

APPROVED
MINUTES OF THE MEETING OF THE PLAN COMMISSION
AND ZONING BOARD OF APPEALS
VILLAGE OF NILES
COOK COUNTY, ILLINOIS
June 7, 2010

NEW BUSINESS

10-ZP-08 Mr. Tadeusz Zimnoch
3200 E. Lake Shore Dr.
Wonder Lake, IL 60097

Requesting approval of Plat of Re-subdivision – appendix B, section IV (C) Ted’s Re-subdivision at 8149 N. Wisner St., Niles, IL.

10-ZP-09 Mr. Tom Ebels, Jr./Clearwire LLC, agent
635 East Remington
Schaumburg, IL 60173

Requesting a Special Use to section IXA (B)(5)(a) to install two microwave antenna dishes and three accompanying panel antenna and wireless access point units on an existing water tank at 8199 W. Golf Road, Niles, IL.

10-ZP-10 Dr. Leon Zingerman
3819 Kiess
Glenview, IL 60026

Requesting approval of a Special Use to appendix B, Section VIII (B)(3)(nn) for a dental clinic and to appendix B, section X (B)(10)(y) for a parking variation of a total of 15 total spaces or 20% and relocate trash enclosure at 7313 N. Harlem Ave., Niles, IL.

Chairman Kanelos called for the first item on the agenda.

10-ZP-08 Mr. Tadeusz Zimnoch
3200 E. Lake Shore Dr.
Wonder Lake, IL 60097

Requesting approval of Plat of Re-subdivision – appendix B, section IV (C) Ted’s Re-subdivision at 8149 N. Wisner St., Niles, IL.

Mr. Wlodarski came to the podium to summarize this case. This request is for approval of Ted’s Re-subdivision and did not require notification to properties within 250’. This was made up of three separate parcels and the re-subdivision will consolidate this into one parcel. Neither the Community Development nor the Engineering Departments have any objections. This Board is recommending Board to the Board of Trustees for this case.

Chairman Kanelos asked if there were any questions for Mr. Wlodarski.

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Mr. Wlodarski summarized this case. Legal notice was published on May 20, 2010 in The Bugle Newspaper and letters were mailed out to all the

properties within 250' of the subject property. This request is to install two antenna dishes and three panel antenna and wireless access point units on the existing water tower at Four Flaggs Shopping Center. The water tower is owned and maintained by the Village of Niles. It has been reviewed by Municipal Services Associates which is a consultant to the Village for all communication systems. MSA has recommended approval for the installation of the dishes and antennas. The Community Development Department has reviewed this request and has no objections. Once again, this Board is a recommending Board to the Board of Trustees.

Chairman Kanelos asked if there were questions from any of the Commissioners.

Commissioner Dubiel asked that the packet received by the Board be admitted as Exhibit I for 10-ZP-09.

Mr. Wlodarski wished to add something that just came up today [June 7, 2010.] There is a lease agreement being worked out for an easement between the carrier and the shopping center. It is moving forward but not finalized. There does not appear to be any objections at this point. It should be signed by the time this case goes on to the Village Board.

Commissioner Troiani thought this should be someone's requirement but Mr. Wlodarski and Village Attorney Annunzio both said no. However, Mr. Annunzio said he would research it. Commissioner Troiani stated he would put down an easement agreement as needed by the Village.

Mr. Wlodarski said we don't see any issues with it but wanted you to be aware of the situation.

Vice-Chairman Dimond wanted to clarify that the shopping center owns the water tank.

Mr. Wlodarski stated the Village owns and operates the water tank.

Vice-Chairman Dimond wanted to know what is it they are leasing.

Mr. Wlodarski said there needs to be access to that area. That is what they

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are still negotiating. The shopping center doesn't object. It is just a legal document they are working out with the carrier.

Commissioner Dubiel had a question. Has the Water Department and the petitioner negotiated to replace this equipment?

Mr. Wlodarski stated the Engineering Department has reviewed it.

Chairman Kanelos stated the only condition you would like is the one mentioned in your review which is the painting. When it comes time to make a motion please keep that in mind. There were no other questions from the Commissioners or the public. The petitioner was called up.

Mr. Tom Ebels, Jr., Clearwire LLC, agent, 635 East Remington, Schaumburg, IL 60173 came to the podium and was sworn in. He thanked the staff for their assistance with the application and presentation this evening.

Chairman Kanelos asked if there were any questions from the Commissioners.

Vice-Chairman Dimond asked how this microwave dish will operate for the convenience of Niles residents.

Mr. Ebels said the system itself provides high-speed internet access, also phone access. The microwave portion serves as the telephone back-haul portion. A typical cell system, as MSA's report indicates, goes through the public phone system on a land line. By using microwave dishes we are actually able to speed up internet access so users of Smart Phones, wireless laptops, etc. are able to operate at a much faster speed.

Chairman Kanelos asked that the packet given to the Board be entered as Exhibit I for 10-ZP-09.

Commissioner Troiani had another question. The recommendation from the Village is that all equipment that extends from the transmission equipment to the antennas be painted to match the color of the existing water tank.

Mr. Ebels said they can accept as a condition to paint the antennas, microwave dishes and coaxial cables. The equipment cannot be painted to match the water tank; however it is located behind the water tank in an alcove of the shopping center and will not be visible to the general public.

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Mr. Ostman clarified the ground equipment does not have to be painted to match the water tower, only the equipment attached to the tower.

Vice-Chairman Dimond asked if the antenna is designed, located and operated so the public health, safety and welfare will be protected.

Mr. Ebels said absolutely. It will comply with all FCC and FAA regulations.

Chairman Kanelos asked if there were any other questions from the Commissioners or the public.

Patricia Amtaramian, 8154 Lyons, Niles, IL came to the podium and was sworn in. She stated this dish is right behind her property. She is concerned about the visibility of it. They already have the electrical wires back there and to have more of the same seems to be a detriment if they try to sell their home. If people see not only electrical wires, but they see a dish, they see the water tower, they see all these things. She thinks it is a detriment, not a positive, for her property.

Commissioner Dubiel offered Mrs. Amtaramian a photo from the packet showing before and after.

Chairman Kanelos said Mr. Wlodarski will show Mrs. Amtaramian the photo and hoped it would allay some of her concerns.

Mr. Wlodarski felt she was confused there was going to be a new tower not realizing this was going on the existing tower. The explanation and photo satisfied her concerns so far.

Chairman Kanelos asked if there were any other questions. There were none. He entertained a motion.

Commissioner Troiani made a motion to **approve** Mr. Tom Ebels, Jr./Clearwire LLC, agent, 635 East Remington, Schaumburg, IL 60173 requesting a Special Use to section IXA (B)(5)(a) to install two microwave antenna dishes and three accompanying panel antenna and wireless access point units on an existing water tank at 8199 W. Golf Road, Niles, IL subject to matching all colors as designated by the Community Development Department and to meet all requirements of new easement approval.

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the location of the dumpsters. It was agreed upon during testimony to locate them within the alcove they are presently in. The Community Development

has reviewed this request and recommends approval with the condition the parking variation shall only apply to the shopping center as long as the Special Use is still active for the dental practice it was granted for. This is a recommending Board to the Board of Trustees.

Chairman Kanelos asked if there were any questions.

Commissioner Nakanishi said on the cover letter from the dentist the address is listed as 876 Civic Center Drive. I think that is your [Mr. Wlodarski] address.

Mr. Wlodarski stated the dentist currently has a practice in Civic Center Plaza and is moving to this new location on Harlem Ave.

Commissioner Nakanishi said the floor plan shows furniture placed in front of the electrical panel, and that no furniture or anything else may be placed in front of the electrical panel or 36' to either side of it.

Mr. Wlodarski assured her it was just that – an overall floor plan. None of these drawings were reviewed for code issues at this point.

Commissioner Nakanishi asked if the garbage pickup is going to be in the front or the alley.

Mr. Wlodarski said there really is no alley. It is a 5' rear yard setback right now. You have two pictures – before and after – they will be located parallel with the building instead of the way they are now.

Vice-Chairman Dimond asked if the trash containers are going to be in the back.

Mr. Wlodarski said there is no alley. All the businesses dump their trash using the back walk that serves all the doors for the businesses.

Chairman Kanelos asked if there are any other questions.

Annette Kennedy, 7308 N. Nora Ave., Niles, IL stepped forward. She was sworn in. She lives right behind the building and had discussed with the

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owner about relocating the trash bins. She does not understand the 15% total spaces. What does that mean?

Mr. Wlodarski said the reason for the variation is it requires 72 spaces. They have 72 existing parking spaces. By our ordinance, if you add up all the businesses in the center, they are required to have 87 spaces. In looking at the shopping center the two practices making the biggest demand are the dental office going in and the chiropractor's office already there. Per our zoning code we have to give them 3 places per office or per chair even though in the chiropractic office he only has one person at a time. We don't feel there is any extra demand. The dental office is the same type of business. The dentist will explain when he comes to the podium. There are not 3 dentists. There are 3 chairs but one dentist, one assistant and one receptionist.

Mrs. Kennedy is concerned because her house is right up against the parking. There are no problems now but if there is a problem in the future is it possible to contact the Village about it.

Mr. Wlodarski feels there are going to be no parking issues. There is a good working relationship with the landlord.

Chairman Kanelos said if it is passed it will be with the condition the variance is only good while that office is there. So if something goes out and comes back in they need to reapply for the parking variation.

Commissioner Nakanishi said the dentist has one assistant and one part-time assistant (neither of them dentists), but the floor plan shows 3 operating rooms. If the dentist is planning to hire another dentist in the future, the parking requirements would increase.

Mr. Wlodarski said he would let the dentist explain all that.

Dr. Leon Zingerman, 3819 Kiess, Glenview, IL 60026 came to the podium and was sworn in. He has been in the Civic Center for ten years and has 3 operatories and is a sole practitioner. The way the operatories are used is with one assistant; when the next patient comes in, she does not have the opportunity to clean one so they go to the next operatory. The third operatory is used strictly for emergencies. The only time more than one operatory is used at the same time is when they do bleaching.

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The meeting adjourned at 7:35 p.m.
Kathleen Janessa, Recording Secretary