allows 9 to 12 children and requires a special use for a Level II home occupation in the zoning ordinance; and a group daycare home allows 13-16 children by state standards, and also requires a special use for a Level II home occupation in the zoning ordinance. Also, an amendment is proposed to allow children to play outdoors under the zoning ordinance for Level I or Level II home occupations; lastly, an amendment is proposed to allow up to two employees for Level II Daycare Home or Level II Group Daycare Home.

Mr. Patel invited the Commissioners to discuss or ask questions; there was no discussion nor any questions.

Mr. Patel invited the audience to speak; no one from the audience spoke.

Mr. Patel solicited a motion to close the public hearing. Mr. Bickford motioned to close the public hearing, seconded by Mr. Wurtz.

Mr. Patel asked for a motion to approve the findings of fact. Mr. Bickford moved to approve the findings of fact, seconded by Mr. Stare. The motion passed 5-0.

Mr. Patel asked for a motion to recommend approval of the text amendment. A motion was made by Mr. Wurtz, seconded by Mr. Bickford. The motion passed 5-0.

#### **PZ 16-1042 IN Kathy's Care Special Use Permit**

Mr. Bickford made a motion to open public hearing PZ 16-1042; seconded by Mr. Wurtz. Mr. Fitzgibbon gave an overview of the request. Ms. Kent operates a daycare at 39 W. Elm Street. She is now operating such that a special use for a Level II Home occupation is required, as she cares for more than 8 children.

Mr. Bickford asked if the operator is state licensed. Mr. Fitzgibbon introduced the applicant, Ms. Kathy Kent, and stated that she is required to be licensed by the State of Illinois; the Village can also condition the special use to require her to maintain the license.

Ms. Kathy Kent was sworn in. Ms. Kent explained her business to the Commission. Ms. Kent stated that she is state licensed, and she stated that she follows all the required safety procedures; Ms. Kent handed out packets, which describes her business, to the Commissioners. Ms. Kent stated that the State conducts routine inspections at her home. Her home and facility are equipped with the requisite carbon monoxide and smoke detectors, hard-wired. Two means of ingress/egress are provided as required; a six-foot privacy fence encloses the play area outside; parents drop off their children in the driveway or park in front of her house. Ms. Kent recently learned that she requires zoning approval by the Village Board, and is here before the commission to request that special use for a level II group daycare home.

Mr. Patel asked if the Commissioners had any additional questions; there were none.

Mr. Patel invited audience members to speak.

Steve Khoury, 64 W. Elm Street, was sworn in. Mr. Khoury stated that he had a few concerns. First, traffic is a concern to Mr. Khoury; many residents are speeding through the neighborhood. Also, Ms. Kent's clients sometimes double park during busy drop-off times. Mr. Khoury asked if the police could monitor those blocks [Maple, Hill, Willow, Pine, and Elm] or limit turning left onto Roselle Road from Elm. Mr. Khoury said that residents use Elm as a 'cut-through'.

Mr. Patel asked if Ms. Kent serves more than 16 children. Ms. Kent said she does not serve more than 16 children.

Mr. Khoury reiterated that the most upsetting part of the business is the double parked cars, and he asked what could be done to prevent it.

Ms. Kent stated that she has language in the contract that describes orderly drop offs, she offered to add specific language to advise her clients that it is illegal to double park; she offered to publicize this issue again with her existing clients.

Mr. Patel asked if the Village can do anything about the issue. Mr. Fitzgibbon said he would inform the police department about Mr. Khoury's concerns relating to speeding; as for double parking, that is illegal, and violators can be ticketed; however, the police cannot serve as traffic control here. Mr. Fitzgibbon would forward the concern to the Sergeant in charge of traffic.

Ms. Kent said she will make a concerted effort to re-educate her clients; she will also monitor the drop-offs during busier times to assure that no double parking occurs.

Mr. Patel suggested sending each client a reminder notice.

Mr. Wurtz said he sympathized, since he lives near a school where morning drop-offs and afternoon pick-ups create traffic issues; Mr. Wurtz said that the issue is not unique to the Elm and Maple blocks; he also contacted the police, who periodically erect the speed trailer.

Ms. Christine Cain, 220 East Granville, was sworn in; Ms. Cain spoke in support of In-Kathy's Care, stating that Ms. Kent is an outstanding daycare provider. She asks for the Commissions support of the special use zoning.

Mr. Patel asked if there were any more audience members that wish to speak.

Ms. Ashley Raimondi, 390 Hillside, was sworn in. Ms. Raimondi spoke in support of In Kathy's Care; she asked that the Commission vote positively on the request.

Mr. Patel asked if anyone else wished to speak; there were none.

Mr. Patel asked if the Commissioners has any additional comments, questions or concerns; there were none.

Mr. Patel asked for a motion to close the public hearing. The motion was made by Mr. Stare, seconded by Mr. Wurtz. The motion carried 5-0.

Mr. Patel asked for a motion to approve the findings of fact for PZ 16-1042; Mr. Stare made the motion, seconded by Mr. Bickford. The motion passed 5-0.

Mr. Patel asked for a motion to recommend approval of the special use with the condition that Ms. Kent publicize the no-double parking to her clients and the condition that she maintain her license with the state and provide a copy to the Village of Roselle. The motion was made by Mr. Wurtz, seconded by Mr. Stringfellow. The motion carried 5-0.

Old business: None

New business: None

Mr. Stringfellow made a motion to adjourn, seconded by Mr. Stare, which carried by voice vote.

The meeting adjourned at 9:00 pm.