

**ZONING BOARD OF APPEALS – SPECIAL MEETING
MINUTES OF OCTOBER 17, 2012 – 7:00 P.M.**

1. The specially scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.

2. A quorum was present. Marzena Szubart, Kathy Mennella, Aaron Jimenez, Gil Snyder, Bruce Boreson, Chairman Mark Cwik and Frank Grieshamer, Lisa Manzo (Secretary), Rich Bruen (Village Attorney), and Patrick Ainsworth (Planner). All members were present.

3. New Business: ZBA 12-18
Rick E. Heidner
9501-9515 Grand Avenue
12-27-300-019-0000

Chairman Cwik stated that this hearing is for a Map Amendment to change the zoning of 9501-9515 Grand Avenue from I-1 Restricted Industrial to C-2-1, Community Shopping District per Section 9-10-10b of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all the department reports, memos, reports, answers to the standards and any new reports, information and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Mr. Ainsworth began the hearing describing the property in question and the intention of the zoning change. He continued that by changing the zoning, this would show conformity to the area, in that all the businesses are retail in nature along Grand Avenue, not Industrial.

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. Rick Heidner, property owner and petitioner, came forward. He signed in and was sworn in.

Mr. Heidner described the property in question and stated that the building and all its addresses were retail in nature. He stated that this map amendment was applied for to keep the area and properties in accordance with the comprehensive plan.

Chairman Cwik opened this hearing to the public at this time. Chairman stated that anyone coming forward to speak, please sign in and be sworn in. Public session began at 7:05 p.m.

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Mr. Mike Patel of 9619 Franklin came forward at this time. Mr. Patel signed in and was sworn in. Mr. Patel is concerned that the property is being re-zoned. He feels that it is being re-zoned because of potential new businesses being leased. He also feels that the storage business is against the zoning code due to each storage space being considered as a dwelling unit.

Mr. Ainsworth stated that the storage units are commercial in nature and that a dwelling unit is considered a habitable, living space. He further continued that the storage units do not permit individuals to inhabit them.

Mr. Ainsworth stated that due to this section of Grand Avenue being retail along this corridor and following the Comprehensive Plan, it would be the trend to re-zone this particular section to C-2-1 to flow properly.

The public portion of this hearing was closed at this time.

Board discussion began at 7:10 p.m.

The members discussed the re-zoning and they believe that it would be the trend of the corridor and per the Comprehensive Plan.

Board discussion ended at 7:13 p.m.

Member Grieshamer made a motion to “approve ZBA 12-18 for a Map Amendment to change the zoning of 9501-9515 Grand Avenue from I-1 Restricted Industrial to C-2-1, Community Shopping District per Section 9-10-10b of the Franklin Park Zoning Code.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes; Member Snyder-Yes; Member Jimenez-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

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4. New Business: ZBA 12-19
Farhan Abdallah
9511-13 Grand Avenue
12-27-300-019-0000

Chairman Cwik stated that this hearing is for a Conditional Use to permit the use of a liquor store, as per Section 9-5B-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all the department reports, memos, reports, answers to the standards and any new reports, information and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. Vincent Trunzo, Representative of Armanetti's Liquors, and Mr. Farhan Abdallah, petitioners, came forward. They signed in and were sworn in.

Mr. Trunzo began the hearing by giving a history on the Armanetti's store and chain. He discussed the brand and their business ethics. Mr. Trunzo displayed three (3) visual aids to the members. The three (3) visual aids were photographs of the Armanetti's store; it showed front and side views of the establishment and how they would bring this to Franklin Park at this location. Mr. Trunzo stated that their stores are clean and meticulous, their windows are free from clutter and they want to make the store family orientated. He continued that would like to cater to women and house wives. He stated that Binny's Liquors is their biggest competitor. He stated that their business brings in \$150 million dollars in volume. They purchase large quantities and distribute the brands to their many locations. Mr. Trunzo stated that they are a third party marketing company.

Member Grieshamer asked what the term of the lease would be. Mr. Trunzo stated that it would be a five (5) year lease. Mr. Trunzo stated that Mr. Heidner has a say that Armanetti's must keep true to their name and brand if they are to lease in his mall.

Member Grieshamer asked about the limit to single use liquors. Mr. Trunzo stated that the store would limit them to less than 5%.

Mr. Abdallah stated that he has been in this business for 20 years and has other stores. He continued that he would like to focus on fine wines and spirits opposed to just beer.

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He also stated that he would like to draw in loyal customers who would keep coming back. He stated that is why he wants to have a quality product.

Member Grieshamer asked what the hours of operation would be. Mr. Trunzo stated that they were looking at Monday through Saturday from 9:00 a.m. to 10 p.m. and Sundays from 9:00 a.m. to 7:00 p.m. or 9:00 p.m.

Chairman Cwik opened this hearing to the public at this time. Chairman stated that anyone coming forward to speak, please sign in and be sworn in. Public session began at 7:34 p.m.

Mr. Mike Patel of 9619 Franklin came forward at this time. Mr. Patel signed in and was sworn in. Mr. Patel questioned the need for another liquor store in Franklin Park. He questioned the cleanliness of the potential business and their products. He continued to ask why there is equipment being stored in the space if they are not approved to be there. Mr. Patel displayed photographs that he took of the interior of the space to show the members the equipment that is present. Mr. Patel stated that a different business should be placed there.

Mr. Abdallah came up at this time and explained that the equipment that is in the space is such that was purchased from a different location, and it is stored in various pieces.

Mr. Patel questioned if this is a new potential business, why is there used equipment in the space.

Public session was closed at this time.

Board Discussion began at 7:42 p.m.

The members discussed Mr. Patel's comments and the Village Attorney stated that the Village can not regulate what kind or how many businesses can be located in the Village at the same time.

Board Discussion ended at 7:44 p.m.

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Member Grieshamer made a motion to “approve ZBA 12-19, for 9511-9513 Grand Avenue for a Conditional Use to permit the use of a liquor store, as per Section 9-5B-3 of the Franklin Park Zoning Code with the following conditions: That the property owner confirm hours of operation to ensure compliance with Village Code Title 3-3-12, That the use of the property complies with all other codes and ordinances of the Village of Franklin Park, and if the applicant expands the products offered, then the applicant must notify the Village of Franklin Park and ensure that the products are complementary and incidental to the primary use.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes; Member Snyder-Yes; Member Jimenez-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

5. Old Business: None.

Mr. Ainsworth also reminded the members that they will need to complete their Open Meetings Act Training by the end of the calendar year. He continued that a copy of the certificate of completion should be sent to Tommy Thomson in the Clerk’s Office.

6. Public Comment: None.

7. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Mennella. All in favor. Motion carried.

The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Lisa M. Manzo
Secretary