

**VILLAGE OF OAK LAWN
PLANNING AND DEVELOPMENT COMMISSION**

Monday, April 1, 2013

Minutes # 2013-5

I. **ROLL CALL:** Meeting called to order at 7:30 p.m.

A. **Chairman:** Wayne Gray

B. **Commissioners:**

John Eggert	Sean Schrader
Hasan Kishta (ABS)	Tim Reilly (ABS)
William Kushnerick (ABS)	Dave Tebo
Bill Lundy (ABS)	Rich Piazza
Wayne Gray	

C. **Staff**

Jack Gallagher, Village Engineer/Director
Dominick Lanzito, P&DC Attorney
Suzanne Kelly, Recording Secretary
Larry Deetjen, Village Manager

II. **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Chairman Gray.

III. **APPROVAL OF PRIOR MEETING MINUTES:**

Motion to approve the minutes of #2013-4 – March 18, 2013 was made by Commissioner Eggert and seconded by Commissioner Tebo.

Roll call: Eggert, yes; Pizza, abstain; Schrader, yes; Tebo, yes; Gray, yes. Motion carries: 4-0-1.

The Oath of Office was administered by Chairman Gray.

Commissioner Eggert made a motion to advance Pet #2013-13 to the first item on the agenda and was seconded by Commissioner Schrader.

Roll call: Eggert, yes; Pizza, yes; Schrader, yes; Tebo, yes; Gray, yes

IV. **PETITIONS:**

A.) Pet. # 2013-13 – Request to have Variation from Impervious Surface Ordinance @ 10108 Menard Avenue, Daniel & Amy Greene, petitioners.

Daniel Green. 10108 Menard Avenue, Oak Lawn, IL 60453

Mr. Greene indicated that his intention is to install an above ground pool. He was approved for an 18 Foot diameter pool; however, wishes to increase to 21 Feet, adding this will decrease the impervious surface from 50 to 52%. Commissioner Schrader asked if there was an issue with flooding or neighbors flooding. Mr. Greene indicated there was not. Commissioner Tebo asked why they are asking for an increase. The petitioner responded it would be more fun for the children. Commissioner Eggert advised he has been to the property; the lots are fenced to the utility easement and the petitioners have a storm sewer on the property.

A motion was made to approve Pet. # 2013-13 - Request to have Variation from Impervious Surface Ordinance @ 10108 Menard Avenue by Commissioner Eggert and was seconded by Commissioner Tebo.

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Roll call: Eggert, yes; Pizza, yes; Schrader, yes; Tebo, yes; Gray, yes. Motion carries: 5-0-0.

Chairman Gray indicated that the petition was approved unanimously and will go before the Village Board on April 23, 2013.

Jack Gallagher asked if there was anyone in attendance from Bluestone Healthcare; he would like to move this item up due to a basic change in the access drive.

B.) Commissioner Eggert made a motion to advance Number VI - Bluestone Healthcare at 4220 West 95th Street – request to adjust the location of a previously approved curb cut at 95th on the agenda and was seconded by Commissioner Schrader.

Roll call: Eggert, yes; Pizza, yes; Schrader, yes; Tebo, yes; Gray, yes

Mr. Gallagher explained Exhibit “A” and “B”; an entrance was approved at last meeting; IDOT suggested moving the access drive on 95th street to the west slightly to line up with the drive aisle in the parking lot. IDOT believes the change would make it a safer and it would also be a “right in- right out” access. Mr. Gallagher explained it would make it easier to access the property.

A motion was made to approve Number VI - Bluestone Healthcare at 4220 West 95th Street – request to adjust the location of a previously approved curb cut at 95th by Commissioner Eggert and was seconded by Commissioner Piazza.

Roll call: Eggert, yes; Pizza, yes; Schrader, yes; Tebo, yes; Gray, yes

C.) Pet. #2013-14 – Request for Parking Variation @ 5433 West 95th Street, JenCare Neighborhood Medical Center Oak Lawn LLC, petitioner.

Chairman Gray explained the Public Hearing was now open at 7:42 p.m.

Gregg Dose, 835 McClintoch Drive, Burr Ridge, IL

Mr. Dose introduced some of the participants as Jess Timmerman, representative from JenCare, Ernesto Cercas, Architect, House of Brides owner Yvette and Daniel Buziecki, Attorney Steven Marcunisand Lynn Bracket, real estate broker on contract with House of Brides.

Timmerman, 1712 E Board Street, Richmond, VA

Mr. Dose explained JenCare wants to occupy the building; there are 33 existing spaces for parking. Mr. Timmerman added JenCare was created by a family physician over 25 years ago. The owner himself was diagnosed with cancer years ago and was frustrated with the lack of care and attention to him so he created JenCare. Mr. Timmerman continued that JenCare has opened several facilities in South Florida, Kentucky, Virginia, Louisiana, Chicago and Atlanta. JenCare is looking to expand into the Chicago market South Chicago, Evergreen Park, and Berwyn. JenCare Medical Centers are Senior Primary Care full service facilities including acupuncture, pharmacy and transportation to and from site.

The facility hopes to open between July and August of 2013; this will coincide with the annual open enrollment from Medicare and have time to network throughout the community. They hope to employ 20-25 individuals including patient and community helpers.

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Ernesto Cercas, 2423 S.W. 25 Terrace, Miami, FL

Mr. Dose indicated focus of the meeting is the parking, the facility is approved for Zone C-2 and there is a 33 space parking lot that is being addressed.

Mr. Cercas stated he knows the facility very well; he is the architect for all JenCare locations. These are first class state of the art facilities and have a commitment to the senior population. The permit to start construction should take 2 months to complete. This building is just about 7700 square feet. There are 5 other centers in the Chicagoland area. The operation will have a rotating staff, primarily doctors and specialty staff. In addition, there is planned to have a private bus for transportation to and from the center. Mr. Dose added the peak number of staff in the center would be 15 and patients about 15 as well. Mr. Timmerman stated this is a medical center, not an urgent care facility.

Mr. Cercas indicated the average parking is half for patients. JenCare is hoping to expand the parking lot to hold 35 spaces as opposed to the 33 that are there currently. Chairman Gray asked if they can do better than 33. Mr. Cercas said yes. Commissioner Eggert indicated that there may be more spaces available in that lot. He also inquired about street parking. Mr. Cercas advised they are just focusing on the parking lot. Commissioner Piazza asked where the numbers are coming from. Mr. Cercas stated that most of the employees probably will drive. Commissioner Tebo asked for an explanation of the bus transportation. Mr. Timmerman responded it would be door to door service; expected to be very volume of participants in the bus program, 50% of the lot for employees and 50% for patients. Commissioner Piazza asked about the hours of operation. Mr. Timmerman replied Monday thru Friday 7:30 a.m. to 4:30 p.m. Commissioner Tebo asked where are the other locations near Oak Lawn. Mr. Cercas replied that construction has already begun on 87th and California in Evergreen Park, in the old Walgreen's building.

Commissioner Schrader asked about other locations and the parking they provide. Mr. Cercas explained each center is different; it ranges from 30 to 200 depending on the location of the center. Commissioner Schrader questioned if the parking lot is trying to be made more efficient, he would like to see a site plan. Mr. Gallagher asked about the landscaping plans and the requirements to make it nice. Mr. Cercas stated they would add landscaping and repeated the intention of 3 additional parking spaces. Commissioner Schrader asked if there was a site plan, if none there would be a request for one. Mr. Gallagher asked if there are any façade improvements or landscape improvements planned. Mr. Cercas explained only the interior will be addressed, full demo and remodel to include X-Ray area, exam rooms, waiting room etc. Mr. Timmerman stated that a records center, pharmacy, dental and vision care will also be available at the center. Mr. Gallagher asked if the commission was comfortable with the number of members in attendance and there is a good discussion and what the plan was for the signage as far as replacing with a monument sign. Mr. Cercas replied they will use the existing sign.

Chairman Gray asked if JenCare has looked at many other locations. Mr. Cercas responded they have; they require at least 7500 square feet of space, parking needs and the exposure to the community. This is the ideal location for JenCare.

Mr. Deetjen expressed deep concerns for the location citing impact, public safety and welfare of the community. Mr. Deetjen asked if the property located at 87th Street in Oak Lawn was looked at. Mr. Deetjen continued that the exterior of the proposed location is in need of attention, material was peeling on facility, pylon sign would not be acceptable in today's standards, and added they must do better. Chairman Gray asked for additional comments. Mr. Timmerman stated JenCare has looked at other locations; the location on 95th Street west of S.W. Highway where the old Halloween Store was located, however that petition is not on the agenda until the next scheduled meeting. Mr. Timmerman stated they have been looking at locations since December of 2012.

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Steven Marcunis, 535 N Michigan Ave, Chicago, IL

Mr. Marcunis pointed out that this meeting was to approve a parking variance. Mr. Marcunis expressed JenCare is a national company looking to increase its presence in the Midwest. They have indicated financial security and would be a valuable tenant for Oak Lawn. Mr. Deetjen answered he appreciates comments made by Mr. Marcunis. However, there has been no dialogue regarding the site plans, landscaping. What does the landlord propose for the improvements? He further expressed that a 57.1% is significant. Mr. Deetjen asked if this is the highest and best use of the property. Mr. Deetjen stated this is constructive criticism; Oak Lawn is currently working on a 95th Street Corridor Plan; its intention is to define the vision for the future for Oak Lawn. He added that more dialogue and information needed to obtain a clear answer for this facility. Mr. Marcunis explained this is identical to the parking variance scheduled for the next meeting. Mr. Gallagher indicated any recommendations from this meeting and the following meeting on April 15, 2013 will go to the Village Board on April 23, 2013.

Lynn Bracket, 333 Webster, Elmhurst, IL

Ms. Broker stated that she has been marketing the location in question for over 3 years; no interest except medical facilities, one financial institution and a pawn shop. Mr. Deetjen stated that there is a disconnect. He questioned why brokers do not come into the Village and have a conversation to discuss possibilities for the property.

Mr. Marcunis stated that House of Brides will close by July 2013. This issue today is the variance for the parking lot, only re-stripping of an existing parking lot. He hopes this will not be an impediment to his client signing a lease.

Commissioner Eggert explained that most of the variances given are for new construction. This issue is a "red hearing", it would be a bonus to obtain additional parking spaces. Commissioner Eggert added concerns that valuable members of this Commission are not in attendance and they would have valuable input on this issue. Commissioner Eggert suggested that they postpone and hear both variances at the meeting on April 15, 2013.

Yvette Buziecki asked why the Commission is denying the request. Her business is closing in July and needs a tenant to rent, mortgage and other bills. Commissioner Eggert answered they are not denying the request. Chairman Gray explained there are other issues to be resolved; master plan and neighborhood. Yvette explained she had done all she can; hired a real estate broker to help her. Chairman Gray stated if Mrs. Yvette contacted this Commission or the Village Manager for help there may have been other businesses that may have been interested in the property. It is not a requirement however, the resource are available to anyone in the community. Mr. Deetjen stated he would try to assist Yvette Buziecki. In addition, the Village has a full time employee that handles business development, should use this resource along with the Chamber of Commerce. Yvette Buziecki explained this is why she hired Ms. Bracket.

Patricia Ryan, 9510 West Shore Drive, Oak Lawn, IL

Mrs. Ryan indicated she is a back-yard neighbor to the property for over 20 years. She is concerned if the property is vacant there may be kids hanging out and causing problems for the neighbors. In addition, she would like to see a business there and not another vacant store. She would have no objections to JenCare.

Commissioner Tebo stated he respects Commissioner Eggert's opinion that there is a need for more information; he does not want to be railroaded into a snap decision. Commissioner Schrader asked Mr. Gallagher if they can vote on the parking variance if there is no site plan. Mr. Gallagher explained they would be voting on "cannot exceed" a variance of the amount in the petition and the site plan would have to agree with what was approved.

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Chairman Gray thanked the attendees for their comments. Chairman Gray closes the public comments @ 8:26 p.m.

A motion was made to postpone action Pet # 2013-14 – Request for Parking Variation @ 5344 West 95th Street, JenCare Neighborhood Medical Center Oak Lawn LLC, by Chairman Gray and seconded by Commissioner Schrader.

Chairman Gray asked if it was the desire of the Commission. Chairman Gray motioned to postpone citing the need for more information needed; 4 members from the Commission are not in attendance who can offer a variety of experience; this will give the petitioner a chance to look at additional sites for considerations.

Mr. Deetjen asked the petitioner what is the net square foot of the build out. Mr. Cercas replied 7700. Mr. Deetjen asked what the budget for the facility is. Mr. Cercas replied an average of half a million dollars to complete build.

Motion to postpone: Roll call: Eggert, no; Pizza, yes; Schrader, yes; Tebo, yes; Gray, yes

Mr. Timmerman acknowledged his question might be out of the order, however how many members of the Commission are needed to approve. Chairman Gray replied there was enough members this evening to approve.

VII -Proposed Ordinance Pertaining to Obtaining a Permit for Generator

A motion was made to table Proposed Ordinance Pertaining to Obtaining a Permit for Generator by Commissioner Eggert and was seconded by Commissioner Tebo until more members are present for discussion.

Roll call: Eggert, yes; Pizza, yes; Schrader, yes; Tebo, yes; Gray, yes

V. OTHER BUSINESS:

- A.) Chairman:** None
- B.) Members:** None
- C.) Staff:** None

Chairman Gray shared that an individual that spoke at the last meeting sent a nice email to Mr. Deetjen thanking the Commission for the meeting. Commissioner Tebo asked if the Commission was aware of the new massage parlor on 99th and S.W. highway and there is a very large billboard advertising massage. Mr. Deetjen replied he was aware that the intended massage parlor on 95th and Ridgeland Avenues is not opening because their contract with the owner did not work out, however he was not aware of this business. He advised he will check into this. He advised Mr. Gallagher to look into this matter. Chairman Gray stated only two similar petitions came before this Commission; 103rd and Cicero, denied and 95th and Ridgeland was approved.

VI. ADJORNMENT:

A motion to adjourn was made by Chairman Gray and was seconded by Commissioner Tebo

Voice Vote: All in favor; aye. All Opposed, no. Motion carries 5-0-0.

Meeting adjourned at 8:34pm.