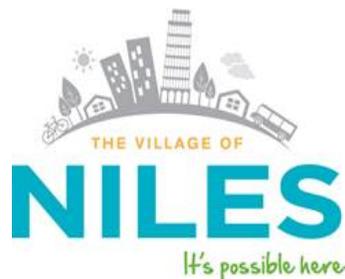


VILLAGE OF NILES

*1000 Civic Center Drive
Niles, IL 60714
www.vniles.com*



Final Approved Meeting Minutes

Monday, May 6, 2019

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

CALL TO ORDER/ROLL CALL

The Niles Planning and Zoning Board was called to order at 7:00 P.M. All rose for the Pledge of Allegiance.

PRESENT: 6 Chairman Thomas Kanelos, Commissioners
Ted Karabatsos, Susan DeBartolo, Robert
Schulter, Terrence McConville and Morgan
Dubiel

Also present was Director of Community Development Charles Ostman, Senior Planner Ron Traub and Village Attorney Danielle Grcic. Commissioner Barbara Nakanishi was absent.

APPROVAL OF MINUTES

Chairman Kanelos asked if there were any additions, clarifications or corrections to the minutes of April 1, 2019. Chairman Kanelos made one addition. It is as follows:

The following sentence needs to be added to the motion to continue item 18-ZP-28 to the May 6, 2019 meeting – “Chairman Kanelos advised Ms. Mauer, the petitioner, she needs to produce a signed, recorded and shared parking agreement to this Board of Commissioners.”

Commissioner Dubiel moved to **approve** the minutes of April 1, 2019 as corrected.

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

AYES: 5 Dubiel, Karabatsos, Schulter, McConville,
Kanelos

NAYS: 0

ABSTAIN: 1 DeBartolo

ABSENT: 1 Nakanishi

There being five (5) affirmative votes the motion carried.

OLD BUSINESS

**18-ZP-28; Grosse Pointe Manor; 6601 W. Touhy Avenue
(Continued from April 1, 2019). Discussion of a request to allow an
amendment to an existing Special Use for a ‘Residential are Facility’**

to allow an addition to the building which would create twenty-one additional beds.

Chairman Kanelos asked if there was any new information from Staff regarding this case.

Charles Ostman, Director of Community Development, presented the case. He stated there were two items. One item is a memorandum reflecting parking observations on this site. The second, is a chain of emails between Staff and the petitioner stating a meeting regarding an agreement the petitioner is looking for from the Cook County Forest Preserve District, would not take place until the latter part of June, 2019.

Chairman Kanelos asked if there were any questions for Staff from the Commissioners. There were none. Chairman Kanelos stated the public would have a chance to ask questions after they heard from the petitioner. He asked the petitioner to come forward.

Sherry Mauer, owner of Grosse Pointe Manor, 6601 W. Touhy Ave., Niles, IL 60714, came to the podium and was sworn in.

Chairman Kanelos asked if Ms. Mauer was going to ask for another continuance since she still doesn't have the information required concerning the parking situation.

Ms. Mauer asked if there was any new information regarding the traffic study of the parking area.

Chairman Kanelos asked Mr. Ostman to make sure Ms. Mauer receives a copy of memorandum about parking requirements. This information was collected on various dates, days and times of day. He added it was pretty important that she bring a parking agreement to tonight's meeting. Since she doesn't have it she can take her chances with a vote tonight [which he does not recommend] or ask for another continuance until that agreement is in place.

Ms. Mauer said she does not have all the information the Board of Trustees is looking for. And no, she does not have a shared parking agreement in place. She said she has informed the Forest Preserve District that weekends at Grosse Pointe Manor are not busy and she would only need parking from them during the week from 8:00 a.m. until 4:00 p.m.

Chairman Kanelos said what they are looking for is a shared parking agreement that shows the nursing home has sufficient parking spaces for all

required times. If she wants a continuance he will continue this case until July, since the Forest Preserve District is not meeting until June.

Ms. Mauer said they are meeting June 26th. The Deputy Commissioner is going to give her parking request to the full Board [of Forest Preserve Commissioners] at that meeting.

Commissioner Dubiel stated that from the email it seems that the Forest Preserve Commissioners have no idea what is being requested. If you read the literature it is not clear at all what the expectation will be, what the discussion will be and whether or not lease documents are prepared or in place.

Chairman Kanelos said the Zoning Commissioners just saw this email today. He agrees with Commissioner Dubiel about the clarity of the email.

Commissioner Dubiel asked Mr. Ostman if the Village knows of any case where the Forest Preserve District has a lease that is recorded for any kind of temporary or permanent parking agreements. He also asked Ms. Mauer if she knew of any such agreements.

Mr. Ostman said he would have no knowledge of that.

Ms. Mauer shared that the person she is dealing with stated that once Ms. Mauer presents the requirements this Board is requesting, she will give the pricing structure for the number of 12 spaces, which is a rather small amount. The contact person also said it is a busy grove on the weekends and wasn't sure about after hours. Ms. Mauer said she is not requesting any weekend time or after hours time, strictly from 8:00 a.m. until 4:00 p.m.

Commissioner Dubiel asked if there was a formal agreement in place for this June 26th meeting they will be able to sign.

Ms. Mauer said no.

Commissioner Dubiel suggested they vote on this and let the applicant reapply. She's known what she needs for some time now. There are no surprises tonight. A few things have changed but not much. We keep putting this item on the docket over and over again and he doesn't feel this will be done until after the summer. He doesn't know if the County can move that fast.

Chairman Kanelos said he understood Commissioner Dubiel's point, but he is inclined to go ahead and table it until July. It's not like anything is being

building. This area would be fenced in.

Chairman Kanelos asked if there were any questions for Staff.

Commissioner Dubiel said this is a very busy corner. He asked Mr. Ostman if he felt this would help improve this corner. It is not a very attractive corner. [Some other comments are inaudible].

The site is being shown on the overhead screen.

Mr. Ostman said the petitioner had a buyer for the building. The applicant still has on file with the Village of Niles a \$10,000 deposit for landscaping. They could not improve the site over the winter.

Chairman Kanelos asked when the 2nd special use was granted.

Mr. Ostman said June 26, 2018.

Chairman Kanelos said they are coming up on one year where there was at least one planting season. Will they start now?

Mr. Ostman said they were working on the building late last year and put in new overhead doors, added new awnings, windows etc. Then they ran out of time with the weather for planting. They put the deposit in place to begin planting this spring.

Commissioner Dubiel asked if they are fixing this up for the buyer. When is the bond for landscaping forfeited?

Mr. Ostman said he did not know whether or not there was a buyer still in place.

Chairman Kanelos inquired if the \$10,000 bond was just for landscaping and if there was a deadline.

Mr. Ostman said the enforcement will start now. If they don't do the landscaping, then the Village will do it.

There was discussion about the fence line and the lot line.

Mr. Ostman said the entire corner is owned by one landlord. This business is on one parcel of the corner.

Chairman Kanelos said Engineering stated they want to make sure the

NAYS: 0

ABSENT: 1 Nakanishi

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

NEW BUSINESS

19-SIGN-6; Burrito House; 9001 N. Milwaukee Avenue Request for approval of a Special Use Permit per Village of Niles Ordinance 78-92(4)(c) to allow an electronic message center sign proposed at Burrito House, 9001 N. Milwaukee Avenue, Niles, Illinois 60714

Mr. Ostman presented this case. The applicant has requested a special use but would not meet 2 (two) of the 11 (eleven) conditions placed on an electronic sign request. One is that it would exceed 25% of the area of the sign; the other is that the message would operate longer than normal business hours. One good thing about this request, should it pass, would be the relocation of the sign away from the right of way of the electric wire overhead.

Commissioner Dubiel said this is a busy corner and he finds electronic signs distracting. He feels they draw your eyes away from driving. He knows that at one time Mr. Ostman was against this type of signage and wondered if he's changed his mind. He also asked if there is any type of study regarding distractions with these signs.

Mr. Ostman said they don't have studies but throughout the Chicagoland area electronic message signs are getting very popular. He mentioned one in Romeoville that is huge. Many other suburbs have big message signs as well. He feels the design presented tonight could be more attractive. He thinks the conditions the Village has in place are good.

The example is being shown on the overhead.

Chairman Kanelos asked if the poles for the sign are going to be as high as they look in the pictures.

Mr. Ostman said the applicant is here tonight and would be able to answer any questions.

Commissioner Dubiel asked if the message is fixed or will it be changing.

Mr. Ostman said the message would be changing every 10 seconds.

Chairman Kanelos called for the petitioner to come to the podium.

Raphael Plazola, Novak Electronic Signs, 9001 N. Milwaukee Ave., Niles, IL 60714 came forward and was sworn in. He is not the owner but will be creating this sign. He said the federal highway department has determined that a fixed sign is harder to read with so much information than an electronic message. With an electronic message, it can be controlled with simple messages that are right to the point. Regulations are already in place with the message changing every 10 seconds. They can make it slower and that is what he recommends. That could be a 15 second delay. You may notice the big billboards along the highways. Those electronic messages are slow and consistent. It clears up the clutter. If his company fixed the sign as it is and put information on the top cabinet, there could be up to 10 lines of copy. The sign in question may have too much information all at once. He mentioned Jerry's Fruit Market to prove his point. That sign is very big and excessive. The new sign that just went up at Advantage Gallery [across the street from Jerry's] is clean and limited. As for visibility, it is not a hazard.

Commissioner Dubiel said the new sign looks to be the same size as the old one.

Mr. Plazola said it is actually smaller.

Chairman Kanelos said the new sign is 49 x 93.

Commissioner Dubiel said they don't have a location as to where the sign is set back.

Chairman Kanelos said if you look on the survey, you can see where it will be. The post that was closer to the forefront will now be further back and closer to the one that is farther back on the property. Chairman Kanelos inquired are they losing a parking spot because of it?

Mr. Plazola said no.

Commissioner Dubiel asked Mr. Ostman about landscaping.

Mr. Ostman said it is up to the owner but Staff has some criteria in mind.

Mr. Plazola said any of the grassy area shown now will be improved with landscaping.

Commissioner Dubiel said Mr. Ostman mentioned he has concerns with the appearance of the new sign.

Mr. Ostman said it is just his opinion. He said they have met most of the 11 (eleven) conditions of the ordinance. He feels they are solid conditions. He thinks the sign could be designed to be a little more attractive at the message center. Look at all the signage together. [This includes other businesses in the center.] There are gaps in between the different signs.

Mr. Plazola said this is what they would have to do to comply.

Commissioner Dubiel said Mr. Ostman is concerned about the aesthetic look of the sign. Commissioner Dubiel agreed and inquired is there something that could be done about that?

Mr. Plazola said he agrees as well. His client insists on keeping those gaps in between the different businesses. But he agrees it would look better if the signs were closed up.

Chairman Kanelos said the height is not to scale.

Mr. Plazola said it is very close.

Commissioner Dubiel said they should make it criteria to close it up.

Chairman Kanelos said whoever makes the motion can certainly make that part of the criteria.

Commissioner McConville said the petitioner has asked for the sign to be on 24 hours.

Mr. Plazola said yes. They are open some nights until 4:00 in the morning. They open at 11:00 a.m. He thinks they are only open that late three days a week.

Chairman Kanelos asked Mr. Ostman if Jerry's sign operates 24/7.

Mr. Ostman answered yes.

Commissioner McConville asked if the petitioner would have a problem with not having the sign on 24/7, especially the days they are not open until 4:00 a.m.

Mr. Plazola said sign comes with controls that could turn off at closing time if that is what is required. The sign is expected to display Burrito House information and promotions and/or specials. He recommends they have their

