



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, March 19, 2019
Case #19-11

The Planning and Zoning meeting was called to order by Chairman Caslin at 6:01 P.M.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take roll call.

Present: Chairman Caslin, Commissioners Jackson, Freda, Cardenas, Walberg.

Absent: Commissioners Ventura, Donoval

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Addy Lozano, Building and Zoning / Planning and Zoning Secretary

Chairman Caslin said the first order of business was to approve the minutes of March 5, 2019, Case #19-10 for 17W280 22nd Street, Petitioner Store Master Funding IX, LLC for variations from the Sign Code.

Chairman Caslin asked if there was any final discussion.

No final discussions from the Commission.

MOTION

Commissioner Freda moved and Commissioner Jackson seconded the motion to approve the minutes of March 5, 2019, Case #19-10 for 17W280 22nd Street, Store Master Funding IX, LLC for variations from the Sign Code.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Chairman Caslin, Commissioners Jackson, Freda, Cardenas, Walberg

Nays: None

Absent: Commissioners Ventura, Donoval

MOTION PASSED WITH A 5-0 VOTE.

Chairman Caslin asked all those who will be speaking this evening to please stand up and be sworn in.

Larry Dohrer, Architect with The Interior Design Group LTD was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Larry Dohrer took the floor and stated, good evening, the building as I understand was zoned as retail, and since that time we found out that our client does sell retail, but it is a minor thing. Actually, it is a dance studio that is for private lessons; there won't be much people all at once. I'm going to ask the petitioner, to come up so she can tell us what she is proposing to do.

At this time, Janna Lillemagi, petitioner for My Dance Hub LTD was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Janna Lillemagi took the floor and stated, I am Janna Lillemagi, I own a dance studio in Naperville and I am planning to expand to a second location here in Oakbrook Terrace. My current business model is mostly private lessons and we have 3-4 instructors teaching at the studio. One of the concerns was the parking, and I don't think that will be a problem since there isn't too many people at the same time in the studio. The business model is comparable to a personal trainer, where you are one on one with a client. Our clients do this as a hobby, getting ready for a wedding, and we also have people that like to compete.

Chairman Caslin asked if there were any questions or comments from the Commissioners.

Commissioner Cardenas commented, I think it will be a good thing to have a dance studio in town.

Commissioner Freda asked, on the sound issue, I know there is an audio store next door, but you are taking half the space that Long Tall Sally was in, so the person that will take the additional space might have a problem with the music. I'm wondering if you have done anything in the construction that will isolate the sound.

Janna Lillemagi answered, we currently have not, but the wall that separates our unit and the one next to us, is actually a double wall.

Commissioner Freda asked, you said that you need 8 parking spaces on the documents you submitted, are you not going to have any studio parties or exhibitions?

Janna Lillemagi answered, it's too small of a space to have exhibitions, usually we go to banquet halls for those events.

Commissioner Freda added, so you are not going to have studio parties with students, which will require more than 8 parking spaces.

Janna Lillemagi answered, I really hope we can do a grand opening event, but for that we will have to discuss a parking arrangement.

At this time, Demosthenis Damis, owner of the property was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Demosthenis Damis took the floor and stated, most of the retail in there is specialized retail, there aren't many cars in the parking lot. I just came from there right now, and besides the workers cars, right now there are 64 spaces. She can have parties every day and it will be fine.

Building and Zoning Administrator Dragan stated, the applicant submitted a parking survey that was done in September 2018 and it shows the average cars in the lot based on different times of the day. At this time they have plenty of parking, and also the proposed use is in conformance with the Zoning Ordinance with respect for parking. In the B-3 General Retail District, a dance studio is a permitted use. However, this property under Ordinance No. 90-30 has some restrictions concerning certain uses not to be allowed in the subject property being very close to the residential district, and one of the use excluded was a dance studio. At this time, when I met with the applicant and her consultants, she explained they plan not to serve food or alcoholic beverages. It is mostly one on one dance lessons.

Chairman Caslin directed his question to Attorney Pacione, I know in the old ordinance it just says dance, but is it more specific to say dance studio?

Building and Zoning Administrator Dragan answered, it shows schools, music, dance, or business.

Attorney Pacione added, the ordinance only talks about what you can't do not what you can do. I will evaluate it with that in mind.

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Commissioner Walberg asked, you mentioned some retail, I would assume that's dance garments that you will be selling?

Janna Lillemagi answered, yes, and dance shoes.

Chairman Caslin opened the floor for public participation.

Chairman Caslin noted that there was none.

MOTION Commissioner Walberg moved and Commissioner Jackson seconded to approve Case #19-11 Amendment to Ordinance No. 90-30.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Chairman Caslin, Commissioners Jackson, Freda, Cardenas, Walberg

Nays: None

Absent: Commissioners Ventura, Donoval

MOTION PASSED WITH A 5-0 VOTE.

Building and Zoning Administrator Dragan added, the Letter of Recommendation will be placed on the Agenda for March 26, 2019, City Council meeting at 7:00 pm.

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Case #19-12

Chairman Caslin said the third order of business was to consider a special use request by Victoria Ciabattari ("petitioner") for a chiropractic clinic.

Victoria Ciabattari ("petitioner") was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Victoria Ciabattari took the floor and stated, my name is Victoria Ciabattari. I'm trying to put in a chiropractic clinic in the Oakbrook Terrace Square, not because I am chiropractor, but I fell in love with the idea because I was having an issue with a nerve in my arm. I went to see a chiropractor but it took me about 8 months to get through the process not because I couldn't pick up the phone and schedule an appointment, but we all know how hard it can be to get an appointment. I fell in love with this franchise because of the business model, which you don't have to make an appointment or use your insurance. Insurance companies are paying less and less towards chiropractic services so people at some point have to pay out of pocket or not go at all. The great thing about this is that this is more of a membership model. You pay a monthly fee and get up to 4 visits a month. For me it's all about health and wellness.

Chairman Caslin asked if there were any questions or comments from the Commissioners.

Commissioner Freda asked, is this a straight pay, where you just pay for your visits?

Victoria Ciabattari answered, you can purchase a membership where your credit card gets charged every month, or buy a package, or buy per visit. In a per visit, after your first visit it is only \$39 per visit.

Commissioner Freda asked, are these licensed chiropractors?

Victoria Ciabattari answered, yes they are.

Commissioner Freda also asked, how does this fit with the retail model in that shopping district?

Victoria Ciabattari answered, it actually fits quite well, and I think one of the reasons this model is doing very well in other areas here in Illinois is because people are now more open to chiropractic. It is a five minute visit after your first exam. I think in our busy lives a lot of people are looking for

convenience and I think it blends in very well in the shopping center.

Commissioner Freda asked, how would you handle if someone is unhappy or was injured by the chiropractor doing the adjustment?

Victoria Ciabattari answered, there is insurance, the insurance is actually really low for chiropractors and the reason for that is because it is not a high malpractice issue and that is reflected on the way that it is priced. We will have insurance if something like this happens, but it is not typical.

Commissioner Walberg asked, I was wondering where your other locations were?

Victoria Ciabattari answered, Aurora, Bloomingdales, Downers Grove, Schaumburg, Rockford, Wheaton, and two in the city.

Commissioner Walberg asked, how much staff will you have?

Victoria Ciabattari answered, to start there will only be two employees. The wellness coordinator who helps you check in and the chiropractor. We are open seven days.

Commissioner Walberg then asked, what are your hours?

Victoria Ciabattari answered, the hours will be 8am to 7pm Monday to Friday, and 8am to 4pm on the weekends.

Chairman Caslin asked, are you licensed by the state of Illinois as a medical facility?

Victoria Ciabattari answered, no.

Chairman Caslin then asked, so you will have to acquire a business license the City?

Building and Zoning Administrator Dragan answered, you can check with the City Clerk on that.

Building and Zoning Administrator Dragan added, this request is to approve a special use in the B-3 General Retail District to allow the proposed use on the first floor of the building. This proposed use will occupy approximately 1,400 square feet next to Palm Beach Tan.

Chairman Caslin opened the floor for public participation.

Chairman Caslin noted that there was none.

MOTION Commissioner Jackson moved and Commissioner Freda seconded to approve Case #19-12 Special Use Request.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Chairman Caslin, Commissioners Jackson, Freda,
Cardenas, Walberg

Nays: None

Absent: Commissioners Ventura, Donoval

MOTION PASSED WITH A 5-0 VOTE.

Building and Zoning Administrator Dragan added, the Letter of Recommendation will be placed on the Agenda for March 26, 2019, City Council meeting at 7:00 pm. and the next Public Hearing will be April 2, 2019, at 6:00 pm.

Building and Zoning Administrator also noted that at the last public hearing meeting, the Commission requested that the gate in the rear of Giordano's property remain locked, and the landscape be checked in the rear of the property facing the residential district to determine if it meets the approved landscape plan. Based on this, an inspection was done at the subject property, and at this time, the general manager for Giordano's agreed with installation of all missing landscaping by May 1, 2019.

MOTION Commissioner Jackson moved and Commissioner Cardenas seconded the motion to adjourn the meeting.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 5-0.

Chairman Caslin adjourned the meeting at 6:26 P.M.

Respectfully submitted by,

Addy Lozano
Building and Zoning / Planning and Zoning Secretary