

JAMES CALLERO, CHAIRMAN
GEORGE ALPOGIANIS
MICHAEL LOOBY
ANGELO TROIANI
ALAN WEEL
THOMAS KANELOS
KAREN DIMOND

The Niles Plan Commission and Zoning Board of Appeals was called to order at 7:30 P.M.

Present along with Chairman Callero were Commissioners Looby, Kanelos, Dimond, Alpogianis and Troiani.

Commissioner Weel was absent.

Joseph Annunzio, Village Attorney, was also absent

Commissioner Alpogianis moved to approve the minutes of September 10, 2007, as presented.

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

AYES:	5	Alpogianis, Looby, Kanelos, Dimond
NAYS:	0	
ABSENT:	1	Weel

Commissioner Troiani abstained.

There being four affirmative votes the motion carried.

Chairman Callero announced that it has been the practice of the Board that any members desiring to review the upcoming matters on the agenda would meet with Mr. Charles Ostman, Director of Community Development, and Mrs. Kimberly Frederick, Secretary, on the day of the hearing at 1:30 P.M. The purpose of this meeting is to review the sites and the surrounding environment to ascertain conditions which may require special consideration at the subject hearing. Anyone who wishes to accompany the members is invited to meet at the Administration Building, 1000 Civic Center Drive, Niles, Illinois, prior to 1:30 P.M. They will be given the agenda and the locations of the sites to be visited. This public announcement is made to conform with the Open Meetings Act of the State of Illinois and is deemed to be a public notice.

To be heard this evening:

07-ZP-21 – Peter Slavin, 8933 W. Golf Rd., Niles, IL 60714. Requesting rezoning from B-2 to B-2 Special Use to operate a medical clinic at 8269 W. Golf Rd.

07-ZP-22 – Dan Shapiro, Attorney, Schain, Burney, Ross & Citron, Ltd., 222 N. LaSalle St., #1910, Chicago, IL 60601. Requesting rezoning from R-1 to B-2 Special Use for a banking facility with a drive thru upon approval of annexation at 8001 Golf Rd.

Chairman Callero called for the first matter on the agenda.

07-ZP-21 – Peter Slavin, 8933 W. Golf Rd., Niles, IL 60714. Requesting rezoning from B-2 to B-2 Special Use to operate a medical clinic at 8269 W. Golf Rd.

Joel Hymen, practicing law at 1411 McHenry Rd., Buffalo Grove, IL.

Dr. Peter Slavin, 8933 W. Golf Rd., Niles, IL., practicing physician.

Anna Vinikov, 8933 W. Golf Rd., Niles, IL, Global Rehabilitation, Office Manager, stepped forward.

Chairman Callero stated please raise your right hands. Do you solemnly swear to tell the whole truth and nothing but the truth?

They stated they did.

Mr. Hymen thanked the Commissioners for giving them an opportunity to appear before the Board this evening. He stated Dr. Slavin graduated from Palmer College of Chiropractic in 2001. He immediately opened his only clinic at 8933 Golf Rd. The demographics of his practice are the citizens of Niles and the surrounding communities. His current location is limited in the kind of services he can provide. (A drawing is now being shown on the overhead projector.) The idea and vision of the new facility is to allow him to expand the services from strictly physical therapy to allowing him to provide alternative means of therapy for his clientele. It may involve exercise equipment, it may involve aerobics for senior citizens, and it may involve acupuncturists. That would be going on in the first floor. The second thrust of what he's trying to do would be to have a collaborative effort between his profession and other specialties. There may be doctors who will come and visit and collaborate and develop plans for people with pain and other kinds of problems being treated at his facility. Because he has been in practice since 2001, he has a pretty good handle on the demographics that he treats. Half his patients would be senior citizens. Of those patients, seventy-five percent come to him through medical transportation or bus. Therefore parking is not an issue for them because they would not be parking any cars. At any given period of time, there would probably not be more than twenty people at the facility, half of them employees and half patients. He has a concept that provides a service to the public, not only of Niles but surrounding communities. I think it is worthwhile to give the doctor an opportunity to develop this practice at the new facility. I don't believe that parking would be an issue in the Four Flags Shopping Center. There are so many parking spaces I don't believe parking would be a problem or present any more of a detriment than any other kind of department store, grocery store or whatever is over there already.

Chairman Callero asked if there was anything else in their presentation.

Mr. Hymen stated no, thank you.

Chairman Callero asked if there were any questions or comments from any of the Commissioners.

Commissioner Dimond asked since you are expanding your practice is a Certificate of Need required by the Illinois Health Facility Planning Board? And if so do you have one?

Dr. Slavin stated they are a licensed medical corporation licensed to practice in the State of Illinois.

Commissioner Dimond stated I know that but the Illinois Health Facility Planning Board requires Certificates of Need for medical facilities if they are expanding. That's why I am wondering if there is one.

Dr. Slavin stated that is not required for his type of practice. They are not going to be providing any type of surgical services. They are not going to be changing the concept of the practice. If the patients are going to be outpatients, the state does not need to restructure the company. We are requesting them to inspect the facility. From what I know so far, we are not going to need anything else.

Commissioner Dimond stated I understand an x-ray facility is going to be put in the lower level of the building. Are modifications needed for the facility because you are doing x-rays?

Dr. Slavin stated the x-ray room must be completely shielded. It is in the basement. The Department of Safety would not let them open their doors unless they approve everything.

Commissioner Dimond asked if they are taking up the same space that was occupied by Woman's Workout World.

Dr. Slavin stated yes.

Commissioner Dimond asked if they were required to put in any more handicapped spots because they are a medical facility

Dr. Slavin stated I don't believe so. The facility, as it is now, is completely suited for handicapped. The elevator is a big thing for us; the restrooms have showers ready to go. We will modernize to make sure everything is handicapped accessible. As far as the parking, we will have to check. I believe it is suitable. We don't expect to have the volume of patients as Woman's Workout World. If they did not have a problem we don't expect to have a problem.

Commissioner Dimond stated I used to belong to Woman's Workout World and I did have a parking problem. I used to have trouble parking there but it's mostly because of the drivers license facility. But I understand the volume of people Dr. Slavin would bring into the parking area would be not as great. One final question – I see an exit at the north end of the building. Is that strictly an emergency exit? Correction, that is the south side of the property.

Dr. Slavin stated it was used as an emergency exit and I intend to use it the same way.

Chairman Callero asked if there were any other questions from the Commissioners.

Commissioner Alpigianis stated I saw the plans of the two floors. I see it says exam rooms, therapy rooms and p.t. rooms. Are the p.t. rooms also physical therapy rooms?

Dr. Slavin asked if he was referring to the lower level.

Commissioner Alpigianis stated yes. So are there going to be ten physical therapy rooms and three exam rooms?

Dr. Slavin stated if you combine the upper level and the lower level, yes.

Commissioner Alpogianis asked in your current office how many rooms do you have?

Dr. Slavin stated he now has four rooms. The reason the new location plans have the rooms marked differently is for medical purposes. There are certain procedures that we will be providing in the upper level; the lower level is going to be the wellness center. We will need a lot of space. This is the type of space I have been looking for the past year and a half to provide the quality of service and at the same time provide the quality of atmosphere for the staff. The downstairs is marked differently because the p.t. room downstairs will have equipment that is more exercise related. The upstairs therapy rooms will be dealing more with people with pain. Maybe I am digressing, but I am trying to explain why we need so many rooms. Certain kinds of equipment, for instance a traction table, a compression table, need room. None of the clinics in Niles have this now. This type of equipment needs specific rooms designated to it. Maybe I will use it twice a day, maybe ten times a day.

Commissioner Looby asked if physical therapy includes massage therapy conducted in these rooms.

Dr. Slavin stated we don't refer to it as massage therapy but manual therapy.

Commissioner Looby asked what does that mean?

Commissioner Troiani stated that means massage.

Commissioner Looby stated they have to get a license for that.

Dr. Slavin stated right now we have massage therapists, physical therapists, chiropractors and acupuncturists. We are all cramped in four treatment rooms.

Chairman Callero asked if there were any other questions or comments from the Commissioners.

Commissioner Troiani asked Mr. Charles Ostman, Director of Community Development, if there were any parking problems at Four Flags.

Mr. Ostman stated no there are not. Since there was a health spa in there before, the variation was granted on that shopping center then. This clinic will have a lot less demand on the parking so it is a good use to go in there.

Chairman Callero asked if there were any other questions or comments from the Commissioners. Any questions or comments from anyone in the audience. There were no objectors in the audience.

Chairman Callero entertained a motion on 07-ZP-21.

Commissioner Kanelos moved that 07-ZP-21 – Peter Slavin, 8933 W. Golf Rd., Niles, IL 60714 requesting rezoning from B-2 to B-2 Special Use to operate a medical clinic at 8269 W. Golf Rd. be **approved**.

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

AYES:	5	Dimond, Looby, Kanelos, Alpogianis, Troiani
NAYS:	0	
ABSENT:	1	Weel

Chairman Callero stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate our decision and it will be necessary for the petitioner to contact Mr. Charles Ostman, Director of Community Development, and ask to be placed on the Board of Trustees agenda and you will be notified of the date. Anyone in the audience who would like to be informed as to the date of this hearing by the Board of Trustees, leave your name and address with our secretary and she will notify you.

07-ZP-22 – Dan Shapiro, Attorney, Schain, Burney, Ross & Citron, Ltd., 222 N. LaSalle St., #1910, Chicago, IL 60601. Requesting rezoning from R-1 to B-2 Special Use for a banking facility with a drive thru upon approval of annexation at 8001 Golf Rd.

Daniel C. Shapiro, Attorney, Schain, Burney, Ross & Citron, Ltd., 222 N. LaSalle St., Chicago, IL 60601; Laura Titschler, Real Estate Manager, Fifth Third Bank, 1701 Golf Rd., Rolling Meadows, IL 60008; Jeffrey P. Kutsche, President, The Architects Partnership, Ltd., 122 S. Michigan Ave., Suite 1810, Chicago, IL 60603; William R. Woodward, Senior Consultant, KLOA, Inc. 9575 W. Higgins Rd., Suite 400, Rosemont, IL 60018; Zach Langel, Project Engineer, Manhard Consulting Ltd., 900 Woodlands Pkwy., Vernon Hills, IL 60061 stepped forward.

Chairman Callero stated please raise your right hands. Do you all solemnly swear to tell the whole truth and nothing but the truth?

They stated they did.

Dan Shapiro from Schain, Burney, Ross & Citron, Ltd. spoke first. He first thanked the Board placing them on the agenda and also thanked the staff for working with them in bringing this matter to you. With me tonight is Laura Titscher, Real Estate Manager from Fifth Third Bank, Jeff Kutsche, Zach Langel and Bill Woodward. Bill is our Traffic Engineer, Zach is our Civil Engineer and Jeff is our Architect. We would like to make a brief presentation to explain to you our request for rezoning and special use for the Fifth Third Bank at 8001 Golf Rd. Generally, we are seeking an annexation that will go before the Village Board at a later date and rezoning for this parcel, part of which would be developed for Fifth Third Bank, a 4,200 square foot banking facility with four drive thru lanes. As you can see in your booklets the entire parcel would be rezoned B-2 and the balance of the property could be developed for future retail use by the owner. The parcel is about 1.65 acres at the southwest corner. The bank would be at the northeast corner of the parcel at the southwest corner of the intersection. Currently there is a Clark gas station. We are bringing this to you because we believe the Fifth Third Bank would provide an improvement to the area. The current access off Golf Rd. is a full access. We would ask IDOT for it to remain a full access. It would be a less intense use than the current gas station. It has been our experience when we ask for zoning for banks that banks provide kind of a focal point and attract other retail uses. In the present and in the future we expect the same thing to happen here. With this bank, we believe it is consistent with the trend of development and will allow the Village to exercise control of the boundaries through the annexation process consistent with the Village's vision and comprehensive plan surrounding zoning and uses. We would ask for your consideration and I would now like to hand this over to Laura.

Laura Titschler stated thank you very much for your time. I am the Real Estate Manager for the northwest suburban expansion of Fifth Third Bank.

We are thrilled about the opportunity to go on the corner of Golf and Washington in Niles. It fills a void we have along Golf Rd. We are currently in the middle of a major Chicago expansion. We are the thirteenth largest U.S. bank in terms of assets. We currently have 1,100 banking centers in ten states; about 161 are in Chicago. We've worked very closely with Mr. Ostman and the Village staff to make sure this is a win/win site for the bank as well as the Village and to accommodate any future retail development the owner may wish to do. We appreciate your consideration. I will now turn this over to the architect. After he has told you a little bit more we have a slew of experts here in case you have any questions.

Jeff Kutsche stated he is with the Architects Partnership, architects for Fifth Third Bank. I will walk you through the plans so you get a feel for what we are proposing. (Architectural drawings are on an easel for the Board and people in the room to see.) It is a one story masonry building. I've got some elevations right after this. It is a little over 4,000 (4,200) square feet. The building would have a front door that faces Golf Rd. Access, as Mr. Shapiro pointed out, would be both off Golf Rd. and Washington, but clearly much smaller curb cuts than the current gas station. Mr. Kutsche pointed out where the building sits on the architectural drawing. The front of the building faces Golf Rd. with the rear drive thru on the south side of the building. Cars would be entering off Golf Rd. and/or off Washington circulating through the site and access the drive thru facility from this side (west) and face out so there would be no bleed from headlights in any of the other directions. There are three lanes. The lane adjacent to the building would be for typical drive thru customer service; the lane adjacent to it the same way; the fourth lane for the ATM; the third lane a drive thru system with the potential for an ATM in the future. All of the parking is on the north side or west side of the building – a total of twenty-six spaces, two of which are handicap size. As I mentioned before it is an all masonry building including the columns for the drive thru facility; it includes the trim at the top. The north elevation on Golf Rd. at the front door has a little bit of a tower associated with that. There is precast stone below the windows and along the top of the building. The same is true all the way around. The east elevation faces Washington with the windows along the street and the drive thru canopy from the side. Then there is the façade from the west side of the building. And again the façade from the south as you see the edge of the drive thru itself. You are welcome to ask any questions as far as the architecture of the building.

Chairman Callero stated so basically your presentation is done.

Mr. Kutsche stated yes.

Chairman Callero then read a memo from the Niles Police Department. It suggests if the Board were to pass this there be a right turn only onto Golf Rd. Do you have a problem with that?

Mr. Shapiro stated before doing anything we'd like to defer to IDOT. It is their road. Whatever they allow or don't allow us to do, we really need to defer to them.

Chairman Callero stated I don't think IDOT would have a problem if we require that you have a right turn only.

Mr. Shapiro stated they will ask IDOT for full access but if they come back and say you can only have right out then we have to live by their rules.

Chairman Callero asked Mr. Ostman can't we require that they have right out only?

Mr. Ostman stated this Board can require anything you want.

Chairman Callero stated that's what I thought. He stated to Mr. Shapiro you can do whatever you want with IDOT. This Board may require right turn only. Do you have a problem with it?

Ms. Titschler stated no we do not.

Chairman Callero asked if there were any comments or questions from the Commissioners.

Commissioner Dimond asked how will the driveways be different than they are now for the Clark Gas Station? Are they being made more narrow or being moved in location?

Chairman Callero stated there would be smaller curb cuts.

Mr. Kutsche stated they would be much smaller. The curb cuts right now are really quite lengthy along Golf Rd. They will be reduced to twenty-four feet.

Commissioner Dimond asked that's what you need to get IDOT approval for, correct?

Mr. Kutsche stated yes. And the curb cut along Washington is also quite large. We may be moving it slightly to the south but certainly much smaller as well.

Commissioner Dimond stated I have a concern about the traffic study. It was done on June 13. Was Washington School out of session at that point in time?

Mr. Shapiro stated he did not know the answer to that question.

Commissioner Dimond stated I noticed the afternoon study was done from four to six p.m. and school is out by that time in any event. So this would not have taken into consideration any of the traffic from the school, correct?

Mr. Shapiro stated that is correct.

Commissioner Dimond has one more question about the phases of this project. I understand the bank is the first phase. Are there any concrete plans for the second phase of development for this project?

Ms. Titschler stated the owner of the property is working with some retailers. I am not at liberty to say who because frankly, I don't know who yet. He is hoping to do a small retail center to the west of us.

Chairman Callero asked if there were any other comments or questions from the Commissioners. There were none. Any questions or comments from the audience?

Jerome B. Gottlieb, 8001 Courte, Apt 207, Niles, IL 60714 stepped forward.

Chairman Callero stated please raise your right hand. Do you solemnly swear to tell the whole truth and nothing but the truth?

Mr. Gottlieb stated yes.

Mr. Gottlieb asked if this plan (on the artists rendering) is the whole parcel or is the parcel on the west side not on there.

Mr. Shapiro stated that is the whole parcel.

Mr. Gottlieb doesn't know if his questions are apropos at the moment but he will ask them anyway. Will the underground buried tanks be removed and will we get a certificate of no contaminated soil?

Commissioner Troiani stated of course, that's the law.

Mr. Gottlieb asked if the billboard on that site is part of the plan? Will it be torn down and not converted to a cell tower?

Mr. Shapiro stated yes it is. It will not be torn down. We are asking for consideration to allow the billboard to stay. It will not be converted to a cell tower.

Mr. Gottlieb stated they would ask that the billboard be taken down.

Ms. Titschler stated I would like to respond to that.

Mr. Gottlieb stated we didn't interfere with Fifth Third's presentation so let me finish.

Ms. Titschler stated I just want to respond to your question.

Mr. Gottlieb stated that's all right, let me finish. How about a driveway all around the property for fire department access with the continuation on to the funeral parlor?

Chairman Callero asked Mr. Gottlieb to repeat the question. He did so.

Commissioner Troiani stated that was up to the fire department. I don't think we can make that rule. If they want an access to the property at Wojciechowski Funeral Home, they will demand it and then either Wojciechowski will put it in or the Fifth Third people will have to put it in. That's up to the fire department. They saw these plans and weren't issuing anything to the Board at this time.

Mr. Gottlieb repeated so that's up to the fire department?

Commissioner Troiani stated right.

Mr. Gottlieb asked if the Zoning Board signs off on this before it goes to the Village Board?

Commissioner Troiani stated they signed off on it already.

Mr. Gottlieb stated the fence on our side, being the south side, do we get additional landscaping back there so that the landscaping from the bank and our landscaping would end up back to back?

Mr. Ostman stated what is in front of you tonight only pertains to the Fifth Third development and not to the rest of the property. The rest of it will be addressed at the Village Board meeting.

Chairman Callero asked Mr. Ostman is the rest of the property going to be undeveloped (except for the bank) until some time in the future?

Mr. Ostman stated yes.

Mr. Gottlieb stated the notice in the paper just called for 8001 Courte Dr. (correction – 8001 Golf Rd.) which is just the gas station. It has nothing to do with the home. The home has a separate address. So the ad on its face is not correct. Because we wouldn't have known if the house was part of it until we got maybe got something in the mail.

Commissioner Alpigianis stated right now we are reviewing just that parcel with that address. That's what they're trying to explain to you.

Mr. Gottlieb stated the house comes all the way back to the south side of the property.

Commissioner Alpigianis stated we're not talking about the house. We are taking about the northeast corner of that parcel of the property. That's why you've got that address stated when it was delivered to your home.

Mr. Gottlieb asked if this plat assumes the house is going to be torn down?

Commissioner Alpigianis stated right now they're talking about the development of the northeast corner of the parcel of the property.

Mr. Ostman stated yes, just the gas station.

Mr. Gottlieb verified that just the gas station is on the plan being shown.

Commissioner Alpigianis stated yes, you're looking at the entire plot.

Mr. Gottlieb asked are the sidewalks on Golf Rd. and Washington St. being made separate from the driveways? By that I mean the sidewalk is flat and the driveway comes up and meets it, goes across the sidewalk and then goes down to the street.

Mr. Ostman stated there are standard engineering practices regarding that.

Chairman Callero stated that's what we have engineering departments for. This is all mandated by the city.

Mr. Gottlieb stated he doesn't come to these meeting very often. Maybe you're not happy but I'm asking these questions. What the heck difference does it make?

Commissioner Troiani stated the engineering department tells them when they go in for permits, exactly where they have to put the sidewalks, how they have to put them in, what elevation to put in, what cuts for disability have to be put in, what color the disability cuts will be and everything else. This is only coming before us for legality now to change the zoning. That's all we're dealing with now is the zoning on this thing.

Mr. Gottlieb stated by that time my chance to be heard might be gone.

Commissioner Troiani stated no. You can always go to the Village Board meeting when this comes through there.

Mr. Gottlieb stated I understand. But by that time the plans get more hardened and it's harder to get anything changed.

Commissioner Troiani stated he would trust our engineering department, our police department, our fire department. We have pretty good organizations in this town.

Chairman Callero stated they do this day in and day out. This isn't the first time they've done it.

Mr. Gottlieb asked does the site plan take into consideration the driveways across the street going into the Mobil station and the shopping center are in line? Or does this add another driveway somewhere so we have four driveways now?

Mr. Ostman stated it is up to our engineering department and they have reviewed it. I would like to interject that I did offer the residents attending tonight's meeting who live right behind this piece of property a meeting with myself within the next week or two to get them fully informed in regard to what is happening on this corner and how to proceed in front of the Village Board with their concern.

Chairman Callero stated to Mr. Ostman then you're going to deal with these questions, correct?

Mr. Ostman stated yes.

Chairman Callero stated to Mr. Gottlieb that Mr. Ostman would deal with him and the questions.

Mr. Gottlieb stated I understand but would like it to be made a part of the public record.

Chairman Callero stated that's fine, read them all off.

Mr. Gottlieb stated they would like the bank speaker system to be as quiet as possible. If they have a dumpster, they would like it screened in. They would like the bank outside lights to be low and shielded. They would like to get the property that is not used to be fenced off and maintained until building takes place. We were wondering where the water service for the building is coming from. Right now the church across the street tapped into the main underneath our property, ran it across our driveway to get water. If I remember right the water main out here is part of the old Yakman (sp?) system. So you might not have too good of water out there. Time of pickup for the trash hauler. If it goes into the Village of Niles, is it set at seven a.m. at the earliest?

Chairman Callero stated yes.

Mr. Gottlieb continued. What kind of retail? Does each one need a Special Use permit?

Chairman Callero stated it all depends on what happens. We have no idea at this stage.

Mr. Gottlieb continued. No deliveries before seven a.m. and no all night truck parking.

Commissioner Troiani stated there wouldn't be truck parking at a bank property.

Mr. Gottlieb continued. I'd really like to see, if they get a Special Use permit, to have the permit posted in the bank where everyone can see it and see what the conditions are so that if something is going on in the bank or on that property that is not a part of that Special Use permit, you don't have to get a court order to get a copy of the Special Use permit. You can see what's there and have something done about it.

Commissioner Troiani stated generally the ordinances are published after they are approved by the Village Board. We can only go as far as zoning. The Village Board must take this over and approve it or deny it. It's up to them. Once it's done they will get an ordinance done and it will be published in the paper.

Chairman Callero asked are there any other questions or comments different from what we've already heard?

Mr. Shapiro asked if the Board would like him to respond to any of the questions.

Chairman Callero stated no. Mr. Ostman will deal with it.

Edward Swidler, 9500 Washington, Niles, IL stepped forward. He stated my bedroom overlooks this property. They said they're going to be driving in off Golf facing south, therefore, if its evening those lights are going to be shining from the cars right into our bedroom. Are you going to be blocking this lighting in any way so we will not get those lights into our bedroom? Are you going to put up a wall? Are you going to put in trees or something?

Chairman Callero stated I will let the petitioner respond to that question.

Mr. Kutsche stated I may have misspoken. The driveway on the south actually faces east. So there are no headlights, no stacking of cars that would be aimed toward the building.

Chairman Callero stated the cars will be entering off Golf.

Mr. Swidler stated they are not entering off Washington; they are entering off Golf, correct? Therefore the cars are facing south. And that is going to shine right thru our bedroom windows.

Chairman Callero stated what Mr. Swidler is saying in order to get to the drive thru you're going to go south and then turn and go east to go into the drive thru. He's saying when you come in off Golf Rd. you have to drive south before you make your left hand turn to go thru to the drive thru.

Mr. Kutsche stated Mr. Swidler is concerned about the cars that enter off Golf Rd. He reiterated the cars standing or stacked up at the facility will not be parked with headlights aiming at his home. As they pass this building and turn, they may sweep in that direction if they are there after hours.

Mr. Shapiro stated the landscape plans show landscaping toward the southern part of the site and would have a buffer or blockage of the lights.

Commissioner Troiani asked if they would work with our department on that.

Mr. Shapiro stated yes.

Chairman Callero asked are there any other questions or comments?

Sondra Swidler, 9500 Washington, Niles, IL stepped forward. I am also the President of the Umbrella Association of Washington Courte Condominiums. This is five buildings, two hundred twenty apartments. We have a terrible problem now with people coming into our private street, which is Courte Drive. It is posted as being private property. That means nothing to anyone. We do not have it guarded because we never anticipated the amount of traffic that is going to be developed. I would like to know what we can do as owners to stop this.

Mr. Ostman stated in talking to the residents before the meeting they brought that up and I have to fully understand where this traffic is coming from. That is why I offered to meet with them to understand where their concern is and where the Village can help them out. It has nothing to do with the meeting tonight.

Mrs. Swidler asked as far as zoning?

Chairman Callero stated we are dealing with a bank that is coming in front of us to go on that corner.

Mrs. Swidler stated I understand but in doing that you are also freeing up the rest of the property which will probably be a retail business.

Chairman Callero stated we have no idea at this time and it makes no difference to us. If and when they choose to try and do that and it comes in front of us then you're welcome to come back and we'll deal with that part of it at that time. We're dealing with Fifth Third Bank on the corner.

Commissioner Troiani stated you are meeting with Mr. Ostman; you'll give him all your concerns and he can watch out for it if the property develops.

Mrs. Swidler stated but this is being asked for approval tonight. Am I correct?

Commissioner Troiani stated we can't give approval.

Chairman Callero stated all we're going to do is recommend to the Board of Trustees and they're (Fifth Third) going to have to go in front of the Board of Trustees.

Mrs. Swidler asked once that zoning is changed, that will be for the entire piece of property, am I correct?

Chairman Callero stated no.

Commissioner Troiani stated it is only going to be changed for that property right there (on the architect's illustration.)

Mrs. Swidler asked what does this property consist of?

Commissioner Troiani stated if they come in, the rest of the property, according to our ordinances that we have on the books, which is all legal, and they do not need any Special Uses, they don't have to come before us again. As long as they fit in the preambles of our ordinances.

Mrs. Swidler stated I understand but by granting them a variance, are you not giving them a variance for that entire piece of property.

Commissioner Troiani stated no. We're only giving them the variance for the piece of property that is the footprint of this bank.

Mrs. Swidler asked only the footprint of the bank?

Commissioner Troiani stated only the footprint of the bank.

Mrs. Swidler stated okay and thank you very much and stepped away.

Chairman Callero stated I am going to clarify something a little bit. We're giving them whatever an R-1 to a B-2 Special Use is for the bank. Now if they want to develop the rest of it and it doesn't fit within the zoning, they have to come in front of us again. For example, we have all different rules concerning parking and everything else, so if they want to put something in and they have enough required parking and it fits within the zoning it's not a problem. If they come with something that needs a variance, then they have to come back to us.

Mrs. Swidler asked what size is the parcel?

Mr. Shapiro stated the entire parcel 1.65 acres.

Commissioner Alpigianis stated we do not conduct meetings from there so please step back up to the microphone so the secretary can hear everything.

Chairman Callero asked if there were any other questions or comments from anyone.

Mr. Edward Swidler stepped back up to microphone. He stated you're not letting me get my question in. You said you already answered it but you haven't.

Chairman Callero stated you were already up with a question. I asked if you had anymore and you said no.

Mr. Swidler stated not at the time.

Chairman Callero stated go ahead.

Mr. Swidler thanked him. How deep does this go south and how deep west? You gave us acres. That could be in any direction. I want to know how far south and how far west it goes.

Commissioner Alpigianis stated Mr. Ostman would answer that question in a moment. Wait until you get the answer to that question because you may want to ask something else.

Mr. Ostman stated the dimension of the entire parcel is 296 feet running north and south and 241 feet running east and west.

Mr. Swidler thanked him and said now we can locate it in our own minds because we couldn't make it out on the picture, especially sitting back there. We couldn't see it. I greatly appreciate your indulgence.

Chairman Callero asked if there were any other questions or comments from anyone in the audience. There were none. He then entertained a motion.

Commissioner Alpogianis moved that 07-ZP-22 – Dan Shapiro, Attorney, Schain, Burney, Ross & Citron, Ltd., 222 N. LaSalle St., #1910, Chicago, IL 60601, requesting rezoning from R-1 to B-2 Special Use for a banking facility with a drive thru upon approval of annexation at 8001 Golf Rd. be **approved**.

Chairman Callero stated hold it. I want to add contingent on signage stating right turn only onto Golf Rd. allowing eastbound exit from the site.

Commissioner Alpogianis then stated contingent upon signs being marked as exit on Golf Rd. is eastbound only with no left hand turn.

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

AYES: 5 Dimond, Looby, Kanelos, Alpogianis, Troiani
NAYS: 0
ABSENT: 1 Weel

Chairman Callero stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate our decision and it will be necessary for the petitioner to contact Mr. Charles Ostman, Director of Community Development, and ask to be placed on the Board of Trustees agenda and you will be notified of the date. Anyone in the audience who would like to be informed as to the date of this hearing by the Board of Trustees, leave your name and address with our secretary and she will notify you.

Commissioner Kanelos moved to adjourn the meeting.

Commissioner Alpogianis seconded the motion to adjourn. On roll call the vote was:

AYES: 5 Dimond, Kanelos, Looby, Alpogianis, Troiani
NAYS: 0
ABSENT: 0 Weel

There being five affirmative votes the motion carried.

The meeting adjourned at 8:25 p.m.

James Callero, Chairman

Angelo Troiani, Secretary

After the meeting was adjourned, Iona Harris, 8001 Courte Dr., #502, Niles, IL stepped to the secretary's desk. She asked that her name and address be added to the minutes of this meeting so she would be notified of the Board of Trustees meeting when 07-ZP-22 is presented.