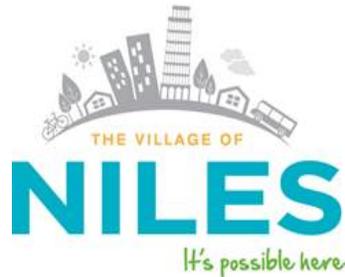


VILLAGE OF NILES

1000 Civic Center Drive
Niles, IL 60714
www.vniles.com



Approved Meeting Minutes

Monday, July 11, 2016

7:00 PM

Village Hall

Planning and Zoning Board

Chairman

Thomas Kanelos

Members

Susan DeBartolo

Morgan Dubiel

Ted Karabatsos

Barbara Nakanishi

Robert Schulter

Staff Liaison Bruce Sylvester

CALL TO ORDER/ROLL CALL

The Niles Planning and Zoning Board was called to order at 7:00 P.M. All rose for the Pledge of Allegiance.

PRESENT: 6 Chairman Thomas Kanelos, Commissioners Ted Karabatsos, Susan DeBartolo, Barbara Nakanishi, Robert Schulter, Morgan Dubiel

ABSENT: 0

Also present was Director of Community Development Charles Ostman, Senior Planner Bruce Sylvester, Village Attorney Danielle Grcic and Commissioner Emeritus Angelo Troiani.

Chairman Kanelos welcomed the new Village Attorney Danielle Grcic. She will be in attendance at these zoning meetings from now on. He also announced there is now a zoning board Commissioner Emeritus in Ginger Troiani. He has served with distinction for over thirty years. He will still join the meeting every month because he is a wealth of information and the Board is happy to have him here in some capacity.

APPROVAL OF MINUTES

Chairman Kanelos asked if there were any additions, clarifications or corrections to the minutes of May 23, 2016. There was one correction at the bottom of page 5 which was taken care of before the approved minutes were submitted for permanent record.

Commissioner DeBartolo moved to **approve** the minutes of May 23, 2016. Seconded by Commissioner Nakanishi, on roll call the vote was:

AYES: 6 DeBartolo, Dubiel, Nakanishi, Schulter, Karabatsos, Kanelos

NAYS: 0

There being six (6) affirmative votes the motion carried.

Chairman Kanelos asked if there were any additions, clarifications or corrections to the minutes of June 6, 2016. There were none.

Commissioner DeBartolo moved to **approve** the minutes of June 6, 2016. Seconded by Commissioner Nakanishi, on roll call the vote was:

AYES: 6 DeBartolo, Dubiel, Nakanishi, Schulter, Karabatsos, Kanelos

NAYS: 0

There being six (6) affirmative votes the motion carried.

OLD BUSINESS

16-ZP-20 - Requesting approval of a special use permit to allow 'outdoor storage of equipment' per Village Ordinance Appendix B, Section IX(B)(2)(c) for a proposed school bus storage/maintenance facility at 6119 Howard Street and 6100-6140 Gross Point Road, Niles.

16-ZP-21 - Requesting approval of variations from landscaping requirements as provided in Village Zoning Ordinance Appendix B, Sections XII(G)(2) and (3) to allow a proposed parking lot at 6100-6140 Gross Point Road for a proposed school bus storage/maintenance facility at 6119 Howard Street and 6100-6140 Gross Point Road, Niles.

16-ZP-22 - Requesting approval of a plat of consolidation per Village Ordinance Appendix B, Section XI(C.1)(3)(i) to combine parcels located at 6119 Howard and 6100-6140 Gross Point Road, Niles for a proposed school bus storage/maintenance facility.

NEW BUSINESS

16-ZP-24 - Requesting approval of a special use permit as provided in Zoning Ordinance Appendix B, Sections VIII(B)(3)(z); VIII(B)(3)(mm); and VIII(C)(3)(a) for a proposed music and lounge at 6873 Milwaukee Avenue, Niles. club

16-ZP-25 - Requesting approval of a 12-foot 6-inch variation from Village Zoning Ordinance Appendix B, Section VII(C)(9)(b) to allow a proposed second-floor addition that will be 12-feet 6-inches from the side property line where 25-feet are required at 8702 West Madison Drive, Niles.

16-ZP-26 - Requesting approval of a special use permit to allow a new restaurant per Village Ordinance Appendix B, Section VIII(B)(3)(z) at 8600 Golf Road, Niles.

16-ZP-27 - Requesting a special use permit to Chapter 78 (signs), Article V, Division 3, Section 78-92 (1) to allow a 55% increase in sign area at 6913 Milwaukee Avenue, Niles, as provided in Section 78-208.

DISCUSSIONS August meeting will be held on Monday, August 8, 2016

ADJOURNMENT

OLD BUSINESS

Chairman Kanelos called for the first items on the agenda tonight.

16-ZP-20 - Requesting approval of a special use permit to allow 'outdoor storage of equipment' per Village Ordinance Appendix B, Section IX(B)(2)(c) for a proposed school bus storage/maintenance facility at 6119 Howard Street and 6100-6140 Gross Point Road, Niles.

16-ZP-21 - Requesting approval of variations from landscaping requirements as provided in Village Zoning Ordinance Appendix B, Sections XII(G)(2) and (3) to allow a proposed parking lot at 6100-6140 Gross Point Road for a proposed school bus storage/maintenance facility at 6119 Howard Street and 6100-6140 Gross Point Road, Niles.

16-ZP-22 - Requesting approval of a plat of consolidation per Village Ordinance Appendix B, Section XI(C.1)(3)(i) to combine parcels located at 6119 Howard and 6100-6140 Gross Point Road, Niles for a proposed school bus storage/maintenance facility.

Bruce Sylvester reported that the applicant requested these three items be tabled because they are still preparing information they need to bring to this Board.

Chairman Kanelos made a motion to table.

Commissioner Nakanishi moved to **table** 16-ZP-20, 16-ZP-21 and 16-ZP-22.

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

AYES:	6	Nakanishi, Schuller, Karabatsos, DeBartolo, Dubiel, Kanelos
NAYS:	0	

There being six (6) affirmative votes the motion carried.

NEW BUSINESS

Chairman Kanelos called for the first item of new business on the agenda.

16-ZP-24 - Requesting approval of a special use permit as provided in Zoning Ordinance Appendix B, Sections VIII(B)(3)(z); VIII(B)(3)(mm); and VIII(C)(3)(a) for a proposed music club and lounge at 6873 Milwaukee Avenue, Niles.

Bruce Sylvester said the site is currently zoned B2 and is now vacant. It used to be Capone's Hideout. Mr. Andrew Bobrowski is here tonight. He is proposing to clean up the site, renovate the interior of the building and open a business called The Music Box. It will include music, lounge, some food and alcohol. The area is primarily businesses along Milwaukee Avenue. However there is one adjacent single family property. The applicant has already installed a privacy fence. The site is now on the overhead screen. There are other properties in the area but this particular one is the only one adjacent. They have spoken to the applicant about the noise factor and he will manage to control patrons as they leave the site. Staff suggested a couple of items the Board may want to include as conditions of approval.

- 1) the parking lot needs to be re-paved and re-stripped as recommended by the Village Engineer.
- 2) an onsite manager should make sure the patrons leave quietly.
- 3) refuse and recycle containers should be stored in a refuse enclosure or, as an alternative location, there is a garage at the back of the property where these could be stored.

All the required legal notifications have been sent out and placed in the newspaper. The applicant did provide information, which is in tonight's packet, about the nature of the business, hours of operation, etc. He also responded to the three requirements that must be satisfied to obtain a special use. He also has a site plan and a floor plan. His original plan showed too many places to sit in relation to the number of parking spaces. He then revised his floor plan so the amount of parking on the site is sufficient for the amount of seating he is now proposing.

Charles Ostman added one other thing this Commission may consider is the condition that the applicant must provide offsite for overflow parking if necessary so it doesn't affect the residential area. There are some commercial areas farther south that could be considered. Also there is a meeting tentatively scheduled for August 4, 2016 for the residents of the Ebinger area. This meeting will be at the Village Hall and they will be discussing parking issues in the neighborhood.

Commissioner Schulter asked if there were parking issues when this business was Capone's?

Mr. Ostman said he doesn't know of any parking issues for Capone's, but there are issues for Playbook at times.

Commissioner Schulter said if there is an upcoming meeting about parking in the neighborhood, why doesn't this item get tabled until after that meeting.

Chairman Kanelos said they could consider tabling but they should hear more testimony and then decide.

Commissioner Nakanishi said she looked at the scheduling in her packet and this proposed business would basically be open all night until 4:00 a.m.

Chairman Kanelos asked if the Board could make it a condition that the number of seats allowed, if upon inspection they find there are extra tables, that would be a violation of approval.

Mr. Ostman said it could be made a condition but from time to time the Health Inspector does inspections and notifies his department that there is an increased number of seats, so we go back to the establishment and investigate.

Chairman Kanelos said but if it's a condition of approval, isn't that more powerful?

Mr. Ostman said yes.

Commissioner Dubiel asked if there could be a decibel or sound meter reading.

Mr. Ostman said noise is more of a police department issue.

Commissioner Dubiel said if there is approval can this Board also set a distance for the decibel level.

Mr. Ostman said he had not heard of that but Staff does have a simple decibel meter reader.

Commissioner Dubiel said so at 65 decibels..... and noise falls every 20 ft. by half.

Chairman Kanelos said right now there is a request for the deck to be open the same hours as the facility. The public will have time to speak after the Board has heard from the Staff and the petitioner. He then called the petitioner to the podium.

Andrew Bobrowski, Elmdale Ave., Glenview, came forward to be sworn in. He said he is 61 years old. There aren't too many places for people his age to dance, drink and eat food. There are quite a few places in Niles for younger people to gather but not so much for older people. He intends to have the deck open the same hours as the business.

Chairman Kanelos asked if he was concerned it was going to be loud on the deck. At 4 o'clock in the morning, a normal conversation is pretty loud. He thinks the homes along the back would have cause for concern if there are ten or fifteen people out there talking.

Mr. Bobrowski said his place borders only one residence and he has spoken to that owner. He said the distance from the deck is about 80 ft.

Chairman Kanelos said it is actually a little over 100 ft. That isn't really very far. Sound doesn't respect property lines. He himself lives a block and a half from St. John Brebeuf and he hears a lot from over there and it isn't in the middle of the night. He added he saw the fence that was installed and while it looks nice, it's not very tall. Would he consider restricting the hours of the deck? They could make it a condition where he would have to do that. That is a big concern.

Mr. Bobrowski said he might.

Commissioner Dubiel said sound travels in a straight line. Would it be possible to put up additional fencing or a barrier on the deck? He then showed the area on the overhead. He added he lives in the neighborhood and would like to see the building cleaned up and a successful business opened. But there has to be some way to control the noise. Another question is what security would be in the back.

Mr. Bobrowski said there would be a couple of workers to escort the people outside so everyone is leaving quietly. Someone would be out there at closing time.

Commissioner Dubiel asked if someone would be there to monitor the back, perhaps a simple camera system to see what is going on.

Mr. Bobrowski said he didn't plan to do that.

Commissioner Dubiel said the liquor license for the establishment has expired. Therefore Mr. Bobrowski would have to apply for a new liquor license. He asked Mr. Ostman what is the procedure for applying for a liquor license.

Mr. Ostman said he does not know the procedure for applying. There is a 2 a.m. and a 4 a.m. license.

Mr. Bobrowski said he is applying for a 4 a.m. license. He has not applied because he is waiting for this zoning meeting first.

Chairman Kanelos said then at 2 or 3 o'clock people will be going out to their cars but there would not be a manager out there. Who's going to monitor and make sure they aren't making noise going to their cars? Who will control that to protect the citizens?

Mr. Bobrowski said he would have a security person at the place. This person should be able to check the parking lot as well.

Lucian & Mary Janikowski, Village Motel, 6871 Milwaukee, Niles came to the podium and were sworn in.

Lucian Janikowski said they own the motel with twenty-two rooms and a single family home on the property. There is about 10 ft. plus an alley between the motel and the proposed business. He has been fighting for fourteen years because of the noise and has had no help from any department in Niles with his complaints. There was trouble almost every night when the other business was there. When Ray Giovannelli was Chief of Police, he arranged for mediation with the bar. The bar owner was obligated to soundproof the building and hire off duty policemen. They had parties until 8 a.m. People were drinking, swearing, shouting. People in the motel complained they were seeing sexual acts on their cars. There were motorcycle gangs there at 5 in the morning. You cannot imagine the sound. Our home would be shaking. At the time my in-laws lived in the home with us on the first floor. The owner never did sound proof the bar.

Chairman Kanelos asked what the Village did to help when Mr. Janikowski went back to them to say they weren't compliant.

Mr. Janikowski said this lasted fourteen years. He went on to explain all the letters he sent to the various departments. [He left copies for this Board with the secretary]. He told in detail more stories of how the bar that was there impacted their lives until it closed in 2014. It was hell.

Chairman Kanelos said that was then.

Mr. Janikowski said he doesn't want it again.

Chairman Kanelos said there is going to be a potential huge issue with sound.

Mary Janikowski wants the Board to know what has been going on. When people are drunk, they can't control their actions. There were fights and swearing. They lost business because of this. And they want to have good people in their motel. There was sex going on in the bushes. It was a nightmare. They don't want to go through this again. And the motorcycles were noisy.

Mr. Janikowski said this is a tiny storefront not designed for a bar. And it is not soundproofed.

Commissioner Dubiel said so you have had this motel for fourteen years, correct?

Mrs. Janikowski said longer. It was her parents business before they took it over. There used to be a nice restaurant there owned by a mother and daughter. There were no problems. It was sold fourteen years ago so they put up with it for twelve years and it has now been vacant for two.

Mr. Janikowski said when the police did come, the people scattered.

John Laspina, 6761 Forestview Lane, Niles came forward and was sworn in.

He lives in the house that is directly behind. He experienced a lot of noise also. He thinks that people that come out to drink and/or smoke should be able to go to some kind of enclosed area where the noise would be blocked off. They would need someone there to make sure no one is in the parking lot making a lot of noise. He has other ideas about it could be quieted down.

Mr. Bobrowski said he understands their concerns. But his place would not be like that other one. This business is on a main street, Milwaukee Avenue.

Chairman Kanelos asked Mr. Bobrowski if he knew the reason he needs a special use permit is because even though this is a business district, not every business has a right to go into every area of the business district. While the Village worries about every business because they are a business friendly town, they also worry about the citizens too. This is problematic.

Commissioner Karabatsos asked if there can be restrictions on landscaping.

Mr. Ostman answered that restrictions can be put on just about everything.

Mr. Sylvester said they encouraged this petitioner to put in some landscaping and what is in the packet is what they proposed.

Commissioner Karabatsos said the deck would be 2 ft. off the ground. If they put in a 6 ft. fence that isn't very high. It would be only 4 ft. higher than the deck. Can they put in a 10 ft. fence?

Chairman Kanelos said it isn't allowed. But if they required a 6 ft. fence around the entire property it would help to keep people from walking off the property, urinating on the neighbors' property and reduce problems like that. But it would do nothing for the sound. There are multiple issues here. We can ask for a larger fence, a hedge that is more dense, and a restriction on the deck outside to say 10 p.m.

Commissioner Karabatsos asked where are they going to go to smoke then? Possibly the side of the building. Maybe there could be a trellis wall or something like that to hold the sound back. It's doable.

Commissioner Dubiel said blocking the sound is key. There could be a condition where instead of 65 decibels (which is code) it could be 60 decibels. He would like to see some flexibility in the fence code. This is clearly an instance where you'd want a higher fence just for the sound. If they make a condition where they pass it, that's an ordinance.

Mr. Sylvester said the applicant just spent money to put in a 6 ft. fence around the rear property line.

Chairman Kanelos said that doesn't help the problem on the sides. And he did 6 ft. because that is what he was limited to. If there is a condition to put an 8 ft. fence around the sides, is that like granting a variance?

Mr. Ostman said the fence code is not under the zoning code. It is under the building code. They are proposing this month to allow up to 7 ft. fencing for business and residential.

Commissioner Dubiel said this Board is creating an ordinance and it is going to the Village to pass an ordinance. This is unique. And it would be tied to that property only with specific circumstances.

Mr. Ostman said yes, it would be an ordinance.

Mr. Sylvester said they did do a public notice so if it passed tonight as an ordinance it would be okay.

Mr. Ostman has no opinion on that.

Chairman Kanelos said he thinks it should definitely be a condition and at least 8 ft. They can also make a condition they have to patrol that parking lot from midnight until close. It can't be someone running in and out.

Commissioner Karabatsos asked what is the consequence if there are violations? Is it three strikes and the liquor license is suspended?

Chairman Kanelos said apparently nothing happens.

Mr. Ostman said he doesn't know what impacts the liquor license. They would start off with fines if they violated conditions. He said he has never had to come back to this Board to revoke a special use.

Commissioner Dubiel asked if there was history of arrests for underage drinking at Capone's Hideout, why don't they have information on that?

Mr. Ostman said he is surprised by the information he is hearing tonight from the owners of the motel. He wasn't aware of it and not aware of any of these complaints. Unfortunately when the notices were sent out to other departments that wasn't brought to his attention.

Commissioner Dubiel said to Mr. Bobrowski let's go over possible conditions. The parking lot would have to be repaved and striped - he'd want to do that anyway. On-site manager there from midnight to close monitoring the parking lot. [Chairman Kanelos said it has to be someone other than the manager who is inside running the business.]

Mr. Bobrowski said it is not going to be the same kind of business as before.

Chairman Kanelos said it is still a liquor establishment with a 4 a.m. license. It appears there wasn't any satisfaction for the property owners of the motel. Frankly, they can put all the conditions in the world but if they aren't going to be enforced, he is not opposed to tabling this motion to gather more information and hear it again at the August meeting, including information on sound and past history. He said he would entertain a motion.

Commissioner Nakanishi said aside from all that, Mr. Bobrowski, you do provide handicap parking but there is no way for the people to get into the building. There are stairs everywhere.

Mr. Ostman would have to consult with the building inspector to see how much work has to be done on the building before they are required to put in a ramp.

Chairman Kanelos entertained a motion to **table** this item.

Commissioner Nakanishi moved to **table** 16-ZP-24 requesting approval of a special use permit as provided in Zoning ordinance Appendix B, Sections VIII(B)(3)(z); VIII(B)(3)(mm); and VIII(C)(3)(a) for a proposed music club and lounge at 6873 Milwaukee Avenue, Niles.

Seconded by Commissioner DeBartolo on roll call the vote was:

AYES:	6	Nakanishi, Schulter, Karabatsos, DeBartolo, Dubiel, Kanelos
NAYS:	0	

There being six (6) affirmative votes the motion carried.

Chairman Kanelos stated this will be heard again on August 8, 2016. In the meantime, the Board will do some research with the police department and find out what pre-emptive information can be obtained in terms of sound.

16-ZP-25 - Requesting approval of a 12-foot 6-inch variation from Village Zoning Ordinance Appendix B, Section VII(C)(9)(b) to allow a proposed second-floor addition that will be 12-feet 6-inches from the side property line where 25-feet are required at 8702 West Madison Drive, Niles.

Bruce Sylvester presented this case. There is an aerial on the overhead. There is a garage that faces Lincoln Ave. Currently the second floor of the house is set back further from Lincoln Ave. than the garage approximately 4 ft. There is a little patio area on that portion of the garage that extends closer to the street than the rest of the house. The buyers want to expand the second floor bedroom that faces Lincoln Ave. out toward the street as far as the first floor

garage already extends. The zoning code says the houses have to be set back 25 ft. from a property line. The garage is already at about 12-1/2 ft. In order to expand the second floor out to where the garage already is requires a variation. All the required notifications have been published in the newspaper and the property owners in the area have been notified.

Chairman Kanelos said so it is already non-compliant.

Mr. Sylvester said yes.

There were no questions for Staff from the Commissioners.

Chairman Kanelos called for the petitioner.

Jane Levey, 1349 Thatcher Ave., River Forest, Illinois, came forward and was sworn in. Her son and his wife are purchasing the home. She is the mom and also the builder. She thought this would be no problem because there is already a footprint and they can make this minor extension which will allow for an expansion of two bedrooms, egress windows and she didn't see a problem with it until she came to the Village. Since the house was built in 1964 there has been a change in the rules.

Commissioner Dubiel asked Mr. Ostman if under the code that just took effect, would they still be here under the new code?

Mr. Sylvester said yes.

Mrs. Levey added she spoke to some of the neighbors who have lived there a while and they explained when the subdivision was built in 1964 there were maybe four different plans. A lot of the homes had that situation. They aren't really doing anything that isn't existing in the neighborhood. The house is approximately 1,500 sq. ft. under the FAR and about 12 ft. under the allowable height of 34 ft. in the Village of Niles.

Chairman Kanelos asked if there were any other questions for the petitioner from the Commissioners or the public. There were none. He entertained a motion.

Commissioner DeBartolo moved to **approve** 16-ZP-25 - a 12-foot 6-inch variation from Village Zoning Ordinance Appendix B, Section VII(C)(9)(b) to allow a proposed second-floor addition that will be 12-feet 6-inches from the side property line where 25-feet are required at 8702 West Madison Drive, Niles.

Chairman Kanelos asked if anyone would like to add to the motion this meets the requirements necessary for a variance.

Commissioner DeBartolo said yes it meets the criteria.

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

AYES: 6 DeBartolo, Dubiel, Nakanishi, Schulter,
Karabatsos, Kanelos
NAYS: 0

There being six (6) affirmative votes the motion carried.

Chairman Kanelos stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate this decision. It will be necessary for the petitioner to contact Mr. Ostman and ask to be placed on the Board of Trustees agenda. The petitioner will then be notified of the date. Anyone in the audience who would like to be informed as to the date this will be heard by the Board of Trustees, leave your name and address with the recording secretary.

Chairman Kanelos called for the next item on the agenda.

16-ZP-26 - Requesting approval of a special use permit to allow a new restaurant per Village Ordinance Appendix B, Section VIII(B)(3)(z) at 8600 Golf Road, Niles.

Mr. Sylvester presented this item. He put an aerial photo of the location on the overhead. The location is on Golf Road just west of Greenwood Avenue. This is a strip mall with several other businesses. The space where Wing Zone is proposed to be located is vacant. It was a restaurant in the past. The proposed restaurant would have the same number of seats as the previous one. The shopping center provides more than five parking spaces for every 1,000 sq. ft. of area within the center. Staff feels parking is sufficient for the proposed use. The applicant is here. He provided all the requirements needed for a special use permit. Staff did provide all the legal notices for this public hearing tonight.

Chairman Kanelos said he saw a sign up already showing Wing Zone.

Mr. Sylvester said they may have a sign but they do not have a permit to open. Applicants do that often. They ask if they can start fixing up the building and our response is always the same. They can do that at the risk the permit is denied; then they've lost that money.

There were no questions for Staff from the Commissioners. The petitioner came forward and was sworn in.

Jeffrey Evans, attorney, 6767 N. Milwaukee Ave., Niles, IL, representing the petitioner, did not have to be sworn in.

Shane Parekh, the petitioner, 606 E. North St., Itasca, IL, was sworn in.

Mr. Evans said Paul Kolpak was the original attorney of record but he has withdrawn due to some issues. He asked the petitioner what kind of restaurant this will be and what kind of services will be provided.

Mr. Parekh said Wing Zone is an American franchise out of Florida. They have 110 locations nationwide. This will be his fourth location. They have one in Glendale Heights, another in Skokie, third one is coming to Lombard and this will be the fourth. They are a competitor of Wing Stop. The percentage of delivery is 40% and 40% is carryout. The remaining 20% is dine-in. There will be no liquor. The potential revenue does about \$680,000 to \$700,000. This location is ranked the highest in the franchise system. They are projecting from \$800,000 to \$1.2 million.

Mr. Evans said any other information the Commissioners may need would be in the packets they received tonight. The owner of the shopping center, Howard Pattes [sp?], is present also if there are any questions for him.

Chairman Kanelos asked if there were any questions from the Commissioners for the petitioner. There were none. There were no questions from the public either. He then entertained a motion.

Commissioner DeBartolo moved to **approve** 16-ZP-26 for a special use permit to allow a new 20 seat restaurant per Village Ordinance Appendix B, Section VIII(B)(3)(z) at 8600 Golf Road, Niles..

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

AYES:	6	DeBartolo, Dubiel, Nakanishi, Schulter, Karabatsos, Kanelos
NAYS:	0	

There being six (6) affirmative votes the motion carried.

Chairman Kanelos stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate this decision. It will be necessary for the petitioner to contact Mr. Ostman and ask to be placed on the Board of Trustees agenda. The petitioner will then be notified of the date. Anyone in the audience who would like to be informed as to the date this will be heard by the Board of Trustees, leave your name and address with the recording secretary.

Chairman Kanelos called for the final item on tonight's agenda.

16-ZP-27 - Requesting a special use permit to Chapter 78 (signs), Article V, Division 3, Section 78-92 (1) to allow a 55% increase in sign area at 6913 Milwaukee Avenue, Niles, as provided in Section 78-208.

Mr. Sylvester said this is to allow additional signage for Playbook Sports Bar. The sign regulations are in the building code and it states that if a business

wishes to have more signage than normally allowed, it is not classified as a variation but as a special use.

Mr. Ostman made a correction and said the sign code is in the sign code itself, Chapter 72, and not the building code.

Mr. Sylvester said the request is to exceed the allowable signage by 55%. Included in the packets are pictures and all kinds of numbers that provide specifics but the picture on the overhead shows what is being proposed. They want horizontal banners and some flags and lettering on the side of the building. The square foot area when it is all added up would be 55% over the amount allowed per the sign regulations. All the required notifications were taken care of. The applicant is here.

Chairman Kanelos asked how many requests does the Village get for people to put in more signage than is allowed.

Mr. Ostman said since the new sign code was adopted approximately three years ago there have been seven requests for various reasons. Three were for colored LEDs. Another was for Aldi because one sign did not face the right of way. Two requested an increase in allowable signage - Jerry's Fruit Market and Tony's on Greenwood. He was reminded the theatres in Golf Mill also requested an increase. None were denied.

Chairman Kanelos asked if Mr. Ostman thought it was time to look at the sign code. He wants all the businesses in town to know if you want to put a bigger sign in, you can appeal and get a fair hearing.

Mr. Ostman said they do look at it on an annual basis. It should have been March or April this year and they have not done it yet. It will probably be in September. He said yes, they need to do a better job getting the message out to the businesses that they can seek additional signage.

Chairman Kanelos asked if there were other questions for Staff. There were not. He called the petitioner to the front.

Dorian Ozymko, 6913 N. Milwaukee Ave., Niles, came to the podium and was sworn in. He said the number 55% sounds like a lot but when you look at the pictures you can see they have very low visibility for the building and for the people driving on Milwaukee Avenue going toward Niles and Glenview area. There is no signage on the back of the building. When the building was designed it didn't look like a sports bar or someplace you can go inside and dine. That is the purpose of the signage - to give some identity and say we're open for lunch and dinner, not just a sports bar. They want to advertise they have good, homemade food. They also do catering. People driving by don't really know what it is. The flags support the local teams. The horizontal banners are a foot tall and are orange. It will bring color to the building. There is no digital signage.

They are going to either back light the signage or put overhang lighting. This way it isn't too bright.

Chairman Kanelos the signage on the back is a no brainer. You can't tell if it's a restaurant until you're almost going past it.

Commissioner Dubiel said the sign facing the gas station is supposed to say Playbook Sports Bar and Grill.

Chairman Kanelos asked if the banners count toward signage. Isn't that more of an architectural element? Maybe that should be looked into when the signage ordinance is reviewed.

Mr. Ostman said yes, that is included in the calculation. It's almost like a street post banner but the way the code is written now, it is figured into the area.

Chairman Kanelos asked if there were questions from the public.

The following people came forward and were sworn in the order they spoke.
Russell Nakayama, 6935 N. Milwaukee Ave., Niles
Gail Tammeling, 6935 N. Milwaukee Ave., Niles
Susan Defratus, 6935 N. Milwaukee Ave., Niles
Judy Ranallo, 6935 N. Milwaukee Ave., Niles

Mr. Nakayama said he has bedrooms on the north side of his condo building facing Playbook Sports Bar. He didn't know whether this request would be for neon or flashing lights.

Mr. Ozymko said no, they are not illuminated signs. The only lights should be on the back side of the building [facing south] because you can't see it at night. The banners along the street may be lit because you can't see those either. But none of that would be bothering residents. It would be some type of up lighting.

Ms. Tammeling did not speak.

Ms. Defratus asked if there are any sound restrictions on the patio at Playbook.

Mr. Ostman said there are no regulations for sound. There is language in the ordinance regarding noise but it is regulated by the police department.

Mr. Ozymko said he would sit down with residents if there are complaints and they can work on something to bring it down.

Ms. Defratus said the sound seems to go down before she calls the police. She does not open her windows because of the sound. She doesn't look around at night.

Ms. Ranallo asked about the sports banners on Milwaukee Ave. How can anyone see them when the gas station is right there?

Mr. Ozymko said that is why they want to put signage on the back of the building. In terms of the flags you will see them coming in from the other side of the street. Sometimes Milwaukee gets backed up and we're hoping when people are sitting in traffic, they see our restaurant and stop in to eat.

Chairman Kanelos said it will be nicely visible if you are coming from the north. There were no other questions for the petitioner. He entertained a motion.

Commissioner DeBartolo moved to **approve** 16-ZP-27 - a special use permit to Chapter 78 (signs), Article V, Division 3, Section 78-92 (1) to allow the increase in total sign area from a maximum permitted 243 sq. ft. to the proposed 443 sq. ft., a 55% increase for additional signs at 6913 Milwaukee Avenue, Niles. It meets the requirements for the special use Chapter 78, Article IX, Section 78-208.

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

AYES: 6 DeBartolo, Dubiel, Nakanishi, Schuller,
Karabatsos, Kanelos
NAYS: 0

There being six (6) affirmative votes the motion carried.

Chairman Kanelos stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate this decision. It will be necessary for the petitioner to contact Mr. Ostman and ask to be placed on the Board of Trustees agenda. The petitioner will then be notified of the date. Anyone in the audience who would like to be informed as to the date this will be heard by the Board of Trustees, leave your name and address with the recording secretary.

DISCUSSIONS August meeting will be held on Monday, August 8, 2016.

ADJOURNMENT

Chairman Kanelos made a motion to adjourn.

Commissioner Dubiel moved to adjourn.

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

AYES: 6 Dubiel, Nakanishi, Schuller, Karabatsos,
DeBartolo, Kanelos
NAYS: 0

There being six (6) affirmative votes the motion carried.

The meeting adjourned at 8:35 p.m.

The following people wish to be notified of the date of the next Board of Trustees meeting:

16-ZP-24

Mr. & Mrs. Janikowski - 719.660.8979 and 719.660.8971 - both cell phones.

16-ZP-25

Jane Levey - 708.772.8844

John Baraglia - 708.514.4899

Kathleen Janessa, Recording Secretary