

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

**July 22, 2021 – Meeting #28**

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Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m. and read a statement regarding the proceedings for the remote and in-person meeting.

**Roll Call:**

Present: Chairman Stocking, Commissioners Evans, Mead\*, Matyskiel, Moran\*, Slifka

Absent: Commissioner Holomon

Staff Present: Community Development Director David DeGroot and City Planner Chayton True

Also Present: Court Reporter Joanne Ely with Planet Depos and Recording Secretary Celeste Weilandt\*

(\* Remote)

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**Approval of the Agenda**

**Motion by Commissioner Slifka, second by Commissioner Evans to approve the agenda as presented. Motion carried unanimously by voice vote of 6-0.**

**Approval of July 8, 2021 Minutes**

**Motion by Commissioner Slifka, second by Commissioner Matyskiel to approve the July 8, 2021 minutes. Motion carried unanimously by voice vote of 6-0.**

**Concept Review**

**A. Geneva Townhomes** – Request for conceptual review of a proposal to redevelop the former Cetron property. The concept includes a total of 53 townhome units between 11 buildings on the site and would incorporate an extension of a street from Hamilton Street to Peyton Street and a multi-use path from State Street to Peyton Street. *Location:* NE Corner of West State Street and Richards Street. *Applicant:* Karis Capital, LLC and Ryan Homes.

Mr. Jace Murray with Murray Commercial introduced his team. Mr. Murray discussed the initial concept that was started by Mr. Jake Finley back in 2018, summarizing the various revisions that have evolved over the few years from the last concept (Hamilton Place). He hoped to receive comments and consideration for tonight's concepts.

Mr. Murray reviewed the proposed site plan/concept plan on the overhead, recalling for the commissioners that the economics and support for the prior two concepts did not work. In working with City staff and taking into account what did not work for the prior concepts, Mr. Murray believed a lower density townhome concept would work better for the site. Two concept plans were presented.

Mr. Scott Shelton, representing Ryan Homes, shared the background of his national residential company, noting his firm has constructed residential on Peck Road, as well as other similar concepts in Mt. Prospect with good success. For this project, 53 luxury units were being proposed with front facades oriented toward State Street and Richards Street. To lessen the impact to the northern

Burgess Norton building, only one building's end unit would be adjacent to that building. Open space would be located to the east, near retail, with landscaping to buffer from it and a walking path would connect to an existing bike path to the east. With the type of use being constructed, Mr. Shelton explained that the site was walkable to the nearby retail as well as the other amenities. The second concept would include a single-story commercial building (with drive-through) to the front of the parcel.

Mr. Murray described the infrastructure challenges to the site – utilities, stormwater management and reclamation – with the last portion to be addressed, once his team had a better vision of the project.

Mr. Jake Finley, with Karis Capital, clarified that the area furthest to the north where the three townhomes would be located, would be the area of full remediation.

Commissioner questions centered around the square footage of the units (2000 to 2100 sq. feet), prices (starting \$400K up to \$600K) and the presale of the units prior to construction. It was estimated the development would take a two-year completion, starting at the north and moving to the south. Per additional questions regarding outdoor space, each unit would have balconies at the rear and there would be green space and a small dog park located to the east. As for the commercial/drive-through concept, relocating the Starbucks at State & 3<sup>rd</sup> Street, would be considered. Mr. Murray explained the drive to the parking areas would be private with an association fee.

Commissioner Slifka supported the attractive design of the buildings, the density appeared reasonable, but the drive-through aspect seemed to deviate from the Downtown-Station Area Master Plan and the goal to form a "street wall" along State Street. It appeared to be large for the building and he presumed additional parking would be needed. He was not opposed to having residential on the first floor and preferred the layout of Concept A because the park was not internal. The paving in Concept B appeared to be significant. Commissioner Mead concurred with his comments, but stated preserving the commercial on State Street was important. He believed exploring the residential above commercial should be considered. Also, he thought for a commercial space of this size, interested parties would come forth soon after the space was completed. Should the project come forward, Commissioner Mead asked the applicant to address the topic of adding affordable housing to the development and to demonstrate how it can or cannot work. He believed such units could be located above the commercial space on the State Street elevation.

Commissioner Mead confirmed with the applicant that the remediation was only in the soil; not the ground water. He further inquired about the perimeter screening material near the single-family homes on Richards Street, which was explained by the applicant as being landscaping, especially a bit heavier on the east side toward the retail. Mead supported. Chairman Stocking shared the past history of the site and its previous concepts. He could not give up including commercial space on State Street but he could give up the commercial for affordable housing. If the affordable housing component did not work, he asked the applicant to explain why. He supported the bike path. Commissioner Moran also supported the idea of mixed-use, residential above the commercial, fronting State Street. He preferred Concept A with the amenities outside the development, near the bike path, versus inside the development.

Commissioner Stocking invited public comment.

Resident, Mr. Damir Latinovich 228 Richards Street, Geneva, stated the concept review was not noticed which was why no public was present. Mr. Latinovich voiced disdain that another drive-through was being proposed in downtown Geneva. He did, however, like of the concept of row homes along Richards Street which was a transitional use between the downtown and the residential to the north and west. He believed Ryan Homes would deliver quality residential units. However, he questioned the concept for a semi-urban site and the definition of a row home– a product that fronts a street; not a

parking lot or bike path, as depicted in the concept plans. He expressed his dislike to the orientation of the buildings and provided suggestions to the plan on how to face the buildings. He believed a mixed-use product for State Street was needed and another floor may need to be added to a mixed-use building to better integrate into the downtown. Based on the orientation, he felt that buildings 1, 2, and 3 were an after-thought. He believed the concepts had much room for improvement.

Commissioner Mead appreciated the resident's above comments regarding the appropriateness mixed-use. He clarified, however, he was not comfortable having a drive-through lane along State Street at the location. Chairman Stocking concurred and agreed the resident's comments about row houses were very valid.

## **Public Hearing**

**A. Special Use and Variations** – A request for a Special Use to allow the continued use of a funeral home and to expand the associated parking lot in addition to Variations from Section 11-6E-4(B) to decrease the required minimum street yard setback from 30 feet to 8' feet 6" inches and to increase the maximum allowable lot coverage from 70% to 74.3%. Location: 314 and 324 E. State Street. Applicant: Dennis Malone, Malone Funeral Home.

City Planner Chayton True read the contents of the file into the record. A minor typographical error was noted on Page 8 of the staff analysis, Variation Standard 1A., Setback Variation, where it states "a reduction of 21.5 feet"; it should state "11.5 feet."

For the applicant, Mr. Jim Wogain, 15 Salt Creek, Hinsdale, explained some of the history of the funeral home and the request for a special use. He acknowledged the responses that were submitted for the Special Use Standards and offered to review them in more detail. Additionally, the applicant was asking that the existing use be formally approved. The additional request for variations were related to the parking lot that was being proposed and constructed on an adjacent property. Due to the configuration of the lot, its size, the setback that would apply under the zoning classification, and the need to meet all other requirements, such as the drive aisle width, etc., the variations would allow the requests yet minimize the impact on nearby properties. While looking for a reduction in setbacks, the applicant was providing additional landscaping along the perimeter to make the site more attractive. The benefits for the proposal included: providing a safe parking lot for visitors so they do not have to park on the street, minimizing the ingress/egress onto State Street (as mentioned in City's comprehensive plan), and planting landscaping where an on-site structure was being removed.

Mr. Dan Olson, with Watermark Engineering, reviewed the site plan and explained the goal of the proposal was to bring parking on site, make it safe and accessible by adding 21 parking spaces while meeting parking space and drive aisle requirements, etc. The setback variance being requested (8.5 feet) for State Street was consistent with the zoning to the west of the project and would incorporate significant landscaping as done throughout the property. A proposed stone retaining wall along the frontage would be added to address the grade change that existed between the parking lot elevation and sidewalk. It also allowed for more landscaping. The NW corner would include a small pond and seating area for visitors. The proposed fence along the west property line will meet with the existing fence and brick wall along the southern property line, with heavy landscaping. The lot coverage and interior landscaping variances being requested are a function of making the parking lot work and meeting the standards of drive aisle widths, etc. due to an existing underground stormwater detention system from a previous development. This affects the location of light poles and landscaping

Per Mr. Olson, final engineering plans have been submitted to staff and the engineering consultant. The applicant will be connecting to the existing system and it meets all standards. Lastly, the applicant is requesting relief from the lighting standards for the area since there are existing

decorative lights on-site and the applicant would like to match what is existing to be consistent. The existing driveway to the existing building will be removed and IDOT has conceptually approved it.

Mr. Wogain returned and addressed Dr. Nelson's electronic message, whose contention was that the use of the funeral home was not a lawful pre-existing, non-conforming use, wherein Mr. Wogain explained it was incorrect and the business was functioning for the past 50 years and the applicant has received various building permits and approvals from the City. Mr. Wogain referenced a settlement agreement entered into by Dennis Malone, the City of Geneva, and Dr. Nelson who agreed that the use was permitted at such location and it was a non-conforming use. Regarding Mr. Nelson's concerns about the ability to grant the approvals that were being requested, Mr. Wogain stated the items were well within the authority to do so by the applicant.

In reviewing the photometric plan, Commissioner Evans believed the commissioners should consider the entire streetscape of East State Street and its goals versus deviating from its original intent on the street because it placed the City back from creating a cohesive East side entry.

In response, Mr. Wogain explained the difference of lighting that was being proposed (more focused) as to what was required by the City (sconce-type) and raised the point that the existing lighting was a compromise between the City and the adjacent neighbors, which is how the applicant arrived at his decision to propose such lighting features.

Mr. Dennis Malone came forward and explained that in the 2005 settlement with Dr. Nelson the City and he (Mr. Malone) agreed upon the existing lights at that time and the City helped pay for the lights.

Mr. Wogain also added that the reason for the setback was for aesthetics and while the applicant was seeing a reduction in interior landscaping, the landscaping along State Street would be improved significant.

Commissioner Evans asked if there was a possibility of installing the lights elsewhere along State Street and installing the existing interior lights elsewhere in the parking lot, in order to preserve continuity along State Street. The applicant appeared open to the idea. Commissioner Mead then asked how many lights were in the existing parking lot currently and how many new ones would be installed, believing if the other relief is granted then the integrity of the east side corridor landscape must be important to the City. He preferred seeing all lights in the existing parking lot and the proposed parking lot the same and be consistent with the City's lighting standards.

However, Mr. Wogain voiced concern about replacing the existing lights due to the settlement agreement entered into by Mr. Malone and the adjacent property owner, relaying that all parties had agreed to those light fixtures. However, Commissioner Mead voiced support for any new lighting to be consistent with the City's lighting standards. He also confirmed that all existing points of access – both ingress/egress to the existing lot -- would operate as existing and would also be the access to the new parking lot. He supported the setback reduction at 314 State Street and removing the driveway, supported the parking relief from the street, and appreciated the applicant working with an adjacent property owner regarding the neighbor's minor encroachment. Clarification of the two-way parking drive aisle was explained.

Returning to the lighting, Commissioner Evans preferred downward lights to avoid spill over to the adjacent properties. If those were the lights being planned for the parking lot, she supported the City's lights (globe-type light) along State Street but not within the parking lot itself. Mead supported same as well as the applicant. Commissioner Slifka discussed lighting and was concerned about their locations; he was supportive of the setback for the parking and appreciated how the applicant was addressing it with much landscaping. Commissioner Matyskiel asked how the expansion of East State

Street would affect the property, if any wherein Dir. DeGroot responded that it would not be affected. Commissioner Moran supported the comments about the downward facing lighting, the setback was fine, and the overall request was reasonable.

Chairman Stocking invited public comment. None received. Staff confirmed no other comments were received on the City’s web site.

**Motion by Commissioner Mead to close the public hearing, second by Commissioner Slifka. Roll call:**

**Aye: Evans, Matyskiel, Mead, Slifka, Moran, Stocking**  
**Nay: None** **MOTION PASSED. VOTE: 6-0**

**Motion by Commissioner Mead to approve the request for variations from Section 11-6F-4 (Lot and Area Requirements) to reduce the street yard parking setback from 30 feet to 8.5 feet and to increase the lot coverage from 70% to 74.5%. at 324 and 314 State Street, subject to staff’s findings of fact contained in its report. Second by Commissioner Evans. Roll call:**

**Aye: Evans, Matyskiel, Mead, Slifka, Moran, Stocking**  
**Nay: None** **MOTION PASSED. VOTE: 6-0**

**Motion by Commissioner Mead to approve a request for relief from Section 11-6E-4(F) to allow a deviation to the parking lot lighting standards in the East State Street Corridor Design guidelines for the interior lot light standards, not along State Street, at 314 and 324 State Street subject to staff’s findings of fact listed in its report and further, that a revised photometric plan be submitted to staff for their review/approval. Second by Commissioner Evans. Roll call:**

**Aye: Evans, Matyskiel, Mead, Slifka, Moran, Stocking**  
**Nay: None** **MOTION PASSED. VOTE: 6-0**

**Motion by Commissioner Mead to approve a request for relief from Section 11-10-5C2(A) Required Landscaping and Screening) to decrease the amount of interior parking lot landscaping from 10% of the parking lot area to 4.3% subject to staff’s finding of fact. This is in accordance with Section 11-10-9 of the Zoning Ordinance. Second by Commissioner Evans. Roll call:**

**Aye: Evans, Matyskiel, Mead, Slifka, Moran, Stocking**  
**Nay: None** **MOTION PASSED. VOTE: 6-0**

**Motion by Commissioner Mead to approve a request for a special use to allow a continued use of the property located at 324 E. State Street as a funeral home and to expand the funeral home parking lot onto the property located at 314 E. State Street, subject to staff’s findings of fact in its report. Second by Commissioner Evans. Roll call:**

**Aye: Evans, Matyskiel, Mead, Slifka, Moran, Stocking**  
**Nay: None** **MOTION PASSED. VOTE: 6-0**

**B. Text Amendments – An amendment to Title 12 (Subdivisions) Chapter 4 (Public Open Spaces) Section 12-4-5-5 (Criteria for requiring Land Cash Contributions in lieu of Land) related to the fair market value per acre of land. Applicant: City of Geneva.**

Director DeGroot read the contents of the file into the record.

Per Director DeGroot, this was a housekeeping matter and recalled for commissioners that whenever there are residential developments through subdivision or planned unit developments, developers are required to dedicate land for park and recreational purposes to the Geneva Park District and land for school sites to the Geneva School District, or make a cash contribution in lieu of. DeGroot relayed the last amendments to the subdivision regulations on this matter were approved by Council in 2018. Prior to that update, the current market value was set at \$275,000 per acre. In the last version of the subdivision regulations, language had been inserted to revisit this matter every three years. To date, an updated appraisal, shared by the City, school district and park district was completed which set the land value at \$330,000 per acre. Details of how that calculated to cash contributions was referenced on page 2 of staff's report. Director DeGroot explained that some outstanding developments will be impacted by the increase. Details followed.

Commissioner Evans asked if there were any breaks or reductions for affordable housing wherein Director DeGroot indicated the City did have the ability to waive fees for such housing or lower the fee on any request. Commissioner Moran – referring to the sales for 2017 and 2018 in staff's report – asked if there were no sales after 2018 that would justify a 2021 increase from \$275,000 to \$330,000/acre (see page 11), wherein Director DeGroot would have to speak to the appraiser. Chairman Stocking supported more information to answer the question. Commissioner Mead raised the fact that many large tracts of land were minimal in Geneva, and there may not have been any sales. Other questions were raised regarding property sales with the Chairman announcing that more information was needed to back up the dollar amount.

**Motion by Commissioner Mead to continue the public hearing to August 12, 2021.  
Second by Commissioner Moran. Roll call:**

**Aye: Evans, Matyskiel, Mead, Slifka, Moran, Stocking**

**Nay: None**

**MOTION PASSED. VOTE: 6-0**

**Public Comment** – None

### **Other Business**

Planner True noted that applications appear to be increasing significantly. He shared upcoming applications. Questions followed regarding the sale of Emma's Landing site, the status of the Dunkin Donuts development, which staff was addressing, and the withdrawal of the Verizon Wireless tower.

### **Adjournment**

**Motion by Commissioner Evans to adjourn the meeting at 8:58 p.m. Motion carried unanimously by voice vote of 5-0.**