

VILLAGE OF OAK LAWN
ZONING & PLANNING COMMISSION
Village Hall Auditorium
Monday, December 5, 2022
Meeting Minutes #2022-9

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

A. Chairman Pro Tem: Mike Moriarty

B. Members: Steve Adamscheck Mike Moriarty
Dave Bennett Rich Piazza
Tom Duhig
Bill Lundy

C. Staff: Kevin Casey, Village Attorney
Drew Guardi, Engineering Technician
Deanne Adasiak, Recording Secretary

II. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Commissioner Moriarty.

A motion to elect a Chairman Pro Tem was made by Commissioner Lundy. The motion was seconded by Commissioner Piazza.

Roll call: Piazza, yes; Moriarty, yes; Lundy, yes; Duhig, yes; Bennett, yes; Adamscheck, yes.

Motion passes: 6-0.

III. ELECTION OF CHAIRMAN:

A motion was made by Commissioner Lundy to elect Commissioner Moriarty as Chairman of the Zoning & Planning Commission. The motion was seconded by Commissioner Piazza.

Roll call: Adamscheck, yes; Bennett, yes; Duhig, yes; Lundy, yes; Piazza, yes; Moriarty, yes.

Motion passes: 6-0.

IV. APPROVAL OF PRIOR MEETING MINUTES:

A motion to approve the Regular Meeting Minutes #2022-8 dated November 21, 2022 was made by Commissioner Duhig and seconded by Commissioner Adamscheck.

Roll call: Piazza, yes; Moriarty, yes; Lundy, yes; Duhig, yes; Bennett, yes; Adamscheck, yes.

Motion passes: 6-0.

The Oath was administered by Commissioner Moriarty.

V. PETITION:

A.) Pet. #2022-21 – Request to allow frame construction and brick veneer in the exterior wall of a new building in a C-2 district @ 11040 South Kilpatrick Avenue, MG19 Salon Suites Ltd., Petitioner

Mr. Edward McBrearty, 10900 S. Hamlin, Chicago, Illinois

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The petitioner stated that he is currently constructing a building at 111th & Kedzie that is similar to the proposed subject building. The petitioner explained that due to supply chain issues, a delay in material is holding up his project(s). The petitioner explained his request for a variation to allow frame construction in the exterior walls with a brick veneer. He went on to say that because of high demand and limited supply, obtaining trusses has been a lengthy process. He commented that the majority of plants are experiencing production delays ranging from 8 to 12 months. The petitioner said his petition request would greatly simplify the process. He said that he would use a wood truss with a roofing membrane on top.

Commissioner Duhig asked the petitioner to define a salon suite. The petitioner described his salon suite business model. He explained that there would be approximately 20 salon suites, that are essentially mini salons that allow beauty professionals from all industries to rent their own small salon without the risks, overhead, and expenses that come with owning an entire building. He estimated the suite sizes to be 120 to 250 square feet.

Commissioner Duhig voiced concerns about parking. He believes that with 20 separate suites, there may be a parking issue. He mentioned the potential of 20 suite owners plus 20 customers. According to the petitioner, he meets the parking ratio required by Village Code. He stated that there will be 20 suites and there are 24 parking spaces available. He said the requirement is one parking space per unit. The petitioner added that there is also off street parking available.

Commissioner Duhig asked the hours of operation. The petitioner responded that he believes it will be 7:00 a.m. to 7:00 p.m. Commissioner Duhig asked the petitioner if he operates any other facilities. The petitioner responded he will be operating a Salon Suites at 111th & Kedzie.

Commissioner Duhig referenced the renderings and asked the petitioner to explain sheet number A0.0. The petitioner explained that the entrance to the building faces the parking lot and described the other elevations. The petitioner asked if the building is one level. The petitioner replied yes. Commissioner Duhig expressed concern that the building does not have two entrances. He believes that there should be two escape routes. Village Attorney Kevin Casey commented and said the brick veneer is the main focus right now. He indicated that this building is still subject to Building Plan Review and that if the building requires two exits, it will be addressed.

Commissioner Duhig reiterated his concerns on parking. Commissioner Moriarty reminded Commissioner Duhig that the variance in front of the Board is to allow for frame construction as well as brick veneer and that this particular petition does not require a parking variation.

Commissioner Lundy expressed that he agrees with Commissioner Duhig's parking concerns, stating that he, too, believes that parking is an issue. He expressed that this proposed business may potentially require 60 parking spaces. Commissioner Lundy went on to say that he is "pro-business," but he is concerned about parking ratios in our Village Code. He expressed he does not feel it should be one parking space per suite. Commissioner Lundy said he feels that the Code as it relates to parking ratios is wrong. He suggested that the parking ratios in our Village Ordinance be reconsidered. Mr. Guardi said we can follow up on that issue.

Commissioner Lundy said he knows residential property requires 50% masonry and asked about the masonry requirement for commercial buildings. Mr. Guardi replied and explained that a commercial building cannot be frame construction.

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Commissioner Lundy asked the petitioner what his main reason for requesting the variance was, and if it was cost. The petitioner stated that it is about the cost, but it is mostly about the timeframe. He stated that he would prefer to begin the project this year rather than next. Commissioner Lundy stated that he understands the cost of supply and inflation, but that the main purpose of this variation is cost-related.

Commissioner Piazza agreed with Commissioner Lundy that there is a cost advantage but that he understands the material timeframe issues.

Commissioner Adamsheck agreed with the cost advantage comments as well. He went on to say that other people have projects in Oak Lawn that are moving forward based on Village Code requirements and are experiencing the same cost and material issues. The petitioner stated that he is not changing the façade and that it will look the same as the renderings whether the material is changed or not. Commissioner Adamsheck mentioned to the petitioner a brick restaurant being built on 111th Street near the subject property that is moving forward with their project based on Village requirements. Commissioner Adamsheck stated that approving the request would set a precedent.

The petitioner stated that he is attempting to keep rents reasonable in order to attract business owners. He went on to say that it is not only his cost, but also the cost of Cook County taxes, and that it all adds up, and that he is trying to make it all work. He stated that he is only attempting to offset some of the costs. He reiterated that the building will look the same whether he uses a frame or a block construction. He stated that it will not alter the appearance of the building. The petitioner expressed that he is hoping to move this project forward. He said rather than waiting 10 months, he can begin in the spring.

Commissioner Moriarty asked the petitioner whether he intended to keep the property. Yes, said the petitioner. Commissioner Moriarty asked about the veneer bricks and whether they are available in sheets. The petitioner stated that it is a standard masonry brick. He commented that he would use a regular brick. He mentioned the Walgreens on 111th Street as well as the new strip mall he built in 2018. He described it as a block metal roof. Commissioner Moriarty asked the petitioner if it was taking too long to get the metal trusses in order to do a metal roof. Yes, said the petitioner. Commissioner Moriarty asked how the veneer brick is secured to the plywood. The petitioner replied with mortar. He stated once more that it will not change the appearance of the building and that it will be the same as if done in block. Commissioner Moriarty asked how long the building would take to construct. The petitioner responded after about 16 months. He stated that he is building on 111th Street and that it took him four months to get a response from the truss company, and another two months for them to make a decision, and that he had to use a channel instead of a truss.

Commissioner Lundy asked the petitioner about why he did not begin with the masonry first. The petitioner responded that any truss company is out for 10 months. Commissioner Lundy asked the petitioner about the cost difference. The petitioner stated that he did not price the trusses in this way, but he anticipates a price range of \$30,000 to \$40,000. According to Commissioner Lundy, it does not appear to be a large number. He said he expected the petitioner to say a few hundred thousand. Other material, according to the petitioner, should be considered. Commissioner Lundy asked about the full cost. The petitioner estimated the cost to be \$150,000. Commissioner Lundy's reply was, "So now we're at \$150,000". Commissioner Lundy expressed concern that we will set a

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precedent for someone else coming before this Board with a similar request. He went on to say that is his main concern. Commissioner Lundy said that he is unsure what future developers will build if we set such a precedent. Commissioner Lundy asked once more whether the Code requires a house to be 50/50 masonry and a commercial building to be all masonry. Mr. Guardi responded that is correct and said that it also cannot be brick veneer. Mr. Guardi said that it must be block brick. Commissioner Lundy asked the petitioner if he was aware of the subject Code requirement. The petitioner explained that he was only made aware of this when he began work in Oak Lawn. Commissioner Lundy then asked the petitioner if he was aware that he would need to request a special variance. The petitioner said yes, and he hoped to go this route so that he could begin construction sooner. Commissioner Lundy said he believes everyone in construction is going through the same supply chain process. The petitioner stated that he is an Oak Lawn resident and that his children attend St. Catherine School. He said he is familiar with development in Oak Lawn and hoped to contribute to it with his proposed project.

Commissioner Bennett stated that he believes there is some confusion. He explained that with 50% of masonry it is almost always brick veneer. He said it is not as if homes are all made with concrete blocks and brick veneer rather most homes are made with frame and brick veneer. According to Commissioner Bennett, all of the homes in Oak Lawn are brick veneer. Commissioner Lundy responded that this is a commercial property, not a house.

The petitioner asked if he could build with metal studs. Mr. Guardi replied no and indicated that any type of frame construction, whether metal or wood, is not permitted. The petitioner mentioned the new Taco Bell building, saying they used block on the inside and siding on the outside, and he wants to do the opposite, using brick on the outside and frame on the inside. The petitioner stated that his overall cost includes the factor of finding tenants, and that the higher the rent, the more difficult it is to find tenants. Everything, he stated, adds up. Commissioner Moriarty stated that the petitioner is more motivated by time, which increases the cost.

A motion was made by Commissioner Moriarty to approve Pet. #2022-21 – Request to allow frame construction and brick veneer in the exterior wall of a new building in a C-2 district @ 11040 South Kilpatrick Avenue, MG19 Salon Suites Ltd., Petitioner.

Motion fails for lack of a second.

A motion was made by Commissioner Lundy to deny Pet. #2022-21 – Request to allow frame construction and brick veneer in the exterior wall of a new building in a C-2 district @ 11040 South Kilpatrick Avenue, MG19 Salon Suites Ltd., Petitioner. The motion was seconded by Commissioner Duhig.

Roll call: Adamscheck, yes; Bennett, abstain; Duhig, yes; Lundy, yes; Moriarty, no; Piazza, yes.

Motion to approve passes: 4-1-1.

VI. OTHER BUSINESS:

A.) Chairman:

B.) Members:

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Commissioner Lundy spoke about the parking issue. He said you have to consider there can be as many as 24 people and more coming in and other people waiting. Commissioner Lundy asked as to how we should handle this. Commissioner Lundy said these salon suites are springing up all over the place. According to Village Attorney Casey, it is assumed that each unit is operational at the same time. He stated that if it were an open floor concept, the parking analysis would change because you would be looking at it as a whole rather than each individual having their own space. Mr. Casey went on to say that this is most likely an issue of the Code catching up with a business. Mr. Casey reminded the Commissioners that this Commission had previously discussed (a few times) whether or not we should revamp the parking Ordinance. Mr. Casey is unsure if it is necessary. He wondered about the existence of a similar business in Oak Lawn. Deanne mentioned a Salon Suites on 95th Street near Central Avenue. She claims there are no parking issues, but she believes the tenant turnover rate is high. Mr. Casey asked whether their daily operations are always at capacity. Deanne replied, "No." The Village Attorney stated that we should keep an eye on this business model and added that it has been appropriately flagged tonight. He stated that if we have a similar business model in the Village and it is not causing a parking problem, we may be changing requirements that are not necessary. Commissioner Lundy said there are additional parking concerns in relation to doctor offices and other retail square footage. Commissioner Lundy said he feels that tonight's petition should require 40 to 50 parking spaces.

C.) Staff:

Mr. Vern Zumhagen, 9440 Raymond Avenue, Oak Lawn, Illinois

Mr. Zumhagen believes tonight's petition was a matter of fire safety. He stated that while on the Commission, he met with Fire Bureau Chief David Wheeler. He explained that Mr. Wheeler informed him that if the Fire Department responds to a fire on a frame building, the best course of action is to contain the fire because the building will be destroyed. In contrast, in a masonry construction building, bricks do not burn, so there is reason to put out the fire because the building is not necessarily a total loss. Mr. Zumhagen commented that if similar petitions are filed in the future, David Wheeler is more than willing to answer any questions the Commissioners may have. Commissioner Lundy asked whether this Board has received a similar petition. Commissioner Bennett responded that a similar petition was filed at the Panda Express on 87th Street. Mr. Zumhagen stated that that petition had been denied. Mr. Zumhagen also mentioned that the Barrel Club had a variance for exterior cosmetic materials.

VII. ADJOURNMENT:

A motion to adjourn was made by Commissioner Duhig and second by Commissioner Adamsheck.

Voice vote: All in favor, aye.

Motion to adjourn passes.

The meeting adjourned at 8:11 p.m.