

Village of Justice
Zoning & Planning Commission
Minutes of Monthly Meeting
March 28, 2006

CALL TO ORDER:

Meeting was called to order at 7:07 p.m. by Chairman John Bruce.

ROLL CALL:

Roll call taken. Present at the meeting were Henry Oszakiewski, Ed Figura, George Heslop, Jack Kennedy, Kinga Bartoszek and Chairman John Bruce. Jim Brock was absent. Attorney Paula Wallin and Secretary Jill Lustig were present.

READING & APPROVAL OF MINUTES FROM PREVIOUS MEETING:

Mr. Bruce asked if everyone had a chance to go over the Minutes.

No changes were noted.

Mr. Bruce entertains a **MOTION** to approve the Minutes from February 28, 2006 as submitted.

MOTION:

Mr. Kennedy **SO MOVES.**

SECOND: Mr. Figura

VOTE: All Ayes

Mr. Bruce asked the board if they had found any information pertaining to green space from surrounding communities. Bedford Park and Willow Springs were the only towns that had responded so far and we were still waiting for responses from other communities.

PETITION 2006-01 – REGER DEVELOPMENT

Attorney Paula Wallin read the Public Notice and stipulated that it and the Legal Descriptions of the Properties being Petitioned were published March 31, 2006 in the Daily Southtown.

Attorney Wallin then swore in Kevin Reger, of Reger Development, as Petitioner.

Mr. Reger submitted receipts for certified letters (Exhibit B) sent to residents within 250 feet of the property. A Justice mailing list was also submitted (Exhibit C), as was the property tax information used to compile the mailing list (Exhibit D).

Mr. Reger proceeded to explain the details of the Petition. He said it would be a mixed use building, retail on the ground floor, with 3 floors of condos above. The building would stand at least 37 feet tall.

Ms. Bartoszek asked the total square foot of the building.

Mr. Reger said that as he recalled it was 18,000 square feet.

Mr. Bruce questioned the fact that the plans show half of the parking on the property line and half on the right-of-way. He also stated that parking on an is permitted on setbacks and easements.

Mr. Reger said he was going to try and work with IDOT on the parking situation.

Mr. Bruce voiced concern that the parking situation would interfere with traffic congestion and will not work.

Mr. Bruce stated that the Petition also has density issues. Originally the Petitioner had 30 condo units and the plans show 36. There are 5 lots with a combined property total of 28,694 square feet. $28,694 \div 36 \text{ units} = 797 \text{ square feet per unit}$, which results in a 78% variance.

Parking spaces were questioned and Mr. Reger said there would be 14 spaces available for retail stores.

Mr. Bruce asked the square footage of the retail.

Mr. Reger stated it was 2,690.

Mr. Bruce said they would need 13 retail parking spaces and 126 residential parking spaces. 139 total parking spaces required for the property.

Mr. Reger said they could go to 65 total parking spaces. 52 spaces would be designated for residential only.

Mr. Bruce stated the petition would require 59% reduction for parking. And also asked how many handicap spaces are required.

Building Commissioner Ed Shilka replied that 2 spaces would be required.

Mr. Kennedy asked the total height of the building.

Mr. Reger stated 37.4 feet.

The petition would need a variance of 12 feet 4 inches.

Mr. Oszakiewski asked the current Zoning of the properties.

Mr. Bruce said they were currently zoned B-1 and R-2 respectively.

Mr. Heslop commented the building height appeared to be too tall for the area.

Mr. Reger said they were only asking for a 2.4 foot variance and that surrounding condos were just as tall.

Mr. Bruce asked Mr. Shilka if the elevation of the surrounding condos were the same.

Attorney Wallin swore in Building Commissioner Ed Shilka.

Mr. Shilka stated there was about a 2 foot difference.

Mr. Oszakiewski voiced concern over the current traffic patterns compared to what the increase in usage would be with another 30 to 100 vehicles at that location if the building were to be erected.

Mr. Reger said that it would no doubt affect the traffic in the area but it is already congested.

Mr. Figura questioned whether or not they would be willing to scale down on size.

Mr. Reger said they might consider it, but ultimately it becomes about cost.

Mr. Figura also asked if there would be an entrance on both ends of the property and if the Petitioner had studied the traffic patterns.

Mr. Reger said there would be two entrances and that there was not a traffic study done.

Mr. Figura was concerned that the property would just be adding to the traffic problem that already exists.

Ms. Bartoszek asked what the sale prices of the condos would be.

Mr. Reger stated \$220,000 - \$250,000.

QUESTIONS FROM THE FLOOR

Gerald Mendralla (7745 Banks) had concerns with traffic issues and drainage. The building was too big for the property and the Petitioner had no plans to improve on the traffic congestion, was just adding to an existing problem.

Barbara Stimatz (7745 Oak Grove) commented that the building looked horrible, and was also very concerned about drainage. She stated that water collects in her yard and surrounding areas and does not go to the retention pond.

Mr. Reger replied that they could possibly help with the drainage problem.

Bill Croix (7228 Oak Grove) was concerned with the safety issues. Lots of debris was left over from the last project in the area. Also would the units stay as proposed and what guarantees do the residents have?

Mr. Reger replied that the streets would be clean and the debris picked up or a fine would be issued to the contractors.

Jim Rinkus (7829 Garden Lane) was worried about the children in the area walking to the park. The structure, parking and increased traffic would be dangerous to the children walking to and from.

Mr. Reger again stated that the traffic in the area was already bad and that they cannot solve problems that already exist.

Mr. Rinkus asked if there was a topographical and traffic density.

Mr. Reger said they were looking for ideas and feedback before a TOPO was done and that a traffic density was not required.

John Small (7225 s. 86th Ave.) commented that the Village does not need any more residential.

Ray Hodson (9018G Concord) voiced a concern that if the building were to go up, to keep in mind there are a lot of children in the area and that needs to be considered.

Pete Demos (8825 w. 75th St.) commented that the building just does not belong in the area.

Barbara Stimatz (7744 Oak Grove) asked what the setback would be.

Mr. Reger said it would be 10 feet from building to property line.

Mr. Bruce stated there is a 10% setback required.

Ms. Stimatz stated the building was too big and does not belong on the corner entering Justice.

Mr. Demos asked if the Petitioner would be interested in building 3 flats instead.

Mr. Reger said they were not.

Ed Rusch Jr. (8019 S. 84th Ave.) commented that the issues that were brought up by fellow residents were crucial. The drainage needs to be studied further.

Mr. Reger stated that they were looking to fix the drainage problem.

Mr. Rusch was concerned with the parking issues and questioned where visitors would park. The building is just too large scale.

Gerald Mendralla (7745 Banks) was concerned that they were no plans for the issues brought up tonight.

Mr. Reger said they would consider everything brought up and make changes if required to by the board.

Mr. Demos asked if the property was already purchased.

Mr. Reger – No.

Mr. Small asked about green space.

Mr. Reger said he was not sure.

Mr. Bruce said that a green space percentage was required in R-1. The property should be Consolidated and Rezoned to B-1.

Rich Sparr (7811 Garden Lane) commented that the Village has always had drainage and flooding problems and we shouldn't shoot down developers looking into property in Justice. Maybe if the property was not so big there would not be as many problems, we don't want to scare builders away.

Mr. Rinkus questioned whether or not there was a law that stated you could not build a structure that blocks sun to surrounding residents.

Mr. Shilka said he would look into it.

Mr. Bruce closed Voices from the Floor.

Mr. Bruce entertains a **MOTION...**

MOTION:

Mr. Oszakiewski **MOVES** to recommend Approval of the Consolidation and full Rezone along with 4 variances (Density, Parking spaces, Parking space size reduction, and Building Height).

SECOND: Mr. Figura

DISCUSSION:

The “Findings and Recommendations” qualifying questions were read and answered by the Board.

Mr. Oszakiewski asked if we could request a Topo and Engineers report.

Attorney Wallin said they are always requested but is the Petitioners choice to present them or not.

Some issues brought up in the F&R were altering the location, traffic congestion, increase in public expenditures and number of variances required.

VOTE: Unanimous **NO.**

The Petition will now go to Committee for the Board of Trustees on April 5, 2006

The next Zoning meeting will be April 25, 2006

Mr. Bruce entertains a **MOTION** to adjourn.

MOTION:

Mr. Kennedy **SO MOVES**

SECOND: Mr. Heslop

VOTE: All Ayes

Meeting adjourned at 8:52 p.m.

Respectfully Submitted

Jill Lustig, Secretary

John W. Bruce

John W. Bruce, Chairman