



Minutes

Zoning, Planning and Appeals Commission
held on Wednesday, May 12, 2021
at 7:00 p.m.

I. CALL TO ORDER:

Chairman Chad Meyers called the meeting to order at 7:00 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: David Powrozek, David Figareli, Joseph Kisiel, and Richard Flanagan.

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

Absent: Commissioner Ken McNeill. Michael Bowcock and Mary Lauricella

III. APPROVAL OF MINUTES:

Chairman Chad Meyers called for a Motion. A Motion was made by Commissioner Figareli, seconded by Commissioner Powrozek to approve the minutes from the April 14, 2021 meeting. Motion carried unanimously on a voice vote.

IV. OLD BUSINESS – No old business.

V. NEW BUSINESS

- a. PUBLIC HEARING Case No. 21-ZCV-14; A map amendment pursuant to Article VIII of the Chapter 155 to rezone parcel 12-15-317-004-0000 from C-1 Neighborhood Convenience District to C-2 Community Shopping District. A conditional use pursuant to Section 155.1604(B)(8) of the Zoning Ordinance to operate a restaurant drive through / drive in / take out establishment use within the C-2 Commercial district. A variance to reduce the applicable off-street parking facilities required by no more than twenty-five percent (25%) of the required facilities as listed in Section 155.2203(B)(8) of the New Millennium Village Code of Schiller Park for the property located at 9449 Irving Park Road.

Motion to Open Hearing was made by Commissioner Kisiel and seconded by Commissioner Figareli.

Motion carried unanimously on a voice vote.

Petitioner, Dan Olson of Watermark Engineering Resources was sworn in by Chairman Meyers.

Petitioner Olson addressed the Board regarding items of business for the existing McDonald's Restaurant.

First item of business discussed was the map amendment to rezone all 4 parcels to C-2. This is considered a matter of housekeeping for the current property owner and would allow the entire property under one address and one owner control, to be zoned the same zoning district.

Second item on the agenda for discussion was the conditional use expansion assuming the map amendment is granted to allow the entire property to be rezoned to C-2. The requested change is to build a second lane drive through which conforms to the consistency of McDonald's side by side drive up lanes which are standard layouts for McDonald's Corp drive throughs.

The benefits of the second lane drive up reduces stacking and eliminates traffic congestion on adjacent streets.

Mr. Olson provided drawings for the Commission in which the logistics of the buildout were discussed. The plans demonstrated an island is created that allows for a second speaker forming 2 lanes of traffic.

The second speaker will be 13 feet closer to the house located directly behind the McDonald's. Mr. Olson discussed the technology used for noise reduction on McDonald's Corp's speaker system.

Additional privacy enhancements were included in the drawings for residents to the south to mitigate noise control. Current fencing is presently set at 6 feet. Since that fencing is relatively new, the owner would like to fill back spots with shrubbery to provide an additional sound barrier.

The last item of business was to address the parking variance. In order to accommodate the second drive through lane, the establishment must eliminate some side yard parking spaces. The new number of spaces provided is 22, reduced from the existing 28 parking stalls. Mr. Olson suggested this was an adequate number of parking stalls since over 70% of the business is handled through the drive through lanes.

Chairman Meyers asked if there are any members of the public or other interested parties that wish to be heard on these matters:

Dennis Greilitsch, owner of the property directly south of the restaurant, expressed concern that an additional speaker will contribute to additional noise pollution. He stated that horns blowing and loud yelling into the speakers is already an issue into late hours of the night. He also has concerns about the cars that park in the back of the lot currently use the spots as a hang out with their radios on. In respect to the current fencing, the old fence fell down many times and his property deals with excessive garbage and debris from the patrons and management of the McDonald's.

Mr. Grelitsch's has additional concerns about the space needed for a second drive through and stated he did not think the current layout was big enough and he is worried about accidents.

Additionally, Sheri Tomasello, who owns the rental property at 4118 Wesley Terrace spoke. Ms. Tomasello has concerns with the additional noise and states that tenants of her rental property are subjected to excessive noise all day and night. She did not see a benefit for the second drive up lane.

There was general discussion among the Commissioners.

Staff Recommendations included, but were not limited to, a higher fence, up to 8 foot, enhanced landscaping might be needed to aid in noise reduction, the possible removal of the second apron and gated entrance in the back of the lot, so long as it is not an emergency exit, which could then be filled in with added landscaping. Staff also recommended that any remaining spaces in the back of lot be reserved for employees only to avoid loitering.

Chairman Meyers asked if there was a motion to recommend the approval of the map amendment pursuant to Article VIII of the Chapter 155 to rezone parcel 12-15-317-004-0000 from C-1 Neighborhood Convenience District to C-2 Community Shopping District for the property located at 9449 Irving Park Road. .

Motion carried unanimously on a voice vote.

Ayes: Commissioners: Powrozek, Figareli, Kisiel and Flanagan.

Nayse: None.

Abstentions: None.

Motion Carried by a count of 5 "aye" votes to 0 "Nayse" and 0 abstain and 3 absent.

Chairman Meyers asked if there was a motion to recommend a conditional use pursuant to Section 155.1604(B)(8) of the Zoning Ordinance to operate a restaurant drive through / drive in / take out establishment use within the C-2 Commercial district for the property located at 9449 Irving Park Road. .

Ayes: Commissioners: Powrozek, Figareli, Kisiel and Flanagan.

Nayse: None.

Abstentions: None.

Motion Carried by a count of 5 "aye" votes to 0 "Nayse" and 0 abstain and 3 absent.

Chairman Meyers asked if there was a variance to reduce the applicable off-street parking facilities required by no more than twenty-five percent (25%) of the required facilities as listed in Section 155.2203(B)(8) of the New Millennium Village Code of Schiller Park for the property located at 9449 Irving Park Road.

Ayes: Commissioners: Powrozek, Figareli, Kisiel and Flanagan.

Nayse: None.

Abstentions: None.

Motion Carried by a count of 4 “aye” votes to 0 “Nayse” and 0 abstain and 3 absent.

VI. PUBLIC COMMENT: No additional public comment.

VII. MOTION TO ADJOURN:

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

Motion carried unanimously on a voice vote.

Meeting adjourned at 7:54pm.