

PLANNING & ZONING COMMISSION
MEETING MINUTES
February 2, 2010

Roll Call: Chairman Smith called the meeting to order in the Roselle Village Hall Council Chamber at 7:01 p.m.

Present: Commissioners Beth Keller-Stein, Tom Stringfellow, Bob Stare, Bruce Berkshire, Hiren Patel, Paul Zinni, and Chairman Brian Smith

Absent: None

Staff: Community Development Director – Patrick Watkins
Planner – Derek Rockwell
Planner – Robert Zimmerer

Approval of the Agenda: Commissioner Stare moved to approve the agenda for the meeting as presented. Commissioner Patel seconded the motion and the Commission approved the motion by a unanimous (7-0) voice vote.

Approval of the Meeting Minutes: Commissioner Stare moved to approve the minutes for the meeting of December 3, 2009. Commissioner Stringfellow seconded the motion and the Commission approved the motion by a unanimous (7-0) voice vote.

1. PZ 09-977 – Sunset Estates – Subdivision w/ ROW-width Variance

Chairman Smith asked for a motion to reopen the public hearing for PZ 09-977 (Sunset Estates). Such a motion was made by Commissioner Berkshire and seconded by Commissioner Stare. The motion then carried unanimously (7-0) via a voice vote.

Planner Rockwell provided some background and an update on the petition since the Commission opened this public hearing back in June 2009. Some of the highlights from Mr. Rockwell's background and update are as follows:

- That plans for the petition have not changed;
- That the Village's Staff, the petitioner, the petitioner's staff, various members of the Planning & Zoning Commission, the Mayor, interested neighbors, and others had met twice since June to review the engineering for the proposed subdivision in detail;
- That the reason for this public hearing stems from the petitioner's request for a variance from the required right-of-way width; and,
- That the petitioner's plans met all of the other requirements of the Village.

Commissioner Keller-Stein inquired about the sidewalk proposed for the northeast corner of Hale Lane and Roslyn Road and whether the Commission could recommend to the Board of Trustees that the mature, existing trees within the right-of-way be saved. Commissioner Patel also expressed a desire to save the mature, existing trees at the same location.

Chairman Smith then asked the petitioner whether they had anything to add. The petitioner, Mr. Bill Warren of Waterbury Associates Ltd. at 19 Virginia Parkway in Schaumburg, stated that he and his team had worked with the Village on this petition for 1½ years and that they had addressed all the drainage/engineering concerns during the two special meetings held during the last several months.

Chairman Smith then opened the floor to any comments or questions concerning this matter.

Mr. Richard Fowler, of 665 Larson Lane in Roselle, expressed concern that this subdivision would create additional flooding in the area – due to the poor drainage in the Meadowbrook Subdivision – and inquired about the scope of control the Village would exercise during the development of this subdivision. Director Watkins responded that the Village was taking a proactive approach in relation to the Village's control of the development of the subdivision because Village Staff had checked up on the petitioner's reputation with respect to development standards and performance. Mr. Watkins added that the Board of Trustees would most likely require the petitioner not to involve any prior petitioners in the development of the subdivision, as they did not meet the development standards and performance the Village requires.

Mr. John Picchietti, of 1616 Larson Lane in unincorporated Schaumburg Township, also expressed concern that this subdivision would create flooding in the area and on his property. He also inquired about some of the specifics of the engineering plan such as, but not limited to, the placement of a fire hydrant, the grading, and the status of the Army Corps of Engineers' review of the subdivision. He also stated that the Village Engineer had made mistakes.

Mr. Greg Falk, of 315 Jennifer Lane in Roselle, explained that the entire area was a wetland and that the proposed subdivision would become an island because it would displace the water currently stored there into the surrounding area. He added that the storm water system in the Meadowbrook Subdivision was at capacity and questioned the Village Engineer's competency.

Chairman Smith asked the petitioner's engineer, Mr. Brandon Jafari, P.E., of County Engineers, Inc. at 239 E. Wilson Street in Batavia, to address the comments made. Mr. Jafari answered by saying that they had addressed most, if not all, of these comments before during the two special meetings. Nevertheless, Mr. Jafari addressed some details of the engineering plan that Mr. Picchietti referenced.

Commissioner Keller-Stein asked Mr. Jafari to explain why the engineering plan proposes to raise the grade of the lots within the proposed subdivision, and Mr. Jafari did so.

Several Commissioners then provided their perspective on what the Village's storm water regulations require, in a general sense, in relation to the development of subdivisions. Director Watkins stated that developers either meet the Village's storm water regulations or not and that the Village does not – and cannot – grant a variance from such regulations. He added that the Village Engineer approved the engineering plan for the proposed subdivision, and therefore, the engineering plan must meet the Village's regulations. Director Watkins added that Staff would not had brought this petition before the Commission if the Village Engineer had not approved the engineering plan – i.e. that the plans had not met the Village's storm water regulations.

Chairman Smith then asked whether there were any additional comments from each of the Commissioners, and the Commissioners each gave their thoughts as to what the Commission should include in its positive recommendation to the Board of Trustees. Director Watkins stated that Staff would convey the Commission's desires related to the sidewalk at the northeast corner of Hale Lane and Roslyn Road to the Board of Trustees.

Chairman Smith then asked for a motion to close the public hearing for PZ 09-977 (Sunset Estates). Such a motion was made by Commissioner Zinni and seconded by Commissioner Berkshire. The motion then carried unanimously (7-0) via a voice vote.

Chairman Smith then asked for a motion to find the findings of fact in favor of the petitioner for the request to reduce the required right-of-way width. Commissioner Zinni made a motion to find the findings of fact in favor of the petitioner for the request to reduce the required right-of-way width subject to an independent engineer, hired by the Village, reviewing and approving the engineering plan. Commissioner Stringfellow seconded Commissioner Zinni's motion. The motion then carried by a vote of 6-1, with Commissioner Keller-Stein voting "no."

Chairman Smith then asked for a motion to recommend approval of the request to reduce the required right-of-way width. Such a motion was made by Commissioner Zinni and seconded by Commissioner Patel. The motion then carried by a vote of 6-1, with Commissioner Keller-Stein voting "no."

Chairman Smith then asked for a motion to recommend approval of the proposed plat of subdivision. Such a motion was made by Commissioner Zinni and seconded by Commissioner Patel. The motion then carried by a vote of 6-1, with Commissioner Keller-Stein voting "no."

2. PZ 10-982 – Lake Street Animal Hospital – Special Use (1400 W. Lake Street)

Chairman Smith asked for a motion to open the public hearing for PZ 10-982. Such a motion was made by Commissioner Stare and seconded by Commissioner Zinni. The motion then carried unanimously (7-0) via a voice vote.

Planner Rockwell presented the petition to the Commission. He explained that the business plans to operate a veterinary clinic, providing medical and surgical services to animals (mainly cats and dogs). Todd Eichholz, the property owner, has offered to sod the parking lot peninsula in front of the unit to allow animals to relieve themselves. He also plans to soundproof the shared (western) wall of the space to mitigate animal noise. In addition, there are strict daily fines in place for any unattended animal waste, and the owner will install a bag dispenser / garbage-can combo in front of the unit.

Chairman Smith then opened the floor to any comments or questions about this matter. The Commission agreed that the property owner had taken appropriate steps to mitigate any potential issues related to the use. There were no concerns related by the Commissioners, and no members of the public spoke.

Chairman Smith then asked for a motion to close the public hearing for PZ 10-982. Such a motion was made by Commissioner Zinni and seconded by Commissioner Stare. The motion then carried unanimously (7-0) via a voice vote.

Chairman Smith then asked for a motion to find the findings of fact in favor of the petitioner for PZ 10-982. Such a motion was made by Commissioner Berkshire and seconded by Commissioner Zinni. The motion then carried unanimously (7-0).

Chairman Smith then asked for a motion to recommend approval of PZ 10-982. Such a motion was made by Commissioner Stare and seconded by Commissioner Zinni. The motion then carried unanimously (7-0).

3. PZ 10-983 – Personal Wireless Service Facilities – Text Amendment

Chairman Smith asked for a motion to open the public hearing for PZ 10-983. Such a motion was made by Commissioner Stare and seconded by Commissioner Patel. The motion then carried unanimously (7-0) via a voice vote.

Director Watkins presented an overview of the petition, which the Village itself was considering. Ultimately, Staff is seeking the input of the Commission as to whether the Village should allow personal wireless service facilities (cellular antennas and towers) within residential areas. In his overview, Director Watkins mentioned that a cellular carrier had submitted a similar petition a few years ago in conjunction with the Roselle Park District. At that time, both the Commission, as well as the Board of Trustees, was against allowing personal wireless service facilities on property that acts as open space or contains a park or school. Thus, now that another cellular carrier would like to lease property from the Village, Staff would like to know where, if anywhere, the Commission would entertain allowing a personal wireless service facility to locate within residential areas.

Chairman Smith then opened the floor to any comments or questions concerning this matter. After reiterating their desire not to allow such facilities on any property that acts as open space or contains a park or school, the Commission agreed that they would entertain allowing personal wireless service facilities on property/properties in a residential area. However, the Commissioners stipulated that the Village should only allow such facilities on property the Village owns and on property that does not act as open space or contains a park or school.

No members of the public spoke.

With Staff having received direction, Chairman Smith asked for a motion to continue the public hearing for PZ 10-983. Such a motion was made by Commissioner Stare and seconded by Commissioner Berkshire. The motion then carried unanimously (7-0) via a voice vote.

4. PZ 10-984 – Adult Business Use – Text Amendment

Director Watkins asked the Commission to continue the public hearing for this petition, so Chairman Smith asked for a motion to continue the public hearing for PZ 10-984. Such a motion was made by Commissioner Stare and seconded by Commissioner Stringfellow. The motion then carried unanimously (7-0) via a voice vote.

Old Business: Commissioners asked Staff about how they thought the Commission's recommendation regarding PZ 09-977 would play out. Director Watkins explained that there are better ways of affirming the Village Engineer's competence than placing it as a condition of approval.

New Business: There was none.

Chairman Smith then called for a motion to adjourn. Commissioner Berkshire made such a motion, and Commissioner Patel seconded the motion. The motion then carried unanimously (7-0) via a voice vote, and the meeting concluded at 9:27pm.