

**VILLAGE OF GLENDALE HEIGHTS
PLAN COMMISSION
REGULAR MEETING MINUTES
AUGUST 10TH, 2021**

PRESENT:

Village Administrator Michael Marron, Director Community Development Joanne Kalchbrenner, Assistant Planning & Zoning Administrator Michael Krol, Attorney Peter Pacione, Trustee Chester Pojack, Chairperson Ristich, Commissioner Bari, Bruhl, Caswick, Foss, and Reimer.

EXCUSED:

Commissioner Macias

ABSENT:

None

MINUTES:

Commissioner Bari motioned to approve the minutes of the Regular meeting of the Plan Commission of June 8th, 2021. Commissioner Caswick 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. **1749 PAUL AVENUE – PUBLIC HEARING** to consider an application for a Conditional Use to allow the outdoor storage of one (1) oxygen tank – Tim Fisher of Hydac Technology Corporation.

Representative Tim Fisher of 1749 Paul Ave; Glendale Heights, IL 60139 was sworn in. He explained the proposal and added that there would be no added noise to the community because this is liquid oxygen and that the tanks would be filled by a truck backing up to the tank and transporting liquid via a hose. This is more efficient for the plant instead of having many smaller containers delivered.

Chairman Ristich asked when is it delivered to the tank – Tim, it would be all different times there would be no set refill it would depend on usage. Ristich, how much noise from hook up – Tim said he is told from manufacturer that it would not be noticed and it is very efficient. Ristich added if there are restrictions of where it can be on the property – Joanne stated there are no set back requirements.

Commissioner Foss asked how would it be connected – Tim, it would be a copper pipe 8 feet above ground. Foss, would the pipe be insulated – Tim, no. Foss, wouldn't the pipe get hot – Tim, the manufacturer has no requirements for insulation of the pipe and it would be 8 feet high.

Chairman Ristich asked if a dumpster needs an enclosures – Joanne, yes. Ristich, will the new dumpster be screened properly – Tim, yes. Ristich, the Village has no objection to the tank being higher than the dumpster – Joanne, as long as the Fire Department has no objections the Village is OK with its height.

Commissioner Bari asked how safe the tank was – Tim replied the company says no safety risks. It is monitored 24/7 remotely and can be shut of remotely if it does have a problem. There are about 200 in Illinois at this time and they have had no concerns or issues.

Tim added that someone from plan commission asked why no bollards, and the reason this was taken out is because there is no parking back where the tank is at. Joanne added Fire will review that when the permit is submitted and determine at that time if they are needed. They can be added back in.

No public participation.

Chairman Ristich went thru the criteria with the audience and commissioners.

Chairman Ristich also read the 3rd paragraph of the proposal out loud so everyone understood the placement and layout of what was being proposed.

MOTION: Commissioner Reimer motioned to consider an application for a Conditional Use to allow the outdoor storage of one (1) oxygen tank – Tim Fisher of Hydac Technology Corporation, with the 2 added staff recommendations: 1. the site shall conform generally with the site plan stamped received by Village staff dated June 10, 2021. 2. A separate fence permit is required for the new dumpster enclosure proposed at the southeast corner of the parking lot. The **MOTION** was seconded by Commissioner Foss.

ROLL CALL VOTE:

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

NAYS: None

EXCUSED: Commissioner Macias

ABSENT: None

MOTION DECLARED CARRIED

2. **729 E. NORTH AVENUE - ENTERTAINMENT PERMIT** to discuss and review an application for an amendment to an Annual Entertainment Permit for Schnitzel Platz to provide live entertainment in the form of small musical groups playing traditional European music. Entertainment would take place indoors Sundays through Thursdays from 11:00 a.m. to 9:00 p.m., Fridays and Saturdays from 11:00 a.m. to 10:00 p.m. and outdoors September and October during Schnitzel Platz's annual Oktoberfest event only, Fridays and Saturdays from 4 p.m. to 11 p.m. and Sundays 2:00 p.m. to 9 p.m. – Chuck Wozniak of Schnitzel Platz.

Charles Wozniak of 441 S Highland Ave; Lombard, IL 60148 was sworn in.

Chuck started by stating that they have had no music so far this year and there have been no complaints to this point about music on his property and any petitions that state there have been complaints is a lie.

Chairman Ristich asked where the tent will be – Chuck, it will be between his restaurant and the closed Chinese Restaurant.

Chuck added that he did an experiment with a car radio turned up to its max and walked up and down the block and he could not hear any music being played.

Commissioner Reimer asked what type of instruments would be played – Chuck, mostly accordion's; sometimes the band brings in a drummer or a trumpet player, but it is not that often.

Chairman Ristich read the ordinance and stressed that the music cannot be unusually loud.

Joanne added that Chuck did not have an entertainment permit last year – Chuck responded he didn't know he needed one.

Commissioner Caswick asked if the Police received any complaints of music – Joanne, no.

Commissioner Foss asked if we can put a decibel level on outdoor music – Joanne, no the ordinance just states unusually loud.

Joanne asked Peter if the Commissioners can request a type of music to be played – Peter replied yes.

Commissioner Reimer asked if an amplifier is used for the accordion – Chuck said no they only have a microphone for singing.

Joanne stated that the Police can only regulate nuisance and not type of music.

Commissioner Bari asked if any other places have outdoor music at this time – none that the Village could think of.

Peter added that this music is for a special event only (Octoberfest) and cannot be compared to establishments that have music all the time regardless.

Chairman Ristich asked if we could limit the type of music because some music types are louder than others – Peter said they can. Chuck added they only play Polka music. Peter clarified that perhaps the Chairman was stating he wants only German music to be played. Chuck agreed it would only be German music with German instruments.

Commissioner Bruhl asked how far the outdoor eating area is from the lot line and do Valley View and the restaurant share a common lot line with residents – Chuck responded yes they do. Bruhl added so this would be the equivalent of music 2 doors down and it seems this noise would be an intrusion to residents to the South. – Chuck responded they would be 42 feet from the residents.

Chairman Ristich asked if anyone would like to address the committee. Peter added that this is not a public hearing so they can address the committee with comments only.

Carolyn Wothusen of 22W080 Valley View Dr., Glen Ellyn, IL was sworn in. Carolyn wanted to state to the plan commission that she has sent an email objection to the city last year about the music. And when she added up the hours from last year it was 60 hours of non-stop background music and when you add up what they are proposing for this year it is 378 hours of constant noise. The level of the music is too high for the area.

Chairman Ristich added that sound travels. An example is when any event is held at Camera Park he can hear it in his home.

Sally Pearson of 22W044 Valley View Dr; Glen Ellyn, IL was sworn in. Commented that the sound travels and that she goes to bed early and gets up early and if it's a nice night you cannot leave the windows open because the sound is irritating.

Chairman Ristich pointed out ordinance hours and the petition is an hour later than the ordinance.

Joanne added that the public was invited as a courtesy since it is not a public hearing and then added the ordinance that the Chairman was reading was for indoor music not outdoor music.

Trustee Pojack spoke as a resident to say the tent will have the music contained – Chuck added it will have 2 sides and noise will be facing North side.

Chuck elaborated to explain that he has learned the difference between canopy and tent through the help of the Fire Department. The first 2 weeks it will be a canopy and then as it gets colder he will add 2 or more sides as needed and when it is cold it will have heat inside it. Joanne added that if this is approved it will be an annual renewal to the board only.

Peter added that he understands the description of ordinance 11-3D-5 B is very broad about entertainment events outside.

Chairman Ristich asked the Village how does one complain about noise – Joanne explained it should go to Police for nuisance, but people can complain on line or call the village to form a complaint.

Commissioner Bruhl added if this is in someone's backyard I would not want this level of noise. If it was her house she would object.

Commissioner Bari agreed and added the Oktoberfest at Camera Park should be enough.

Chairman Ristich asked the occupancy of the tent – Chuck said last year it was 200 if full.

Carolyn came back up to podium to add that this will be Friday – Sunday from afternoon till evening and that last year she did call the police, but that it was coming from KI's.

Commissioner Reimer asked if they should request it end at 10:00p.m... Maybe adjust the hours – Chuck agreed with that if needed.

Peter added this an entertainment permit is for Oktoberfest only. Not permanent throughout the year.,

Commissioner Reimer added this is a tough call because it is a festive time.

MOTION: Commissioner Foss motioned to discuss and review an application for an amendment to an Annual Entertainment Permit for Schnitzel Platz to provide live entertainment in the form of small musical groups playing traditional European music. Entertainment would take place indoors Sundays through Thursdays from 11:00 a.m. to 9:00 p.m., Fridays and Saturdays from 11:00 a.m. to 10:00 p.m. and outdoors September and October during Schnitzel Platz's annual Oktoberfest event only, Fridays and Saturdays from 4 p.m. to 11 p.m. and Sundays 2:00 p.m. to 9 p.m.

– Chuck Wozniak of Schnitzel Platz.. The **MOTION** was seconded by Commissioner Caswick.

ROLL CALL VOTE:

AYES: Commissioner Caswick, Foss, Reimer, Chairman Ristich

NAYS: Commissioner Bari, Bruhl

EXCUSED: Commissioner Macias

ABSENT: None

MOTION DECLARED CARRIED

3. **PUBLIC HEARING** to consider the following amendments to the Village of Glendale Heights Zoning Ordinance: Section 11-2-2 as it pertains to the definition of outdoor storage and accessory outdoor storage, Section 11-4-12 as it pertains to temporary uses, Section 11-4-13 as it pertains to general business regulations and accessory outdoor storage, Section 11-10B-2 as it pertains to accessory outdoor storage as a Permitted Use in the C-2 Community Commercial District, Section 11-10C-2 as it pertains to accessory outdoor storage as a Permitted Use in the C-3 General Commercial District, Section 11-11D-2 as it pertains to accessory outdoor storage as a Permitted Use in the I – Light Industrial District – Village Staff.

Chairman Ristich reviewed the text amendments.

Joanne spoke on behalf of the Village stating the reason for this addition is because we had no good definition of outside storage. By defining it this would cut down on the amount of items that go to the plan commission for review, and allow businesses to expand through the permit process instead of the conditional use process.

Peter asked if we had this already would we have seen Hydac #1 on the agenda tonight. – Mike, that is correct they would not have needed to come tonight, they could have just applied for the permit.

Commissioner Bruhl asked if this effects the businesses that park vehicles on their property illegally without going through the conditional use process – Joanne, no it does not affect these businesses they would still need to go through the process and currently we are dealing with them through the violation process.

Joanne commented also with these amendments it would allow certain temporary uses without going through this process for example a farmer market could be put up the limitations would be 3 days at a time and no more than 60 days a year.

Chairman Ristich asked what a component is – Joanne explained that a component is a piece of a larger item. Example blade on a plow.

Commissioner Bruhl asked if this would impact Business Parks – Joanne replied no just commercial and industrial.

No public participation

MOTION: Commissioner Reimer motioned to consider the following amendments to the Village of Glendale Heights Zoning Ordinance: Section 11-2-2 as it pertains to the definition of outdoor storage and accessory outdoor storage, Section 11-4-12 as it pertains to temporary uses, Section 11-4-13 as it pertains to

general business regulations and accessory outdoor storage, Section 11-10B-2 as it pertains to accessory outdoor storage as a Permitted Use in the C-2 Community Commercial District, Section 11-10C-2 as it pertains to accessory outdoor storage as a Permitted Use in the C-3 General Commercial District, Section 11-11D-2 as it pertains to accessory outdoor storage as a Permitted Use in the I – Light Industrial District – Village Staff. The **MOTION** was seconded by Commissioner Foss.

ROLL CALL VOTE:

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

NAYS: None

EXCUSED: Commissioner Macias

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
Caswick seconded the motion.

ROLL CALL VOTE:

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

NAYS: None

EXCUSED: Commissioner Macias

ABSENT: None

Upon roll call vote motion declared unanimously and the meeting was adjourned at 8:07 p.m.



Joanne Kalchbrenner