

ZONING BOARD OF APPEALS
MINUTES OF DECEMBER 12, 2012 – 7:00 P.M.

1. The regularly 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), Village Attorney Matt Welch, Eric Richard (Planner) and Patrick Ainsworth (Planner). All members were present.
3. Member Grieshamer made a motion to accept the minutes of November 14, 2012. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. New Business: ZBA 12-27
Village of Franklin Park
9500 W Belmont Avenue
12-22-313-031-0000

Chairman Cwik stated that this hearing is for a Text Amendment to Sections 9-5D-3 and 9-6A-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all 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. Patrick Ainsworth, Planner for the Village of Franklin Park, came forward. He signed in and was sworn in.

Mr. Ainsworth gave a brief presentation on this section of the zoning code and stated that the definitions will remain the same with the added sections in both 9-5D-3 and 9-6A-3 as follows: “Automobile Repair, all operations and vehicles being worked on is conducted inside the primary structure only.”

Member Boreson asked if the verbiage includes motorcycles and generators as well. Mr. Welch stated that this will include same. Mr. Welch continued that generators will fall under the category of “machine shops” under the zoning code.

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Chairman Cwik opened this hearing to the public at this time. Since no members of the public came forward, Chairman closed this hearing to the public.

Board Discussion began at 7:07 p.m.

The members discussed this addition to the zoning code and stated that it is self explanatory.

Board Discussion ended at 7:08 p.m.

Member Grieshamer made a motion to “approve ZBA 12-27 for a Text Amendment to Sections 9-5D-3 and 9-6A-3 of the Franklin Park Zoning Code as identified in the Staff Memorandum dated November 9, 2012.” 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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5. New Business: ZBA 12-21
Boguslaw (Bogdan) Owskiak
9213 Parklane
12-27-119-042-0000

Chairman Cwik stated that this hearing is for a Conditional Use for motor vehicle sales, Section 9-6B-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all 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. Bogdan Owskiak, petitioner and property owner, came forward. He signed in and was sworn in.

Mr. Owskiak stated that he owns the property at 9215 Parklane and he just purchased 9213 Parklane. The business he wants to run out of the new space is an expansion of his current use.

Mr. Owskiak continued that the new building is approximately 5,000 square feet. He stated 20 cars can fit inside the building. He has done various improvements to the property.

Mr. Owskiak described his business in that he purchases vehicles from auction, usually damaged vehicles from Enterprise Rent a Car and Avis. Vehicles are not older than two (2) years. He does the repair work at his property next door at 9215 Parklane.

Chairman Cwik opened this hearing to the public at this time. Since no members of the public came forward, Chairman closed this hearing to the public.

Board Discussion began at 7:15 p.m.

The members discussed this new business in question. Mr. Ainsworth stated that investigations were conducted and there were no incidents reported on Mr. Owskiak or his business practices.

Board Discussion ended at 7:18 p.m.

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Mr. Welch stated that the zoning board of appeals hearing that Mr. Owskiak had previously for his property at 9215 Parklane is separate from the hearing this evening. They are two separate cases and will have two separate Ordinances. They cannot be combined.

Member Grieshamer made a motion to “approve ZBA 12-21 for 9213 Parklane Avenue for a Conditional Use for motor vehicle sales and automobile repairs, Section 9-6B-3 of the Franklin Park Zoning Code with the following conditions: That the use of the property complies with all other codes and Ordinances of the Village of Franklin Park.” 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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6. New Business: ZBA 12-22
Calogero Settecase
9804 Franklin Avenue
12-21-418-039, 048-0000

Chairman Cwik stated that this hearing is for a Conditional Use for motor vehicle shop and Automobile Repair per Section 9-5D-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all 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. Calogero Settecase, petitioner, came forward. He signed in and was sworn in.

Mr. Settecase gave some history of the property he intends to lease. He is leasing for three (3) years with an option to buy. His hours of operation will be 8:00 a.m. to 5:00 p.m., Monday through Friday and a half day on Saturday. Mr. Settecase stated that he will have three (3) employees. He continued that he can fit approximately ten (10) vehicles in the building at one time. He explained to the members that he takes care of four to five cars per week at the present time.

Chairman Cwik opened this hearing to the public at this time. Since no members of the public came forward, Chairman closed this hearing to the public.

Board Discussion began at 7:26 p.m.

The members discussed this new business in question. The members were concerned about how many vehicles can fit inside the building at one time. Mr. Welch explained that the structure will limit how many vehicles can fit inside.

The members discussed that the parking spaces in front of the building is Village parkway. The members discussed at length that the rear of the property should be paved. Mr. Ainsworth explained that there is an Ordinance allowing the Village and tenant time to pave this portion.

The members discussed the storage containers that were on the property in the past.

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Board Discussion ended at 7:32 p.m.

Member Grieashamer made a motion to “approve ZBA 12-22 for 9804 Franklin Avenue for a Conditional Use for motor vehicle shop and Automobile Repair per Section 9-5D-3 of the Franklin Park Zoning Code with the following conditions: That if the applicant utilizes Parcel 2 of the lot that is shown on the Plat of Survey dated November 5, 2012 be paved if the applicant utilizes this area for parking. Parcel 2 should then be paved within one (1) year of the public alley being paved, or by November 21, 2014, whichever comes first; That all vehicles being worked on will be stored inside the primary structure at all times; That all vehicles awaiting repairs are stored inside the primary structure at all times; That the use of the property complies with all other codes and Ordinances of the Village of Franklin Park; Employee vehicles must be parked on site; and Any materials must be stored inside the building.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieashamer-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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7. New Business: ZBA 12-23
Savers – Matt Thurling
10205 Grand Avenue
12-28-300-028-0000

Chairman Cwik stated that this hearing is for a Conditional Use for a (i) secondhand store and (ii) drive-in/drive-through establishment as listed in Section 9-5B-3 of the Village Code of Franklin Park (“Village Code”), subject to the provisions of Title 9, Chapter 10, Article C of the Village Code. The subject property for which the conditional uses are sought is located at 10205 Grand Avenue, Franklin Park, Illinois.

Member Grieshamer made a motion to enter in any and all 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(s) up at this time. He asked if they can sign in and be sworn in. Mr. David Van Bockel, Mr. Derek Anderson, Mr. Rob Gamrath, and Mr. Ronald Max, petitioners, came forward. They signed in and were sworn in.

Mr. Rob Gamrath, attorney for Savers came forward and distributed to all the members two (2) photographs; one (1) is of the front of the property at 10205 Grand showing the building and site improvements and future signage of Savers. This was entered into the record as Exhibit A-1. The other was a photograph of the interior of the Naperville Savers store showing the floor area with products, the check out lanes and dressing areas. This photograph was entered into the record as Exhibit A-2.

Member Grieshamer made a motion to formally enter these two photographs entitled as Exhibit A-1, and A-2 into the record. Member Mennella seconded the motion. All in favor. Motion carried.

Mr. Gamrath gave a brief history of the property in question. He stated that the Savers site will encompass 30,000 square feet. He also mentioned that the property owner will be making approximately \$1 million dollars worth of improvements to the site including pavement and landscaping.

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Mr. Derek Anderson, Director of Real Estate of Savers, came forward and gave some history of Savers. He stated that they have 320 locations throughout the United States, Canada and Australia. The company has been in business since 1952. Mr. Anderson continued to state that their company changes equity partners every five (5) years.

Mr. Anderson explained their business process in that they purchase the products (clothes, home goods, etc) from local charities. Once they have the product in their store, they do one of three things; they either sell it on their floor, they sell the less quality products to third parties, or if the product is useless, they will just recycle it.

Mr. David Van Bockel, who handles the day-to-day operations of the store, came forward. Mr. Van Bockel stated that they plan to hire 50 employees at the Franklin Park location to start off. The products that they will have will be clothes, home décor items, toasters, but no other appliances, no flammables. Mr. Van Bockel told the members that they will not be restoring furniture or painting any products in the store. Mr. Van Bockel continued to state that at least 80% of their products are recycled.

Mr. Van Bockel explained that there will be one (1) trailer located at the rear of the building that will house product that it is to be shipped to recycle. He said that the trailer would be gone every 2-4 days.

Mr. Van Bockel reassured the members that there will be no outside storage bins or containers to dump product at all hours of the day or night. This will not be allowed. He stated that they will have a drive-thru that would be open to drop offs only during normal business hours.

Member Grieshamer asked the term of their lease. Mr. Van Bockel stated that they will be leasing for ten years and have two five (5) year options. They can be at this location for 20 years.

Member Szubart asked the hours of operation. Mr. Van Bockel stated that hours will be from 9:00 a.m. to 9:00 p.m. Monday through Saturday, and 10:00 a.m. to 7:00 p.m. on Sundays. He further explained that the store will be open for production staff to filter through product from Tuesday through Saturday from 7:30 a.m. to 5:00 p.m. Mr. Van Bockel will have 35 production staff hired and 15-18 sales staff. He further commented that staff will be offered health/dental/vision and 401K.

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Mr. Van Bockel stated that it is a lengthy process to get a store up and running. There is much training that goes into having an employee ready to work on the floor. He further stated that Savers is planning to hire locally from within the Village.

Mr. Van Bockel stated that the average item sits on the shelves in the store for no longer than 14 days.

Chairman Cwik opened this hearing to the public. Chairman Cwik stated that anyone wishing to come forward, please sign in and be sworn in before speaking. Public session began at 8:01 p.m.

Ms. Joanna Kolakowski of 2626 Park Street came forward. She signed in and was sworn in. Ms. Kolakowski stated that she is in favor of free enterprise and new businesses coming into the Village. However, she is not in favor of the many thrift and second hand stores that Franklin Park has. She wonders why another second hand store. She feels that the property at 10205 Grand Avenue has low end businesses there and if both sides have businesses such as these, what kind of high end business would come to Franklin Park to encompass the middle section of the building.

Public session closed and Board Discussion began at 8:04 p.m.

The members discussed that this seems like a well run company. Mr. Welch stated that the members can not make value judgments on certain businesses.

The members discussed that they are not in favor of any stand alone drop off containers. They are glad that Savers does not uphold this practice.

Board Discussion ended at 8:09 p.m.

Member Grieshamer made a motion to “approve ZBA 12-23 for a Conditional Use for a (i) secondhand store and (ii) drive-in/drive-through establishment as listed in Section 9-5B-3 of the Village Code of Franklin Park (“Village Code”), subject to the provisions of Title 9, Chapter 10, Article C of the Village Code. The subject property for which the conditional uses are sought is located at 10205 Grand Avenue, Franklin Park, with the following conditions: That the applicant actively notifies the public that donation drop-offs are prohibited during non-store hours; that Plans dated 10-8-12 that were submitted in the Conditional Use case be maintained throughout the life of the Conditional Use permit; that after-hour donation bins are prohibited on this property; that the use of the property complies with all other codes and ordinances of the Village

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of Franklin Park.” 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.

8. 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.

9. Public Comment: None.

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

The meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Lisa M. Manzo
Secretary