

PLAN COMMISSION
MINUTES
MARCH 8, 2018

The meeting was called to order by Chairperson Mary Loch at 7:00 p.m. Plan Commissioners Angela Fanella, Phillip Hartweg, Tracy Heming Littwin, Tim Loftus, David Rodemann, Mohammed Saeed and Jamie Vondruska were present. Plan Commissioner Terra Costa Howard was excused. Also present were Village Director of Planning and Development Staci Hulseberg, Associate Planner Kelly Purvis and Recording Secretary Barbara Utterback.

No general comments on non-agenda items were made by the public at this Plan Commission meeting.

Plan Commissioner Loftus stated that on page 17 of the January 25, 2018 minutes, the word “could” in the sixth line should be changed to “would.” Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Saeed, to approve the minutes of the January 25, 2018 Plan Commission minutes with that change. The motion carried unanimously by voice vote.

On the agenda was a continued public hearing regarding Zoning Code Text Amendments and the Official 2018 Village of Glen Ellyn Zoning Map.

PUBLIC HEARING – CONTINUED PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING PROPOSED TEXT AMENDMENTS TO THE GLEN ELLYN ZONING CODE. AMENDMENTS INCLUDE CHANGES TO CHAPTERS 2, 4, 5 AND 8 OF THE GLEN ELLYN ZONING CODE THAT WILL AFFECT THE REGULATIONS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE VILLAGE. THE PROPOSED TEXT AMENDMENTS ARE RELATED TO SUCH THINGS AS DEFINITIONS, SUPPLEMENTAL REGULATIONS, RESIDENTIAL AND COMMERCIAL USES, ACCESSORY STRUCTURE SETBACK REQUIREMENTS AND PERMITTED OBSTRUCTIONS AND STRUCTURES IN REQUIRED YARDS, AMONG OTHER ITEMS.

(Associate Planner Kelly Purvis)

Staff Introduction

Associate Planner Kelly Purvis stated that three zoning code text amendments remain to be discussed at this meeting.

4. Amend the definitions of “Family” and “Group Homes” and make “Group Homes” a permitted or special use in all residential districts.

Information

Associate Planner Kelly Purvis stated that at the February 22, 2018 Plan Commission meeting, the Plan Commissioners discussed adding group homes to all residential districts as was recommended by the Village Board. Ms. Purvis stated that staff has updated the proposed text amendments accordingly and she displayed two charts that showed what the group home for four residents would look like. She added that special uses in all residential districts up to R2B and the R3 and R4 multi-family districts would be a permitted use, R5 would be a permitted use and group homes would not be allowed in any commercial districts. She added that for R5 and above, group homes would not be permitted at all in the RE Residential Estate through R2B. She also stated that in the multi-family districts and R5, it would be a special use for five or more residents and would not be permitted in the commercial districts. Ms. Purvis stated that currently the only place where group homes would be a special use would be in the R3 and R4 zoning districts and in some of the commercial districts. She stated that group homes are not permitted anywhere in the Village.

Plan Commissioner Heming-Littwin asked why group homes would not be allowed in commercial districts. Ms. Purvis responded that is because there are no single-family homes in commercial districts and we do not want to encourage that. Plan Commissioner Heming-Littwin stated that there is a medical care type of facility in Wheaton that would like to become a “group home.” Ms. Purvis responded that that type of project would have to appear before the Plan Commission for a zoning code text amendment and request that the subject use be a special use in that district.

ADA Requirements

Ms. Purvis stated that the Plan Commission also requested additional information regarding accessibility requirements, state licensing requirements and parking requirements. Per a memo from the Village Building and Zoning Official, a group home would provide 24-hour care for no more than five non-transient occupants, not including staff. She stated that a group home acts as one dwelling unit. She added that, per the Building and Zoning Official, group homes, as defined, would not have accessibility requirements from the International Building Code. She stated that both single-family and group home uses are residential in nature and there is no change to the occupancy group which would otherwise trigger accessibility requirements. She added that the Illinois Accessibility Code is not applicable to existing buildings unless there is work being performed thereon. She added that accessibility provisions from the Fair Housing Act do not apply to one dwelling unit—they apply to multi-family units consisting of four or more dwelling units. Ms. Purvis stated that the Americans with Disabilities Act is applicable for newly designed and constructed or altered state and local government facilities, public accommodations and commercial facilities. She stated it is not applicable to existing buildings unless there is new construction or alterations being performed.

State Licensing Requirements

Ms. Purvis stated that group homes are regulated by the State of Illinois through the Department of Human Services. She also stated that the state specifies that group homes are to be located in an area that will enable individuals to participate and integrate into their neighborhood. She added that these homes are to be typical homes in residential neighborhoods. She also stated that the state requires that homes comply with locally adopted building, fire and life safety codes and a group home provider must supply the state with documentation showing compliance with these codes. She stated that each home must meet minimum standards such as the number of bathrooms provided, floor area per bedroom and proper evacuation routes. She also stated that all caregivers must be licensed with the Department of Human Services and any employee not licensed must be supervised by a licensed professional. She added that the amount of caregivers necessary to care for individuals is based upon their specific needs and their mental or physical disability.

Parking Requirements

Ms. Purvis stated that the Zoning Code currently regulates the minimum amount of parking requirements in the R3 and R4 zoning districts and there must be at least one parking space per 800 square feet of gross floor area in each home. She also stated that in districts where a group home is not a permitted use, a special use would give one the opportunity to determine how much parking would be needed and it could be a condition of the special use. Ms. Purvis stated that all other parking restrictions in the Village would be enforced for group homes. Ms. Purvis stated that if a special use process is put into place, the Village has more ability to regulate these homes. Ms. Purvis stated that staff thinks it makes sense to allow group homes somewhere in the Village without having to go through a process.

Plan Commissioner Heming-Littwin stated she has read some disturbing articles on group homes where investigations have been done and the homes are not run very well even though they are licensed by the state. She also stated if a home is not put through a process, the Village will not know if they are licensed, have the right kind of care available and are in good standing with the State of Illinois. Plan Commissioner Heming-Littwin stated she has a problem with what staff and the Plan Commission are doing and the only way she could do anything would be to say it is not permitted other than in R3, R4 and R5 and is a special use. She also stated she would not have a problem with a special use in some of the commercial areas rather than going into residential areas. Ms. Purvis responded to Chairperson Loch that currently a group home would be a special use in zoning districts R3, R4, C2, C5A and C5B. Plan Commissioner Heming-Littwin stated that the Plan Commission would not consider more than four persons (not including caregivers) in a group home. Ms. Purvis added that eight persons are currently allowed in a group home.

Questions/Comments from the Plan Commission

Ms. Purvis responded to Plan Commissioner Fanella that four adults age 55 and older are allowed to reside in a single-family home and since people cannot be treated differently, those with disabilities can also reside in a single-family home. She stated that the number of individuals living in a group home is being requested to be reduced to lessen the impact on a neighborhood.

Persons in Favor of or in Opposition to the Request

Paula Frederickson, 327 Phillips Avenue, Glen Ellyn, IL stated that when she answered her door one Sunday evening, a woman from a group home was there with a male staff member of that home. She stated that the resident was trying to get into her home and the staff member was very apologetic about the incident. She added that incident was very scary and she felt fortunate that her children were not there. Ms. Frederickson stated she is now afraid to be in her Glen Ellyn home with unlocked doors and she wants people to understand the severity of the situation.

Erin Pavlich, 364 Lorraine Street, Glen Ellyn, IL stated that the Village's definition of a group home focuses on disabled people. She stated that someone could say that the residents are trying to keep disabled people out of their neighborhood. She stated she did not understand why the Village focused on disabled people but thought it might be because they want to keep out people who are in alternatives to incarceration programs or halfway houses. Ms. Pavlich stated she knows these homes can be well run and if one removes the emphasis on people with disabilities from the definition of a group home, there would be less of an argument that they are just trying to keep out disabled people. Ms. Pavlich stated she supports what sounds like it will be voted on at this meeting which is keeping the current uses in the different districts except for adding some uses in some of the commercial districts and modifying the definitions as proposed.

Plan Commissioner Fanella stated that if John Kenwood who is a Village Trustee is speaking on this topic and then voting on it as a Trustee, she wanted to formally express that is an undue influence which is not appropriate. Trustee Kenwood stated he is speaking as a citizen who has raised a concern previously because he has encountered families who have had issues with this type of situation. Chairperson Loch allowed Trustee Kenwood to speak for three minutes. Trustee Kenwood asked if the subject project is a group home and stated there are group homes in the area that have had no problems. He also stated he agrees it is a difficult issue on both sides and liked that the definition is being changed. He stated that the Village should try to figure out a way to be able to take care of a growing population in its schools which is children who are autistic or who have Down's Syndrome. He stated we are basically telling these people they are not welcome here which he does not feel is right. He stated he is looking for a solution and does not feel he is an undue influence on anyone. He stated we can allow

these children to live in this community where they grew up in a way that the parents know that when they pass away, their children can continue to live in this environment. He added that he does not want the wrong type of people living in these homes but would like to figure out a way to have people who need this type of housing living there because they already have a very expensive way of life. He added that when their parents are gone, they may only be able to survive with funding from the state in an appropriate environment and that is what he is looking for.

Plan Commissioner Heming-Littwin responded to Trustee Kenwood by stating that part of what the Village needs to do is balance between the residents here and people in group homes. She stated that she does not think we do not want people in a group home here but wants to be sure if they are here that they are in a safe environment in a licensed home. She stated that the only way to ensure that they are being licensed and properly managed is to have a license from the state and the only way to do that is to have a special use and have whoever is in charge of the home present information to the Village. Plan Commissioner Heming-Littwin added that this would allow for more control of the home.

Motion

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, that the Plan Commission recommend approval of a new definition for a group home being for four (4) residents or less and as otherwise stated in the draft with it being part of a special use in R3, R4, R5, C2 and C4 districts and not permitted in RE, R0, R1, R2, R2B, C3, C5A and C5B districts.

The motion carried unanimously with eight (8) yes votes as follows: Plan Commissioners Heming-Littwin, Fanella, Hartweg, Loftus, Rodemann, Saeed, Vondruska and Chairperson Loch voted yes.

18. Create a definition for a turret and allow it as a special architectural feature. Current height regulation in the Code effectively prohibits turrets.

Introduction

Associate Planner Kelly Purvis stated that per direction of the Plan Commission at the February 22, 2018 meeting, staff reviewed two different homes with turrets in the Village for which she was able to locate building plans. She stated that the Village is not trying to prohibit people from designing homes in this manner and to find out if these turrets can be replicated based on the code amendment that staff is asking to be approved.

Ms. Purvis stated that the first home being discussed is 564 N. Main Street and she believes the turret was a modification of the home as there is a 1-foot difference between the ridge height and the peak of the turret on this 37-foot tall house. She added that this turret could

be re-constructed based on staff's proposal. Ms. Purvis stated that 602 Prairie is closely in line with the ridge height of the house so based on what staff is providing, the turret would be able to be reconstructed on this 40-foot tall house.

Ms. Purvis stated that staff has investigated how other communities with historic homes such as Hinsdale, Riverside, Elmhurst, Naperville and Oak Park are regulating turrets. She stated that Hinsdale, Naperville and Oak Park exempt turrets from the height provisions of the zoning code and have no regulations for maximum size or height. She stated that Elmhurst allows turrets with no specific provisions, Naperville allows ornamental towers to be erected to their customary height regardless of height limitations or the zoning district in which they are located and Riverside would require a special use for a turret. She added that for the most part there is not much restriction in other communities where turrets are allowed. She displayed and described photos of four properties with turrets. Ms. Purvis stated that the Village code currently allows one architectural feature and staff is requesting more than one architectural feature to be allowed. Ms. Purvis stated that the three (3) options would be to allow turrets without height restrictions, to allow turrets not to exceed 10 feet above the ridge height and to not allow turrets to exceed five (5) feet above the established maximum height for the zoning district.

Persons in Favor or or in Opposition to the Request

Jamie Simoneit, Architect, 504 Hillside Avenue, Glen Ellyn, IL was not pleased with the limits that will be placed on turrets and stated he appreciated communities that do not put limits on design. Mr. Simoneit stated the easy way to do it is to set the bottom of the turret on maximum eave height—then let the architect do what he likes from there on up. He added that finials and spires should not be restricted, adding that they are generally 3 feet in height. He added that a 7-foot turret will look terrible. He asked for a height of 12 feet with allowance for a 3-foot decorative item on top.

Staff clarified that a turret can be 10 feet above the ridge height.

Comments from the Plan Commission

Plan Commissioner Heming-Littwin stated she preferred the 10-foot turret as a turret should be the focal point of a house—not blended in. She added that a 5-foot difference is not very much. She also stated she is shocked that some communities do not have a height restriction on turrets. Plan Commissioner Fanella was supportive of option one which was to allow turrets without height restrictions, however, would support a 10-foot turret. Plan Commissioner Rodemann stated there should be a difference between a tower and a turret as a turret relates to the overall scale of a house and the highest ridge of a house. He felt that 10 feet is a reasonable dimension for a turret. There was some discussion regarding allowing a weather vane on top of the 10-foot turret. Plan Commissioner Loftus was supportive of no height

restrictions for turrets. Plan Commissioner Saeed was supportive of a 10-foot turret. Plan Commissioner Vondruska stated he was in favor of a 10-foot turret with a weather vane.

24. On all corner lots, include the portion of a corner side yard adjacent to a rear yard as though it were part of the rear yard when determining the total allowable square footage of accessory structures and when determining how much of a required rear yard may be impervious surface.

Introduction

Associate Planner Kelly Purvis stated that at the last meeting, the Plan Commission voted to amend the zoning code text amendment that would essentially change how the Village defines the required rear yard on a corner lot. She stated that the zoning code was amended at the last meeting, however, No. 24 above would now be the new definition for the required corner side yard. Ms. Purvis stated that impervious surface is based upon the required rear yard and will allow up to 50 percent of a required rear yard to be covered in impervious surface. Thirty percent (30%) of a required rear yard will also be allowed to be covered in accessory structures. She stated that a corner lot would now be at a disadvantage in terms of what would be allowed in a required rear yard in terms of impervious surface and/or accessory structures.

Ms. Purvis stated that staff now proposes in instances where those two codes—accessory structure percentage and impervious surface percentage—are being applied and indicated the area on a map that would remain a required rear yard. She added that the new text amendment would be “the required rear yard on a corner lot as the area bounded by the side lot line, the rear lot line, the corner side lot line and the rear setback line” for the purposes of calculating the impervious surface and accessory structure coverage percentages.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to close the public hearing. The motion carried unanimously by voice vote.

Motion

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Hartweg, to recommend approval of the text amendments regarding 10-foot turrets (18) and the corner side yard definition (27) as proposed.

The motion carried unanimously with eight (8) yes votes as follows: Plan Commissioners Heming-Littwin, Hartweg, Fanella, Loftus, Rodemann, Saeed, Vondruska and Chairperson Loch voted yes.

PUBLIC HEARING – OFFICIAL 2018 ZONING MAP

DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING THE OFFICIAL 2018 VILLAGE OF GLEN ELLYN ZONING MAP.

Staff Introduction

Associate Planner Kelly Purvis stated that the Illinois Compiled Statutes require that the Village publishes an updated zoning map by April 1 of each year. She stated that this update typically includes annexations, zoning map amendments and corrections of any scrivener's errors. Ms. Purvis stated that there were three (3) annexations of properties into the Village limits that included: 1. 21W135 Roosevelt Road, 751 West Roosevelt Road and 1209 South Lawler Avenue (Bucky's gas station). 2. 22W155 Buena Vista Drive, a residential property. 3. 21W551 Bemis Road and 21W518 Bemis Road, the wastewater treatment plant. Ms. Purvis stated that staff is requesting that the Plan Commission review and make a recommendation regarding the Official 2018 Zoning Map.

There were no questions or comments from the Plan Commission.

Motion

Plan Commissioner Hartweg moved, seconded by Plan Commissioner Saeed, to recommend approval of the Official 2018 Village of Glen Ellyn Zoning Map. The motion carried with eight (8) yes votes as follows: Plan Commissioners Hartweg, Saeed, Fanella, Heming-Littwin, Loftus, Rodemann and Vondruska and Chairperson Loch voted yes.

Trustee Report

Regarding the group home item at this meeting, Trustee Liaison Pryde stated that Trustees are residents and can speak their mind as residents and be completely objective as Trustees.

Trustee Liaison Pryde reported that the gas station at Five Corners is still in litigation. He also stated that the Village Board is looking at parking options and Walker Design has been hired to do studies regarding Village lots. He also stated the Village Board has had its first reading of the home rule sales tax and the increase is .25 percent. Trustee Liaison Pryde also stated that possible capital projects include one/two parking garages and a downtown redevelopment streetscape program. He added that the train station and underpass are currently being evaluated. He also stated that the Hadley Junior High improvements were approved last week.

Chairperson's Report

No Chairperson report was given.

Staff Report

No staff report was given.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to adjourn the meeting at 8:32 p.m. The motion carried unanimously by voice vote.

Prepared by:
Barbara Utterback
Recording Secretary

Reviewed by:
Kelly Purvis
Associate Planner