

CITY OF PALOS HEIGHTS



**Planning and Zoning Committee
Meeting Minutes
August 25, 2020**

Call to Order

Chairman Clifford called the meeting to order at 7:10 p.m. on August 25, 2020. In attendance were: Chairman Clifford, Alderman McGovern, Alderman McGrogan, Alderman Key, City Administrator Dan Nisavic, Community Development Coordinator Ken Busse and Recording Secretary Liz Gutierrez.

Approval of Minutes

Chairman Clifford called for approval of minutes of the July 15, 2020 Planning & Zoning meeting, seconded by Alderman McGovern. All in favor and motion carried.

New Business

RIGHT-OF-WAY Vacation & Sale: 12651 S 68th Court, Daniel Carroll

Alderman Clifford made a motion to direct the Economic & Community Development Department to initiate the vacation and sale of the 68th Avenue ROW immediate east of 12651 S 68th Court and going to 12651 S 68th Court in its entirety, including scheduling necessary hearing with City Council, seconded by Alderman McGovern. All in favor, motion carried.

Old Business

DOCKET 2019-08 and DOCKET 2019-09 petitions filed by Jon Silverberg on behalf of GW Palos Heights, LLC.

A discussion over the City's DRAFT Ordinance and the petitioner's requested changes to DRAFT Ordinance to allow for a two-lot subdivision with a 7-Eleven/Mobile Gas Station and approximately 4,000-SF Mini-Mart convenience store located on Lot 1, and a retail building on Lot 2, all located at the NE corner of Harlem Ave and College Dr, contained with PIN 24-19-306-005, and commonly known as 7150 West College Drive.

The committee discussed various changes to the DRAFT Ordinance as proposed by GW Properties for the Final Planned Unit Development Plat and Subdivision at the Northeast Corner of Route 83 and Harlem Avenue A.K.A. 7150 W College Drive:

In addition to the changes on the attached document, the following changes were made:

Section Four: # 8.7. - keep the statement of "Said tanks shall be removed within six (6) months of the City's notice to remove the tanks."

Section Four: # 9.8. - The proposed change to No Restrictive Covenant language is unclear and it was decided that Tom Brown, the City Attorney should be consulted on how this should be written.

Section Four: # 10.9. - Strike the word Mini-Mart, unless a term to be preserved

Motion: Alderman McGrogan made a motion to submit draft changes to City Attorney to create final draft for Council Approval at the September 1, 2020 meeting, seconded by Alderman McGovern with a roll call as follows:

Yes (3): McGrogan, McGovern, Clifford; No (1): Key

Motion carried.

Alderman Key clarified that this would then go to Council for the ordinance to be adopted. Dan Nisavic confirmed that this would be the case.

RIGHT-OF-WAY Vacation & Sale: In General and balance of 68th Avenue, and concerning lot conformity, saw tooth parcels/plats of vacation, re-examine ROWs for pocket parks, community connections, etc.

Ken Busse stated that various right-of-way (ROW) vacations throughout the City, including 68th Ave are complex matters, involving multiple private owners, as well as City matters including, and not limited to, whether the City wants to (i) preserve critical connections and possible future pocket parks, (ii) ensure lot conformity so as to prevent odd saw tooth parcels/plats of vacation, (iii) reduce costly maintenance by Public Works associated with maintaining piecemeal pockets of remaining unused ROWs. Back in December/January, the P&Z Committee recognized the City benefit and maintenance cost savings of the City initiating ROW vacations at no charge to adjacent owners, rather than on a piecemeal basis by individual applicants, as is the current practice. However, the City initiative recommended by the P&Z Committee still requires Council approval, as well as a City-wide review of the inventory of unused ROWs.

Some applicants expressed a willingness to wait until the City updates its policy and practice on unused ROWs, including possible vacation at no charge to homeowners. On the other hand, Daniel and Pat Carroll want to get it done for their property now, rather than wait on a possible change in City practice of vacating ROWs at no charge. Dan and Pat Carroll understand they must pay for the ROW and related professional fees (e.g., Plat of Vacation, City attorney, and recording fees).

Mr. Busse added that the eastern reserved ROW portion of 68th Avenue (aka, Oak Park Avenue) had already been given to the developer of the Navajo Subdivision, which became the lots along West Navajo Drive. Accordingly, the remaining western portion of the 68th Avenue ROW, when vacated, will be attached to the properties along 68th Court.

Mr. Busse also relayed comments made by Public Works Director, Adam Jasinski, who states that it is complicated and expensive for the Public Works Department to access unused ROWs for maintenance (tree trimming and removal, etc.), especially when ROWs are vacated on a piecemeal basis, leaving behind pockets of ROWs that are difficult to access. Mr. Jasinski also

stated that vacating ROWs deemed surplus will save Public Works thousands of dollars annually associated with tree trimming and removal.

Alderman Key asked if there would be a cost to the home owners. Dan Nisavic responded that there would be costs associated with increased property values and possible property tax increases. Discussion ensued.

Ken Busse stated that the inventory of ROWs must be reviewed by City staff and Parks & Rec to ensure unused ROWs are properly deemed surplus, do not leave behind hard-to-access pocket ROWs, and where appropriate may be preserved for connections and possible future use by the City. The City Council must then review the inventory and staff findings before vacating unused ROWs deemed surplus. Discussion ensued.

Dan Nisavic stated that there needs to be continuity throughout the City for these types of issues. This might be a long term project that goes into next year. He feels the current unused ROW matter along 68th Avenue for Mr. Carroll and other possible applicants should first be addressed before resolving the larger City-wide concerns over unused ROWs. Accordingly, the piecemeal vacation and sale of unused 68th Avenue should proceed for now. Discussion issued.

Adjourn

There being no further business, Chairman Clifford entertained a motion to adjourn, seconded by Alderman McGrogan. All in favor and motion carried. Meeting adjourned at 8:03pm.

Respectfully submitted,

Liz Gutierrez
Recording Secretary