

MEETING MINUTES



**Village of Homewood
Planning and Zoning Commission
Thursday, June 22, 2017
7:30 p.m.**

**Village Hall Board Room
2020 Chestnut Road
Homewood, IL 60430**

CALL TO ORDER: Chairman Sierzega called the meeting of the Planning and Zoning Commission to order at 7:30 p.m.

ROLL CALL: Members Bransky, O'Brien, Cap, Alfonso, Johnson and Chairman Sierzega were in attendance. Member Planera was absent. Present from the Village was Economic and Community Development Director Angela Mesaros. There were 10 people in the audience.

APPROVAL OF MINUTES: Chairman Sierzega asked if there were any corrections or changes to the minutes of June 8, 2017. Member O'Brien stated that there were no motions made or roll call recorded when adjourning the meeting. There being no further corrections or changes Member O'Brien made a motion to approve the minutes of June 8, 2017, as submitted; seconded by Member Bransky.

AYES: Members Alfonso, Bransky, Cap, O'Brien, Johnson and Chairman Sierzega

NAYS: None.

ABSTENTIONS: None

ABSENT: Member Planera

Motion passed.

PUBLIC COMMENT: There were no comments.

REGULAR ORDER OF BUSINESS:

PUBLIC HEARING – CASE NO. 17-20: A request filed by Latonya Animashaun for a Special Use permit and Parking Variation to locate a salon at the property at 18673 Dixie Highway located in the B-2, Community Business zoning district.

Chairman Sierzega noted that a legal notice was published in the *Daily Southtown* on 5/23/2017; letters were sent to the properties within 250 sq. ft. and no comments were received. Chairman Sierzega stated that the petitioner is requesting a special use for a salon variation from Section 11.1 for off street parking at 18673 Dixie Highway in the B-2 District.

Chairman Sierzega swore in Latonya Animashaun, 18673 Dixie Highway, Homewood.

Mrs. Animashaun stated that she needs a parking variance, to have enough parking for 37 spaces.

Chairman Sierzega stated that per the information that the commission was provided with, the total number of spaces required is 37 and asked if the salon would take up 500 sq. ft within that multiple tenant commercial building. Mrs. Animashaun confirmed the salon would take up 500 sq. ft. of space.

Chairman Sierzega asked if the fire alarm that is needed in the building has been resolved. Mrs. Animashaun stated that she spoke to the owner of building and the owner will take care of the fire alarm.

Member Johnson asked if the spaces measured by the petitioner's husband are actual parking spaces. Mrs. Animashaun stated that some of the spaces are on street parking.

Chairman Sierzega swore in Solomon Animashaun, 18673 Dixie Highway, Homewood.

Mr. Animashaun stated he measured 300 ft from the door of the salon location. He provided the commission with a drawing of 37 total parking spaces throughout the area. Chairman Sierzega stated that per the memo there are 22 spaces within the parking lot. Staff Liaison Mesaros stated that the petitioners' parking count includes street parking and shared parking with other parking lots, in addition the 22 spaces onsite.

Member Johnson asked if those spaces are open to the public. Mr. Animashaun stated that they are open to the public. Member Johnson asked if the spaces are on the side of 187th Street. Mr. Animashaun stated that there are some spaces on 186th Place, 187th Street, and some behind, beside and in front of the building. Member Johnson asked about the number of employees. Mrs. Animashaun stated that there are two employees.

Member O'Brien asked how many businesses are in the plaza. Mrs. Animashaun stated that three businesses are in the commercial building. Staff Liaison Mesaros stated that there is one vacant spot after the salon moves in.

Member O'Brien stated that in the staff material it indicates that there is Reflections Yoga, Lilly Pad, resale store, a vacant space and the proposed use; so, that would suggest four businesses in the strip mall. Mr. Animashaun stated that Member O'Brien's statement is correct. Member O'Brien stated that the staff memo states that *according to the petitioner there are 38 available public and private parking spaces available within 300 ft.* Member O'Brien requested clarification to understand that if a parking space is considered private, why would it be available to the hair salon. Staff Liaison Mesaros stated that the 22 private spaces belong to the shopping center.

Member O'Brien asked staff to clarify the statement in the memo, *there are currently 3 salons in the B-2 district*; and asked if it is the B-2 that the petitioner salon is in or is there an additional B-2 district. Staff Liaison Mesaros stated that it is the B-2 districts throughout the entire village.

Member O'Brien asked if the petitioners have looked at or considered other locations. Mrs. Animashaun stated that they have not.

Member Cap stated that he needed clarification on where the 37 parking spaces will be and requested the petitioner's sketch. Member Bransky stated that the 11 spaces are in a parking strip; and confirmed for Member Cap that the parking strip is in the parkway. Member Cap stated that it could get congested on 186th Place. Mrs. Animashaun stated that she will not be open on Sundays.

Member Bransky stated he had no questions.

Member Alfonso asked if the petitioner will have non-employee hairdressers at the salon, because the drawing has two chairs. Mrs. Animashaun stated that there are two styling chairs; one for herself and one for another stylist. Staff Liaison Mesaros stated that they would both count as employees and the parking spots is 2 per chair, plus 1 per each employee, which equals six.

Member Alfonso asked staff how the vacant business that requires 12 parking spaces is calculated. Staff Liaison Mesaros stated that it is measured by square footage. Member Alfonso stated that the commission has no idea what business will be occupying the space. Staff Liaison Mesaros stated that the vacant area is required 12 spaces, because of the size of the space.

Member O'Brien stated that there is a vacant space that requires 12 parking spaces, so why this would be approved. The variance should be placed on whatever business comes in as the last tenant. Staff Liaison Mesaros stated the petitioners' space is 500 sq. ft.; and the previous use was an office and only required 2 spaces. If they wanted to move in an office that required the same amount of spaces for this address then they would okay, but there are 4 additional spaces required for the salon. The space was a barber shop for many years. If the petitioners would have followed that use it would have been the same spaces.

Chairman Sierzega asked what the planned hours of operation will be for the salon. Mrs. Animashaun stated that the hours will be 7:30 a.m.-8:00 p.m. Tuesday through Saturday. However, she will most likely leave by 5:00 p.m., and the other stylist will remain until close. Mrs. Animashaun also stated that the salon will be closed Sundays and Mondays, unless there is a special occasion on a Monday then she would open the salon.

Member Cap asked if the petitioners know of any parking agreement with the building to the north of the complex. Mrs. Animashaun stated that she did not know. Member Cap stated his concern is regarding the tenant that would be last in the building complex and the potential need for parking variances, due to the serious parking deficiencies. He suggested the commission consider the bigger picture. The building to the north of the prospective hair salon could make the same claim on the same spaces, because the spaces on 186th Place are closer to that building. Mrs. Animashaun stated that she has lived in Homewood for 14 years and she drives by that location frequently and there is always of parking even on Saturdays.

Chairman Sierzega swore in Kevin Clayton, 2560 Alexander Street, Homewood. Mr. Clayton stated that he has been a resident of Homewood for 15 years and drives by the area everyday and the parking lot is empty 99% of the time and he supports the hair salon.

Chairman Sierzega asked to confirm that the gentlemen moving out in July is the same space that the hair salon will occupy. Mrs. Animashaun stated that was correct.

Member Cap stated that he understood what Mr. Clayton was stating; however, the reason that the parking lot is empty is because there are multiple spaces that are not occupied at the current time. Mr. Clayton stated that businesses will be discouraged to move into the area.

Member Johnson stated that he or they are not in a position to give an opinion about other landlords or what's might happen in that space in the future. The commission does not know and should concentrate on what is currently before the commission.

Member O'Brien stated that what is before the commission two of the spaces in the building are vacant, which could contribute to available parking.

Chairman Sierzega swore in David Meinke, 17939 Homewood Ave, Homewood. Mr. Meinke stated that businesses are moving out of Homewood faster than they are moving in. What the petitioners are trying to do is open a business, not take away any parking spaces from anybody else. He supports the hair salon's request for a parking variance.

There being no further comments, Member Bransky recommended approval of Case 17-20 for a special use permit and a variance from Section 11.1 of the Homewood Zoning Ordinance to permit a salon that does not meet the parking requirements by four parking spaces on the property located at 18673 Dixie Highway in the B-2 Community Business zoning district and incorporating the Findings and Fact into the record; Seconded by Member Alfonso.

AYES: Members Alfonso, Johnson, Bransky and Chairman Sierzega

NAYS: Members Cap and O'Brien

ABSTENTIONS: None.

ABSENT: Member Planera

Motion passed.

PUBLIC HEARING – CASE NO. 17-19: A request filed by Ruben and Victoria Fernandez for a Variation to locate playground equipment in the required front yard on the property at 2543 Alexander Street located in the R-2, Single Family zoning district.

Chairman Sierzega noted that a legal notice was published in the *Daily Southtown* on 5/23/2017; letters were sent to the properties within 250 sq. ft. Staff Liaison Mesaros stated she received two public comments. Chairman Sierzega stated that the petitioner is requesting a variance from the Homewood Zoning Ordinance, Section 4.3, reference Table 4.2.

Chairman Sierzega stated that the commission received Zoning Action application dated 05/16/17 requesting variance; plat of survey with location of playground equipment noted; letter to Ruben and Victoria Fernandez from Building Inspector Jerry Maicach dated 4/26/2017.

Chairman Sierzega gave background information stating that on April 26, 2017, Building Inspector Jerry Maicach found that the playground equipment had been constructed on the property at 2543 Alexander Street. The property owner was contacted stating that the playground

equipment encroaches on the required front yard. The property is a corner lot with two front yards.

Chairman Sierzega swore in Ruben and Victoria Fernandez, 2543 Alexander Street, Homewood.

Mr. Fernandez stated that he placed a playground on his side yard, because he does not have a back yard; and a couple of days later he received a letter stating that they were not allowed to have a playground on the side yard. Mr. Fernandez further stated that he must move it, but he has nowhere to place it, since he does not have a back yard.

Chairman Sierzega asked if Mr. Fernandez could describe the playground. Mr. Fernandez stated that two swings, a slide, and a rope that the kids can swing on.

Chairman Sierzega stated that the backyard is about 13 ft. The house is on a corner lot, per the ordinance the petitioners have two front yards.

Member Alfonso asked how busy the two streets get at the intersection. Mrs. Fernandez stated that they do not get too busy. Mr. Fernandez added that there is a car every half hour or hour. Member Alfonso asked if it would be dangerous for the kids to play outside. Mrs. Fernandez stated that she would be present at all times, because she has a one year old that needs supervision and there is always an adult outside when the kids are playing.

Member Bransky asked for clarification on the structure of the play set to better understand the blueprint. Mr. Fernandez stated that there is a platform at the top by the slide that is about 6' x 6', the size of six board room chairs. Member Bransky asked what other material besides plastic is the play set made of and if the play set is anchored or temporarily anchored. Mr. Fernandez stated that it is temporarily anchored, so if it had to be moved it can be.

Member Bransky asked the total estimated size of the play set from the end of the slide to the backend of the play set. Mr. Fernandez stated the dimensions about 4 sq. ft. total towards the front of the house. Member Bransky asked how far it is from the house. Mr. Fernandez stated that from the end of the playground to the end of the house, it is about 10 ft.

Member Cap asked if they would consider coming before the Commission to request a fence. Mr. Fernandez stated that it is something they would consider, but need to look at pricing.

Member O'Brien stated that on the plat of survey the backyard is essentially all asphalt. Mr. Fernandez stated the asphalt is from his next door neighbor's driveway that comes over onto his property. Member Bransky stated that the asphalt is encroaching over the property line 1 ft north.

Member Johnson asked Chairman Sierzega if the commission is not discussing the actual swing set it, the commission is discussing the actual use of the area. Chairman Sierzega stated that is correct.

Chairman Sierzega stated that his concern is the amount of traffic and asked if there was a stop sign on either intersection of the street. Mr. Fernandez stated that there is not. Chairman Sierzega

asked how much foot traffic comes down the street. Mrs. Fernandez stated that the most foot traffic is before and after school. Chairman Sierzega asked if neighborhood kids come over to play on the swing set. Mrs. Fernandez stated that kids do not play on the set, unless they ask first and their children's friends come and play, but there haven't been any times that random children played on the set.

Chairman Sierzega swore in Aaron Grady, 18437 Stewart Ave., Homewood. Mr. Grady stated the petitioner's property is an eye shot from his property and he has been in Homewood for 2 years. There is very little traffic and foot traffic the cross section where the house is located. The neighborhood children often play in that area. A lot of times the petitioners are out with the kids and he has never seen any issues. Mr. Grady further stated that he does not believe that it poses any safety issues for the children.

Chairman Sierzega swore in Elizabeth Clayton, 2560 Alexander Street, Homewood. Ms. Clayton stated that she has lived in Homewood for 15 years and lives across the street from the Fernandez family. She is in full support of the swing set.

Chairman Sierzega swore in Dr. Salazar, 18507 Stewart Ave., Homewood, stated that she lives across the street and they do not have a problem with the swing set, because they do not have a backyard. The children that play in the area are supervised, so it is not a problem.

Staff Liaison Mesaros received a comment from a neighbor that would not have been support of the playground, if they knew about it ahead of time. They are concerned with home values and the blue color of the slide. They are not in agreement of the variance.

Member O'Brien expressed Chairman Sierzega concerns over safety in the area. Chairman Sierzega stated that he lives in the area so he knows that traffic is light and not an issue.

There being no further comments, Member O'Brien recommended Case No. 17-19 to approve Case 17-19 for a variance from Section 4.3 of the Homewood Zoning Ordinance to permit playground equipment that encroaches into the front yard on the property located at 2543 Alexander Street and incorporating the Findings of Fact into the record; Seconded by Member Bransky.

AYES: Members O'Brien, Alfonso, Johnson, Cap, Bransky and Chairman Sierzega

NAYS: None.

ABSTENTIONS: None.

ABSENT: Member Planera

Motion passed.

PUBLIC HEARING – CASE NO. 17-21: A request filed by David Meinke for a Variation to locate a deck in the required front yard on the property at 17939 Homewood Avenue located in the R-2, Single Family zoning district.

Chairman Sierzega noted that a legal notice was published in the *Daily Southtown* on 6/05/2017; letters were sent to the properties within 250 sq. ft. Staff Liaison Mesaros stated that she did not receive any public comments.

Chairman Sierzega stated the commission was provided with the application for Zoning Action; Plat of Survey dated 1/19/1982; and building plans.

Chairman Sierzega swore in David John Meinke, 17939 Homewood Avenue, Homewood. Mr. Meinke stated that the deck was not built to be a party deck; it was build because his wife was diagnosed with ALS in February 2017, and they need a way to move her in and out of the house. Mr. Meinke further explained that they are asking for an 8' x 8' platform in front of the house with an elevator incorporated into the deck. He stated that the contractor, Long Life Construction, received all of the required paperwork, picked up all the permits and is ready to start building. The structure is too close to the sidewalk, but he doesn't have a play area in the front yard.

Chairman Sierzega asked the measurement of the current temporary deck. Mr. Meinke stated that it is 6' x 8' and there are no stairs. The only way to get up and down is by going on the elevator. They need 2 more ft. up front, because he needs to build stairs with a landing.

Chairman Sierzega asked for clarification on the direction of the stairs. Mr. Meinke referred to the drawings in the staff packet to elaborate on what the project will look like. The stairs will be south and then run back north towards the deck. The material of the deck will be vinyl and the color will be white.

Member Johnson had no questions.

Member O'Brien stated that in the materials it states that *the petitioner has constructed a temporary five feet by five feet landing* and the petitioner stated that the landing will be 6' x 8'. Mr. Meinke stated that there is not enough room and the 5' x 5' platform would not allow for a wheelchair to maneuver easily.

Member Cap had no questions.

Member Bransky had no questions, but stated that it was wise for the petitioner to go straight to an elevator.

Member Alfonso had no questions.

Chairman Sierzega swore in Stuart Anderson, 17942 Homewood Ave., Homewood. Mr. Anderson stated that they are neighbors of Mr. & Mrs. Meinke for 18 years and they are great neighbors. Mr. Anderson, along with his family and surrounding neighbors give their full support. The urgency that Mr. Meinke speaks of is very real and hoping that the commission will take the request for a variance into consideration.

Chairman Sierzega swore in John Balke, 2145 Chestnut Road, Homewood. Mr. Balke stated that he is Mr. Meinke's brother-in-law and he built the temporary deck. The reason they built it the way they did was because of the concrete stairs that expand 5 ft.; and that is why they could not meet the 5 ft requirements. Knowing that it was only temporary they got the size lumber for the value.

Chairman Sierzega asked if there is a company that will be installing the deck and elevator. Mr. Meinke stated that the company is named Long Life construction and the contractors name is Randy Oyster.

There being no further questions, a motion was made by O'Brien to approve Case 17-21 a variance from Table 4.2 of the Homewood Zoning Ordinance to construct a front deck at 17939 Homewood Avenue that encroaches into the required front yard and incorporating the Findings and Fact into the record; Seconded by Member Cap.

AYES: Members O'Brien, Alfonso, Johnson, Cap, Bransky and Chairman Sierzega

NAYS: None.

ABSTENTIONS: None.

ABSENT: Member Planera

Motion passed.

PUBLIC HEARING – CASE NO. 17-22: A request filed by Joe and Lucy Harper for an Administrative Variation to locate a six feet high fence in the required front yard on the property at 18258 Hood Avenue located in the R-2, Single Family zoning district.

Chairman Sierzega noted that a legal notice was published in the *Daily Southtown* on 6/05/2017; letters were sent to the properties within 250 sq. ft. Staff Liaison Mesaros stated that she received one comment in support of the variance.

Chairman Sierzega stated the commission was provided with the petitioner's application, plat of survey with location of fence highlighted, photos of corner, and petition to Planning and Zoning Commission.

Chairman Sierzega swore in Joe and Lucy Harper, 18258 Hood Avenue, Homewood. Mr. Harper stated that they want to move the dead bushes and replace them with a 6 ft vinyl fence.

Member Cap asked for clarification on the plat of survey that was provided to the commission, regarding the location of the fence. Mr. Harper stated that Member Cap was correct and the fence will be 26 ft off the street and 21 ft off of the sidewalk.

Member Cap asked if the petitioners plan to bring the fence back towards the house. Mr. Harper stated that they will be returning it to the house.

Member Bransky asked if the fence will have solid slats or have space between the slats. Mr. Harper stated that they plan to have solid slats.

Member Alfonso had no questions.

Member Johnson had no questions.

Chairman Sierzega stated per the plat of survey the petitioners have 25 ft. Mr. Harper stated that it is roughly two sections of fence that would help eliminate looking through the dead bushes when driving down 183rd.

Discussion ensued between the commissioners and the petitioners regarding the confirmed measurements of the property and placement of the fence.

There being no further questions, a motion was made by Member Alfonso to approve Case 17-22 for a variance from Table 8.1 of the Homewood Municipal Code Section 22-95 (e) to allow a fence six feet in height in the front side yard of the property located at 18258 Hood Avenue and incorporating the Findings of Fact into the record; Seconded by Member O'Brien.

AYES: Members O'Brien, Alfonso, Cap, Bransky and Chairman Sierzega

NAYS: None.

ABSTENTIONS: Member Johnson

ABSENT: Member Planera

Motion passed.

PUBLIC HEARING – CASE NO. 17-24: A request filed by the Village of Homewood for a text amendment to the Homewood Zoning Ordinance regulating child care centers.

Chairman Sierzega noted that a legal notice was published in the *Daily Southtown* on 6/05/2017.

Staff Liaison Mesaros stated that Homewood Zoning Ordinance currently allows child care centers as a special use in every zoning district except manufacturing and public land/open space districts. Special use permits generally require a public hearing with final approval. The Village is asking to eliminate this use in the districts that are shopping and retail oriented, such as the B-1(Central Business), B-4 (Shopping Center), and a portion of the B-3 (Service Business District), which is the Cherry Creek shopping center. The text amendment would apply only for child care centers that were established after this ordinance is passed, so any child care center that was established prior to this ordinance would still be able to exist. It couldn't be expanded or relocated and it cannot be re-established if operations cease for more than 30 days. This proposed amendment is due to the fact the child care centers are a service use they can generate additional traffic that can interfere with shopping center environment and there are also safety issues to consider when children are being picked up and dropped off.

Staff Liaison Mesaros stated that there were other communities that were researched and the consensus showed that it is common that transit-oriented areas and retail centers do not permit this type of use.

Member Cap asked if there are any other child care areas like the Alphabet Campus in the area. Staff Liaison Mesaros stated that the one by American Bagel is a similar property and there are two in the downtown district.

Member O'Brien stated that there are 25 daycare centers, 16 in commercial areas and 9 in residential. Member O'Brien reference the materials when asking about Page 4, Item 6 where it states: *Child care centers will be restricted to business service and manufacturing districts.* It

doesn't mention residential. Staff Liaison Mesaros stated that the daycares in residential areas are home-based businesses, so it would be considered a different category. Member O'Brien clarified that Item 6 is an isolated identification. Staff Liaison Mesaros stated that that Member O'Brien's statement was correct.

Member Cap requested clarification from staff regarding the Child Care Regulation table. Member Cap asked if the far right column, *Not Permitted*, does it mean that those day care centers are not listed in zoning districts and particular communities. Staff Liaison Mesaros stated that Member Cap's observation is correct.

There being no further questions, a motion was made by Member Bransky to recommend approval of text amendments: eliminating child care centers in the B-1 Central Business, B-4 Shopping Center, and a portion of the B-3 Service Business District except those pre-existing at the adoption of the code amendments. The Findings of Fact shall be included as part of the record and recommendation to the village Board of Trustees; Seconded by Member O'Brien.

AYES: Members O'Brien, Alfonso, Cap, Bransky and Chairman Sierzega

NAYS: None.

ABSTENTIONS: Member Johnson

ABSENT: Member Planera

Motion passed.

NEW BUSINESS: Staff Liaison Mesaros informed the commission that Hanson Materials submitted all their information and will be placed on the next Planning and Zoning Commission agenda.

OLD BUSINESS: None.

ADJOURNMENT: Member Alfonso moved to adjourn the meeting at 9:05 p.m.; seconded by Member Cap. Motion passed by voice vote.

Respectfully submitted,

Angela M. Mesaros
Staff Liaison