

ZONING BOARD OF APPEALS
MINUTES OF AUGUST 6, 2014 – 7:00 P.M.

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Gil Snyder, Bruce Boreson, Chairman Mark Cwik, Frank Grieshamer, Kathy Mennella, Rafael Nunez, Lisa Manzo (Secretary), Village Attorney Matt Welch, Eric Richard (Village Planner), Zoe Heidorn (Village Planner) and John Schneider (Director of Community Development). All members were present.
3. Member Grieshamer made a motion to accept the minutes of June 4, 2014. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. New Business: ZBA 14-11
Map Amendment - Village of Franklin Park
9500 W Belmont Avenue

Chairman Cwik stated that this hearing is for a Map Amendment to the Franklin Park Zoning Code to rezone and include within the boundary lines of the R-2 Single Family Residence District the subject property.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Snyder seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. John Schneider, Director of Community Development, petitioner, came forward. He signed in and was sworn in.

Mr. Schneider gave the members a brief presentation stating that the Village of Franklin Park is introducing a proposed Map Amendment to the Franklin Park Zoning Code. Mr. Schneider identified the property in question to be the area depicted on Exhibit A of the Sidwell Map, shaded in grey. He stated that the property is currently unzoned and that the purpose of this hearing is to zone the area appropriately so as to fit with adjacent properties. He explained that the decision to zone the property R-2 Single Family is due to its location in a single family residential neighborhood with adjacent properties to the east and south zoned R-2.

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

Mr. Schneider stated that to the north of the subject property is the Village boundary and to the west is Mannheim Road and the Tri-State Tollway. Mr. Schneider noted that the property is currently vacant of any structures. He explained that R-2 zoning will protect surrounding residential property values as it ensures future development is in keeping with the residential character of the neighborhood. He added that zoning the subject property R-2 Single Family will protect the safety and welfare of the public and neighborhood at no hardship to any individual. Mr. Schneider explained that the property is suitable to residential development due to surrounding single family housing. He also stated that no recent development has taken place on the property or in the general area.

Member Boreson asked if the hearing was appropriately published so that owners from the surrounding properties were notified. Mr. Richard stated public notices were mailed to property owners within 250 feet of the property in question, that a public notice was published in the Pioneer Press and that a sign was posted at the subject property.

Chairman Cwik opened this hearing to the public. He stated anyone wishing to come forward to please sign in and be sworn in before speaking. Public session opened at 7:04 p.m.

Mr. Ronald Joseph, resident of 4003 Deanley, Schiller Park, came forward at this time. Mr. Joseph signed in and was sworn in. He asked if the property in question this evening includes any waterways. Mr. Welch responded that the area in question is shaded in grey on Exhibit A of the Sidewell Map. Mr. Welch displayed the Exhibit to Mr. Joseph at this time.

Public session ended at 7:06 p.m. and Board Discussion began.

There was minimum discussion regarding this hearing. The members discussed the location of the property and the fact that it is currently unzoned.

Board Discussion ended at 7:07 p.m.

Member Grieshamer made a motion to “approve ZBA 14-11 for a Map Amendment to the zoning district boundary lines of the Village of Franklin Park Zoning Map to rezone and include within the boundary lines of the R-2, Single Family Residence District the property commonly known as: THE WEST 1 ACRE

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

OF THE NORTH 5 ACRES OF THE SOUTH 10 ACRES OF THE NORTH 70 ACRES OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 21, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF SAID WEST 1 ACRE LYING WESTERLY OF A LINE BEING 80 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF THE TRI-STATE TOLLWAY (A.K.A. INTERSTATE 294) ALL BEING IN COOK COUNTY, ILLINOIS.” Member Mennella seconded the motion. Roll Call Vote. Member Boreson-Yes; Member Nunez-Yes; Member Mennella-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Six (6) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

5. New Business: ZBA 14-09

Text Amendment to the Franklin Park Zoning Code Sections 9-1-3 Rules and Definitions, 9-5C-3 Conditional Uses, 9-5D-3 Conditional Uses, 9-6A-2 Permitted Uses and 9-8-4 Schedule of Parking Requirements.

Chairman Cwik stated that this hearing is for a Text Amendment to the Franklin Park Zoning Code Sections 9-1-3 Rules and Definitions, 9-5C-3 Conditional Uses, 9-5D-3 Conditional Uses, 9-6A-2 Permitted Uses and 9-8-4 Schedule of Parking Requirements.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Snyder seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked if she can sign in and be sworn in. Ms. Zoe Heidorn, Village Planner, petitioner, came forward. She signed in and was sworn in.

Ms. Heidorn gave the members a brief presentation stating that the Village of Franklin Park is introducing a proposed Text Amendment to the Franklin Park Zoning Code. Following review of text in sections of the Zoning Code relating to truck parking and

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

facilities, staff found limitations in the definitions of uses provided as they are designated to or prohibited from particular zoning districts. Specifically, the definitions and land use regulations in the proposed Text Amendment concern differentiation between automobile and truck repair facilities and differentiation between distribution and truck parking facilities. Ms. Heidorn explained that under the proposed Text Amendment, “Distribution Facility/Terminal” will become a Permitted Use in the industrial zoning districts with detailed parking requirements so as to ensure an appropriate scale of truck parking to principle use operations. She stated that the definition of “Truck Parking” will be expanded to include “Cartage Facilities” and “Truck Dispatch Yards” so as to better protect against truck parking as a principle land use, which is currently prohibited in the Village of Franklin Park. Ms. Heidorn added that the existing definition of “Use, Principle” will be revised to more clearly limit a property to one principle use.

Chairman Cwik opened this hearing to the public at this time. Since no members of the public came forward, Chairman closed this hearing to the public.

Board Discussion began at 7:13 p.m.

There was minimal discussion related to this hearing.

Board Discussion ended at 7:14 p.m.

Member Grieshamer made a motion to “approve ZBA 14-09, for a Text Amendment to the Franklin Park Zoning Code Sections 9-1-3 Rules and Definitions, 9-5C-3 Conditional Uses, 9-5D-3, Conditional Uses, 9-6A-2 Permitted Uses and 9-8-4 Schedule of Parking Requirements.” Member Mennella seconded the motion. Roll Call Vote. Member Boreson-Yes; Member Nunez-Yes; Member Mennella-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Six (6) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

6. New Business: ZBA 14-13
Olympia Foods
9501 Nevada
12-27-300-030, 033, 045-0000

Chairman Cwik stated that this hearing is for a Conditional Use of a “Food Manufacture, Packaging and Processing” per 9-6A-3 of the Franklin Park Zoning Code in the I-1 Restricted Industrial District.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Snyder seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Andreas Papatoniou, petitioner and owner of Olympia Foods, and Mr. Dimitrios Trivizas, representative of the owner, came forward. They signed in and were sworn in.

Mr. Trivizas gave the members a brief presentation stating that Olympia Foods provides high quality meats, breads and Greek specialties throughout the United States and Canada. The company is committed to excellent value, consistency, food safety and an ongoing tradition of authentic taste from their family recipes. The business has experienced exponential growth, which caused the present need for a larger facility to meet the increasing demand for Olympia Foods products. Mr. Trivizas stated that the owner believes the property in question will address the company’s needs and accommodate further expansion and growth. He added that Olympia Foods plans to occupy this industrial space to operate a food manufacturing, packaging and processing business. He further stated that the business plans to invest over \$8 million into the property in question.

Mr. Trivizas distributed to the members Olympia Foods’ Business History Plan at this time. This business history packet will be labeled as Exhibit A. It provides a business history and photographs of all the products Olympia Foods produces.

Member Grieshamer made a motion to enter Exhibit A into the permanent record for this hearing. Member Mennella seconded the motion. All in favor. The motion was carried.

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

Mr. Trivizas continued that there are currently 65 employees that will relate to the new facility. The petitioner expects that 10 to 15 full time employees will be hired for the baking of breads and 10 to 20 full time employees will be hired for the cooking and processing of meat products.

Member Grieshamer asked what the hours of operation will be. Mr. Trivizas stated that the business operates between Monday through Friday. Operating hours begin at 6:00 a.m. and shifts run between eight (8) and twelve (12) hours.

Chairman Cwik opened this hearing to the public at this time. Since no members of the public came forward, Chairman closed this hearing to the public.

Board Discussion began at 7:26 p.m.

There was minimum discussion on this hearing. The facility was previously a food processing plant and will continue to be one if Olympia Foods is granted occupancy. Mr. Richard stated that the applicant will not be subject to any special conditions other than regulations currently enforced in the I-1 Restricted Industrial District.

Board Discussion ended at 7:27 p.m.

Member Grieshamer made a motion to “approve ZBA 14-13, regarding 9501 Nevada, for a Conditional Use of a “Food Manufacture, Packaging and Processing” per 9-6A-3 of the Franklin Park Zoning Code in the I-1 Restricted Industrial District with the following condition that this proposed use complies with all applicable regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Boreson-Yes; Member Nunez-Yes; Member Mennella-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Six (6) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked all for attending.

ZONING BOARD OF APPEALS

MINUTES OF AUGUST 6, 2014

7. New Business: ZBA 14-14
Text Amendment - Village of Franklin Park
9500 Belmont

Chairman Cwik stated that this hearing is for a Text Amendment to the Zoning Code, Sections 9-6A-9 and 9-6C-10 of the Franklin Park Village Code.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Snyder seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. Eric Richard, Village Planner, petitioner, came forward. He signed in and was sworn in.

Mr. Richard gave a presentation to the members explaining that the State of Illinois instituted a Statute allowing the establishment of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations within the State of Illinois. In order to comply with State regulations, the Village of Franklin Park amended the Zoning Code to allow Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations as conditional uses within the Village. The Village Board approved ZBA 13-21 on July 14th, 2014, establishing two separate areas in which medical marijuana cultivation and distribution will be allowed as Conditional Uses. He explained that today's hearing is to establish requirements, criteria and limitations to minimize the negative secondary effects of this type of use.

Mr. Richard continued to read the recommendations proposed by Staff regarding this issue. These included but were not limited to the following: No Medical Marijuana Cultivation Center or Medical Marijuana Dispensary may be located within 500 feet of another medical marijuana facility and parking requirements shall be 3 spaces per each 1,000 square feet of gross floor area. Mr. Richard explained that the Village may require additional parking be provided as a result of the impact of the use. He continued to read the recommendations, which included the following: Medical Marijuana Cultivation Centers and Dispensaries shall operate between 8:00 a.m. and 8:00 p.m. and that loitering would be prohibited on dispensary property. He continued to read that smoking, inhalation or consumption of cannabis product in the medical cannabis dispensary or anywhere on the property occupied by a dispensary would be

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

prohibited and that all dispensaries shall operate in a manner that prevents odor impacts on neighboring premises or properties. If necessary, the facility shall be ventilated with a system for odor control. He stated that a complete list of recommendations is listed in the packets that were entered into the permanent record.

Chairman Cwik opened this hearing to the public. He stated anyone wishing to come forward to please sign in and be sworn in before speaking.

Public session opened at 7:38 p.m.

Ms. Charlene Cruz, resident, came forward at this time. Ms. Cruz signed in and was sworn in. She wanted to make her opinion known that she is absolutely against this hearing. She stated that she has a child who is addicted to marijuana and she is against this use being allowed within the Village limits. Mr. Welch explained to Ms. Cruz and all the public that the Village has no choice as to whether or not it allows the use in the Village. He explained that the State of Illinois passed a Statute that establishes cultivation centers and dispensaries for medical marijuana as legal in the State. Mr. Welch explained that it is the responsibility of the local jurisdiction to apply legal requirements and criteria to create use limitations and minimize the negative secondary effects of this type of use.

Public session ended at 7:46 p.m. and Board Discussion began.

There was minimum discussion regarding this hearing. The members discussed this specific use and the recommendations by staff to be place on this hearing.

Board Discussion ended at 7:48 p.m.

Member Grieshamer made a motion to “approve ZBA 14-14, for a Text Amendment to the Zoning Code, Section 9-6A-9 and 9-6C-10 of the Franklin Park Village Code pertaining to medical marijuana.” Member Mennella seconded the motion. Roll Call Vote. Member Boreson-Yes; Member Nunez-Yes; Member Mennella-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Six (6) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

ZONING BOARD OF APPEALS MINUTES OF AUGUST 6, 2014

Chairman Cwik thanked all for attending.

8. Old Business: None

9. Public Comment: None.

10. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Boreson. All in favor. Motion carried.

The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Lisa M. Manzo
Secretary