

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, AUGUST 3, 2016, AT THE LITTLE THEATER AT HINSDALE SOUTH HIGH SCHOOL, 7401 CLARENDON HILLS ROAD, DARIEN, ILLINOIS

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:00 p.m.

2. ROLL CALL

Those present at roll call were Commissioners Lacayo, Soukup, Kaucky, Ruffolo, Vice-Chairman Wagner and Chairman Kopp. Also present were Village Planner Anna Franco, Building Inspector Roy Giuntoli, Administrative Intern Tiffany Kolodziej and Plan Commission Secretary Joanne Prible.

Absent: Commissioner Remkus.

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Special Meeting July 20, 2016 (approve at the August 17, 2016 Special Meeting)

MOTION: Made by Commissioner Soukup, seconded by Commissioner Lacayo, to approve the Omnibus Vote Agenda.

MOTION DECLARED CARRIED

4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-09: (10 Midway, Willowbrook, Illinois – Tony and Lisa Wong) Petition for a variance of an exterior side yard setback for a proposed single family residential unit, including such relief, exceptions and variations from Title 9 of the Village Code necessary to allow the reduction from the required 40' setback on the property.

- A. PUBLIC HEARING
- B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Vice-Chairman Wagner seconded by Commission Soukup to continue Zoning Hearing Case 16-09 to the August 17, 2016 special meeting.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, Vice Chairman Wagner and Chairman Kopp; NAYS: None. ABSENT: Commissioner Remkus

MOTION DECLARED CARRIED

5. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-11: (Nancy Timko, 8516 Heather Drive, Burr Ridge, Illinois) Petition for a text amendment to add "Physical culture and health service, gymnasium, and exercise salon" as a new Special Use in the M-1 Zoning District in Section 9-8-2 of the Zoning Ordinance.

- A. PUBLIC HEARING
- B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Commissioner Lacayo seconded by Commission Ruffolo that based on the submitted petition and testimony presented, I move that the Plan Commission recommend to the Village Board approval of the text amendment presented on Page 1 of the Staff Report for PC Case Number 16-11 to add "Physical culture and health service, gymnasium, and exercise salon" as a special use in the M-1 Zoning District.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, Vice Chairman Wagner and Chairman Kopp; NAYS: None. ABSENT: Commissioner Remkus

MOTION DECLARED CARRIED

6. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-12: (7882-7890 Quincy, Willowbrook, Nancy Timko, 8546 Heather Drive, Burr Ridge, Illinois) Petition for a special use approval of a physical culture and health service, gymnasium, and exercise salon use in the M-1 Zoning District at 7882-7890 Quincy, in the southern 3,470 square feet (approximate) of a multi-tenant building.

- A. PUBLIC HEARING
- B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Commissioner Ruffolo and seconded by Commissioner Lacayo that based on the submitted petition and testimony provided, I move that the Plan Commission approve and adopt the standards for special use outlines in Attachment 1 of the staff report prepared for PC 16-12 for the August 3, 2016 Plan Commission meeting; and that the Plan Commission recommend to the Village Board approval of a special use

for an exercise salon use in the space at 7890 South Quincy subject to the following conditions:

1. Improvements shown in the Striping Plan, dated 7/19/16, must be completed prior to occupancy but not with respect to the southern space.
2. A permit must be issued with the Tri-State Fire District prior to occupancy.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, Vice Chairman Wagner and Chairman Kopp; NAYS: None. ABSENT: Commissioner Remkus

MOTION DECLARED CARRIED

7. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-13: (Spinning Wheel Associates, 6262 S. Illinois Route 83, Willowbrook, Illinois) Petition for a text amendment to add "Video Gaming" as a new Special Use in the B-2 Zoning District in Section 9-6B-2 of the Zoning Ordinance.
 - A. PUBLIC HEARING
 - B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Commissioner Kaucky seconded by Commissioner Soukup that based on the submitted petition and testimony presented, I move that the Plan Commission recommend to the Village Board approval of the text amendment presented on Page 1 of the Staff Report for PC Case Number 16-13 to add "Video Gaming" as a special use in the B-2 Zoning District.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, Vice Chairman Wagner and Chairman Kopp; NAYS: None. ABSENT: Commissioner Remkus

MOTION DECLARED CARRIED

8. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 16-14: (14-106 West 63rd Street, Willowbrook, Illinois, Spinning Wheel Associates, 6262 S. Illinois Route 83, Willowbrook, Illinois) Petition for a special use approval of a 1,300 square feet (approximate) video gaming use in the B-2 Zoning District at 14-106 West 63rd Street.
 - A. PUBLIC HEARING
 - B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes

MOTION: Made by Commissioner Lacayo seconded by Commissioner Kaucky that based on the submitted petition and testimony provided, I move that the Plan Commission approve and adopt the standards for special use outlined in Attachment 1 of the staff report prepared for PC 16-14 for the August 3, 2016 Plan Commission meeting; and that the Plan Commission recommend to the Village Board approval of a special use for a video gaming use in the space at 14-106 West 63rd Street subject to the following conditions:

1. The applicant must obtain the required liquor and gaming licenses prior to occupancy.

ROLL CALL: AYES: Commissioners Lacayo, Kaucky, Ruffolo, Soukup, Vice Chairman Wagner and Chairman Kopp; NAYS: None. ABSENT: Commissioner Remkus

MOTION DECLARED CARRIED

9. VISITOR'S BUSINESS

None.

10. COMMUNICATIONS

Planner Franco mentioned that there is a Special Meeting of the Plan Commission scheduled for August 17, 2016.

10. ADJOURNMENT

MOTION: Made by Commissioner Soukup, seconded by Commissioner Lacayo, to adjourn the regular meeting of the Plan Commission at the hour of 8:30 p.m.

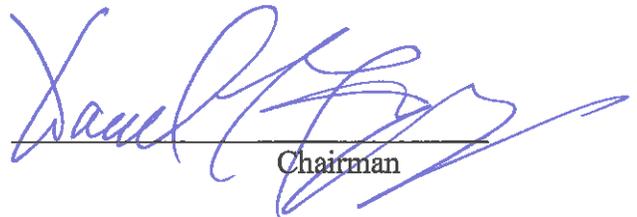
UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ AND APPROVED,

September 7, 2016

Minutes transcribed by Joanne Prible.


Chairman

PUBLIC HEARING

Date: August 3, 2016

Case: WILLOWBROOK PUBLIC HEARING/ ZONING HEARING

16-09; 16-11; 16-12; 16-13;16-14

ORIGINAL

VILLAGE OF WILLOWBROOK

PUBLIC HEARING ZONING HEARING CASE NOS. 16-09,
16-11, 16-12, 16-13, AND 16-14

REPORT OF PROCEEDINGS had at the
Public Hearing of the above-entitled cases before
The Planning Commission at Hinsdale South High
School, Little Theater, 7401 Clarendon Hills Road,
City of Darien, Illinois, on the 3rd day of
August, 2016, at the hour of 7:02 p.m.

PRESENT:

Daniel Kopp, Chairman

John Wagner

Leonard Kaucky

Bernardo Lacayo

Gregory Ruffolo

James Soukup

Roy Giuntoli, Building Inspector

Anna Franco, Planning Consultant

Joanne Prible

Tiffany Kolodziej, Intern

1 (Hearing started at 7:02 p.m.)

2 MR. KOPP: Next item on the agenda is
3 Zoning Hearing Case 16-09. The purpose of this
4 public hearing shall be to consider a petition for
5 a variance of an exterior side yard setback for a
6 proposed single-family residential unit, including
7 such relief, exceptions and variations from Title
8 9 of the Village Code necessary to allow the
9 reduction from the required 40-foot setback on the
10 property with an address of 10 Midway,
11 Willowbrook. The owners of the property and the
12 applicant for this petition are Tony and Lisa
13 Wong, 3715 South Wallace Street, Chicago,
14 Illinois. Notice of this public hearing was
15 published in the July 15, 2016 edition of the
16 Chicago Sun-Times newspaper.

17 Is there a representative for
18 applicant present?

19 MR. WONG: Yes.

20 MR. KOPP: Everyone who speaks will
21 need to be sworn in by the court reporter.

22 (Tony and Lisa Wong were sworn.)

23 MR. WONG: Good evening,
24 Commissioners. So my wife and I, Lisa Wong, we

1 recently obtained the rights to 10 Midway Drive in
2 Willowbrook, and we would like to build a
3 single-family home on it. Now, based on the
4 current zoning requirements on 10 Midway, the
5 maximum width that we can build a home is -- I
6 wrote it down -- 26 and a half feet. We would
7 like to ask the Plan Commission to go ahead and
8 approve maximize -- or give a variance that would
9 maximum the side setback to over 40 feet to 22 and
10 a half so the maximum proposed buildable width of
11 the home is 44 feet.

12 We plan to move into the
13 community to become residents of Willowbrook and
14 it would be a single-family home, a two-story
15 single-family home, nothing odd, nothing strange,
16 just more conforming to the rest of the homes that
17 are in the community.

18 MR. KOPP: Do any of the
19 Commissioners have any questions of the applicant?
20 Tiffany is going to give a staff report.

21 MS. KOLODZIEJ: The subject property
22 is located in the R-2 Zoning District. That is a
23 vacant corner lot at the northwest corner of
24 Midway Drive and Route 83. North, west, and south

1 of the property are detached single-family homes.
2 East of the property is Route 83. Beyond that is
3 the Mobil gas station, Denny's, and Target. I
4 believe we're all familiar with the area.

5 Directly west of the subject
6 property, two new single-family homes have been
7 constructed. Those homes are at 12 Midway Drive
8 and 7635 Eleanor Place. Because of these two new
9 properties, 10 Midway Drive is now the last vacant
10 lot in the immediate area. See Figures 1 and 3 to
11 see actually this vacant lot. It is a
12 nonconforming lot with setbacks that conflict with
13 Title 9 in two main ways.

14 First, 9-3-7, any property
15 abutting certain roadways are subject to a
16 100-foot setback. Currently from Route 83 to the
17 lot line is about 40 feet. And then from Route 83
18 to a hypothetical structure would be 61.3 feet.

19 Now, another way it's
20 nonconforming is 9-5B-3(B)2, minimum width of a
21 corner lot shall be no smaller than 105 feet. If
22 you look at Attachment 1, the property has a lot
23 width of 75 feet, which is 30 feet shorter than
24 the minimum; therefore, applicants are here today

1 to petition certain variations.

2 They include -- the first
3 variation is to reduce the corner lot width from
4 105 feet to 75 feet. The second, 9-14-4.4, lot
5 width decrease to be greater than 25 percent.
6 Since the 30-foot reduction is about 28 percent,
7 in order to reduce the 105-foot width to 75, there
8 needs to be a variance. And the third one is to
9 reduce the exterior side yard setback from 40 feet
10 to 22.5.

11 Now, when you look at the
12 exterior side yard reduction, on Page 3 of your
13 staff report, the current setback requirements
14 without a variance will limit any proposed
15 single-family home to a floor plan no larger than
16 95 feet by 26.5. As the applicant stated, this
17 leaves about 2500 square feet to work with. But
18 when factoring in garage space, which could be a
19 maximum of 800 feet, that leaves the applicants
20 only about 1700 square feet to work with. So
21 compared to the newly constructed properties to
22 the west, 12 Midway Drive has about 2500 square
23 feet, and then 7635 Eleanor Place has 2600 square
24 feet approximately, so 1700 square feet is on the

1 smaller side when compared to the properties
2 directly to the west.

3 So, therefore, staff and the
4 applicants discussed that the most plausible
5 solution to maximum FAR space would be to reduce
6 the exterior side yard setback.

7 On Page 4, Figure 5 you can
8 see that reduction, only applied to the exterior
9 side yard, will increase their buildable space by
10 1600 additional square feet. While the applicant
11 may not use all this space, it grants them a
12 little more leeway in home design.

13 On Attachment 2 of your staff
14 report, you see there are some sample elevations
15 that the applicants have provided us. This is
16 basically the design that they are looking at,
17 although it's not solidified yet. And the staff
18 believes this is a reasonable request, granting
19 the applicants more space to accommodate more
20 modern construction items, especially with the
21 trends in the area.

22 Other information provided by
23 the applicants that the Plan Commission should
24 consider, however, are these outlining things:

1 One is the garage space.

2 When I spoke with the
3 applicants via email, they have a prospective two
4 car -- excuse me, two garages, one that can fit
5 about two cars and then one that's going to be
6 separate in the rear. Now, Willowbrook code
7 allows for 800 square feet maximum, and the
8 measurements that they provided are exactly at 800
9 square feet, so they're planning on building a
10 principal attached garage in front of their home
11 that's going to be measured at 20 by 22 feet, and
12 then the second one would be a smaller one at the
13 rear of their home at 30 by 20 feet. Again, these
14 will be attached garages, but this is something
15 that you should consider, especially with the
16 intersection of Midway and Route 83 right there.

17 Therefore, I would like to
18 recommend one staff condition. I would support
19 this if the garage were -- the access to the
20 garage were as far west on the property as
21 possible per easement allowance. Therefore, it
22 reduces traffic congestion at Midway and Route 83.

23 Other than that, I do have two
24 recommendations. They're not necessarily

1 conditions. For this driveway, it would be to the
2 applicants' benefit to add a turn-around. An
3 example of this should be found on Page 6 in
4 Figure 6. This could just help the applicant or
5 the property owners exiting and entering their
6 driveway.

7 And the second one, also on
8 Page 6, Figure 7, the landscaping between Route 83
9 and their property as it exists and I believe the
10 trees are in the easement or Willowbrook
11 right-of-way, but it's probably in their best
12 interest to add some sort of landscaping to act as
13 a screen between Route 83 and the property. In
14 the winter when the trees are trimmed, perhaps the
15 owners would like additional screening to separate
16 themselves from Route 83.

17 I am here to answer any
18 question you may have about this property.

19 MR. KOPP: I am thinking the ability
20 to have the turn-around should be mandatory, but I
21 don't think people should be backing into this
22 road so close to 83. I don't know if you intend
23 to do that, design your driveway so you can go
24 front out.

1 MR. WONG: Yes. Currently the way we
2 park now, we always back in the garage anyway, so
3 we would probably put some sort of turn-around or
4 some sort of driveway where we can drive in and
5 then back into drive rather than drive in and back
6 out.

7 MR. KOPP: Right. Right.

8 MR. WONG: I agree with that.

9 MR. KOPP: Just an observation. I'm
10 sure you realize if we agree to this variance, it
11 seems likely, considering how wide 83 is, but if
12 they ever widen 83, that that's that much closer
13 83 is going to be to your house.

14 MR. WONG: I understand. We kind of
15 knew that going into it.

16 MR. KOPP: Yes. Any other questions
17 or comments?

18 MR. WAGNER: I have a couple. I am
19 looking at the survey that's shown with the
20 buildable area in red. What is the interior side
21 yard option depicted here? It is not labeled. So
22 the buildable width of the property will be what
23 after this?

24 MS. KOLODZIEJ: I believe those are

1 only examples. There are no measurements that
2 have been provided, but it would be 8 and a half,
3 the interior side yard.

4 MR. WONG: We drew the red line based
5 on -- so the only thing we drew the red lines to
6 the west, to the south, and to the north per the
7 codes that are in there now. So 8 and a half to
8 the west, 40 to the south, and 30 to the north.
9 And then we just kind of -- we wanted 22 and a
10 half, that's what we drew.

11 MS. FRANCO: If you subtract -- the
12 lot width is 75 feet. If you subtract 8.5 for the
13 interior side and 22.5 for the exterior side, you
14 get 44 for the width of the building pad.

15 MR. WAGNER: The State right-of-way
16 is already more than one hundred feet, is it not?
17 83.

18 MS. KOLODZIEJ: This should be the
19 setback requirement, 100 feet back so...

20 MR. WAGNER: The only other concern I
21 have is that normally when we grant a variation,
22 we're granting it for a specific structure. And
23 in this case, it's only to make the lot buildable.

24 MS. FRANCO: Yes, that's correct.

1 The applicant doesn't have solid building plans
2 yet available. But they wanted this -- they
3 wanted to -- they wanted to make sure that they
4 would be able to proceed with building with --
5 what plan that they could go with. So they didn't
6 want to submit a plan not knowing that they were
7 going -- what building pad area that they were
8 going to have, so that's why they approached it
9 this way.

10 MR. WAGNER: Do you own the property?

11 MR. WONG: Yes.

12 MR. WAGNER: You're not a contract
13 purchaser?

14 MR. WONG: No. I am the owner.

15 MR. WAGNER: Thank you.

16 MR. KOPP: Is there anybody in the
17 audience that wanted to speak on this matter? If
18 not --

19 MR. LACAYO: Chairman, I have a
20 technical question of staff. So on Page 2, we
21 have the aerial view, but then the notes say
22 exactly two homes that are there already.

23 MS. KOLODZIEJ: Yes.

24 MR. LACAYO: Is that typically -- how

1 old are these aerial views? Is this Google or
2 what --

3 MS. KOLODZIEJ: I don't mean to cut
4 you off. I acquired these from DuPage County
5 ArcGIS, the aerial imagery 2014, I believe.

6 MR. LACAYO: Thank you.

7 MS. FRANCO: I think it was around
8 there, yeah. 2013 or 2014. So pretty recent.

9 MR. GIUNTOLI: The two residents that
10 she spoke of that were existing are less than a
11 year they've been there.

12 MR. LACAYO: Got it. Thank you.

13 MR. KOPP: All right. If nothing
14 else, we will close this public hearing for Zoning
15 Hearing Case 16-09, and we will have our
16 discussion and recommendation. I am in favor of
17 this.

18 Again, I would propose that we
19 make it a condition that they have a turn-around
20 so that they have a means of going front out of
21 the driveway, but I have no other concerns.

22 Does anybody have any other
23 concern?

24 MR. KAUCKY: I agree with you.

1 MR. WAGNER: Can I ask one additional
2 question? You had mentioned this is greater than
3 25 percent --

4 MS. KOLODZIEJ: Yes.

5 MR. WAGNER: -- percentage wise
6 reduction.

7 MS. KOLODZIEJ: Yes.

8 MR. WAGNER: Is there a limitation in
9 our ordinance to 25 percent?

10 MS. KOLODZIEJ: There is limitations
11 of variations, which is variations that they're
12 petitioning for.

13 MR. WAGNER: I'm sorry?

14 MS. KOLODZIEJ: They're petitioning
15 to vary a variation.

16 MS. FRANCO: There is no way that
17 they could build on the pad. We're basically
18 granting this variation because they have an
19 existing hardship for the lot because this lot was
20 annexed -- this lot was annexed prior to -- it was
21 platted out prior to it being annexed to the
22 Village of Willowbrook, so the lot width doesn't
23 even conform to the standards that Willowbrook
24 has.

1 MR. WAGNER: That's not my question.
2 My question is does the zoning ordinance limit a
3 variation to 25 percent?

4 MS. FRANCO: Yes, it does.

5 MR. WAGNER: And without amending the
6 ordinance, how can we vary that?

7 MS. KOLODZIEJ: Increase the exterior
8 side yard setback from 22.5 to a greater number.

9 MR. WAGNER: My point is, my specific
10 question is --

11 MR. KOPP: From 40 to 22.5 is more
12 than 25 percent reduction.

13 MR. WAGNER: I understand. My
14 question is: Does the ordinance limit variations
15 for the side yard to 25 percent period?

16 MS. FRANCO: Yes.

17 MR. WAGNER: It does?

18 MS. FRANCO: Yes, it does.

19 MR. WAGNER: And so 22.5 is 28
20 percent?

21 MS. KOLODZIEJ: Approximately.

22 MR. WAGNER: Then how can we vary
23 this to greater than 25 percent if the ordinance
24 limits variations to 25 percent?

1 MS. FRANCO: I understand your
2 question. There would be no way to vary it below
3 that standard if we don't require -- if we don't
4 request a change to that standard for 25 percent.

5 MR. KOPP: That's a good catch.

6 MR. WAGNER: I'm sorry. The
7 ordinance is written in stone.

8 MS. FRANCO: That is a good question.

9 MR. WAGNER: It doesn't say that you
10 can grant a variation greater than 25 percent. It
11 says you can issue a variation based on hardship
12 up to 25 percent. So we can't grant this greater
13 than 25 percent without amending the ordinance to
14 allow variations greater than 25 percent.

15 MS. KOLODZIEJ: May I add a comment
16 about that?

17 MR. WAGNER: Certainly.

18 MS. KOLODZIEJ: I understand what
19 you're saying. Also in the ordinance if it were
20 set in stone, then this lot couldn't be a corner
21 lot because the ordinance to my understanding says
22 no corner lot can exceed a width of 105 feet.

23 MR. WAGNER: Well, no. That's a
24 current standard. This is a nonconforming lot.

1 So it's already been platted. It was platted in
2 the County before it was in Willowbrook. It's a
3 usable lot based on the original platted lot.
4 That's not in question.

5 The question is: If the
6 ordinance says you can't grant a side yard
7 variation greater than 25 percent, how are we
8 going to grant this at 28?

9 MR. WONG: I think in speaking
10 with -- I forget her name now, the previous
11 planning consultant, Jo Ellen.

12 MS. FRANCO: Jo Ellen.

13 MR. WONG: In speaking with Jo Ellen
14 in the past before Anna came on board, she
15 actually came up with the 22 and a half. And I
16 think the way she came up with it was the standard
17 width of a corner lot should be 105 feet. This
18 happens to be 75 feet. So what she did is she
19 took the 105. She subtracted the 75, and she got
20 30 feet. So she took 25 percent of that
21 nonconforming 30 feet, and that's how she came up
22 with the 7 and a half. So if you take -- the way
23 she did it, she took the 75, she subtracted 25
24 percent, which gave you 30. And then 25 percent

1 of that, that 30 feet nonconforming was 7 and a
2 half, and that's how she came up with the 22 and a
3 half.

4 MR. WAGNER: I understand what you
5 said, but I think it's an incorrect
6 interpretation.

7 MS. FRANCO: Well, if it's an
8 incorrect interpretation, can we go forward with
9 this, then?

10 MR. KOPP: Yeah. I hate to do this,
11 but I think the Village attorney should weigh in
12 on this.

13 MS. FRANCO: Okay.

14 MR. WAGNER: I mean I'm in favor of
15 the variation, don't get me wrong. But I've been
16 doing this a long time, and I don't want you to be
17 granted something that could be questioned by a
18 third party, whomever that could be, and then it
19 becomes invalid.

20 I don't have a copy of the
21 zoning ordinance at the moment, but if it says
22 that the limitation for a variation is 25 percent,
23 normally it's calculated on the existing lot, not
24 some lot that there might be. I would just

1 suggest that we need a little clarification for
2 your benefit.

3 MS. FRANCO: I'll follow up with the
4 Village attorney and see how we can reduce the
5 exterior side yard setback without -- with
6 complying with the code.

7 MR. WAGNER: Thank you.

8 MS. FRANCO: If that's the question.

9 MR. LACAYO: Is your thought to
10 approve it contingent on the lawyer reviewing?

11 MR. KOPP: I think we should couldn't
12 it, especially because we're having a meeting in
13 two weeks.

14 MR. LACAYO: Okay.

15 MR. KOPP: Would someone make a
16 motion to continue Zoning Hearing Case 16-09 to
17 the special meeting on August 17th?

18 MR. WAGNER: So moved.

19 MR. KOPP: Second?

20 MR. SOUKUP: Second.

21 MR. KOPP: Ask the Plan Commission
22 secretary to call the vote.

23 MS. PRIBLE: Commissioner Lacayo.

24 MR. LACAYO: Yes.

1 MS. PRIBLE: Commissioner Soukup.

2 MR. SOUKUP: Yes.

3 MS. PRIBLE: Vice Chairman Wagner.

4 MR. WAGNER: Yes.

5 MS. PRIBLE: Commissioner Kaucky.

6 MR. KAUCKY: Yes.

7 MS. PRIBLE: Commissioner Ruffolo.

8 MR. RUFFOLO: Yes.

9 MS. PRIBLE: Chairman Kopp.

10 MR. KOPP: Yes.

11 Sorry about that, but we want
12 to make sure it's right.

13 (Discussion had off the
14 record.)

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1 MR. KOPP: We have four more
2 items and they're two and two. They are related.
3 So next item number is Zoning Hearing Case 16-11.

4 The purpose of this public
5 hearing shall be to consider a petition for a text
6 amendment to add "Physical culture and health
7 service, gymnasium, and exercise and exercise
8 salon" as a new special use in M-1 Zoning District
9 in Section 9-8-2 of the Zoning Ordinance. The
10 applicant is Nancy Timko of 8516 Heather Drive,
11 Burr Ridge, Illinois 60527. Notice of this public
12 hearing is published in the July 15, 2016 edition
13 of the Chicago Sun-Times newspaper.

14 Is a representative of the
15 applicant present? You will be sworn in, please.

16 (Nancy Timko was sworn.)

17 MS. TIMKO: Good evening. My name is
18 Nancy Timko and I am, as you said, the owner of
19 InspirFit, LLC. Tonight I have with me my
20 husband, Mark Timko, and my business partner Kelly
21 Martin.

22 Thank you very much to the
23 Village staff for helping us get to this point in
24 the process. We are really excited to hopefully

1 certifications in that process. So hence, the
2 inspiration for InspirFit, LLC, the company that
3 we're starting.

4 It is a small boutique fitness
5 facility that we would like to establish in the
6 community. It is created for the entire community
7 to inspire health and wellness. So whether that's
8 somebody that's just trying to lose weight or get
9 stronger or get fitter, more mobile, or just have
10 more fun with their exercise plan, that is our
11 goal. Typically your barriers to fitness tend to
12 be cost or fear of walking into a big box gym or
13 even just the knowledge of what to do, and so
14 that's really what we're trying to attempt to do
15 with our solution.

16 We are not looking to build a
17 big box gym in the area. We are looking to be a
18 small facility focusing on class sizes of just
19 four to six people so that we can solve those
20 issues. As opposed to someone looking at pure
21 personal training, which is a very expensive
22 proposition, small group classes brings that cost
23 down. It eliminates that barrier of going in
24 alone so you can go in with friends into a small

1 group environment; and, hopefully, the motivation
2 in the community aspect help people as well to
3 continue on that journey.

4 So InspirFit is here today
5 because we are looking to lease a small warehouse
6 space at 7890 Quincy, which most people are
7 familiar with that property as being across the
8 street from the Chicken Basket. It is a
9 multitenant building that's about 40 years old.
10 It was one of the original buildings when the
11 Willowbrook area over there was built. So it's a
12 little on the older side. It's a small building
13 that currently has actually had vacant this space
14 for quite a while. It is occupied by one tenant
15 right now and that is also the owner of the
16 building. So we would be looking to be the second
17 tenant in the building.

18 It has been vacant for a
19 while. It's kind of a tough match to find a
20 business to go into that space because it's a very
21 small space. It's only 3,000-square-foot area of
22 warehouse space. For most manufacturing
23 companies, that would be too small to work with
24 what they would use. It is not an area that

1 currently has any truck traffic at all. The
2 business that's in there does not have truck
3 traffic and neither would we. It does not have a
4 lot of loading area nor truck area, so it would be
5 a good match for us to go in there. Also, it's a
6 little bit of an older property, so the person
7 that would be going into that space does need to
8 take on the upgrading of the facility, which we
9 are willing to do.

10 Both the owner and our team
11 are very confident that it is a great solution
12 because we are willing and able to upgrade the
13 facilities to what the current standards need to
14 be.

15 We are compatible with the
16 recreational uses that are going into that area.
17 Recently there was the Diamond Edge Academy, the
18 indoor baseball facility that was approved. That
19 is actually our next door neighbor. The swim club
20 down the street was also approved within the last
21 couple of years. And also I know the Village is
22 looking at possibly putting in that indoor soccer
23 facility. That would be kind of our kiddy-corner
24 neighbor. It's a good match with the other

1 recreational uses in the area.

2 We have no truck access so it
3 wouldn't be -- as far as a traffic issue any type
4 of truck additional access to that. Because our
5 class sizes will be small, we do not see the
6 impact of any cars being into the area limited,
7 like I said, car traffic coming in and out. And
8 there are two entrances -- even though it's a
9 corner property, there is two entrances to that so
10 the traffic can use whichever way would be more
11 viable at the time.

12 And, lastly, we certainly
13 bring more exposure to some of the areas, the
14 restaurants and bars that are in the area; so it
15 would be good for the surrounding area versus
16 having a vacant property.

17 So we are -- as I'm sure Anna
18 will describe, we are here for two purposes. One
19 is a text amendment for the use of the property
20 since it is currently zoned an M-1, and the second
21 would be a special use for our specific use in
22 that building.

23 MR. KOPP: Okay. Do any of the
24 Commissioners have any questions for the applicant

1 at this point? All right. Go ahead, Anna.

2 MS. FRANCO: Thank you, Chairman. So
3 as stated by the applicant, the text amendment was
4 proposed, and right now we're looking at the text
5 amendment for the health salon and special use.
6 So she's applying for the special use that we're
7 considering the text amendment for. So if we
8 don't approve the text amendment, then we cannot
9 approve her special use permit for that text
10 amendment.

11 So right now we're addressing
12 Hearing Case 16-11, which is for the text
13 amendment; but I will be discussing all aspects of
14 her special use case so that we can vote on the
15 text amendment while keeping her case in mind.

16 So the property, as she
17 stated, is on the northwest corner of Joliet Road
18 and South Quincy Street. To the north, as the
19 applicant said, Diamond Edge Academy, the baseball
20 training facility, is in that building to the
21 north as well as U.S. Messenger. Those two uses
22 share one building, and it's an example of an
23 existing manufacturing distribution use as well as
24 a fitness and recreational use. To the west is

1 ShadowTech Labs. To the south is Joliet Road, and
2 to the east is Quincy Avenue. And you can see
3 that on the aerial overview.

4 The site is a total of .77
5 acres, and the existing building is 12,400 square
6 feet, and it's a multitenant space which currently
7 leases two office and warehouse-related
8 businesses. The proposed use will occupy
9 approximately 3500 square feet and roughly the
10 south third of the existing building. Main
11 entrances to the tenants -- to the separate tenant
12 spaces are available off of Quincy Avenue.

13 The parking lot has about
14 15 -- has exactly 15 spaces, and that's located
15 south of the building. And there's also truck
16 loading access available from Joliet Road to three
17 loading bays on the west side of the building.

18 As the applicant stated, her
19 use will be a small gym that offers personal
20 training and small fitness classes to about four
21 to six clients for those fitness classes. She
22 chose this location specifically because the space
23 has high ceilings and that fits her business
24 needs.

1 Besides parking, the business
2 will be fairly low impact as there won't be any
3 shipping or receiving and no use of any trucks to
4 the facility -- to the building.

5 So parking for the site is
6 broken down in Table 1 on Page 4 of the staff
7 report. The site currently has 15 parking spaces,
8 and per the code requirement for health salon
9 uses, a total of three spaces are required. It's
10 one parking space for each three people, and one
11 parking space for each two employees, so that's a
12 total of three based on her business description.

13 The parking requirement for
14 the other uses in the building are ten spaces, so
15 there is a total of 13 required parking spaces for
16 this use per the code. While the lot meets the
17 required parking standards, based on the business
18 description, InspirFit could have up to eight
19 people, according to the description, which is a
20 little over half the parking lot. So if all uses
21 in the building were operating at maximum
22 capacity, they could be short three spaces. So
23 staff did urge the applicant to consider other
24 sites specifically in a commercial district where

1 the use is already allowed and they wouldn't be
2 limited to parking because they would be in more
3 of a shopping area center, but this site was
4 favored because of the high ceilings which fit the
5 applicant's business use.

6 Lastly, as part of every
7 special use, the Village evaluates its sites to
8 determine if any site improvements are required to
9 comply with the current ordinance. The site is
10 located in the M-1 District, so while special uses
11 may be accommodated, it is important to ensure
12 that the primary intended use of the M-1 Zoning
13 District does not conflict with this new use. So
14 to encourage any separation of potential truck
15 traffic, although there might not be any now,
16 there could be in the future, the staff has
17 requested that the applicant add striping to two
18 incomplete parking spaces on the west side of the
19 lot that are not quite nine feet in width. This
20 should -- this is encouraged to act as a pseudo
21 barrier to truck access and parking on the site.
22 Raised islands are preferred but the parking lot
23 is currently not curbed at all, so to request this
24 would require a complete reconstruction of the

1 parking lot.

2 So aside from parking, staff
3 supports the proposed salon use as it compliments
4 other similar uses in the area as the applicant
5 has stated, including the baseball facility to the
6 north, Westmont Swim Club, and pending approval of
7 the proposed Compass event center and soccer
8 arena. These uses, including the proposed
9 InspirFit, are encouraging repurposing of vacant
10 industrial buildings and land for active
11 recreational fitness uses.

12 If the Plan Commission is
13 supportive of this petition, a sample motion can
14 be found on Page 5 of the staff report.

15 MR. KOPP: All right. So the
16 testimony has been on both, and I opened them up
17 as one at a time, so I think we should probably
18 discuss first the text amendment, close that
19 public hearing, and then we will incorporate this
20 testimony into the next public hearing.

21 As far as the text amendment
22 in general to just add as a special use in an M-1
23 "physical culture and health service, gymnasium,
24 and exercise salon," it seems reasonable to me.

1 Unless anybody has any objection?

2 Is there anyone in the --
3 before I close this hearing, is there anyone in
4 the audience who would like to speak on this
5 particular matter? If not, we'll close Public
6 Hearing 16-11 and I'll ask -- is there -- now that
7 it's closed, is there any discussion on this?

8 If not, ask the plan
9 commission -- oh, will someone make a motion based
10 on the submitted petition and testimony presented?
11 I move that the Plan Commission recommend to the
12 Village Board approval of the text amendment
13 presented on Page 1 of the staff report for PC
14 Case No. 16-11 to add, "Physical culture and
15 health service, gymnasium, and exercise salon" as
16 a special use in the M-1 Zoning District.

17 MR. LACAYO: I will make a motion.

18 MR. RUFFOLO: I'll second that
19 motion.

20 MR. KOPP: I'll ask the Plan
21 Commission secretary to call the vote.

22 MS. PRIBLE: Commissioner Lacayo.

23 MR. LACAYO: Yes.

24 MS. PRIBLE: Commissioner Soukup.

1 MR. SOUKUP: Yes.

2 MS. PRIBLE: Vice Chairman Wagner.

3 MR. WAGNER: Yes.

4 MS. PRIBLE: Commissioner Kaucky.

5 MR. KAUCKY: Yes.

6 MS. PRIBLE: Commissioner Ruffolo.

7 MR. RUFFOLO: Yes.

8 MS. PRIBLE: Chairman Kopp.

9 MR. KOPP: Yes.

10 All right. So now we move to
11 related item on the agenda. The purpose of this
12 public hearing shall be to consider a petition
13 for -- wrong one.

14 The purpose of this public
15 hearing shall be to consider a petition for a
16 special use approval of a physical culture and
17 health service, gymnasium, and exercise salon use
18 in the M-1 Zoning District at 7882-7890 Quincy, in
19 the southern 3,470 square feet of a multitenant
20 building located at that address.

21 The applicant for this
22 petition is Nancy Timko of 8516 Heather Drive,
23 Burr Ridge. Notice of this public hearing was
24 published in the July 15, 2016 edition of the

1 Chicago Sun-Times newspaper.

2 Unless you wanted to speak
3 further, I will just incorporate your prior
4 testimony --

5 MS. TIMKO: I am good to go.

6 MR. KOPP: -- into this current
7 hearing, and we can incorporate your staff report.

8 So for this particular
9 property, do the Commissioners have any questions
10 of the applicant and staff?

11 My main concern is the
12 parking. We are pretty protective of the Chicken
13 Basket in the sense that when Compass came in to
14 do their big soccer facility, we really didn't
15 want -- initially they didn't have anywhere near
16 enough parking, and we didn't want the Chicken
17 Basket to bear the adverse effects of that, which
18 people would naturally park there and then walk
19 in.

20 I think that's still my main
21 concern with this. I think it's a great use, and
22 I think we all support what industrial uses are
23 becoming more -- that area is becoming more
24 vibrant and not purely industrial. So my only

1 concern is the parking situation because three
2 just does not -- when we know there is going to be
3 two employees, and they're not focusing on
4 children where people would be carpooling. I
5 would be concerned you're going to have more than
6 three spaces.

7 MS. TIMKO: Sure. And that is
8 something we addressed with both the owner and
9 ourselves. The current occupant of that space is
10 the owner of the building and they've been there
11 for about 30 something years. So it's not a new
12 corporation. They know exactly their typical
13 staff. They actually only have a staff of seven
14 in their entire company, and it's a U.S./China
15 importing and exporting business, so they are not
16 all seven typically here in the Willowbrook area,
17 and they never have more than seven cars maximum
18 in their parking lot and typically more like five.
19 So they are not using their maximum allotment
20 anyway.

21 And in our contract, they've
22 given us well above that number to begin with for
23 our lease.

24 Second of all, when you think

1 about fitness hours, the main times for people to
2 be taking the classes are before work and after
3 work as well as on Saturdays, and that is also not
4 a time that they are even in the building so
5 those -- the parking lot is empty between the
6 hours before 8:00 and after 5:00. So our big
7 class of six might actually be before they would
8 even arrive, in which case the parking lot is
9 empty.

10 So as for the owner and from
11 our perspective, we don't think it's going be an
12 issue by any means.

13 MR. KOPP: Okay.

14 MR. WAGNER: I have an additional
15 concern. We have a real nice drawing, plat of
16 survey here, showing the striping of two areas of
17 the parking lot not to be used except it doesn't
18 tell us the width of those spaces. And from
19 looking at that sheet, it appears that the larger
20 of the two spaces, which, I believe, would be to
21 the south, appears to be very close to the nine or
22 nine and a half foot required parking space.

23 MS. TIMKO: It is. It is extremely
24 close. It's about 6 inches short of -- till you

1 hit the pavement on the -- if you're looking at
2 this, as you mentioned, the measurement from the
3 south end of the curb, which is the cement truck
4 path, to the first striping is about 6 inches
5 short of a full space.

6 MR. WAGNER: Well, I would recommend
7 that this not be striped for nonuse. Maybe it's a
8 sign that says compact car or something like that.
9 I would hate to lose a parking space when they're
10 already tight.

11 There is a driveway to the
12 rear of the buildings that's roughly 19 foot 7
13 wide. Is that separated from the parking lot with
14 a curb?

15 MS. TIMKO: The truck path to the
16 pavement area?

17 MR. WAGNER: Yes.

18 MS. TIMKO: It is not. And that's
19 what Anna had mentioned. There are no curbs at
20 all on this particular property. The only curbing
21 is actually at the street along Quincy and along
22 Joliet, which is why when they talked about the
23 striping of the spaces, we talked about just a
24 striping as opposed to actually cement curbing

1 because that wouldn't match the rest of the
2 facility.

3 MR. WAGNER: Is there a minimum
4 driveway width requirement for trucks?

5 MS. TIMKO: There is and we are well
6 past that. I don't remember the exact footage,
7 but it is well past the amount required.

8 MR. WAGNER: Then there is absolutely
9 no reason that they couldn't stripe a space there
10 that met the requirements of the Village.

11 MS. TIMKO: Correct.

12 MR. KOPP: Talking about this space?

13 MS. TIMKO: The only difference is
14 the actual blacktopping.

15 MS. FRANCO: Staff has concerns, and
16 I agree that this space could be used for compact
17 cars, but the green area cuts off as well. The
18 landscaped area does cut off as well prior to that
19 being a full parking space there. So if we do
20 have room to decrease the drive -- the truck
21 driveway width, I would recommend we add a little
22 bit more landscaping there to act as a -- to
23 complete that parking in front of that parking
24 space. Otherwise, you'll have a stripe that's

1 jutting out onto the driveway which while it is
2 close, I think there should be a continuation of
3 the landscaping in front of there.

4 MS. TIMKO: The only landscaping is
5 grass.

6 MS. FRANCO: Grass. That's what I
7 mean.

8 MS. TIMKO: So I guess I'm confused.
9 You're looking to take out the cement path?

10 MS. FRANCO: So I would be
11 recommending, I guess, saw cutting part of that
12 driveway to include some grass right there so that
13 in front of the parking space, it's fully sodded
14 or fully seeded so that in front of the -- so in
15 front of the space there, the west side of the
16 striping for the parking lot is not jutting out
17 into the truck access drive.

18 Does that -- do you need more
19 clarification on that.

20 MS. TIMKO: No. I understand that.
21 I'm not the owner of the property so I cannot
22 speak.

23 MR. KOPP: So, Anna, you're saying
24 the width of this space --

1 MS. FRANCO: -- is half a foot short.

2 MR. KOPP: It's short. And I see
3 what you're saying so it would be --

4 MS. TIMKO: At the tail end of the
5 space, the space nearer the building, that is more
6 than wide enough. At the Joliet side of the
7 space, it's 6 inches short.

8 MS. FRANCO: So my concern is that if
9 you take like the corner of the full space there,
10 extend it out into the driveway and someone
11 actually parks very close to that western stripe
12 of that parking space and a truck is entering,
13 there might be conflict with the front of that car
14 and the truck entering it if there is no
15 landscaping in front of that.

16 MR. RUFFOLO: Can it function just as
17 a compact space the way it is?

18 MS. FRANCO: I would have to check
19 our code for what the requirements are.

20 MR. WAGNER: I believe it's 9 feet.

21 MS. FRANCO: For a compact space?

22 MR. GIUNTOLI: All space are 9 feet.

23 MR. WAGNER: Willowbrook probably
24 doesn't delineate between normal and compact

1 spaces.

2 MR. GIUNTOLI: Correct.

3 MR. WAGNER: Normal space would be 9.

4 MR. GIUNTOLI: The matrix shows
5 9-foot space is the minimum.

6 MR. WAGNER: And this is short six
7 inches at the very front of the space?

8 MS. TIMKO: Correct.

9 MR. WAGNER: I would suggest that we
10 accommodate the space and allow it to be parked.

11 MS. FRANCO: Okay.

12 MR. WAGNER: This thing has existed
13 for a long time the way it is. I mean if we are
14 going to redo the whole parking lot to create
15 something completely different, I would say I
16 would agree with you; but, I would just stripe it
17 in a manner to allow a compact car and maybe label
18 it as such. Put a little sign up there or
19 something.

20 MR. KOPP: Any other questions of the
21 applicant or staff?

22 Would anyone in the public
23 like to speak to this matter? If not, we'll close
24 the public hearing for Zoning Hearing Case 16-12.

1 And for the discussion
2 portion, I am in favor of this, and I am in favor
3 of Commissioner Wagner's suggestion. Does anybody
4 have any discussion on that?

5 MR. LACAYO: It's the recreational
6 district now.

7 MR. KOPP: Would someone make a
8 motion that based on the submitted petition and
9 testimony provided, I move that the Plan
10 Commission approve and adopt the standards for
11 special use outlined in Attachment 1 of the staff
12 report prepared for PC 16-12 for the August 3,
13 2016, Plan Commission meeting; and that the Plan
14 Commission recommend to the Village Board approval
15 of a special use for an exercise salon use in the
16 space at 7890 South Quincy subject to the
17 following conditions:

18 1) Improvements shown in the
19 striping plan, dated 7/19/16, must be completed
20 prior to occupancy but not with respect to the
21 southern space.

22 2) A permit must be issued
23 with the Tri-State Fire District prior to
24 occupancy.

1 Will someone make that motion?

2 MR. RUFFOLO: So moved.

3 MR. LACAYO: Second.

4 MR. KOPP: Ask the Plan Commission
5 secretary to call the vote.

6 MS. PRIBLE: Commissioner Lacayo.

7 MR. LACAYO: Yes.

8 MS. PRIBLE: Commissioner Soukup.

9 MR. SOUKUP: Yes.

10 MS. PRIBLE: Vice Chairman Wagner.

11 MR. WAGNER: Yes.

12 MS. PRIBLE: Commissioner Kaucky.

13 MR. KAUCKY: Yes.

14 MS. PRIBLE: Commissioner Ruffolo.

15 MR. RUFFOLO: Yes.

16 MS. PRIBLE: Chairman Kopp.

17 MR. KOPP: Yes.

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1 MR. KOPP: Moving right along. Next
2 is another double. I wonder if we should just do
3 the two hearings at the same time, so I'll read
4 both notices.

5 The purpose of Zoning Hearing
6 Case 16-13, the purpose of this public hearing
7 shall be to consider a petition for a text
8 amendment to add "Video Gaming" as a new special
9 use in B-2 Zoning District in Section 9-6B-2 of
10 the zoning ordinance.

11 The applicant for this
12 petition is Spinning Wheel Associates, 6262 South
13 Illinois Route 83, Willowbrook, Illinois. Notice
14 of this public hearing was published in the
15 July 15, 2016 edition of the Chicago Sun-Times
16 newspaper, and the consolidated public hearing of
17 Zoning Hearing Case No. 16-14.

18 The purpose of this public
19 hearing shall be to consider a petition for a
20 special use approval of a 1,300 square foot
21 approximate video gaming use in the B-2 Zoning
22 District at 14-106 West 63rd Street, Unit No. 7 on
23 property located at 14-106 West 63rd Street,
24 Willowbrook, Illinois.

1 The applicant for this
2 petition is Spinning Wheel Associates, 6262 South
3 Illinois Route 83, Willowbrook, Illinois. Notice
4 of this public hearing was published in the in
5 July 15, 2016 edition of the Chicago Sun-Times
6 newspaper.

7 Is there a representative of
8 the applicant?

9 MR. THIESSEN: Yes. I am actually
10 representing the tenant.

11 (Mike Thiessen was sworn.)

12 MR. THIESSEN: I have a PowerPoint.
13 I also made a hard copy which is not anything
14 dissimilar to what you've seen in your packet with
15 the exception of a little bit more definition on
16 some of our liquor control policies because that
17 always seems to be an issue in front of boards
18 that we ask for this use.

19 MR. LACAYO: Chairman Kopp, I just
20 realized something. I need to ask a question
21 here. Is Accel Entertainment at all involved
22 here, A-c-c-e-l?

23 MR. THIESSEN: No, sir.

24 MR. LACAYO: Okay. Thank you.

1 MR. THIESSEN: That's a terminal
2 operator, and that's not our terminal operator.

3 MR. LACAYO: I just wanted to see if
4 I needed to remove myself.

5 MR. THIESSEN: So my name is Mike
6 Thiessen, and I'm a partner and part owner of
7 Blackhawk Restaurant Group.

8 And a little bit of history
9 about ourselves. We've been in business for 80
10 plus years of experience. We have operations in
11 about six different states, Idaho, Washington,
12 Northern California, Oregon, and now Illinois.
13 Within Illinois, we are opening our 62nd store
14 tomorrow in Bridgeview, Illinois at 87th and
15 Harlem. And we have stores near approximate to
16 this in Westmont, Westchester, Oak Brook Terrace.
17 You'll find us as far south as Peoria and
18 Bartonville, I guess, is probably out most
19 farthest south. Champaign-Urbana and then in
20 Normal and then the rest of them are in the
21 greater Chicagoland area, as far north as Antioch
22 and Woodstock and as far south as I mentioned
23 before.

24 We are near or adjacent to

1 pretty much every major supermarket chain whether
2 it's an independent, whether it's a Caputo's or a
3 Pete's or a Tony's or Jewel, or if it's a
4 Mariano's like over in Westchester.

5 And we are a tenant with both
6 individual investors, family investors, real
7 estate investment trusts, and every one of those
8 are different. We're a tenant at two Regency
9 malls which is the owner of the mall across the
10 street from us where the Whole Foods is in
11 Willowbrook.

12 In this particular mall, 6262
13 Spinning Wheel Drive, which is our landlord we
14 have negotiated a binding lease with them, which,
15 I believe, there is a copy in your packet, and we
16 are moving through the process.

17 So we've actually created a
18 warm upscale -- it looks very similar to Starbucks
19 or Caribou Coffee. It has five video gaming
20 machines and limited bistro-type deli with beer
21 and wine. Beer and wine is actually mandatory
22 because of the state law, which is the first, I
23 guess, speed bump for approval process on a local
24 level to our video gaming machines. So with that,

1 that's why we're asking for both the text
2 amendment and ultimately the special use and going
3 in front of the full board if you grant us these
4 two things for a liquor license.

5 All of our stores are the
6 same. We roughly put anywhere between 150 to
7 200,000 in terms of our tenant build-out. We
8 build two ADA-compliant bathrooms with the square
9 foot requirement. Custom carpeting. The art
10 motif is very Chicago based, so it's the Wrigley
11 Building, the Chicago River, I think some related
12 the lakefront. We also have a combination of soft
13 seating and hard seating, so soft seating, there's
14 a leather sofa, two leather chairs, a couple
15 high-tops. Obviously the gaming machines are
16 confined in back.

17 Every one of our stores will
18 be very similar to this. Every one of our stores
19 has at least eight cameras, security cameras.
20 Those are required to be tied into the police
21 department and we do that. If not, everything is
22 on a video DVR that we keep in case there is any
23 issue. That's for both our safety, our customers'
24 safety, and our employees' safety.

1 This is a tradition store.

2 This is, I think -- a store we opened in Morton
3 Grove, which is one of the highest tax-producing
4 stores in the State of Illinois. Last month, I
5 believe, they were number five or six behind a
6 couple of truck stops. And the key, really, to
7 these, probably this picture, is the demarcation
8 -- between what we call the art wall is the
9 difference between the common area, restaurant,
10 coffee area in front if you want to sit and have a
11 meal, and then the demarcation of the video area
12 in the back which both allows us to not have
13 visibility from children from the outside or
14 buyers from the outside, and it allows us to have
15 a little more control over who goes into that area
16 based on our employees.

17 A couple of our main corporate
18 policies: We have food available every hour we're
19 open, so from early in the morning or 1:00 o'clock
20 at night, food is always available. All of our
21 employees are Serve Safe, which is a little bit
22 more of a health department issue from a
23 restaurant perspective, temperature control,
24 three-compartment sinks. Our freezers, our

1 kitchens, and our chemicals are all there that you
2 would have in a traditional restaurant. We have a
3 public health manager, Certification in our
4 corporate office. We do all of our own training.
5 Every employee in our company are BASSET
6 certified. So we've all been through the State
7 mandated liquor serving. I recently completed my
8 second round in May.

9 Then we have a three-drink
10 maximum. You might say: How do you enforce that?
11 Within our stores, you have to enter in a ticket.
12 A ticket will tell you what the history of that
13 ticket is, and they'll tell you at some point
14 whether you're at two drinks, three drinks, four
15 drinks, whatever. So that's within our POS
16 system. Strict alcohol enforcement. We are very
17 proud of this.

18 We have multiple -- our
19 employees if we're ever caught in, I guess, the
20 alcohol enforcement process, we call it a sting,
21 receive a monetary award if they continue to do
22 what our company policy is. We have multiple date
23 certifications within our company, the first being
24 is when you sign in and you get your bank, you

1 have to write what the date is to allow you to be
2 able to have alcohol in our store. That's your
3 check-in sheet. It's posted behind the counter
4 POS, and we have to enter into our point of sale a
5 date on the license to get it to ring up a beer or
6 a wine.

7 So we have three or four
8 different points throughout the company. And
9 we've been successfully passing -- and I brought
10 four different things we received in the last week
11 where we've been tried to be stung and have
12 passed, two in Hanover Park, one in South Elgin,
13 and then one in Champaign-Urbana, which those
14 employees received a monetary bonus for doing
15 their job.

16 We are proud of the 62 stores
17 that are opened for the most part seven days a
18 week. We take great pride in the fact that --
19 now, having said that, there is usually the first
20 question is we have failed. We did fail one in
21 South Elgin in about the first six weeks we were
22 open about two years ago. And I was the one that
23 had to go in front of the Liquor Commission, and I
24 was the one that had to answer to the Liquor

1 Illinois. Those numbers are taken from the weekly
2 or monthly IGB report that comes out between the
3 10th and 12th of every month. Last time we
4 checked, we have been criminally background
5 checked by over 50 plus municipalities in the
6 State of Illinois with no issues. Have been
7 vetted by over 60 property owners for our
8 financial strength and our stability, which makes
9 us attractive, obviously, to our landlords. We
10 don't have opening and closing stores. We make
11 the investment, and we try to do a really good job
12 of choosing our real estate. If we choose our
13 real estate well, we plan on being there for a
14 long time.

15 With that, I am open for any
16 questions.

17 MR. LACAYO: No hard liquor?

18 MR. THIESSEN: No hard liquor, no,
19 sir.

20 MR. LACAYO: Come in in the future?

21 MR. THIESSEN: We don't have -- we
22 have, I think, probably five full liquor licenses
23 because there is not a beer and wine offered, but
24 we don't have a request. Our number one liquor

1 seller is white wine, of all things.

2 MR. LACAYO: Sorry.

3 MR. THIESSEN: We typically skew
4 about 67 percent of our customers are female, over
5 45, married. So there is a niche there that this
6 appeals to, and it wouldn't appeal to Big Mike's
7 Grill where I would be watching the Blackhawks or
8 White Sox, but it appeals to a portion of the
9 population and it works well.

10 MR. KOPP: What's your -- I'm not
11 sure how to word this, the machines with the
12 stakes.

13 MR. LACAYO: Slot machines.

14 MR. KOPP: Are they like a buck?

15 MR. THIESSEN: So the State allows
16 you to have up to a \$2 bet, but you can also bet
17 as little as one penny. So your range is one
18 penny up to \$2, and then your maximum win on any
19 one spin is \$500.

20 MR. KOPP: And you have to allow the
21 penny people in?

22 MR. THIESSEN: Absolutely. We
23 don't -- well, first of all, I don't know if
24 you're a penny player or you're not a penny player

1 until you get going -- until you get in there.

2 MR. KOPP: But the State mandates
3 that you have to offer the full range?

4 MR. THIESSEN: Yes. Yes. Yes. You
5 can be a one-penny player on one spin and
6 \$2-player on the next spin and 2-cent-player or
7 5-cent-player or \$2-player all the way around.

8 MR. KOPP: You guys are making money
9 on this.

10 MR. THIESSEN: We make money on this.

11 MR. LACAYO: You know what is
12 interesting, it is the most incredibly well--run
13 industry that the State of Illinois has taken part
14 in and not screwed it up. It's monitored
15 properly, everything from the regulatory to the
16 way they monitor every machine. You would think
17 it's not with the State of Illinois doing it.

18 MR. THIESSEN: No. I would have to
19 agree. The State after a couple of hiccups, and I
20 think the hiccups were really more of a function
21 of, you know, in the past in roughly '09, there
22 was a couple of lawsuits that were part of the
23 capital bill because this industry funds about
24 one-third of the \$31 billion capital bill that was

1 passed, I believe, under one of our Governors in
2 jail. It might have been under Governor
3 Blagojevich, so we fund about \$12 million out of
4 that for video gaming.

5 But, after the initial rush of
6 applications, the State has done a very nice job
7 monitoring this. Every machine is hooked up to a
8 central system, so they know every play, every
9 bet, and every machine across the state. There
10 is, give or take, 24,000 machines across the
11 state. There's about 5300 different locations,
12 and it's very much set up like the liquor
13 industry. So there is a manufacturer, so we call
14 that Anheuser-Busch or Corona. There is the
15 distributor or in this industry terminal operator,
16 so that's Illinois Gaming Systems, Accel,
17 Universal, Gold Rush. And then there's a retailer
18 which would be similar to us. We would be a
19 retailer. They have done a very nice demarkation
20 of that.

21 In every municipality, you
22 have to be fingerprinted, and then you go to the
23 State Police. Every license it has -- gaming
24 machines also have to get a Federal gaming stamp.

1 We also have to go to the Feds, the Illinois State
2 Police, and the local Police.

3 So I probably would agree with
4 The commissioner, of the things our State does,
5 they actually are doing this one pretty well. And
6 last year, I think this industry -- I'm trying to
7 think, I know we are about a million dollars a
8 month in tax. This industry did about \$400
9 million in tax throughout the whole state on a
10 relatively new industry that's about three and a
11 half years old.

12 MR. RUFFOLO: One question I have
13 from your presentation, but the hours of
14 operation, is that 8:00 to 1:00?

15 MR. THIESSEN: 8:00 to 1:00. But, we
16 typically open 8:00 to 1:00, and then we --
17 depends because we have one market that's a very
18 early market. We have people that are there at
19 7:00. They allow 7:00 o'clock, but typically,
20 then, kind of finds its equilibrium. I'm not sure
21 with this particular location if it would be 1:00
22 o'clock because there is not a lot of late night
23 other open things. In some of our locations where
24 there is grocery stores that are open late, some

1 of the employees will come over and have some
2 decompression time. But, typically, we are open
3 to 1:00.

4 MR. KOPP: All right. Anna, would
5 you like to make your presentation?

6 MS. FRANCO: Thank you, Chairman. So
7 video gaming is currently allowed if you have a
8 liquor license, but it's only allowed at
9 restaurants and bars, and it's not allowed as a
10 stand-alone establishment like the applicant is
11 proposing.

12 The original intent of the
13 ordinance for video gaming was to allow it to --
14 so that bars and restaurants can remain
15 competitive with other surrounding communities
16 that already have video gaming licenses, so that's
17 kind of where that's coming from and why those are
18 there. But, of course, this is a stand-alone
19 establishment.

20 So as the applicant said,
21 video gaming is a good tax generator. About 30
22 percent -- it's a 30 percent tax, I believe, that
23 goes to the State and the local municipality and
24 splits between the State and local municipality.

1 The Illinois Gaming Board provides revenue reports
2 for all video gaming establishments in the State,
3 and attached to the staff report for tonight are
4 gaming reports for Darien, Westmont, and
5 Willowbrook from January of this year to May of
6 this year. So if you look at those reports, it
7 seems like the video gaming facilities seem to
8 earn larger incomes than a gaming facility that is
9 secondary to the primary use of a bar or
10 restaurant.

11 So Darien and Westmont allow
12 stand-alone video gaming at establishments. They
13 collected approximately 58,00 and 104,000
14 respectively in that period. The Village of
15 Willowbrook, which does not allow stand-alone
16 gaming facilities, collected about 14,000 in the
17 same period.

18 It is important to note,
19 though, these are based on the number of video
20 gaming establishments and wagering activity. So,
21 you know, we can't give a correct exact estimate
22 of the revenue created.

23 So the site that the video
24 gaming would go at would be at the Willowbrook

1 Square Shopping Center off of 63rd Street and
2 Americana Drive. The shopping center is bordered
3 by Knolls Lake to the north, Community Bank of
4 Willowbrook to the east, 63rd to the south, and
5 the Stanhope Multifamily complex to the west. The
6 shopping center currently contains two existing
7 multitenant commercial buildings that leases to
8 commercial and office uses. The east building
9 includes 8 tenants spaces, and the west building
10 includes 15 tenant spaces. This use would go in
11 the west building.

12 The video gaming establishment
13 would be named Betty's and signage for the
14 business is located on Page 5 of the staff report.

15 So as the applicant went over,
16 the layout and atmosphere is very different from a
17 casino scheme. It's not loud. There's no dark
18 lights and sounds effects are minimal. So
19 instead, they're going to have that lounge-like
20 atmosphere. As the applicant went over, they're
21 going to have light dishes and both alcoholic and
22 nonalcoholic drinks with a pretty strict alcohol
23 policy of three drinks per person.

24 So as the applicant went over

1 as well, video gaming is located in the back, and
2 it's separated by screening with the bar lounge
3 and cafe area in the front. And the interior
4 design is very modern, very inviting, and photos
5 of that are also on Page 5 of the staff report.

6 So as part of every special
7 use the Village likes to determine if site
8 improvements are required to comply with the
9 ordinance. Staff finds that the existing shopping
10 center parking and other infrastructure are more
11 than adequate to support this proposed use.

12 So if the Plan Commission is
13 supportive of this petition, a sample motion can
14 be found on Page 6 of the staff report.

15 MR. KOPP: Okay. Any questions for
16 staff?

17 MR. LACAYO: I have one. I always
18 get lost with this. So we're only approving
19 non-liquor license for this site with this motion,
20 right? It's only in this location?

21 MR. KOPP: It's a special use.

22 MS. FRANCO: Yes.

23 MR. LACAYO: I always get lost.

24 MR. KOPP: We are doing two things

1 questions.

2 MR. KOPP: If you could, you will
3 have to be sworn in.

4 (Thomas Kielbasa was sworn.)

5 MR. KIELBASA: The first question I
6 had, you said there's a three-drink limit. What's
7 going to prevent one of their clients from coming
8 in, gambling, going out, coming back an hour
9 later, taking another three drinks, going out,
10 coming back an hour later and having another three
11 drinks?

12 MR. KOPP: I will let him respond,
13 but I'm pretty sure he said you have to show your
14 license to check in, so then they'll have your
15 name and license number. But is that correct;
16 sir?

17 MR. THIESSEN: Well, I guess, that
18 could happen. I think our staff is adequately
19 trained that if they felt that you were trying to
20 gain the system that they would -- we teach our
21 staff to do two things. If they think there's a
22 potential liquor violation going on, they ask for
23 a Police walk-through so they don't ask for a 911.
24 They ask for a Police walk-through and say we

1 think there might potentially have been somebody
2 who had been overserved before getting into our
3 location, can we please have a walk-through, come
4 and have a cup of coffee, whatever, talk and chat
5 with our guests.

6 And if there was a situation
7 where that -- we have on a regular basis walked
8 customers out of our store. The risk of
9 overserving a person like that is -- the ability
10 to have this license is more valuable than the
11 nine beers that someone would try to gain the
12 system on for us. So our employees know that.

13 That's why I was very pleased
14 to bring the recent sting language that we have.
15 I think if you talk to any of the other elected
16 officials, they'll tell you we are very strict
17 about our liquor policy. Could that happen? Yes,
18 it could happen. I think our staff is adequately
19 trained that they would stop that before it did
20 happen.

21 MR. KIELBASA: Okay. What are the
22 hours of operation?

23 MR. THIESSEN: We talked about 8:00
24 to 1:00.

1 MR. KIELBASA: Okay. As you're well
2 aware, Stanhope Square is just to the west of this
3 operation and it's a residential community. The
4 majority of the residents in that location are
5 senior citizens, and I think it would have a
6 significant impact on the life of the residents in
7 that community to have something going on at 1:00
8 o'clock in the morning. Most of these residents
9 are going to be sleeping by 9:00, 10:00 o'clock in
10 the evening. So I think that would have a
11 significant impact on the life of these residents.

12 MR. THIESSEN: We are not typically a
13 high-traffic generator. And then all of our music
14 is pumped in, so we have no live music. If a door
15 were to somehow be open that would cause you to
16 have sound leakage, particularly that would be out
17 of the front. It would be adjacent more to 63rd,
18 and in all likelihood you're going to hear from
19 either Neil Diamond or Paul Sedaka. We do more of
20 a mix of almost '70s or light rock, so there is
21 not death metal. There is no flashing lights.

22 I would be surprised if you
23 even knew we were there. I would be surprised if
24 you knew we were there.

1 MR. KIELBASA: Just the congestion
2 from the traffic.

3 MR. THIESSEN: I mean, our traffic
4 profile on a per car week, we profile at about 1.4
5 spaces per user. We have a lot of
6 multigenerational players, so we have a lot of
7 mother/daughter players that come together from an
8 entertainment perspective, so I think the most if
9 we are full is maybe eight cars between employees
10 and players.

11 MR. KIELBASA: So you don't
12 anticipate very many players at that location?

13 MR. THIESSEN: Well, we only can have
14 five players at one time. So if we have five
15 players and a couple people having appetizers,
16 you're looking at maybe eight people. If we are
17 at 1.4 cars per, you're looking at that's roughly
18 5.5 cars.

19 MR. KIELBASA: Why is there a maximum
20 of five players?

21 MR. THIESSEN: That's the only number
22 of machines you can have.

23 MR. KIELBASA: Is that dictated by
24 the State?

1 MR. THIESSEN: The State of Illinois
2 only allows you to have five machines. So the
3 most people you can have playing at any one time
4 is five plus anybody that would be in the front.

5 MR. KIELBASA: Okay. Those are the
6 questions I had and some of my concerns.

7 MR. KOPP: All right. Thank you.

8 MR. KIELBASA: Thank you.

9 MR. KOPP: Anyone else in the
10 audience? Any final questions of the applicant or
11 the staff?

12 MR. KAUCKY: I have one quick
13 question on the music part of it. How do you
14 regulate the volume on music?

15 MR. THIESSEN: Well, it's obviously
16 set by the manager on duty. Like I said, all of
17 our music is piped in, so we use what's called
18 Mood, so it's customized music set that we pipe
19 in.

20 We'd be happy to volume check.
21 We don't have any problems if you want to do a
22 volume check.

23 MR. KAUCKY: I was just curious.
24 I've been at some restaurants that they play such

1 loud music you almost want to walk out of there.

2 MR. THIESSEN: Ours is not. Ours is
3 mood music. It's not the primary focus.

4 MR. KAUCKY: Plus I noticed you're
5 like seven stores in from the west border of the
6 property. So it should minimize some of the
7 noise.

8 MR. THIESSEN: Yes. We had one
9 meeting with a gentleman who had a similar
10 question about the back door where we prop the
11 back door open. We don't leave our doors open
12 from a safety perspective, both from the cameras.
13 Typically, our back door is just for delivery and
14 get rid of our refuse and garbage. There is no
15 chance the back door will be propped open and
16 music would be playing out of there.

17 I think with the front door, I
18 bet it would probably be drowned out by 63rd more
19 than anything else.

20 MR. KOPP: Okay. Sorry. How are --
21 people aren't putting cash into these machines?

22 MR. THIESSEN: Yes, they are feeding
23 cash.

24 MR. KOPP: So that's why you have all

1 the security?

2 MR. THIESSEN: Security is for that.
3 The security is for slip and fall. Security is
4 for security. I mean, obviously, for security
5 that we want people to know when they come in that
6 you're on camera and that you're aware of that.

7 But, the cash is in the
8 machines. The machine cannot be opened unless you
9 have a license or special key that's issued by the
10 State, and then the terminal for the redemption
11 is -- would look very similar to an ATM that's
12 probably -- it comes up about here to me. It's
13 like this, and it's probably 3- or 400 pounds
14 bolted into the concrete floor.

15 MR. KOPP: That was my question. Are
16 they actually feeding dollar bills and coins?

17 MR. THIESSEN: Just dollar bills. No
18 coins. Just paper money. No coins. And then you
19 receive a redemption ticket out on what's left.
20 So you buy credits and you play it like you would
21 a slot machine, and then you take that to that
22 redemption machine and that pays it out, allows
23 them to track money in and money out.

24 That's how the State tracks

1 their tax. Every machine is tracked.

2 MR. KOPP: Okay. All right. If
3 nobody else has anything, we will close Public
4 Hearings PC 16-13 and PC 16-14.

5 We will now have our
6 discussion and vote.

7 Myself, I'm in favor of both
8 of these. It's a legal product in Illinois, so I
9 have no problem making it a special use.

10 And as far as this exact
11 location, it does seem to be extremely low impact.

12 And, frankly, pretty
13 beneficial tax wise so I'm in favor of this.

14 MR. LACAYO: I visit
15 that mall frequently and parking -- it's well
16 built. There is always enough parking and this
17 location will not bring any more clients than
18 Bernard's the restaurant -- actually probably the
19 restaurant brings more traffic than this location
20 will in my opinion.

21 MR. KOPP: Okay. We will do the
22 motions in two parts. So, first, for the text
23 amendment, will someone make a motion that based
24 on the submitted petition and testimony presented,

1 I move that the Plan Commission recommend to the
2 Village Board approval of the text amendment
3 presented on Page 1 of the staff report for PC
4 Case No. 16-13 to add "Video Gaming" as a special
5 used in the B-2 Zoning District.

6 MR. RUFFOLO: I'll make that motion,
7 Mr. Chairman.

8 MR. SOUKUP: Second.

9 MR. KOPP: Ask the Plan Commission
10 secretary to call the vote.

11 MS. PRIBLE: Commissioner Lacayo.

12 MR. LACAYO: Yes.

13 MS. PRIBLE: Commissioner Soukup.

14 MR. SOUKUP: Yes.

15 MS. PRIBLE: Vice Chairman Wagner.

16 MR. WAGNER: Yes.

17 MS. PRIBLE: Commissioner Kaucky.

18 MR. KAUCKY: Yes.

19 MS. PRIBLE: Commissioner Ruffolo.

20 MR. RUFFOLO: Yes.

21 MS. PRIBLE: Chairman Kopp.

22 MR. KOPP: Yes.

23 All right. Now, for the
24 particular special use for Zoning Hearing Case PC

1 16-14, will someone make a motion that based on
2 the submitted petition and testimony provided, I
3 move that the Plan Commission approve and adopt
4 the standards for special use outlined in
5 Attachment 1 of the Staff prepared for PC 16-14
6 for the August 3, 2016, Plan Commission meeting;
7 and that the Plan Commission recommend to the
8 Village Board approval of a special use for a
9 video gaming use in the space at 14-106 West 63rd
10 Street subject to following condition:

11 The applicant must obtain the
12 required liquor and gaming licenses prior to
13 occupancy.

14 MR. LACAYO: I'll make the motion.

15 MR. KAUCKY: Second.

16 MR. KOPP: Ask the Plan Commission
17 secretary to call the vote.

18 MS. PRIBLE: Commissioner Lacayo.

19 MR. LACAYO: Yes.

20 MS. PRIBLE: Commissioner Soukup.

21 MR. SOUKUP: Yes.

22 MS. PRIBLE: Vice Chairman Wagner.

23 MR. WAGNER: Yes.

24 MS. PRIBLE: Commissioner Kaucky.

1 MR. KAUCKY: Yes.

2 MS. PRIBLE: Commissioner Ruffolo.

3 MR. RUFFOLO: Yes.

4 MS. PRIBLE: Chairman Kopp.

5 MR. KOPP: Yes. All right.

6 MR. THIESSEN: Thank you very much.

7 (Which were all the
8 proceedings had in the
9 above-entitled cause.)

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11 (The Plan Commission hearing
12 ended at 8:24 p.m.)

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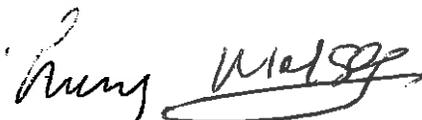
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1 STATE OF ILLINOIS)
2 COUNTY OF COOK)

3
4 I, MARY WOOLSEY, C.S.R., do hereby
5 certify that I am a court reporter doing business
6 in the City of Chicago; that I reported in
7 shorthand the testimony given at the
8 above-entitled cause on August 3, 2016; and that
9 the foregoing is a true and correct transcript of
10 my shorthand notes so taken as aforesaid.

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