

**VILLAGE OF ITASCA  
PLAN COMMISSION REGULAR MEETING  
APPROVED MINUTES  
November 28, 2018**

**CALL TO ORDER**

The Village of Itasca Plan Commission Meeting was called to order by Chairman Mark Kischner at 7:00 p.m.

**ROLL CALL**

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

**Absent:** None

**Also Present:** Shannon Malik Jarmusz, Interim Community Development Director; Yordana Wysocki, Village Attorney; Helene DeAngelo, Recording Secretary

**PUBLIC HEARING**

**PC 18-016**

**Frank Ingraffia**

**Tony's Finer Foods Enterprises, Inc**

**1200 W. Bryn Mawr Ave.**

**IG Investments, LLC**

**Special use for the storage of third party vehicles in the M Limited Manufacturing District**

**PETITIONER PRESENTATION**

Mr. Ingraffia representing Tony's Finer Foods Enterprises, Inc with IG Investments, LLC requesting a special use permit to be able to park 3<sup>rd</sup> party semi-trucks at the property at 1200 W Bryn Mawr Ave. Mr. Ingraffia then asked if there were any questions for him regarding his petition. Chairman Kischner asked Shannon Malik Jarmusz to explain the request.

Malik Jarmusz then stated that in the past few years Tony's has been leasing parking spaces in their lot to other businesses who have parking shortages on their own property. Village staff learned of this and determined that the Zoning Ordinance prohibits off-site parking and storage of vehicles. The business was contacted in August of this year about the zoning violation and Mr. Ingraffia promptly replied and filed for the special use immediately. Malik Jarmusz asked Mr. Ingraffia if the 23 number of spaces filled was still correct. Mr. Ingraffia replied he believed the total is 35 with 23 being leased to Superior. Malik Jarmusz added that Tony's Finer Foods has recently been doing improvements to their property, adding a landscaped berm along Rohlwing Road and improvements to the parking lot. Malik Jarmusz then asked if there are any questions for staff.

Chairman Kischner stated he had questions regarding number 8 and 9 of the Staff Recommended Conditions of Approval. He was concerned with how the village staff can enforce the operational hours and number of vehicles with engines operating at one time. Malik Jarmusz indicated that the village regulations are based on existing language in the ordinance for trucking. Malik Jarmusz stated that the Plan Commission can make specific

recommendations for this particular case if needed. Chairman Kischner then thanked Malik Jarmusz and asked at this time if there were any other questions from the Commissioners.

Commissioner Holmes asked if the storage was for trailers or trucks. Mr. Ingraffia then replied that the storage is usually for both the trucks and trailers. Commissioner Holmes asked how many years have you been leasing the spaces. Mr. Ingraffia responded for the past 4 years.

Commissioner Drummond asked how many of those trucks were theirs. Mr. Ingraffia replied that out of the 35 none of them are theirs. Mr. Ingraffia said that the middle of the lot is used to park Tony's trucks from time to time or off site. Commissioner Drummond asked if the spaces in the middle are marked and wanted to know per code how many are allowed. Malik Jarmusz indicated that Code doesn't specify a limit specific to truck parking.

Commissioner Carello asked how many trucks are Tony's. Mr. Ingraffia responded that 6 trucks are theirs. Commissioner Carello has concerns about in the future if they expand and need the spaces they are currently leasing out to other companies. Mr. Ingraffia responded they also have additional parking in the back of the building where staff parks and have ample space. Commissioner Swets asked Malik Jarmusz if there are enough spaces to accommodate what is currently being used along with additional spaces for the future. Malik Jarmusz indicated that there is enough room for number of vehicles currently on site. If the business continues to grow over the years the company should look at the future and the Plan Commission can consider a cap. Commissioner Holmes stated that he believes that their business revenue outweighs the parking revenue and Tony's would stop leasing if they needed it for their business.

Commissioner Carello is concerned about if Tony's business ceases, would they end up using this as a leased lot for parking only. Commissioner Swets would recommend a cap to prevent the over leasing of spaces. Malik Jarmusz agrees that the Plan Commission could recommend a cap. The limit could be the number he is asking for currently.

Commissioner Swets asks if we could just give them more spaces now to prevent them asking for more in the future. Commissioner Drummond asks how many vehicles can fit. Mr. Ingraffia responded 50 comfortably. Commissioner Swets was concerned about the future but willing to give extra spots now and asks if 40 would work. Mr. Ingraffia asked if he could have 50. Malik Jarmusz then said she recommended a more refined site plan for anything beyond 40 in order to determine if the site can handle the parking and turning radius required with 10 additional trucks.

Chairman Kischner asks if everyone is comfortable with wording the recommendation to require staff's review to ensure adequate turning radius and emergency vehicle access for any trucks beyond 40 up to a cap of 50 in total. Commissioner Swets asked if this would be their max needed. Mr. Ingraffia replied yes.

Commissioner Swets was concerned will there be overnight idling. Chairman Kischner was concerned that diesel will need to idle overnight. Commissioner Holmes thinks the staff recommended conditions are good with no sleeping on premises and only max 4 idling all night. Commissioner Swets wants language to show specifically how many can idle.

Commissioner Daly asked if there are any additional insurance requirements for leasing the space in case of damage, etc. to vehicles on property. Mr. Ingraffia responded that they have an umbrella policy that would cover anything on the property.

Chairman Kischner asked for Mr. Ingraffia to give more information on what they plan on doing with the berm. Mr. Ingraffia stated that the berm is going to be on the east part of the property and they will be adding landscaping, trees and shrubs. Chairman Kischner asked what the height of the berm was without trees and shrubs. Mr. Ingraffia stated that he didn't know for sure but estimated about 8 feet. Chairman Kischner is concerned that it could be too high. Malik Jarmusz asked if they will be raising the grade further. Mr. Ingraffia replied no. Commissioner Drummond stated that there are already trees, shrubs planted there. Chairman Kischner asked if the berm is already complete. Mr. Ingraffia stated that for the most part it is complete. It will not be raised any higher but will probably be filled in more with additional planting. Chairman Kischner asked if there is any staff concern with permeable impact with the berm. Malik Jarmusz stated that Tony's was issued a permit following engineering review to ensure there were no issues.

Chairman Kischner stated he would like it stated in the conditions that there will be more filler in the berm to conceal the trucks from the road. Malik Jarmusz asked if that should be another condition. All commissioners stated that they did not need to add that as a condition. Chairman Kischner stated he didn't have any further questions and asked if there are any further questions from others. Commissioner Carello asked if they are going to add no overnight idling as a condition. Malik Jarmusz asked if they wanted to straw poll again. All stated they didn't want overnight idling. Commissioner Daly stated that this has been going on for years and no one has ever complained. Malik-Jarmusz confirmed that she was not aware of any complaints.

Mr. Ingraffia asked if it were possible to move toward this policy if complaints were received. Attorney Wysocki was concerned as to what would count as a complaint. Would it be to Tony's, the police department, or Community Development.

Commissioner Carello and Commissioner Swets were concerned with the overnight idling and want something in the conditions. Chairman Kischner asks if others agree and others did not agree. Chairman Kischner stated that the four vehicles allowed already on the conditions is sufficient. There was discussion to clarify that the operational hours indicated in the conditions would suffice.

Malik Jarmusz indicated that no members of the public contacted staff after notice was given.

Attorney Wysocki clarified the condition regarding the number of vehicles since the number discussed is different than the original letter from the petitioner. Attorney Wysocki suggested the language for condition #4 read that third party parking is limited to the areas shown on the site plan prepared by the applicant and as described in the cover letter from Frank Ingraffia dated October 5, 2018 the special use is limited to 40 3<sup>rd</sup> party vehicles on site. The petitioner may increase the number of 3<sup>rd</sup> party vehicles to 50 vehicles only with a new site plan and with the approval of the Village's Community Development Director. Attorney Wysocki as if this was accurate.

Chairman Kischner and commissioners stated that yes it was fine.

Chairman Kischner opened for audience comments.

There were no comments or questions from the public.

Chairman Kischner asks if there are any further questions for the petitioner.

Malik-Jarmusz stated the staff recommended conditions of approvals are entered into the record as amended by attorney Wysocki.

**STAFF RECOMMENDED CONDITIONS OF APPROVAL:**

1. Permit documents must be in substantial compliance with Plan Commission/Village Board submittal.
2. The project must comply with all Village Ordinances, Building Codes, and the DuPage County Stormwater Ordinance.
3. The Special Use is for the current property owner only. Should IG Investments LLC transfer the property or Tony's Finer Foods/Tony's Fresh Market cease to operate at this location, the special use will become null and void and subsequent owners would need to reapply for special use consideration.
4. The special use is limited to 40 third-party vehicles on the site. Petitioner may increase the number of third-party vehicles to 50 vehicles only with a new site plan and approval of the Village's Community Developer Director or her designee.
5. Ample backing, turning, parking, and drive aisle areas must be maintained.
6. The parking lot must be maintained in good condition. Parking spaces and drive aisles should be clearly delineated, potholes and debris must be removed.
7. Sleeping on the premises or in vehicles is prohibited.
8. Operational hours are limited to 6:00am- 8pm Monday through Friday and Saturday 8am- 12noon.
9. The number of vehicles with engines operating at one time shall not exceed four.
10. There shall be no motor vehicle maintenance or engine work on the lot.
11. No vehicle fueling may occur on site. No tanker trailers shall be permitted.
12. No parking or standing of trucks is permitted on public streets; the weight of trucks using public streets is regulated by the Village of Itasca Municipal Code.

13. Semi trailers are limited to the Design Vehicle Dimensions established by the Illinois Department of Transportation.

### **REQUIRED FINDINGS OF FACT**

Village attorney Yordana Wysocki proposed findings of fact for which the Plan Commissioners indicated their agreement or disagreement. A full account of the proposed findings and Commissioners responses can be found in the transcript.

### **Motions**

Commissioner Drummond made the following motion:

**After reviewing the submitted documents and the applicable Findings of Fact, and listening to evidence presented at this hearing, this Plan Commission recommends approval of the special use subject to the recommended conditions of approval contained in the staff memo date November 28, 2018 and as amended by the Plan Commission.**

The motion was seconded by Commissioner Daly.

### **Roll Call Vote**

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

**Nays-**None

**Absent-**None

### **REGULAR MEETING AGENDA**

#### **ROLL CALL**

**Present:** Chairman Kischner; Commissioners Brenden Daly, Frank Carello, Eric Swets, Jeff Holmes, Lori Drummond, and Krista Ray

**Absent:** None

#### **MINUTES**

Chairman Kischner asked for page 7, 3<sup>rd</sup> paragraph line 4 to change the spelling of Mr. Florian to Mr. Florina. He also asked to updated page 6, 4<sup>th</sup> paragraph to indicate that zoning review would occur if something were to substantially change.

**Commissioner Drummond made a motion to approve the minutes as amended, Commissioner Carello seconded the motion. Motion carried by unanimous voice vote by the members present.**

#### **NEW BUSINESS**

Malik Jarmusz stated staff continues to work with Bridge Development Partners with regard to the development agreement for the Route 53 and Devon site. The agreement would have to go

before the Village Board the second meeting in December. The developer is refining the plans. They will come back to Plan Commission for final planned development and final subdivision approval.

Malik Jarmusz stated that Nancy Hill has accepted a new position with the Village of South Elgin and her last day with the Village was November 9<sup>th</sup>.

Chairman Kischner asked Malik Jarmusz if there were any comments from Mr. Florina after the last meeting. Malik Jarmusz stated that she had communicated with Mr. Florina following the meeting and will be working with him to reiterate that the Plan Commission was looking for more in depth information from the applicant on some of the key issues.

Commissioner Carello stated that the old Woodfire Grill was being demolished. Malik Jarmusz stated that the owner is clearing the site but a redevelopment plan had not yet been presented to staff.

Commissioner Swets stated he felt the new dynamic sign at the carwash was too bright and flashing too often. Malik Jarmusz stated that she would reiterate the conditions of their special use permit.

Commissioner Holmes stated that the Public Works department did a great job in the snow removal process from the storm.

Chairman Kischner asked about an additional brush pick up date due to the storm. Helene DeAngelo explained that they did add an additional branch pick up for the damage from the storm. Residents are to bring broken tree limbs and branches to the curb to be chipped. If any brush is still left out due to the storm, Republic Services are supposed to come back and pick that up.

## **PROJECT UPDATES AND ANNOUNCEMENTS**

None

## **ADJOURNMENT**

Commissioner Drummond moved to close the meeting. Commissioner Ray seconded the motion. The motion carried with unanimous approval and the meeting adjourned at 7:45 p.m.

## **NEXT SCHEDULED MEETING**

The next regular meeting is scheduled for Wednesday, December 19, 2018 at 7:00 p.m.