PLAN COMMISSION / ZONING BOARD OF APPEALS
MEETING MINUTES
September 7, 2023

1. **Call to Order & Roll Call** (6:00 p.m.)
   Chairwoman Ochoa – Present
   Commissioner Cvengros – Present
   Commissioner Hollingshead – Present
   Commissioner Mercure – Present
   Commissioner Wilson – Present
   Commissioner Wood – Absent
   Commissioner Kindred – Present

   Also Present:
   Trustee Larry Wells, Building, Planning and Zoning Committee Chairman
   Marc Huber, Village Administrator
   Nimrod Warda, Community Development Director
   Cynthia J. Jimenez, Management Support Analyst

2. **Pledge of Allegiance** (conducted after Approval of Minutes)

3. **Approval of Minutes September 7, 2023, Planning Commission and Zoning Board of Appeals**
   Commissioner Kindred made a motion to approve the Plan Commission / Zoning Board of Appeals meeting minutes of April 20, 2023, seconded by Commissioner Mercure. All present members voted aye (6-0).

4. **Public Hearings (see hearing procedure notes below)**

   a. **37632 N. Sheridan Road**
      Commissioner Cvengros made a motion, seconded by Commissioner Kindred to open the hearing. The motion passed by roll call vote of 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

      Petitioner, Hugo Rodriguez, is requesting approval of a Conditional Use Permit for a Caretaker's Dwelling, in accordance with Sections 4.0.2, 4.1, and 12.9 of the Village of Beach Park Zoning Code. Mr. Rodriguez is seeking to occupy the second-floor unit as his personal residence. No changes to the property are proposed. Commissioner Kindred asked the petitioner what business currently occupies the lower level. Petitioner responds that the lower level is a hair braiding salon. Furthermore, Chairwoman Ochoa had concerns about a garage. Mr. Rodriguez confirmed that it is, and it will be used for storage.

Petitioner Mr. Rodriguez confirmed he plans to have scheduled appointments to minimize congestion in the parking lot.

Chairwomen Ochoa made a motion, seconded by Commissioner Kindred to open public comment. The motion passed by voice vote.

There was no public comment.

Chairwoman Ochoa made a motion, to close public comment seconded by Commissioner Kindred to close public comment. The motion passed by voice vote.

Motion was made by roll call, to close the public hearing. The motion passed by roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

Commissioner Wilson makes a motion to recommend approval of a Conditional Use Permit for a Caretaker's Dwelling to be in the existing structure at 37632 N. Sheridan Road, as described in the application prepared on by Hugo Rodriquez, dated August 2, 2023. Seconded by Commissioner Kindred. The motion passed by roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

b. 37704 N. Sheridan Road, Automotive Repair Service

Commissioner Hollingshead made motion, seconded by Commissioner Kindred, to open the hearing. The motion passed by roll call vote of 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

Petitioner, Jesus Campos Perez, is requesting approval of a Conditional Use Permit and associated variations for an Automobile Repair Service Use, in accordance with Sections 4.0.2, 4.1, 12.8 and 12.9 of the Village of Beach Park Zoning Code. The site consists of a building with and parking lot. No changes to the property are proposed. The fact that the site has a requirement to maintain the asphalt parking as a barrier to release of hazardous materials makes the cost to make changes to the site extremely expensive.

Petitioner Mr. Campos Perez, was present as the property owner and a translator was there to help translate into Spanish as well, they were both was sworn in. The petitioner stated that his business was a family business and he was only going to operate a mechanic shop with no body work.

Commissioner Kindred requested the hours of operation. Petitioner responded that the hours will be Monday – Friday, 8:00 a.m. – 7:00 p.m., Saturday, 8:00 a.m. – 3:30 p.m., and Sunday it is closed.

Chairwoman Ochoa asked the petitioner if the parking lot stripes would be repainted and the response was yes.
Commissioner Kindred asks what the setbacks are for this property. Mr Huber goes into details and explains the requirements of setback and additional information related to the property.

Questions and Concerns from the Plan Commission / Zoning Board of Appeal has some concerns regarding the driveway condition. Commissioner Kindred offers the petitioner a suggestion to repair the driveway and maintain a good property appearance.

Commissioner Kindred asks if there will be repairs done after hours of operation. Petitioner Ochoa Perez states that he will not be do work after hours.

The petitioner planned to install a security system that he will be monitoring it to ensure personal and public safety.

Commissioner Cvengros made motion to open public comment, seconded by Commissioner Kindred. The motion passed by voice vote.

There was no public comment.

Chairwomen Ochoa made motion, voted first by Commissioner Wilson to close public comment seconded by Commissioner Kindred. The motion passed by voice vote.

Commissioner Wilson made a motion, seconded by Commissioner Kindred, to close the public hearing. The motion passed by roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

Commissioner Wilson recommended approval of a Conditional Use Permit and landscape setback variations for an automobile service use to be located at 37704 N. Sheridan Road, as described in the application, seconded by Commissioner Kindred. The motion passed by roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

c. 37937 N. Sheridan Road, Automobile Sales

Commissioner Kindred made a motion, seconded by Commissioner Hollingshead to open the public hearing. The motion was passed with roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

Petitioner, Lake Car Sales, Inc., dba Car Castle, is requesting approval for a Conditional Use Permit for an automobile sales, supply, and service facility under Section 4.0.2.5 Conditional Uses, of the Village of Beach Park Zoning Ordinance. The Subject Property contains one building (44' x 100', Approx. 4,400 sq. ft.) and a parking lot. Access to the Subject Property is provided from Sheridan Road.

The proposed use is a conditional use in the overlay district. The Petitioner is looking for a similar approval to that of the previously use allowed per Ordinance 2018-0-13.

Commissioner Wilson made motion to open public comment, seconded by Commissioner Kindred. The motion passed with roll call vote with all members voting aye.

Chairwoman Ochoa, has the member from the audience sworn in. Marco Nunez is a neighbor to this existing property. He states his concerns about car dealer not maintaining property maintenance standards. In the past it has been used to store junk debris.

Questions and Concerns from the Plan Commission / Zoning Board of Appeal regarding the 90 day period that you are waiting for title to clear are the automobiles going to be sitting there. The petitioner stated that from a business standpoint they do not to do any repairs to an automobile if it is not going to get auction.

Commissioner Kindred made motion, seconded by Commissioner Wilson to close public comment. The motion passed by voice vote.

Petitioner has concerns that additional parking that would be constructed on the property in addition to the parking that was currently available on the site and should be allowed by a permit and should not be a zoning issue.

Mr. Huber mentions the subject property use has been in place for several years, and ingress and egress is provided and will not detrimentally impact traffic congestion on the public streets of the Village of Beach Park. The access has been adequate in the past. However, to increase the number of vehicles on the lot by constructing a new parking lot would change the conditions of the CUP for which the petioner had applied and was not evaluated for this application. Based on the information presented, staff could not provide an opinion to the board that the additional parking lot would meet the zoning requirements.

Chairwoman Ochoa questioned how materials from the site would not impact adjacent property. Petitioner confirmed that all garbage, junk, and other debris including oil and other similar fluids would be cleaned up that garbage will be handled properly.

Commissioner Hollingshead states that based on the information presented at this time, the Board cannot approve the more expansive use of the rear portions of the subject property, since it is premature with the current information presented. Should there be a desire to do so in the future, the petitioner must come back to revise the CUP.

Commissioner Kindred made motion, seconded by Commissioner Wilson to close public hearing. The motion was passed with roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

Commissioner Hollingshead makes a motion to Recommend Approval of a Conditional Use Permit for an automobile sales, supply, and service use to be located at 37937 N. Sheridan Road, with the requirements outlined in the staff memo, which include no additional parking in the back. Seconded by Commissioner Kindred. The motion was passed with roll call vote 6-0 (Ayes: Ochoa, Cvengros, Hollingshead, Mercure, Wilson, & Kindred).

5. **Public Comment**
   None

6. **Old Business**
   None

7. **New Business**
   None

8. **Adjournment**
   Commissioner Wilson made a motion to adjourn, seconded by Commissioner Kindred. The motion passed by voice vote. The meeting was adjourned at 8:04 p.m.