

**ZONING BOARD MEETING AGENDA**

**Tuesday, October 19, 2021**

**Located: Village of Stickney Conference Room  
6533 W. Pershing Road  
Stickney, IL 60402  
6:00 p.m.**

Agenda for the Zoning Board Meeting to be held on the above stated date and time at Village Hall, which is located at the address commonly known as 6533 West Pershing Road, Stickney, Illinois. Please note that due to the COVID-19 pandemic, face coverings will be required and social distancing will be enforced.

**1. CONVENING OF MEETING**

- 1.0 Call to Order**
- 1.1 Pledge of Allegiance**
- 1.2 Roll Call**

**2. Approval of Minutes**

- 2.0 June 24, 2020**
- 2.1 January 5, 2021**
- 2.2 May 11, 2021**

**3. Swearing in of Witnesses**

**4. Consideration and hearing testimony regarding a proposal initiated by Stanislaw Pepek (the "Petitioner"), the owner of the property located at 4429 Wenonah Avenue, Stickney, Illinois, 60402, which is zoned Single-Family Residential. The Petitioner is requesting a variance in order to build two (2) new single-family residences on two (2) parcels with attached garages on the front of the houses which are thirty (30) feet wide each, where the use of said property would be consistent with the permitted uses in the Single-Family Residential zoning district (the "Petition").**

**5. Public Comment**

**6. ADJOURNMENT**

**Posted October 15, 2021**

Village of Stickney Zoning Board Meeting

6-24-2020

6:00p pm

PRESENT: DEL GALDO LAW GROUP, LLC MS. TIFFANY NELSON-JAWORSKI 5 1441 South Harlem Avenue Berwyn, IL 60402 (708) 222-7000 jaworski@dlglawgroup.com Appeared on behalf of the Village of Stickney.

MONTANA & WELCH, LLC BY: MR. MATTHEW M. WELCH and MS. ERIN E. BLAKE 11950 South Harlem Avenue Suite 102 Palos Heights, IL

Attendees on behalf of Hawthorne Race Course:

Mr. Jim Lencioni, Aria Group Architects, Mr. Brett Duffy, Spaceco, Mr. Luay Alboona, KLOA Traffic Engineers Mr. Chad Huber, WE O'Neil Mr. Tim Carey, Hawthorne Race Course Mr. Kevin Kline, Hawthorne Race Course Ms. Mary Ann Cronin, Hawthorne Race Course

Zoning Board Members:

Mr. Mike Wolthusen, Mr. John Trotsky, Mr. Robert Ortiz, Mr. John Torphy, Mr. Keith Arndt, Mr. James Lindwall (via Zoom), Mr. Juan Chavez

Notice is given that the Zoning Board of Appeals of the Village of Stickney will conduct a public hearing to take public comment and testimony concerning the applications identified in this notice and agenda. As a result of the ongoing COVID-19 pandemic and the Governor of the State of Illinois' declaration of an emergency, the hearing will be conducted in person and via Zoom in compliance with Public Act 100-0640. All persons attending the hearing in person will be required to wear a face mask at all times and to maintain further social distancing. Electronic attendance Zoom is strongly encouraged.

If you are planning on making any public comment, we do ask that you sign that sheet indicating who you are and what's the general nature of your comment. In addition to that, persons wishing to offer testimony during the hearing on the applications will be allowed to testify whether they are attending the hearing in person or via Zoom. As of now, we have no notification of anybody wanting to testify. Obviously, anybody in person you certainly can.

Meeting called to Order

Pledge of Allegiance,

Roll call

MR. WOLTHUSEN: Present. Keith Arndt? MR. ARNDT: Here. MR. TROTSKY: Here. MR. James Lindwall: Here. Robert Ortiz Here. MR. Juan Chavez? (No response.) Mr. Chavez is not here yet. He may be coming later. MR. TORPHY: Present. MS. NELSON-JAWORSKI: Since Mr. Chavez is actually the chair of this board, we will need a motion to appoint somebody as the chair pro tem. Does anybody have such a motion? MR. WOLTHUSEN: I make a motion to nominate Mr. John Torphy. MR. ARNDT: I second it. Roll call all members voted aye motion carried.

The next item on the agenda is the swearing in of witnesses.

Witnesses having been sworn in we have two applications on the agenda. The two applications both deal with the Hawthorne Race Track. The first application that has been presented to the Zoning Board relates to text amendments to the zoning part. Number one, to create the definition of a racino entertainment complex. That would be to add that definition to the Zoning Code. Then the other part of it is to make that defined term, the racino entertainment complex, make that a special use in the I-2, which is the heavy industrial district. In addition to that, they are requesting a text amendment to exempt lots in the I-2 heavy industrial district for certain limitations on the number of buildings on the lot pursuant to special use. They are also requesting a text amendment related to the building height restrictions in the I-2 area also pursuant to special use. Then the second application that is going to be heard is Hawthorne asking to allow them to have that special use that would be created by the first application.

The following items were entered into the record as Exhibit 1. The affidavit of notice to the property owners, Exhibit 2. The receipts of the certified mail from the hearing notice. Exhibit 3. The copies of the letters sent to the neighboring properties. Exhibit 4. The public certification. Exhibit 5. The plans submitted. Motion made by Mr. Arndt to enter these as exhibits 1-5, Second made by Mr. Wolthusen, the zoning board members voted and passed the motions.

Mr. Welch introduced Mr. Lencioni from the Aria Group Architects who gave a very detailed slide presentation, which the plans can be reviewed if requested from the Stickney Clerk. Following the presentation was a question and answer period, which the numerous questions and answers can be obtained from the Court Recorded report again if requested from the Stickney Clerk.

The Zoning Board voted on the amendments:

The first one, the first proposed text amendment is a text amendment to Section 11.03 of Appendix A, Zoning of the Zoning Ordinance, to provide a racino entertainment complex shall be a special use in the heavy industrial I-2 zoning district and to further provide for a definition of a racino entertainment complex. Motion was made by Mr. Torphy and second by Mr. Arndt, roll call and the zoning board voted to pass these motions.

Then the next motion needed is a motion to approve the text amendment to Section 3.02 to create a definition of racino entertainment complex. Motion made by Mr. Torphy and second by Mr. Arndt, roll call and the zoning board passed the motions.

The next motion needed is for a text amendment to Section 4.09 of the zoning order to exempt lots within the I-2 heavy industrial district from certain limitations on the number of buildings on lots pursuant to special use. Motion made by Mr. Arndt and second by Mr. Torphy roll call and the zoning board passed these motions.

The next motion needed is for text amendment -- a motion to approve a text amendment to Section 4.12 of the zoning ordinance to exempt the racino entertainment complex from certain building height restrictions pursuant to special use. The motion made by Mr. Arndt and second by Mr. Torphy roll call and the motions passed.

The next step in the process for the board is we're now going to consider the application for the special use permit. The first condition is the special use permit shall be conditioned upon approval by IDOT, the

FAA, NWRB, the Cook County Department of Transportation, as applicable, or other regulatory authorities of the proposed changes -- related to the proposed changes at the intersection of 35th Street and Cicero as presented in the applicant's proposed plans. If the requested zoning relief is granted, any substantial change to the plans as presented will require the applicant to reappear before the Zoning Board.

The next condition is that the special use permit shall be approved on the condition that the complex shall be erected and maintained in substantial compliance with the plans presented by the applicant. If the requested zoning relief is granted, any substantial change in the plans as presented will require the applicant to reappear before the Zoning board for additional relief.

The next condition is that the building will be constructed, and the site will be constructed in compliance with the existing code as it exists right now, and it will reflect that the 2018 codes have been used.

The next condition is that all parking shall be in compliance with the Americans with Disabilities Act, as well as other applicable federal, state, and local laws.

Next is all operations, controls, and regulatory conditions of the Illinois Gaming Board and the Illinois Horse Racing Board shall be adhered to.

Also, in an effort to ensure clean communications, we are asking that Hawthorne Race Course appoint a liaison with the village to keep the village apprised of what's going on, and the village will also identify one certain individual to sort of be the liaison from the village so that we can keep communications limited to two people.

The next condition, and that is that any and all signs on the exterior property shall be approved by the building commissioner and the fire and police department. the parties agree to meet in good faith to discuss the sign plan and to reach a plan that is in general conformance with the signs as provided at Rivers Casino.

A motion to approve the special use permit with the seven conditions stated. Motion made by Mr. Torphy second by Mr. Arndt roll call and the motion passed by the zoning board.

Mr. Welch has a request of the board that you waive the findings of fact period, if the board is okay with the waiver of the findings of fact period, then we will need a motion to waive the findings of fact period and, basically, extend this matter directly to the board pending approval of the findings of fact by the Zoning Board chair. Motion made by Mr. Arndt, second by Mr. Torphy roll call and the motions passed by the zoning board.

Now would be the time for public comment, there being no public comment a motion to adjourn the meeting was made by Mr. Arndt, and second by Mr. Torphy roll call and the motions passed by the zoning board.

Respectfully submitted by Mr. Torphy

Minutes of the Village of Stickney Zoning Board of Appeals from 1-5-2021

The Zoom Meeting was called to order by Mr. Juan Chavez

The pledge of Allegiance

Roll call with the following Board Members in attendance.

Mr. Mike Wolthusen

Mr. Robert Ortiz

Mr. Keith Arndt

Mr. John Trotsky

Mr. John Torphy

Mr. Juan Chavez

Approval of minutes from previous meeting.

Motion made by Mr. John Trotsky to table the approval of the minutes from June 24, 2020 the previous zoning Board meeting.

Second made by Mr. Keith Arndt.

All Board members voted to table.

Swearing in of witnesses by Attorney James Vasselli

Village Trustee Sam Savopoulos

Mr. Slusser

Mr. Vince Mazzaferro

Acknowledgement of Public Notice.

Posted in village window, website, newspaper and mailed out by certified mail.

Acknowledgement and accepting on -file Applicant's Notice to Taxpayers.

Consideration of Application for Zoning Relief and hearing of Testimony.

Petitioner, Village Trustee Sam Savopoulos, will appear before the Village of Stickney Planning and Zoning Board requesting the following relief: (a) a text amendment to section 6 of Appendix A-Zoning of the Village of Stickney Municipal Code to create the "B-2 Harlem Avenue and Cicero Avenue Business District" and to create Section 9 titled "B-2 Harlem Avenue and Cicero Avenue Business District" and to define and determine the uses permitted, prohibited or allowed by special use therein; and (b) to amend the Village of Stickney Zoning Map to reflect the new B-2 zoning district. Legal description for the affected properties are detailed below.

Motion made by Mr. Wolthusen for possible action to approve the findings of fact related to the above applications. Second by Mr. Arndt.

All Board members voted to approve.

Public Comment.

Mr. Slusser had a question on mixed use properties, since he owns a property which has a business and residence on the first floor and currently the business is not occupied. He was told that his residence would still be able to be used as it would fall under the legal nonconforming ordinance, but if the business is vacant and he wants to reopen a business then he would need to come back to the Zoning Board to file for a special use change.

Mr. Mazzaferro had a question on the expected impact on the surrounding neighborhood positive or negative. Trustee Sam said that the impacts would be positive as this would allow for future development of a business district and increase property value.

There were no other public comments and the Mr. Chavez asked for a motion to adjourn the meeting. Mr. Arndt made a motion to adjourn the meeting. Second by Mr. Wolthusen. All Board members voted to approve.

Respectfully submitted by Mr. John Torphy

## Minutes of the Village of Stickney Zoning Board of Appeals From May 11<sup>th</sup>, 2021

The Zoom meeting was called to order by Mr. John Torphy

The Pledge of Allegiance

Roll Call with the following Board members in attendance.

Mr. Keith Arndt

Mr. Ed Dabrowski

Mr. Mike Wolthusen

Mr. John Trotsky

Mr. John Torphy

First order of business is to make an appointment for the zoning board of appeals Chairperson.

Mr. Arndt made a motion and second by Mr. Dabrowski to appoint Mr. Torphy as zoning board of appeals Chairperson. All board members voted to approve.

Second order of business is to appoint Mr. Wolthusen as zoning board of appeals Secretary.

Mr. Arndt made a motion and second by Mr. Dabrowski to appoint Mr. Wolthusen as zoning board Secretary. All board members voted to approve.

Approval of minutes from previous meeting

Village Attorney Tiffany Nelson-Jaworski suggested to the board that we table the minutes from the previous meeting. We are currently working on the previous minutes and will call a meeting at some point in the future to have those minutes approved.

For the record member Ortiz has joined the meeting.

Mr. Arndt made a motion, and second by Mr. Dabrowski to table the approval of the minutes from prior hearings. All board members voted to approve.

Third order of business, an application has been filed for a special use permit to operate a Gas & Wash with commercial components to operate at the northwest corner of Pershing Rd & Cicero Ave. The application was duly noted and published, it was also timely published and the applicant sent out notices that have been provided to the Stickney Zoning Board of Appeals.

Exhibit 1 is the application.

Exhibit 2 is the drawings and plans.

Exhibit 3 is the notice that was published in the newspaper.

Exhibit 4 is the additional notice sent out by the applicant to the tax payers.

Exhibit 5 Copies of certified mailings showing proof of mailing of tax payer notices.

Exhibit 6 PowerPoint presentation by applicant.

Exhibit 7 KLOA traffic study.

Mr. Arndt made a motion, second by Mr. Wolthusen to approve exhibits 1 through 7. All members voted to approve.

Next order of business is swearing in of the witnesses by Tiffany Nelson-Jaworski.

Mr. Chris Olisheski from WT Group which is the engineering and architect for this project.

First conditions of approval is that they tie into water main at the north end of the property.

Second condition as it relates to the sidewalks is that they are completed in a matter that the zoning board approved of.

Third condition is that any deviations from the plans presented must be approved by the zoning administrator and the chair of the streets, zoning, sidewalks and public and private buildings.

The fourth and final condition the zoning relief on conditions of approval of all permits.

The application is in agreement with all four conditions.

The zoning board approved the special use permit and granted the waiver of the findings and facts period to accept all facts presented her today at this hearing. All members approved this matter.

Mr. Arndt made a motion and second by Mr. Ortiz to adjourn the meeting. All members voted to approve.

Respectfully submitted by, Mr. Mike Wolthusen