

**ZONING BOARD OF APPEALS
JANUARY 8, 2020 AT 7:00 P.M.
COUNCIL CHAMBERS-RM. 201**

A recording of this meeting is available on the Village of Oak Park Website: <https://www.oak-park.us/your-government/citizen-commissions/commission-tv>

Call to order and Roll Call

PRESENT: Chair Mike Quinn and Members Steve Ruszczyk, Mark Hansen, Jim Lencioni, David Brumirski, Don DeBruin and Deborah McQueen

ABSENT: Chair Quinn and Member Deborah McQueen

ALSO PRESENT: Rasheda Jackson, Counsel; Mike Bruce, Zoning Administrator

QUORUM: Chair Quinn called the meeting to order at 7:00 p.m. and declared that a quorum was present.

Public Comment

None

Introduction and Procedure Outline

Chair Quinn apologized for missing the last meeting.

Chair Quinn explains the procedure for the evening, indicating that we have one public hearing scheduled tonight.

Mr. Bruce swore in those wishing to testify.

Public Hearings

Mr. Bruce reads a description of the case as follows:

Cal. No. 01-20-Z: 6000-6020 Roosevelt Road, Oak Park, Illinois 60304

The Applicant Ampler Development LLC (“Applicant”) seeks a special use permit to operate a drive-through facility pursuant to Section 8.3 (Table 8-1: Use Matrix) and Section 5.4 (Table 5-12: RR District Use Restrictions by Building Type) of the (“Zoning Ordinance”) of the Village of Oak Park to permit an accessory drive-through facility for a freestanding Taco Bell restaurant located in the RR Roosevelt Road District at the Premises.

In addition, the Applicant seeks the following variances from the following sections of the Zoning Ordinance:

1. Section 5.4(H)(2)(b) (Table 5-9: RR District RR-T Street Frontage Options) of which requires that a building be built out to the corner of the property and that sixty percent (60%) of the street frontage along Roosevelt Road be occupied by the building. The proposed building street frontage will be approximately eleven percent (11%); and
2. Section 5.4(I)(1) (Table 5-11: RR District Required Façade Elements) of which requires that a façade’s transparency (windows on the building façade) on the side street along Humphrey

Avenue shall be twenty percent (20%). The proposed transparency will be approximately two percent (2%).

Alfred Teleron, the Project Architect with MRV Architect, Inc. spoke on behalf of the Applicant. Mr. Teleron began by introducing the Principal of MRV Architect (Mario Valentina) and representative of Ambler Development. Mr. Teleron says that the number of parking spaces has been reduced by 17 under what the existing bank facility has. The site plan tries to preserve the existing curb cuts on the lot, revising Austin Blvd to a right-in and right-out to eliminate blocking north bound traffic on Austin Blvd. Mr. Teleron discusses the hours of operation for Taco Bell and the drive-through facility. He says that Taco Bell would close the restaurant at 10 pm nightly and close the drive-through at midnight during the week and close at 1 pm on weekends. He says that the site plan will provide a fence along the alley and a fence along the west lot line which would block vehicle headlights from the residential areas to the north and west. He says that volume control for the drive-through speakers is easy to control.

Mr. Valentina says the developer is spending a considerable amount of money to develop the site. The proposal should create a tax revenue generator, provide jobs and provides landscaping to soften the site from the existing concrete and asphalt.

A discussion ensues regarding turning the building east and west as opposed to north and south.

Member Rusczyk asks how will traffic go north from the site. Mr. Valentina says they will exit onto Roosevelt heading eastbound and turn north onto Austin Blvd. Mr. Rusczyk say that will be difficult to do depending on the time of day.

A discussion ensues about revenue and the proposed 13 car stacking drive-through.

Chief of Police LaDon Reynolds speaks about Taco Bell's hours of operation. Chief Reynolds recommends that the restaurant close at 10 pm nightly and that the drive through close at 12 am nightly.

In Favor of the proposal

David Owens: Indicates that we don't have a quick service restaurant in South Oak Park; our streets are already busy. I see myself going to this restaurant.

Jim Kelly: Personally I support the development proposal; he says between Harvey and Austin Blvd is blighted and this proposal could be a starter project to kick start development in the area. This property is not a highly desirable property. If not this proposal then what could go at his corner.

Neither in Favor nor Opposition

Mr. Kelly, speaking on behalf of South East Oak Park Community Organization (SEOPCO), asks if a traffic study was necessary for the area; he points out that there are no stoplights between Ridgeland and Austin Blvd; a traffic study is necessary. All four corners in this stretch have languished for a long time. He says that he likes the proposed landscaping but asks will it be ignored? There needs to be a commitment to keep landscaping alive. He has an issue with the hours of operation.

In Opposition to the proposal

Emily Dafrisko: I strongly oppose this proposal. US bank had shorter hours of operation, less traffic and less trash. I have three young children and have issues with the flow of traffic up Humphrey. Ms. Dafrisko indicates there is a signed petition from her neighborhood.

Kevin BruBaker: An empty lot is not desirable but the traffic and increase in litter will negatively impact our community. The purpose of Zoning is to not allow incompatible uses next to each other, like a drive-through and a residential community.

Marco Camacho: I am opposed to the proposal. This area has a liquor store and a tavern; this proposal will increase traffic which will lead to more accidents in the area. To avoid this congested area, traffic will go up Lyman and Humphrey. I am concerned about lights, noise and trash. We want a local business at this location.

Gavin Kearney: I urge you to deny this application. Mr. Kearney discusses the special use standards and says that the Applicant does not meet said standards. This proposal is not necessary or desirable for our community and will detract from the community. Increase litter, noise and traffic will be the result. In addition, he discusses that the proposal is not in line with the Comprehensive Plan, which supports urban sustainability. The exit onto Roosevelt will see cars turning west and head up Humphrey if their destination is north.

Amy Perquist: I support Mr. Kearney's comments. I am not opposed to development or Taco Bell, but I am opposed to this plan. Traffic will be a nightmare. The intersection of Roosevelt and Austin backs up which leads cars to speed up Humphrey. Please put in a cul-de-sac to block off Humphrey if you want this proposal. Environment issues with trash, noise pollution and emissions pollution are my concern. Will Taco Bell pay a living wage; enough to live in Oak Park? The property could be a tot lot.

Marge Massarello: Discusses Taco Bell on Madison which was denied. We do not want a Taco Bell. Why would you consider one here when you rejected one on Madison.

Mrs. Kenan: I don't have anything to add. I want to go on the record and say enhancing and preserving the quality of life for residents are the purposes of zoning. This will not be accomplished here.

Mr. Kenan: Taco Bell is not a good fit here.

Mr. Paladinos: Argues that the proposal would increase the criminal elements and loitering in the area; he would like a traffic study. He indicates that he has 96 signatures in opposition to the proposal. There could be unground tanks on the lot. A restaurant without a drive-through would be ok.

Tim Sullivan: Says that the proposal will increase traffic, trash and loitering. I am opposed.

Mia Garcia Hills: Says that she has made multiple requests for a speed bump on Humphrey Ave or a cul-de-sac. All requests have been denied. A community green space would be more welcome at this location.

The Applicant says that they would be open to closing the drive-through earlier. I just ask that we are not subject to unfair advantages compared to other businesses. The Applicant says that Ampler Development is a small business from Chicago and that the Taco Bell would be a franchise. The Applicant talks about the proposed landscaping and the fact that an irrigation system will be installed. The Applicant says that there will be a maintenance agreement for said landscaping.

Regarding trash, all business creates trash. However, the proposed fence would contain trash on-site until it is removed. We would like to work with the community.

Mario Valentine with MRV Architects says that the increase glass on the façade would allow the police to view into the restaurant as a deterrent to loitering. He says that Taco Bell would work with Oak Park Police, Oak Park and the community to resolve issues. He says that traffic counts would not change much as the facility would capture existing traffic flow. Any environmental issues would have to be resolved before the development could happen.

A traffic study would show a significant amount of existing traffic in the area. Taco Bell would not add significantly to that traffic.

Chair Quinn closes the hearing. The Board deliberated.

The Board discusses the layout of the drive-through and the need for a traffic study. The Members indicate that traffic circulation is the issue and how it impacts the neighborhood. Member Lencioni says that the hearing should be tabled so that the Applicant can get a traffic study, which also addresses how Humphrey is impacted.

Member Hansen moved to table the special use hearing to the next regularly scheduled meeting so that the Applicant could get a traffic study. Member Lencioni seconded the motion. The motion was approved by a 5-2 vote. Members Brumirski and DeBruin voted in opposition.

Member Hansen moved to table the variance hearing to the next regularly scheduled meeting. Member McQueen seconded the motion. The motion was approved by a 6-1 vote. Member Brumirski voted in opposition.

No minutes were available for adoption.

New Business

None

The meeting was adjourned.

Prepared by Mike Bruce, Zoning Administrator