

VILLAGE OF NILES

*1000 Civic Center Drive
www.uniles.com*



Final Approved Meeting Minutes

Monday, January 4, 2021

7:00 PM

Village Hall

Planning and Zoning Board

Chairman

Thomas Kanelos

Members

Susan DeBartolo

Morgan Dubiel, Vice Chairman

Ted Karabatsos

Terrence McConville

Barbara Nakanishi

Robert Schulter, Secretary

Charles Ostman, Community Development Director

This Electronic Meeting is open to the public and the public may submit public comment in advance. Public comments will be accepted by email and phone call beforehand. Members of the public who would like to make a comment during the hearing via Zoom may sign up using the online form at www.vniles.com/january4speak. Public comments received by 5:00 p.m. on the day before the meeting will be read at the beginning of the meeting. Any comments received during the meeting will be held until the end of the meeting. Public comments should be emailed to nbb@vniles.com and contain: name; address (optional); city; phone (optional); and the agenda item you would like to comment on. Members of the public with no access to email may leave a message at 847-588-8077.

Statement read by Chairman Thomas Kanelos:

Due to the ongoing Covid-19 corona virus pandemic and the Governor's statewide stay-at-home order suspending certain open meeting acts requirements, this meeting will be conducted remotely. The Commissioners and Staff participating in tonight's meeting are all in different locations in accordance with social distancing guidelines. It is important that the cases scheduled tonight be heard to continue critical Village business which will enable ongoing construction, development, protection of property values and the promotion of the Village's economic vitality. Any individual desiring to listen and/or participate in this meeting through the electronic meeting platform known as Zoom has been provided that opportunity by the Community Development Department in advance of the meeting. Finally, members of the public had the opportunity to submit written comments in advance of the meeting. These methods of public participation have been publicized on the Village website, through notices required for each case including newspaper publication and on the agenda for tonight's meeting. And finally, since we are using Zoom for tonight's meeting, we anticipate there could be some problems as we move through the agenda. When it is time for speakers, either petitioners or members of the public to speak, you will be unmuted. Staff will call all speakers by name and speakers will be able to raise your hand through Zoom to help us facilitate unmuting. After you speak, you will be muted again. Please note there may be a slight delay between being unmuted and being able to begin speaking. A reminder: all speakers are asked to present their comments in a respectful and courteous manner, as you always do. If inappropriate language or comments are expressed during this meeting by the public or any other speaking person, we will mute that speaker and end their participation. Thank you.

CALL TO ORDER

The Niles Planning and Zoning Board was called to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE/ROLL CALL

All rose for the Pledge of Allegiance.

PRESENT: 7 Chairman Thomas Kanelos, Commissioners Ted Karabatsos, Susan DeBartolo, Robert Schulter, Barbara Nakanishi [arrived at 7:08], Terrence McConville, Morgan Dubiel

Also present was Director of Community Development Charles Ostman, Planner I Nathan Bruemmer and Village Attorney Danielle Grcic.

APPROVAL OF MINUTES

Chairman Kanelos asked if there were any additions, clarifications, or corrections to the minutes of November 2, 2020. There were none. He entertained a motion.

Commissioner Dubiel moved to **approve** the minutes of November 2, 2020.

Seconded by Commissioner DeBartolo, on roll call the vote was:

AYES: 6 Dubiel, Karabatsos DeBartolo, Schulter, McConville, Kanelos

NAYS: 0

ABSENT: 1 Nakanishi

There being six (6) affirmative votes the motion carried.

PUBLIC COMMENT

The public can ask questions or comment after the Board has heard the petitioners' testimony following each case.

OLD BUSINESS

NEW BUSINESS

1. 21-ZP-01

A request to amend the conditions of Ordinance 2020-35 “approving a Special Use Permit as allowed in Appendix B, Section 8.2(A) to allow Cosmetic Tattoo located at My Salon Suite, 8307 W Golf Rd, Niles, IL 60714.”

Commissioner Nakanishi arrived to the on-line meeting at 7:08 P.M.

Chairman Kanelos said this should be a very simple process. This company had been approved once before. The spot they wanted to take has been leased to someone else. This request is to secure a different spot in the same location.

Nathan Bruemmer, Planner I, presented this case. Legal notice was published in The Bugle on December 17, 2020. Notices to all property owners within 250' were mailed on December 11, 2020. An on-site sign was placed on the property on December 16, 2020 and the agenda for tonight's meeting was posted on line as well as in the lobby of the Village Hall. The applicant, Mr. Toni Gozali, owns and operates My Salon Suite located at 8307 Golf Rd in the Four Flags Shopping Center. Mr. Gozali applied for and received a Special Use Permit to allow Cosmetic Tattoo at My Salon Suite in October, 2020 (Ordinance 2020-35). During the October 5, 2020 meeting of the Planning and Zoning Board, it was decided that one of the conditions of approval for the Special Use was that the Cosmetic Tattooing would be restricted to Suite 133. The suites are rented on a first-come, first-serve basis, and in between applying for the Special Use and being granted the ordinance, Suite 133 was leased to a nail salon tenant. As such, Mr. Gozali is seeking to amend the Special Use to open to any one suite within the store rather than have it restricted to Suite 133. If that is not possible, he would like to amend the Special Use suite number to be changed from #133 to #121. Section 15.3(f) states that modifications to any conditions of approved Special Uses need to go back to the Planning and Zoning Board.

Chairman Kanelos asked if anyone else were to come in with a similar type of business, they would have to come before us, correct?

Mr. Bruemmer said correct.

Chairman Kanelos said all this gentleman wants to do is move into a different unit.

Mr. Bruemmer said correct.

Commissioner Dubiel had a comment for Staff. If we want these businesses to be successful here, does it really matter that it is a specific suite? In this case, it is the same parcel, everything is the same so why do we care what specific suite they are occupying?

Mr. Bruemmer said the only issue is that it was a condition by the Planning and Zoning Board for that particular suite when the Special Use was given originally.

Commissioner Schulter said the issue is the actual address would be changed, correct? Even though it is the same address it is a different suite number.

Mr. Bruemmer said yes. In the actual ordinance that is in the Village's records, it is specific to Suite 133. If you go through the minutes, it was asked to be that suite specifically.

Commissioner Dubiel asked if they were a recommending body or they have the final say on this item.

Mr. Bruemmer said he believes it has to go back to the Board of Trustees just like any Special Use.

Commissioner Dubiel asked so even though tonight it is just being modified having already been approved as a Special Use, you still have to go back to the Village Board?

Charles Ostman, Director of Community Development, said yes.

Chairman Kanelos presumed the petitioner is not here.

Mr. Bruemmer said he is present on line and he can unmute him to speak.

Chairman Kanelos said it is not necessary. He asked the Commissioners if they had any questions for the petitioner. They did not. Therefore, he is ready to entertain a motion.

Commissioner Dubiel moved to accept the request to amend the condition of Ordinance 2020-35 "approving a Special Use Permit as allowed in Appendix B, Section 8.2(A) to allow Cosmetic Tattoo located at My Salon Suite, 8307 W Golf Rd, Niles, IL 60714" and **approve** to any suite number within that location.

Seconded by Commissioner McConville, on roll call the vote was:

AYES: 7 Dubiel, Karabatsos, DeBartolo, Schulter,
Nakanishi, McConville, Kanelos

NAYS: 0

There being seven (7) affirmative votes the motion carried.

Chairman Kanelos stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate this recommendation. It will be necessary for the petitioner to contact Mr. Ostman and ask to be placed on the Board of Trustees agenda. The petitioner will then be notified of the date and anyone in the audience who would like to be informed of the Board of Trustees date should leave their name and address with the recording secretary.

Chairman Kanelos said there is nothing else on the agenda other than Mr. Ostman's discussion.

DISCUSSIONS

Mr. Ostman said that Mr. Bruemmer sent out an email on December 30, 2020 for a proposed training session for the Planning and Zoning Board members asking for any topics they would like included in the training session. An outside attorney will give this presentation and he is working with Village Attorney Danielle Grcic as part of this training. The purpose of the email was to see if there were any other topics the Commissioners would like to see addressed. He will not take them tonight but email any comments to Nathan by the end of the week. Also, there are no items on the agenda for February. They would like to take the opportunity to use the regularly scheduled February 1st meeting date and make that the training session. If you have anything else you would like discussed at that meeting, send it to Nathan. He also wanted to bring the Commissioners up to date on the Niles Comprehensive Plan. The first phase went very well but because of Covid-19 they are not getting the public input they had hoped for. They reached out to all the stakeholders which was important. They received comments from them. But in trying to reach out to the general public [Niles residents], it seems to be more difficult to do during this time. They have decided to put the Comp Plan on pause for two, three or maybe four months before they start up again. Since the Planning and Zoning Board is charged with hearing the final plan and keeping tabs on it all the way through, he wanted to let this Board know what is happening. As soon as they can have in-person meetings, they are hoping to resume this issue. In the meantime, Staff is going to try reach out to residents of Niles through different avenues, especially north of Dempster. They are having a hard time getting in touch with those residents to get their opinions on various aspects of that Comp Plan.

Chairman Kanelos asked why do you think there is a problem with getting in touch with people north of Dempster.

Mr. Ostman said he does not know. There is a lot of participation south of Dempster. When you get up in the Golden Acres area, we are hearing less and less. They want to reach out to every area, whether it is north of Dempster all the way up to Golden Acres or in the Heathwood area or in the apartment complex near Fire Station No. 2. They want to know if there are any specific issues that should be brought up regarding the Comprehensive Plan. An example would be the Chesterfield area. He knows there is a huge parking problem there. They want to make sure they are hearing from the residents of the Chesterfield area and see if they can incorporate that issue in the Comprehensive Plan. Maybe there can be some solution to that over time.

ADJOURNMENT

Chairman Kanelos entertained a motion to adjourn.

Commissioner McConville moved to adjourn.

Seconded by Commissioner Schulter, on roll call the vote was:

AYES: 7 McConville, Dubiel, Karabatsos, DeBartolo,
Schulter, Nakanishi, Kanelos

NAYS: 0

There being seven (7) affirmative votes the motion carried

The meeting adjourned at 7:16 p.m.

Kathleen Janessa, Recording Secretary