

**PLANNING & ZONING COMMISSION
2021
MEETING MINUTES
March 2, 2021**

APPROVED APRIL 6,

Call to Order: Chairman Patel called the meeting to order virtually via Zoom at 5:30 p.m.

Roll Call:

Present: Commissioners Bickford, Boos, Keller-Stein, Patel, and Walloch. Commissioner Wurtz joined at 5:31 pm.
Absent: Commissioner Stringfellow
Staff: Village Planner Caron Bricks

Approval of the Agenda: A motion was made by Commissioner Keller-Stein, seconded by Commissioner Walloch to approve the agenda. The motion passed with 6-0 vote.

Approval of Minutes: A motion was made by Commissioner Keller-Stein, seconded by Commissioner Bickford to approve the minutes from November 10, 2020. The motion passed with a 5-0 vote. Commissioner Boos abstained.

Consideration of Petitions:

PZ 20-1088, Village of Roselle, B-5 Arterial Business District, Text Amendment to allow “pet crematory” as a special use in the B-5 Zoning District

Commissioner Wurtz made a motion to open the public hearing for case PZ 20-1088, seconded by Commissioner Keller-Stein. The motion passed with a 6-0 vote.

Village Planner Caron Bricks presented the staff memo concerning a staff-suggested text amendment for a special use permit request to create the definition of a pet crematory and add it as a special use permit in B-5 zoning district which allows greater control by the Plan Commission and Village Board to put conditions on any approval because of the sensitivity of this type of business. The Village Planner also stated Joe Arcillas, the owner of Chicagoland Pet Cremation, and his representative, Tony Bonovolonta, are on the call.

Commissioner Keller-Stein inquired about the wording of the text amendment. Planner Bricks advised the definition is in the staff report which reads, “Structure wherein domesticated pet remains are cremated.”

Chairman Patel inquired if this text amendment is creating a separate entity from the business unit, and the Village Planner advised this is to approve this recommended special use in order to create the ability for the next public hearing to take place.

Commissioner Keller-Stein inquired about adding anything relating to storage of deceased animals post cremation which would state this cannot turn in to a pet cemetery unless under a special use. Planner Bricks advised the specific definition would not allow for a pet cemetery. Commissioner Wurtz inquired about the process concerning the pet storage prior to cremation.

Comments from Petitioner:

Chairman Patel swore in Joe Arcillas, 5641 W. Henderson, Chicago, to respond to inquiries concerning the pet cremation process and storage. There are chest freezers like the ones found in veterinarian offices where the animals are stored by law. Cremation occurs on Mondays, Wednesdays, and Fridays so pets may be stored 2-3 days in separate bags. Storage can be longer as needed. The capacity of the freezer is dependent upon the sizes of the animals which can be up to 10, maybe 20. Customers pick up remains within a week of cremation.

Commissioner Walloch asked if we are restricting hours of the actual cremation process to evening hours or would we allow this to occur during the day. Planner Bricks stated the Plan Commission can make it a condition added to the definition or to the special use permit request.

Commissioner Wurtz asked if the cremation could be a disruption to other businesses in these industrial use condos. Mr. Arcillas responded the cremation is not loud, the machine is enclosed with no emissions, has an afterburner which destroys all smoke and odor, and a “hot hearth” where liquids evaporate so there is no fluid leakage. Commissioner Wurtz stated he did not feel there would be a need to restrict hours, and Commissioner Walloch stated he wanted to make sure it had been discussed.

Hearing no further comments from the audience, Chairman Patel asked for a motion to close the public hearing for case PZ 20-1088, made by Commissioner Walloch and seconded by Commissioner Boos. The motion passed (6-0).

Commissioner Wurtz made a motion to accept the findings of fact for a text amendment for PZ 20-1088, seconded by Commissioner Boos. The motion passed (6-0).

Commissioner Keller-Stein made a motion to recommend approval of PZ 20-1088 to the Village Board, seconded by Commissioner Bickford. The motion passed (6-0).

PZ 20-1089, Golpar Ghaedi & P. Joe Arcillas DBA Chicagoland Pet Cremation, 950 W. Lake Street, Special use permit for a pet crematory

Commissioner Keller-Stein made a motion to open the public hearing for case PZ 20-1089, seconded by Commissioner Walloch. The motion passed with a 6-0 vote.

Village Planner Caron Bricks presented the staff memo. The Village Planner read two public comments for the record first.

Public Comments:

From Corey Goebel – “I would like to strongly disagree with the proposed pet crematory at 950 W. Lake St. for the following reasons: 1. The probability of harmful smoke and resulting pollution from this project affecting homeowners and business owners in the area, and 2. The proposed area is too close to already existing restaurants and homes. I am a resident on N. Garden Ave., and my daughter and her family also reside on Garden Ave. We have ongoing concerns from the pollution generated from the Lake St. traffic, and this proposed crematory would decrease the air quality. My daughter and her children have asthma, and an increase in air pollution will be harmful to them. Both my

husband and I are against the usage of this property for a pet crematory and hope the Village of Roselle will decline the petition.”

From Diane Cortaba – “I live at 1099 Prescott Dr. Unit 1C for 20 or so years, and my patio oversees the building they want to make a pet cemetery. I do not think this is a good location for this type of business seeing how close it is to residential buildings. I hope my input will help to convince the Village that this is not a good location at all.” The Village Planner stated she clarified with this resident the building in question because the resident had submitted a picture of the auto repair buildings on the west side, not the location of 950 W. Lake St. The resident responded “I’m sorry for getting the (initial) location wrong, but the location mentioned is even worse as I recall always smelling Burger King (while) sitting on my patio so I can’t imagine how it will be with a cremation. Thank you for your response, and I hope my voice counts in this matter.” Chairman Patel asked if these residents were on the call and the Village Planner indicated they were not.

Chairman Patel stated the concerns about air pollution and noise pollution raised by the residents have been discussed under the text amendment and are negated. Planner Bricks stated she measured how far the specific unit is from other residential buildings. This unit is approximately 233 feet from nearest residential property line and approximately 270 feet from the nearest house. Also, as previously mentioned in the staff report, the crematory is regulated by state law and needs to follow state law when operating the business so there are multiple levels of accountability for this business. Mr. Arcillas stated he also has an IEPA permit which he needs to operate under and has no history of issues.

Commissioner Keller-Stein asked for an explanation concerning the amount of air pollution, smoke and smell are associated with this business. Mr. Arcillas stated the machine is 18,000 lbs, enclosed with fire bricks on the inside and stainless steel on the outside. The unit has a front burner which is the cremation burner, and an afterburner in the back of the machine which destroys all smoke and odor in the machine so there is nothing coming from the top and there is no particulate matter. It is a self-contained machine so there are no loud sounds at all. Mr. Arcillas stated he has been in operation for 10 years and advised his landlord, Mr. Aaron Olson, can be contacted. The landlord maintains the building where Mr. Arcillas is a current tenant and can answer any questions.

Chairman Patel swore in Aaron Olson, 25 Claria Dr., Roselle, to address the board concerning the business operation of Chicagoland Pet Cremation. Mr. Olson stated Mr. Arcillas has been a tenant for 10 years without complaints in terms of particulate, smell, or noise. The building currently occupied by this business is in a 40,000 sq ft, multi-tenant building with a white, reflective rubber roof, and there is no more debris other than what is normally seen found near the end of the building where this business is located.

Commissioner Keller-Stein inquired about the landscaping improvements for the property. The Village Planner stated this is a multi-tenant building, and this location shows mainly concrete and parking areas in front so there are no landscaping improvements.

Chairman Patel invited any additional comments, and the Village Planner restated this is for the special use permit itself, and approval has been recommended for the text amendment allowing for

Mr. Arcillas to apply for this special use permit. Both of these will go to the Village Board and upon approval of the text amendment then they can approve the special use permit.

Hearing no further comments from the audience, Chairman Patel asked for a motion to close the public hearing for case PZ 20-1089, made by Commissioner Boos and seconded by Commissioner Walloch. The motion passed (6-0).

Commissioner Keller-Stein made a motion to accept the findings of fact for a special use permit for PZ 20-1089, seconded by Commissioner Bickford. The motion passed (6-0).

Commissioner Keller-Stein made a motion to recommend approval of PZ 20-1089 to the Village Board, seconded by Commissioner Wurtz. The motion passed (6-0).

PZ 21-1090, Chicago Title Land Trust Company #8002346364 DBA Relative Brewing Company, Inc., 10 Spring St. Special use permit for a brewery with taproom, variation to permit wall signs on two (2) sides of the building when the building does not front three (3) or more streets

Commissioner Keller-Stein made a motion to open the public hearing for case PZ 21-1090, seconded by Commissioner Bickford. The motion passed with a 6-0 vote.

Village Planner Caron Bricks presented the staff memo. The property is in zoned B-3. It was formerly a daycare center, located across from the American Legion, and three properties south of the intersection of Main St. & Spring St. Relative Brewing Co. has submitted a petition to relocate their business to 10 Spring St. They have a contract to purchase the building from the current owner. Their current lease expires at the end of April and they are looking to move into this space before then. The first part of the request is a brewery with taproom. The definition of this type of business was a text amendment made for Pollyanna several years ago. Planner Bricks stated that parking may be a concern. However, the zoning ordinance does not require the property to provide parking because of the age of the building. For the Relative Brewing Co. business, there will not be a kitchen or restaurant; it will be a brewery for tasting and bar services. There is a draft of the floor plan in the packet which is similar to what will be used. It is from the former owner's proposed business idea which is not moving forward. The kitchen area shown on the floor plan will be the brewing area, and the tasting area and bar service will be in the area of the tables toward the front of the building. Based on the size of the building, the business is thinking about 18-20 seats as a maximum with plans to have outdoor seating at the back of the property in the summer. The petitioner plans to put in some planting or fencing at the rear property line along the alley to help deafen some of the noise and they have agreed so it will be part of the business opening process. They are also requesting a sign variation in order to place a sign on the north side of the building facing Main Street.

Commissioner Bickford asked if the second sign would be the same size as the first sign, and Commissioner Wurtz asked for clarification as to the location of the second sign which the Village Planner clarified as the north side seen from Main St.

Comments from Petitioner:

Chairman Patel swore in Kathleen Egan, 105 W. George St., Itasca, to respond to inquiries concerning signage, and stated the signs would be the same size. There were inquiries asking the

signs would be illuminated and at what times. Ms. Egan confirmed they would be illuminated and operating according to Village ordinance, and the expectation is they would be on during the dark hours when the business is open and turned off when the business is closed.

Commissioner Keller-Stein asked the petitioner about how they feel about the parking concerns. Ms. Egan stated the owners have other similar businesses, and they are aware of parking concerns in several spots in Roselle. The plan is to make the tight street parking information known on the company website and encourage patrons to use a drive service or walk to the business. Ms. Egan stated they have been in discussions with the American Legion and they are willing to work with Relative Brewing Co. concerning parking. Relative Brewing Co. has done parking partnering in other Villages to help offload some of the street parking burden.

Ms. Egan stated this property can offer the outdoor seating option for customers, and there is the opportunity to do business collaborations with Pollyanna being nearby. Commissioner Keller-Stein asked if any residents in the area have expressed concerns about parking near their properties. Planner Bricks stated there have been concerns and there is a resident on the call. Commissioner Keller-Stein also asked about the American Legion parking lot across the street.

Public Comments:

Chairman Patel swore in Corey Holtgreen, 120 Spring St., Roselle, stated she has been a resident in Roselle for 62 years, and the concerns about inviting Relative Brewing Co. to the neighborhood are as follows: 1. The safety of children residing on Spring St. There is a frequent presence of youth on bikes, skateboards, and scooters on the way to and from the skate park on Maple Ave. 2. The absence of a parking lot. Cars parked anywhere on or along the curb of Spring St. would obstruct the driver's view of a child or adult in motion, and teens on fast-moving sports equipment. 3. Unwanted signage on the south side of the building facing homes. Understanding the signage will be lit it will make the neighborhood feel uncomfortable during evening hours. People who frequent these breweries find the locations on social media, through word-of-mouth, and in the newspapers. 4. The difficulty of entering and exiting driveways on evenings and weekends. Many people currently frequent the (Pollyanna) brewery and typically there are cars parked on Maple Ave. as well. Please remember it is a matter of the utmost concern for the safety of our children so let's do the right thing by placing our children's safety first.

Chairman Patel swore in Paul Goodwin, 398 Newberry Dr., Elk Grove Village, the former commander of the American Legion. Mr. Goodwin stated he is sitting in for the current commander, Mr. Cobb, and he confirmed Ms. Egan has been in contact with Mr. Cobb. Mr. Goodwin states there is a large parking lot at the American Legion and they also work with Friendly Ford on some spaces. As a business the Legion partners with other businesses in the area and is happy to work with anyone to make sure there is no interference with the Legion's usage of their parking lot and helps other businesses with their parking usage.

Commissioner Keller-Stein offered comments concerning the difference of parking issues with Pollyanna and as this location has residences nearby, and appreciates American Legion's offer to rent parking spaces. She stated she would want to see "No Parking" in front of the homes on Spring St. because the driveways are small and close together, and because of the safety issues with

children in the neighborhood. She asked Ms. Egan about Relative Brewing Co. allowing dogs on the premises, and Ms. Egan states they would allow leashed dogs as they have done at other businesses, and it is a common practice with micro-breweries since it is a community gathering place.

Ms. Holtgreen stated more dogs in the area creates more clean-up work for the residents. Patrons taking dogs to Pollyanna do not carry pick-up bags along with them, and let the animals relieve themselves on homeowners' lawns so more dogs is not a good idea.

Commissioner Wurtz asked about the number of employees planned at the brewery on a daily basis. Ms. Egan states there are two rotating brewers and 3-4 staff which is 5-6 cars for just employees in addition to 20 cars from patrons going in and out.

Commissioner Bickford asked Planner Bricks to comment on the current B-3 Town Center Zoning compared to the other zoning in this area. The Village Planner stated the property had been zoned B-3 many years ago, and could not find any ordinance for the rezoning and expects the property has been zoned for business for many decades.

Chairman Patel swore in Dino Thanos, 5N781 Glendale Rd., Medinah, who is one of the property owners of 245 Main St. where Pollyanna is located. Mr. Thanos stated he thinks it is good there is another business wanting to come into this area and it will help the downtown area and property values. Mr. Thanos stated there had been and continue to be discussions with Pollyanna about parking concerns. He noted some parking had been removed by the Village, he spoke to the usual number of occupants of cars as it relates to the business occupancies, and his concerns about parking as a busy season approaches. Mr. Thanos asked if the Village would consider opening both sides of Main St. for parking like Spring St. & Howard St. He has concerns about cars being parked once and patrons going to additional businesses.

Commissioner Keller-Stein commented about the businesses utilizing food trucks in the area. She also commented about employees of another nearby business are parking in front of 245 Main St. Commissioner Wurtz asked if there could be a way to restrict parking. He also asked about the outdoor seating and putting up fencing at Relative Brewing to block residents' views. Ms. Egan stated again there is a plan to put up fencing and also they are working with a landscaping company.

Commissioner Keller-Stein stated she would like to see the parking issue resolved and she would like the noise issue (music) addressed before this gets approved so both businesses do not suffer. Commissioner Wurtz stated he believes the parking issue is a Village problem, not just an issue for Relative Brewing Co. and their petition. The Village already worked on the parking when Pollyanna was coming in to the Village and this seems to be adding on to it.

Chairman Patel swore in Anthony Bonovalonta, 845 Butternut Ct., Roselle, who stated the current parking issue is one which has been anticipated for a long time and addressing it has been pushed off. He stated that for the Village to grow, additional parking problems will continue and the Village Board needs to figure a way to address the issue so as to encourage other business to come in to Roselle.

Chairman Patel stated he does not want to unfairly treat Relative Brewery for a parking issue which is the Village of Roselle's issue since the business has already been approved. Commissioner Wurtz commented about the Village looking at buying properties for parking or spread businesses throughout the Village because this area was zoned for redevelopment rather than businesses occupying existing properties for entertainment. Commissioner Keller-Stein restated she feels it would be a disservice to Relative Brewery and other businesses if the parking issue is not resolved, and the Village should utilize TIF funds. Chairman Patel offered the approval can have conditions. Commissioner Walloch stated he feels there should not be a business moratorium because the Village has a parking problem. Commissioner Boos stated the risk of opening a business accepts the risk of parking and if the area is zoned for parking then it should be allowed. There were additional discussions concerning ongoing and future parking as it relates to other businesses, traffic flows and impacts, emergency vehicles access, enforcement, engineering design, signage, and parking agreements with other businesses.

Hearing no further comments from the audience, Chairman Patel asked for a motion to close the public hearing for case PZ 21-1090, made by Commissioner Keller-Stein and seconded by Commissioner Boos. The motion passed (6-0).

There was additional discussion about allowing the petitioner to proceed, which would push solving the parking issue to the forefront vs. denying the petitioner which delays the parking issue. It was stated the Village is attempting to encourage more walkability in the downtown area. There is no current recourse for existing businesses concerning parking issues. There was discussion about postponing this petition to allow the Village time to come up with a proposal concerning the parking and other issues.

Commissioner Walloch stated he does not think there should be any restrictions on residential parking before inviting impacted residents to express their comments. Commissioner Keller-Stein stated we need to discuss the other items including trash, landscaping, fencing, business hours of operation, music. It was stated this petition is the same as what was done for Pollyanna. The Village Planner restated the installing landscaping and fencing has been addressed, the business hours follow their liquor license, and the alley can be used for the trash pickup. Village expenses relative to public improvements are TIF district eligible or from the current 2020-21 budget.

Chairman Patel asked the commissioners about moving forward with voting on this petition or adjourning until there is more information about signage, funding, and whether these are available and do-able. Also, more in-depth plans from the petitioner showing the fencing, sound pollution management, landscaping, waste management, and signage light pollution management was requested.

Commissioner Keller-Stein made a motion to postpone making a recommendation to the Village Board to the next regularly scheduled Planning & Zoning Commission meeting, seconded by Commissioner Wurtz. The motion to postpone failed (3-3).

There was discussion about getting information for resolutions to the stated issues which are to be addressed at the next regularly scheduled Planning & Zoning Commission meeting, specifically and primarily parking or lack thereof regardless of whether there is information from the Village.

Commissioner Boos made a motion to postpone making a recommendation to the Village Board until the next regularly scheduled Planning & Zoning Commission meeting with the intent to make a recommendation at that meeting, seconded by Commissioner Bickford. The motion passed (6-0).

Old Business: There was no old business discussed.

New Business: There was no new business discussed.

Adjournment: Commissioner Boos made a motion to adjourn the meeting, seconded by Commissioner Wurtz. The motion passed 6-0 and the meeting ended at 7:16 p.m.