

**VILLAGE OF GLENDALE HEIGHTS
PLAN COMMISSION
REGULAR MEETING MINUTES
MAY 11TH, 2021**

PRESENT:

Village Administrator Michael Marron, Director Community Development Joanne Kalchbrenner, Assistant Planning and Zoning Administrator Michael Krol, Attorney Brian Baugh, Trustee Bill Schmidt, Michael Light, Pat Maritato, Chester Pojack, and Mohammad Siddiqi, Chairperson Ristich, Commissioner Bari, Bruhl, Caswick, Macias, and Reimer.

EXCUSED:

None

ABSENT:

None

MINUTES:

Commissioner Macias motioned to approve the minutes of the Regular meeting of the Plan Commission of February 9th, 2021. Commissioner Foss seconded the motion.

COMMITTEE REPORTS:

None

COMMUNICATIONS:

Plan Commission Committee of the Whole:

Cancelled

Liaison to the Village Board:

No Report

Liaison to the DuPage County Zoning Board of Approval:

No Report

NEW BUSINESS:

- 1. 729 E. NORTH AVENUE – PUBLIC HEARING** consider an amendment to a previously approved Conditional Use to allow a restaurant with outdoor dining, serving alcoholic beverages, to allow a 150 square foot building addition, to allow the construction of a 1,660 square foot outdoor patio beer garden, to construct a wooden staircase at the west property line – Chuck Wozniak of Schnitzel Platz.

Chairman Ristich was given a petition signed by the residents behind Schnitzel Platz opposing music to be played outside. The Chairman announced this would be introduced at a later date because it was not part of tonight's agenda.

Charles Wozniak of 441 S. Highland; Lombard, IL was sworn in.

He explained the amendment to his Conditional Use was because he still has patrons that are uncomfortable with sitting inside because of Covid-19. Therefore he would like to continue his outdoor dining permanently. So he would like to convert the temporary outdoor dining to a permanent arrangement. Joanne

elaborated on proposal adding that a temporary land use permit only allows tents to be up for 60 days under normal circumstances, and if Phase 5 happens on June 11th he will no longer be allowed to have temporary dining outdoors. Chairman Ristich confirmed he has outdoor dining now. Joanne answered – yes.

Chairman Ristich asked if the Village had any patio issues or concerns. Joanne responded the Village had no issues except for a few staff recommendations one being to add bollards to the area for protection.

Commissioner Bruhl added that she really likes the fence theme – Chuck responded it is supposed to replicate the Black Forest.

Joanne added that they want patrons to go thru the restaurant to get to the outdoor patio area therefore a build out will be required to create a hallway to the outdoor patio. Also, in this amendment they will be adding stairs and a deck between Ki's and Schnitzel Platz to allow access between the 2 parking lots. Mike Krol directed everyone to the site plan attached to see where they are referring to. It would be just wood stairs and a wood deck platform only.

Commissioner Bruhl asked if the stairs will be going into the parking lot slightly – Yes.

Commissioner Foss mentioned there was a leaning retaining wall would that be a problem for the stairs – Joanne responded to the posts for the deck will not interfere. Mike added there would be the deck stairs on Schnitzel Platz's side but more of a concrete slab and ramp on Ki's side.

Commissioner Bari asked how long did he plan on using the outside patio – Chuck responded he would like for it to be for 3 seasons. Commissioner Bari added if it would take away too many parking spots for the restaurant – Chuck answered 6 spots would be removed by the patio, but Mike added that Chuck's architect redesigned the parking configuration so they will only lose one spot.

Commissioner Bruhl asked what type of roof would be on the patio area would it be a pergola or full structure – Mike said no roof structure is proposed with this amendment. If they decide to add a roof at a later date they would need to amend the current conditional use. Commissioner Bruhl asked if a tent would be covering the patio – Joanne said no just umbrellas on the tables for cover. Joanne also added that there was no parking issue with the restaurant because they are already 10 over the requirement, however if they covered the structure with a roof they would need to re-visit the parking requirements. Commissioner Bruhl asked if there was a cross parking agreement like Freddy's between the restaurants – Joanne responded in this instance they don't need it because they each meet parking minimum requirements.

Commissioner Reimer asked what the construction was going to be for the patio – Joanne answered this year it would remain asphalt and next year it would be concrete.

Chairman Ristich went over the 3 changes for this conditional use:

- a. To allow 150 sq. ft. building addition
- b. to allow the construction of a 1,660 sq. ft. patio
- c. To construct a wooden staircase at the west of the property line.

Commissioner Bruhl asked why the fire district said they had no issue with the addition but in the letter it says not approved – Mike clarified that it means they are ok with the concept, but want to review all permits for the projects.

Commissioner Bruhl asked how they would keep liquor in the patio area and not in the parking lot – Joanne said it would be up to the staff to monitor and we have had no issues with other establishments that have outdoor dining with liquor.

Chairman Ristich asked the Village if they were in agreement with the petitioner – Joanne currently they have temporary dining and the Village has had no issues so they are fine with the permanent dining as long as they come in to re-amend the conditional use if they put a roof on and there is no entertainment permit at this time.

Chairman Ristich went over staff recommendations and then opened to public for comments.

Mohammad Salik of 22W126 Valley View Dr; Carol Stream was sworn in. He stated he just bought the land in 2020 and it is currently vacant and he had to hire someone to clean the property of beer bottles along the fence line and if outdoor dining continues he would like liquor to not be served outside for fear of more garbage coming on his property – Chairman Ristich asked if he made a complaint to the police of the Village about it – No.

Commissioner Caswick asked if he complained to the restaurant about it – No.

Mohammad continued that Ki's has no residents behind them so they are a non-issue, but Schnitzel platz has residents directly behind them.

Chairman Ristich asked what Mohammad would like from the Plan Commission – Mohammad responded he would like no liquor to be served outside. Chairman Ristich added that without any complaints about garbage and bottles they cannot take that into consideration nor can they predict the future for issues. Joanne explained how to make a complaint to Mohammad.

Commissioner Bari asked if there was a fence – Yes.

Stuart of 415 W Madison St; Lombard, IL was sworn in. He added the fence is on the restaurants property line and their property extends about 4-6 feet past the fence. He also added that the problem was addressed regarding garbage out by the fence and that happened under the previous management and they would monitor it in the future.

Carolyn Wolthusen of 22W080 Valley View Dr; Glen Ellyn, IL was sworn in. She added that she gathered signatures and emailed them to the Village regarding their concern about adding an entertainment permit for outside and asked if they add it in the future would they be notified – Joanne responded no; an entertainment permit does not require a public hearing.

Mohammad came back up to rebut Stuart's comment saying the fence was his – Joanne once again explained to call the police to make a formal complaint if it

happens again. Chairman Ristich added that the fence was not an issue for today's agenda.

Chairman Ristich went over proposal recap and conditional use criteria for specifically 11-3C-5, B.

MOTION: Commissioner Bari motioned to consider an amendment to a previously approved Conditional Use to allow a restaurant with outdoor dining, serving alcoholic beverages, to allow a 150 square foot building addition, to allow the construction of a 1,660 square foot outdoor patio beer garden, to construct a wooden staircase at the west property line – Chuck Wozniak of Schnitzel Platz. With the following staff recommendations: 1. The applicant shall obtain all required Village permit approvals, including but not limited to, a patio permit, building addition permit, parking lot striping permit, and the staircase, 2. The building addition shall occur generally in conformance with the Sheet A1.0 drawn by ECA Architects, dated April 20, 2021, 3. The patio addition shall occur generally in conformance with Sheet S1 drawn by Craig R. Knoche & Associated dated April 16, 2021, 4. A separate Entertainment Permit will be required if the applicant intends on hosing live music outdoors, 5. If the outdoor dining patio is approved, the applicant shall apply for an amendment to the conditional use for the permanent patio cover structure, 6. Bollards be added to the corners of the permanent patio structure for added vehicle impact safety. The **MOTION** was seconded by Commissioner Reimer.

ROLL CALL VOTE:

AYES: Commissioner Bari, Bruhl, Caswick, Foss, Macias, Reimer

NAYS: None

EXCUSED: None

ABSENT: None

MOTION DECLARED CARRIED

Commissioner Bruhl asked we could contact the petitioner's if/when an Entertainment permit is requested by Schnitzel Platz.

Commissioner Foss asked if we could limit music played outside – Joanne responded we will try to notify residents, but cannot promise and the music usually matches the hours of their liquor license.

2. **PUBLIC HEARING** to consider the following amendments to the Village of Glendale Heights Zoning Ordinance: Section 11-2-2 as it pertains to the definitions of "Structure, Accessory, Awning and Canopy, Gazebo, Pergola, Portico, Health Club, and Microbladding", Section 11-3C-4 as it pertains to public hearing signs, Section 11-4-6 as it pertains to accessory structures under 200 square feet, Section 11-4-8 as it pertains to fences in the front yard, Section 11-5-7 as it pertains to service walks, Section 11-11D-8 Table 11D-8 as it pertains to maximum gallons of flammable liquids stored outdoors, Section 11-10B-2 as it pertains to physical fitness center as a Permitted Use in the C-2 Community Commercial District, Section 11-10C-3 as it pertains to physical fitness center as a Permitted Use in the C-3 General Commercial District, Section 11-11C-3 as it pertains to physical fitness center as a Conditional Use in the BP – Business Park Zoning District, Section 11-11D-3 as it pertains to physical fitness center as a Conditional Uses in the I – Light Industrial District – Village Staff.

Mike Krol explained that the second item on the agenda was for code clean up only. It now better explains detached structures, Village definitions.

Commissioner Bari asked if tattooing was permitted in the Village – Mike yes but in industrial zoned districts only.

Mike continued to explain we now have our own signs for public hearings and the petitioners will put down a deposit for the sign and will get the deposit back when the sign is returned.

Commissioner Bruhl asked who pays for signs now – Mike explained it is out of pocket for the petitioner – Bruhl responded it's a win win for applicants. Chairman Ristich added that they may be ignored after a while by the public.

Mike continued with the fence in front yard clean up there was some discrepancies. Also, added language for health clubs and physical fitness centers. The last item for cleanup was flammable liquids defined and mentioned that the fire department still reviews these liquids too.

No public present to respond.

Commissioner Bruhl asked if this needed to go to the ordinance committee – Joanne responded that was an error in the agenda it did not need to go to the ordinance committee.

- 3. MOTION:** Commissioner Caswick motioned to consider the following amendments to the Village of Glendale Heights Zoning Ordinance: Section 11-2-2 as it pertains to the definitions of "Structure, Accessory, Awning and Canopy, Gazebo, Pergola, Portico, Health Club, and Microbladding", Section 11-3C-4 as it pertains to public hearing signs, Section 11-4-6 as it pertains to accessory structures under 200 square feet, Section 11-4-8 as it pertains to fences in the front yard, Section 11-5-7 as it pertains to service walks, Section 11-11D-8 Table 11D-8 as it pertains to maximum gallons of flammable liquids stored outdoors, Section 11-10B-2 as it pertains to physical fitness center as a Permitted Use in the C-2 Community Commercial District, Section 11-10C-3 as it pertains to physical fitness center as a Permitted Use in the C-3 General Commercial District, Section 11-11C-3 as it pertains to physical fitness center as a Conditional Use in the BP – Business Park Zoning District, Section 11-11D-3 as it pertains to physical fitness center as a Conditional Uses in the I – Light Industrial District. The **MOTION** was seconded by Commissioner Reimer.

ROLL CALL VOTE:

AYES: Commissioner Bari, Bruhl, Caswick, Foss, Macias, Reimer

NAYS: None

EXCUSED: None

ABSENT: None

MOTION DECLARED CARRIED

PLAN COMMISSION MEETING AS A WHOLE:

No additional comments or concerns.

OTHER:

None.

ADJOURNMENT OF THE REGULAR PLAN COMMISSION MEETING:

Commissioner Bari motioned to adjourn the regular meeting of the Plan Commissioner
Foss seconded the motion.

ROLL CALL VOTE:

AYES: Commissioner Bari, Bruhl, Caswick, Foss, Macias, Reimer

NAYS: None

EXCUSED: None

ABSENT: None

**Upon roll call vote motion declared unanimously and the meeting was
adjourned at 8:09 p.m.**



Joanne Kalchbrenner