

PLAN AND ZONING

REPORT OF THE PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF NORTHFIELD
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of
Northfield Plan and Zoning Commission taken at the Northfield
Village Hall, Board Room, Northfield, Illinois on the 1st day
of April, 2019, at the hour of 7:00 p.m.

MEMBERS PRESENT:

BILL VASELOPULOS, Chairman
THOMAS BOLLING
TRACEY MENDREK
TODD BERLINGHOF
KATHY ESTABROOKE
WILLIAM KELLY

MEMBERS ABSENT:

CONNIE BERMAN
STEVEN HIRSCH
DAN DELOYS

ALSO PRESENT:

STEVE GUTIERREZ, Community Development Director

1 CHAIRMAN VASELOPULOS: Good evening, everyone. I'd
2 like to call to order the meeting of Plan and Zoning
3 Commission. My name is Bill Vaselopulos, I'm the
4 Chairman of the Commission. At this time, I would like
5 the Commissioners to introduce themselves, starting with
6 Bill.

7 COMMISSIONER KELLY: Bill Kelly.
8 COMMISSIONER ESTABROOKE: Kathy Estabrooke.
9 COMMISSIONER BERLINGHOF: Todd Berlinghof.
10 COMMISSIONER MENDREK: Tracey Mendrek.
11 COMMISSIONER BOLLING: Tom Bolling.

12 CHAIRMAN VASELOPULOS: Thank you very much. The
13 purpose of tonight's meeting is to conduct a hearing and
14 consider and discuss these requests for approval of
15 special use permits located at 570 Valley Way,
16 Petitioner's name is Aldo and Jessica Bottalla and 1845
17 Oak Street, Petitioner's name is Kick Start Therapeutic,
18 excuse me, Kick Start Pediatric Therapy Network and
19 Imperial Realty Company, who is the landlord.

20 The public hearing format will provide an overview
21 of these proposals in a form for public comment and
22 input. This Commission is a recommending body only, and
23 we will forward our recommendations to the President,
24 the Village President and the Board of Trustees for
25 final determination on whether or not to grant these
26 items before us today. The Board will then consider
27 these items being discussed this evening at the next
28 Board meeting, which is scheduled for Tuesday, April
29 16th, 2019, at 7:00 p.m. right here in this Board room.

30 Commission meetings require that all persons
31 wishing to be heard and to enter testimony must be sworn
32 in. This includes all Petitioners, individuals with the
33 Petitions, and any other interested parties or other
34 property owners. Following the Petitioner's
35 presentation and after the Commission has had an
36 opportunity to ask questions and discuss amongst
37 ourselves, then all other interested parties will be
38 given an opportunity to speak.

39 Prior to speaking, we request that all parties step
40 forward to the microphone, be sworn in, provide their
41 name, their address, provide their name, address, and
42 interest in this matter for the record. These
43 proceedings are being recorded and that is why we
44 request you to speak only at the podium where the
45 microphone is located.

46 The first order of business is to pass the minutes
47 from our last meeting of March 4th, 2019. Is there a
48 motion?

49 COMMISSIONER BOLLING: So moved.
50 COMMISSIONER ESTABROOKE: Second.
51 CHAIRMAN VASELOPULOS: All those in favor?
52 (Chorus of ayes.)

1 CHAIRMAN VASELOPULOS: All opposed?
2 (No response.)
3 CHAIRMAN VASELOPULOS: Motion carries. Before the
4 Petitioner steps up to the microphone, Steve, do you
5 have any introductory comments?
6 MR. GUTIERREZ: I do, Mr. Chairman. Again, as you
7 noted, the Petitioners, the Battalás, are the owners of
8 the home at 570 Valley Way. Their property is in the R-
9 1 countryside residential district, which requires that
10 any garage space totally more than 1,200 square feet be
11 approved as a special use.
12 The Petitioners wish to build a two-story attached
13 garage. The first level of that proposed garage will be
14 950 square feet. They have an existing garage at 637
15 square feet, so the total of the garage space that
16 they're proposing is 1587 square, which puts them over
17 that 1200 square foot threshold. As I indicate in the
18 memo that you received, Staff is supportive of the
19 request of special use, but it has a few suggestions for
20 the Commission to consider.
21 We would suggest prohibiting any commercial
22 operation explicitly in the ordinance, as well as any
23 auto work that would create a nuisance. So, this would
24 not prevent typical homeowner car maintenance but
25 something on the order of pneumatic hammers and drills
26 and things like that where it might become a nuisance to
27 a neighbor.
28 We're also suggesting that the Petitioners use
29 black shutters on each side of the proposed garage to
30 remain consistent with the existing home. The plans
31 that you received last week did not have the shutters
32 except for on the front of the proposed garage.
33 We also suggested that the window on the west
34 elevation, or the rear of the proposed garage, be
35 adjusted to provide some more visual relief from the
36 large expanse of brick on the back side of the proposed
37 garage. In addition, we are suggesting additional
38 landscaping be used to better screen the garage from the
39 neighbor to the north. There's a break in the trees
40 from the landscaping there, where that neighbor will
41 have a direct view to the proposed garage.
42 And then, finally, we are suggesting that the
43 garage doors of the new structure are consistent with
44 the garage door of the existing home. The materials
45 aren't at issue and we're just hoping to make sure that
46 there's a consistency between the two structures. And I
47 believe the Petitioners' architect will be addressing
48 these recommendations in their presentation and unless
49 you have any questions for me, I'll hand it over to
50 them.
51 CHAIRMAN VASELOPULOS: Is this going before
52 Architectural --

1 MR. GUTIERREZ: No, this is a unique animal, these
2 oversized garages. It's a special use application but
3 these are only heard by the Plan and Zoning Commission,
4 so you'll be the sole recommending body to the Village
5 Board on this.

6 COMMISSIONER BERLINGHOF: So, we're not going to
7 see a landscape plan, then?

8 MR. GUTIERREZ: Well, the approach we took here was
9 to suggest that staff be allowed to review additional
10 landscaping if so desired by the Commission.

11 COMMISSIONER BOLLING: So, do I understand that the
12 stormwater calculation has not yet been made?

13 MR. GUTIERREZ: The stormwater is fairly straight-
14 forward, it's not as complex as a subdivision or
15 commercial development, so the stormwater will be dealt
16 with at permit review.

17 COMMISSIONER BOLLING: So, the process is there has
18 not been a stormwater calculation yet, but there will
19 be?

20 MR. GUTIERREZ: Correct. From a practical
21 standpoint, for homeowners, we have them go through
22 zoning approval before we ask them to go through the
23 expense of having the engineering done.

24 COMMISSIONER BOLLING: Okay.

25 CHAIRMAN VASELOPULOS: You said 900 square feet,
26 isn't it 1,000 square feet, you have to create
27 retention, less than 1,000 you okay?

28 MR. GUTIERREZ: You're right. It's 1,000 square
29 feet.

30 CHAIRMAN VASELOPULOS: And my rough estimate of a
31 square is 950 square feet.

32 MR. GUTIERREZ: There will also be an addition to
33 the home which will bring the total over 1,000 square
34 feet of new impervious area. The addition is not
35 subject to a special use nor architectural review.

36 CHAIRMAN VASELOPULOS: Oh, then that's what takes
37 it over 1,000?

38 MR. GUTIERREZ: Yes.

39 CHAIRMAN VASELOPULOS: Okay.

40 COMMISSIONER BOLLING: Yes, that wasn't clear. You
41 have to look at the drawings in order to determine that.

42 MR. GUTIERREZ: Yes, but the addition is not
43 subject to this review, so we don't highlight it.

44 CHAIRMAN VASELOPULOS: Yes, right.

45 COMMISSIONER BERLINGHOF: It would seem that, just
46 in the future, that if we're going to approve a special
47 use that relates to landscaping, that we probably should
48 have a landscaping plan. I don't remember --

49 MR. GUTIERREZ: There is landscaping in the
50 application but it was Staff's suggestion that
51 essentially we beef that up to provide more screening to
52 that.

1 COMMISSIONER BERLINGHOF: Right, no, I don't
2 disagree, I just, even for the homeowners, you know,
3 edification, now they're relying totally on Staff and if
4 Staff is maybe less than reasonable in the homeowner's
5 eye, at least they had an opportunity to present it
6 front of everybody else. I think we all thought that
7 maybe the Architectural Commission was looking at it as
8 well, but I'm not going to worry about it for this one,
9 but I think in the future we ought to think about that.

10 I know that, you know, when we've approved a couple
11 of them, a lot of times it came as part of a larger home
12 where the whole thing got presented to us. We saw
13 landscaping plans and we saw architectural plans that
14 were much more defined than this one was, which is
15 limited.

16 MR. GUTIERREZ: Some plans are further along in
17 development. But we don't require that per se, so it
18 was just the way that we received it.

19 COMMISSIONER BERLINGHOF: Okay, I'd have some
20 questions about the second floor, but I guess the
21 Petitioner, we can ask the Petitioner that.

22 CHAIRMAN VASELOPULOS: Right.

23 MR. GUTIERREZ: Would the Petitioner like to step
24 forward and be sworn in first?

25 (Witnesses sworn.)

26 MR. GUTIERREZ: Thank you.

27 CHAIRMAN VASELOPULOS: If you could both state your
28 name please?

29 MR. BOTTALLA: My name is Aldo Bottalla, the
30 homeowner.

31 MS. SCHAROFF: My name is Anne Scharoff, I'm with
32 The Workroom Chicago. I'm the project architect.

33 CHAIRMAN VASELOPULOS: Okay, so do you have any
34 comments or presentation you want to make.

35 MR. BOTTALLA: Well, first of all, I want to say
36 thank you for having me here tonight. I know it's, it
37 takes up everyone's time a little bit. The reason I'm
38 really asking for this, more space, is my mom recently
39 moved in with us and she's going to be getting a
40 handicap vehicle so she'll be taking up our current
41 garage, so we're really out of space. I've got a nanny
42 that comes in each day and my mom also has a caregiver
43 that's in and out, so we've got so many cars coming in
44 and out. We just want enough room to accommodate my
45 family. My wife and I both work and we have two young
46 kids as well, so --

47 COMMISSIONER BERLINGHOF: Well, so I noticed as
48 part of the report it talks about you not knowing
49 necessarily what you're going to use second floor for.
50 But you're showing a bathroom.

51 MR. BOTTALLA: Right.

52 CHAIRMAN VASELOPULOS: So, obviously that means it

1 could be inhabited by, for residential or for office
2 purposes. They make the point of saying, although I'm
3 looking at this plan, I can't quite see it, it looks
4 like you might have made some changes about adding a
5 doorway that doesn't go through the garage. If you're
6 going to use this for residential purposes, the Fire
7 Department talked about having a one-hour fire
8 differential between the floors as well as the staircase
9 being fire rated as well and then having a door to the
10 exterior. Is that the plan?

11 MR. BOTTALLA: That is the plan. My, my overall
12 plan is because we're cramped for space in the house,
13 that I would make it an office for me and my wife when
14 we work from home. So, there will be a bathroom in
15 there and we have no problem making it fire rated and
16 being up to code.

17 COMMISSIONER BERLINGHOF: Is that something we have
18 to talk about here or not? I guess, we're seeing the
19 door; is that why the door is on the side there?

20 MR. BOTTALLA: The door is just to enter so you
21 don't have to, yeah, you don't have to open the garage
22 door.

23 COMMISSIONER BERLINGHOF: Well, no, I know as a
24 requirement also of the Fire Department, so I just, it
25 wasn't on the original plan, so it's on this one. I
26 presume because the plan I have doesn't show a door --

27 MS. SCHAROFF: Oh, really?

28 COMMISSIONER BERLINGHOF: -- on the side.

29 MS. SCHAROFF: It always had --

30 MR. BOTTALLA: Yeah, we always intended a door.

31 COMMISSIONER BERLINGHOF: But there's one door, I
32 guess it shows the door, but it doesn't show it in the,
33 on the garage plans but shows it on the exterior plan.
34 Am I missing something?

35 MS. SCHAROFF: I thought that the exterior --

36 COMMISSIONER BERLINGHOF: Oh, this one here. I
37 apologize, you're right, it's right here. I was looking
38 for it right at the bottom of the stairs and it's not.
39 So, you talked about not having to go through the
40 garage. Is that door close enough there as an exit from
41 a staircase perspective as opposed to being right at the
42 end of the stairs?

43 MR. GUTIERREZ: The comments that you're referring
44 to that were made by the Fire Prevention Bureau are life
45 safety code issues. They really don't relate to the
46 zoning approval.

47 COMMISSIONER BERLINGHOF: Okay.

48 MR. GUTIERREZ: The Fire Department likes to
49 include those comments because they like to get them out
50 early to the Applicant, to the project architect but
51 they aren't really pertinent to the zoning approval.
52 The interior stairwell, the ratings, the final

1 construction plans may be massaged as we go through the
2 permitting process.

3 COMMISSIONER BERLINGHOF: Okay, we'll, you have to
4 ask the question, because the reason I didn't notice it
5 is because I'm think at the bottom of the stairs you
6 need an exit. Well, in reality, you've got to go all
7 the way around through the cars or around the cars to
8 get to your door, if that's the case.

9 MS. SCHAROFF: Yeah, I'm not sure if that's the
10 case for residential special use or like he said. I
11 don't know --

12 COMMISSIONER BERLINGHOF: Well, commercial, you
13 see, you need two forms of egress, so that's even worse.
14 Because now all of a sudden, now you need two stairs
15 potentially, for other reasons. So, you need --

16 MR. BOTTALLA: What's typical for one that would be
17 under the square footage, you know, if we weren't asking
18 for the special use, if the guys have maybe an office
19 above.

20 MR. GUTIERREZ: Those comments aren't going to be
21 affected by whether or not there's a special use.

22 MR. BOTTALLA: Okay, okay.

23 MR. GUTIERREZ: Those are all building code and
24 life safety code issues.

25 MR. BOTTALLA: What would happen if you follow all
26 the codes --

27 COMMISSIONER BERLINGHOF: Yes, I just want to make
28 sure you're aware of that --

29 MR. BOTTALLA: Okay, thank you.

30 COMMISSIONER BERLINGHOF: -- as we're sitting here
31 looking at all these things, because it's possible you
32 may have to put a door out the back.

33 MR. BOTTALLA: Whatever's needed that we have to
34 do, we'll do.

35 MS. SCHAROFF: Absolutely, and I'd just like to add
36 that we did look at and take your comments into
37 consideration and we agree that shutters should be
38 throughout. It breaks up the expansive brick and as
39 well as made the windows larger on the west end. I
40 believe that's the north elevation. And that's
41 reflected in these drawings as well and other than that,
42 it's, that the intention is that this structure matches
43 the existing house so that it looks like it was always
44 intended to be there.

45 It will be brick, and he's going to replace the
46 garage door that he has now with the new one so that
47 they'll all match together, with a high-end wood or
48 steel structure, you know, insulated door. High-end
49 lanterns will be installed throughout by the doors so
50 that there's adequate lighting for the cars and the
51 people. And we're in the process of having a
52 professional landscaper draw up designs and there will

1 be, obviously, retention as well included in that.
2 We'll have detention.

3 MS. SCHAROFF: In my opinion, when I went to the
4 property, the garage looks like it belongs there anyway.

5 MR. BOTTALLA: We thought it would be a good spot
6 for it. We still have a well that's on the other,
7 that's next to the existing garage, so it made it
8 difficult to add on to the existing garage.

9 CHAIRMAN VASELOPULOS: Sorry, did you say you had a
10 well?

11 MR. BOTTALLA: We do have a well. They just use it
12 for the sprinkler system, but it's on the backside of
13 the current garage, so it was difficult to add on to the
14 current garage.

15 COMMISSIONER BOLLING: You mentioned bigger
16 windows. You didn't mean the north side, you meant the
17 west side, right?

18 MS. SCHAROFF: Yes, the west side. I'm sorry, yes.

19 COMMISSIONER MENDREK: Has anyone stated any
20 opposition, Steve? Has anyone, after the notice?

21 MR. GUTIERREZ: No, we have not heard from anybody.

22 MR. BOTTALLA: I've let my neighbors know, you
23 know, what our intentions were. They didn't seem to
24 have a problem with it.

25 COMMISSIONER BOLLING: This went through the same
26 process, right, where there was a --

27 MR. GUTIERREZ: Correct. Every property within 250
28 feet of the property was sent a notice via certified
29 mail.

30 MR. BOTTALLA: I notified 12 property owners and I
31 didn't get anybody asking me. I offered to come and
32 talk to them and show them the plans as well.

33 CHAIRMAN VASELOPULOS: Anybody have any more
34 questions from the Commission?

35 (No response.)

36 CHAIRMAN VASELOPULOS: Members of the audience,
37 does anyone have any questions or comments?

38 (No response.)

39 CHAIRMAN VASELOPULOS: If not, does someone want to
40 make a motion?

41 COMMISSIONER BERLINGHOF: I'll make a motion.

42 **Motion to recommend to the Village Board approval**
43 **of a Special Use for the construction of a two-story**
44 **detached garage and use of 1,580 square feet of garage**
45 **space at 570 Valley Way in accordance with the**
46 **Petitioner's application and supporting materials, date**
47 **stamped February 25th, 2019, subject to conditions 1**
48 **through 12.**

49 **1. The garages shall only be used for the storage of**
50 **vehicles and property associated with the residential**
51 **use of the subject property. No commercial operations**
52 **or storage of commercial vehicles shall be allowed in**

- 1 the garages, except as may be permitted by the Village's
2 home occupation ordinance.
- 3 2. The petitioner shall not perform repairs,
4 restoration or maintenance of autos or any other
5 machinery to the extent such activity creates a
6 nuisance.
- 7 3. Black shutters shall be used for each window on
8 every elevation of the new garage.
- 9 4. A larger window shall be used on the west
10 elevation, subject to the review and approval of Village
11 Staff.
- 12 5. Additional landscaping screening shall be installed
13 subject to the review and approval of Village Staff.
- 14 6. The garage door material shall match the existing
15 garage door of the home.
- 16 7. The representations made in the application and
17 supporting documents are binding upon the Petitioners.
18 There shall be no additional uses permitted beyond those
19 specifically enumerated herein or permitted by the
20 Village of Northfield's Zoning Ordinance.
- 21 8. The Village of Northfield Health, Fire, and
22 Building Officials shall be granted access to the
23 subject property at any reasonable time for purposes of
24 conducting inspections for compliance with Village Codes
25 and Ordinances.
- 26 9. An approval pursuant to any requested review by a
27 Village consultant, Village Staff member, Village
28 Commission or Village Board Committee shall be an
29 approval of only those items specified in any motion,
30 resolution, ordinance, or written report. Such approval
31 shall not be deemed to be an approval of any matter
32 which is within the jurisdiction of any other Village
33 consultant, Village Staff member, Village Board
34 Committee or Village Commission that has not issued a
35 report or given its approval. Neither shall such
36 approval be deemed the approval of any County, State or
37 Federal Agency. Under no circumstances shall the
38 approval be deemed to be an approval of any matter not
39 included in this ordinance by virtue of the fact that
40 such a matter appeared on a supporting document which is
41 not attached as an exhibit to this ordinance or
42 incorporated as an exhibit as part of this ordinance.
- 43 10. The petitioner shall comply in all other respects
44 with the ordinances of the Village of Northfield and
45 nothing in this special use shall be construed as a
46 waiver of any of those requirements.
- 47 11. Violation of any condition of this Special Use
48 Ordinance shall be cause to revoke said permit by the
49 Corporate Authorities upon ten (10) days proper notice
50 to the Petitioner. Alternatively, the Village Manager
51 shall have the right to assess fines, not to exceed
52 \$750.00 per violation, for violation of this Special Use

1 Ordinance. Such assessment of fines may be appealed to
2 the Corporate Authorities by filing written notice of
3 appeal within three (3) days of the assessment.
4 12. Changes in the project may only be made as follows;
5 A. Minor Field Changes. Minor changes in
6 locations or sizes shown on exhibits may be approved, in
7 writing, by the Director of Community Development.
8 Typically, a minor filed change will not involve a
9 percentage change greater than 3%. However, not all
10 changes of less than 3% shall necessarily be deemed to
11 be minor. The determination of the Director of
12 Community Development as to whether a change is a minor
13 field change shall be final.
14 B. Village Board Approved Changes. The Village Board
15 may approve, without referral to the Plan and Zoning
16 Commission, such other changes as it believes are in the
17 best interest of the Village and which do not involve
18 changes in numbers found in the text of the Ordinance
19 and which do not have a substantial, direct impact on
20 adjacent properties. The determination of the Village
21 Board as to whether a requested change should be
22 referred to the Plan and Zoning Commission shall be
23 final.
24 C. Changes Requiring a Public Hearing. Any change
25 involving a size, quantity or other numerical value
26 found in the text of the Ordinance or any change having
27 substantial, direct impact on adjacent properties shall
28 not be made except after a public hearing before the
29 Plan and Zoning Commission. Additionally, the Village
30 Board or the Director of Community Development may refer
31 any requested change to the Plan and Zoning Commission
32 for public hearing when either believes it would be in
33 the best interest of the Village to do so.
34 CHAIRMAN VASELOPULOS: Anyone want to make a
35 second?
36 COMMISSIONER BOLLING: Second.
37 CHAIRMAN VASELOPULOS: All those in favor?
38 (Chorus of ayes.)
39 CHAIRMAN VASELOPULOS: All opposed?
40 (No response.)
41 CHAIRMAN VASELOPULOS: Motion carries.
42 Congratulations. Good luck, Aldo.
43 MR. BOTTALLA: Thank you very much. We appreciate
44 it.
45 MS. SCHAROFF: Thank you very much.
46 CHAIRMAN VASELOPULOS: The next item before is 1845
47 Oak Street, Petitioner's name is Kick Start Pediatric
48 Therapy Network as the tenant and Imperial Realty
49 Company is the landlord. Steve, do you have any
50 introductory comments?
51 MR. GUTIERREZ: Thank you, Mr. Chairman. The
52 actual Petitioner name is Kick Start Pediatric Therapy

1 Network, PC. The Petitioners have subsequently
2 clarified with me that they would prefer to have this
3 business entity be the technical applicant, okay?
4 That said, the Petitioners are seeking a special
5 use in order to continue operating a pediatric therapy
6 clinic that provides occupational, physical,
7 developmental, and speech therapy services in the
8 building at 1845 Oak Street. The Petitioner is planning
9 to expand into the adjacent tenant space, therefore
10 space would increase from 3,182 square feet to 5,035,
11 5,235 square feet. As I noted in the memo, no parking
12 variation is needed for this Applicant.
13 The building at 1845 is actually under the same
14 ownership as the large office complex at 540-550
15 Frontage Road that has a large parking lot and after
16 doing all the calculations for all three buildings that
17 are under that ownership, and all of them have shared
18 parking arrangements, they meet the off-street parking
19 requirements. Our observations have been that the
20 parking lot is less than 40 percent used at any given
21 time during the day. So, we're not at all concerned
22 about parking.
23 The Petitioners are here, ready to provide you a
24 brief presentation. If you have any questions for me,
25 I'll certainly try to answer those for you. Otherwise,
26 I'll hand it over to the Petitioners.
27 COMMISSIONER MENDREK: So, Steven, your point is
28 that if those three buildings were completely leased,
29 we'd still have enough parking spots at 494?
30 MR. GUTIERREZ: Yes, what we do in our analysis is
31 we take a look at who the current tenants are, what
32 types of tenants there are, and then for vacancies, we
33 assume general office use. And then we include that in
34 the calculation.
35 COMMISSIONER BOLLING: And Steve, this whole issue
36 with the Fire Department and their recommendation for
37 full fire suppression, alarm, whatever, that has nothing
38 to do with this, but the Fire Department did recommend
39 that the whole building be basically updated.
40 MR. GUTIERREZ: Right, they are life safety code
41 comments, which we will fully address through building
42 permitting. They're building out this extra space and
43 they are subject to permits.
44 COMMISSIONER BOLLING: How does that work?
45 MR. GUTIERREZ: So what happens in permitting is we
46 will get detailed construction plans and as we get those
47 plans. So in the Fire Department's initial review of
48 this application they noted it looks like a use that
49 will require the installation of an alarm system in the
50 building.
51 That is their preliminary take, but as we get into
52 the full construction plans and they get a little bit

1 more information about the use, that may or may not
2 change, what those requirements are. But again, what
3 they want to do in these reports is say hey, this is our
4 preliminary read on the plans based on the limited
5 information that we have, which isn't necessarily a
6 final set of construction plans. And so we want to give
7 you, Applicant, a heads up that this might be an issue.
8 COMMISSIONER BOLLING: Okay, but it was an issue
9 directed from the Fire Department to the building owner,
10 not to the Applicant?

11 MR. GUTIERREZ: Correct, yes, so the, typically the
12 building, the building owner is a party to the building
13 permit.

14 COMMISSIONER BOLLING: Basically, we don't have any
15 action here against the Applicant. I mean, not action.
16 I meant to say, we don't, we can't ask the Applicant to
17 do anything here.

18 MR. GUTIERREZ: Right, if the special use is
19 approved, and then they move forward with the building
20 permitting process, that's where that issue will be
21 resolved. If after reviewing the final construction
22 plans, the Fire Department still feel that that's
23 required, the building permit will not be issued, and
24 certainly occupancy wouldn't be issued.

25 COMMISSIONER BERLINGHOF: What we don't know is, it
26 says it's recommended, we don't know if it's required.

27 COMMISSIONER BOLLING: Yes, so it's entirely
28 possible that threw on here it's recommended, the
29 additional fire safety, but it's not necessarily
30 required.

31 MR. GUTIERREZ: I clarify whether they feel that
32 there is something extraordinary that they're seeking,
33 via the zoning entitlement process.

34 CHAIRMAN VASELOPULOS: Right.

35 MR. GUTIERREZ: An example would be the pavement
36 width of the subdivision we recently looked at. The
37 code requires a street to be at least 24 feet wide. The
38 Fire Department wanted more than that. So we included
39 that as a condition of that particular application. In
40 this case the fire alarms can be dealt with in the
41 permitting process as a life safety code issue and so we
42 don't need to include it as a special use condition.

43 COMMISSIONER BOLLING: All right, thanks.

44 COMMISSIONER ESTABROOKE: And how does that work
45 into, this building in my opinion looks in total
46 disrepair. There is windows that are broken, there's
47 wires hanging all over the place. The parking lot is in
48 disrepair. And I thought at one time when we were
49 working with another building owner, that from now on we
50 were going to require the building owners to come when
51 we had special uses, so we could, you know, address
52 those types of issues, because --

1 COMMISSIONER MENDREK: We did it right across the
2 street where the hot dog place is.

3 COMMISSIONER ESTABROOKE: Right, exactly. And this
4 place is really, I wouldn't want my kid going there, let
5 me put it that way. There's, I sent pictures to Steve.
6 There's wires hanging all over the place and, I don't
7 know.

8 MR. GUTIERREZ: Yes, there's some property
9 maintenance issues that are on our radar screen and are
10 in the midst of addressing, but yes, we didn't tie those
11 into this zoning review. Ms. Estabrooke sent me some
12 photos of some chases that were deteriorating and some
13 wires were hanging out.

14 COMMISSIONER ESTABROOKE: Some, lots.

15 MR. GUTIERREZ: Yes, there's quite a bit of that.
16 They are low voltage wiring, but it is an eyesore.
17 There definitely are some maintenance issues there.

18 COMMISSIONER BOLLING: So, the building owner is
19 not here tonight?

20 MR. GUTIERREZ: No, I don't believe so.

21 COMMISSIONER BOLLING: Okay, and so, and how does
22 that pertain to what we need to do tonight?

23 MR. GUTIERREZ: Well --

24 COMMISSIONER BOLLING: I think the Board feels
25 strongly about talking to the building owner, from what
26 I'm hearing.

27 COMMISSIONER ESTABROOKE: I do.

28 MR. GUTIERREZ: There are a couple different ways
29 to go about this. One is to continue the meeting, this
30 particular hearing on this particular application until
31 your next Plan and Zoning Commission hearing in May and
32 in the interim we can get the building owners
33 representative come and address the issues and concerns
34 about the property maintenance.

35 COMMISSIONER BOLLING: Property maintenance and
36 fire --

37 MR. GUTIERREZ: No, the fire alarm really is not an
38 issue that should be dealt with here. So, I wouldn't
39 suggest that you pull that in. I think we can
40 effectively deal with the majority of building
41 maintenance issues. It is an older building, so that's
42 going to be but we can get them to address some of these
43 more blatant issues.

44 CHAIRMAN VASELOPULOS: When the permits are issued
45 can the Village address these concerns at that time?

46 MR. GUTIERREZ: We can, the property maintenance
47 issues --

48 CHAIRMAN VASELOPULOS: They're not directly
49 related. I mean, the permits would be for the expansion
50 of the space and not exterior issues, but --

51 MR. GUTIERREZ: The property maintenance issues can
52 be dealt with independent of both of those, and we're

1 doing that. I will need to consult with the Village
2 attorney on just how much leverage we would bring to
3 bear in the zoning approval process, with the property
4 maintenance issues, usability approval, but again --
5 CHAIRMAN VASELOPULOS: So, another alternative is
6 that we suggest to the Village Board that the Village
7 Board does not pass that until some of these issues have
8 been dealt with, that we could pass it on here.
9 MR. GUTIERREZ: Right, that's another --
10 CHAIRMAN VASELOPULOS: And it's contingent upon
11 these issues being addressed before the Village Board
12 passes it. That's another alternative we have, right?
13 MR. GUTIERREZ: Yes.
14 CHAIRMAN VASELOPULOS: As opposed to continuing.
15 MR. GUTIERREZ: That is another alternative.
16 COMMISSIONER BERLINGHOF: I think that's a good
17 alternative. I don't think it's fair to the Petitioners
18 that we pull this out at the last minute. In the same
19 token, you're right about leverage. Imperial has quite
20 a few buildings in this community, so certainly we could
21 send a message that, you know, from now on, we're going
22 to look at this and maybe it's part of the Staff's sort
23 of responsibility when someone comes with a special use
24 from an Imperial building where we're having the
25 problems --
26 CHAIRMAN VASELOPULOS: We can't, we can't single
27 anyone out, but --
28 COMMISSIONER BERLINGHOF: No, we can't, but these
29 issues need to be addressed.
30 CHAIRMAN VASELOPULOS: Right, that's fair.
31 COMMISSIONER BERLINGHOF: And I think it's, I think
32 it's a great compromise to work through here and then
33 allow the Village Board to deal with it.
34 CHAIRMAN VASELOPULOS: I would also like to stress
35 that it's unfortunate they didn't show up today. That
36 said, any other questions of Steve before we hear from
37 the Petitioners?
38 (No response.)
39 CHAIRMAN VASELOPULOS: David, step to the
40 microphone please. State your name and be sworn in.
41 MS. AHARONI: Mindy Aharoni.
42 MR. AHARONI: David Aharoni.
43 MR. GUTIERREZ: Please raise your right hand.
44 (Witnesses sworn.)
45 MR. GUTIERREZ: Thank you.
46 CHAIRMAN VASELOPULOS: So, do you have any
47 presentation or remarks you want --
48 MS. AHARONI: Well, I mean, I'd kind of like to
49 remark, comment on what you guys have talked about. We
50 totally, we know who we're dealing with. We've been
51 there for seven years. We've always had issues with the
52 way they maintain. That being said, the way we maintain

1 the inside of the building is close to immaculate. You
2 know, we have, our carpet is worn in seams, but it's so
3 new looking because we don't, nobody wears shoes. We're
4 repainting, we're remodeling. Every client that comes
5 in is impressed with how nice and clean and organized
6 our clinic is.

7 We don't do our therapy outside. In the summer, we
8 might take the kids out for a little bit, but our
9 business is run inside. Imperial is Imperial. We
10 complained about the cement for years and, you know,
11 you're going to have a lawsuit, many, many things. They
12 have a new building manager. They've managed to repair
13 all of the cement, they redid the courtyard. Of course,
14 we would want all of the other things taken, taken care
15 of.

16 Unfortunately, I think if you do decide not to give
17 us a special use permit, you're putting us at financial,
18 we've signed a lease. I mean, you sign a lease, so this
19 is Imperial, they have lawyers, they fight everything.
20 We're already paying on the space because we didn't even
21 know that we needed the special use because we've been
22 there for seven years and when we moved in and called
23 the Village, we were told we didn't need anything
24 special.

25 So, this was all a surprise to us, very expensive.
26 And that being said, if it's put off for another six
27 weeks, they really don't care. He's a multi-
28 millionaire, it doesn't faze him. It's going to cripple
29 us as a business. Honestly, we've been looking to buy a
30 building and we really wanted to stay in Northfield.
31 Now, we've signed a lease for three years, so obviously
32 we won't be looking for another year-and-a-half or so.

33 But I mean, it's just, this is definitely affecting
34 us as a business and our perception of Northfield, which
35 we've always loved to date, but it's been a very
36 stressful experience going through this whole process
37 and we just expanded into Libertyville. And we also had
38 to present to the Fire Department and answered multiple
39 questions and we had to permit the whole deal, and it
40 wasn't as lengthy as this type of process, it was just
41 give them all the answers, three weeks, and you had your
42 answer.

43 It wasn't quite as drawn out and stressful, and
44 that was dealing with Lake County, so that was very
45 interesting. I don't know, I think, and that being
46 said, our landlords are so bad in Libertyville that we
47 actually appreciate Imperial a little bit more. At
48 least they come when something's wrong. You know,
49 they'll come and fix the leak, or whatever, but they're
50 very cheap and they don't maintain the outside of their
51 buildings.

52 But I really don't think it's fair to punish us for

1 them. And I don't think, if they can get away with not
2 doing it, they're not going to do it. And we have a
3 lease, and they're going to make us pay it because
4 that's who they are. And we don't, we can't pay a
5 lawyer to fight them. His daughter is a lawyer.

6 COMMISSIONER BOLLING: I would just like to make a
7 real quick comment that none of, nothing at least from
8 my opinion is, I don't know how the Board thinks, but
9 our comments were not directed at you at all.

10 MS. AHARONI: Oh, I know. I just know that we have
11 no power against them, and we're going to get --

12 COMMISSIONER BOLLING: And actually we're thinking
13 about what your plans are as presented and I think they
14 look great. But I think, we were talking with Steve
15 about the bigger picture, and please don't take this
16 personally in that regard.

17 MS. AHARONI: I'm not taking it personally, but
18 it's just unfortunately going to affect our business,
19 it's going to affect us financially, because we're going
20 to be paying for a space that we can't use.

21 COMMISSIONER BOLLING: Point taken, yes, for sure.

22 MS. AHARONI: And I don't think that they care. We
23 were trying to get them to even let us not start paying
24 rent yet because we were supposed to start paying the
25 first of April because all of this came about from their
26 initiation, you know, financially, they don't do
27 anything for their tenants. So, if the Village doesn't
28 have the control or the power to make them fix those
29 wires - they're not going to do it because that's the
30 way they run their business. He keeps it at a low, low
31 level. That's why their rent is very cheap, honestly.
32 So, there's that give and take with that.

33 You know, it's probably one of the cheapest rates
34 in, like, that's what allows a business like ours to
35 even function. We're a low-profit type of business.
36 It's, you know, medical therapy services is dependent on
37 insurance. There's a lot of overhead. So, I don't
38 think that they're going to think twice about us not
39 getting that special use because we, they have lease
40 with us. There's nothing in the lease that says it's
41 dependent on special use because they didn't know about
42 it either.

43 MR. AHARONI: Just so you know, other villages
44 don't require special use for this type of business.

45 COMMISSIONER BOLLING: Yes, we know that.

46 COMMISSIONER ESTABROOKE: And it's certainly not
47 our intention to harm you in any way. It's, the only
48 thing that we're concerned about is keeping Northfield
49 looking well. And I certainly don't want to do anything
50 to you guys at all, obviously.

51 MS. AHARONI: But I don't understand why you still
52 can't hold them to, like is there not another body that

1 holds them to a certain --
2 COMMISSIONER ESTABROOKE: That's kind of my
3 question.
4 MS. AHARONI: Like why does it have to be connected
5 to our special use permit?
6 COMMISSIONER ESTABROOKE: That's actually my
7 question.
8 MR. GUTIERREZ: It doesn't need to. There may be
9 property maintenance code violations and issues that we
10 can deal with independent of the Zone process.
11 CHAIRMAN VASELOPULOS: And I think that's maybe
12 what we should ask you and the Village Board to address--
13 MR. GUTIERREZ: Absolutely.
14 CHAIRMAN VASELOPULOS: -- with the Petitioner, with
15 the owner of this property.
16 MR. GUTIERREZ: Absolutely.
17 COMMISSIONER MENDREK: I would like to see some
18 wording in our motion that draws that in play and at
19 least that the Village has made a good faith effort to
20 contact the landlord. Whether the landlord does
21 anything about it or not is another question which he'll
22 with code violations, but I would like to at least call
23 that to the attention of the Board, the Village Board,
24 for approval of this.
25 CHAIRMAN VASELOPULOS: That's a good idea.
26 COMMISSIONER KELLY: How often is the building
27 inspected?
28 MR. GUTIERREZ: The building is inspected for fire
29 safety issues once a year, that's done by our Fire
30 Prevention Bureau, but they're not really looking for
31 property maintenance issues. So, they're going to be
32 going in and see that the alarm system is working okay,
33 that the panel's working, that they've got smoke
34 detectors, that type of thing. Exits are, you know,
35 properly accessible and what not. But they're not
36 typically going to be going around outside looking at
37 the pavement and looking at the deterioration on the
38 outside.
39 CHAIRMAN VASELOPULOS: That does lend itself to
40 safety, the exteriors, the sidewalk, I think --
41 MR. GUTIERREZ: Again, the buildings have been on
42 our radar and we we'll be reaching out to the owners
43 about what we've seen out there.
44 COMMISSIONER ESTABROOKE: In my opinion, and this
45 is way over, you know, I'm over my skis here, but we
46 have problems in our neighborhood, and we've been asking
47 for people to, for things to happen and they're not.
48 So, this is, this is a bigger issue, I think, than just
49 this building. We have, we have a systemic issue that
50 we need to address.
51 MR. GUTIERREZ: And I always, as I always, I've
52 always asked people to let me know what specific issues

1 and, you know, we'll try to address them.
2 COMMISSIONER ESTABROOKE: Try is the word though,
3 that's the problem.
4 MR. GUTIERREZ: We have don't have authority to
5 make property owners do things beyond what the code
6 requires.
7 COMMISSIONER ESTABROOKE: I agree with that, but
8 these houses are out of code and we know it. I'm done;
9 I'm off my box.
10 COMMISSIONER BERLINGHOF: Well, we do it every
11 year, so we have this conversation every year, so --
12 COMMISSIONER ESTABROOKE: Yes, exactly.
13 COMMISSIONER BERLINGHOF: -- the key is the code
14 has to be adjusted some way. And look, I'm not, I'm
15 never looking for more government intervention, that's
16 for sure, and I, this process that you had to go
17 through. I've been supportive of trying to, the reason
18 we do it is mainly for parking. That's the main issue
19 here. The parking is not even an issue. So, I've been
20 trying to circumvent that as well but, you know, maybe
21 in your motion you can phrase some additional language
22 for the Board to take a look at this with a future
23 perspective, because I don't want to hold this up. I
24 think this is a good use and there's no reason not to
25 approve this in my mind.
26 COMMISSIONER ESTABROOKE: Mine, too.
27 MR. GUTIERREZ: And on that particular issue, we
28 have a really good opportunity to address the issue
29 question in the context of the updating of the
30 Comprehensive Plan that we're in the midst of. I would
31 expect that there'll be an array of recommendations and
32 undoubtedly, some of those recommendations will relate
33 to the zoning code.
34 I've mentioned that to a number of property owners
35 including Imperial who have expressed their concern
36 about the special use requirement for medical office
37 uses of any size.
38 COMMISSIONER BERLINGHOF: It would be nice, it
39 would be nice to separate them. I mean, there's a
40 special use issue which we should separate from the
41 building code issue, in my mind, because a special use
42 could be streamlined even more than it is already.
43 CHAIRMAN VASELOPULOS: I have a few questions for
44 your operations, about your operations. Oh, before I
45 get to that, Steve, one final question. Your addendum
46 that you passed on only has the name changed on it,
47 nothing else is changed?
48 MR. GUTIERREZ: Correct.
49 CHAIRMAN VASELOPULOS: So, a couple questions about
50 the operations. How long have you been in this new
51 space?
52 MS. AHARONI: The current space, seven years.

1 CHAIRMAN VASELOPULOS: Yes, and you've expanded?
2 MS. AHARONI: No, we want to expand.
3 CHAIRMAN VASELOPULOS: You want to expand, but you
4 said you signed a lease as of April 1?
5 MR. AHARONI: Yes.
6 CHAIRMAN VASELOPULOS: It sounded like you had
7 already moved into the space?
8 COMMISSIONER BOLLING: They're already paying the
9 rent.
10 MS. AHARONI: No, no, no, no.
11 CHAIRMAN VASELOPULOS: You're just paying rent.
12 You haven't moved in at all?
13 MS. AHARONI: No. Today is the first day of paying
14 rent. You have to, they make you sign the lease before
15 you --
16 CHAIRMAN VASELOPULOS: As of April 1st, I'm talking
17 about.
18 MS. AHARONI: Right.
19 COMMISSIONER BOLLING: Oh, so clear, wait. So,
20 clearly you're, you're renting this space that we're
21 talking about, right?
22 MS. AHARONI: Right, as of today.
23 COMMISSIONER BOLLING: As of today.
24 MS. AHARONI: Well, that's not true. We had a
25 lease from three months ago. I think it was three
26 months ago, but they, they only started charging us rent
27 as of today because in theory --
28 COMMISSIONER BOLLING: Sure.
29 CHAIRMAN VASELOPULOS: Have you done anything with
30 that space yet?
31 MS. AHARONI: Just the demolition.
32 CHAIRMAN VASELOPULOS: You have started demolition.
33 MR. AHARONI: Yes.
34 MS. AHARONI: Yeah.
35 CHAIRMAN VASELOPULOS: Okay, so it's doubling your
36 space approximately?
37 MS. AHARONI: Not --
38 CHAIRMAN VASELOPULOS: Give or take --
39 MR. AHARONI: One-third.
40 CHAIRMAN VASELOPULOS: One-third, okay. So, are
41 you expanding; are you planning on expanding your staff?
42 You say, it says in here that you have 16 people, right?
43 MS. AHARONI: Approximately, not at the same time,
44 but because people work different hours, but at the most
45 there might be 16 people in one day.
46 CHAIRMAN VASELOPULOS: And your hours of
47 operations, what are they now?
48 MS. AHARONI: 9:00 to about 6:00, I think, is the
49 latest.
50 CHAIRMAN VASELOPULOS: It says 5:30, here, Steve.
51 And then in the motion it says 7:00 a.m. to 9:00 p.m.
52 MR. GUTIERREZ: We always add a couple of hours

1 just so there's no issue or question later.
2 CHAIRMAN VASELOPULOS: And to square all those
3 things up, and are you going to increase staff from what
4 your current staff is because of this additional space?
5 MS. AHARONI: I mean, it's very hard to tell
6 because it's so, it's dependent on clients coming in,
7 clients leaving. Right now, I would say no. We have
8 the staff we need. We're just very crowded and that's
9 why we needed to --
10 CHAIRMAN VASELOPULOS: Okay, I just want to get a
11 picture of everything. It wasn't clear, the 16 is what
12 you anticipate or the 16 is what you have now.
13 MS. AHARONI: That's the high end of like a given
14 day, and that being said, we've also expanded to
15 Libertyville. So, some of our staff goes to a different
16 site now, so it's, we have to sub-contract. It's just
17 hard because it's different all the time. Every hour is
18 different.
19 CHAIRMAN VASELOPULOS: Thank you.
20 COMMISSIONER BOLLING: Your employees are sub-
21 contractors?
22 MS. AHARONI: Some, we have employees and sub-
23 contractors, yeah.
24 CHAIRMAN VASELOPULOS: Does anyone else have any
25 other comments or questions?
26 COMMISSIONER BERLINGHOF: No.
27 COMMISSIONER MENDREK: So, would we, just as a
28 group here, be comfortable with an additional number
29 nine here that would just say something along the lines
30 of the Plan and Zoning Commission wishes that were,
31 let's see, the Planning and Zoning Commission asks Staff
32 to make outreach to the owner of the building regarding
33 the code violations that have been unearthed and we
34 would ask the Village Board to at least review any
35 findings or recommendations based on that outreach
36 before approval?
37 COMMISSIONER BOLLING: But that is not contingent,
38 it's not contingent on --
39 COMMISSIONER MENDREK: Well, we're going to --
40 correct. Yes, we're either going to vote up or down on
41 the motion, but we just need to add wording into --
42 COMMISSIONER BOLLING: That's correct, right.
43 COMMISSIONER MENDREK: -- instruct the Board as to
44 what we want to do, correct?
45 MR. GUTIERREZ: You just want to construct it
46 carefully enough so that it won't be contingent on
47 action. The Board can vote two weeks from today but
48 they're not going to fix anything in two weeks.
49 COMMISSIONER MENDREK: Yes, correct.
50 MR. GUTIERREZ: But we'll engage them and we'll get
51 at least, maybe a response from them.
52 COMMISSIONER BOLLING: And the Village Board can

1 take that up with them.
2 COMMISSIONER MENDREK: Okay, does somebody want to
3 refine that?
4 CHAIRMAN VASELOPULOS: One second before we start
5 talking about this. Does anyone from the audience have
6 any questions or comments?
7 (No response.)
8 CHAIRMAN VASELOPULOS: Thank you. Go ahead.
9 COMMISSIONER MENDREK: Okay, so does someone want
10 to refine that so the recommendation, recommendation
11 number nine would be that Village Staff engage with the
12 building owner regarding various zoning violations that
13 have --
14 COMMISSIONER BOLLING: Property maintenance issues.
15 COMMISSIONER MENDREK: -- property maintenance
16 issues that have arisen. However, the passage of this
17 particular special use would not be tied to, it's not
18 contingent on the owner's response or action before the
19 April whatever Board meeting, April 16. Do we --
20 CHAIRMAN VASELOPULOS: Bingo.
21 COMMISSIONER MENDREK: Are we good?
22 COMMISSIONER BOLLING: Are you going to be able to
23 say that again? It will be on the recording.
24 COMMISSIONER MENDREK: It's on the recording.
25 COMMISSIONER BERLINGHOF: It's a very good point.
26 Yes, I think that fine. I think, you know, I think the
27 key is just making sure the Board and the Staff reach
28 out to the owner to, and it's more to the Board in my
29 mind to say look, this is, always can be a problem. Can
30 we find a way to solve this problem at the code level
31 and not solve it at the special use level, because it's
32 not fair to the Petitioners when they come in they have
33 no idea that this is a potential problem.
34 COMMISSIONER BOLLING: We certainly don't want to
35 penalize the Petitioner.
36 COMMISSIONER BERLINGHOF: No, we want more business
37 here, not less.
38 COMMISSIONER BERLINGHOF: Does anyone want to make
39 a motion?
40 COMMISSIONER MENDREK: Okay, I would like to make a
41 motion.
42 **Motion to recommend the Village Board approval of a**
43 **Special Use for the operation of pediatric therapy**
44 **practice at 1845 Oak Street in accordance with the**
45 **Petitioner's application and supporting materials, date**
46 **stamped February 27, 2019, subject to conditions 1**
47 **through 8, with the addition of No. 9 as indicated in**
48 **the prior recording.**
49 **1. The Special Use shall be personal and limited to**
50 **the Petitioners, Mindy and David Aharoni pursuant to**
51 **Article XVI, Section 4(9) of the Zoning Ordinance of the**
52 **Village of Northfield. Upon change in or transfer of**

1 ownership of the business, the Special Use shall lapse.
2 Change in ownership shall occur when the Petitioner and
3 any corporation, partnership or other entity controlled
4 by the Petitioner, shall in the aggregate own less than
5 51% of these entities. "Controlled by the Petitioner"
6 requires that the Petitioner owns 100% of the stock or
7 assets of the business entity. Any entity of which the
8 Petitioner owns less than 100% may not be counted toward
9 the required 51% minimum ownership requirement. The 51%
10 minimum ownership requirements shall apply regardless of
11 whether the business is owned by a corporation,
12 partnership or other entity. Furthermore, the Special
13 Use shall only be applicable to the subject property.

14 2. The hours of operation shall be limited to 7:00
15 a.m. to 9:00 p.m. seven days a week.

16 3. The representations made in the application and
17 supporting documents are binding upon the Petitioners.
18 There shall be no additional uses permitted beyond those
19 specifically enumerated herein or permitted by the
20 Village of Northfield's Zoning ordinance.

21 4. The Village of Northfield Health, Fire, and
22 Building Officials shall be granted access to the
23 subject property at any reasonable time for purposes of
24 conducting inspections for compliance with Village Codes
25 and Ordinances.

26 5. An approval pursuant to any requested review by a
27 Village consultant, Village Staff member, Village
28 Commission or Village Board Committee shall be an
29 approval of only those items specified in any motion,
30 resolution, ordinance, or written report. Such approval
31 shall not be deemed to be an approval of any matter
32 which is within the jurisdiction of any other Village
33 consultant, Village Staff member, Village Board
34 Committee or Village Commission that has not issued a
35 report or given its approval. Neither shall such
36 approval be deemed the approval of any County, State or
37 Federal Agency. Under no circumstances shall the
38 approval be deemed to be an approval of any matter not
39 included in this ordinance by virtue of the fact that
40 such a matter appeared on a supporting document which is
41 not attached as an exhibit to this ordinance or
42 incorporated as an exhibit as part of this ordinance.

43 6. The petitioner shall comply in all other respects
44 with the ordinances of the Village of Northfield and
45 nothing in this special use shall be construed as a
46 waiver of any of those requirements.

47 7. Violation of any condition of this Special Use
48 Ordinance shall be cause to revoke said permit by the
49 Corporate Authorities upon ten (10) days proper notice
50 to the Petitioner. Alternatively, the Village Manager
51 shall have the right to assess fines, not to exceed
52 \$750.00 per violation, for violation of this Special Use

1 Ordinance. Such assessment of fines may be appealed to
2 the Corporate Authorities by filing written notice of
3 appeal within three (3) days of the assessment.
4 8. Changes in the project may only be made as follows;
5 A. Minor Field Changes. Minor changes in
6 locations or sizes shown on exhibits may be approved, in
7 writing, by the Director of Community Development.
8 Typically, a minor filed change will not involve a
9 percentage change greater than 3%. However, not all
10 changes of less than 3% shall necessarily be deemed to
11 be minor. The determination of the Director of
12 Community Development as to whether a change is a minor
13 field change shall be final.
14 B. Village Board Approved Changes. The Village Board
15 may approve, without referral to the Plan and Zoning
16 Commission, such other changes as it believes are in the
17 best interest of the Village and which do not involve
18 changes in numbers found in the text of the Ordinance
19 and which do not have a substantial, direct impact on
20 adjacent properties. The determination of the Village
21 Board as to whether a requested change should be
22 referred to the Plan and Zoning Commission shall be
23 final.
24 C. Changes Requiring a Public Hearing. Any change
25 involving a size, quantity or other numerical value
26 found in the text of the Ordinance or any change having
27 substantial, direct impact on adjacent properties shall
28 not be made except after a public hearing before the
29 Plan and Zoning Commission. Additionally, the Village
30 Board or the Director of Community Development may refer
31 any requested change to the Plan and Zoning Commission
32 for public hearing when either believes it would be in
33 the best interest of the Village to do so.
34 9. Village Staff engage with the building owner
35 regarding various zoning violations that have property
36 maintenance issues that have arisen. However, the
37 passage of this particular special use would not be tied
38 to, it's not contingent on the owner's response or
39 action before the April 16 Board meeting.
40 COMMISSIONER BERLINGHOF: Second
41 CHAIRMAN VASELOPULOS: All those in favor?
42 (Chorus of ayes.)
43 CHAIRMAN VASELOPULOS: Opposed?
44 (No response.)
45 CHAIRMAN VASELOPULOS: Motion carries.
46 Congratulations.
47 MR. AHARONI: Thank you.
48 COMMISSIONER BERLINGHOF: Make a motion to adjourn.
49 COMMISSIONER ESTABROOKE: Second.
50 CHAIRMAN VASELOPULOS: All those in favor?
51 (Chorus of ayes.)
52 CHAIRMAN VASELOPULOS: All opposed?

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(No response.)
CHAIRMAN VASELOPULOS: Motion carries. Good night
everyone.
(Whereupon, at 7:55 p.m., the above meeting
was concluded)

APPROVED 6/3/19