

# PLANNING AND ZONING BOARD OF APPEALS

## - MINUTES -

Public Hearing Held July 14, 2021

Village of Lansing

TO: Mayor Eidam  
Executive Assistant to the Mayor  
Village Administrator  
Village Clerk  
Village Board of Trustees  
Building Commissioner  
Village Attorney  
Village Engineer

Chairman Kasper called the meeting to order at 6:34 p.m.

### **ROLL CALL:**

**Present:** Board Members Hallow, Cole, Bazylewski, DeLaurentis, Packard, Chairman Kasper and Secretary Schmittel. Also present was Building Commissioner Zoran Savic, and Village Attorney Ryan Morton

**Absent:** Commissioner McSwiggan

### **APPROVAL OF MINUTES:**

Chairman Kasper asked if there were any questions or discussions on the minutes of the Planning and Zoning Board of Appeals Meeting held on June 23, 2021. No questions or discussions, Chairman Kasper asked for a motion to approve the minutes. Commissioner DeLaurentis made a motion to approve the minutes. Commissioner Hallow seconded the motion.

### **ROLL CALL ON THE MOTION:**

Yeas: Hallow, Cole, DeLaurentis, Bazylewski, Packard, Kasper

Nays: 0

**Minutes approved**

Chairman Kasper informed the petitioner a quorum is present.

**RE:** The request of The Missing Peace Church of Living Hope located at 3100 Bernice Road, Lansing, Illinois 60438 for a **zoning change** from B2-Community Retail and Service to R2-Single Family Residential and also for a **special use permit** to allow a church in a residential area.

A public hearing was scheduled for Wednesday, July 14, 2021 at the Municipal Courtroom, 2710-170<sup>th</sup> Street to receive testimony and take whatever action was deemed to be appropriate on

the above request pursuant to the legal notice published in The Daily Southtown newspaper on Tuesday, June 29, 2021.

Present was Brenda Porter, 2721 Tarpon Court, Homewood, Illinois 60430 and Pastor Sandra Clark, 412 E. 88<sup>th</sup> Place, Chicago, Illinois 60619. Chairman Kasper swore them in.

Pastor Clark and Brenda Porter stated that The Missing Peace Church of Living Hope was established on August 28, 2008. The church is a non-denominational, not-for-profit religious organization and they are present tonight per a recommendation by our village administrator to request a change of zoning to assure uniformity and equality with other churches in the village.

Village Administrator, Dan Podgorski was present tonight to explain the reason for his recommendation. The property in question is located on the northeast corner of Bernice Road and Lorenz Avenue and is currently zoned B2-Community Retail and Service. Ordinance 56-289 (i) churches, temples and places of worship shall be allowed as a special use in residential districts **only** and shall **not** be a permitted use in any other zoning district. Without rezoning the property to a R2-Single Family Residential, a church would not be allowed.

Building Commissioner Savic stated that in order to permit a church to be in a residential area, it must first be **re-zoned** to a R2-Single Family Residential. Also, a **special use permit** is needed in order to allow a church in a residential area. His concern is the amount of parking spaces needed to accommodate its parishioners. It could negatively impact our residents by parishioners parking in the residential neighborhood. The parking lot has a total of 16 legal spaces, two of which are reserved for handicapped visitors only.

The Lansing Police Department and the Lansing Fire Department have no objections to the request.

Village Attorney, Ryan Morton read Village code Sec. 56-319 that requires a place of worship have parking spaces equal in number to 50 percent of the capacity of the assembly area. The church has approximately 50 members including children. That would require 25 spaces, and they only have 16 legal spaces surrounding their building. The application states that there are 21 parking spaces. That number includes 9 parking spaces on the west side of the property that are not actually part of the property. Those 9 spaces would be off street parking.

Also among those 21 alleged spaces are 8 spaces in front of the building. In actuality, there are only 3 or 4 spaces, 2 of which are reserved for handicapped placards. The applicant's calculation of 8 parking spaces in front likely includes the strip of public parking along Bernice Road. Parking there would block access to the existing parking spaces. Perhaps 1 or 2 cars could park there, leaving room to exit. A variance would be needed regarding the parking issues. Attorney Morton then read the standards contained in Sec. 56-99 (f) for a zoning map amendment.

Pastor Clark said that there are apartments across the street and homes nearby and that they have not had any problems with neighbors concerning parking in the streets nearby. The neighbors have come to our services, we are glad to have them and they are always welcomed.

Chairman Kasper asked if there were any public comments. Being none, the public portion of the meeting was closed.

Commissioner Bazylewski asked if there was any other type of services or daycare and why did they decide to purchase a home. Miss Porter said that their services on Sunday are 9 a.m. to 1 pm. and on Wednesday 7 p.m. to 9 p.m. There are bible studies and there is not a daycare or school. The congregation consists of 50 members, half of which are children. After looking at other options, buying a home that was previously a church was financially feasible for them.

Chairman Kasper wanted to know in the next five years how many parishioners they would have. Pastor Clark said everyone wants growth in numbers, but realistically in her 12 years in ministry, the attendance has remained the same.

No further questions being asked, Chairman Kasper asked for motions to be make.

Commissioner DeLaurentis made a motion that we recommend to the Village Board that they grant a **zoning change** from B2-Community Retail and Service to R2-Single Family Residential for "The Missing Peace Church of Living Hope" located at 3100 Bernice Road, Lansing, Illinois 60438. Seconded by Commissioner Hallow.

**ROLL CALL ON THE MOTION:**

AYES: Hallow, Cole, Bazylewski, Packard, DeLaurentis

NAYS: Kasper

**FINDING OF FACTS:**

Let the finding of fact show that we recommend to the Village Board that they **grant a zoning change** from B2-Community Retail and Service to R2-Single Family Residential for "The Missing Peace Church of Living Hope" located at 3100 Bernice Road, Lansing, Illinois 60438.

Commissioner DeLaurentis made a motion that we recommend to the Village Board that they grant a **special use permit** to allow a church to be located in a residential district and also to grant a **variance** to Section 56-319 to allow for 11 parking spaces for "The Missing Peace Church of Living Hope" located at 3100 Bernice Road, Lansing, Illinois 60438. Seconded by Commissioner Hallow.

**ROLL CALL ON THE MOTION:**

AYES: Hallow, Cole, Bazylewski, Packard, DeLaurentis

NAYS: Kasper

**FINDING OF FACTS:**

Let the finding of fact show that we recommend to the Village Board that they **grant a special use permit** to allow a church to be located in a residential district and also a **variance** to Section 56-319 to allow for 11 parking spaces for "The Missing Peace Church of Living Hope" located at 3100 Bernice Road, Lansing, Illinois 60438.

## NEXT ITEM ON THE AGENDA: ACR LOGISTICS

**RE:** The request of Alexandru Rusu for a **zoning change** from B2-Community Retail and Service to M1-Limited Manufacturing to allow a midsize trucking company located at 3124 Glenwood Lansing Road, Lansing, Illinois 60438.

Present was Alexandru Rusu, 13609 Rockefeller Circle, Plainfield, Illinois 60544 and Thomas Staskus, U.S.A. Commercial Group located at 714 Enterprise Drive, Oakbrook, Illinois 60523. Chairman Kasper swore them in. Mr. Rusu's company specializes in freight delivery and trailer rental. The company provides logistics services to a variety of clients, freight forwarders, brokers and manufacturers. Chairman Kasper swore them in.

ACR Logistics is a mid-size trucking company with 30 trucks and trailers. They are located in Plainfield, Illinois. Many clients are located in the southwest suburbs of Chicago and northwest Indiana. The location at 3125 Glenwood Lansing Road would be an easier access for their clients.

Building Commissioner Savic stated that the property is zoned B2-Community Retail and Services. In order for the property to operate as a trucking and logistics company, it is required to be zoned M1-Limited Manufacturing. The Building Department recommends this property be re-zoned and the following concerns be addressed:

- (1) Agree to pave the remaining portion of the gravel parking lot that is unpaved.
- (2) Work with Robinson Engineering to apply for proper permits from the Building Department and MWRD.
- (3) A new vinyl fence be installed to replace the old fence currently located on the property.
- (4) The new bright LED lights that have been installed do not create a light nuisance to the neighboring residential properties and are properly angled as to adhere to the Village of Lansing's light ordinance 56-2. Permits for the installation must be obtained. All contractor's must be licensed, bonded and insured in the Village of Lansing.

Dan Podgorski, Village Administrator is recommending a rezoning due to the type of business located in that area. The businesses in the area are all manufacturing type and it would fit right in with the surrounding businesses.

The Lansing Police Department and the Lansing Fire Department have no objections to the request.

Chairman Kasper asked if there were any public comments from the audience.

Norm Komorowski who resides at 3106 Glenwood Lansing Road, Lansing, Illinois 60438 wanted to know what they actually are going to do at that location. Will there be docks, containers, truck repairs? Mr. Rusu said there will be a small repair shop, no docks, they will not be unloading trailers and there will not be any containers on the site. Trucks will stop and get oil changes on their way to Chicago. There will be a new 8' vinyl fence and that their hours will probably be from 7 a.m. – 6 p.m.

Sherry Wells who resides at 3070 195<sup>th</sup> Court, Lansing, Illinois 60438 wanted to know how many semi-trucks were at the facility right now. She noticed that there is a lot more traffic since this business has opened and you constantly smell diesel fuel. Mr. Rusu stated that there are 8 semi-trucks there right now.

Roberta Buoscio who resides at 3081 194<sup>th</sup> Place noticed that there are more than 8 trucks there now. There are truck trailers parked by the fence where there is a pressure washer, truckers washing their trucks. The noise is horrendous when trucks run all night long with their bright lights shining and diesel fuel smells. Mr. Rusu stated that newer trucks, 2008 and older do not have a diesel smell.

Rafael Garcia who resides at 3132 Glenwood Lansing Road stated that the newer trucks reduce pollution but there is still a distinct diesel odor.

James Unyi who resides at 3122 Glenwood Lansing Road stated that there were three trucks parked and running all night long, lights shining in his bedroom. He has called the police three times. They had to pound on the trailer to wake the driver up. When trucks come out of the driveway, they have their bright lights on, air brakes go off all night long. They do other service there besides oil changes.

Commissioner Bazylewski, after listening to all of the complaints from the neighbors and the ongoing activities going on, suggested to give the owner of the property ample time to provide more information for them to work out a plan on how they are going to operate. When that is completed to then come back before the board.

Commissioner Hallow wanted to know why they are operating since November 2021 with all the complaints that we have had and not having a business license. Building Commissioner Savic was not aware that they were open until he received a lot of complaints from neighbors.

Chairman Kasper wanted to know why they would have electrical work done (lights installed) without a permit.

With no further comments, Chairman Kasper asked for a motion to be.

Commissioner DeLaurentis made a motion to continue the hearing at a further date when new plans are completed. Seconded by Commissioner Hallow.

**ROLL CALL ON THE MOTION:**

AYES: Cole, Packard, Bazylewski, DeLaurentis

NAYS: Hallow, Kasper

**FINDING OF FACT:**

Majority decision to continue the hearing at a further date when new plans are completed.

**NEXT ITEM ON THE AGENDA: NEVER SURRENDER STUDIO**

**RE:** The request of Never Surrender Studio located at 3365 Ridge Road, Lansing, Illinois 60438 for a **Special Use Permit** to allow a personal training fitness center.

Present was Bryeasha Blair who resides at 2120 177<sup>th</sup> Street – Apt. 2C, Lansing, Illinois 60438.

Chairman Kasper swore her in. Her plan for the site is to create an atmosphere where people are comfortable with obtaining their fitness and life goals. There will be one on one personal training and small group training.

Building Commissioner Savic stated the Village of Lansing's Article XIV under definitions sec. 56-456 which requires a **Special Use Permit** in order to operate an indoor health and exercise club. His concern is that this fitness center does not in any way negatively impact the neighboring businesses or the residents that reside in the immediate vicinity of the fitness center. We ask that the training be confined to the four walls of the gym and at no time spills out into the downtown street nor sidewalk. We also ask that the noise level be controlled as not to disturb the neighboring businesses.

The Lansing Police and the Lansing Fire Department have no objections to the request

Miss Blair stated that her employees as well as her customers will not be using the parking lot. There will be no more than 4 people at a time using the facility.

Being no public comment and no new business, Chairman Kasper asked for a motion to be made.

Commissioner DeLaurentis made a motion that we recommend to the Village Board that they **grant** a **Special Use Permit** to Never Surrender Studio to allow a personal training fitness center to be located at 3365 Ridge Road – Suite 2, Lansing, Illinois 60438. The training is to be confined to the four walls of the gym and at no point spills out into the downtown street or sidewalk. Noise levels must be controlled as not to disturb the neighboring businesses. Seconded by Commissioner Hallow.

**ROLL CALL ON THE MOTION:**

AYES: Hallow, Cole, Packard, Bazylewski, DeLaurentis, Kasper

NAYS: None

**FINDING OF FACT:**

Unanimous decision to recommend to the Village Board that they **grant** a **Special Use Permit** to Never Surrender Studio to allow a personal training fitness center to be located at 3365 Ridge Road – Suite 2, Lansing, Illinois 60438. The training is to be confined to the four walls of the gym and at no point spills out into the downtown street or sidewalk. Noise levels must be controlled as not to disturb the neighboring businesses.

Chairman Kasper asked if there was any new business or public comments from the audience. Being none, the public portion of the meeting was closed.

Chairman Kasper asked for a motion to adjourn.

Commissioner DeLaurentis made a motion to adjourn at 8:10 p.m. The motion was seconded by Commissioner Hallow.

The public hearing was adjourned.

Respectfully submitted,

Barbara Schmittel, Secretary  
Planning and Zoning Board of Appeals