



VILLAGE OF RIVERSIDE, ILLINOIS
PLANNING AND ZONING COMMISSION REGULAR MEETING
Minutes

I. *Call to Order:* The Regular Meeting of the Village of Riverside Planning and Zoning Commission was held on Wednesday, March 22, 2023. Commissioner Henaghan called the Regular Meeting to order at 7:05 p.m.

II. *Roll Call*

Commissioner Pelletier
Commissioner Marhoul
Commissioner Miller
Commissioner Brom
Commissioner Henaghan

Absent: Chairperson Mateo
Commission Mathews

Also Present: Village Attorney Marris
Village Planner Cyran

As Chairperson Mateo was absent, Commissioner Marhoul made a motion to appoint Commissioner Henaghan as temporary Chairperson. Commissioner Pelletier seconded.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None.

Motion passed.

III. *Approval of Minutes:*

A. Planning & Zoning Commission Regular Meeting minutes of January 25, 2023.

Commissioner Marhoul made a motion to approve the meeting minutes. Commissioner Miller seconded the motion.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None.

Motion passed.

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IV. *Visitors, Petitions, Citizen Requests, and Communications:*
None.

V. *Liaison Report:*

A. Village Board Update

Planner Cyran reported that on February 2, the Village Board approved the TOD-Related Ordinances and the Accessory Structures Ordinance. Trustee Pollock, who led and drafted the Accessory Structures Ordinance effort, helped staff to draft public information handouts on the accessory structures amendments, which are available on the Village's website. During that meeting, the Board denied the variation request for 148 Maplewood Road; the Commission had recommended denial of that application. The Board approved an accommodation under the ADA for the same fence at 148 Maplewood Road. That Ordinance was approved by the Board on February 16.

Also on February 16, the Board approved the Temporary Tent Ordinance. Since the Board approved that Ordinance, which authorizes the Zoning Administrator to approve temporary event tents in street yards, Riverside Presbyterian Church withdrew their application for a variation to allow a temporary tent in the street yard. The Board also discussed the site plan review process and directed staff to draft revisions to the Zoning Ordinance, which the Commission will review tonight.

VI. *Public Hearings and Recommendations:*

A. PZ 23-0003 – 95 Groveland Ave – Variations

1. PUBLIC HEARING to consider an application for variations from Section 10-7-3(D) (Accessory Structures and Uses) and Section 10-7-4 (Permitted Encroachments) of the Village of Riverside Zoning Ordinance. The variations are sought to build a first-story deck that will encroach 5 feet into the street yard and to build a deck on the second story of the house. Petitioner: Romney Cirillo.

Commissioner Marhoul made a motion to open the public hearing. Commissioner Brom seconded the motion.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

Commissioner Henaghan stated the notice of public hearing was published in the Landmark on March 1, 2023 and will be marked as an exhibit. The remaining application materials will be marked as a second exhibit.

Commissioner Marhoul made a motion to accept the exhibits. Commissioner Miller seconded the motion.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

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NAYS: None

Motion passed.

Commissioner Henaghan swore in the Petitioner.

Planner Cyran briefly described the property and the requests for variation.

Romney Cirilo, the Petitioner, stated that his home is in a flood zone and he has made several related improvements to improve the property, such as upgrading the utility lines. While trenching the utility lines, they discovered the front stairs lacked structural support. They removed the front stairs and would like to replace the stairs with a front porch. Two neighbors submitted letters in support of the variation. He is trying to improve the aesthetics of his property and the block. He submitted photos of properties throughout Riverside showing similar improvements to what he is proposing.

Attorney Marrs pointed out that the Village's Zoning Ordinance requires four positive votes from the Commission for an application to be recommended to the Village Board. An application without a positive recommendation from the Commission requires a favorable vote of two-thirds of the Trustees to be approved by the Board. He offered to allow either Petitioner (Mr. Cirilo or School District 96) to continue their application to the next meeting. Mr. Cirilo decided to move forward.

Commissioner Marhoul confirmed that the previous front stairs were out of code because there wasn't a landing at the top of the stairs. Commissioner Miller clarified that no additional foundation work would be required to install the deck and the surface under the deck would be permeable. Mr. Cirilo stated that his property is effectively in a bowl and he has made additional improvements to manage water on his property, such as installing an underground stormwater storage system, which receives water from his gutters.

Commissioner Miller asked Mr. Cirilo why he didn't consider putting a roof over the proposed first-story deck to make it a porch. Mr. Cirilo said he opted not to do that for aesthetics and to reduce the amount of encroachment into the street yard. Commissioner Brom asked what materials would be used for the deck and stairs. Mr. Cirilo said he was considering a resin-based grate system over pavers for the deck and permeable pavers for the sidewalk.

To Commissioner Miller's question regarding putting a roof over the deck to make it a porch, Planner Cyran clarified that the Zoning Ordinance states, "In no case may a new unenclosed porch, including the eaves, be closer than 20 feet from the street lot line." Since the front of Mr. Cirilo's house is 20 feet from the Groveland Avenue property line, a variation would still be required, whether he was installing a deck or a porch.

Commissioner Brom asked whether Mr. Cirilo made any improvements to the front of the house since he purchased it in 2017. He stated he added a door and windows to the front of the enclosed porch. Commissioner Pelletier asked whether the front part of the house was

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previously part of an unenclosed porch. Mr. Cirilo stated that the front portion of the house is a living room over a basement, adjacent to a small porch. Commissioner Pelletier noted the proposed deck would be over a window in the basement and Mr. Cirilio stated he hasn't decided whether he wants to cover the area under the deck.

With no additional testimony from the Petitioner or public comments, Commissioner Marhoul moved to close the public hearing. Commissioner Brom seconded the motion.
AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

2. DISCUSSION, MOTION, AND RECOMMENDATION by the Planning and Zoning Commission to the Village Board regarding the request for variations set forth in 6.A.1 above.

First Request: Request for a variation from Section 10-7-3(D) (Accessory Structures and Uses) and Section 10-7-4 (Permitted Encroachments) to build a deck that would encroach 5 feet into the street yard.

Commissioner Pelletier stated that, while it's a hardship to be in a floodplain, she had trouble finding a relationship between that hardship and the need for the deck. Commissioner Marhoul agreed with Commissioner Pelletier's point. When the Commission discussed this years ago, they were amenable to allowing some amount of additional porch being built, but not decks.

Commissioner Miller noted that when the porch regulations were changed a few years ago, the Village Board supported allowing some encroachment of front porches into larger street yards because they wanted residents to use their front porches to increase the sense of community in Riverside. However, they drew the line at not allowing new porches to encroach closer than 20 feet to the street, which is the size of Mr. Cirilo's front yard. Commissioner Miller said the property is unique in how close the house is to the front of the property. The property is not an originally platted part of Riverside and it's not part of Olmsted's plan.

Commissioner Miller suggested to the other Commissioners and to the Village Board that it could be appropriate to allow Mr. Cirilo to build the front steps and stoop with a large platform that wraps around to the north side of the house. Commissioner Miller also stated the proposed structure is better described as a porch.

Commissioner Brom said the Commission should consider approving the request based on the way the house is situated, the fact that it's in a flood zone, and that the Petitioner is working to remediate some of his concerns.

Commissioner Henaghan stated, like Commissioners Pelletier and Marhoul, she struggled regarding the issue of a hardship. The other homes along Groveland Avenue appear to be set

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back 20 feet from Groveland Avenue, so approving this variation may set a new precedent. Mr. Cirilo noted that there are other homes along Groveland Avenue that are closer to the street.

Commissioner Marhoul said he was also concerned about this setting a precedent. Commissioner Miller stated she wouldn't consider this a bad precedent, and that this may revitalize the street using the existing housing stock. Commissioner Marhoul responded that the Commission has historically been very protective of the front space of every property. Being that these conditions apply to multiple properties not only on Groveland Avenue but also to every street where the houses are on smaller lots, does not make this a unique situation.

Commissioner Brom asked whether the fact that this property is located in a flood zone makes it unique. Commissioner Marhoul stated that, while being in a flood zone makes it harder to build and potentially makes the ground settle, that is not a justification for encroaching into the front yard. Commissioner Pelletier stated that being in a flood zone is clearly a hardship that makes the property unique, but she doesn't see how it relates to a deck or a porch encroaching into the street yard.

Commissioner Pelletier moved that the Commission recommend denial of the variation for a first-floor deck. Commissioner Marhoul seconded the motion.

Commissioner Henaghan reviewed the standards for a variation:

- (a) Because of a particular physical or other unusual condition of the specific property involved, a particular hardship or practical difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Commissioner Marhoul stated this standard was not met since the placement of the home on the lot is fairly typical of the rest of Groveland Avenue and there are smaller lots within town. Commissioner Brom stated the standard was met for reasons she previous stated.

- (b) The purpose of the variation is not based primarily upon a desire to increase financial gain.

The Commissioners agreed this standard was met.

- (c) The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The Commissioners agreed this standard was met.

- (d) The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.

Commissioner Marhoul stated the fourth standard was not met. Commissioner Pelletier agreed. Commissioner Miller stated she this was questionable since the applicable zoning districts are R3 and R4 and many properties within those districts are not single-family homes and some of them have larger street yards.

- (e) 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.

The Commissioners agreed this standard was met.

- (f) The granting of the variation will not alter the essential character of the neighborhood.

Commissioner Miller stated the standard was met. Commissioner Marhoul disagreed.

- (g) The proposed variation will not impair an adequate supply of light or air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The Commissioners agreed this standard was met.

The Commissioners voted on the motion to recommend denial of the request.

AYES: Commissioners Pelletier, Marhoul, Miller, and Henaghan.

NAYS: Commissioner Brom.

Motion passed.

Second Request: Request for a variation from Section 10-7-3(D) (Accessory Structures and Uses) to build a deck on the second story of the house.

Commissioner Marhoul noted the Petitioner provided examples where decks were constructed above a first floor throughout the Village. Commissioner Miller stated the proposed deck does not encroach further into the street yard than the house and therefore she is in support of the variation. Commissioner Pelletier stated the Commission shouldn't grant variations for things that should be allowed in the code; instead they should change the code. Commissioner Henaghan stated the Commission could do both.

Commissioner Henaghan stated the proposed structure doesn't meet the definition of a deck because it's not a raised platform. The Zoning Ordinance doesn't fit this structure, which is causing a hardship. The Commission discussed the definition of a porch and determined the proposed structure does not meet the definition of a porch.

Commissioner Miller moved that the Commission recommend approval of the variation for a second-story deck. Commissioner Marhoul seconded the motion.

Commissioner Henaghan reviewed the standards for a variation:

- (a) Because of a particular physical or other unusual condition of the specific property involved, a particular hardship or practical difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Commissioner Pelletier stated that lack of clarity in the Zoning Ordinance is not a hardship and the conditions are not unique to this property. Commissioner Miller noted that a balcony would be permitted for this property, but it couldn't be built on this structure without significant changes to the building. Commissioner Brom agreed. Commissioner Henaghan stated the variation is being granted for a deck, even though the code does not define this structure very well.

- (b) The purpose of the variation is not based primarily upon a desire to increase financial gain.

The Commissioners agreed this standard was met.

- (c) The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The Commissioners agreed this standard was met.

- (d) The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.

Commissioner Miller agreed this standard was met. Commissioner Pelletier stated this condition would apply to many homes.

- (e) 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.

The Commissioners agreed this standard was met.

- (f) The granting of the variation will not alter the essential character of the neighborhood.

The Commissioners agreed the standard was met.

- (g) The proposed variation will not impair an adequate supply of light or air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The Commissioners agreed this standard was met.

The Commissioners voted on the motion to recommend approval of the request.

AYES: Commissioners Miller, Brom, and Henaghan.

NAYS: Commissioners Pelletier and Marhoul.

Motion passed.

Commissioner Henaghan proposed moving the Central-Hauser variation request forward on the agenda due to the number of people in attendance to hear that item. The Commissioners agreed.

Commissioner Marhoul recused himself because is a member of the District 96 School Board.

C. PZ 23 -0002 – 61 Woodside Rd, Central-Hauser – Variations

1. PUBLIC HEARING to consider an application for variations from Section 10-7-3 (Accessory Structures and Uses), Section 10-7-4 (Permitted Encroachments), Section 10-8-9 (Required Off Street Parking Spaces), Section 10-9-5 (Perimeter Parking Lot Landscaping), and Section 10-9-6 (Interior Parking Lot Landscaping) of the Village of Riverside Zoning Ordinance to install a 4-foot-tall black wrought iron style fence that encroaches into the Akenside Road street yard for a length of approximately 189 feet along Akenside Road; to install two, 4-foot-tall black wrought iron style fences that encroach into the Akenside Road street yard for lengths of approximately 183 feet and 173 feet perpendicular to Akenside Road; to install a 20-foot-tall PVC-coated chain link backstop fence that encroaches approximately 21 feet into the Akenside Road street yard, approximately 167 feet from the street; to build an approximately 282 square foot refuse enclosure within the Akenside Road street yard, approximately 150 feet from the street; to install a 10-foot-wide sidewalk instead of the maximum 5 feet wide sidewalk perpendicular to Akenside Road that encroaches into the street yard for a length of approximately 188 feet; to build a parking lot with 87 spaces instead of the required 114 spaces; to allow the perimeter parking lot landscape buffer from Akenside Road to be less than 10 feet wide near two parking spaces; to install 12 interior landscape medians instead of the required 17 medians for the proposed 87 parking spaces; and to install 8 interior landscape medians that are smaller than required. Petitioner: School District 96.

Commissioner Miller made a motion to open the public hearing. Commissioner Pelletier seconded the motion.

AYES: Commissioners Pelletier, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

Commissioner Henaghan stated the notice of public hearing was published in the Landmark on March 1, 2023 and will be marked as an exhibit. The remaining application materials will be marked as a second exhibit.

Commissioner Miller made a motion to accept the exhibits. Commissioner Brom seconded the motion.

AYES: Commissioners Pelletier, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

Commissioner Henaghan swore in the representatives of the Petitioner and member of the public.

Planner Cyran described the property and the requests for variation.

Ryan Kelley with DLA Architects presented the plans for Central-Hauser and the requested variations. Mr. Kelley noted the hardship that the property has two street yards – Akenside and Woodside Roads – so that many of the proposed improvements are encroachments into the Akenside Road street yard.

The proposed dumpster enclosure will be moved as far from Akenside Road as possible while allowing garbage trucks to access it. The proposed parking lot design will balance the desire for more off-street parking with the desire for more play space. The sidewalk in the center of the site will create a safe path for students to enter and move through the site. Four of the landscape medians were consolidated to increase parking and still provide greenspace buffers. The proposed fences along the recreational field will safely separate parking and play.

Jason Green with the WT Group presented the existing and proposed pervious and impervious surfaces on the site. The existing site is more than 50% impervious surfaces. The proposed plans include new pervious surfaces – permeable pavers, woodchips, and permeable concrete. The District is considering two options for the surface of the recreational field – synthetic turf and grass. If the District decides to use synthetic turf, they will account for the imperviousness of the synthetic turf by increasing the amount of permeable pavers in the parking lot.

Mr. Green described how stormwater currently drains from the site, which is primarily by sheet draining into Akenside Road’s storm sewers. The method of drainage and the age of the system adds to flooding problems. The project will replace all of the pipes, which will convey the stormwater to water quality devices and a storage vault. These improvements will improve the water quality and slow the flow rate.

Mr. Green described how vehicles will circulate through the site. Mr. Green noted the amount of natural grass will be increased by 3% if the recreational field is maintained, but there will be a 53% reduction in grass coverage if the synthetic turf is selected.

Paul Couture, Couture Landscape Construction, described the proposed landscaping. The proposed plants are northern Illinois-grown. Commissioner Miller asked about the location of the landscaping on the south edge of the property and adjacent to the recreational field. Mr. Couture noted the existing vegetation along the northern edge of the recreational field will be maintained as it is. Mr. Couture noted the lilac bushes along the eastern edge of the recreational field will not survive the construction on the recreational field. They will be replaced with newer varieties of lilac that will grow to 6 to 8 feet and will bloom at different times.

Commissioner Miller asked about the long-term survivability of the proposed plantings without regular care. Mr. Couture said all plantings need care and maintenance, which will be part of the program. The Commissioners noted the landscape plan was not included in the agenda materials. Commissioner Pelletier asked if any trees will be removed. One tree on the District's property will be removed near Akenside Road.

Commissioner Pelletier asked about the location of the sidewalk along Akenside in relationship to the fence. The fence is 1 foot from the property line. Commissioner Pelletier asked about the location of the vegetation along the northern property line near the recreational field. The vegetation is primarily on the residential side, but some of it has grown into the fence. The sidewalk will be 5 feet from the fence line.

Mr. Kelley noted that Director of Public Safety Buckley has reviewed and approved the plans. Commissioner Miller asked about the size of the central walkway, the size of the walkway on the south side of the property, and the total square footage of the parking lot islands.

Commissioner Henaghan asked for public comments.

Lonnie Sacchi, 111 Woodside Road, stated his concern that the vegetation planted alongside his driveway not obscure views of the sidewalk and the street from his property. Mr. Couture responded that no new vegetation is proposed in that area. Mr. Sacchi said he is concerned about the location of the baseball diamond. A diamond is current located in the northwest corner of the recreational field. The plans presented in January and in this meeting agenda showed the baseball diamond being moved to the southwest corner of the field, further away from Mr. Sacchi's property. The plans presented at the meeting show the diamond being moved back to the current location. In the late afternoons and evenings, the recreational field is occassinoally being used for pitching practice which can be disruptive.

Commissioner Miller asked if the baseball backstop would be closer to Mr. Sacchi's property. Mr. Kelley noted the backstop was moved back to its current location to prevent baseballs from being hit into neighboring properties, and that it will be further from Mr. Sacchi's property than it is now. Commissioner Henaghan asked that the Petitioners provide staff with an exhibit showing the current and proposed location of the backstop for the Village Board meeting.

Gail McKernin, 146 Akenside Road, stated her concerns about the fence and loss of landscaping along Akenside Road. The lilac bushes take up 25 feet, so all of that green vegetation will be lost. The concern is that it will turn into what it looks like at Ames Elementary, which is a fence with mulch and it looks terrible. Mr. Couture noted that the lilacs will be replaced with large plant material which will obscure the view of the fence. Mr. Green noted that the sidewalk will be moved closer to the property line which will create more area for planting between the sidewalk and the street.

Commissioner Pelletier noted that it was not clear from the diagrams that the sidewalk would

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be moved. Commissioner Miller noted that the parkway is public property and trees and other vegetation could be planted in the parkway to shield the view. She asked if that would be an obligation of the property owner or of the Village. Mr. Green noted that the District is willing to maintain the existing location of the sidewalk.

Commissioner Miller asked if the Petitioners could provide a more detailed landscape plan of the perimeter area to the Village Board. Mr. Couture noted the proposed size of the plants along Akenside Road will be 4 feet tall when they are planted and will grow to 6 to 8 feet in height.

Robert Gulik, 95 Michaux Road, asked for clarification that the vegetation will be located between the parkway and the fence. Mr. Gulik noted, if the variation for the fence is approved, it would set a precedent for other commercial properties. Mr. Kelley noted that the purpose of the fence is to improve safety and the robust landscape design is intended to create the buffer and screening Riverside is used to. Ms. McKernin if they could create safety without a fence. Mr. Kelley said the fence is required for safety.

Mr. Gulik suggested the size of the recreation area be reduced to move the fence further away from Akenside Road.

Tom Vanduerm, 85 Akenside Road, asked about the surface of the recreation field. Mr. Kelley said the District has not decided which surface to use. Mr. Vanduerm asked about the maintenance plans for the landscaping. Mr. Kelley said there is a two-year warranty on the landscaping and the District contracts with a landscaping company that will care for and maintain the plants.

Kathleen Gulik, 95 Michaux, said she is concerned about the size of the landscaping that will be planted along Akenside Road. She noted that trees and ground cover will not screen the view of the parking lot. Mr. Couture noted the proposed plantings will grow to be 6 to 8 feet tall.

Mr. Gulik asked whether the District will be required to execute the plan associated with the variations. Commissioner Henaghan noted that approvals would be tied to the specific plan. Attorney Marrs noted that if a variation is granted, the improvement doesn't necessarily have to be made.

Mike Richards, 110 Michaux Road, asked how the number of parking spaces is increasing if a portion of the existing parking lot is being replaced with a playground. Mr. Kelley noted that the parking lot is being better designed.

An unidentified person in the audience asked why the new playground is being built. Mr. Kelley responded that one of the goals of the plan is to increase play space. The existing playground near Woodside Road cannot be expanded without negatively impacting three nearby trees.

Mr. Gulik asked if leaving the lilac bushes near Akenside Road a matter of cost. Mr. Kelley noted that the bushes are older and they wouldn't survive the excavation of the recreational to install the new drainage system, regardless of whether a grass or synthetic turf field is installed.

Mr. Sacchi said in January he had asked if the existing fence along his driveway could be replaced. Mr. Kelley said that fence will be left in place since it's on the property line and removing it would require the restoration of both Mr. Sacchi and the school's driveways.

Mr. Vanduerm asked if the proposed plans will cut down on the use of the school's property at night. Mr. Kelley said he discussed with Director Buckley about how to curtail that activity. Parking lot lighting that meets the Village's requirements will be installed. The light will not extend past the property lines. Mr. Kelley said the lights will be LEDs with security cameras on 10-foot poles in the parking lot.

Ms. Gulik said there are existing lights on the school shine into her living room, so she is concerned about any new lighting on the site.

Wesley Muirheid, 319 Bartram, said he is a member of the District 96 School Board and has been actively involved with these designs, but he is not speaking on behalf of the School Board. Mr. Muirheid said they have extensively discussed the project for over a year and these specific site designs for six months. They have heard all of this feedback before and had extensive dialog both in the open and behind the scenes.

Mr. Muirheid said they have not received any complaints about the lighting, though they have heard support for both for having lighting and not having lighting. Members of the Board feel strongly about having the fence along Akenside Road for safety. He disagrees that the lilac bushes adequately screen the view because during the winter they are bare. He noted the staff has requested more parking, but they don't want to expand parking beyond what is proposed. He said the field is unusable because it is a bowl; any rain turns the field into mud. Since the field will be used more when it's redeveloped, the fence along Akenside Road is necessary. They haven't made a decision on the field surface yet.

Martha Ryan-Toye, Superintendent for District 96, clarified that the recreational field is intended to be used by students at Central Elementary School as well as Hauser Junior High Schools, so younger children will be playing in the field. Ms. Ryan-Toye noted the existing playground is suited for Pre-K to Grade 2 students. While they will make some improvements to the equipment, they cannot expand it due to the nearby trees.

Commissioner Brom made a motion to close the public hearing. Commissioner Miller seconded the motion.

AYES: Commissioners Pelletier, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

2. DISCUSSION, MOTION, AND RECOMMENDATION by the Planning and Zoning Commission to the Village Board regarding the request for variations set forth in 6.C.1 above.

Fences

Commissioner Miller noted that the request is for one, four-foot tall wrought-iron style fence, not two. Commissioner Pelletier recommended the fence along Akenside Road be moved 5 feet off of the property line to provide a sufficient area for landscaping. Commissioner Brom stated she was in favor of allowing the fence to be there, but wasn't sure about requiring it to be 5 feet from the property line. Commissioner Miller said she was also in favor of allowing the fence, but thought it should be located on the property line to maximize the usable area of the recreational field. Commissioners Miller and Pelletier stated they were in favor of the fence perpendicular to Akenside Road along the recreational field.

Commissioner Pelletier stated she would like to see a single site plan that accurately represents what is being proposed.

Regarding the backstop fence, Commissioner Miller stated she supports it. Commissioner Pelletier requested a condition of approval that the backstop not be any closer to the residential properties than it currently is and that evidence of the backstop's location be provided to the Village Board, and the Commissioners agreed.

Refuse Enclosure

The Commissioners agreed the location of the refuse enclosure was acceptable.

Sidewalk

Commissioner Miller stated the 10-foot wide sidewalk is reasonable and provides sufficient space for pedestrians and bicyclists.

Parking Spaces

Commissioner Pelletier stated the number of proposed spaces is an improvement over what is existing and is a balance between providing landscaping and providing parking. Commissioner Miller agreed.

Landscape Medians

Commissioner Brom stated the proposed number of landscape medians is a good balance, and Commissioner Miller agreed.

Commissioner Brom made a motion that she would support the requests for variation with the fence along Akenside Road on the property line if the sidewalk remains in its current location, which would allow more space between the sidewalk and the street for landscaping. Commissioner Miller seconded the motion, then proposed an amendment to the motion to

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state the baseball backstop cannot be any closer to the residential property line on the north side than it current is. Commissioner Brom accepted the amendment to her motion. Commissioner Pelletier proposed an amendment to the motion that the sidewalk be in the location shown on page 89 in the agenda packet.

After a comment from Mr. Sacchi, Mr. Kelley clarified that the backstop would be moving further to the southeast from its existing location by about 10 feet.

After additional discussion, Commissioner Henaghan re-stated Commissioner Brom's motion to recommend approval of the variation requests with the condition that the sidewalk remain in the same location as shown on page 89 of the packet, that the backstop not be any further west or north than its current location, and that the fence along Akenside Road be located as shown on page 89 of the packet. Commissioner Brom confirmed she approved of the motion as stated, and Commissioner Miller seconded the motion.

Commissioner Henaghan reviewed the standards for a variation for all of the requests as a whole:

- (a) Because of a particular physical or other unusual condition of the specific property involved, a particular hardship or practical difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

The Commissioners agreed that if the strict letter of the regulations were to be carried out the project could not be completed.

- (b) The purpose of the variation is not based primarily upon a desire to increase financial gain.

The Commissioners agreed this standard was met.

- (c) The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The Commissioners agreed this standard was met.

- (d) The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.

The Commissioners agreed this standard was met.

- (e) 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.

The Commissioners agreed this standard was met.

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(f) The granting of the variation will not alter the essential character of the neighborhood.

The Commissioners agreed this standard was met.

(g) The proposed variation will not impair an adequate supply of light or air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The Commissioners agreed this standard was met.

The Commissioners voted on the motion to recommend approval of the request.

AYES: Commissioners Pelletier, Miller, Brom, and Henaghan.

NAYS: None.

Motion passed.

VIII. *Old Business:*

A. PZ 23-0001 – Site Plan Review – Central-Hauser Parking Lot & Site Improvements

Commissioners Pelletier made a motion to continue this item to the April 26, 2023 meeting.

Commissioner Miller seconded the motion.

AYES: Commissioners Pelletier, Miller, Brom, and Henaghan.

NAYS: None.

Motion passed.

Commissioner Marhoul returned to the meeting.

VI. Public Hearings and Recommendations:

B. PZ 23-0005 – Text Amendments to Zoning Ordinance Regarding the Site Plan Review Process

1. PUBLIC HEARING to consider various changes to the Village of Riverside Zoning Ordinance regulations relative to Site Plan Review. The affected section(s) includes, but may not be limited to, Section 10-2-2-4 (Site Plan Review). Among the potential changes being considered include possibly changing the process as to how Site Plans are reviewed and approved, and what body has final decision making authority over Site Plans and under what circumstances. Other procedural and process changes to the site plan review provisions in the Village's Zoning Code may be considered. Petitioner: Village of Riverside.

Commissioner Marhoul made a motion to open the public hearing. Commissioner Miller seconded the motion.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

Commissioner Henaghan stated the notice of public hearing was published in the Landmark on March 1, 2023 and will be marked as an exhibit. The remaining application materials will be marked as a second exhibit.

Commissioner Marhoul made a motion to accept the exhibits. Commissioner Miller seconded the motion.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

Planner Cyran summarized the purpose and history of the text amendments.

Commissioner Miller asked what prompted the removal of the requirement for the applicant to provide evidence of adequate financing for a project. Planner Cyran stated providing the information wouldn't necessarily benefit the Village because project costs and financing can change during a project. Attorney Marrs clarified that providing evidence of adequate financing is a common requirement for redevelopment agreements, but not for other projects that don't involve public investments or the sale of property. Commissioner Marhoul stated that projects that fail to be completed are frequently due to economic changes that are beyond anyone's ability to predict or control.

Commissioner Miller suggested that in Section 10-2-2-4(G)2, Amendment to Approved Site Plans – Determination of Type of Change, a change in the location of walkways, vehicle circulation ways, and parking areas of five feet or more should be considered a major change to a site plan whereas change in the location of exterior building or structure walls of three feet or more should be considered a major change. The Commissioners agreed to this recommendation.

The Commission discussed what the applicant's options will be if the Commission suggests a condition of approval that the applicant won't accept. In that case, the Commission could recommend denial of the site plan. If an applicant isn't sure whether they will accept a condition of approval, the application could be continued to a future meeting or the Commission could suggest it as a condition of approval to the Village Board.

Commissioner Miller suggested several clarifications to the text.

There were no members of the public present to provide comments.

Commissioner Marhoul made a motion to close the public hearing. Commissioner Pelletier seconded the motion.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

2. DISCUSSION, MOTION, AND RECOMMENDATION by the Planning and Zoning Commission to the Village Board regarding the proposed text amendments as set forth in 6.C.1 above.

Commissioner Marhoul made a motion to recommend the text amendments with the edits suggested. Commissioner Pelletier seconded the motion.

Commissioner Henaghan reviewed the standards for a variation:

- (a) The extent to which the proposed amendments promote the public health, safety, comfort, convenience, and general welfare of the Village.

The Commission agreed this standard was met.

- (b) The relative gain to the public, as compared to the hardship imposed upon the applicant.

The Commission agreed this standard was met.

- (c) The consistency of the proposed amendments with Village plans.

The Commission agreed this standard was met.

- (d) The consistency of the proposed amendments with the intent and general regulations of the Zoning Ordinance.

The Commission agreed this standard was met.

- (e) Whether the proposed amendments correct an error or omission, add clarification to existing requirements, or reflect a change in policy.

The Commission agreed the amendments reflect a change in policy and that having the Board of Trustees consider and approve site plans will be advantageous, especially in cases where zoning relief is sought.

- (f) That the proposed amendments will benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.

The Commission agreed this standard was met.

- (g) Whether the proposed amendments provide a more workable way to achieve the intent and purposes of the Zoning Ordinance and the Village plans.

The Commission agreed this standard was met and that the changes will result in a more efficient site development process, especially in projects where there are multiple zoning approvals sought.

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(h) The extent to which the proposed amendments create nonconformities.

The Commission agreed the proposed amendments will not create nonconformities.

(i) The extent to which the proposed amendments are consistent with the overall structure and organization of the Zoning Ordinance.

The Commission agreed this standard was met.

The Commissioners voted on the motion to recommend approval of text amendments.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None.

Motion passed.

VII. New Business:

IX. Old Business:

B. Examination of Impervious Surface Standards

The Commissioners agreed to continue this item to the next meeting.

VIII. Information:

A. Update on C4 (Cross-Community Climate Collaborative) Initiative

Commissioner Miller briefly described the C4 Initiative and provided an update on recent activities. In the future, the Planning and Zoning Commission may be asked to review text amendments related to the goals of the C4 Initiative.

B. The next Commission meeting will be held on Wednesday, April 26.

IX. Adjournment: Motion to adjourn by Commissioner Marhoul, seconded by Commissioner Pelletier.

AYES: Commissioners Pelletier, Marhoul, Miller, Brom, and Henaghan.

NAYS: None

Motion passed.

Meeting adjourned at 10:38 p.m.