MEETING MINUTES
OF THE
PLAN COMMISSION
JUNE 6, 2018 – 7:00 P.M.
LINCINWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCINWOOD, ILLINOIS 60712

MEMBERS PRESENT:
Chairman Mark Yohanna
Sue Auerbach
Steven Jakubowski
Adi Kohn
Henry Novoselsky
Anthony Pauletto
Don Sampen

MEMBERS ABSENT:

STAFF PRESENT:
Steve McNellis, Community Development Director
Doug Hammel, Community Development Manager
Kathryn Kasprzyk, Community Development Coordinator

I. Call to Order

Chairman Yohanna noted a quorum of six members and called the meeting to order at 7:05 p.m.

II. Pledge of Allegiance

Chairman Yohanna recognized today’s date, June 6, 2018, as the 74th Anniversary of D-Day and the 50th Anniversary of the death of Robert F. Kennedy.

III. Approval of Minutes

Motion to recommend approval of the May 2, 2018 Plan Commission Minutes was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

Aye: Sampen, Novoselsky, Auerbach, Jakubowski, Kohn, and Yohanna
Nay: None
Abstained: Pauletto
Motion Approved: 6-0
IV. **Case #PC-07-18: 6739 North Longmeadow Avenue – Review of a Preliminary Plat of Subdivision and a Subdivision Variation**

Chairman Yohanna announced Case #PC-07-18 for consideration of a request by John Pikarski, Petitioner, on behalf of Willis Jones, Executor of the Estate of Mary M. McDonald as property owner of existing Lot 7, and Chicago Title Land Trust, Trustee, for existing Lot 8 under the Trust Agreement #121437 dated 12/29/97 to approve: 1) a Consolidation and Resubdivision of existing Lots 7 and 8 (two parcels currently making up the lot commonly known as 6739 North Longmeadow Avenue) into two new parcels in the R-1, Residential Zoning District; and 2) a Subdivision Variation that would allow the lot line of the proposed Lot 8 fronting on a cul-de-sac to be less than fifty feet in length.

Chairman Yohanna swore in the Petitioner’s representative, Mr. John Pikarski, Jr., 55 West Monroe Street, Chicago, Illinois 60603.

The single-family residence at 6739 North Longmeadow Avenue is in the R-1, Residential Zoning District. The current lot is two distinct parcels totaling 37,231-square feet. The existing structure overlaps the current parcel line, thereby prohibiting development of the eastern lot. The proposed Subdivision would relocate the property line to accommodate the required Side Yard setback of ten percent of the western parcel’s lot width. The resubdivision would result in two new parcels, resulting in parcels of 17,485-square feet (west lot) and 19,746-square feet (east lot). The minimum lot size in the R-1 District is 9,000-square feet. The proposed consolidation/subdivision results in a non-compliant frontage for the east lot of 34.15 feet where 50 feet is required for properties on a cul-de-sac. All other Code requirements have been met.

Development Manager Hammel outlined the Required Approvals for a Preliminary Plat of Subdivision, as per Section 16-4-4 of the Subdivision Ordinance, and approval of a Subdivision Variation, as per Section 16-9 of the Subdivision Ordinance, to allow a lot frontage on a cul-de-sac of 34.15 feet where 50 feet is required per Section 16-5-2(C)(2). Staff recommends revision to the Side Yard setback for the west lot from twenty-five feet to ten feet. No comments were received regarding this request. A revised Preliminary Plat was distributed to the Commissioners incorporating revisions from the Village Engineer.

The Subdivision Design Standards and Variation Standards were presented for consideration and discussion. Staff stated that even though a site design plan has not yet been submitted, there is a possibility that future Variations may be required. A fully-compliant site plan could be achieved.

Mr. John Pikarski, attorney for the Petitioner, stated he has been in contact with the potential purchaser regarding the possibility of future Variations. Development Manager Hammel stated he met with the potential purchaser to discuss the subdivision and zoning issues. Mr. Pikarski stated this request meets the requirements of the Subdivision Ordinance and complies with the Variation Standards.

Chairman Yohanna asked if there was anyone from the audience who would like to address the Plan Commission on this matter. Let the record state that no one came forward.
Motion to recommend approval of a Preliminary Plat of Subdivision and Subdivision Variation to allow frontage on a cul-de-sac of 34.15 feet and to confirm the side lot of the existing property may require a Variation, along with confirmation of the southern lot line setback by staff prior to Final Plat of Consolidation approval, was made by Commissioner Pauletto and seconded by Commissioner Sampen. Case #PC-07-18, as it relates to the review and approval of the Preliminary Plat of Subdivision, will be heard at the June 19, 2018 meeting of the Village Board.

Aye: Pauletto, Sampen, Auerbach, Jakubowski, Kohn, Novoselsky, and Yohanna
Nay: None
Motion Approved: 7-0

V. Case #PC-08-18: 6636 North Leroy Avenue – Review of a Final Plat of Subdivision

Chairman Yohanna announced Case #PC-08-18 for consideration of a request by Erik Tibu, Petitioner, on behalf of Mihai (Mike) Smalberger, property owner, to approve a Final Plat of Subdivision that would result in two parcels being created from one existing parcel in the R-1, Residential Zoning District at the property commonly known as 6636 North Leroy Avenue.

Chairman Yohanna swore in property owner Mike Smalberger.

The subject property is in the R-1, Residential Zoning District with a lot size of 19,140-square feet. The proposed Subdivision would subdivide the two lots into a northern lot area of 9,903-square feet and a south lot area of 9,243-square feet. The minimum lot size in the R-1, Residential Zoning District is 9,000-square feet. The northern lot would be 75 feet in width, and the southern lot would be 70 feet in width.

Development Manager Hammel outlined the required approval for a Final Plat of Subdivision as per Section 16-4-5 of the Subdivision Ordinance. This request qualifies as a Minor Subdivision which waives the requirement for Preliminary Plat approval.

Staff received five e-mails opposing the proposed Subdivision. Concerns included reduced housing values, incompatibility with the existing character of the neighborhood, flooding and stormwater management, loss of mature trees, sewer capacity, a benefit to the developer versus the neighborhood, and could potentially set a precedent to subdivide future lots. Staff stated the Petitioner has met all the objective criteria regarding this request. The Plan Commission’s review is to identify potential impacts to the surrounding neighborhood.

Development Manager Hammel reviewed the Subdivision Standards and Minor Variation Standards for consideration and discussion. Staff reviewed the Subdivision Standards and determined this request does meet the Minor Subdivision standards. There was much discussion as to the standards and intent of a Minor Subdivision and if this request meets those requirements. Development Manager Hammel reiterated this request meets the Minor Subdivision standards.

Mr. Smalberger stated the house is in poor shape as it has been vacant for years. Mr. Smalberger contacted the Village before purchasing the property to confirm the lot could be subdivided.
Commissioner Pauletto asked Mr. Smalberger if he believes this request would be detrimental to the character of the Towers. Mr. Smalberger disagreed. No trees will be removed. Chairman Yohanna asked Mr. Smalberger if he would withdraw his petition and remodel the existing residence. Mr. Smalberger replied he has no plans to remodel due to the residence’s poor condition. Development Hammel said the width of the subdivided lots is consistent with some other lots in this portion of the Village. This request meets all Subdivision Design Standards.

Chairman Yohanna swore in the witnesses.

Mr. Joel Perzov, 6650 North Leroy Avenue, read into the record his letter to staff listing his concerns.

Mr. James Kucienski, 6720 North Leroy Avenue, reiterated the same concerns as Mr. Perzov and stated that character is critical to this area.

Ms. Mimi Rosenbush, 6643 North Le Mai Avenue, said she would like to see the current house remodeled to retain the aesthetics of the area.

Ms. Judy Perzov, 6650 North Leroy Avenue, agreed with previous statements. Ms. Perzov asked Mr. Smalberger to maintain the property.

Commissioner Sampen was torn as to whether or not this request should be granted. Commissioner Sampen agreed that new homes are good for the Village, but recognizes the concerns expressed by the residents. Commissioner Novoselsky acknowledged Mr. Smalberger has no legal obligation to not subdivide this property. Commissioner Pauletto disagreed, stating that legally this request would be granted, but personally feels this action would adversely affect the surrounding area.

There was much discussion whether or not this request meets the definition of a Minor Subdivision, specifically the Standard that reads “does not adversely affect the development of the remainder of the parcel or adjoining properties”. There was disagreement about the definition; specifically whether it affects the adjoining property or affects development of the adjoining property.

Chairman Yohanna made a request to Trustee Nickell, who was in the audience, to convey to the Board of Trustees to consider properties in the R-1 Zoning District to require a frontage of 75 feet.

Chairman Yohanna asked if there was anyone from the audience who would like to address the Plan Commission on this matter. Let the record state that no one came forward.

**Motion to recommend approval** of a Final Plat of Subdivision was made by Commissioner Novoselsky. There was no second to this motion to approve. Commissioner Jakubowski asked for more evidence as to the real impact to the surrounding neighborhood. Commissioner Sampen stated the Commissioners should vote on the matter before them. Mr. Smalberger was asked to come back with design plans to appease the neighbors. Development Director McNellis
explained that a motion, either positive or negative, requires a vote to be considered by the Village Board.

**Motion to recommend continuation** in order to get legal analysis from the Village Attorney as to the meaning of “*does not adversely affect the development of the remainder of the parcel or adjoining properties*” was made by Commissioner Jakubowski. There was no second to this motion to continue.

**Motion to recommend continuation** of Case #PC-08-18 to a date certain of Thursday, July 5, 2018 was made by Commissioner Novoselsky and seconded by Commissioner Pauletto in order for the property owner and interested parties an opportunity to present admissible evidence as to whether or not the development of this parcel would adversely impact adjoining properties. **Note: The Thursday, July 5, 2018 meeting of the Plan Commission has subsequently been rescheduled to Tuesday, July 10, 2018.**

Aye: Novoselsky, Jakubowski, Pauletto, Auerbach, Kohn, and Yohanna
Nay: Sampen
Motion Approved: 6-1

VI. **Case #PC-06-18: Zoning Code Text Amendment – Sign Regulations for Large-Scale Developments, Freestanding Sign Location, Portable Sign Requirements, and Temporary Signage**

Chairman Yohanna announced Case #PC-04-18 for consideration of a Village Board Referral of Zoning Code Text Amendments to consider modifying the permissibility and requirements for certain signage including: 1) permitting Electronic Message Signs, with specific regulations, for properties and/or developments deemed to be “large-scale”; 2) amending existing regulations related to Temporary Signs for Special Events and Grand Openings; 3) permitting Temporary Sign Coverings/panels on Freestanding Signs; 4) amending required setbacks for Temporary and Permanent Freestanding Signs; and 5) amending existing regulations related to specific design limitations for Portable Signs.

Development Director McNellis reviewed the proposed Text Amendments for electronic signs for large-scale developments, temporary signs for special events/grand openings, temporary sign panels, sign location, and portable sign design.

Commissioner Jakubowski asked Development Director McNellis if businesses have been canvassed to get their views on sign regulations. Development Director McNellis replied the Text Amendment information is on the Village website, Twitter, Facebook, LinkedIn, and the Chamber of Commerce website. The goal is to make the process easier for the business community. Commissioner Novoselsky indicated electronic message center boards should not be limited to only large-scale developments with multiple tenants. Commissioner Novoselsky asked staff about the provision to only allow one monument sign on large properties.

Development Director McNellis asked the Plan Commission to continue this Hearing in order to gather more information and to present proposed legal language to amend the existing regulations related to Temporary Signs for Special Events and Grand Openings, Temporary Sign
Coverings/panels on freestanding signs, to amend the required setbacks for temporary and permanent freestanding signs, and to amend existing regulations related to specific design limitations for portable signs.

Chairman Yohanna asked if there was anyone from the audience who would like to address the Plan Commission on this matter. Let the record state that no one came forward.

**Motion to recommend continuation** of Case #PC-06-18 to a date certain of Thursday, July 5, 2018 was made by Commissioner Sampen and seconded by Commissioner Auerbach. **Note:** The Thursday, July 5, 2018 meeting of the Plan Commission has been rescheduled to Tuesday, July 10, 2018.

Aye: Sampen, Auerbach, Jakubowski, Kohn, Novoselsky, Pauletto, and Yohanna
Nay: None
Motion Approved: 7-0

**VII. Next Meeting**

The next meeting of the Plan Commission is scheduled for Thursday, July 5, 2018. **Note:** The Thursday, July 5, 2018 meeting of the Plan Commission has subsequently been rescheduled to Tuesday, July 10, 2018.

**VIII. Public Comment**

Chairman Yohanna asked if there was anyone from the audience who would like to address the Plan Commission. Let the record state that no one came forward.

**IX. Adjournment**

**Motion to recommend adjournment** was made by Commissioner Sampen and seconded by Commissioner Pauletto. Meeting adjourned at 9:00 p.m.

Aye: Sampen, Pauletto, Auerbach, Jakubowski, Kohn, Novoselsky, and Yohanna
Nay: None
Motion Approved: 7-0

Respectfully submitted,

[Kathryn Kasprzyk]

Kathryn Kasprzyk
Community Development Coordinator