



**VILLAGE OF HANOVER PARK
DEVELOPMENT COMMISSION
REGULAR MEETING**

**Municipal Building, Village Board Room 214
2121 W. Lake Street
Hanover Park, IL 60133**

**Thursday, July 12, 2012
7:00 p.m.**

AGENDA

- 1. CALL TO ORDER: ROLL CALL**
- 2. PLEDGE OF ALLIEGENCE:**
- 3. ACCEPTANCE OF AGENDA:**
- 4. PRESENTATIONS/REPORTS:** None.
- 5. APPROVAL OF MINUTES:**
 - 5-a. Request to Approve**
Regular Meeting Minutes of May 10, 2012
- 6. ACTION ITEMS:**
 - 6-a. Public Hearing:** Consider a request by Robert Wszolek of Nypro Inc. (applicant), on behalf of Industrial Developments International (property owner), for a Variation from the Village of Hanover Park Zoning Ordinance of 18'7" from the maximum allowed accessory structure height of 15' for the construction of two storage silos; and a request to allow a Variation from the Village of Hanover Park Zoning Ordinance of 11'8" from the maximum allowed accessory structure height of 15' for the construction of an evaporation tower on the subject property at 6325 Muirfield Drive.
 - 6-b. Public Hearing:** Consider a request by the President and Board of Trustees of the Village of Hanover Park for a public hearing on a text amendment referred to the Development Commission by the Village Board, which amendment to

the Zoning Ordinance, Sections 110-6.2.4.a, would amend regulations related to the parking of commercial vehicles in residentially zoned districts.

7. TOWNHALL SESSION:

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

8. OLD BUSINESS (NON-ACTION ITEMS):

9. NEW BUSINESS (NON-ACTION ITEMS):

9-a. Community Development Update – Village Planner Katie Bowman

10. ADJOURNMENT:



7/12/12 Agenda Item 5-a

**VILLAGE OF HANOVER PARK
DEVELOPMENT COMMISSION
MEETING**

**Municipal Building, Village Board Room 214
2121 W. Lake Street
Hanover Park, IL 60133**

Thursday, May 10, 2012

7:00 p.m.

MINUTES

1. CALL TO ORDER: ROLL CALL

Chairperson Wachsmuth called the meeting to order at 7:01 p.m.

Chairperson Wachsmuth appointed Auxiliary Member James Aird and Chuck Plaia as full voting members of the Commission for this meeting.

PRESENT:	Commissioners:	James Aird, Arthur Berthelot, Philip McBride, Mark Mercier (7:03 p.m.) Scot Neil, Chuck Plaia, Chairperson Virginia Wachsmuth
ABSENT:	Commissioners:	Robert Hain, Patrick Watkins
ALSO PRESENT:		Auxiliary Member Gary Rasmussen, Village Planner Katie Bowman, BC John Doubek, Secretary Regina Mullen; Verizon Wireless Rep. Jeffrey Risby, Resident Richard Hanrahan

2. PLEDGE OF ALLIEGENCE:

3. ACCEPTANCE OF AGENDA:

Motion by Commissioner McBride to accept the Agenda as presented, seconded by Commissioner Berthelot.

Voice Vote:

All AYES.

Motion Carried: Agenda Accepted.

4. PRESENTATIONS/REPORTS: None.

5. APPROVAL OF MINUTES:

5-a. Request to Approve the Regular Meeting Minutes of March 22, 2012.

Motion by Commissioner McBride to approve Minutes, seconded by Commissioner Berthelot.

Voice Votes:

All AYES.

Motions Carried: Approved the Regular Minutes of March 22, 2012.

6. ACTION ITEMS:

6-a. Public Hearing: Consider a request by Chicago SMSA Limited Partnership DBA

Verizon Wireless (applicant) on behalf of the Village of Hanover Park (property owner) for a Special Use for the Village of Hanover Park Zoning Ordinance to allow installation of an additional wireless communications facility (non-village owned facility) and a Variance from the Village of Hanover Park Zoning Ordinance to allow a second storage building that is 331 square feet, at the Morton Water Tower site, 4805 Morton Road, Hanover Park, Illinois.

Chairperson Wachsmuth entertained a Motion to Open the Public Hearing. Motion by Commissioner McBride to Open the Public Hearing, seconded by Commissioner Mercier.

Voice Votes:

All AYES.

Motion Carried: Public Hearing Opened.

Village Planner Bowman stated a Notice of the Public Hearing was posted in the Daily Herald on April 25, 2012 and presented a summary of this case. Shared with the Commission receipt of one public comment from the Forest Preserve District of DuPage County requesting security lighting for the on-ground facility and equipment be down-shielded to keep light within the boundaries of the site.

Chairperson Wachsmuth – Petitioner not present at this time and no one present in the audience for comment. Questions of this Commission will be directed to Village Planner.

Commissioner Berthelot – Questioned noise, maintenance schedule, and landscaping plan.

Commissioner McBride – Noted an error in the drawings in reference to the fencing. Questioned the coverage maps and maintenance plan.

Village Planner Bowman – Shared coverage maps at the dais for review by Commissioners. Also, noted the maintenance plan would be worked out with Public Works.

Commissioner Plaia – No questions.

Commissioner Mercier – Questioned the size of the current building and confirmed that this facility would be smaller. Questioned noise specifications. Questioned the distance of the facility from a residence. Would like staff to consider down-shielding of lighting of the facility.

Chairperson Aird – No questions.

Commissioner Wachsmuth – Questioned facility distance from residence and questioned the two gas monitoring points mentioned in public comments received from the Forest Preserve District of DuPage County.

Village Planner Bowman – Public Works is aware of the two gas monitoring points and this will be included in the approval of this request.

Arrival of the Petitioner and audience members at 7:15 p.m.

Chairperson Wachsmuth – Offers members of the audience an opportunity to speak as a courtesy, as they have arrived after the time allotted for signing in for public comment.

Petitioner Verizon Wireless Rep. Jeffrey Risby, 7240 South King Drive, Chicago IL 60619 called to the podium and sworn in. Petitioner takes questions.

Chairperson Wachsmuth – Questioned the distance of the storage facility to a residence.

Petitioner Risby stated this location was determined based on drip from the tower creating a circular water line around the premises. To escape the drip and with existing underground improvements including water mains this is the best location for the structure. The structure is masonry with a pitched roof and windows.

Commissioner Mercier – Questioned noise outside the building.

Petitioner Risby stated there is an emergency standby generator housed inside the building that would test for about 15 minutes once a week at 10:30 a.m. This site will be visited by a maintenance team every two – three months. There is one light above the facility door and it is down-shielded in the current design.

Village Planner Bowman receives Return Requested Receipts from Petitioner.

Resident Ric Hanrahan of 4775 Thistle Court, Hanover Park, IL is called to the podium and sworn in. Mr. Hanrahan questioned the impact on the surrounding residents relating to safety, property value, and the reason for another cell tower.

Chairperson Wachsmuth stated there is an existing facility at this site and this request is for an additional storage facility with an antenna mounted to the base of the existing

water tower.

Petitioner Risby stated Verizon operates within the safe range of the FCC, with no evidence of a decrease in property values at their existing facilities.

Chairperson Wachsmuth entertained a motion to close the taking of testimony on the Public Hearing.

Motion by Commissioner McBride to close the taking of public testimony, seconded by Commissioner Mercier.

Voice Votes:

All AYES.

Motion Carried: Public Hearing Closed.

Village Planner Bowman presented the Draft Findings of Fact for Special Use and Accessory Structure Variation and included Commission recommendations.

Chairperson Wachsmuth entertained a motion to Approve the Draft Findings of Facts.

Motion by Commissioner Mercier to approve the Draft Findings of Facts with Commission recommendations, seconded by Commissioner Berthelot.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, McBride, Mercier, Neil, Plaia, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Hain, Watkins

Motion Carried: Approved Draft Findings of Facts with Commission recommendations.

Chairperson Wachsmuth entertained a motion to approve the Petitioners request. Motion by Commissioner Mercier by approve Petitioner's request, seconded by Commissioner Neil.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, McBride, Mercier, Neil, Plaia, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Hain, Watkins

Motion Carried: Approved the Special Use and Variance with Commission recommendations.

TOWNHALL SESSION: None.

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

8. OLD BUSINESS (NON-ACTION ITEMS): None.

9. NEW BUSINESS (NON-ACTION ITEMS):

9-a. Community Development Update – Katie Bowman

1. At their Board meeting of May 3, 2012, the Village Board approved the Final Village Center Plan. The Village is promoting the area and working on the extension of the Elgin O’Hare.
2. Staff is working with CMAP and ULI to conduct a study along Irving Park Road. This Commission will be invited to upcoming meetings.
3. Staff is finalizing plans for TIF 5.
4. Staff will be attending ICSC to promote Hanover Square and other available properties for development.

10. ADJOURNMENT:

Motion by Commissioner McBride, seconded by Commissioner Mercier.

Voice Vote:

All AYES.

Motion Carried. Meeting adjourned at 7:45 p.m.

Recorded and Transcribed by:

Regina Mullen, Secretary
this 10 day of May, 2012

Virginia Wachsmuth, Chairperson



**Village of Hanover Park
Community Development Department**

INTEROFFICE MEMORANDUM

TO: Chairman Bakes and members of the Development Commission

FROM: Katie Bowman, Village Planner

SUBJECT: **Request for a Variation for accessory structure height for two storage silos and one evaporation tower at Nypro Inc. 6325 Muirfield Drive.**

ACTION REQUESTED: Approval Disapproval Information

MEETING DATE: July 12, 2012

REQUEST SUMMARY:

The following is scheduled for Development Commission review at 7:00 p.m. on July 12, 2012 in Room 214 of the Municipal Building, 2121 Lake Street:

A request by Robert Wszolek of Nypro Inc. (applicant), on behalf of Industrial Developments International (property owner), for a Variation from the Village of Hanover Park Zoning Ordinance of 18'7" from the maximum allowed accessory structure height of 15' for the construction of two storage silos; and a request to allow a Variation from the Village of Hanover Park Zoning Ordinance of 11'8" from the maximum allowed accessory structure height of 15' for the construction of an evaporation tower on the subject property at 6325 Muirfield Drive.

Specifically, the following items must be approved:

- Variation from Section 110-6.6.3.d to allow for a variance in height of 18'7" from the maximum accessory structure height, for the construction of two 33'7" storage silos.
- Variation from Section 110-6.6.3.d to allow for a variance in height of 11'8" from the maximum accessory structure height, for the construction of a 26'8" evaporation tower.

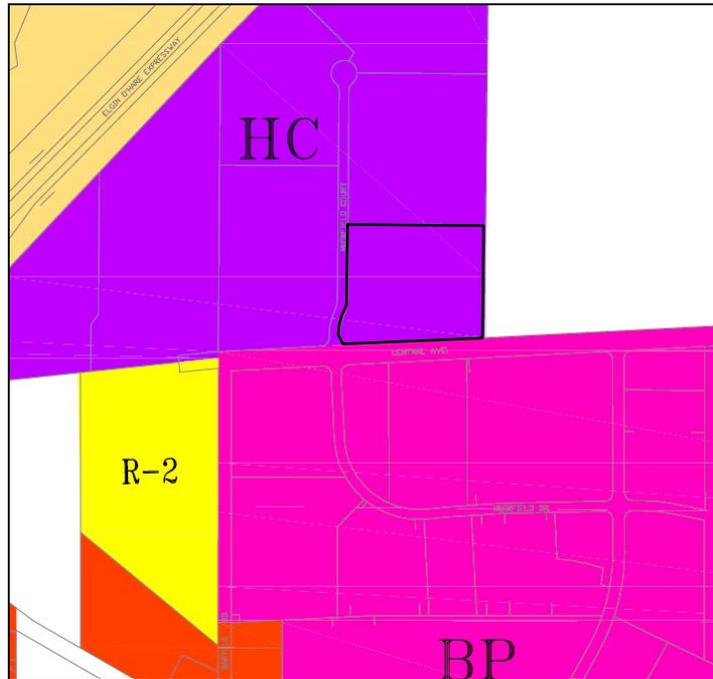
BACKGROUND

The subject property is located on the northeast corner of Muirfield Court and Central Avenue in the Turnberry Lakes Business Park. It is approximately 9.2 acres in area and zoned HC High Cube District. The parcel is currently developed with a 146,636 square foot, one-story building. The building is currently occupied by Nypro Inc., a company that produces plastic products by injection molding. The adjacent land uses to the north and west are zoned HC High Cube District, the adjacent land use to the south is zoned BP Business Park District, and the adjacent land use to the east is located within the corporate boundary of the Village of Roselle.

In 2006, Nypro Inc. was granted a similar Variation from the maximum allowed accessory structure height by the Development Commission to allow for the construction of six (6) storage silos, 32' in height. The approval of this Variation allowed Nypro Inc. to relocate from a previous facility in Elmhurst to this location. Since this approval, five (5) of the six (6) approved storage silos have been constructed. Due to the expiration of the previous approved Variation Ordinance on March 2, 2007, the applicant is required to apply for any additional variances from the maximum accessory structure height.



Aerial photo of subject property with boundary outlined



Zoning map with subject property outlined

DISCUSSION

The applicant is proposing to construct two (2) storage silos, in addition to the five (5) existing storage silos, to allow for a greater volume of raw materials, required for the manufacturing of plastic products, to be stored on-site. This will allow Nypro Inc. to increase its production capacity and decrease the cost of these materials by purchasing larger quantities at one time. The proposed silos would be located immediately to the west of the existing silos in the north side yard of the subject property, near the northeast corner of the building. They would be identical in height and appearance to the existing silos. With a height of 33'7", the existing silos extend 5'11" above the top of the existing, one-story building, which is 27'8" in height.

In addition to the proposed storage silos, the applicant is proposing to construct a second evaporation tower. The purpose of the evaporation tower would be to ventilate additional machinery that has been acquired due to increased business. The proposed evaporation tower would be located approximately 7' to the west of the existing evaporation tower in the north side yard of the subject property. The height and appearance of the proposed evaporation tower are identical to the existing evaporation tower.

STAFF COMMENT

The proposed improvements to the subject property are consistent with the goals of the HC High Cube District, which is intended to provide for a unified development of mixed office, research and light to medium industrial uses in a campus-like setting, which will promote and maintain desirable economic activities; and the Comprehensive Plan, which designates this property for business park/light industrial uses.

Staff finds that the consistencies in scale and design elements of the proposed and existing accessory structures will allow the Applicant to expand its operations and remain at its current location without significantly altering the essential character of the subject property. The impact of the proposed improvements on surrounding properties is expected to be minimal due to the location of the subject property in an area that is developed with compatible uses. Additionally, the silos are not currently visible from Central Avenue due to their location behind the existing building.

RECOMMENDATION

Staff recommends a positive recommendation of the Variance.

ATTACHMENTS

Exhibit 1 – Draft Findings of Fact

Exhibit 2 – Site Plan, Elevations, Plat of Survey



Photo of existing storage silos taken from northeast



Photo of 6325 Muirfield Dr. taken from Central Avenue

DEVELOPMENT COMMISSION
DRAFT FINDINGS OF FACT
6325 MUIRFIELD DRIVE
VARIATION – ACCESSORY STRUCTURE HEIGHT

I. Subject

Consideration of a request by Robert Wszolek of Nypro Inc., on behalf of Industrial Developments International, for a variance from the maximum allowed accessory structure height at 6325 Muirfield Drive :

- Variation from Section 110-6.6.3.d to allow for a variance in height of 18’7” from the maximum accessory structure height, for the construction of two 33’7” storage silos.
- Variation from Section 110-6.6.3.d to allow for a variance in height of 11’8” from the maximum accessory structure height, for the construction of a 26’8” evaporation tower.

II. Findings

On July 12, 2012 after due notice as required by law, the Hanover Park Development Commission held a public hearing on the subject request concerning the variance. ___ objectors appeared and no written objections were filed.

The Development Commission has made the following findings regarding the variance request:

A. Unique Circumstances

The unique circumstances related to the Applicants proposed request are:

1. The production process for manufacturing plastic products requires large amounts of raw materials to be stored on-site. The applicant has indicated that a greater volume of raw material storage is necessary for it to increase business and remain at its current location.

B. Essential Character

Approval of the Variation request will not alter the essential character of the locality and is consistent with the Comprehensive Plan, which designates this property for business park/light industrial uses. The adjacent properties to the north and west are zoned HC High Cube District. The adjacent property to the south is zoned BP Business Park District, and the adjacent property to the east is located within the corporate bounds of the Village of Roselle.

C. Additional Considerations

1. Surrounding Topographical Conditions

There are no unique topographic conditions.

2. General Applicability

The conditions upon which this variation request is based will not be generally applicable to other properties within the zoning district.

3. Economic Return

The purpose of the variation is not based exclusively upon a desire to receive a greater economic return.

4. Cause of Hardship

The cause of hardship to the applicant is the need for large volumes of outdoor storage in accessory structures, which are restricted to 15' in height by the Zoning Ordinance.

5. Public Welfare

Granting the requested variation will not likely be detrimental to the public welfare or injurious to neighboring properties.

6. Public Safety, Property Values

Approval of the requested variation will not likely endanger the public safety, or impact property values.

III. Recommendations

Accordingly, by a vote of __ to __, the Development Commission recommends approval of the request.



Village of Hanover Park
Community Development Department
INTEROFFICE MEMORANDUM

TO: Chairman Wachsmuth and members of the Development Commission
FROM: Katie Bowman, Village Planner
SUBJECT: Zoning Code Text Amendment to the regulations related to the parking of commercial vehicles in residentially zoned districts
ACTION REQUESTED: Approval Disapproval Recommendation
MEETING DATE: July 12, 2012

REQUEST SUMMARY:

The following topic is scheduled for a public hearing and discussion by the Development Commission at 7:00 p.m. on July 12, 2012 in Room 214 of the Municipal Building, 2121 Lake Street:

Regulation of the parking of commercial vehicles in residential districts, as outlined in:

- Comprehensive Zoning Ordinance Section 110-6.2.4.a

Staff requests that the Development Commission hold a public hearing to take public comments, review the proposed amendment, provide comments, and forward the public comments and their recommendation to the Village President and Board of Trustees.

BACKGROUND

At their meeting of June 21, 2012, the Village Board agreed upon a draft ordinance amending regulations related to the regulation of parking of commercial vehicles in residential districts, and referred the ordinance to the Development Commission for a public hearing and recommendations. Following discussion of the topic by the Village Board and Development Commission, the draft ordinance amendment is now before the Development Commission for their review, comment, and recommendation. Staff memos on the topic to date are attached as Exhibit 3.

DISCUSSION

Under current Village regulations, commercial vehicles with a gross weight excess of 8,001 pounds with a class designation other than “A” or “B” are prohibited to park or be stored in residential districts, except when making a delivery or performing work. Vehicles with a weighing over 8,000 pounds are classified by their weight, with those weighing 8,001 – 12,000 pounds within class “D”, commonly called ‘D Plate’.

Following research and discussion on the matter, the Village Board has proposed an amendment to the Comprehensive Zoning Ordinance, Section 110-6.2.4, which is attached as Exhibit 1.

In summary, these regulations continue the prohibition of the parking or storing of commercial vehicles in residential districts with a class designation other than that of “B”, with certain exceptions:

- (1) A number of specific types of commercial vehicles are prohibited to be parked or stored in residential districts, regardless of classification, such as box trucks and flat bed trucks.
- (2) ‘D Plate’ vehicles that are not specifically prohibited by type in (1) are permitted, with the following restrictions:
 - vehicle must display a current Illinois state inspection sticker
 - equipment and racks/ladders and cargo which do not extend beyond the front or rear of the body of the vehicle may remain on top of the vehicle
 - total height of equipment, racks/ladders and cargo and the vehicle shall not exceed eight feet (8’) six inches (6”) in height
 - one (1) commercial vehicle may be parked per residential property
- (3) Equipment or commercial/contractor material not described in (2) must be concealed from view by a manufactured bed cap or a permanent original equipment grade enclosure.
 - Plywood or homemade bed risers or height extenders and tarp or cloth enclosures are prohibited.
- (4) All commercial vehicles are to:
 - display their plate classification on the front and rear of the vehicle at all times
 - be parked on a permanent paved surface
 - be owned and under the control or possession of one or more of the owners or occupants of the residence
- (5) Public passenger vehicles, other than taxis, are prohibited to be parked or stored in residential districts between 6:00 a.m. and 6:00 p.m.

Staff finds the proposed regulation of the parking of commercial vehicles is in conformance with the Comprehensive Plan, promoting the vision of the Village to develop strong neighborhoods that provide a safe and well-maintained ambience and fostering a positive community image and the promotion of quality community aesthetics.

The amended regulations will apply to all commercial vehicles in all residential districts throughout the Village. Individual impact will vary, with some vehicles that were previously permitted being prohibited (such as “B” plated box trucks) and some that were previously prohibited being permitted (such as certain “D” plated trucks). Both “B” and “D” plated trucks will be required to meet stated standards of size, material, and storage.

RECOMMENDATION

Staff requests that the Development Commission hold a public hearing and take public comments, review the proposed amendment, provide comments, approve the draft Findings of Fact, and forward the public comments and their recommendation for approval to the Village President and Board of Trustees.

ATTACHMENTS

- Exhibit 1 – Draft Ordinance
- Exhibit 2 – Draft Findings of Fact
- Exhibit 3 – Staff Memos to the Village Board & Development Commission

ORDINANCE NO. O-12-_____

**AN ORDINANCE AMENDING SECTION 110-6.2.4.
OF CHAPTER 110 OF THE HANOVER PARK COMPREHENSIVE ZONING
ORDINANCE BY REVISING PARKING REGULATIONS OF COMMERCIAL
VEHICLES IN RESIDENTIAL DISTRICTS**

WHEREAS, the President and Board of Trustees initiated this amendment to the Comprehensive Zoning Ordinance by referring it to the Development Commission for its review and recommendation following a public hearing thereon; and

WHEREAS, the Development Commission, pursuant to prior published notice, has conducted a public hearing on the proposed amendments and has forwarded its written recommendations and report on the amendment to the Village Board; and

WHEREAS, the President and Board of Trustees have reviewed said report and recommendations and determined that such amendment is in conformance with the Comprehensive Plan, in the public interest, and agrees with the report and recommendation; and

WHEREAS, the Village of Hanover Park is a home rule unit of local government by virtue of the 1970 Constitution of the State of Illinois and hereby adopts these amendments to the Comprehensive Zoning Ordinance pursuant to its home rule authority.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hanover Park, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: That Section 110-6.2.4. in Chapter 110 of the Municipal Code of Hanover Park, as amended, be and is hereby amended to read as follows:

Section 6.2.4 General parking provisions.

a. Parking of commercial vehicles in residential districts: No commercial vehicle, having a gross weight in pounds, including vehicle and maximum load, in excess of eight thousand one (8,001) pounds and bearing a class designation other than “B” under the provisions of section 5/15-111 of (625 ILCS 5/15-111, as amended), shall be parked or stored on any residential premises, except when making a delivery or rendering a service at such premises or as listed below. The storage of a commercial vehicle or contractor’s equipment at a place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited unless specifically permitted below in this Section 6.2.4.

(1) Box trucks, flat bed trucks, dump trucks, light weight duty dump trucks, platform / stake bodies, semi-trailer or truck/tractor combination, dovetail body, mechanical cranes, hoists, booms, bed lifts, step trucks or step vans shall be prohibited to be parked or stored in a residential district regardless of size or license plate classification, except when making a delivery or rendering a service in the residential district.

(2) Commercial vehicles having a gross weight when fully loaded of twelve thousand (12,000) pounds or less, including those within such weight bearing a classification of “D” under the provisions of the Illinois Vehicle Code and displaying a current Illinois state inspection sticker, but excluding those vehicles described in **(1)** above, may be permitted to be parked in a zoning area classified as a residential district provided equipment and racks/ladders and cargo which do not extend beyond the front or rear of the body of the vehicle may remain on top of the vehicle parked in a residential district provided such equipment and racks/ladders and cargo and the vehicle shall together not exceed eight feet (8’) six inches (6”) in height as measured from the surface at ground level nearest the vehicle. One (1) commercial vehicle shall be permitted to be parked per residential property.

(3) Except for the equipment and racks/ladders and cargo located upon the top of the commercial vehicle described in 2. above, the storage of equipment or commercial/contractor material within or upon a commercial vehicle otherwise permitted to be parked in a residential district, shall be concealed from view by a commercial grade manufactured bed cap, or permanent original equipment (OE) grade enclosure. The following types of materials are prohibited: plywood or homemade material used as bed risers or height extenders, and tarps or cloth enclosures.

(4) All commercial vehicles permitted by this Section 6.2.4. to be parked in a residential zoning classification shall: display plate classification on the front and rear of the vehicle at all times; be parked on a permanent paved surface as otherwise required by this Code; and be owned and under the control or possession of one or more of the owners or occupants of the residence.

(5) It shall be unlawful for any person to park a public passenger vehicle, other than a taxicab, in any zoning area

DEVELOPMENT COMMISSION
DRAFT FINDINGS OF FACT
TEXT AMENDMENT
COMPREHENSIVE ZONING ORDINANCE, SECTION 110-6.2.4.a
PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS

I. Subject

Consideration of a request by the Village of Hanover Park for a text amendment to amend regulations related to the parking of commercial vehicles in residentially zoned districts. Specifically, the following item is requested:

- Amendment to Section 110-6.2.4.a – General Parking Provisions

II. Findings

On July 12, 2012 after due notice as required by law, the Hanover Park Development Commission held a public hearing on the subject request concerning the text amendment ___ objectors appeared and ___ written objections were filed.

The Development Commission has made the following findings regarding the text amendment request:

Conformance with Comprehensive Plan

Approval of the text amendment is in conformance with the Comprehensive Plan. Amended regulations for the parking of commercial vehicles in residential districts will promote the vision of the Village to develop strong neighborhoods that provide a safe, and well-maintained ambiance, and to foster a positive community image and promotion of quality community aesthetics.

Public Interest

The text amendment is in the public interest and is not solely for the interest of the applicant. The amended regulations will apply to all residential districts throughout the Village.

Necessity of Amendment

The amendment is necessary in order to address certain vagaries that exist in the current Zoning Ordinance. Amended regulations will better regulate of the parking of all types of commercial vehicles across all classifications residential districts.

III. Recommendations

Accordingly, by a vote of ___ to ___, the Development Commission recommends approval of the request.



Village of Hanover Park
Community Development Department

INTEROFFICE MEMORANDUM

TO: Chairman Bakes and members of the Development Commission

FROM: Patrick Grill, Community Development Director
Katie Bowman, Village Planner

SUBJECT: Discussion of the regulation of class “D” vehicles (‘D Plates’)

ACTION

REQUESTED: Approval Disapproval Information

MEETING DATE: January 12, 2012

REQUEST SUMMARY:

The following workshop topic is scheduled for Development Commission discussion at 6:00 p.m. on January 12, 2012 in Room 214 of the Municipal Building, 2121 Lake Street:

Regulation of the parking of class “D” vehicle license plates, as outlined in:

- Zoning Code Section 110-6.2.4.a – *Parking of commercial vehicles in residential districts*

Staff requests that the Development Commission discuss the existing regulations and make a recommendation to the Village Board related to whether such regulations should change and if so, how they should change.

BACKGROUND/DISCUSSION

At their workshop of December 15, 2011, the Village Board discussed the regulation of parking of class “D” vehicles in residential districts. Due to the concerns of some board members and residents, they requested that the matter be researched and discussed by the Development Commission.

Trucks and other vehicles weighing 8,001 to 12,000 pounds are within class “D” and are required to obtain license plates with the “D” designation (‘D Plates’). Currently, the Zoning Code prohibits the parking of vehicles in excess of 8,000 pounds (‘D Plates’ and larger) in residential districts, stating in Section 110-6.2.4.a that:

“Parking of commercial vehicles in residential districts. No commercial vehicle having a gross weight in pounds, including vehicle and maximum load, in excess of 8,001 pounds and bearing a class designation other than “A” or “B” under the provisions of section 5/15-111 of

the Illinois Vehicle Code (625 ILCS 5/15-111), as amended, shall be parked or stored on any residential premises except when making a delivery or rendering a service at such premises. The storage of a commercial vehicle or contractors' equipment at a place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited."

Due to this prohibition, the Village Police issue tickets to cars with 'D Plates' parked in residential districts overnight. Such tickets are \$15 per occurrence. As described further in Exhibit 2, there are approximately 60-80 'D Plate' tickets issued each year, with the same addresses often receiving several tickets.

The Village Board discussed various options of regulation, ranging from the issuance of special use permits/exceptions to the removal of the parking prohibition. Concerns relating to the desire to improve the Village's image, while also being reasonable and friendly to the blue-collar population base were voiced. The regulations in surrounding Villages were reviewed by Staff. It has been found that surrounding communities generally permit the parking of 'D Plates' under certain circumstances. The size is generally limited to less than 9 feet in height, the number of vehicles limited to 1, and materials in the rear of the vehicle are to be contained within permanent covering (as in Bartlett and Streamwood). Plowing equipment is generally permitted in the winter months (November – March). See Exhibit 1 for more information.

RECOMMENDATION

Staff recommends that the Development Commission discuss regulations related to the parking of 'D Plate' vehicles, considering such aspects as the necessity, enforcement, content, and consistency of such regulations. Following discussion by the Commission and Board, proposed new regulations (if necessary) would be brought before the Development Commission for a public hearing.

ATTACHMENTS

Exhibit 1 – Commercial Vehicle Parking Restrictions Survey

Exhibit 2 – 2011 Commercial Vehicle Parking Violations Summary and Map

Commercial License Plate Violation Parking Citations - 2011

Date	P Ticket #	Location of Violation	Make	Color	Class	Multiple Tickets
1/5/2011	4154057	BRIARWOOD & ASTOR	Land Rover	Wht	interstate	
1/19/2011	4153347	NEWPORT	Ford	Wht	D	
1/26/2011	4151546	1900 ELM COURT	Semi	Blue	semi	x
1/26/2011	4153337	1875 VICTOR	Chevy	Wht	D	
1/27/2011	4153216	1920 ELM COURT	Semi	Blue	semi	x
1/30/2011	4151547	6910 PINETREE	Freight	Wht	interstate	
2/18/2011	4154688	1461 WALNUT	Ford	Wht	D	x
2/21/2011	4151554	1461 WALNUT	Ford	Wht	D	x
2/27/2011	4155260	1700 ONTARIOVILLE RD	Ford	wht	F	
3/2/2011	4155375	3885 SHOAL	Ford	Wht	voided	
3/4/2011	4154520	1681 ST ANN	GMC	wht	D	
3/6/2011	4155452	1325 HIALEAH	Ford	Wht	D	
3/7/2011	4155223	2298 BREEZEWOOD	Ford	Wht	D	
3/27/2011	4155236	1920 ELM COURT	Ford	Wht	D	
4/2/2011	4141360	AMARILLO&FRESNO	Freight	Wht	semi	
4/11/2011	4156613	6841 ORCHARD	Ford	Wht	H	
4/13/2011	4156749	2300 GLENDALE TERR	Chevy	Red		
4/21/2011	4155865	977 GLENSIDE	Tow	Wht	tow	
4/26/2011	4155995	1580 MAPLEWOOD	Ford	Wht	F	
6/11/2011	4157896	6988 PLUMTREE	Ford	red	F	
6/15/2011	4157166	2314 WILDWOOD LN	GMC	wht	F	
6/15/2011	4157168	2371 LEEWARD LN	Ford	red	F	
6/19/2011	4157169	1920 ISLE ROYAL LN	Chevy	Wht	D	
6/19/2011	4157170	1862 GROSSE POINTE CIR	Ford	silver	D	x
6/19/2011	4157171	2168 WILDWOOD LN	Ford	wht	D	x
6/23/2011	4157172	1862 GROSSE POINTE	Ford	silver	D	x
6/23/2011	4157173	2168 WILDWOOD LANE	Ford	wht	D	x
7/10/2011	4159011	2021 OSAGE	Chevy	Red	tow	
7/12/2011	4159021	8228 DARTMOUTH	Dodge	Blk	D	
7/17/2011	4154711	7800 STRATHMORE LN	Intnl	Orange	Q	

Exhibit 1

7/21/2011	4159287	1135 HIALEAH	Ford	Whit	D
8/6/2011	4160313	7577 KINGSBURY	Volvo	Red	interstate
8/6/2011	4160315	1417 FREMONT	Chevy	Whit	D
8/15/2011	4158479	AMARILLO&WILSHIRE	Isuzu	Whit	F
8/19/2011	4160322	920 PRINCETON	Chevy	whit	D
8/20/2011	4160334	2021 OSAGE	Chevy	Red	tow
8/28/2011	4157178	<i>No address listed</i>	<i>unk</i>	unk	H
9/16/2011	4160808	2134 BALDWIN CT	Chevy	Whit	D
9/17/2011	4161458	7115 CENTER	unk	unk	
9/20/2011	4160812	1862 GROSSE POINTE CIR	Ford	silver	D
9/21/2011	4162124	2371 LEEWARD	Ford	red	F
9/25/2011	4162138	2371 LEEWARD LN	Ford	red	F
9/26/2011	4162139	2371 LEEWARD LN	Ford	red	F
10/4/2011	4162287	2134 BALDWIN CT	Chevy	Whit	D
10/4/2011	4162288	2088 BALDWIN	Chevy	Whit	D
10/5/2011	4162292	2134 BALDWIN	Chevy	Whit	D
10/5/2011	4162293	2088 BALDWIN	Ford	whit	D
10/5/2011	4162294	1862 GROSSE POINTE CIR	Ford	silver	D
10/10/2011	4161798	SHELBORNE	Freight	whit	interstate
10/18/2011	4163107	BALDWIN	Ford	whit	D
10/19/2011	4163109	BALDWIN	Ford	whit	D
10/19/2011	4163111	4202 WOODLAKE DR	Dodge	whit	D
10/31/2011	4165419	1743 ZEPPELIN	Volvo	Red	interstate
11/1/2011	4163118	1865 WINDMILL	Chevy	Whit	D
11/1/2011	4163119	2239 CAMDEN LANE	Chevy	Whit	D
11/1/2011	4163120	1925 WINDMILL DR	Dodge	whit	
11/1/2011	4165621	4202 WOODLAKE DR	Dodge	whit	D
11/13/2011	4163076	831 HASTINGS LN	Ford	whit	D
11/13/2011	4166312	VOIDED			
12/1/2011	4166451	8 PLUM TREE CT	Volvo	red	interstate
12/8/2011	4165633	255 W LARA DR	Chevy	Whit	D

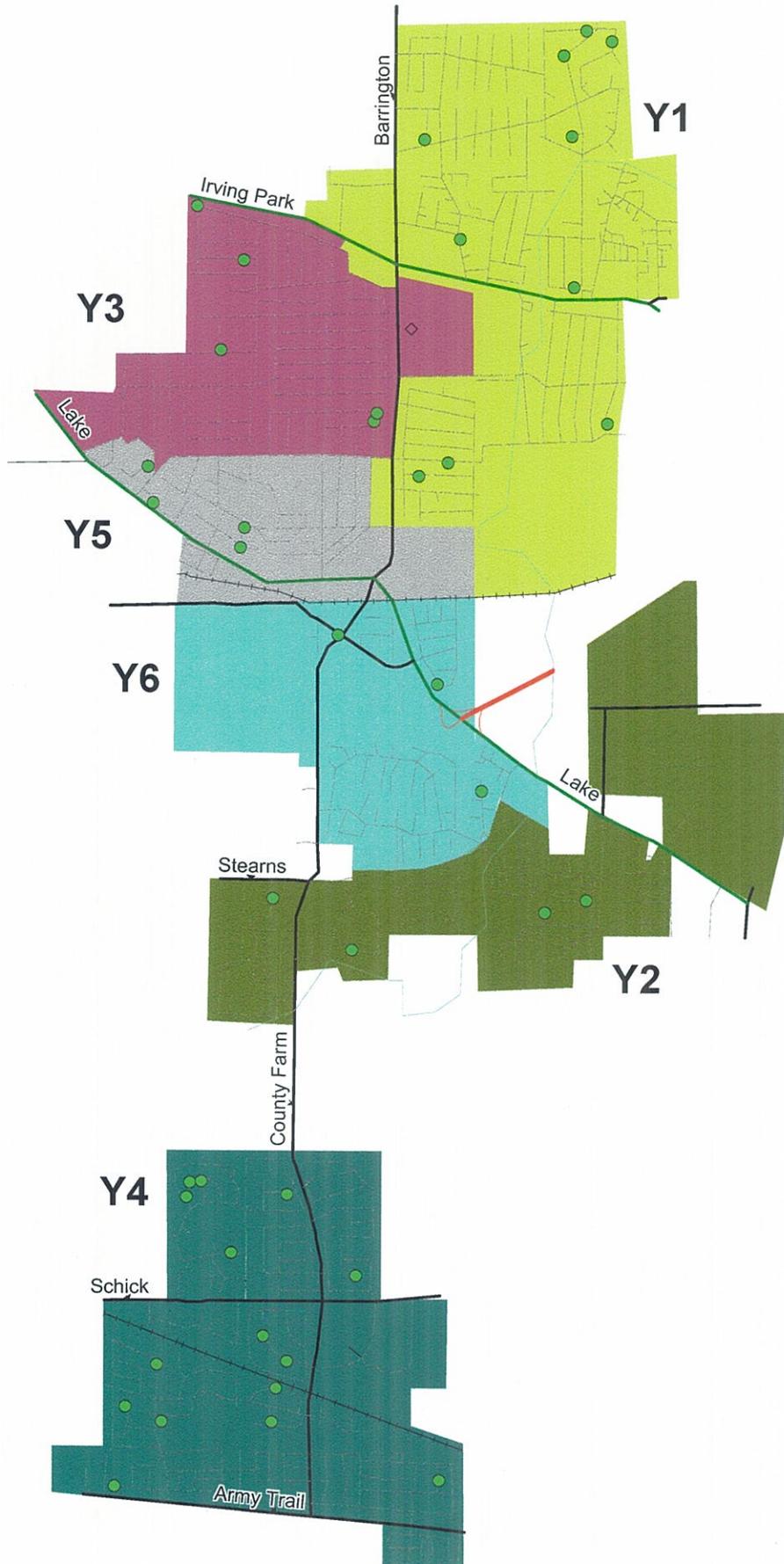
Exhibit 1

Classification	Weight
D	8001 - 12000
F	12001 - 16000
H	16001 - 26000
J	26001 - 28000
K	28001 - 32000
L	32001 - 36000
N	36001 - 40000
P	40001 - 45000
Q	45001 - 50000
R	50001 - 54999
S	55000 - 59500
T	59501 - 64000
V	64001 - 73280
X	73281 - 77000
Z	77001 - 80000

interstate Apporioned plate - interstate commercial vehicle

2011 Tickets for Commercial Vehicle Parking		
D Plate	32	53%
Heavier Class	24	40%
Semi	3	5%
Tow Truck	3	5%
Interstate	6	10%
F	9	15%
H	2	3%
Q	1	2%
Total Tickets	60	100%

Vehicles w/ multiple tickets 7



HANOVER PARK POLICE DEPARTMENT
Inter-Office Memo

To: Chief David Webb
From: Code Enforcement Unit Supervisor Patrick Hamill
Subject: Commercial Vehicle Parking Restrictions Survey
Date: November 10, 2011

I conducted a survey of some surrounding communities to learn if their ordinances regarding the parking of commercial vehicles in residential areas differed from our ordinance. As you are aware, Hanover Park's Ordinance 110.6.2.4.a. prohibits residents from parking any commercial vehicle with a plate higher than a "B" Truck classification on a residential drive. Generally speaking, a truck bearing a "B" Truck plate is rated 8,000 lbs. and less (gross weight in pounds including vehicle and maximum load) per the Illinois Vehicle Code. The next higher rated plate is a "D" Truck plate rated 8,001 pounds to 12,000 pounds.

Hanover Park Chapter 110, Section 6.2.4. General parking provisions.

- a. Parking of commercial vehicles in residential districts. No commercial vehicle having a gross weight in pounds, including vehicle and maximum load, in excess of 8,001 pounds and bearing a class designation other than "A" or "B" under the provisions of section 5/15-111 of the Illinois Vehicle Code (625 ILCS 5/15-111), as amended, shall be parked or stored on any residential premises except when making a delivery or rendering a service at such premises. The storage of a commercial vehicle or contractor's equipment at a place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited.

Carol Stream, Chapter 16, Section 13-2(F)3

(3) Parking of commercial vehicles in the residential district. No commercial vehicles bearing a class designation other than A or B under the provisions of ILCS Ch. 625, Act 5, §§ 3-801 et seq. shall be parked or stored on any residential premises classified as a residential district, except when making a delivery or rendering a service at such premises.

(4) No construction equipment or vehicles shall be parked or stored in a residential district, unless specifically permitted under § 16-13-2(F)(3), or unless such equipment or vehicle is being used in the construction, alteration, excavation or repair of property within a residential district. In the event that such equipment or vehicle is not

being used in the construction, alteration, repair or excavation of property in a residential district, such equipment or vehicle shall not be parked or stored overnight unless it is parked or stored at least 500 feet from an occupied residence. Maintenance equipment may be stored in a garage in multi-family areas. Equipment used solely for snow plowing may be stored on the premises where such equipment will be used during the period from November 1 through March 31 each season.

Streamwood's Ordinance classifies commercial vehicles into types (I, II, and III) and below is their applicable ordinance with definitions, cut and pasted from their website:

TYPE I VEHICLE: A motor vehicle that is not greater than seven feet six inches (7'6") in height, not greater than twenty two feet (22') in length, with a weight of not over eight thousand (8,000) pounds and that is not a prohibited "commercial vehicle" or a "recreational vehicle" as defined herein.

TYPE II VEHICLE:

- A. A motor vehicle that would, without roof attachments, qualify as a type I vehicle, but which does not exceed eight feet (8') in height with roof attachments, or
- B. A motor vehicle that would, without a snowplow blade attachment, qualify as a type I vehicle, or
- C. A motor vehicle with both of the circumstances described in subsections A and B of this definition, or
- D. Limousines that do not exceed the type III vehicle size thresholds.

TYPE III VEHICLE: A motor vehicle that is:

- A. Either greater than seven feet six inches (7'6") in height or greater than twenty two feet (22') in length, or more than eight thousand (8,000) pounds and that is not a type II vehicle, or a "recreational vehicle" as defined herein, or
- B. Either less than seven feet six inches (7'6") in height or less than twenty two feet (22') in length, or less than eight thousand (8,000) pounds and allows for property to be stored and/or transported in a manner that is not safe or completely enclosed.

11-4-5-7: COMMERCIAL VEHICLES AND TRAILERS:

A. Findings And Purpose:

- 1. The village board finds that the presence in residential neighborhoods of excessively large motor vehicles and certain motor vehicles that, by virtue of their design, type, or characteristics, are not customary and incidental to the use or occupancy of residential property, has a detrimental and blighting impact upon the residential quality and

character of such neighborhoods and that more than one such vehicle upon a lot compounds the blighting impact. The village board finds that these vehicles intrude upon the aesthetics and visual peace and quiet of a residential neighborhood, that they can impair the free flow of traffic on residential streets and by their size are detrimental to residential traffic safety, that they often create excessive noise for such surroundings, that their presence tends to encourage and effectuate the expansion of uses that are inconsistent with or inappropriate to residential areas, and that their presence therefore is likely to have a negative impact upon residential property values. For similar reasons, the village board finds that the parking and storage of large trailers also has a detrimental and blighting impact upon residential areas.

2. The purpose of this section, therefore, is to prohibit or restrict (with some exceptions), in residential districts, the parking or storage of vehicles and trailers that, by virtue of their excessive size, or by virtue of their design, type, or characteristics, are incompatible with such districts, and to thereby reduce the blighting and negative impacts of such vehicles and trailers in those districts.

B. Vehicle Parking And Storage Limitations And Requirements:

1. Certain Vehicles Prohibited And Permitted:

- a. Type III vehicles shall not be parked or stored on a residentially zoned lot or in the public right of way or street immediately abutting any residentially zoned lot, except as provided under subsection B5 of this section, and subject to any other applicable provisions of this section and of this code.
 - b. Type I and II vehicles shall be permitted to be parked or stored on a residentially zoned lot or in the public right of way or street immediately abutting any residentially zoned lot, subject to the provisions of this section and any other applicable provisions of this code. However, a vehicle that is a type II vehicle by reason of the attachment of a snowplow blade may be parked or stored with blade attached only between November 1 and April 30.
2. Measurement: For purposes of the measurement of vehicle dimensions under this section, the "height" of a vehicle shall be the vertical distance between the lowest part of the tires of the measured vehicle to the top of the highest part of the vehicle, and the "length" of a vehicle shall be the horizontal distance between the front edge of the vehicle to the rear edge of the vehicle. For purposes of these measurements, accessories, attachments, and materials fixed upon such vehicle shall be considered part of the vehicle (with the exception of aerial antennas and movable equipment stored in racks).
 3. Limitations On Numbers Of Vehicles In Residential Districts (R-0, R-1, R-2, R-3, R-4, And R-5):

- a. Number Of Vehicles: The number of vehicles that may be parked or stored in residential districts shall be limited to the following:
 - (1) Type I vehicles are not numerically restricted. Type II vehicles that are parked or stored within a building, are not numerically restricted. No more than one type II vehicle shall be permitted to be parked in the open on an approved surface. However, all vehicles must be lawfully parked as defined elsewhere in this code;

Exception: type II vehicles that exceed eight feet (8') in height, but do not exceed nine feet (9') in height, which are lawfully parked behind the front of the principal structure.
 - (2) Type III vehicles are not permitted, except as provided under subsection B5 of this section.
 - b. Counting Of Vehicles: Vehicles temporarily parked at a residence for visitation or business service reasons, "recreational vehicles" (as defined in section 11-2-2 of this title), and motorcycles that are housed in a garage, shall not be counted for purposes of these numerical limitations. Nothing in this section shall be interpreted as permitting the storage of vehicles if such storage is not otherwise permitted by this code.
4. Ownership: No type II vehicle shall be parked or stored at a premises unless that vehicle is owned or leased or regularly used by a person physically residing at that premises.
 5. Exceptions: The parking and storage limitations and requirements of this subsection B are subject to the following exceptions and limitations:
 - a. Vehicles otherwise restricted by this section may be temporarily parked on or in front of a residentially zoned lot while being loaded or unloaded or while rendering a service at that location.
 - b. Vehicles otherwise restricted by this section may be parked on a residentially zoned lot when the lawful principal use of the lot under this zoning code is other than residential and the vehicle is directly related to that lawful use.
 - c. Vehicles designed or used for the purpose of accommodating the needs of disabled occupants of the site and exceeding the height limitations of this section shall not be prohibited under this section, provided that the vehicle displays a handicapped license plate or handicapped parking sticker issued by the state.
 - d. "Recreational vehicles", as defined in section 11-2-2 of this title, shall not be subject to the regulations of this section unless otherwise provided herein.

Bartlett's ordinance regarding parking commercial vehicles in residential drives is as follows:

Commercial vehicles, including those that contain equipment racks to carry commercial equipment and those that have signage and lettering on any side, front or rear of the vehicle, may be parked or stored on a residential zoning lot if located within a fully enclosed garage; or if visible from adjacent rights-of-way or properties, shall meet all of the following requirements:

1. The commercial vehicle must display an "A", "B" or "D" license plate; provided, however, a commercial vehicle with a "D" license plate shall not exceed a height of eight (8) feet six (6) inches tall measured from the existing grade to the top of the vehicle roof;
2. The commercial vehicle must be parked on a paved surface at least ten (10) feet from the side or rear property line in the zoning lot;
3. The equipment and materials stored in the bed of a pick-up or flatbed truck must be covered by a commercially manufactured bed cap, cover (e.g. Tonneau cover) or tarp; and
4. The commercial vehicle must be owned or legally controlled by one of the owners or occupants of the principal use.

Schaumburg's ordinance regarding parking commercial vehicles in residential drives is as follows:

G) Parking Restrictions In Residential Districts:

(1) Parking Of Commercial Vehicles Prohibited In Residential Districts: It shall be unlawful for any person to park a commercial vehicle, including contractors' equipment, having a gross weight when fully loaded in excess of eight thousand (8,000) pounds and/or bearing a classification other than "B" under the provisions of the Illinois Vehicle Code, in any zoning area classified as a residential district at any time, except where making a delivery or rendering a service at such premises or as listed below. The parking of a commercial vehicle or contractors' equipment by the operator of said vehicle or equipment at their place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited.

(a) Box trucks shall be prohibited to be parked or stored in a residential district regardless of size or license plate classification, except when making a delivery or rendering a service in the residential district.

(b) Commercial vehicles having a gross weight when fully loaded in excess of eight thousand (8,000) pounds and bearing

a classification of "D" under the provisions of the Illinois Vehicle Code may be permitted to be parked in a zoning area classified as a residential district with the following restrictions:

1. Storage of commercial/contractors' equipment and materials within the vehicle shall be completely concealed from view, and without the use of a tarp or other temporary means, except that ladders may remain on top of the vehicle parked in a residential district. The maximum height of the vehicle shall be no taller than nine feet (9'), including ladders on top of the vehicle. One (1) commercial vehicle shall be permitted to be parked per residential property.

2. Any commercial vehicle located on residentially zoned property on the effective date hereof which does not conform to the provisions of this chapter shall be removed from the property or stored inside a structure on the property no later than January 1, 2008.

(c) It shall be unlawful for any person to park a public passenger vehicle in any zoning area classified as a residential district between the hours of 6:00 p.m. and 6:00 a.m. except when dropping off or picking up a passenger.

More Info Regarding Carol Stream's Regulations

From: Webb, David
Sent: Wednesday, December 21, 2011 2:54 PM
To: Grill, Patrick
Subject: Fwd: Commercial Vehicle Parking in Carol Stream
Pat
Fyi. Some info from pat hamill

From: "Hamill, Patrick" <phamill@hpil.org>
Date: December 21, 2011 1:23:49 PM CST
To: "Webb, David" <dwebb@hpil.org>
Subject: Commercial Vehicle Parking in Carol Stream

As requested, following is a summary of information I obtained regarding Parking Commercial Vehicles in Residential Areas of Carol Stream:

- The attachment to this email has the ordinance number and wording of Carol Stream's ordinance, which closely mirrors our ordinance.
- I spoke with three Carol Stream Village employees regarding their ordinance:
 - Deputy Village Clerk Sherry Craig who told me there is a mechanism for residents to request a variance from this ordinance by paying \$640.00 for a hearing to request a variance to park a "D" plated vehicle at their residence. The resident can request the variance before the Plan Commission/Zoning Board. The Board may then make a recommendation to the full Village Board to approve, or disapprove, the variance. Deputy Clerk Craig told me during the last eight (8) years only two residents have applied for such a variance, and both requests were denied.
 - "Helene" from the Finance Department told me she could not remember anyone getting this type of a variance in the 17 years she has worked for Carol Stream.
 - Keith Anderson of the Carol Stream Community Development Department told me he could only remember one or two residents applying for a variance from this ordinance in the 12 years he has worked for Carol Stream. He wasn't sure if the variances were granted.

H.P. Village Trustee Jenny Konstanzer told me she spoke with a male Carol Stream Village employee, whose name she could not recall, who told her that there were seven residents of Carol Stream who received permission to park "D" plated vehicles at their residences, and that "either two or three" other residents were denied. She did not have a time frame for when this occurred.

Pat

Village of Hanover Park

Municipal Building
2121 West Lake Street
Hanover Park, Illinois
60133-4398

Rodney S. Craig
Village President

Eira L. Corral
Village Clerk

630-372-4200
Fax 630-372-4215

Ronald A. Moser
Village Manager



**VILLAGE OF HANOVER PARK
SPECIAL MEETING
DEVELOPMENT COMMISSION
WORKSHOP**

**Municipal Building, Room 214
2121 Lake Street
Hanover Park, IL 60133**

**Thursday, January 12, 2012
6:00 p.m.**

MINUTES

1. CALL TO ORDER - ROLL CALL

Chairman Bakes called the meeting to order at 6:05 p.m.

PRESENT: Commissioners: Chairman Jeff Bakes, Vice Chairman Philip
McBride, Arthur Berthelot, Robert Hain,
Scot Neil, Virginia Wachsmuth
ABSENT: Commissioners: Mark Mercier, Roy Pouse, Patrick Watkins
ALSO PRESENT: Village Board Liaison Trustee Ed Zimel,
Jr., Director Patrick Grill, Fire Battalion
Chief Doubek, Village Planner Katie
Bowman

2. ACCEPTANCE OF AGENDA:

At the direction of Chairman Bakes, Acceptance of Agenda is not needed to conduct a Workshop.

3. DISCUSSION TOPIC:

3a. "D" Plates – Village Planner Katie Bowman introduced the discussion on the regulation of the parking of commercial vehicles in residential districts, specifically those with "D" class license plates (D Plates). Vehicles with a weight of 8,001 – 12,000 pounds have a "D" license classification. Under current regulations, such vehicles are prohibited to park or be stored in residential districts, except when making a delivery or performing work. She shared information collected on similar regulations in surrounding communities and photos taken of existing "B" and "D" plate vehicles in the Village.

Chairman Bakes discussed the history of the current commercial vehicle parking regulations, noting that the current regulations based upon the D Plate designation were established as a clear and simple means of regulating commercial parking. He noted that the regulations were further discussed and affirmed by the Development Commission during their extensive review of the Comprehensive Plan. He also noted that the Village roads and many driveways are not designed to carry commercial vehicles over 10,000 pounds in weight. He opened the meeting up for discussion by Commissioners and Trustess, who shared the following:

Trustee Konstanzer made a presentation, sharing her research and photos related to existing “B” and “D” plate vehicles in the Village and the related regulations in surrounding communities. She points out how many vehicles with a D Plate have a positive appearance, while many commercial vehicles of a lesser classification (generally “B” class trucks) may have a poor appearance, with uncontained materials and ladders. She states that residents who utilize D Plate trucks for their employment should be able to park such vehicles at their home. She notes that various municipalities successfully permit and regulate D Plates. She recommends that the Village permit D Plates in a controlled manner, recommending they be regulated through the issuance of permits or variance based upon evaluation criteria. She does not find that the addition of weight brought by vehicles with D Plates will do significantly more damage than is already being caused by delivery and work trucks already travelling on Village streets.

Commissioner Berthelot notes that the goal of commercial vehicle regulations should be to maintain a clean appearance in the Village. He recommends that, due to the discrepancies in weight and form evidenced in discussion and photos, commercial vehicles be regulated based upon size and operation rather than vehicle class. Such regulation would address the problem of unkempt or oversized commercial vehicles, while allowing responsible working people to operate their vehicles from their home. He finds the permittance of D Plates to be acceptable and is not overly concerned with the fact that some D Plates may have a weight above that permitted on the streets, noting that most D Plates within the Village are likely below 10,000 pounds.

Commissioner Wachsmuth recommends that regulations of commercial vehicles be simple and reasonable. She points out portions of surrounding communities’ regulations that could be utilized, including the regulation of vehicles by size rather than class, requirement that stored material be contained in a permanent cover (not tarp), and requirement that commercial vehicles be owned or operated by the owner or tenant of the residence.

Commissioner Hain requests that the Commission identify the goals of commercial vehicle regulation, which he finds to be maintenance of an aesthetic ‘curb appeal’. He recommends that the Commission discuss specific characteristics of commercial vehicles that they would like to regulate, such as the storage of ladders and display of advertising, and encourages strong code enforcement within the Village in order to maintain high quality neighborhoods.

Commissioner Neil states that he finds the parking of work trucks that are clean and contain storage materials to be acceptable. He would not like to restrict the livelihood of working persons.

Commissioner McBride does not find that current regulations should be changed. He recommends that the Commission consider the impact of regulations on all persons and be careful that they do not bring about unintended consequences. He finds that regulations should be able to be clearly enforced, noting that height regulations may not be. He notes that the current regulations based upon D Plates were established because they are clear, rational, and easily enforceable. He evaluates the small proportion of residents that have received tickets and the cost of such tickets and questions whether there is a problem with the current regulations.

Trustee Zimel notes that the weight of D Plate commercial vehicles on Village streets needs to be considered, noting that D Plate vehicles may be up to 12,000 pounds, while residential streets in the Village generally have a maximum weight of 10,000 pounds. He also notes that the Development Commission has considered the issue in the past and recommended that D Plate vehicles not be permitted to park in residential districts.

Chairman Bakes states that he may find the regulation of D Plates through the variance process to be acceptable, but questions the criteria that such variance will be based upon and what would constitute a hardship for the variance. Recommends that if regulations change, that they apply to all vehicles, not just those with D Plates.

Community Development Director Grill notes that the discussion has been focused on two separate aspects, being the regulation of aesthetics and D Plate classification. He notes that no regulation will benefit all residents and that the Commissioners should consider who will be hurt the worst from existing or proposed regulations. He recommends that the Commissioners continue to consider the topic and propose acceptable regulation parameters at the next meeting. He notes that staff will investigate past D Plate tickets and gather

additional information, as available.

The majority of Development Commissioners were open to a text amendment to permit D Plates within certain parameters.

3b. Development Update – None provided at this meeting.

4. ADJOURNMENT:

Meeting adjourned at 8:35 p.m.

Recorded and transcribed by:

Katie Bowman
Village Planner
On this 12th day of January, 2012.

Chairman Jeffrey Bakes



**Village of Hanover Park
Community Development Department**

INTEROFFICE MEMORANDUM

TO: Chairman Bakes and members of the Development Commission

FROM: Katie Bowman, Village Planner

SUBJECT: Discussion of the regulation of Commercial Vehicles

ACTION

REQUESTED: Approval Disapproval Recommendation

MEETING DATE: February 9, 2012

REQUEST SUMMARY:

The following topic is scheduled for Development Commission discussion at 7:00 p.m. on February 9, 2012 in Room 214 of the Municipal Building, 2121 Lake Street:

Regulation of the parking of commercial vehicles in residential districts, as outlined in:

- Zoning Code Section 110-6.2.4.a

Staff requests that the Development Commission make a recommendation to the Village Board related to whether such regulations should change and if so, how they would change.

BACKGROUND/DISCUSSION

Under current Village regulations, commercial vehicles in excess of 8,001 pounds are prohibited to park or be stored in residential districts, except when making a delivery or performing work. Vehicles with a weighing over 8,000 pounds are classified by their weight, with those weighing 8,001 – 12,000 pounds within class “D”, commonly called D Plates.

At their workshop of December 15, 2011, the Village Board discussed the regulation of parking of class “D” vehicles in residential districts. Due to the concerns of some board members and residents, they requested that the matter be researched and discussed by the Development Commission.

At their workshop of January 12, 2012, the Development Commission discussed the regulation of parking of commercial vehicles in residential districts. See minutes from the meeting for a summary of their discussion, included in the meeting packet. The majority of the Development Commissioners were open to a text amendment to permit D Plates within certain parameters. However, due to a lack of consensus on these parameters, they agreed to propose acceptable regulation parameters at their next meeting. Per their request, Staff is also providing further information on the types of vehicles receiving D Plate tickets, as available

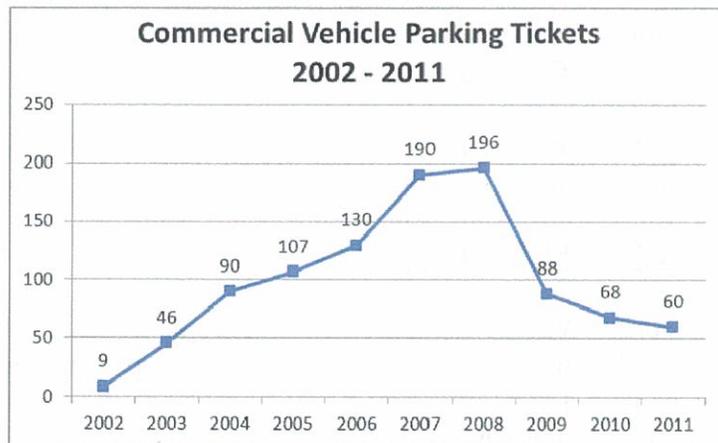
The following details related to the parking of commercial vehicles were discussed:

- storage of equipment and ladders on the top of vehicles
- storage of equipment in the rear of vehicles, and the enclosure of such equipment
- height and length of commercial vehicles
- number of commercial vehicles
- ownership or operation of such vehicles
- regulation of different types of D Plate vehicles, such as pickup trucks and box trucks
- regulation of different classes of commercial vehicles, particularly B Plate trucks
- means of regulation, with possibilities including a change in regulation, variance process, or permit process

Such parameters may not be desired and are not necessarily recommended, but are only listed here to assist in the discussion. The Development Commission and Village Board may recommend additional parameters, or none of the above.

A review of commercial vehicle tickets for the year of 2011 shows that a total of 60 tickets were issued for the parking of a commercial vehicle in a residential district. Of these tickets, 32 (53%) were issued to D Class commercial vehicles and 23 (38%) were issued to vehicles of a higher or heavier classification. Approximately 7 vehicles received multiple tickets, with several receiving 3 or 4 tickets. Research also shows that the number of vehicles ticketed for this violation has decreased over the past 5 years, approximately 30 below the 10-year average. See below and Exhibits 1 and 2 for more details.

2011 Tickets for Commercial Vehicle Parking		
D Plate	32	53%
Heavier Class	24	40%
Semi	3	5%
Tow Truck	3	5%
Interstate	6	10%
F	9	15%
H	2	3%
Q	1	2%
Total Tickets	60	100%



RECOMMENDATION

Staff requests that the Development Commission make a motion to forward their recommendation related to the regulation of commercial vehicle parking in residential districts, as finalized as the meeting, to the Village Board.

ATTACHMENTS

- Exhibit 1 – 2011 Commercial Vehicle Parking Violation Details
- Exhibit 2 – 2011 Commercial Vehicle Parking Violations Map
- Exhibit 3 – Commercial Vehicle Parking Restrictions Survey



VILLAGE OF HANOVER PARK
DEVELOPMENT COMMISSION
REGULAR MEETING

Municipal Building, Village Board Room 214
2121 W. Lake Street
Hanover Park, IL 60133

Thursday, February 9, 2012

7:00 p.m.

MINUTES

1. CALL TO ORDER: ROLL CALL

Chairman Bakes called the meeting to order at 7:02 p.m.

Chairman Bakes appointed Auxiliary Member Robert Hain as a full voting member of the Commission for this meeting.

PRESENT: Commissioners: Arthur Berthelot, Robert Hain, Philip McBride, Mark Mercier, Virginia Wachsmuth, Patrick Watkins, Chairman Jeffrey Bakes

ABSENT: Commissioners: Scot Neil, Roy Pouse

ALSO PRESENT: Trustee Ed Zimel, Jr., Village Planner Katie Bowman, BC John Doubek, Secretary Regina Mullen

2. PLEDGE OF ALLIEGENCE:

3. ACCEPTANCE OF AGENDA:

Motion by Commissioner McBride to accept the Agenda as presented, seconded by Commissioner Mercier.

Voice Vote:

All AYES.

Motion Carried: Accept Agenda.

4. **PRESENTATIONS/REPORTS:** N/A

5. **APPROVAL OF MINUTES:**

5-a. **Request to Approve** the Regular Meeting Minutes and Workshop Minutes of:

1. **December 8, 2011**

Motion by Commissioner Wachsmuth to approve Minutes, with noted correction, seconded by Commissioner Mercier.

2. **January 12, 2012**

Motion by Commissioner McBride to approve the Workshop Minutes, seconded by Commissioner Mercier.

Voice Votes:

All AYES.

Motions Carried: Approved the Regular Minutes of December 8, 2011 and Workshop Minutes of January 12, 2012.

6. **ACTION ITEMS:**

6-a. **Recommendation:** Discuss commercial vehicle parking regulations and make a recommendation to the Village Board related to such regulations.

Village Planner Bowman requested this Commission make a recommendation to the Village Board related to whether such regulations should change and, if so, how they would change.

Chairman Bakes turned the meeting over to the Commissioners for questions.

Commissioner Mercier questioned why this item came up and asked the Commission to bring him up to date on the January 12, 2012 Workshop discussion.

Village Planner Bowman stated this item was brought to the Commission at the request of the Village Board. She explained the concern being the ticketing of D Plate vehicles and used the example of a plumber with a D Plate vehicle not being allowed, under current ordinance, to store his vehicle in his driveway.

Chairman Bakes explained D Plated vehicles can carry a weight of up to 12,000 lbs – that's six tons. All streets in this Village post weight limit signs of 5 tons which is 10,000 lbs. We have local delivery trucks that weight more than that. They are only there periodically.

Commissioner Watkins favors consideration of other communities where they base it on dimensions both length and height and not weight.

Commissioner Wachsmuth provided the Commissioners with a draft incorporating language from the Villages of Bartlett and Schaumburg. How would we enforce the weight? She is more in favor of considering length and height, not weight.

Commissioner Hain emphasized Village roads are built and maintained to tolerate 10,000 lbs. If we were to allow D Plates based on weight, this would create a conflict. The only way we should allow D Plates is if the Village would agree that all new construction on roads increase to 12,000 lbs.

Commissioner Berthelot wants to be resident friendly, but would also like to avoid trucks that cause a blighting impact. Consider skipping the plates and get involved in the details. He notes Village of Streamwood's Ordinance, and favors doing it by types of vehicles.

Commissioner McBride notes no citizens in the audience. We want to help people but, in the process, we may end up doing more of a disservice to them. The actual number of people involved here is small, 32 actual tickets, with a few being ticketed multiple times. There is no issue here other than we have been asked to look at this.

Trustee Zimel, Jr. reminded the Commission this request is to allow parking on residential driveways, not on the streets. These types of vehicles parked on the streets will still be ticketed. This is only for driveway parking. This Commission needs to say yes or no to one thing only – Will you allow D Plates in driveways and, if so, how will they be regulated?

Village Planner Bowman stated the discussion of the streets is somewhat out of the purview of this discussion. The legal matter as to what weight is permitted in the streets has yet to be discussed.

Chairman Bakes – entertained a Motion of recommendation to the Village Board.

Commissioner McBride recommends this Commission leave the existing Ordinance stand as written, seconded by Commissioner Mercier.

Roll Call Vote:

AYES:	Commissioners:	Hain, McBride, Mercier, Watkins Chairman Bakes
NAYS:	Commissioner:	Berthelot, Wachsmuth
ABSENT:	Commissioners:	Neil, Pouse

Motion Carried: Forward recommendation to Village Board to let the existing Ordinance stand as written.

TOWNHALL SESSION: N/A

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

8. OLD BUSINESS (NON-ACTION ITEMS): N/A

9. NEW BUSINESS (NON-ACTION ITEMS):

9-a. Community Development Update – Katie Bowman

1. Offered those interested a subscription to the Planner's Journal and will look into future training programs. Suggested new member orientation. Will work on an updated Commission book for all members.
2. Announced that Patrick Grill is no longer employed with the Village.
3. Streetscape project in TIF 2 will begin soon due to nice weather.
4. Hanover Square Redevelopment Update.
5. Public Open House on Monday, February 27 to view the Final Concept Plan of the Village Center. Requests this Commission meet on Thursday, March 22 to review and provide a recommendation on approval of plan. Would like to present to the Village Board at an April meeting.
6. Old Menards – Research to establish a TIF is ongoing. The proposal for construction of a Senior Housing facility went before the Village Board. They are in agreement with the Fire Department that this project be built following the Village's existing building codes. It may not be feasible for this project to move forward.
7. Grand Opening of the Police Headquarters, Saturday, February 18, 2012.

10. ADJOURNMENT:

Motion by Commissioner Wachsmuth, seconded by Commissioner Mercier.

Voice Vote:

All AYES.

Motion Carried. Meeting adjourned at 8:05 p.m.

Recorded and Transcribed by:

Regina Mullen, Secretary
this 9 day of February, 2012

Virginia Wachsmuth, Chairperson
for former Chairman Jeffrey Bakes



TO: Village President and Board of Trustees

FROM: Ron Moser, Village Manager
Katie Bowman, Village Planner

SUBJECT: Discussion of Regulation of Commercial Vehicles

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: May 17, 2012

Executive Summary

Review potential elements of the regulation of the parking of commercial vehicles in residential districts and provide Staff direction for the preparation of an Ordinance to incorporate recommended regulation changes.

Background

At their workshop of May 3, 2012, the Village Board discussed potential changes to the regulation of commercial vehicles in residential districts. At that time, a portion of recommended changes were addressed and generally agreed upon. Staff now returns with a summary of the past discussion and an outline of additional regulation details yet to be discussed.

Discussion

For reference, the current regulations are found in the Zoning Ordinance, Section 110-6.2.4 - General parking provisions.

- a. Parking of commercial vehicles in residential districts. No commercial vehicle having a gross weight in pounds, including vehicle and maximum load, in excess of 8,001 pounds and bearing a class designation other than "A" or "B" under the provisions of section 5/15-111 of the Illinois Vehicle Code (625 ILCS 5/15-111), as amended, shall be parked or stored on any residential premises except when making a delivery or rendering a service at such premises. The storage of a commercial vehicle or contractor's equipment at a place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited.

Regulations discussed by the Village Board at their May 3, 2012 Workshop and generally agreed upon include:

The following requirements pertain to the parking of all vehicles within residential districts:

- All vehicles must display plate classification on the front and back at all times
- All vehicles must be parked on a permanent paved surface

- All vehicles parked or stored on private property must be legally owned or controlled by one of the owners or occupants of the residence
- All vehicles may carry up to a maximum of two (2) ladders

The parking or storage of vehicles bearing a “D” classification under the provision of the Illinois Vehicle code in residential districts is permitted, subject to the following restrictions:

- D Plated vehicles may not exceed a weight of 12,000 pounds
- D plated vehicles or commercial vehicles including those that contain equipment and racks/ladder to carry equipment or cargo shall not exceed the height of 8 feet, 6 inches, including any obstructions such as overhead loading racks and tool/utility boxes.
- D plated vehicles must display a current Illinois State Inspection sticker for vehicle

Additional regulations that require further discussion by the Board include:

The following styles or types of vehicles, regardless of plate classification, are prohibited to park or be stored within residential districts at all times:

- Box Truck (U-Haul, Snap-on, etc)
- Flat Bed Trucks
- Dump Trucks or light weight duty dump trucks
- Platform/stake bodies
- Semitrailers or truck/tractor combination
- Dovetail Body
- Mechanical Cranes, hoist and boom or bed lifts
- B Plate vehicles that are StepTruck or Step Van that the DMV requires to display an VOSA ministry plate, which allows this type of vehicle to be used and stored in residential zones.

It shall be unlawful for any person to park a public passenger vehicle in any residential district between the hours of 6am and 6pm, except when dropping off or picking up a passenger.

The storage of equipment or commercial/contractor material shall be concealed from view by a commercial grade manufactured bed cap, or permanent original equipment (OE) grade enclosure. The following types of materials are prohibited:

- No plywood or homemade material used as bed risers or height extenders
- Tarps or other temporary means of enclosure

Additionally, Staff recommends that any ordinance include definition of terms and vehicle types listed, or notation that such terms are as defined by the Illinois Secretary of State (or the like).

Recommended Action

Staff requests that the Village Board discuss the abovementioned items and provide Staff direction for the preparation of an Ordinance to incorporate recommended changes.

Attachments: Staff Memos and Minutes from previous meetings related to commercial vehicle parking



TO: Village President and Board of Trustees

FROM: Ron Moser, Village Manager
Katie Bowman, Village Planner

SUBJECT: Discussion of Regulation of Commercial Vehicles

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: June 7, 2012 – Board Workshop

Executive Summary

Review potential elements of the regulation of the parking of commercial vehicles in residential districts and provide Staff direction for the preparation of an Ordinance to incorporate recommended regulation changes.

Discussion

At the Board Workshops of May 3, 2012 and May 17, 2012, the Board discussed the regulation of commercial vehicles. At their most recent workshop, the Board provided several comments regarding the proposed regulations (noted in bold below). They also determined that they would like to drive around the Village to better determine the types of vehicles currently being utilized and the potential impact of new regulations regarding such vehicles.

Agreed Upon Regulations:

The following requirements pertain to the parking of all vehicles within residential districts:

- All vehicles must display plate classification on the front and back at all times
- All vehicles must be parked on a permanent paved surface
- All vehicles parked or stored on private property must be legally owned or controlled by one of the owners or occupants of the residence

The parking or storage of vehicles bearing a “D” classification under the provision of the Illinois Vehicle code in residential districts is permitted, subject to the following restrictions:

- D Plated vehicles may not exceed a **gross** weight of 12,000 pounds
- D plated vehicles or commercial vehicles including those that contain equipment and racks/ladder to carry equipment or cargo shall not exceed the height of 8 feet, 6 inches, including any obstructions such as overhead loading racks and tool/utility boxes.
- D plated vehicles must display a current Illinois State Inspection sticker

Regulations to be Discussed:

- All vehicles may **store** up to a maximum of **two (2)** ladders
- It shall be unlawful for any person to park a public passenger vehicle, **other than a taxi cab**, in any residential district between the hours of 6am and 6pm, except when dropping off or picking up a passenger.

The following styles or types of vehicles, regardless of plate classification, are prohibited to park or be stored within residential districts at all times:

- Box Truck (U-Haul, Snap-on, etc)
- Flat Bed Trucks
- Dump Trucks or light weight duty dump trucks
- Platform/stake bodies
- Semitrailers or truck/tractor combination
- Dovetail Body
- Mechanical Cranes, hoist and boom or bed lifts
- B Plate vehicles that are StepTruck or Step Van that the DMV requires to display an VOSA ministry plate, which allows this type of vehicle to be used and stored in residential zones.

The storage of equipment or commercial/contractor material shall be concealed from view by a commercial grade manufactured bed cap, or permanent original equipment (OE) grade enclosure. The following types of materials are prohibited:

- Plywood or homemade material used as bed risers or height extenders
- Tarps or cloth enclosures
- Other temporary means of enclosure

Additionally, Staff recommends that any ordinance include definition of terms and vehicle types listed, or notation that such terms are as defined by the Illinois Secretary of State (or the like).

Recommended Action

Staff requests that the Village Board discuss the abovementioned items and provide Staff direction for the preparation of an Ordinance to incorporate recommended changes.

Attachments:



TO: Village President and Board of Trustees

FROM: Craig Haigh, Interim Village Manager
Katie Bowman, Village Planner

SUBJECT: Draft Ordinance for the Regulation of Commercial Vehicles in Residential Districts

ACTION

REQUESTED: [] Approval [] Concurrence [x] Discussion [] Information

RECOMMENDED FOR CONSENT AGENDA: [] Yes [x] No

MEETING DATE: June 21, 2012

Executive Summary

Review draft Ordinance for the regulation of the parking of commercial vehicles in residential districts and provide staff comments and direction for the preparation of a public hearing for the establishment of Ordinance.

Discussion

At the Village Board Workshops of May 3, 2012, May 17, 2012, and June 7, 2012 the Board discussed the regulation of commercial vehicles. At their most recent workshop, the Board finalized their recommendation and directed Staff to draft an Ordinance for the regulation of the parking of commercial vehicles in residential districts.

Staff presents such Ordinance to the Village Board for their review and comment (Exhibit 1). This Ordinance incorporates the recommended elements discussed at past Board workshops in a standard format that is in keeping with the existing Zoning Ordinance.

The Ordinance may then go before the Development Commission for a public hearing on the Zoning Ordinance text amendment. After this time, the Ordinance and Development Commission comments may be presented to the Village Board for final approval.

Recommended Action

Staff requests that the Village President and Board of Trustees review the draft Ordinance for the regulation of the parking of commercial vehicles in residential districts. If the Board is in general agreement with that proposed, Staff requests that they make a motion to refer the Ordinance to the Development Commission for its consideration and recommendation following a public hearing.

Attachments: Exhibit 1 - Draft Ordinance
Exhibit 2 - Village Board Workshop Memo - June 6, 2012

Agreement Name: _____

Executed By: _____