



Minutes

Zoning, Planning and Appeals Commission
held on Wednesday, February 10, 2021
at 7:00 p.m.

I. CALL TO ORDER:

Chairman Chad Meyers called the meeting to order at 7:03 p.m.

II. ROLL CALL/ATTENDANCE: NOTE: Illinois Governor Pritzker, in response to the COVID-19 pandemic, issued Executive Order 2020-07 on March 16, 2020, which suspended requirement of the Open Meetings Act that members of a public body be physically present at meetings of the public body, and the limitations of the Open Meetings Act as to when members of a public body may participate in meetings of the public body remotely. To minimize the spread of the COVID-19 virus, some Commissioners could attend this meeting by teleconference.

Present in Person: Chairman Chad Meyers, Commissioners: Mary Lauricella, David Powrozek, David Figareli, Ken McNeill, and Richard Flanagan.

Others Present in Person: Village Planner Scott Bernacki, Secretary Renee Tedesco and Corporate Counsel, Rich Bruen Jr.

Early Departure: Joseph Kisiel

Absent: Commissioners Michael Bowcock

Prior to the meeting's opening, Chairman Meyers requested a moment of silence in honor of Commissioner Robert Irsuto, who passed away last month.

III. APPROVAL OF MINUTES:

Chairman Chad Meyers called for a Motion. A Motion was made by Commissioner Flanagan seconded by Commissioner Figareli to approve the minutes from the January 13, 2021 meeting. Motion carried unanimously on a voice vote.

IV. OLD BUSINESS

- a. PUBLIC HEARING Case No. 21-V-05; A Variance pursuant to Section 155.704(A)(1) of the New Millennium Code of the Village of Schiller Park to reduce the minimum front yard setback listed in Section 155.1606(C) to allow for renovations upon a building within the C-2 Community Shopping District, a Variance pursuant to Section 155.704(A)(4) of the New Millennium Code of the Village of Schiller Park to reduce the applicable off-street parking or loading facilities required by no more than twenty-five percent (25%) of the required facilities as listed in Section 155.2203(B)(8), and a Variance pursuant to Section 155.704(A)(3) of the New Millennium Code of the Village of Schiller Park to

permit the same off-street parking facility to qualify as required facilities to two or more uses, all upon the property located at 9718 Irving Park Rd.

Motion to Open Hearing: Motion to open the hearing was made by Commissioner Powrozek, seconded by Commissioner Flanagan.

Motion carried unanimously on a voice vote.

Tom Damian, Petitioner, was sworn in by Chairman Meyers.

Petitioner Damian addressed the Board regarding the requested 25% parking variance allowing 35 total parking spaces in consideration of the development's planned square footage of 4,593 square feet.

Petitioner Damian reiterated that the intention is to continue to share parking with existing tenants, Al & Andy's Restaurant and Animal Care Hospital of Schiller Park, who rent the buildings next door, even though parking directly next to Al & Andy's Restaurant is owned by Damian.

Petitioner Damian advised that in accordance with Village ordinances, Jimmy John's has agreed to allow off street parking in their lot for any over flow of patrons which would allow an additional 11 spots.

Petitioner Damian also acknowledged that there are 8 parking spaces available on the Village's side street, adjacent to the property.

Petitioner Damian addressed concerns about over flow parking issues by suggesting that the development would consider valet if needed, and would enroll in "Uber Courtesy" which allows patrons to use Uber services at the expense of the establishment's owner.

Petitioner Damian presented information to the Board that he was in agreement with Mr. Robert Irsuto, owner of the back lot and joint access to the development, to accommodate the required number of parking spaces for his proposed establishment, but that the agreement was on hold due to Mr. Irsuto's unexpected death.

The Irsuto Family attorney, Robert Irsuto Jr., spoke at the hearing to address the Board that although his deceased father had negotiations with Damian regarding the shared parking, his client, Mrs. Irsuto has stated that no standing agreement exists at this time between the applicant and the property owners.

Neighboring business, Public Storage, had their Attorney, Brooke Rotstein, join the discussion via teleconference. Attorney Rotstein advised that Public Storage would consider allowing overflow parking in their lot, but needed reassurance from the Village that after-hours ticketing would not be an issue for any patrons of the development. She also expressed concerns that there have been several occurrences where Public Storage has been cited violations for cars parked in the lot, even though the cars were parked after business hours and not authorized customers or employees of the business.

Attorney Rotstein also requested, that should an agreement be reached with Mr. Damian that allows for shared parking, Public Storage would need an amendment from Village code Section 118.002(C), (p), (q), (v), and (w).

The board agreed that if a parking agreement can be met with The Irsuto Family and/or Public Storage, Petitioner Damian, could present his new case at an upcoming ZPA meeting.

There was general questions and discussion among the Commissioners and Petitioner Damian.

Chairman Meyers asked whether there were any questions or comments from the members of the public in attendance. No further discussion or public comment ensued;

Chairman Meyers called for a motion to deny Petitioner's request for all 3 variances based on information provided from Village Planner Bernacki. A Motion was made by Commissioner McNeill and seconded by Commissioner Figarli.

Ayes: Commissioners: Lauricella, Powrozek, Figareli, McNeill, and Flanagan.

Nayse: None.

Abstentions: None.

Motion Carried by a count of 5 "aye" votes to 0 "Nayse" and 0 abstain and 2 absent.

V. NEW BUSINESS

- a. PUBLIC HEARING Case No. 21-V-06; A Variance pursuant to Section 155.704(A)(1) of the New Millennium Code of the Village of Schiller Park to reduce the minimum rear yard setback listed in Section 155.1906(A)(4) to allow for building expansion within the I-1 Industrial District upon the property located at 3999 25th Avenue.

Village Planner Bernacki read a letter from Chris Wellman, President of Avers Machine & Gears requesting a continuance to present their case at the next scheduled ZPA meeting allowing them time to collect necessary documents needed to present their request.

There was general discussion and agreeance among the Commissioners.

Chairman Meyers asked whether there were any questions or comments from the members of the public in attendance. No further discussion or public comment ensued;

Chairman Meyers called for a motion to continue the Petitioner's request for variance based on information provided from Village Planner Bernacki. A Motion was made by Commissioner Flanagan and seconded by Commissioner Powrozek.

Ayes: Commissioners: Lauricella, Powrozek, Figareli, McNeill, and Flanagan.

Nayse: None.

Abstentions: None.

Motion Carried by a count of 5 "aye" votes to 0 "Nayse" and 0 abstain and 2 absent.

VI. PUBLIC COMMENT: None.

VII. MOTION TO ADJOURN:

There being no further business, a motion to adjourn was made by Commissioner Flanagan and seconded by Commissioner Lauricella

Motion carried unanimously on a voice vote.

Meeting adjourned at 8:04pm.