

# VILLAGE OF HOMEWOOD



## MEETING MINUTES

DATE OF MEETING:

March 09, 2023

## PLANNING AND ZONING COMMISSION

7:00 pm

Village Hall Board Room  
2020 Chestnut Street  
Homewood, IL 60430

### CALL TO ORDER:

Chairman Sierzega called the meeting to order at 7:00 PM.

### ROLL CALL:

Members attended: Alfonso, Bransky, Cap, Johnson, O'Brien, and Chairman Sierzega. Member Castaneda was absent. Present from the Village were Director of Economic and Community Development Angela Mesaros and Village Planner Valerie Berstene. There were two people in the audience; a third joined at 8:00 pm. The public was able to listen and watch the meeting via Zoom webinar.

### APPROVAL OF MEETING MINUTES:

Chairman Sierzega asked if there were any changes or corrections to the minutes of February 23, 2023.

Member Bransky requested revisions to clarify the intent of his statements related to meeting minutes on page two and page three.

A motion was made by Member O'Brien to approve the minutes of February 9, 2023, as corrected; seconded by Member Bransky.

AYES: Members Bransky, Cap, Johnson, O'Brien, and Chairman Sierzega

NAYS: None

ABSTENTIONS: Member Alfonso

ABSENT: Member Castaneda

### PUBLIC COMMENT:

At the conclusion of the meeting, Dave Janocha addressed the Commission, inviting members to attend the public meetings in Hazel Crest regarding the proposed redevelopment of Calumet Country Club.

### REGULAR BUSINESS:

#### Case 23-03: Public Hearing for Massage Therapy at 1131 175<sup>th</sup> Street, Unit A

Chairman Sierzega read aloud a description of the case and swore in the applicant, Jing Wang. Ms. Wang restated her request for a special use permit to operate a spa. She explained that services provided would include massage, deep tissue massage, couples massage, cupping, and hot stone therapy. She stated that the proposed location would have three employees, including herself, and would be open

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seven days a week from 10 am – 9 pm. She hopes to have 11 customers each day, up to 17 customers on peak days. She noted the benefits of massage such as relaxation, pain relief, and stress relief, and stated that the business will not have negative impacts on the surrounding businesses or properties.

Member Johnson confirmed that all three employees would be professionally certified. Ms. Wang affirmed.

Member Johnson asked for clarification on parking, referencing the anticipated 17 customers per day on busy days. Ms. Wang explained that the parking lot for the building will adequately serve their business and that most customers - almost 90% - are appointment-based.

Member Johnson referred to the special use standards on community character and asked Ms. Wang to elaborate on the neighboring businesses. Ms. Wang responded that her spa business can be good for the neighbors by increasing visibility and foot traffic for them and vice versa.

Member Johnson restated his question to focus more specifically on parking demands and what impact the requested spa might have on neighboring businesses. Ms. Wang said that there is parking at the rear of the building which can be used by employees, leaving spaces in front available for customers.

Chairman Sierzega pointed out the parking tabulations in the packet, indicating compliance with the requirements of the Zoning Ordinance.

Member O'Brien asked for clarification on the tenant space area. The materials in the packet referenced both 1,120 sf and 1,280 sf. Ms. Wang stated that the correct number is 1,280 sf. Member O'Brien pointed out that the total area calculation of the floor plan submitted is 1,130 sf and asked Staff to provide which is correct.

Village Planner Berstene explained that Ms. Wang submitted her application for 1,280 sf. However the letter from the landlord listed 1,120 sf. Member O'Brien calculated that the area shown on the drawing equals 1,130 sf. Village Planner Berstene confirmed that Ms. Wang had taken the measurements shown on the floor plan and explained that the difference between these numbers could be human error in measuring and the difference between net, leaseable, or gross floor area calculations.

Member O'Brien requested clarification on which number to use for the motion. Village Planner Berstene replied that the 160 sf difference would not impact the requirements of this special use or other regulations, suggesting the Commission use the larger number.

Chairman Sierzega identified that the letter from the landlord indicated 1,120 sf for the tenant space. Member O'Brien determined to move forward with this measurement.

Member Cap asked for confirmation that there are, in the zoning ordinance, different thresholds of use size limitations for different use types. Village Planner Berstene affirmed, noting that that is not applicable to massage therapy, and the requested use being discussed is still well below the 2,500 sf threshold applied to some other use types.

Member Cap referred to the 63 parking spaces available for the 62 spaces required and asked if anyone monitors the activity or turnover of the parking spaces during the day. He shared his observation that the Windy City Cannabis dispensary can create high traffic demands. Staff Liaison Mesaros replied that, to her knowledge, no monitoring of the parking lot is conducted. Member Cap if there had been complaints. Staff Liaison Mesaros replied that there were complaints when Windy City first opened and customers were parking on the street and elsewhere, but since then street parking regulations were put in place and there have not been complaints.

Member Bransky echoed the concern about parking demand from Windy City Cannabis. He observed that this may have a negative impact on the proposed massage business, rather than the other way around.

Member Bransky asked to clarify that the business would have three employees, including the applicant. Ms. Wang affirmed.

Member Bransky asked if there would be many people waiting for an appointment at any given time. Ms. Wang clarified that two rooms would be single rooms and one room a double room. She noted that most clients come in for pre-scheduled appointments and that the space will provide a waiting room where they might wait five minutes, but not long.

Member Bransky asked for more details on a typical customer's stay and spacing between customers. Ms. Wang explained that her services include 60-minute, 90-minute, and occasionally, 120-minute bookings and they schedule for 20 to 30 minutes between customers to ready the room. Member Bransky summarized that, even on a peak day, time between customers coming/going would be an hour or more, roughly. Ms. Wang affirmed that, based on the timing of her services, she anticipates the parking around the building will be sufficient. She will have six spaces in the front and three behind, where employees will park.

Chairman Sierzega swore in Mohavi Presad. He added to Ms. Wang's testimony that the property owner has designated four parking spaces in front of the building for the massage use, which will have signage designating them. He added that behind the building are many parking spaces that are not used and that the cannabis customers come and go with frequent turn over. He added that many of the other tenants at the building also have designated parking spaces with signage to deter the cannabis customers from parking in their spaces.

Member Alfonso asked how long Ms. Wang had been in business. Ms. Wang replied she has been a licensed massage therapist almost ten years. Member Alfonso asked if all employees will have professional certifications for massage. Ms. Wang affirmed.

Chairman Sierzega inquired if all three treatment rooms would be in use at the same time. Ms. Wang emphasized that the weekends- Friday – Sunday- are the busiest when all three rooms would be in use, but other days may have only two massage therapists at a time.

Chairman Sierzega asked to confirm that hours of operation will be 10 am – 9 pm, seven days a week. Ms. Wang affirmed.

Chairman Sierzega asked how long each customer stays. Ms. Wang replied that usually bookings are for one hour. Chairman Sierzega asked to confirm that most customers are by appointment. Ms. Wang affirmed, 90% of her business is appointment-based.

A motion was made by Member Bransky to approve Case 23-03 to grant a Special Use Permit for a Massage Therapy Establishment to Jing Wang for 1131 175<sup>th</sup> Street Unit A in the M-1 Limited Manufacturing District, and incorporate the findings of fact into the record; seconded by Member Cap.

AYES: Member Alfonso, Members Bransky, Cap, Johnson, O'Brien, and Chairman Sierzega

NAYS: None

ABSTENTIONS: None

ABSENT: Member Castaneda

**OLD BUSINESS:**Right-Sizing Meeting Minutes

Commission members introduced topic from the previous meeting discussion and the memo prepared by Staff proposing different approaches to documenting meetings. Chairman Sierzega asked Staff for their recommendations.

Village Planner Berstene provided a recap of the memo, titled 'Right-Sizing Meeting Minutes,' and stated her preference for approach number two or three – a summary of the discussion either by chronology or by topic.

Member Johnson emphasized the guidance from Village Attorney Cummings at the previous meeting which was to record the actions taken, and discussion that shaped those actions. Member Bransky concurred, highlighting item two of the Objectives portion of the memo. He summarized that the minutes should summarize what was discussed, but verbatim records go down a dangerous path.

Member Cap asked about the Records Act and how long recordings are kept. Staff did not have that knowledge off-hand but offered to look into it. Village Planner Berstene asserted that, even if the recordings are not available on the website after a certain length of time, a digital file is kept on the Village's servers the same as all other digital records of cases and proceedings.

Member O'Brien stated that he did not expect verbatim minutes.

Working List of Considerations for Future Zoning Text Amendments***BASKETBALL EQUIPMENT AND SPORTS COURTS***

Staff Liaison Mesaros presented an overview of the change in regulations related to basketball equipment. She stated that the changes in the new ordinance were to clean up inconsistencies, but did not look in-depth at the regulations. The regulations also did not include sports courts, such as when you have more than one basketball hoop. She requested feedback from the Commission on whether permanent basketball hoops should be allowed in the front yard and what restrictions- setbacks, limits on the number of hoops- and any potential impacts.

Member O'Brien posed several questions for discussion:

- Will one hoop or two be allowed in the front?
- What language should be included in regards to the rear yard?
- Should lights be allowed?
- What is the impact on neighbors?
- How late are lights and playing allowed at night?

Member Bransky identified the terms in table 44-03-03 which differentiates Basketball Equipment from Household Recreational Facilities, summarizing that a driveway 'court' is treated differently from a full basketball court in the rear yard.

Member Bransky moved to the discussion of lights and asked if this is limited specifically to lights provided exclusively for lighting the equipment, versus lighting that might be generally illuminating the

property. Staff Liaison Mesaros referenced the changes in the ordinance and Section 44-05-12.A that requires all outdoor lighting to be full cutoff fixtures.

Member O'Brien referred to a property neighboring his that has a basketball court in the backyard and a pole-mounted light illuminating the court. Staff Liaison Mesaros stated that by the new ordinance, that light would be required to be a full cutoff to keep the light directed towards its area of intended use. Member O'Brien inquired if Staff researched that specific property's rear yard court. Staff stated that the property owner did have a permit for installation of a paved surface for a basketball court. He asked if the light was included on the permit. Village Planner Berstene replied that she believed the permit she saw was for paving, not electrical work.

Staff Liaison guided the discussion to address the questions of setbacks. Commission members agreed to strike the requirement for a 10-foot setback from the front lot line.

Chairman Sierzega asked if the Village has more permanent poles, moveable poles, or wall-mounted hoops. Member O'Brien referenced a list previously provided by the former building inspector which indicated more moveable equipment than permanent. Member Johnson and Chairman Sierzega raised the question of which should be regulated. Member O'Brien stated the permanent poles. Member Bransky summarized that, considering public safety, the regulations should restrict poles from being located on the property line and poles should not be on the parkway. Member Johnson stated that the Commission is in agreement to keep a five foot setback from the side property line.

Staff Liaison Mesaros then noted that the current zoning ordinance does not specifically address basketball courts, as some other communities do. Member Johnson asked for the definition of a basketball court. Staff Liaison Mesaros replied that it is not defined in the ordinance. Member O'Brien suggested that it be treated like a garage or swimming pool- it must be located a specified distance from lot lines and from other structures. Commission members noted that there are no definitions for any sport courts.

Staff Liaison Mesaros pointed out that tennis courts are included in Table 44-03-03. In the previous ordinance, tennis courts and swimming pools were not allowed to be closer than 10 feet to other structures or lot lines. Member O'Brien stated that the same language should be applied to basketball courts. Member Bransky clarified that this should apply to specifically to stand-alone sports courts, not the use of a driveway for basketball. Member Johnson stated that the ordinance will need to define what a court is, then state the regulations for it.

Staff Liaison Mesaros questioned if a basketball court needs to be setback 10 feet from a building the same as a swimming pool. She suggested regulating only the distance from the lot line.

Commission members discussed the requirement to obtain a building permit, and demonstrate compliance with the zoning ordinance, which would also include limitations on lot coverage.

Staff Liaison Mesaros summarized the following changes: treating basketball courts like swimming pools and tennis courts with a 10-foot setback from the lot line for all, and removing the 10-foot setback from the front lot line for basketball equipment. The Commission concurred and determined to bring the amendments to the next meeting.

#### *FRONT YARD FENCES*

Staff Liaison Mesaros gave a summary of the topic, raising the question to the commission if a four-foot-high fence in front of the building, at the property line should be allowed. This regulation was previously

in the Municipal Code and is now in the Zoning Ordinance and Staff Liaison Mesaros posed the question to confirm that the intent was correctly translated.

Member Cap stated that there are a number of four-foot-high front yard fences that do exist already. He stated that he does not see a problem. Chairman Sierzega agreed that four foot fences have not been a problem in the past. A consensus was reached that the ordinance is fine as written.

### **NEW BUSINESS:**

#### **Training Materials**

Member O'Brien shared a document from May 2000 that outlined the procedures for the Zone Board of Appeal. He suggested that Staff create a new guiding document, similar to the example, to guide the combined Planning and Zoning Commission. Member O'Brien inquired about training materials provided to the newest member, Member Castaneda.

Member O'Brien asked if Member Castaneda completed Open Meetings Act training. Staff affirmed. Members and Staff discussed the requirements for Open Meeting Act training. Staff Liaison Mesaros stated that the Manager's Office keeps on file the date of every member's OMA training, and she can check to ensure those are compliant with state requirements.

Member O'Brien referred to training materials provided to the commission members in the past, as well as opportunities for training seminars, and stated that the Commission does not have the training support and background that they had years ago. Staff Liaison Mesaros noted that those seminars took place much more often pre-COVID and if they are ongoing now, they are most likely online. Member O'Brien requested that more training materials and opportunities for seminars be provided to Commission members, so that everyone is equipped with necessary information. Member Bransky seconded his request.

Staff Liaison Mesaros confirmed that only one OMA training is required for commission members, unlike the annual training for Staff. She suggested there might be refresher information available to share with commissioners.

Staff Liaison Mesaros offered to find materials to share with commission members for periodic refresher training. Commission members agreed that it would be helpful to have resources they could refer to on their own time to stay current.

### **ADJOURN:**

Chairman Sierzega asked for a motion to adjourn the meeting. Member O'Brien moved to adjourn the meeting at 8:28 p.m., seconded by Member Bransky.

AYES: All

NAYS: None

ABSTENTIONS: None

ABSENT: Member Castaneda

Respectfully submitted,

*Angela Mesaros*

**Angela Mesaros**

Director of Economic and Community Development