

# VILLAGE OF OAK LAWN

## ZONING & PLANNING COMMISSION

Village Hall Auditorium

Monday, May 15, 2023

Meeting Minutes #2023-6

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

A. **Chairman:** Mike Moriarty

B. **Members:** Steve Adamscheck Bill Lundy  
Dave Bennett Mike Moriarty  
Tom Duhig Rich Piazza (*ABS*)  
Dan Greene

C. **Staff:** Drew Guardi, Engineering Technician  
Mike Marrs, Village Attorney  
Deanne Adasiak, Recording Secretary

II. **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Commissioner Moriarty.

III. **APPROVAL OF PRIOR MEETING MINUTES:**

*A motion to approve the Regular Meeting Minutes #2023-5 dated May 1, 2023, was made by Commissioner Adamscheck, and seconded by Commissioner Lundy.*

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

Motion passes: 6-0.

*The Oath was administered by Commissioner Moriarty.*

*The Public Hearing opened at 7:32 p.m.*

IV. **PUBLIC HEARING**

A.) **Pet. #2023-11 – Request for Special Use Permit for Residential Use and an 83.33% parking variation in a C-2 Zoned District @ 9724 Southwest Highway, Siram Kaza, Petitioner**

*Mr. Arun Kumar, 3896 Windward Lane, Hanover Park, Illinois*

The petitioner explained that he is representing Siram Kaza and that Siram had to leave the country due to an emergency; Commissioner Moriarty asked if the petition should be continued. The Village Attorney responded that if the Commissioners have any questions for the petitioner, it may be appropriate to postpone the petition.

*A motion was made by Commissioner Lundy to continue Pet. #2023-11 – Request for Special Use Permit for Residential Use and an 83.33% parking variation in a C-2 Zoned District @ 9724 Southwest Highway, Siram Kaza, Petitioner. The motion was seconded by Commissioner Duhig.*

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

Motion to continue the Public Hearing passes: 6-0.

### V. NEW BUSINESS

#### A.) **Pet. #2023-15 – Request to Allow Frame Construction in the Exterior Wall of a Commercial Building @ 10125 S. Cicero Avenue, Kaleb W. Yanko, Petitioner**

*Mr. Ron Weszelits, 10100 Orland Parkway, Orland Park, Illinois 60462*

The petitioner explained that the project is a remodel and a renovation of the existing dealership in accordance with the new Cadillac design specifications, including a new showroom and renovated service areas. According to the petitioner, the exterior walls will be built with metal stud framing and finished with Aluminum Composite Material (ACM) panels. He stated that a portion of what will be framed will be over many windows on the building's front side. He referred to sheet A2 and said it shows the existing metal framed wall construction and explained that what is now on the parapets are masonry over glazing as also shown in A5. He went on to say that that the next rendering shows the renovations they are proposing on the front and sides of the building where the new development will take place. He said most of it includes glazing construction over the windows. He stated that it is all shown on the sections of the next two sheets. The petitioner commented that they are not changing the construction type, they are only continuing the material that is there today.

All the Commissioners expressed support for the requested variation.

*A motion was made by Commissioner Greene to approve Pet. #2023-15 – Request to Allow Frame Construction in the Exterior Wall of a Commercial Building @ 10125 S. Cicero Avenue, Kaleb W. Yanko, Petitioner. The motion was seconded by Commissioner Duhig.*

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

Motion to approve passes: 6-0.

### VI. OTHER BUSINESS:

A.) Chairman: *None.*

B.) Members:

Commissioner Adamscheck made a comment on Pet. #2023-11. He stated that the building is already up and that the petition has been before the Board three times, and he questioned why it is still being discussed. Mr. Guardi explained that, although it was

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approved, the petitioner had a year from the date of approval to complete the work, but because the petitioner did not pull permits, the Special Use Permit became null and void, and the petitioner must present his request again. Commissioner Adamsheck believes that because the building is already up, it is up to the Building Department to make decisions about the interior. Commissioner Moriarty responded that the petition is for a parking variation. Mr. Guardi stated that because the petitioner did not obtain the necessary permits for the interior work, the prior special use permit approved for residential use was nullified after one year.

The Village Attorney, Michael Marrs, stated that he wanted to touch base on the public hearing scheduled for the next meeting. He mentioned that last time there was a large crowd, which he anticipates will be the same or larger for the next hearing. The Village Attorney stated that there are currently no public hearing rules and procedures in place. He stated that the adoption of rules and procedures will be one of the next agenda items. He went on to say that one of the reasons Village staff wants to implement this is because of a famous case in Lisle that took place in the early 2000s. He mentioned that Lisle was approving a super store and their public hearing included a whole gymnasium full of people. After Lisle denied the petition, Village Attorney Marrs said it went all the way to the Supreme Court. He said that the Supreme Court determined that Lisle did not follow due process when holding their public hearing. He commented that it is critical that Oak Lawn does this for all public hearings. He said the rules and procedures will be something to point to and the process will address the fact that the public can only speak for a certain amount of time and that the chairperson can shut people down for irrelevant or repetitive testimony.

The Village Attorney explained that a draft will be distributed in advance so that anyone with questions or concerns can contact staff. He said that one thing he wanted to say that came out of the Lisle case was that the Commissioners must give the public the opportunity to cross-examine and ask direct questions. He went on to say that cross examinations have no time limit. He also mentioned that people tend to try to work in their opinions, so the point should be made that we are “sticking to” questions and answers. He stated that once that is done, people who have concerns or wish to make a statement or express an opinion will have time limits to do so.

Village Attorney Marrs mentioned that one of the residents' concerns may be the impact of traffic. He suggested that the Chairperson inform the audience that if they are part of a group with a spokesperson, they should allow the spokesperson to make the statement on their behalf. He stated that the new rules will empower the Chairperson to stop irrelevant and repetitive testimony. Commissioner Lundy asked about the presence of a podium. Mr. Gudino responded that there will be a podium. Deanne mentioned that asking for the speaker's name for the record gets lost at a lot of meetings and asked the Village Attorney if it is necessary to have everyone who comments on the record. Yes, said the Village Attorney. A sign-in sheet was suggested by Commissioner Moriarty. Deanne said she will need to know the name and address of who is speaking. Commissioner Moriarty asked if he could call people up to the podium from the sign-in sheet. The Village Attorney responded yes.

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Mr. Gudino encouraged the Commissioners to watch one of the recent meetings of the Police and Fire Commission because they handle the process and procedures well in the presence of a large crowd. Commissioner Lundy asked if there will be a police presence. Mr. Gudino responded yes.

Commissioner Lundy stated that he is aware of a similar center run by the same owner in a nearby community and that he heard that police are at that location every other week. He stated that this is the same group that is appearing before this Commission. He said the center's address is 10639 Southwest Highway. He asked the Village Attorney if as a commissioner he could contact Worth to get feedback on police calls or complaints. Yes, said the Village Attorney and he said Commissioner Lundy will most likely have to file a FOIA request. The Village Attorney suggested that staff contact their Community Development Department. Commissioner Moriarty expressed interest in knowing if there is a list of traffic complaints and/or other complaints. Mr. Guardi asked about the other center's name, to which Commissioner Lundy replied that it is the same name.

C.) Staff: *None.*

### **VII. ADJOURNMENT:**

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

Voice vote: All in favor, aye.

Motion to adjourn passes.

The meeting adjourned at 8:01 p.m.