MARGARET PAUL CLERK

AGENDA BERWYN CITY COUNCIL

2nd Meeting May 9, 2017 8:00 PM

The Mayor and City Council welcome you.

Please note: comments are permitted only during Open Forum and only for items not already on the agenda. When called upon by the Mayor, kindly state your name and address for the record. Thank you for your participation.

A. Pledge of Allegiance and Moment of Silence – Swearing-in Ceremony – New Administration

В.	<u>Ope</u>	<u>n Forum</u>				
C.	App	Approval of Minutes				
D.	Bid	Bid Openings				
E.	Ber	wyn Development Corp., Berwyn Township/Health District				
F.	Rep	<u>orts from the Mayor</u>				
	1.	Proclamation: City Clerk Thomas J. Pavlik			Pg 2	
	2.	Proclamation: Treasurer Joseph Kroc			Pg 3	
	3.	Proclamation: 1st Ward Alderman Nona Chapman			Pg 4	
	4.	Proclamation: 2 nd Ward Alderman Jeffery Boyajian			Pg 5	
	5.	Proclamation: 6th Ward Alderman Theodore J. Polashek			Pg 6	
	6.	Proclamation: 8th Ward Alderman Nora Laureto			Pg 7	
	7.	Discussion of New Aldermanic Committees			Pg 8	
G.	Rep	orts from the Clerk			Ū	
H.	Zon	ing Boards of Appeals				
		Request for Variation at 1401 S. Wenonah – Jiri Vacek – Ordinance			Pg 9	
	2.	Request for Conditional Use at 6938 W. Windsor – Ordinance			Pg 18	
I.	Rep	orts from the Aldermen, Committees and Board			Ū	
J.		Reports from the Staff				
	Fire Chief: Swearing in of Timothy Berwick to the rank of Engineer Pg					
	2.	Fire Chief: Request to Contact the Fire & Police Commission to hire One Pr	obationary Firefighte	er/Paramedic	Pg 29	
		Public Works Director: Bid Award – Annual Tree Pruning and Removal	, ,		Pg 30	
		Public Works Director: Platform Lights at Harlem Station Project/Grant			Pg 32	
K.		Consent Agenda				
	1.		& 5/20/2017	Pg 33		
	2.	St. Leonard: Field Day 5/19/2017		Pg 34		
	3.	St. Michaels: Rummage Sale 5/20/2017 & 5/21/2017		Pg 35		
		St. Leonard: Annual Fun Day 5/31/2017		Pg 36		
	5.	Block Party: 1200 block of Cuyler 6/10/2017 Rain date 6/17/2017		Pg 37		
	6.	St. Leonard: Blocktoberfest 9/9/2017 Rain date 9/9/2017		Pg 38		
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		Margaret Paul, City Clerk	Total items: 19			





PROCLAMATION

- WHEREAS, Thomas J. Pavlik's last day of service as City Clerk for the City of Berwyn will be on May 9, 2017, and we would like to express our appreciation for his dedication and service since 2005; and
- WHEREAS, Tom, being of Slovak descent has been a Berwyn resident for 36 years; and
- WHEREAS, Tom with his wife Susan have raised two children, Ali and John, that are both products of the Berwyn School District 100 and successful in their chosen professions; and
- WHEREAS, Tom gave up his previous 18 year career to gratefully serve as City Clerk, Township Clerk and Secretary of the Berwyn Public Health District; and
- WHEREAS, continuing education is a priority for Tom, he became a Registered Municipal Clerk in 2009; a Certified Municipal Clerk in 2010; and in 2015 achieved the level of Master Municipal Clerk; and
- WHEREAS, Tom Spearheaded important updates, which include completing the electronic scanning of microfilm archives of all city council minutes from 1918-1966 into a searchable database; and
- WHEREAS, since 2006, Tom has made the complete city council agendas, city budgets and audits available online on the city's website; and
- WHEREAS, Tom, in the position of Berwyn's Freedom of Information Officer, for the City of Berwyn, Berwyn Township and Berwyn Health District, streamlined response times and accurately answered and maintained over 8,000 requests; and

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby extend our hopes for continued success and our appreciation for a job well done.

Entered, upon the records of the City of Berwyn this 9th day of May, 2017.

Robert J. Lovero, Mayor



Robert J. Lovero Mayor



A Century of Progress with Pride

PROCLAMATION

- WHEREAS, Joseph Kroc's last day of service as City Treasurer for the City of Berwyn will be on May 9, 2017, and we would like to express our appreciation for his two terms of honorable service with the city; and
- WHEREAS, Joe is a lifelong Berwyn resident of Czech descent, married to his school teacher wife, Megan and are happy to call Berwyn home; and
- WHEREAS, Joe attended St. Leonard School, where he made Eagle Scout and served as Scoutmaster Joe graduated near the top of his class from Morton West, and graduated with honors from the University of Illinois in Urbana with a degree in finance; and
- WHEREAS, Joe has more than fourteen years experience in commercial banking, first as a credit analyst, then as a commercial loan officer. Joe is currently Vice President and Team Leader of commercial loans at FNBC Bank in LaGrange; and
- WHEREAS, in the position of City Treasurer, Joe served as the Treasurer of the Berwyn Police and Fire Pension Boards, as well as Berwyn's 911 Board.
- WHEREAS, for fourteen years, Joe has been an active member of PAV YMCA board, having served as Treasurer and President; and
- WHEREAS, in 2015, Joe received recognition for his work in the community and received the PAV YMCA "President's Award", was also named "Young Professional of the Year" by West Suburban Chamber of Commerce; and

WHEREAS, Joe honorably served on the City team that moved the city forward financially having

- grown Berwyn's business tax base,
- increased and maintained the city's bond rating, allowing the city to save taxpayers money on borrowing at lower interest rates; and
- increased Berwyn's general-fund balance from \$148,000 to more than \$19,000,000
- developed an innovative program to fully fund first responders' pensions- dramatically reducing the unfunded pension liability owed to Berwyn Police and Fire Pension Boards, and pay down this debt by 2023.

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby extend our hopes for continued success and our appreciation for a job well done.

Entered, upon the records of the City of Berwyn this 9th day of May, 2017.

Robert J. Lovero, Mayor

Margaret Paul, City Clerk

City Council (Full Packet) May 9, 2017 2nd Meeting Page 3



PROCLAMATION

- WHEREAS, Nona A. Chapman will be retiring as Berwyn's 1st Ward Alderman on May 9, 2017, and we would like to express our appreciation for her 16 years of service as alderman, thus making her the longest sitting Alderman in the history of the City of Berwyn; and
- WHEREAS, Nona raised her daughters Dana and Claire in the same loving home that she was born in; and
- WHEREAS, Nona has been able to count on the love and support of her husband Mike; and
- WHEREAS, Nona was a founding member of the Historic Depot Special Events Committee formed in 2000, Nona has spent tireless hours promoting the City of Berwyn, the Historic Depot District and all 1st Ward events; and
- WHEREAS, Nona has been a member of the Berwyn Historical Society, the Berwyn Development Corporation, and a member of the Berwyn Library Board and Irving Elementary School PTA; and
- WHEREAS, Nona was elected Alderman in 2000, 2005, 2009 and 2013 and during those four terms, Nona has served on the Police & Fire Committee, Public Works Committee, chaired the Budget Committee and has been the Library Liaison; and

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby extend our hopes for a healthy and happy retirement and our appreciation for a job well done.

Entered, upon the records of the City of Berwyn this 9th day of May 2017.

Robert J. Lovero, Mayor

Margaret Paul, City Clerk

ity Composited Page 4 May 9, 2017 2nd Meeting Page 4





PROCLAMATION

- WHEREAS, Jeffery G. Boyajian's last day of service for the City of Berwyn will be on May 9, 2017, and we would like to express our appreciation for his service; and
- WHEREAS, Jeff grew up with his parents and two brothers in South Berwyn; and
- WHEREAS, Jeff has continued in South Berwyn with his wife Jennifer where they are raising their children, Jenna and Josh; and
- WHEREAS, in 1979 Jeff began his public service career by joining the Berwyn Emergency and Disaster service (ESDA) as a volunteer cadet; and
- WHEREAS, continuing his public service, Jeff was a member of the Pershing PTA, the Morton PTO and volunteers in Berwyn youth sports as a coach and referee; and
- WHEREAS, Jeff has worked as a fire fighter, EMT and Public Works Supervisor in the neighboring village of Stickney, where he was recently promoted to Fire Chief; and
- WHEREAS, Jeff served as a commissioner on the Berwyn Park District Board from 2003-2009, when he was first elected Alderman of Berwyn's 2nd Ward; and
- WHEREAS, as Alderman, Jeff chaired the Public Works Committee, was an active member of the Budget and Recreation Committees; and
- **WHEREAS**, Jeff is a proud part of the transformative business development within the City of Berwyn during his two terms as 2nd Ward Alderman; and

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby extend our hopes for continued success and our appreciation for a stellar job.

Entered, upon the records of the City of Berwyn this 9th day of May, 2017.

Robert J. Lovero, Mayor





PROCLAMATION

- WHEREAS, Theodore J. Polashek's last day of service as 6th Ward Alderman for the City of Berwyn will be on May 9, 2017, and we would like to express our appreciation for his dedication and service; and
- WHEREAS, Theodore J. "Teddy" Polashek is a native Berwynite that graduated from Morton West High School and attended Morton College; and
- WHEREAS, Teddy is married to Misa with one son "Teddy Jr", and Teddy is of Czechoslovakian decent and still has many family members living in the Czech Republic. Teddy has been active with Sokol Tabor in Berwyn as a student in Tots class, for over 17 years he has coached gymnastics and physical fitness to children 5 to 18 years of age, Teddy was also the Sokol Membership Director, Vice President and President; and
- WHEREAS, He set groundwork and formed the Chicagoland-Czech-American Community Center; and
- WHEREAS, Teddy is a Cicero Firefighter/Paramedic since 2004, now promoted to engineer and a proud member of the I.A.F.F, Local #717; and
- WHEREAS, Teddy was twice elected as 6th Ward Alderman of Berwyn in 2009 and 2013 as Alderman, he provided sidewalk snow removal service to his constituents; and

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby extend our hopes for a healthy and happy retirement and our appreciation for a job well done.

Entered, upon the records of the City of Berwyn this 9th day of May, 2017.

Robert J. Lovero, Mayor





PROCLAMATION

- WHEREAS, Nora Laureto's last day of service as 8th Ward Alderman for the City of Berwyn will be on May 9, 2017, and we would like to express our appreciation and gratitude for her service to the city; and
- WHEREAS, Nora was born in Berwyn and is the 3rd generation to live in the family home; and
- WHEREAS, Nora has been married to Tony for 40 years, is the loving mother of Michael and MaryBeth and the doting grandmother to Abigail, Charlotte, Everleigh, and Sawyer; and
- WHEREAS, Nora Laureto has been a devoted Berwyn citizen elected Alderman of the 8th Ward in 2009 and re-elected in 2013; and
- WHEREAS, Nora volunteered her time to the National Parent Teacher Association, having served as past President of Jefferson Elementary School and Lincoln Middle School and also traveled to Springfield for funding of our schools; and
- WHEREAS, Nora has been a Den mother for the Boy Scouts of America, a past President and founding member of the District 98 Education Foundation; and
- WHEREAS, Nora rallied to raise monies in "Penny's for Lincoln" to move and restore the statue at Lincoln Middle School; and
- WHEREAS, Nora has been a contributing member of the Roosevelt Road Business Association, The Veltway, Youth Crossroads and Kaboom Parks; and

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby extend our hopes for continued success and our appreciation for a job well done.

Entered, upon the records of the City of Berwyn this 9th day of May, 2017.

Robert J. Loverof Mayor

The City of Berwyn





Robert J. Lovero Mayor

A Century of Progress with Pride

May 4, 2017

To: Members of City Council

Re: Discussion of New Aldermanic Committees

Members of City Council:

As I have previously informed each of the newly elected officials my intentions were to come together as a group and discuss New Aldermanic Committees. I will ask each of you to form ideas of what you believe might be the best way for Aldermen to review City of Berwyn Department issues and become liaisons between the City Departments and City Council as a whole. I would also ask each of you individually to think of other ways to address these issues if you believe a method or procedure that might work better than standing committees. One of the ideas brought to me by Alderman Scott Lennon would be a Diversity Committee.

At our June 13th Committee of the Whole I would like to discuss everyone's idea regarding a new ordinance replacing the previously repealed Standing Aldermanic Committee Ordinance.

Therefore I ask that this communication be referred to the Committee of the Whole for June 13th, 2017 at 6PM.

I will invite City Department Heads to be present at Committee of the Whole for questions and discussion.

Respectfully,

Robert J. Lovero

Mayor



Mayor
Robert J. Lovero



City Clerk

A CENTURY OF PROGRESS WITH PRIDE

6700 W 26th Street • Berwyn, IL 60402 • Ph: (708) 788-2660 • Fax: (708) 788-2675 • Berwyn-IL.gov

Zoning Board of Appeals

Joel Chrastka Douglas Walega Richard F. Bruen, Jr. Lance C. Malina Don Miller Alicia M. Ruiz Rosina LaPietra

May 5, 2017

Re: Request for Side Yard Setback Variation for Second Story Residential Addition at 1401 S. Wenonah Avenue – Jiri Vacek

Mayor Lovero and Members of the City Council:

Attached for your consideration are Findings of Fact from the Zoning Board of Appeals relative to a request for a side yard setback Variation related to a second-story residential addition on property located at 1401 S. Wenonah Avenue, as well as an Ordinance approving the Variation. The Petition was filed by Petitioner Jiri Vacek. The Property is located in the A-1 Single-Family Zoning District. The Variation requested is from the requirement set forth in Section 1248.04 (Required Yards) of the Zoning Code of the City of Berwyn that buildings be a minimum of three (3) feet off of the side lot line. The Petitioner seeks to build the second story addition even with the long existing nonconforming first floor wall of the home.

Attached to the Findings of Fact are Exhibits from the Public Hearing.

The recommendation of the ZBA in this matter was to APPROVE the request for a Variation on a vote of 7-0.

Respectfully,

Lance C. Malina

Executive Secretary,

Berwyn Zoning Board of Appeals

CITY OF BERWYN

ORDINANCE	NO.	

AN ORDINANCE APPROVING A SIDE YARD SETBACK VARIATION FOR A SECOND FLOOR BUILDING ADDITION ON PROPERTY IN THE A-1 SINGLE-FAMILY RESIDENCE DISTRICT AT 1401 S. WENONAH AVENUE, BERWYN, ILLINOIS - VACEK

WHEREAS, a request seeking a variation from the requirement set forth in Section 1248.04 (Required Yards) of the Zoning Code of the City of Berwyn that buildings be a minimum of three (3) feet off of the side lot line (the "Application") was filed with the City of Berwyn by Jiri Vacek (the "Applicant"). The Variation is sought relative to the Applicant's proposed second-story addition to the existing single-family home on the Applicant's property located in the A-1 Single-Family Residential Zoning District at 1401 S. Wenonah Avenue, Berwyn, Illinois.(the "Subject Property"); and;

WHEREAS, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Application has been referred to the Zoning Board of Appeals of the City ("Board of Appeals") and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on April 19, 2017, the Board of Appeals held a public hearing on the Application pursuant to notice thereof given in the manner required by law, and, after considering all of the testimony and evidence presented at the public hearing, the Board of Appeals recommended approval of the variation requested in the Application by a vote of seven (7) in favor and none (0) opposed, all as set forth in the Findings and Recommendation of the Board of Appeals in this matter ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit B**; and

WHEREAS, the City Council of the City has duly considered the Findings and Recommendation of the Board of Appeals, and all of the materials, facts and circumstances affecting the Application, and, finds that the Application satisfies the standards set forth in Section 1244.07 of the Zoning Code relating to variations.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Berwyn, Cook County and State of Illinois, as follows:

<u>Section 1</u>: <u>Incorporation</u>. The foregoing recitals are incorporated into this Section 1 by reference as findings of the City Council.

<u>Section 2</u>: <u>Approval of Variation for Second Story Addition Side Yard Setback</u>. The City Council, acting pursuant to the authority vested in it by the laws of

the State of Illinois and the Zoning Code, hereby approve and adopt the findings of fact and recommendation of the Zoning Board of Appeals, a copy of which is attached hereto as **Exhibit B**, and incorporate such findings and recommendation by reference as if fully set forth herein. The City Council further approves a variation from the three (3) foot side yard setback requirement set forth in Section 1248.04 (Required Yards) of the Zoning Code of the City of Berwyn relative to the second-story addition on the Subject Property, in order to allow for the construction of a second-story addition, even with the wall of the first story, to the existing single-family residence on the Subject Property, as legally described in **Exhibit A**.

<u>Section 3</u>: <u>Violation of Condition or Code</u>. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the City shall be grounds for the immediate rescission by the City Council of the approvals made in this Ordinance.

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

<u>Section 5</u>: <u>Effective Date</u>. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed thisday of	2017.
AYES:	
NAYS:	
ABSENT:	
APPROVED this day of _	
ATTEST:	Robert J. Lovero, Mayor
Margaret Paul, City Clerk	
Published by me in pamphlet for this	_day of2017.
	Margaret Paul City Clerk

EXHIBIT A

LOTS 47 AND 48 IN REID'S SUBDIVISION OF BLOCK 45 IN THE SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 13 (EXCEPT THE SOUTH 300 ACRES THEREOF), EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 16-19-119-001-0000 & 16-19-119-002-0000 COMMONLY KNOWN AS: 1401 S. WENONAH AVENUE, BERWYN, ILLINOIS

EXHIBIT B

FINDINGS OF FACT (ATTACHED)

FINDINGS OF FACT AND RECOMMENDATION OF THE CITY OF BERWYN ZONING BOARD OF APPEALS TO THE MAYOR AND CITY COUNCIL

April 19, 2017

APPLICATION: For a Variation to build a second-story addition without

the three (3) foot side yard setback required by Section 1248.04 (Required Yards) of the Zoning Code of the City of Berwyn in an A-1 Single-Family Residential Zoning District, at the address commonly known as

1401 S. Wenonah, Berwyn, Illinois.

PETITIONERS: Jiri Vacek

PROPERTY: 1401 S. Wenonah Avenue, Berwyn, Illinois (the

"Property")

SUMMARY OF REQUEST AND RECOMMENDATION: The City of Berwyn has received a request from Petitioner Jiri Vacek ("Petitioner") for a Variation from the requirement set forth in Section 1248.04 (Required Yards) of the Zoning Code of the City of Berwyn that buildings be a minimum of three (3) feet off of the side lot line. The Variation is sought relative to Petitioner's proposed second-story addition to the existing single-family home on the Petitioner's property located in the A-1 Single-Family Residential Zoning District at 1401 S. Wenonah Avenue, Berwyn, Illinois.

Following a public hearing held on April 19, 2017, the Zoning Board of Appeals of the City of Berwyn ("ZBA") recommended approval of the requested Variation on a vote of seven (7) in favor and none (0) opposed.

BACKGROUND: The Property is a residentially zoned property owned by Petitioner. Petitioner is planning a second-story addition. His request for a building permit was denied based on the failure of the plans to have the addition set back a minimum of three (3) feet from the side lot line. The first story of the existing residence is already closer to the side lot line than the required three (3) feet, and Petitioner seeks to build the second-story addition even with the first floor. Petitioner subsequently filed the application seeking a Variation from the side yard setback requirement in a single-family zoning district in order to proceed with the planned second story addition.

PUBLIC HEARINGS: A public hearing related to the Variation request took place at the April 19, 2017, ZBA meeting. At the public hearing, Petitioner testified that the existing residence is over 100 years old. Petitioner bought the home in 2003. The existing home is already closer than three (3) feet to the side lot line. Petitioner seeks to line up the new second floor addition with the existing first floor. The proposed second story addition will have matching siding to the existing first floor. The proposed addition includes three (3) bedrooms, and two (2) baths.

Exhibits marked during the course of the Public Hearing included: **Exhibit 1**, the published legal notice for the public hearing, and the accompanying Certificate of Publication. **Group Exhibit 2** consisted of the full application for the relief sought by Petitioner and related materials.

There being no further questions or members of the public wishing to speak on the application, the Public Hearing was closed.

The Area Investigator appointed in this matter was ZBA member Alicia Ruiz. Ms. Ruiz discussed her investigation and visit to the Property. The other members of the ZBA each then in turn expressed their views on the proposed Variation.

Following a motion to approve the Variation by Member Ruiz, seconded by Member Walega, the ZBA recommended that the City Council approve the requested variation by a vote of seven (7) in favor and none (0) opposed.

FINDINGS: The ZBA makes the following Findings as to the proposed Variation:

- (A) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Zoning Code were carried out. The members of the ZBA felt that this standard had been met, due in part to the design of the existing home as already nonconforming on the first floor, and layout challenges of the home.
- (B) The conditions upon which an application for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification. The members of the ZBA felt the existing roofline has no architectural value, and that the design of the home and layout challenges make this application unique, as does the existing first floor nonconformity, and the corner lot location.
- (C) The purpose of the variation is not based primarily upon a desire to increase financial gain. Members of the ZBA felt that the primary reason for the variation was to create livable space in this small residence, rather than financial gain.
- (D) The alleged difficulty or hardship is caused by the Zoning Code, and has not been created by any persons presently having an interest in the Property. The members of the ZBA felt that this standard has been met.
- (E) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. The members of the ZBA found that the proposed project will improve property values in the neighborhood as the construction of the addition will be a significant investment in this Property.

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- The granting of the variations will not alter the essential character of the (F) neighborhood. The residence already exists, and the second-story addition will have a minimal impact on the neighborhood. The existing roofline has no architectural value.
- The proposed variation will not impair an adequate supply of light and air (G) to adjacent property, substantially increase the congestion of the public streets, increase the danger of fire, impair natural drainage, create drainage problems on adjacent properties, endanger the public safety or substantially diminish or impair property values within the neighborhood. The ZBA members felt that this requirement has been met. The Lot is a corner lot and has a vacant lot on the other side.

RECOMMENDATIONS: Based upon the foregoing Findings, the ZBA, by a vote of seven (7) in favor and none (0) opposed, recommends to the Mayor and City Council that the request of Petitioner Jiri Vacek for a Variation from the requirement set forth in Section 1248.04 (Required Yards) of the Zoning Code of the City of Berwyn that buildings be a minimum of three (3) feet off of the side lot line, in order to construct a second-story addition on the Property located in the A-1 Single-Family Residential Zoning District, at 1401 S. Wenonah Avenue, Berwyn, Illinois, be APPROVED.

Signed: Lance C. Malina, Executive Secretary

Zoning Board of Appeals

City of Berwyn

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Mayor
Robert J. Lovero



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Zoning Board of Appeals

Joel Chrastka Douglas Walega Richard F. Bruen, Jr. Lance C. Malina Don Miller Alicia M. Ruiz Rosina LaPietra

May 5, 2017

Re: Request for a Conditional Use to locate a Business/Professional Office Use at 6938 W. Windsor in the Downtown Retail Overlay District

Mayor Lovero and Members of the City Council:

Attached for your consideration are Findings of Fact from the Zoning Board of Appeals relative to a request for a Conditional Use to locate a Business/Professional Office use in the existing building located at 6938 W. Windsor Avenue, as well as an Ordinance granting the Conditional Use. The Petition was filed by Petitioner Jeffery Kummer, d/b/a Superior Personnel. The Property is located in the Downtown Retail Overlay District within the C-2 General Commercial Zoning District, where a business/professional office requires a conditional use in order to locate within 500 feet of another business or professional office, loan office or medical office, regardless of whether the two offices offer the same services. Attached to the Findings of Fact are Exhibits from the Public Hearing.

The recommendation of the ZBA in this matter was to APPROVE the request for a Conditional Use on a vote of 7-0.

Respectfully,

Lance C. Malina

Executive Secretary,

Berwyn Zoning Board of Appeals

CITY OF BERWYN

ORDINANCE	NO.	

AN ORDINANCE APPROVING A CONDITIONAL USE FOR A BUSINESS/PROFESSIONAL OFFICE WITHIN THE DOWNTOWN RETAIL OVERLAY DISTRICT IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT AT 6938 W. WINDSOR AVENUE, BERWYN, ILLINOIS – JEFFERY KUMMER D/B/A SUPERIOR PERSONNEL

WHEREAS, a request seeking a conditional use (the "Application") to locate a business/professional office on the first floor of an existing building at 6938 W. Windsor Avenue (the "Subject Property"), in the C-2 General Commercial Zoning District, was filed by Jeffery Kummer d/b/a Superior Personnel (the "Petitioner") with the City of Berwyn; and

WHEREAS, the Property is located in the Downtown Retail Overlay District within the C-2 General Commercial Zoning District, where a business/professional office requires a conditional use in order to locate within 500 feet of another business or professional office, loan office or medical office, regardless of whether the two offices offer the same services, pursuant to Section 1258.14 of the Zoning Code of the City of Berwyn ("Zoning Code"); and

WHEREAS, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Application has been referred to the Zoning Board of Appeals of the City ("ZBA") and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on April 19, 2017, the ZBA held a public hearing on the Application pursuant to notice thereof given in the manner required by law, and, after considering all of the testimony and evidence presented at the public hearing, the Board of Appeals recommended approval of the requested conditional use by a vote of seven (7) in favor and none (0) opposed, all as set forth in the Findings and Recommendation of the ZBA in this matter ("Findings and Recommendation"), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the City Council of the City have duly considered the Findings and Recommendation of the ZBA, and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 1268.05 of the Zoning Code relating to conditional uses.

- **NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Berwyn, Cook County and State of Illinois, as follows:
- <u>Section 1</u>: <u>Incorporation</u>. The foregoing recitals are incorporated into this Section 1 by reference as findings of the City Council.
- Section 2: Approval of Conditional Use for a Business/Professional Office. The City Council, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves a conditional use permit for a business/professional office to locate within the Downtown Retail Overlay District in the C-2 General Commercial Zoning District on the Subject Property located at 6938 W. Windsor Avenue, Berwyn, Illinois, legally described in **Exhibit A**.
- <u>Section 3</u>: <u>Violation of Condition or Code</u>. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the City shall be grounds for the immediate rescission by the City Council of the approvals made in this Ordinance.
- Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.
- <u>Section 5</u>: <u>Effective Date</u>. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed thisday of	2017.
AYES:	
NAYS:	
ABSENT:	
APPROVED this day of _	
ATTEST:	Robert J. Lovero, Mayor
Margaret Paul, City Clerk	
Published by me in pamphlet for this	day of 2017.
	Margaret Paul, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

LOTS 5 AND 6 IN BLOCK 6 IN ANDREW AND PIPER'S FIRST ADDITION TO BERWYN BEING A SUBDIVISION IN SECTION 31, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRICINPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PINS: 16-31-124-002-0000 & 16-31-124-003-0000

COMMONLY KNOWN AS: 6938 W. Windsor Avenue, Berwyn, Illinois

EXHIBIT B

FINDINGS OF FACT AND RECOMMENDATION OF THE ZONING BOARD OF APPEALS

(ATTACHED)

FINDINGS OF FACT AND RECOMMENDATION OF THE CITY OF BERWYN ZONING BOARD OF APPEALS TO THE MAYOR AND CITY COUNCIL

April 19, 2017

APPLICATION: For a Conditional Use to Allow for a Business/

Professional Office on the First Floor of a Building in the Downtown Retail Overlay District within the C-2 General Commercial Zoning District at 6938 W. Windsor Avenue,

Berwyn, Illinois.

PETITIONER: Jeffery Kummer d/b/a Superior Personnel

PROPERTY: 6938 W. Windsor Avenue, Berwyn, Illinois (the

"Property")

SUMMARY OF REQUEST AND RECOMMENDATION: The City of Berwyn has received a request from Petitioner Jeffery Kummer d/b/a Superior Personnel ("Petitioner") for a conditional use to locate a business/professional office on the first floor of an existing building at 6938 W. Windsor Avenue. A business/professional office use is a regulated use within the Downtown Retail Overlay District that requires a conditional use in this case in order to locate within 500 feet of another business or professional office, loan office or medical office, regardless of whether the two offices offer the same services, pursuant to Section 1258.14 of the Zoning Code of the City of Berwyn ("Zoning Code").

Following a public hearing held on April 19, 2017, the Zoning Board of Appeals of the City of Berwyn ("ZBA") recommended approval of the requested conditional use on a vote of seven (7) in favor and none (0) opposed.

BACKGROUND: On the Property is an existing mixed-use building with two (2) storefront commercial office spaces and residential apartments. Petitioner proposes to locate and operate a business/professional office within the first floor of the building. The office-space proposed to be used by the Petitioner is approximately 640 square feet on the first floor. The space has been vacant for almost two (2) years. The space has been used for various uses in the past, but never for retail purposes.

Staff determined that a conditional use was required pursuant to Section 1258.14 of the Zoning Code, which provides that in the Downtown Retail Overlay District, a business/professional office use is a regulated use that requires a conditional use in order to locate within 500 feet of another business or professional office, loan office or medical office, regardless of whether the two offices offer the same services. Petitioner then filed an application requesting that the ZBA grant a conditional use to allow the proposed use at the Property.

PUBLIC HEARING: At the public hearing on the conditional-use request, Matt Rubino, one of the partner's in the business, testified on behalf of the Petitioner that Superior Personnel is a business that provides temporary jobs to the manufacturing industry, such as line personnel, operators, office staff, etc. Their original offices were in Schaumburg and Roselle. Superior Personnel opened an office in Berwyn on 26th Street in 2005 but wasn't ready for expansion at that time. They now have an office in Melrose Park as well, that opened two (2) years ago. Paychecks for persons placed by the company go to Superior Personnel at the office location. The company does not provide transportation, and persons it dispatches leave from their homes directly to the work location, rather than coming to the Property.

The space they propose to utilize is 640 square feet. There is a small entry way. Reception and interaction with staff is through a window. There will be a dispatch area in the back, along with a small back office. Upstairs and behind the proposed office space is residential.

The company will have a two (2) to three (3) year lease. Applicants come into the company office at random. On a busy day, they will have 10-15 applicants. They propose to be open from 8:00 a.m. to 4:00 p.m.

The office space on the Property became vacant in June of 2015. The previous tenant had to be evicted. The space has had all kinds of uses, but has never been a retail location.

The Executive Secretary noted that 1st Ward Alderman Nona Chapman supports the conditional use but was unable to come to the hearing.

Exhibits marked during the course of the Public Hearing included: **Exhibit 1**, the published legal notice regarding the public hearing, and accompanying Certification of Publication. **Group Exhibit 2** consisted of the full application for the relief sought by Petitioner and supporting materials.

There being no further questions or members of the public wishing to speak on the application, the Public Hearing was closed.

The Area Investigator appointed in this matter was ZBA chairman Joel Chrastka. Chairman Chrastka discussed his investigation, and summarized the nature of the Petitioner's business and desire to locate at the Property, provided information about the Property itself, and discussed application of the conditional use factors to the proposed use. The Chairman noted that the neighbors are generally in favor of the proposed use, and that it is not located in an area where the uses are primarily retail.

The other members of the ZBA each then in turn expressed their views on the proposed conditional use.

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Chairman Chrastka made a motion, seconded by Member Walega, to approve the conditional use requested by Petitioner. The ZBA recommended that the City Council approve the conditional use requested by Petitioner on a vote of seven (7) in favor and none (0) opposed.

FINDINGS: The ZBA makes the following Findings as to the proposed Conditional Use:

- (A) The proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community. The Petitioner's business is aimed at pairing persons seeking manufacturing positions with employers who have a temporary need for such persons, a service that may benefit local residents. The use will contribute to the general welfare in the neighborhood by filling one of several vacancies in the immediate area.
- (B) The proposed use and development will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or be injurious to property values or improvements in the vicinity. The ZBA felt the proposed use would benefit the general community and property values in the vicinity by providing a needed service, and will provide benefits by moving the area in a positive developmental direction through filling of a vacant commercial space and by bringing additional patrons of the company to the area.
- (C) The proposed use and development will be in harmony with the general and specific purposes for which the Zoning Code was enacted, and for which the regulations of the district in question were established, and with the general purpose and intent of the Official Comprehensive Plan. The Property has had a number of uses through the years, but has never been a retail location. It is not suited to retail use. The use as proposed will be consistent with the goals and purposes of the Zoning Code and retail overlay district.
- (D) The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity, and will not interfere with the use and development of neighboring property. The proposed use will occupy existing office space previously used for non-retail purposes, will fill one of several vacancies on the block, is low impact, and will bring additional persons to the area who may patronize other businesses. The proposed use will not hinder the use and development of this portion of the retail overlay district.
- (E) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries and schools, or the applicant will provide adequately for the services. The public facilities and services necessary to serve the Petitioner are already in place.
- (F) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. The number of

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- persons anticipated to be visiting the proposed use, even on a busy day, is not excessive.
- (G) The proposed use and development will be served by parking areas that are of adequate size, properly located and suitably screened from adjoining residential uses. Street parking is available nearby.
- (H) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance. The proposed use will be in existing, vacant, non-retail space. No exterior alterations are proposed.
- (I) The proposed use and development will comply with the regulations and conditions specified in the Zoning Code for the use, and with the stipulations and conditions made, if any, a part of the authorization granted by Council.

RECOMMENDATIONS: Based upon the foregoing Findings, the ZBA, by a vote of seven (7) in favor and none (0) opposed, recommends to the Mayor and City Council that the conditional use requested by Petitioner to locate a business/professional office on the first floor of an existing building at 6938 W. Windsor Avenue, Berwyn, Illinois, in the Downtown Retail Overlay District within the C-2 General Commercial Zoning District, be approved.

Sianed

ance C. Malina, Executive Secretary

Zoning Board of Appeals

City of Berwyn



Denis O'Halloran Fire Chief do'halloran@ci.herwyn.il.us

Sam Molinaro
Assistant Fire Chief
smolinaro@ci.berwyn.il.us



6700 W. 26th Street • Berwyn, IL 60402-0701 708.788.2660 ext 3281 Fax 708.788.3039 • Emergency 9-1-1



May 9, 2017

To: Mayor Lovero and Members of the City Council

Danis Othellan 239

From: Chief Denis O'Halloran

Re: Swearing in of Timothy Berwick to the rank of Engineer

Honorable Mayor and City Council Members;

I would like to introduce and present Firefighter / EMT Timothy Berwick to be sworn in to the rank of Engineer, a seniority promotion and appointment per the current collective bargaining agreement. The effective date of promotion is May 11, 2017.

This vacancy is due to the recent retirement of Engineer John Janata, who served the City for twenty-four years seven months. The City and the Fire Department would like to thank John for his service and wish him a happy and healthy retirement.

Respectfully submitted,



Denis O'Halloran Fire Chief do halloran@ci.berwyn.il.us

Sam Molinaro Assistant Fire Chief smolinaro@ci.berwyn.il.us



6700 W. 26th Street • Berwyn, IL 60402-0701 708,788.2660 ext 3281 FAX 708.788.3039 • Emergency 9-1-1



Mayor Robert J. Lovero

May 9, 2017

Re:

Mayor Lovero and Members of the City Council To:

From: Chief Denis O'Halloran

Request permission to contact the Fire & Police Commission to hire a Probationary Fire Fighter

Paramedic

Honorable Mayor and City Council Members;

I am respectfully requesting permission to contact the Fire & Police Commission to begin the hiring process of the next qualified candidate on the current Firefighter eligibility list. This vacancy in the Firefighter Paramedic rank is due to the promotion of Timothy Berwick to the rank of Engineer.

This request has been planned for and the position is accounted for in the 2017 Fire Department budget.

Respectfully submitted,

Dens OHallow





Robert P. Schiller Director of Public Works

A Century of Progress with Pride

May 9, 2017

To: Mayor Robert J. Lovero

Members of the Berwyn City Council

Re: Recommend award for annual routine tree pruning and removal.

On April 5, 2017, staff opened sealed Request for Proposals for the 2017/18 annual tree services contract. All bidders were in attendance as well as a representative from Public Works and the City Clerk's office. The City received proposals from Sinott Tree service, Lyons Tree Service and Homer Tree Service. The tabulation of bids is included with this recommendation.

After reviewing the proposals, and talking to all the bidders, Sinott only bid on a portion of the services requested. Sinott was the low bidder for 4 of the 6 categories under the routine maintenance portion of the bid. Homer Tree Service was the overall low bidder for the entire proposal.

I recommend that these services (removal and trimming) not be split between different companies. Therefore, I recommend that we award the city wide tree pruning, removal and emergency services contract to Homer Tree Service for the prices stated on the tabulation of bids. Council could also reject and re-bid the entire project if council believes that they could receive better prices from Sinott or any other vendor.

This is budgeted within the 100.26.35.5300 Public Works Professional Services.

Recommended Action

City Council award the 2017/2018 city wide tree pruning, removal and emergency services contract to Homer Tree Service for the prices stated on the tabulation of bids.

Respectfully

Robert Schiller

Director of Public Works

TABULATION OF PROPOSALS 2017 through May 1, 2018 - CITYWIDE TREE PRUNING, REMOVAL AND EMERGENCY CLEARING RFP CITY OF BERWYN, DEPARTMENT OF PUBLIC WORKS

 < 15 inches < 16 - 21 inches 22 - 28 inches 29 - 33 inches 34 - 42 inches > 42 inches 	Emergency Removals < 15 inches 16 - 21 inches 22 - 28 inches 29 - 33 inches 34 - 42 inches > 42 inches	Scheduled Pruning < 15 inches 16-21 inches 22-28 inches 29-33 inches 34-42 inches > 42 inches	Scheduled Removals < 15 inches 16 - 21 inches 22 - 28 inches 29 - 33 inches 34 - 42 inches > 42 inches
\$5 Per Inch	\$20 Per Inch	\$2 Per Inch	HOMER TREE SERVICE \$9 Per Inch \$14.50 Per Inch \$17.25 Per Inch \$21.25 Per Inch \$24.75 Per Inch \$24.75 Per Inch
\$5 Per Inch	\$20 Per Inch	\$2 Per Inch	
\$5 Per Inch	\$30 Per Inch	\$3 Per Inch	
\$10 Per Inch	\$30 Per Inch	\$5 Per Inch	
\$10 Per Inch	\$40 Per Inch	\$5 Per Inch	
NO BID	\$750 / HOUR 4 PERSON CREW	NO BID	SINOTT TREE SERVICE \$5.00 Per Inch \$7.00 Per Inch \$15.00 Per Inch \$19.75 Per Inch \$24.75 Per Inch
\$40 per tree	\$10 Per Inch	\$40 per tree	LYONS TREE SERVICE \$10 Per Inch \$15 Per Inch \$20 Per Inch \$30 Per Inch \$30 Per Inch \$40 Per Inch
\$85 per tree	\$25 Per Inch	\$85 per tree	
\$185 per tree	\$40 Per Inch	\$20 per tree	
\$285 per tree	\$50 Per Inch	\$30 per tree	
\$450 per tree	\$55 Per Inch	\$35 per tree	
\$450 per tree	\$60 Per Inch	\$40 per tree	





Robert P. Schiller Director of Public Works

A Century of Progress with Pride

Date: May 9, 2017

To: Mayor Robert J. Lovero

Members of City Council

Re: Execution of the intergovernmental agreement and accept \$58,250 grant to replace the platform

lights at the Harlem Station.

The City of Berwyn Public Works department has successfully secured a grant from METRA to replace the platform lighting at the Harlem Station. The old aluminum poles from the 1960's would be replaced with new conduit, bases, poles and LED luminaires to closely match the light fixtures at the Berwyn station. The estimated cost for this project is \$116,500 and will enhance the lighting and look of the Harlem station.

Upon execution of the intergovernmental agreement, the City will seek proposals for this project with hopes to complete it by the fall of 2017.

Recommendation:

Staff requests the Council approve the METRA grant in the amount up to \$58,250 (50%) and authorize the corporate authorities to affix the necessary signatures and to seek sealed bids.

Sincerely,

Robert Schiller

Public Works Director



To The City of Berwyn

April 27th, 2017

We are requesting permission to fund raise on traffic corners in Berwyn. The purpose is to raise money for leadership training. The goal is to train our members to then be able to train others in Cook County and in other places in the world to learn how to build better communities, be more responsible citizens and learn how to help build family and moral character. Areas in the world that we are focusing on to raise up leaders through World Missions are churches in Johannesburg; Bogotá, Colombia; Lagos, Nigeria; Seattle, Washington; Bangalore, India; Kinshasa, Republic of the Congo; Dubai; and Miami/FT. Lauderdale.

The fund raising event would be an activity of the Chicago International Christian Church established in 2006. We have responsibly fund raised at this intersection before. Our tax exempt identification number is: E9933-8688-02.

We are requesting the City of Berwyn to allow us specific dates for fund raising on the corners of Oak Park and Cermak. Please consider the following dates:

Saturday, May 6th, May 13th, and May 20th,

5/6/17, 5/13/17 and 5/20/12,

Thank you for your continual support as we are trying to raise money to make a difference in people's lives not only in Cook County but also to make a difference around the world.

Thank you in advance and I look forward to hearing from you,

Cory Blackwell/Evangelist

Janette Alvarez / Berwyn Resident



St. Leonard Parish School

FAITH · FAMILY · ACADEMIC EXCELLENCE

May 1, 2017
City Clerk
City of Berwyn
To Whom It May Concern,
We would like to request that our school block of 3322 South Clarence Avenue (St. Leonard School), be
blocked off on Friday, May 19 th . We will be holding our yearly FIELD DAY and the students will be doing
numerous activities in the street. We would like our street blocked off from 8:00am – 3:00pm.
If you have any questions, please contact me at 708/749-3666. We thank you in advance for your
consideration in this matter.
Sincerely.





St. Michael and All Angels' Church

6732 WEST THIRTY FOURTH STREET - BERWYN, ILLINOIS 60402 - PHONE (708)788-2197 / 788-3108

City of Berwyn 6700 26th Street Berwyn, Illinois 60402

April 24, 2017

Dear Clerk,

St. Michael and All Angels Church, located at 6732 34th Street, Berwyn, Illinois 60402-3412, is planning to have a Rummage Sale on Saturday May 20th and Sunday May 21st, from 8:00 a.m. to 4:00 p.m. in the facilities of the church.

We would appreciate to have the City authorization to perform this activity.

If you have any question about this matter, would you please call me at 1(708)788-3108 or 1(708)788-2197.

Sincerely,

Fr. Carlos A. Plazas, Rector.



St. Leonard Parent Association Committee 3322 S. Clarence Avenue Berwyn, IL 60402

Berwyn City Hall 6700 W. 26th Street Berwyn, IL 60402

April 12, 2017

To Whom It May Concern,

St. Leonard Parent Association is requesting to close Clarence Avenue between 33rd and 34th Streets on Wednesday, may 31st for our annual Fun Day and family dinner. We are requesting the street be closed from 9:00am-4:00pm for games, food, and entertainment purposes.

Any questions or concerns, please contact me at 708-715-0141.

Sincerely,

Annette Bennett Fun Day Coordinator



Request for Block Party & Guidelines City of Berwyn

lguerrier@ci.berwyn.il.us

Date: May 2, 2017

Mayor Lovero & Members of the Berwyn City Council

Re: Block Party located at 1200 block of Cuyler

The residents of the 1200 block of Cuyler request permission to hold a block party on Saturday, June 10, 2017 with a rain date of Saturday, June 17, 2017. We are aware of the ordinance regarding block parties and will abide by it.

If available, we would you like to have an Officer/McGruff stop at our block party YES ($\sqrt{}$) or NO ()

If available, we would like to have the Fire Department visit our block party YES ($\sqrt{}$) or NO ()

Thank you for your consideration.

Nick Mirocha, 1239 Cuyler and the following residents at:

1243	1228	1237	1234
1242	1220	1241	1247
1240	1211	1233	1224
1232	1219	1239	
1218	1221	1231	



St. Leonard Parent Association Blocktoberfest Committee 3322 S. Clarence Avenue Berwyn, IL 60402

Berwyn City Hall 6700 W. 26th Street Berwyn, IL 60402

April 12, 2017

To Whom It May Concern,

St. Leonard Parent Association is requesting to close Clarence Avenue between 33rd and 34th Streets on Saturday, September 9, 2017 (rain date of September 10th) for our annual Blocktoberfest. We are requesting the street be closed from 8:00am-11:00pm for games, food, and entertainment purposes.

Any questions or concerns, please contact me at 708-715-0141.

Sincerely,

Annette Bennett Blocktoberfest Coordinator