

PLANNING AND ZONING COMMISSION MINUTES
City of Geneva
109 James Street - City Council Chambers

September 14, 2023 — Meeting #53

1. Call to Order

Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m., and read a statement of procedures for the public hearings.

2. Roll Call

Present: Chairman Stocking, Commissioners Mim Evans;
Rebecca Holoman; Adam Matyskiel; and Michael Slifka

Absent: Commissioners John Mead; Tim Moran

Staff Present: Director of Community Development David DeGroot, City Planner
Matt Buesing, Assistant City Planner Jessie Muncie, City Attorney
Scott Fintzen

Also Present: Court Reporter Kristine Wesner

3. Approval of the Agenda

**Motion by Commissioner Evans, second by Commissioner Slifka to
approve the agenda. Motion carried unanimously by voice vote 5-0.**

4. Approval of August 24, 2023 Minutes

**Motion by Commissioner Slifka, second by Commissioner Matyskiel to
approve the minutes. Motion carried unanimously by voice vote 5-0.**

5. Public Hearings:

A. 304 Deerfield Way – Fence Height Variation – Request for a Variation from Section 11-3-5 of the Geneva Zoning Ordinance to increase the allowable fence height in a corner street yard from 4 ft. to 5 ft.

Location: PIN 12-04-330-017

Applicants: Mark & Laura Waldoch

Commissioner Evans recused herself from the hearing as a neighbor of the Waldochs and left the meeting hall at this time.

City Planner Matt Buesing read the contents of the applicant's file.

Chairman Stocking swore in individuals giving testimony on this matter.

Mark and Laura Waldoch introduced themselves as the residents of 304 Deerfield Way. They are applying for a fence height variation from 4 ft. to 5 ft. Their dog is about one and a half years old and for the past three months he has been jumping over the portion of their fence that is 4 ft. tall to get to other dogs on the sidewalk to play. As a corner lot, there is a sidewalk located just on the other side of the 4 ft. fence in their backyard that gets a lot of pedestrian traffic. The back fence is currently 5 ft. and he does not jump over that fence. The applicants stated he is a very friendly dog, however they are worried for his safety and the safety of those using the sidewalk.

Chairman Stocking asked the commission if they had any questions and there were none.

There were no members of the public present to provide testimony on the matter.

The commission began deliberation. Commissioner Slifka and Matyskiel commented on why they would be okay with approving the variation.

Mr. Buesing pointed out that in the staff report, variation standards one and two were not fully met based strictly on an analysis of those standards and that a motion by the commission to approve the request should state that they do find those standards to be met.

Motion by Commissioner Matyskiel to close the public hearing. Second by Commissioner Holoman. Motion carried unanimously by voice vote 4-0.

Motion by Commissioner Slifka to approve the variation from Section 11-3-5 to increase the allowable fence height in the corner street yard from 48 inches to 60 inches, noting that the variation standards one and two have been met.

City Attorney Scott Fintzen noted that all four of the variation standards need to be met. He stated the commission would need to state that based on the testimony tonight, they find that all four of the variation standards have been met.

Commissioner Slifka moved to amend his motion to approve the variation from Section 11-3-5 to increase the allowable fence height in the corner street yard from 48 inches to 60 inches, noting that variation standards one through four have been met. Second by Commissioner Matyskiel. Roll Call:

AYE: Slifka, Holoman, Matyskiel, Stocking

NAY: None

ABSTAINED: Evans

MOTION PASSED 4-0

Commissioner Evans rejoined the meeting at 7:17 pm.

B. The Roosevelt – Great Western Flooring – Requests for:

i. Comprehensive Plan Amendment from Single-Family Residential Attached/Single-Family Residential to General Commercial

ii. Zoning Map Amendment from D-MHR Mixed High Density Residential District to D-CM Commercial Mixed Use District

iii. Two Variations from Section 11-4A-11 to increase the maximum allowance for interior side and corner-street yard setbacks.

Location: PINs 12-02-354-004 & 12-02-354-005

Applicant: Emerald RE Holdings, LLC

City Planner Matt Buesing read the contents of the file.

Chairman Stocking swore in the individuals providing testimony for this public hearing.

Vince Rosanova, of the law firm Rosanova & Wicker, 445 Jackson Avenue, Naperville, introduced himself as the representative for the applicant, Emerald RE Holdings, LLC. Mr. Rosanova provided a presentation on the proposed mixed-use development of the property located at 122 & 130 E. State Street. These parcels have sat vacant for the past 5-6 years since the homes that were there were removed. In summary, the petitioner is proposing a three-story, mixed-use building with first-floor retail and apartments above on the second and third floors. There would be 2 studio apartments, 4 one bedroom apartments, and 8 two bedroom apartments on the second and third floors.

Mr. Rosanova explained that the first floor would be 7,300 sq. ft. with 5000 sq. ft. allocated for the primary tenant, which would be the Great Western Flooring Company, a woman owned and operated commercial flooring store that has been in business for 34 years that also offers design services. 300 sq.ft. would be for amenities for residents of the apartments located above, and 2,000 sq. ft. would be leased to a complimentary tenant, ideally someone within the home building industry and that tenant is to be determined. Renderings were presented of the entire building, parking lot, and trash receptacle area.

The applicant is requesting two setback variations. The first is to increase the maximum allowance for the interior side yard setback from the required 8 ft. to 28 ft. The second is to increase the corner-street yard setback from the required 15 ft. to 22 ft. The reason for these requests is to provide additional separation between the Warlick law firm and the proposed development as well as additional landscaping and improved aesthetics.

Mr. Rosanova provided market data that supported a demand for rental properties in the community. He stated the national average blend is about 65% owner occupied and 35% rental occupied, while Geneva is high on the owner occupied rate at about 85% owner occupied.

Mr. Rosanova thanked staff for their work thus far in the proposal as he ended his presentation.

Chairman Stocking opened the floor for commissioner's questions.

Commissioner Holoman clarified with the applicant that the units are rentals and not for purchase. She also clarified that the parking lot is a shared lot, not separated for the businesses and the tenants. She asked if affordable housing was ever an option for this proposal. Mr. Rosanova stated the proposal is for affordable housing in the sense that it

is attainable housing, but it won't be housing that is meant for low income qualified individuals or meet an affordable housing standard set by the state.

Commissioner Evans stated there are more parking spaces than required. Mr. Rosanova replied that they would like to err on the side of caution with parking so that no residents or customers are unable to find a parking space. Mr. Rosanova stated he believes 30 are required and there are 42 proposed. Commissioner Evans stated she believes there is better use for the space than parking spaces that might sit empty.

There was discussion about a letter that a neighbor to the south submitted to staff the same day as this meeting regarding their property line. Mr. Rosanova stated he also received that letter and intends to communicate and work out any issues with that neighbor.

Commissioner Evans asked if there will be signage along State Street. Mr. Rosanova replied there will be tasteful wall signage.

Commissioner Slifka asked a question about the grading plan with the slope on the property. Civil engineer, Jim Caneff, introduced himself and explained some of the grading/slope degree plans for the proposal. Commissioner Slifka responded that it seems like it will still be low in the back, where the proposed development would meet a residential area, that the far south is the designated snow stacking area and that it seems like that area has the least amount of landscaping planned for the site. He asked if the applicant could reallocate some landscaping to the back of the site that backs up to the residential area and move the snow stacking site. Mr. Rosanova responded that a 6 foot privacy fence is in the plan and agreed that they can add some landscaping to the south property line that will grow taller than the fence.

Commissioner Holoman asked what the pet policy would be. Mr. Rosanova replied that pets will be permitted. She asked if they will provide the stands with dog waste bags and the applicant responded that they can do that.

Chairman Stocking commented that he was overall impressed with the design and with no further questions from the commissioners he opened the floor for public comment.

Lillian Obucina, 19 Crissey Ave., introduced herself and stated she will be building a house on the parcel just south of the Dunkin Doughnuts. She asked how the maintenance of the property will be handled as she had some concerns about that and Mr. Rosanova assured her that it would be professionally managed. Ms. Obucina inquired about the timeline of the project. Mr. Rosanova stated that if everything goes favorable and is approved by the City, they would begin construction in the summer/fall of 2024 for the site improvements, "vertical" construction would take about a year after that, and then another 3-6 months for leases to be put into place. Ms. Obucina commented that a flooring store is nice but that she was hoping something would come

into the neighborhood that she could utilize frequently. The applicant added that The Great Western Flooring as a business will fit right into the neighborhood. They don't receive deliveries, no truck traffic, no smells, no noises, and have low traffic volume as a busy day might be 10 customers.

Motion by Commissioner Evans to close the public hearing. Second by Commissioner Slifka. Roll Call:

AYE: Evans, Slifka, Holoman, Matyskiel, Stocking

NAY: None

MOTION PASSED 5-0

Commissioner Matyskiel commented that the quality of the apartments is excellent as he has seen their apartments in Naperville and believes it will be a welcomed addition.

Commissioner Evans restated her concern over the excess parking spaces and stated she would like to see it cut back. Chairman Stocking suggested the 3-4 spaces he saw on the rendering on the far south side of the parking lot could be reduced. Commissioner Slifka agreed and stated he thinks losing those 4 spaces would be a good compromise. Mr. Rosanova suggested that the applicant reserve the right in the future to pave those spaces into parking spaces if they are needed in the future. Chairman Stocking sought feedback from city staff on that suggestion and Mr. DeGroot stated it is a condition that can be considered.

Motion by Commissioner Evans to amend the comprehensive plan from Single-Family Residential Attached/Single-Family Residential to General Commercial for the property located at 122 & 130 E. State Street. Second by Commissioner Slifka. Roll Call:

AYE: Evans, Slifka, Holoman, Matyskiel, Stocking

NAY: None

MOTION PASSED 5-0

Motion by Commissioner Evans to approve a zoning map amendment from D-MHR Mixed High Density Residential District to D-CM Commercial Mixed Use District for the property located at 122 & 130 E. State Street. Second by Commissioner Slifka. Roll Call:

AYE: Evans, Slifka, Holoman, Matyskiel, Stocking
NAY: None

MOTION PASSED 5-0

Motion by Commissioner Evans to approve variations from Section 11-4A-11 to allow a maximum interior side yard setback of 28 ft. instead of the required 8 ft., and a maximum street yard setback of 22 ft. instead of the required 15 ft. the property located at 122 & 130 E. State Street. Second by Commissioner Slifka. Roll Call:

AYE: Evans, Slifka, Holoman, Matyskiel, Stocking
NAY: None

MOTION PASSED 5-0

6. Site Plan Review:

A. The Roosevelt – Great Western Flooring – Request for Site Plan Approval of a proposed mixed-use development.

Location: PINs 12-02-354-004 & 12-02-354-005

Applicant: Emerald RE Holdings, LLC

The commission discussed the details of the conditions they want to add onto their approval of the site plan. They decided the snow stacking site did not need to be relocated from the south property line since they are removing 4 parking spaces in that area to allow for more landscaping and green space. The applicant agreed that he believes it will all fit nicely there and will work with city staff on a landscaping package that is acceptable.

Motion by Commissioner Evans to approve the site plan for the property at 122 & 130 E. State Street for the proposed mixed-use development with the following conditions; additional landscaping along the fence to be located at the south property line as shown in the plan, 38 approved parking spaces at this time and space for 4 additional spaces that can be built as needed at a later date. Second by Commissioner Matyskiel. Roll Call:

AYE: Evans, Slifka, Holoman, Matyskiel, Stocking
NAY: None

MOTION PASSED 5-0

Mr. Buesing stated this recommendation will go before the City Council on Monday October 2, 2023.

7. Public Comment

Ms. Obucina asked staff for a department phone number as it relates to her planning to build a house.

8. Other Business

City Planner Mr. Buesing stated that there is one item on the next meeting's agenda which will be September 28, 2023, and it relates to proposed text amendments for electric vehicles. He added that the Venture Park proposal that failed at the previous commission's meeting will go before the City Council on October 23, 2023.

9. Adjournment

Motion made by Commissioner Evans to adjourn the meeting at 8:20 p.m.