



VILLAGE OF RIVERSIDE, ILLINOIS  
PLANNING AND ZONING COMMISSION REGULAR MEETING  
Minutes

I. *Call to Order:* The Regular Meeting of the Village of Riverside Planning and Zoning Commission was held on Wednesday, July 27, 2022. Chairperson Mateo called the Regular Meeting to order at 7:00 p.m.

II. *Roll Call*

Chairperson Mateo  
Commissioner Brom  
Commissioner Marhoul  
Commissioner Pelletier  
Commissioner Henaghan – arrived 7:04 p.m.  
Commissioner Mathews

*Absent:* Commissioner Miller

*Also Present:* Assistant Village Manager Ashley Monroe  
Attorney Michael Marrs

III. *Approval of Minutes:*

A. Planning & Zoning Commission Regular Meeting minutes of June 22, 2022

Commissioner Marhoul made a motion to approve the meeting minutes with edits from Chairperson Mateo. Commissioner Mathews seconded the motion.

AYES: Commissioners Marhoul, Pelletier, Mathews, Brom Mateo

NAYS: None

**Motion passed.**

IV. *Visitors, Petitions, Citizen Requests, and Communications:*

None.

V. *Liaison Report:*

A. Village Board Update

Assistant Manager Monroe said that since the last meeting of the Planning and Zoning Commission (PZC), the Village Board of Trustees approved the recommended text amendment related to removing a height restriction from decks (10-7-3-D (Accessory Structures)).

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VI. *Public Hearing and Recommendation:*

A. PZ22-07 — 86 Southcote Road – Variation related to Fence Height.

1. PUBLIC HEARING to consider a request for a variation from Subsection 10-7-3(F) (Accessory Structures and Uses) of the Riverside Zoning Ordinance to replace a length of approximately 149 feet of wrought iron fencing at four (4') feet in height, with wooden privacy fencing, six (6') feet in height, along the eastern property line of 92 Repton Road.

Commissioner Marhoul recused himself because of his role on the School District Board. Commissioner Henaghan made a motion to open the public hearing. Commissioner Pelletier seconded the motion.

AYES: Commissioners Mathews, Henaghan, Pelletier, Brom, Mateo

NAYS: None

**Motion passed.**

Commissioner Pelletier made a motion to accept exhibits of public hearing notice and other items into the record. Commissioner Mathews seconded the motion.

AYES: Commissioners Mathews, Henaghan, Pelletier, Brom, Mateo

NAYS: None

**Motion passed.**

Persons to give testimony were sworn in by Chairperson Mateo.

AVM Monroe explained that D96 plans to replace the current wrought iron fencing on the east side of Ames School with a six foot high privacy fence, which would require a variance for height. Section 10-7-3 (F) of Village Code currently permits a 4' fence from the front building line to a length of at least 40', at which point, it can be 6' in height. The project would install a 6' wood privacy fence in place of the existing wrought iron fence. This fence line begins at 22' feet, rather than 40' feet, from the front building line of the now demolished single-family home, where the playground currently stands. The six foot high privacy fence will span approximately 149 feet to the rear of the property.

Mr. Ryan Kelley, of DLA Architects, representing D96, shared posters of the exhibits included in the agenda packet and provided an overview of the project and the existing conditions. He noted that although the reconstruction at Ames Elementary School accounted for many things, the playground's construction directly adjacent to the property at 390 Repton Road has unintentionally caused disturbance to the neighbor. D96 would like to correct for this as best they can, by installing a fence that is not able to be climbed by students and offers privacy and sound barrier for the neighbor. Chairperson Mateo asked if any public comment had been received by staff. There was none received.

Ms. Jan Goldberg, of 390 Repton Road stated that she is a retired R-B High School teacher and the next door neighbor to the school. She said that while it's wonderful that the children happily play, it has been incredibly disruptive to her and their household during recesses, evenings, and weekends

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when she is trying to do work at home, and when children gather in evenings on the slide, which is positioned extremely close to her house. The Director of Public Safety has provided her a way to communicate and request police assistance in clearing children after dark but it remains an invasion of privacy. Kids can see into her windows from playground equipment and climb over the fence to retrieve thrown balls and bicycles. The sound can be deafening at times. She is deeply in favor of the fencing that will provide a greater level of privacy and sound barrier for her home. She did note that the plantings installed are pretty but are not growing much and don't seem to be maintained. Chairperson Mateo asked staff if the Village can follow up on various projects that have over the years not kept up the landscaping included in their approved site plans. AVM Monroe said they would follow up.

Commissioner Brom made a motion to close Public Hearing and Commissioner Mathews seconded the motion.

AYES: Commissioners Pelletier, Henaghan, Brom, Mathews, Mateo

NAYS: None

**Motion passed.**

Commissioner Pelletier motioned to recommend approval of the fence. The motion was seconded by Commissioner Brom. With a motion on the table, Chairperson Mateo reviewed the standards for a variation to Section 10-7-3-F of the Zoning Code.

Commissioners agreed that the standard of hardship was met based on a lack of buffer space between the neighboring property and the school playground. Although D96 created the circumstances and conditions today, the impact and outcomes were unforeseen at that time and this action, to install a privacy barrier, will mitigate impact and improve the relationship with the neighboring property. All other standards were determined met. It was noted that the neighboring property was present and agreeing to the proposed fence.

AYES: Commissioners Pelletier, Henaghan, Brom, Mathews, Mateo

NAYS: None

**Motion passed.**

B. PZ22-08 — 116 Barrypoint Road- Variation related to Temporary Use of a Membrane Structure or Canopy Tent

1. PUBLIC HEARING to consider a variation from Subsection 10-7-3(N) (Temporary Membrane Structures/Temporary Storage Tents And Canopies) to allow regular use of a temporary membrane structure or canopy tent for a period in excess of thirty (30) continuous days and/or in excess of forty-five (45) total days annually, in the R1-AA Zoning District for the property located at 116 Barrypoint Road.

Commissioner Marhoul made a motion to open the Public Hearing. The motion was seconded by Commissioner Pelletier.

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AYES: Commissioners Marhoul, Pelletier, Henaghan, Mathews, Brom, Mateo

NAYS: None

**Motion passed.**

Commissioner Marhoul made a motion to accept exhibits of public hearing notice and other items into the record. Commissioner Mathews seconded the motion.

AYES: Commissioners Marhoul, Pelletier, Henaghan, Mathews, Brom, Mateo

NAYS: None

**Motion passed.**

Persons to give testimony were sworn in by Chairperson Mateo.

Village staff explained that in the past year or so, the Village Board expressed that they preferred a request for use of a temporary tent go through a zoning process for approval, rather than administrative approval from the Board. As such, staff reached out to organizations such as schools and churches that had received temporary approvals for tents in the past year, to see if they would seek zoning approval for prolonged or repeated use of a tent. The Riverside Presbyterian Church asked about getting approval to use a tent for an extended period of time and presented an application for variation. Their request is to use a temporary tent for approximately three months, between June and September each year for fellowship and organizational meetings.

Chairperson Mateo asked if any public comment had been received by staff. There was none received.

Brad Staubus, representative of Riverside Presbyterian Church, explained their proposal and said that the tent would be used weekly on average, and that groups such as the Boy Scouts meet at the church and would also use the tent occasionally. He was not aware of concerns related to the tent but shared that the church wants to be a good neighbor and is open to a modification of the variation requested, if it is preferred by the Commission or Village. Commissioners noted that there were concerns raised about the length of time that the tent had been up in 2021 and that it was taken down after a storm moved the tent out of place. The Church has used the tent for occasions like the Ice Cream Social. Mr. Staubus said that they cannot place the tent on the parking lot because it is used for parking and is harder to anchor safely, leading them to use the grassy area of the property, on Scottswood Road for temporary tent use.

Mr. Douglas Asbury, of 115 Scottswood Road, spoke in favor of the Church's efforts and the tent use.

Neighborhood residents Courtney Clennon and Melissa Hannon spoke in opposition to the use of the tent and an extended period of use. Concerns included the area being an historic and Barrypoint is a main entry to the Village. As such, people want to see and use more green space and the essential character of the neighborhood was altered when the tent was up for a long time during the height of the pandemic. The church could use interior spaces for meetings. They questioned the position of the petitioner that there is a hardship in assembling the tent as needed and removing it afterward.

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Attorney Marrs noted that because the petitioner was asking for a period of time in excess of the allowances by Code, perhaps this would be an issue to revisit each year for permission to exceed the 45 day limitation. Mr. Staubus said that the Church would be open to returning for an annual approval or review, but they were concerned that a fee each year, of \$500 or \$1000 would not be possible. Discussion was held over a variation being established in perpetuity. Attorney Marrs said that this is the first request to come before the PZC because this had been handled by the Village Board. Perhaps there would be a way to bring this issue back to the Commission in the future that could include public notice. For this instance, he explained that it would be possible to impose specific conditions on the request or limit the approval for a year, if the Commission desired to do so.

Commissioner Henaghan made a motion to close the public hearing. The motion was seconded by Commissioner Brom.

AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.

NAYS: None

**Motion passed.**

A motion was made by Commissioner Marhoul to accept additional photos and material from the Petitioner into the record. The motion was seconded by Commissioner Pelletier.

AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.

NAYS: None

**Motion passed.**

A majority of Commissioners expressed a sentiment that a lack of hardship exists for keeping a tent installed for over 30 days or over 45 days in total. They agreed in general that a tent could be installed and removed as needed, within the allowances of the Zoning Code. The tent was put up and taken down for summer events in 2022. A concern was expressed related to whether the request could be applied to any other properties or groups, who could also request a wish to keep a tent up for a long period of time.

Related to the tent location in the street yard, the property's "front yard" with a main entrance, is on the Barrypoint street side and most of the green space is located along Scottswood, which based on definition is also a street yard.

The Commissioners discussed the proposed variations and determined that they would take a vote separately on each variation request.

Commissioner Henaghan made a motion to recommend the temporary tent to be located in a street yard. Commissioner Marhoul seconded the motion. Commissioners agreed that standards were met.

AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.

NAYS: None

**Motion passed.**

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The Commission discussed standards for the other variation request to allow continuous use of the tent for a period of more than 30 days /45 days total.

Discussion of the standards was held. Commissioners agreed that a standard of a hardship or unique circumstances regarding installation and removal of a tent was not met. Other standards, including whether this condition could be applied to other properties in the same zoning district, and whether this action could impair, alter, or be injurious to the character and welfare of the neighborhood, were not met. Other standards for variation were met.

Commissioner Pelletier made a motion to recommend denial of the request for a variation to allow use of a temporary tent beyond 45 days annually. Commissioner Brom seconded the motion.

AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.

NAYS: None

**Motion passed.**

C. PZ22-09 — Text amendments to Zoning Ordinance regarding various transit-oriented development code changes, as well as other changes. Among the potential changes being considered are relative to the provisions regarding addition of a new business sub-district type (B-1 TOD- Transit-Oriented Development Subdistrict), bulk, height, and use regulations in residential and business districts, including the proposed B-1 TOD subdistrict), exceptions to encroachments, parking standards for business districts and standards for electric vehicle parking, updated graphics and updated sign regulations

1. PUBLIC HEARING to consider proposed text amendments which include but may not be limited to, Section 10- 3-1 (Establishment of Zoning Districts), Section 10-4 (Residential Districts), Section 10-5 (Business Districts), Section 10-7-3 (Accessory Structures and Uses), Section 10-8 (Off Street Parking) of the Riverside Zoning Ordinance and Title 4 Chapter 3 (Signs) of the Village Code of the Village of Riverside.

Commissioner Marhoul made a motion to open the Public Hearing. The motion was seconded by Commissioner Pelletier.

AYES: Commissioners Marhoul, Pelletier, Henaghan, Mathews, Brom, Mateo

NAYS: None

**Motion passed.**

Commissioner Marhoul made a motion to accept exhibits of public hearing notice and other items into the record. Commissioner Mathews seconded the motion.

AYES: Commissioners Marhoul, Pelletier, Henaghan, Mathews, Brom, Mateo

NAYS: None

**Motion passed.**

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Persons to give testimony were sworn in by Chairperson Mateo. A resident near the proposed subdistrict zoning area was interested in whether her property was included in the new zoning but AVM Monroe explained that an additional building was included in the mailing but is not subject to the rezoning. All properties within 250 feet of the properties proposed for rezoning will get another notice declaring the map amendment.

AVM Monroe detailed the remaining changes proposed for the TOD Zoning Code update. She began with a description of the B1-TOD district boundaries, the purpose and characteristics of the commercial B1-TOD subdistrict. During discussion of Use Tables, a clarification was provided by Attorney Marrs related to the inclusion of cellular towers and whether they must be included. He recommended that at a minimum, keeping cellular towers as a special use in B-1, but it was not required that the PZC include them in other zoning districts. The PZC agreed to not allow cellular towers in the new B1-TOD zoning subdistrict and keeping it as a special use in B1-C.

The PZC further discussed Use Tables. Of note, encouraging commercial activity on the ground floor, enhancing density by allowing dwellings above the ground floor. Changes would allow multi-family above the ground floor as a permitted use in B1-C. Townhouses, as a special use in B1-C and B1-TOD. Parking lots as a primary use are not a permitted use in B1-TOD.

Bulk Requirements for the B1 Subdistricts were reviewed. Upon agreement by Commissioners, a notation related to an additional level of special use review being required for certain uses was removed, and opted to rely on the review processes already in place. PZC has an interest in revisiting the special use process to address these concerns. The Commission removed the lot area per dwelling unit requirement for all three B-1 subdistricts, with the expectation that other zoning controls, such as height and parking, etc. will dictate the developable area on each property.

Changes made to Exceptions to Encroachments (10-7-4) were made to include a drive-through as a special use in the B1-TOD, for restaurants and for financial institutions.

A discussion was held related to how the code should calculate required parking for B1 districts. A reference specific to "Place of Worship" was removed because the definition for the use was incorporated into "Places of Assembly" elsewhere in the Code. For new construction, requirements would stand as, 1 space per 300 square feet of Gross Floor Area or 1 space per 4 persons of building capacity, whichever is less restrictive. Chart headings for parking tables were revised and the reference in section 10-8-2-C of the Code was removed because of the change to parking calculations.

Commissioners agreed to the proposed code to include a new section on electric vehicle charging stations, with a removal of "particularly" in the language.

Commissioner Marhoul made a motion to close the public hearing and Commissioner Brom seconded the motion.

AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.

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NAYS: None

**Motion passed.**

The Commission agreed that the proposed text amendments as amended, meet standards for recommendation to the Village Board.

Commissioner Marhoul made a motion to recommend the changes and Commissioner Pelletier seconded the motion.

AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.

NAYS: None

**Motion passed.**

VII. *New Business:*  
None.

VIII. *Old Business:*  
Further discussion and recommendation of Village Sign Code Updates was deferred to the next regular meeting. Staff noted that this discussion and comments from the Commission will be helpful to the Village Board but there is no requirement for a formal vote.

IX. *Information:* Next Meeting is August 24, 2022.

X. *Adjournment:* Motion to adjourn by Marhoul, second by Pelletier.  
AYES: Marhoul, Pelletier, Henaghan, Mathews, Brom, and Chairperson Mateo.  
NAYS: None  
**Motion passed.**  
Meeting adjourned at 9:49 p.m.