

**PLANNING & ZONING COMMISSION
2021
MEETING MINUTES
June 8, 2021**

APPROVED JULY 8,

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

Roll Call:

Present: Commissioners Boos, Keller-Stein, Patel, Stringfellow, and Wurtz.
Absent: Commissioners Walloch
Staff: Village Planner Caron Bricks, Management Analyst Brian Joanis.
Commissioner Boos joined the meeting at 5:31 PM.

Approval of the Agenda: A motion was made by Commissioner Keller-Stein, seconded by Commissioner Wurtz to approve the agenda. The motion passed with 4-0 vote.

Approval of the Minutes: A motion was made by Commissioner Keller-Stein, seconded by Commissioner Wurtz to approve the minutes of May 4, 2021. The motion passed with 5-0 vote. Commissioner Boos joined the meeting at 5:31 PM.

Consideration of Petitions:

PZ 21-1095, Fourth Avenue Gospel Building Inc., 100 E. Devon Ave, Zoning Map Amendment upon annexation to R-2 Single Family Residence District, Special Use Permit for a Church in the R-2 Zoning District, Plat of Subdivision (Lot split), and variation to permit lot widths of 75' in lieu of 80' required in the R-2 Zoning District.

Commissioner Keller-Stein made a motion to open the public hearing for case PZ 21-1095, seconded by Commissioner Wurtz. The motion passed with a 5-0 vote.

Village Planner Caron Bricks presented the staff memo. Property is unincorporated and zoned R-4 Single Family Residence district in Cook County, and it has been requested to annex the property into the Village of Roselle. As part of the annexation they have requested R-2 Single Family Residence district zoning. The second request is a lot split, and the third request is for variations to permit two lots of 75 feet in width in lieu of the 80 feet required in the R-2 zoning district as part of the lot split, and the fourth and final request is a Special Use permit for a church.

Commissioners asked about the order of annexation and the approvals being requested, requirements of annexation into the Village, and order of construction proposed.

Commissioner Keller-Stein asked about buffers and setbacks for a church in a residential zoning district. Planner Bricks stated that the required setbacks are no different from other buildings in a residential zoning district.

Commissioner Stringfellow asked if they could park on Devon. Commissioner Wurtz stated that there are no parking signs on both sides of the street.

Commissioner Keller-Stein inquired about parking requirements. Planner Bricks stated that they meet the code and there won't be any external employees. She also inquired about which trees will be taken down. There is no landscape plan required for a church.

Public Comments:

Planner Bricks read the following public comments into the record:

Bill Plasschaert: I just got off the phone with Steve Johnston, talking with him about the plan to subdivide the property and build a two-car garage to be used for a chapel. I cannot attend the June 8th zoning meeting but I want to let you know that I am not opposed to their plan. We have had a history of small churches start in town that eventually grow bigger and build proper facilities. I hope they succeed in building their church up and this would be a chance for them to do so.

Matt Raimondi: I live at 390 Hillside and have no objections to their house church. Looks like a house and draws less traffic than most of my neighbors. This can go as a public comment.

Teresa Stannius: This is Teresa Stannius of 390 Ambleside Drive, Roselle. (if calling, please leave a message as I won't be available until after 6:00 today). We are in receipt of a letter and copy of Tentative and Final Plan of Devon Lag Subdivision regarding the consideration of rezoning 100 E. Devon to R-2. My questions to you are: 1. Who is Mr. Johnstone and what is his role in this venture? 2. Why were we just notified about this (May 20th) when this was drawn up beginning of April? 3. How are we able to even read what is proposed on this copy of the Plat? 4. With the current status of mask wearing there is absolutely no reason why we cannot have an in-person meeting at the Village Hall. Zoom is inappropriate on such an important subject and most people are unable to use it. This is very important for all of Buttonwood, Ventura and surrounding neighborhoods. 5. This is a Single Family Residence District and should remain as such. We need answers to many questions which hopefully can be discussed on June 8th at the Village hall. Thank you.

Terry Stanius: To: Caron Bricks and Steve Johnstone. Good morning to you both. I have spoken to a number of our residents here in Buttonwood, the Springfield subdivision and Ventura, all of whom would be affected if this approval went through. Have you contacted Ventura and Springfield Subdivision yet? This affects them, too, as they have small families. Firstly, thank you for your prompt reply to my email of yesterday. I would like answers to the following as soon as possible as I am meeting with Ventura this evening and would like to give them an accurate update. The most important question: HOW DOES THIS BENEFIT BUTTONWOOD, SURROUNDING AREAS AND ROSELLE? 1. Do you have picture of proposed "small chapel"? Brick, siding, ornate, color? 2. How small/big do you anticipated this "chapel" to be? Again, your copy of plat is such small print and unable to read. 3. Where is the church now? Is it moving from local location or Chicago? 4. How many members of congregation do you have now and expect to have in one year? Anticipated growth? 5. Who is financing/funding this project? Is this an independent church or part of larger organization? 6. What kind of services will be held: a. Sunday services, b. Youth services, c. Weddings, d. Funerals, e. Daily services? What kind of additional activities: Fairs, Carnivals, etc. where you might bring in many people? 7. Parking arrangements. Where will the congregation park? On the road or on our side streets which is not acceptable? How will you confine parking for the church? 8. Where is the congregation coming from? What is the percentage of local people who belong to this church? 9. Will you have volunteers running it? 10. Will this require Roselle to install traffic lights, stop signs, SPEED SIGNS? Traffic is already a problem on Devon with people driving way over speed limit. 11. How will this affect our taxes with street improvements, etc.? 12. If

approved, when will construction start/end? 13. We would still like to have a meeting at the town hall; zoom is not appropriate or possible with our property owners so they would be unable to participate - or would that be your goal? I am sure there will be more questions, however, would appreciate you answering the above.

Terry Stanius: Thanks for your prompt reply, albeit not many of our questions answered. With 30+ members surely parking is a problem. Were there that many originally or is the congregation growing? Are they currently meeting for services at this location? Where do these people park now, or later when construction work is finished? Is the Albion Street another "chapel" or a private residence needing more room? Still lots of my questions to be answered. Looks like this may be a done deal without our input with the Public Works expected to approve Plans. Are you able to set up an in-person meeting with people here that are concerned? I think it will put people's minds at ease.

James M. Salter: Good evening. I am writing to protest the rezoning of 100 E. Devon Avenue from residential to commercial for the Fourth Avenue Gospel. Although I am not opposed to the right of this congregation to worship freely nor their right to assemble peaceably, I am concerned about the impact this change will have on the residential neighborhood. Specifically, I am concerned about the negative impact this increased traffic will have on the safety for the children who reside and play in this neighborhood. I am concerned about the increased traffic and street parking in a residential neighborhood that was not planned nor designed to accommodate the weekly services concentrated on a Sunday. I realize the plans may call for a parking lot, but I do not believe that any amount of planned parking on that size of a lot could adequately accommodate the parking load. Therefore, additional parking would spill onto Devon Ave. as well as surrounding neighborhood side streets. Therefore, I officially protest this zoning change and recommend that the Village of Roselle keep the zoning as residential.

Cindy Sadowski: We received your notification letter about a rezoning request for Fourth Avenue Gospel Building Inc. We live on the north side of I-390 and have a church located in our neighborhood. The neighbors here have some issue with St Mary's Assyrian Church that may or may not apply to the new church wanting the rezoning, but we thought there were several things you should consider before granting the request. Many or most of the parishioners do not live in the area. That being said, they come flying in and out of Larson Ln. with no regard for pedestrians or local traffic trying to exit the neighborhood. If services have just let out, they just keep pulling out of the parking lot and keep on going. Traffic on the street has to yield to them or risk getting hit. Parking is also an issue. On busy days they park on both sides of Larson making it difficult to get past the church with a car. I don't know if an ambulance or fire truck could get by and that is a concern. In the winter their sidewalks are never shoveled. If you are walking you have to divert to the street to get by the church. In general, they just aren't very good neighbors to those of us who live here. I believe churches do not have to pay property taxes. With that in mind, the church here is a drain on Roselle's resources. They use fire and police and that would be fine if they did something for the community, like feeding the poor and/or homeless, for example. But I never see anything like that going on. I'm not saying that Fourth Avenue will be like this, but if they put a church on less than one acre where are they going to park? At Turner Pond? That could use up all the parking for people who might want to visit the park. I am just asking that someone think about all of this and make sure that you feel that

there are enough positive reasons to grant to variance to make up for the negative ones. Thank you for your time and letting us express our concerns.

Joseph & Carla Newacki: Good afternoon. We would like to express our concerns over the rezoning request by the Fourth Avenue Gospel Building Inc. on Devon Ave. The first concern is the number of people and vehicles on the property. This could crowd our streets and increase our noise level immensely. The parking on Devon and our side streets in Buttonwood would become a nuisance. The noise level would disrupt our quiet neighborhood which is what we love about this area. Another concern is the increased number of people in Turner Park. This park is already used by so many outside (of) our community, but with the close proximity to the park we fear this would increase beyond limits of the park and spill into our neighborhood. Thank you for your time and I hope these things are considered when you make this decision regarding our town and neighborhood.

Cara Borroff-Speichs: I do not believe the petitioners have met the burden for a special use variance for the lot to be split into two lots with a new chapel/church to be constructed for the following reasons: A. The approval for such special use is in the public interests and not solely for the interests of the applicant. The request to annex, divide, and build are not in the public interests, rather they are solely for the interests of the applicant. The property was purchased with the current zoning use in mind, and it is solely for the interest of the applicant that a special use is being sought. There is no public interest in expanding the facility. B. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community. The proposed use does not contribute to the general welfare of the neighborhood or community. Furthermore, such proposal to expand use beyond current use brings increased traffic and noise to the area which has seen an increase in both traffic and noise pre- and post-pandemic. Additionally, parking along Devon near Turner Park has already met with overflow issues, especially when the soccer fields are in use. C. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity. Please provide proof that the proposed structure and variances would not be detrimental to property values in the vicinity. Allowing for the special use for a non-residential building already requiring permit variations to split the lot into two smaller lots surrounded by R-1 and R-2 residential zones would set a precedent that could devalue properties in the vicinity. D. That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made part of authorization granted by the Board of Trustees. Enforcement of said stipulations and conditions to limit overflow parking, to limit additional traffic and noise from additional church-goers, and the unknown potential risk for detrimental impact on property values are all reasons the Board should not grant the request.

Gary Cremieux: In anticipation of the Zoom meeting scheduled to review the potential annexation and rezoning of the property at 100 E. Devon, Roselle, I respectfully submit the following comments, thoughts, and requests for your consideration. My wife and I reside at 340 Lakeside, just down the street from the property under discussion. We have lived here for over 30 years. Neither my wife or I anticipated staying here for this long but, clearly, we love the neighborhood and have had the fortune to have great neighbors. I, like my neighbors, are concerned whenever something arises that may

change the idyllic nature of Buttonwood subdivision or impact our property value. Our worry is that rezoning the Devon property may, in some way in the future, negatively impact us and the neighborhood. As we know, no one has a crystal ball to see what will occur in the future but we all have enough common sense to project what might occur in the future. We have all seen things that no one thought would happen but did indeed happen. That is what we wish the P&Z Commission and Village Board to consider during your review process. In my view the main justifications for the Village to consider rezoning a property are: 1. The property to be rezoned provides a service or product the village currently needs, or 2. The property to be rezoned provides a substantive increase to the village revenue base, or 3. The surrounding residents have requested the rezoning or, 4. The property to be rezoned contributes to the Village master plan. Certainly, there are other reasons to rezone a property, but rezoning this property does not fall within the scope of these four. The fact that all houses of worship in Roselle are currently zoned R2 does not require rezoning the property should annexation occur. It is not cause and effect; annexation does not necessarily trigger rezoning. With religious services taking place at this location for some years without harm to the neighborhood one would expect that, without significant change in how this group operates and uses the property, no appreciable change to the neighborhood should occur. The property at 100 E Devon is in disrepair and unsightly to its neighbors and improving the property is desirable. Given this, in considering rezoning, it still must be incumbent upon the Village to provide protection to the neighborhood into the future. An organization's plans today may not reflect how a property or organization evolves over time. In an effort to protect the neighborhood and its residents, as a condition of rezoning, can or will the Village require Fourth Ave Gospel Inc to execute a legally enforceable agreement committing Fourth Ave Gospel Inc to: 1. Member growth at this location to no greater than 33% (they have stated current weekly service attendance to be 30 members), and 2. Limiting the scope of how this property will be used going into the future to the terms of the property use description contained in the Fourth Ave Gospel Inc Explanation of Use letter dated 4/20/21 (no daycare allowed) with the additional stipulation that the time of worship and/or meetings will remain generally the same start and stop times as present, and 3. No significant activities on the property allowed outside the new chapel building, and 4. No acquisition of any adjacent property or building beyond the scope of their plan drawings submitted to the village dated 4/12/21. If the Fourth Ave Gospel Inc. group agrees to these parameters which generally mirror their submitted plan and information communicated to certain neighbors, we would be comfortable with the decisions of the Village.

Barbara & Adrian Hochstadt: The village is not obligated to accept this proposal. We have major concerns about this happening in a solidly residential neighborhood when there are so many other options for this facility in our community. In this case, we are opening the door to this same thing happening all over Roselle on ridiculously small frontage lots. To anyone living in a Roselle subdivision this means that the home next door to yours or just down the street from you can be converted from a private residential home to a "public use building" with hours of operation that includes loads of people arriving and closing their car doors at 5:30 am on weekend days when you and your family are trying to get some rest. This is happening on the North end of town today but it can just as easily happen in any other Roselle neighborhood tomorrow. If this plan moves forward we urge the Village not to subdivide this lot, and ask the petitioner to place their structure further east and create a much larger natural landscape buffer between the homes and the building and parking lot. Out of respect for the neighbors who will be impacted we also urge the village to restrict the hours of operation and consider creating some space for overflow parking on Devon near the property, if

needed. Lastly, we hope the Planning and Zoning board fully understands the petitioner's long-term plan for this property and the anticipated growth of their organization. The plan calls for a GARAGE DOOR header on the proposed structure. This seems to indicate the petitioner has a very different long-term use in mind for this structure and the property next door. The long-term plan must be disclosed in full so the board can understand the impact of that plan on our area.

Comments from Petitioner:

Chairman Patel swore in Tom Johnstone, petitioner, 21W472 Terrace Drive, Medinah. Mr. Johnstone stated that he is a member of the chapel. Many members live in the immediate area and meetings have been conducted on this property for seven years without complaints from surrounding neighbors. Being incorporated into Roselle is an effort to increase the value of the property, and by annexing from Cook county would bring real estate tax dollars to Roselle. By investments and construction improvements it should (help) increase values of surrounding properties. No trees are planned to be removed other than a couple of dead trees. The planned size of the chapel structure does not allow for Fourth Ave. Gospel Building Inc. to grow beyond what is shown on the plans, nor are there plans to grow the congregation. There are no plans for outside events, e. g. carnivals, picnics, etc. There will be no parking at Turner Park or on Devon. Framing for a garage door on the structure is for the future should the property be sold. There are no plans for daycare onsite.

Commissioner Keller-Stein expressed concern about the driveway width and potential for businesses to establish themselves in single-family residences. She also inquired about what type of structure could be used in this space if the property is sold in the future. Planner Bricks indicated the current driveway width at this property is 21.59 feet and the limit is 24 feet. She also stated a non-residential use would need to operate within the bounds of the ordinance; anything other than a single-family residence would have to go through a public hearing process. The curb cut proposed and the driveway would be allowed to remain.

Chairman Patel inquired about the lot coverage calculations with the current concrete structures and what size of a residence could be built. Planner Bricks stated the lot is just under ½ acre so a fairly large house could be constructed without going over on lot coverage.

Commissioner Wurtz inquired about the special use permit request for driveway variance, and Planner Bricks advised there is no variance for the driveway. There was a question about the zoning for existing churches in Roselle. They are zoned R-2 and could be R-1 as well, and they all have special use permits.

Chairman Patel swore in Derrick Taylor, 280 Heritage Dr., Roselle, who expressed appreciation for being able to have the church services at the property for the past seven years.

Chairman Patel swore in Debra Freeland, 130 E. Devon Ave., Roselle, who stated she has the same concerns which have been expressed by other residents in e-mail messages including the traffic on Devon Ave. She stated she believes we have enough density and does not want this proposal approved. She expressed concern about property values and potential future requests for variances.

Commissioner Keller-Stein inquired about the potential for further subdivisions of the properties. Planner Bricks advised dividing more than the two proposed lots would not be feasible because a road would need to be constructed and we do not permit “flag” lots within the Village (to get around the road requirement).

Chairman Patel asked if the Village has any control over the use of the parking spaces if there is a need for more space. Planner Bricks advised there would need to be a request for variance and/or permit.

Commissioner Keller-Stein stated she feels the lot should stay as it is rather than splitting it to allow for church expansion to avoid on-street parking and expansion on a smaller lot. Tom Johnstone, petitioner, commented again there are no plans for growth, there have been services on site for seven years and traffic has been minimal, members live in the neighborhood, there has not been daycare and there is no room so there will be no daycare, and no plans for outside events. He further explained the members attend a larger church in Northlake and this is a community prayer chapel.

Chairman Patel swore in Amy Bouchard, 382 Ambleside Dr., Roselle, who stated she is concerned about a recent survey by the Roselle Park District wherein the district wanted to know about residents’ interests for changes at Turner Park (across from 100 E. Devon Ave.). If the Park District is considering changes and increasing the volume which is occurring at a busy park it is concerning to add something in the close proximity. She stated there are other locations in the neighborhood which will be changing in the future, and additions to Turner Park which will increase an already busy location.

Commissioner Patel swore in Ashley Raimondi, 390 Hillside Dr., Roselle, who stated she has rarely seen activity at the site and does not have any concerns about the church.

Chairman Patel expressed concern about setting a precedent for the Village of Roselle where there could be small congregations “popping up” in residential areas where there would be discussions like this in the future.

Hearing no further comments from the audience Chairman Patel asked for a motion to close the public hearing for case PZ 21-1095 made by Commissioner Wurtz and seconded by Commissioner Boos. The motion passed (5-0).

Commissioner Stringfellow commented he did not see any concerns about the proposal since the church has been practicing on site for seven years and planning to improve the property. Commissioner Wurtz commented the church will continue whether as part of unincorporated Cook County or incorporated Roselle.

Planner Bricks explained the steps in this approval process would be 1. incorporation by annexation, 2. zoning map amendment, and 3. plat of subdivision. Chairman Patel asked if the R-2 zoning does not go through would there be a need to follow up with the 75-foot set-back variation and special use permit. Planner Bricks stated consideration would be for variations of two 75 feet wide lots in lieu of one 100-foot-wide lot in the R-1 zoning district, and special use for a church in R-1 zoning district.

She also explained the Village Board votes on the annexation, zoning map, plat of subdivision, variations, and special use permit, and the P & Z Committee provides recommendations to the Board. Commissioner Wurtz inquired as to why this was being reviewed if the property is not annexed, and Planner Bricks explained for consideration of annexation there needs to be a public hearing for a zoning map amendment changing from R-1 to R-2. If the proposed requests are not recommended for approval, then annexation would not be necessary, but the special use would still be reviewed by P & Z Committee. If the property is sold in the future, then that owner would need to request a special use permit only if changing anything which has been established/approved for the site.

Commissioner Wurtz asked if the special use permit can be attached to the user/owner rather than the property so if the user/owner changes then the permit becomes void which could help alleviate some residents' concerns about the property and its future use. Planner Bricks advised that recommendation could be a condition for approval, but it would need to be discussed with the Village attorney before the Village Board discusses it.

Commissioner Keller-Stein expressed she would like to see a landscape plan from the petitioner, and Planner Bricks advised there is no requirement for landscape plans for residential zoning.

Commissioner Wurtz asked about the occupancy and Planner Bricks advised if there were to be expansion in the future then there would need to be another public hearing for the changes, and a condition could be included in the special use permit requiring the public hearing.

Commissioner Boos made a motion to accept the findings of fact for a zoning map amendment for PZ 21-1095, seconded by Commissioner Keller-Stein. The motion passed (5-0).

Commissioner Boos made a motion to accept the findings of fact for lot width variations in the R-2 Zoning District for PZ 21-1095, seconded by Commissioner Keller-Stein. The motion passed (5-0).

Commissioner Boos made a motion to accept the findings of fact for a special use for PZ 21-1095, subject to the conditions the special use permit runs with the petitioner, not the land, and any modifications, additions, expansions, or changes require a major amendment to the special use permit. The motion was seconded by Commissioner Keller-Stein. The motion passed (5-0).

Commissioner Boos made a motion to recommend approval of PZ 21-1095 to the Village Board, subject to the conditions that the special use permit runs with the petitioner, not the land, and any modifications, additions, expansions, or changes require a major amendment to the special use permit, seconded by Commissioner Wurtz. The motion passed (5-0).

Old Business: There was no old business discussed.

New Business: There was some discussion about the subject of the next P&Z Committee meeting. There was some discussion about code enforcement within the Village of Roselle.

Adjournment: Commissioner Boos made a motion to adjourn the meeting, seconded by Commissioner Wurtz. The motion passed 5-0 and the meeting ended at 7:06 PM.

