

CITY OF PALOS HEIGHTS



Planning and Zoning Committee Meeting Minutes July 26, 2022

CALL TO ORDER

Chairman McGovern called the meeting to order at 7:02 p.m. on July 26, 2022. In attendance were: Chairman McGovern, Alderman McGrogan, and Alderman Key. Also present were Community Development Coordinator Ken Busse, City Administrator David Strohl, and Recording Secretary Ashley Pala. Absent was Alderman Clifford.

APPROVAL OF MINUTES

Chairman McGovern called for approval of minutes of the May 24, 2022 Planning & Zoning meeting, seconded by Alderman Key. All in favor and motion carried.

OLD BUSINESS

DOCKET 2021-07: a petition filed by Jeff Walsh as follows:

Motion: to allow an oversized detached garage containing an enclosed area of 864 SF in lieu of 660 square feet, and a height of 17' 1" in lieu of 15 feet, and a 6-foot Side Yard Setback along the west property line, in lieu of the required 10-foot Side Yard Setback, which Side Yard Setback variance is limited to the distance of the length of a detached garage in the rear yard of the residential property located at 7620 Carmichael Drive, and contained within PIN 23-25-301-095-0000.

ZBA Vote: (07/12/21): 5 Yes; 0 No; Motion to Recommend carried

Discussion

Chairman McGovern questioned the need for the garage to be 17' 1" in height. Where the owners replied that after speaking with the architect, it would match the aesthetic of the house and would allow for Jeff Walsh to successfully stand at the peak of the garage. If the garage was not as high, the ability to add the desired dormer windows would not be possible.

Alderman Key questioned the need for the driveway to include a curve and reasoning on adding a side garage door. Owners stated the curve is to protect the large oak tree on their property. They stated a tree is going to be removed in their backyard for the garage construction and they would like to preserve the other. They stated the reason for the side garage door is readily available access to the lawn care equipment and to allow more natural sunlight.

Alderman McGrogan moved to approve a detached garage at 7620 Carmichael Drive containing an enclosed area of 864 SF in lieu of 660 square feet, and a height of 17' 1" in lieu of 15 feet, and a 6-foot Side Yard Setback along the west property line, in lieu of the required 10-foot Side Yard Setback, seconded by Alderman Key.

All in favor, motioned carried. **AGENDA**

Chairman McGovern advised the resident that this motion will go to the City Council meeting on Tuesday, August 2nd at 7pm and that they should plan on attending that meeting.

DOCKET 2022-03: a petition filed by the City of Palos Heights to allow a zoning change from R-1 Residential to B Business for purposes of constructing and operating a Special Use Municipal Parking Lot at 12303 s 71st Ct. (PIN: 24-30-301-001).

Discussion

Ken Busse presented to the committee and audience members a power point, which outlines the current city options for on-street and off-street parking to implement long-standing plans to address commercial parking matters. Parking options are recommended for consideration at the direction of the P&Z Commission during discussion during the March 14, 2022 Hearing. Main points included in the presentation are outlined below.

Option B-1 (on-street)

- Would consist of parallel parking (28 spaces) where the existing pavement would remain – 12.5’ wide
- One-way alley drive (truck deliveries) – 16’ wide
- Planted median (plantings stay as is) – 8’ wide
- New sidewalk to be constructed – 5’ wide
- One-way drive (all traffic) – 12.5’ wide
- Total improvement width of 51.5’ at \$805,000

Option B-2 (on-street)

- Would consist of angled parking (50 spaces – 10’ wide – 17’ deep)
- Newly constructed sidewalk – 5’ wide
- One-way alley drive (truck deliveries) – 11’ wide
- Newly constructed parking islands
- Planted median (relocated) – 8’ wide
- IDOT required back up lane – 10’ wide
- One-way drive (all traffic) – 11’ wide
- New pavement construction
- Sidewalk crossing (123rd & 124th)
- Total improvement width of 62’ at \$1,200,000

Option B-3 (on-street)

- Would consist of angled parking (50 spaces – 10’ wide – 17’ deep)
- One-way alley drive (truck deliveries) – 11’ wide
- Newly constructed sidewalk – 5’ wide
- Newly constructed parking islands
- Existing median to be removed
- New median to be constructed – face to face – 7’ wide
- Two-way drive (all traffic) – 22’ wide
- New pavement construction
- Sidewalk crossing (123rd & 124th)
- Total improvement width of 62’ at \$1,260,000

Option A (off-street)

- Original proposal for a parking lot located at 12303 S 71st Court
- Would consist of 30 constructed parking spaces
- Pricing for added lot would be \$540,000

Engineers from Morris Engineering engaged in conversation with the Alderman. During the conversation, ditches and water drainage were discussed. Eliminating ditches in certain options would cause the pipes to be buried underground and storm sewers.

Alderman McGrogan questioned the landscaping improvements for residents viewing. Morris Engineering Engineer stated that residents would still see the street from their view the street would be closer to their houses. There would not be landscaping between the street and property lot, it would be curb and gutter.

Alderman McGrogan stated to the public that approving option A at the Planning and Zoning Committee meeting would allow for it to move to City Council. With moving to City Council, that allows the Alderman from that specific ward to represent the residents. It will require an override vote due to the outcome of the Zoning Board of Appeals vote. In order for this to follow through six (6) of the eight (8) Aldermen would have to approve this.

Community Development Coordinator Ken Busse wanted to make comment on Alderman McGovern's safety concern. Community Development Coordinator Busse stated that directional signage would be an additional safety measure to include. He stated that if the parking lot was approved, the circulation to find parking would be within the lot and not overflow into the residential neighborhood. With options B1-B3, that would include circulation within the neighborhood as it is on-street parking.

Alderman Key moved to approve a zoning change from R-1 Residential to B Business for purposes of constructing and operating a Special Use Municipal Parking Lot at 12303 S. 71st Ct., seconded by Alderman McGrogan.

All in favor, motion carried. AGENDA (08/16/2022)

Public Comment

Don Borschel, owner of The Haven Indoor Golf at 12317 S Harlem Avenue, expressed that parking has been an issue for his business especially during winter, which is his busy season. There are 12 designated parking spots for his business. Mr. Borschel had portable signs made stating "No Restaurant Parking" and is still dealing with customers from other businesses parking in these spots. He has signed a contract with a towing company as his busy season approaches. He does feel towing is a viable answer. He recognized the corner adjacent and that that parking lot has been successful to the businesses and residents. Don stated that if improved parking does not occur, the store fronts will be empty as it is not ideal owning a business where customers cannot park. He recognizes the concerns of adjacent residents against the parking improvements. However, he believes the improvements will address many of the problems residents and area businesses have been complaining about.

Kristin Restivo of 12423 S 71st Ct., stated that nearly 300 parking spots are available between Lucky Burrito and Joe's Italian Villa. She stated that most businesses operate within limited hours and/or closed on weekends. She questioned if there is data that shows that all 300 spots are being utilized at one time and if more parking spots are needed. She stated that there are maintenance issues that need to be addressed such as widening of sidewalks and connecting of

sidewalks. She questioned if there are incentives for business to work together to share parking spaces. She also questioned if the City and businesses can work together to improve parking lot pot holes, repaint parking lines, and create safer walkways from the back of businesses to the front.

Sheila Diamond 12322 S. 71st Ave expressed that her home now looks out at Harlem Avenue due to tree removal. She stated there are available parking spaces during different times of the day. Stated the house that the City has purchased has historic charm and should be for residents. She stated that these plans do not help the business and do not help the residents or aesthetics of Palos Heights.

Alderman McGrogan responded to Sheila Diamond's comments and stated that the parking spaces attached to the businesses are privately owned.

Joan Devito, residing at 12232 S 71st Ave., stated that in 1995 at the City of Palos Heights Council meeting, an alderman wanted to address the parking issues. Discussed at that meeting was that it is a common parking area, some shops will complain, and signs will be put up to block parking. In 1995, City Attorney Swanson stated that the right of business owners to hold signage for strictly their customers was not granted. Joan Devito questioned what has changed since then and how is it allowed in 2022. She stated that parking lots need to be addressed due to pot holes and creates an injury prone environment. She stated that Chalet Florists have three (3) of their commercial vans in the parking lot that are never moved. She stated that Capri has a canopy that blocks the sidewalk, which is against the ordinance. She stated it is disgraceful that any business owner would allow their businesses to look like they do on the outside. She stated the tax dollars being used for the parking lot will not help the residents. It will increase traffic congestion, noise, garbage, and make the neighborhood dangerous.

Alderman Key responded to Joan Devito and stated that Mike Hoogan owns the buildings of three businesses. Since Mr. Hoogan owns the property, those leasing cannot place parking only signs. Since the others are privately owned, they can place parking only signs.

Alderman McGrogan responded to Joan Devito by stating the previous financial situation the City was in and how it has improved tremendously since. If we do not help the businesses by providing addition parking, how can business owners improve the parking lots. He stated that they need to make money in order to fix those. He stated that the City cannot approach business owners to mandate fixing the parking lots. He stated that he would like all Alderman to have a say in this matter.

Jim Gergestu 12302 S. 71st Ave stated that his daughter Caitlyn purchased this as her first home. He stated there are constant water issues within that area. He stated that concerns for the lot to be added will cause worse water problems in the area.

Alderman McGovern stated that they are aware of the water issues in that area. He stated it has been a topic of conversation in regards to the lot and discussed with engineers on the engineers will guide that water to the sewer system.

Dan Nicholson 12313 S. 71st Ct., stated that all residents have said no to this idea multiple times. He addressed Alderman Key in regards to him complaining about what the businesses look like on Route 83. Mr. Nickelson addressed the engineers from Morris Engineering in regards to the water drainage issue. He stated it is too much uncertainty in regards to the drainage issue.

Morris Engineering responded to Mr. Nickelson and stated that Illinois Drainage Law where they are not allowed to increase the amount of runoff that is there now. The engineer stated that he cannot say they will have any less water in their property but that they will not have more than what they have now.

Mike DeVito, also residing at 12232 S 71st Avenue, stated at the first meeting that a parking analysis was done showing no additional parking was needed. He stated he does not understand why it continues to be perused when it is not needed. He stated their housing values will decline 10-15%. He stated overall it is the residents that are effected and he would like the City to be better. He stated residents will end up moving and are considering that option.

NEW BUSINESS

City Administrator David Strohl addressed the Aldermen in regards to amending an ordinance in response to an ongoing issue with a property owner renting out their swimming pool online. That issue has been addressed but the property owner is still advertising their property for short term rentals which allows the usage of the swimming pool. This is a commercial enterprise not permitted in a residential zoning district consistent with a recent Illinois appellate court case. City Administrator Strohl recommended certain code changes for clarification purposes. The proposed changes are to the property maintenance code definition of dwelling units and the list of prohibited uses. Additional changes to the zoning code will be forthcoming.

Alderman McGovern moved to approve an ordinance amending Title XV, "Land Use", Chapter 156, "Property Maintenance Code", Section 156.15, "Definitions", and Chapter 156, "Property Maintenance Code", Section 156.16, "Prohibited Conduct", seconded by Alderman McGrogan. All in favor, motion carried. **AGENDA**

ADJOURN

There being no further business, Alderman McGovern entertained a motion to adjourn, seconded by Alderman McGovern. All in favor and motion carried. Meeting adjourned at 8:20 pm.

Respectfully submitted,

Ashley Pala
Recording Secretary