

VILLAGE OF OAK LAWN

ZONING & PLANNING COMMISSION

Village Hall Auditorium

Monday, July 17, 2023

Meeting Minutes #2023-9

I. ROLL CALL: Meeting called to order at 7:32 p.m.

A. Chairman Pro Tem: Bill Lundy

B. Members:

Steve Adamsheck	Bill Lundy
Dave Bennett	Mike Moriarty (<i>ABS</i>)
Tom Duhig	Rich Piazza
Dan Greene	

C. Staff:

Don McKenna, Building Official
Drew Guardi, Engineering Technician
Michael Marrs, Village Attorney
Deanne Adasiak, Recording Secretary

II. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Commissioner Lundy.

A motion was made by Commissioner Adamsheck to select Commissioner Lundy as Chairman Pro Tem. The motion was seconded by Commissioner Piazza.

Roll call: Adamsheck, yes; Bennett, yes; Duhig, yes; Greene, yes; Piazza, yes; Lundy, yes.

Motion passes: 6-0.

III. APPROVAL OF PRIOR MEETING MINUTES:

A motion to approve the Regular Meeting Minutes #2023-8 dated June 26, 2023, was made by Commissioner Adamsheck, and seconded by Commissioner Duhig.

Roll call: Adamsheck, yes; Bennett, abstain; Duhig, yes; Greene, yes; Lundy, yes; Piazza, abstain.

Motion passes: 4-0-2.

The Oath was administered by Commissioner Lundy.

IV. OLD BUSINESS:

None.

V. PUBLIC HEARING:

A.) PET #2023-19 - REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A MEDICAL USE IN A C-2 ZONED DISTRICT AT 5102 MUSEUM DRIVE, ADVOCATE HEALTH & HOSPITAL CORPORATION, PETITIONER

The Public Hearing was opened at 7:35 p.m.

Mr. Richard Klawiter, DLA Piper, 444 West Lake Street, Chicago, Illinois, 60606.

The petitioner stated that he is the attorney for Advocate. He mentioned that Advocate representatives are also present. The petitioner explained that because the subject property fronts 95th Street and is larger than 4,000 square feet, a Special Use permit for Medical Use is required. He stated that

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Advocate has signed a lease for approximately 5,000 square feet where they intend to run a Pre-Surgical Optimization Clinic for patients prior to surgery to ensure they are prepared for their scheduled surgery. He indicated that the clinic would see approximately 30-35 patients per day, and there will be approximately 15-20 staff members on site. The petitioner went on to say that the clinic will be on the ground floor of the Oak Lawn Train Station Retail Shopping Center, and that the use is consistent with previous and current uses at that location. He stated that normal business hours will be 7:00 a.m. to 6:00 p.m. Monday through Thursday, with more limited hours on Friday and Saturday. He stated that the proposed special use meets the special use standards outlined in Section 4-14-7 of the Oak Lawn Village Code. He went on to say that the use of the property will not be detrimental to the use and enjoyment of other nearby properties, nor will it diminish or impair property values. He asserts that the use is complementary to existing uses and will not interfere with the normal and orderly development and improvement of surrounding property. He also stated that it is consistent with existing development and improvement opportunities for uses permitted in the underlying zoning district and will not alter or undermine it. According to the petitioner, adequate means of ingress and egress, as well as parking, are available, and any increase in traffic will be negligible, if at all. He stated that all provisions of the code would be followed.

Commissioner Lundy referenced a staff memo that stated, "the entire building was granted a 95% parking variation in 2006, which allowed the previous medical uses to occupy said space." He then asked staff if the Commissioners could see that information before making a decision. Commissioner Lundy asked whether the variation was for the land or a previous use. Don explained that it was for the subject building. He then stated that he could provide a copy of the Ordinance. Commissioner Lundy asked the Commissioners if they wanted to see the Ordinance and review it before making a decision.

Commissioners Duhig and Bennett stated that they would be okay with seeing the Ordinance. Commissioner Lundy requested that the Public Hearing be continued. Mr. McKenna suggested Commissioner Lundy listen to the case before making a decision. The petitioner indicated that he is finished with his presentation and said that if there are any parking concerns, which it appears there may be, they are happy to answer any questions. He pointed out that the site has ample parking, including service parking, on-street and off-street parking. He said the property's use complements other uses that have previously existed on the property.

Commissioner Greene stated that he was initially concerned about parking, but he knows Advocate has a nearby care center with plenty of parking, so it is not a concern for him.

Commissioner Adamsheck asked as to whether the parking garage belonged to the Village of Oak Lawn. Mr. McKenna said yes. Commissioner Adamsheck stated that there are plenty of parking spaces. The petitioner stated that Advocate has reserved parking spaces in the garage that are rarely used. Commissioner Adamsheck explained that he was on the Board at the time and asked about the reason for the change in code for medical use of 4,000 square feet. Mr. McKenna stated that he has no recollection of why that decision was made. He stated that it was once 6,000 but was later reduced to 4,000.

Commissioner Bennett asked where the medical center is currently located. The petitioner responded that it is a new clinic.

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Ms. Katie Sikora, Executive Director, Advocate Christ Medical Center, 4440 West 95th Street, Oak Lawn, IL.

Ms. Sikora responded that the current pre-surgical clinic is on the 8th floor at Christ Hospital's Outpatient Pavilion. Commissioner Bennett asked as to why it could not remain there. Ms. Sikora said the facility is small, with only three clinic rooms, and that they want to see all the patients who will be undergoing complex procedures. Commissioner Bennett then questioned why space for the subject clinic was not considered when it was built on 52nd Avenue.

Ms. Lisa Wenzlaff, Advocate Real Estate Director, 3075 Highland Pkwy, Downers Grove, Illinois 60515

Ms. Wenzlaff explained that the Advocate Outpatient Center on 52nd Avenue is primarily an outpatient facility, whereas the requested facility is a hospital-based facility. That is why it was not considered, she explained, because the outpatient facility is primarily used by Advocate Medical Group, whereas the subject clinic is for Advocate Christ Hospital's Optimization Center. Commissioner Bennett asked about space at Advocate Christ on 95th Street. Ms. Wenzlaff responded that there is no room available because they are at capacity. According to Commissioner Bennett, he feels it was poor planning. He then commented that millions of dollars had been spent at the hospital and that they have now run out of space. Commissioner Bennett said to staff that if the clinic opens at the subject location, no sales tax revenue will be generated. That is correct, said Mr. McKenna. Ms. Wenzlaff responded that there will be real estate taxes. Commissioner Bennett stated that real estate taxes are already in place, and that the Village is losing a prime location for sales tax. He pointed out that 95th Street and Cicero Avenue are already overcrowded with medical facilities.

Commissioner Piazza indicated that our Village Code prohibits medical use of more than 4,000 gross square feet on 95th Street, and the proposed use will be at 4,977. The petitioner restated that the proposed medical facility is just under 5,000 square feet. Commissioner Piazza said if this is approved, the next request could be 5,500 or 6,000 square feet. He asked the petitioner if they were aware of the Code's stipulation of 4,000 square feet, why did they go to 4,977? The petitioner explained that according to the code, if you want to go above 4,000 square feet, it is a conditional use. Then he added that it is a permitted use if it is smaller than 4,000 square feet. He explained that the space that was available was 5,000 square feet, hence the need for the special use.

Commissioner Piazza brought up the matter of the restricted parking in the area. He indicated that there is a half hour parking restriction in effect from 8:00 a.m. to 4:00 p.m. He mentioned that there will be 15-20 employees and 30-35 patients daily, and he is unsure of the location of the necessary 30-55 parking spaces. The patients will not be there at the same time, according to Ms. Wenzlaff. She explained that the designated parking spaces will be used by staff. The petitioner said that they feel there is adequate parking capacity and reminded the Commissioners that they are anticipating no more than 3-4 patients per hour. Ms. Wenzlaff mentioned that they would like to make good use of the vacant spaces in the garage that are set aside for Advocate. According to Ms. Wenzlaff, the lease agreement with the shopping center does permit 4 parking spaces next to the building.

Commissioner Lundy expressed his continued concern about parking. He stated that he was on site the other day and asked as to whether the other tenants had been notified of the proposed use. He believes the other businesses will not be able to survive. Commissioner Lundy then referenced comments in the Petitioner's Submittal, stating that "an additional 28 spaces are available to all tenants of the retail complex." He asked about the location of those 28 parking spaces. Ms. Wenzlaff believes

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that the 28 is the number of parking spaces for the shopping center. Mr. Lundy responded that he does not believe there are 28 spaces there, but rather that there are most likely 12 spaces. Commissioner Lundy mentioned the Metra agreement and asked about the number of spaces included in the agreement. The petitioner confirmed that there is an agreement for the parking tower and that she believes there are 35-40 parking spaces available, but she would need to confirm this. Commissioner Lundy said he agrees with Commissioner Bennett's concern as the subject area is supposed to be our main retail section of downtown 95th Street. He stated that with 30 more employees and 30 patients per day, he does not see how everyone can coexist.

The Public Hearing closed at 7:49 p.m.

A motion was made by Commissioner Bennett to deny Pet #2023-19 – Request for a Special Use Permit to Allow a Medical Use in a C-2 Zoned District at 5102 Museum Drive, Advocate Health & Hospital Corporation, Petitioner. The motion was seconded by Commissioner Duhig.

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

Motion to deny passes: 6-0.

VI. CONTINUED PUBLIC HEARING:

A.) PET #2023-10 - REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A COMMUNITY CENTER, SOCIAL GATHERING, TUTORING, WEEKEND SCHOOL, FOOD PANTRY, AFTER SCHOOL PROGRAM, CHARITABLE CLINIC, CULTURAL EVENTS, AND INTERFAITH PROGRAMS IN A SINGLE-FAMILY (R-1) ZONED DISTRICT AT 8840 RIDGELAND AVENUE, CHICAGO ISLAMIC CENTER, PETITIONER {THIS MATTER WAS CONTINUED FROM THE JUNE 5, 2023 MEETING IN ORDER TO ALLOW THE PETITIONER TO PROVIDE ADDITIONAL INFORMATION FOR THE COMMISSION TO CONSIDER}

Mr. Ghassan Ballut, Founder and Executive Director of Al-Nahda Center, 8018 Nottingham Road, Tinley Park, Illinois

Commissioner Lundy mentioned the submitted traffic study conducted in the subject area and expressed that it seems to be very inadequate. He informed the petitioner that there appears to be no additional information, specifically what Commissioner Moriarty requested at the last meeting. He then outlined the requests that included a traffic study that included scope of services, a rendering that includes landscaping and how the building will look so the neighbors can see a visual of the front and rear of the property. He expressed that this would go a long way. He also mentioned that the rendering should include signage. He said it would be ideal if the neighbors could see the locations of the food pantry, clinic, etc., on the rendering so that they are aware of the proximity to the residential area and traffic, among other things.

Ms. Nesreen Ballut, Managing & Operating Director of Al-Nahda Center, 212 West Washington Street, Chicago, Illinois 60606

Ms. Ballut said that she has photos of the renderings, but they do not include signage. Commissioner Lundy asked Ms. Ballut about interior renderings. Ms. Ballut asked Commissioner Lundy if he was referring to the building's remodeling. Yes, said Commissioner Lundy. Ms. Ballut apologized and

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stated that she was unaware that such a request had been made. Commissioner Lundy responded that it was requested. Ms. Ballut expressed that she will gladly provide that information.

Commissioner Lundy suggested continuing the public hearing. He then apologized to the residents in attendance and explained that the Commissioners are trying to do their due diligence on the matter. He reminded the residents that this is about Village zoning and that this was a private sale from the Chicago Archdiocese. He said it is important to ensure that all codes are being followed.

Mr. Ballut said that he has met with Village staff a few times to discuss traffic and renderings. He said that he does not recall having to provide a rendering of the building's interior. Commissioner Lundy said that it was mentioned at the previous hearing. Ms. Ballut apologized once more for the misunderstanding and stated that she does not recall that but is happy to provide information. The Village Attorney said that the Minutes show that the petitioner was going to provide a complete explanation of each use and a clear presentation. Ms. Ballut said she has the full chart for each event and that she has broken it down so that it is easier to identify the average number of attendees for each event as well as the "staple" holidays that will be observed.

Commissioner Lundy explained that because the information is only now being submitted, he believes it is inadequate for tonight's hearing and suggested that the hearing be continued. Ms. Ballut stated that the traffic study includes a breakdown of their events. Commissioner Lundy asked about the source of the traffic study.

Mr. Amin Almasri, 8840 Ridgeland Avenue, Oak Lawn, Illinois 60453

Mr. Almasri stated that they contacted two engineering firms. Mr. Almasri was asked by Commissioner Lundy if he could provide the names. Mr. Almasri replied that he could not recall the names. He stated that the other engineering firms were unable to provide the traffic study on time. According to Commissioner Lundy, the submitted traffic study contains outdated information and does not include the center's busiest events. He went on to say that "assumed" is mentioned at least four times in the report. According to Mr. Almasri, the traffic study concluded unequivocally that the proposed use would generate less traffic during off hours than the previous use. Commissioner Lundy expressed that he is not an engineer but recalls that when St. Louis de Montfort was there, it included a school and that there was not a lot of traffic once the kids arrived. He said the busiest times were during their Sunday church services. He indicated that he is not an expert, but he believes the study is incorrect. Mr. Almasri stated that the conclusion was based on traffic data from the Illinois Department of Transportation, and that the activities would take place during off-peak hours rather than during morning or afternoon rush hours. Mr. Almasri said the Traffic Study includes the facts and their conclusion. Commissioner Lundy noted that the traffic study was prepared by Michael Hutchinson and asked whether Mr. Hutchinson worked for Terra Engineering. Mr. Almasri responded that Mr. Hutchinson is a Senior Traffic Engineer and an employee of Terra Engineering. Commissioner Lundy asked if Mr. Hutchinson was present.

Commissioner Lundy said he believes the board would prefer to keep the public hearing open for the petitioner to respond to all the requests.

Commissioner Lundy reminded the petitioner that he could ask for copies of the minutes. He also said he feels that having the traffic engineer present at the next meeting would be beneficial. He pointed out that the report contains old information from IDOT rather than new information. Ms. Ballut said that she will contact Mr. Hutchinson and make sure that he attends the next meeting.

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Ms. Ballut said that in terms of the events and programs that will be held, she has broken it down so that what is shown today is very different from what it looked like at the previous meeting. Ms. Ballut stated that they initially combined the events and programs, but as discussed at the previous meeting, she did not have eyes on it. She said that after reflecting, looking at it, and breaking it down, they have broken down the different events, which is why the numbers are different, in case that piques anyone's interest. She explained that based on the numbers they currently have at the Al Nahda Center, they are assuming there will be less traffic.

Commissioner Lundy asked about the proposed rear fence. He said that it would be very helpful to include the type of material, height, and whether there would be a gate. Ms. Ballut said they want to be sure that they are responding to the feedback of the residents and the Village to make the necessary changes so that when they return, there will be no questions about the material, etc. She said they desire to work together with everyone to make this as seamless as possible, and that any specific recommendations will be addressed. Commissioner Lundy asked Mr. McKenna if the Commissioners can recommend size and material. Mr. McKenna replied that it could be suggested. Commissioner Lundy asked the petitioner if they considered the fence material. The petitioner said there are various fence materials available including PVC which is likely the proposed fence material.

Commissioner Bennett asked the petitioner about why the rendering shows the fence coming to an end. Mr. Ballut explained that this is because of the neighbor's privacy fence.

Commissioner Duhig reminded the petitioner that they are looking for an impact study and to coordinate the events. Ms. Ballut responded that all the holidays celebrated at the Al Nahda are outlined. Commissioner Duhig said that he understands that there are 11-12 holidays on the Muslim calendar. Ms. Ballut reminded Commissioner Duhig that the center will not require celebrations of all the holidays. Commissioner Lundy mentioned the average number of people attending and said there is concern of egress and ingress as well as timing. Ms. Ballut said she is happy to provide specific times but has no way to provide an exact number of cars that will be present. She said that most events held at the center are attended by family members. She explained that she does not want to high-ball or low-ball and chooses to be straightforward. She said that there could be 3-4 people in one car, or 2 or 5. She said she does not know, but based on what was discussed at the previous meeting about the number of parking spaces, they do not anticipate any issues with having families going in the same vehicle causing a parking concern.

Commissioner Greene commented on the scope of services, saying that it appears that the programs have been scaled back, and that as the programs and services benefit the community, he is certain that they will experience some growth, and he asked if they have any projections of that growth and how it will impact the numbers. Ms. Ballut responded that it is difficult to know what that growth will look like right now; she stated that they can have a 3-year plan and she is happy to bring those numbers to the table, but she does not believe it will be a significant uptick. Ms. Ballut said she anticipates little change in membership over the next 3-5 years.

Commissioner Duhig asked Ms. Ballut if there are plans to close the Southwest Highway center. No, said Ms. Ballut. She said the Be Well Clinic will be located on Southwest Highway. She mentioned that they decided to keep the Be Well Clinic at the Southwest Highway location and remove the initial plans for a Be Well Clinic at the new location.

A motion was made by Commissioner Piazza to continue the Public Hearing for Pet. #2023-10 to August 21, 2023. The motion was seconded by Commissioner Greene.

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

Motion to continue passes: 6-0.

VII. PUBLIC COMMENT:

None.

VIII. OTHER BUSINESS:

A.) Chairman: *None.*

B.) Members: *None.*

C.) Staff:

IX. ADJOURNMENT:

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

Voice vote: All in favor, aye.

Motion to adjourn passes.

The meeting adjourned at 8:10 p.m.