

# VILLAGE OF NILES

*1000 Civic Center Drive  
www.uniles.com*



## Final Approved Meeting Minutes

Monday, March 2, 2020

7:00 PM

Village Hall

## Planning and Zoning Board

### Chairman

Thomas Kanelos

### Members

Susan DeBartolo

Morgan Dubiel, Vice Chairman

Ted Karabatsos

Terrence McConville

Barbara Nakanishi

Robert Schulter, Secretary

Charles Ostman, Community Development Director

**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 Susan DeBartolo, Robert Schulter, Barbara Nakanishi, Terrence McConville and Morgan Dubiel

Also present was Director of Community Development Charles Ostman and Village Attorney Danielle Grcic. Commissioner Ted Karabatsos was absent.

**APPROVAL OF MINUTES**

Chairman Kanelos asked if there were any additions, clarifications or corrections to the minutes of February 3, 2020. There were none. He entertained a motion.

Commissioner Dubiel moved to **approve** the minutes of February 3, 2020.

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

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

NAYS: 0

ABSENT: 1 Karabatsos

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

**PUBLIC COMMENT**

The public is allowed to ask questions or comment after the Board has heard the petitioners' testimony following each case.

**OLD BUSINESS**

None

**NEW BUSINESS**

**19-ZP-30, 8575 W. Golf Road**

**A request for a 'Drive-Through Facility' Special Use permit for a Chick-fil-A Restaurant proposed to be located at 8575 W. Golf Road,**

**Niles, Illinois, as allowed by the Village of Niles Zoning Ordinance (Appendix B, Section 8.2(A)) and the following variations:**

- **A Variation from Table 5-2 of the Niles Zoning Ordinance to allow an out-lot building in a C-2 District to be built to 79.1 feet from Golf Road and 132.5 feet from Greenwood Road where a maximum setback of 25 feet is allowed.**
- **A Variation from Section 11.7D of the Village of Niles Zoning Ordinance to allow a reduction to the total number of trees required in the parking lot landscape islands.**
- **A Variation from Section 11.7F of the Village of Niles Zoning Ordinance to allow a reduction to the minimum landscape area of a parking lot.**
- **A Variation from Section 11.8C of the Village of Niles Zoning Ordinance to allow no foundation landscaping along the north foundation of the building.**
- **Any other variations as determined necessary by the Planning and Zoning Board.**

Chairman Kanelos said they are starting with the petitioners tonight.

Jason Hill, Chick-fil-A, 5200 Buffington, Atlanta, GA 30349 and Joe Vavrina, HR Green, Senior Project Manager, 420 N. Front St., McHenry, IL 60050 came forward and were sworn in.

Jason Hill said this is a site they have been working with for quite a while. It took some time to get over the development hurdles. It is essentially a carve-out in Golf Mill Shopping Center north of the Target anchor building. It is on the corner of Golf and Greenwood. They are creating an appealing aesthetic feel at this hard corner, putting in a drive-thru restaurant. It is a little different than their location at the south end of Niles on Touhy Ave. It has the same characteristics but a different configuration of the building and drive-thru layout. He would be happy to answer any operational questions the Commissioners might have. He added they are having very good success at the store on Touhy Ave.

Commissioner Schulter said in reference to actual landscaping, he understands there are items the developer wants to delete but is there going to be any landscaping?

Joe Vavrina pointed to the overhead screen to explain the landscaping. Heavy landscaping around the patio area. The variation is really for trees. Each island is supposed to have a tree but they only have 3. One area is a sidewalk for pedestrians; another is not big enough to put in a tree; another

area only has enough room for small shrubbery. What they are doing is putting a number of trees outside their property boundary. There will be 14 trees total. The same thing goes for interior landscaping. It calls for 10%. They are actually adding 15%; it is just not in the box of Chick-fil-A. It will be inside and outside the boundaries. The last one is the foundation planting on the north side. There is not much property left with the drive-thru lane in that area. They will enhance the landscaping in all other areas.

Commissioner Dubiel asked what landscaping is in that area now.

Mr. Hill said there is none.

Commissioner Dubiel asked if this is the best plan being used today for drive-thrus.

Mr. Hill said yes.

Commissioner McConville asked about the trees and landscaping that are being installed outside the perimeter of the property. Who is going to be responsible for upkeep in regard to that landscaping since it is outside the box? Are there any other agreements with Target?

Mr. Hill said the final details have not been worked out. It will either be Chick-fil-A or Target.

Mr. Vavrina said there is a large agreement for the entire shopping center that gives them the right to use it for access, utilities and things of that nature. There is a common area maintenance plan for all of it.

Chairman Kanelos asked if there were any other questions for the petitioners from the Commissioners or from the public. There were none.

Charles Ostman, Director of Community Development, said all the legal notices were mailed, the property sign has been posted and legal notice was put on the Village of Niles website and in the lobby of the Village Hall. He wants to bring to their attention page 3 of 3 in the packet: suggested conditions for approval of this request of a Special Use permit and variations for this property.

1. Within one month of the Village action the petitioner shall submit an application for a plat of subdivision that includes the sidewalk easement or submit a separate plan for sidewalks along Greenwood Ave. and Golf Rd. for Village review
2. Petitioner shall enter into a cross access easement agreement as part of the proposed subdivision of the parcel.

Commissioner Dubiel said these types of projects are becoming more common with the setback issues. Is this something the Board should look into?

Mr. Ostman said they are going to review the setbacks and he will leave it at that. They are going through some reviews of the entire zoning code.

Chairman Kanelos asked if there were any other questions for the petitioners from the Commissioners or from the public. There were none.

Commissioner Nakanishi moved to **approve** item 19-ZP-30, a request for a 'Drive-Through Facility' Special Use permit for a Chick-fil-A Restaurant proposed to be located at 8575 W. Golf Road, Niles, Illinois, as allowed by the Village of Niles Zoning Ordinance (Appendix B, Section 8.2(A)) and the following variations:

- A Variation from Table 5-2 of the Niles Zoning Ordinance to allow an out-lot building in a C-2 District to be built to 79.1 feet from Golf Road and 132.5 feet from Greenwood Road where a maximum setback of 25 feet is allowed.
- A Variation from Section 11.7D of the Village of Niles Zoning Ordinance to allow a reduction to the total number of trees required in the parking lot landscape islands.
- A Variation from Section 11.7F of the Village of Niles Zoning Ordinance to allow a reduction to the minimum landscape area of a parking lot.
- A Variation from Section 11.8C of the Village of Niles Zoning Ordinance to allow no foundation landscaping along the north foundation of the building.
- Any other variations as determined necessary by the Planning and Zoning Board subject to conditions of approval.

Seconded by Commissioner Dubiel with a friendly amendment. He would like the conditions of approval to be included in this approval.

Commissioner Nakanishi accepted the friendly amendment and read the conditions into the record:

1. Within one month of the Village action the petitioner shall submit an application for a plat of subdivision that includes the sidewalk easement or submit a separate plan for sidewalks along Greenwood Ave. and Golf Rd. for Village review
2. Petitioner shall enter into a cross access easement agreement as part of the proposed subdivision of the parcel.

On roll call the vote was:

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

NAYS: 0

ABSENT: 1 Karabatsos

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 recommendation. 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 and anyone in the audience who would like to be informed of the Board of Trustees date should leave their name and address with the recording secretary.

### **DISCUSSIONS**

None

### **ADJOURNMENT**

Chairman Kanelos entertained a motion to adjourn.

Commissioner DeBartolo moved to adjourn.

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

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

NAYS: 0

ABSENT: 1 Karabatsos

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

The meeting adjourned at 7:19 p.m.