

APPROVED MINUTES
VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
MUNICIPAL BUILDING: 874 MAIN STREET, ANTIOCH, ILLINOIS
January 13, 2011

CALL TO ORDER

The Antioch Planning and Zoning Board meeting was called to order by Chairman Burdick at 7:30 p.m. in the Municipal Building located at 874 Main Street, Antioch, IL 60002.

ROLL CALL

Roll call indicated the following members were present: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen. Also present were Chairman Burdick, Attorney Long and Deputy Clerk Folbrick.

APPROVAL OF MINUTES

Member Kaiser moved, seconded by Member Ralston to approve the October 14, 2011 Planning and Zoning Board Minutes as presented. Upon roll call, the vote was:

YES: 6: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

ANNOUNCEMENTS AND CORRESPONDENCE

No Report.

OLD BUSINESS

No Report.

NEW BUSINESS

PZB 11-01 – 2011 Village of Antioch Zoning map Approval - Director Nilsen reviewed the map and update from the previous year which included an annexation made at Route 173 and zoned M-1. Member Karasek moved, seconded by Member Ralston, to approve PZB 11-01 – Village of Antioch Zoning Map Approval. Upon roll call, the vote was:

YES: 6: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

PZB 11-02 – Request for a special use zoning variance to install and operate greater than ten coin operated gaming devices as currently allowed in a B-1 zoning district and a request for a special use zoning variance to obtain a liquor license. Petitioner John Tschlis and Peter Georgiades – Director Nilsen announced that there is a provision in the Village Code that B-zoned licenses are to be heard before the Planning and Zoning Board, who would be taking action only on a recommendation for special use that would go before the Village board. The recommendation is not on the issuance of a license, but rather if a license should be considered for that zone.

Deputy Clerk Folbrick read aloud the public hearing notice and administered the oath to those who wished to testify.

Attorney for the petitioner, David Short, reviewed the petition, presented the business plan, security plans, and the potential impact it may have to neighboring property owners. Attorney Short presented photos of the renovation, and plans for each area of the business, including a pool table area, family area, televisions, coat check, snack bar, arcade area, stage and dance hall area. He explained that the code currently allows 10 gaming devices, and the request is for 25 devices. He advised that liquor will be tightly controlled and stored, and will be necessary for banquets and similar events. Both variance requests will aid in the revenue needed to run the business. Attorney Short further reviewed parking, traffic, and noise.

Club Manager Laura Garver, addressed the board with the potential benefits of the club, the business plan, and the accommodation of all ages with various activities. She further reviewed the request for a liquor license and amusement devices.

Sound consultant, Jim Accardo, reviewed the sound check, soundproofing, and noise control precautions.

Security Consultant Roland Hartshorn reviewed the security plan including metal detectors, security staff, observance of inappropriate behavior, and monitoring behavior.

Attorney Short provided an overview of the benefits of Club Energy to the community, including job opportunities, venues for banquets and youth, and family activities. He added that the location is ideal, the facility is state of the art, and the business owners will be respectful of neighbors and will keep traffic and noise minimized and liquor tightly controlled.

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Chairman Burdick said that the board will address the gaming devices first, and the liquor request second.

AMUSEMENT DEVICES REQUEST

Member Ipsen asked if the decibel level was known outside the building when the sound check was done. Attorney Short replied that a meter was not used, but the sound could not be heard outside at full volume. They further addressed security, and the three screening procedures that will be used from the parking lot into the building.

Member Dominiak asked how banquets would be held without kitchen facilities. Attorney Short replied that it will be catered by different local businesses. Refrigerators will be on site.

Member Kaiser asked how the online access will be controlled in the computer areas. Attorney Short replied that it will be x-box games, and the internet options on any gaming devices will be disabled. Member Kaiser asked how age and curfew will be enforced. Mr. Peter Georgiades, petitioner, said that wristbands will be used. Mr. Hartshorn added that glowing ink will also be considered for use.

Member Ralston asked about outside access to the building other than the main entrance, and scheduling of weddings on a Saturday teen night. Attorney Short replied that there will be no outside access, and scheduling would be prearranged for weddings. She requested a more detailed description of the traffic patterns. Mr. Georgiades provided an overview of traffic patterns, and the use of 3-4 security guards in the parking lot. He added that rules of conduct will be posted outside at the door before entrance to the club. He has had conversations with the Antioch Police Chief and Lake County Police, and may request special detail in certain instances.

Member Weber asked what the capacity is for the facility, and if parking is adequate for the capacity. Mr. Georgiades anticipates approximately 300 people for a sit-down banquet. Member Ralston asked if the handicapped accessibility is only outdoors. Mr. Georgiades replied that the accessible points for the upper and lower levels are outside, and there is no indoor transfer between floors.

Member Karasek asked if employees will go through background checks since they will be working with minors. Mr. Hartshorn replied that they will certainly go through the necessary checks and hopes to work with the police department for those checks. Member Karasek asked how identification will be checked. Mr. Hartshorn replied that a state ID would be an acceptable form, and anyone that does not have an ID would have to go home before curfew. Member Karasek asked if the security monitors will be watched, or only used as recording devices. Mr. Georgiades said they will be in the main office, and will be recorded 24/7. Security will always be in the parking areas to avoid loitering.

Chairman Burdick asked how many square feet of area are on each floor. Mr. Georgiades replied that it is approximately 7,000 for each floor. Director Nilsen reviewed section 4-3-2 of the Village Code which shows the square footage requirement for amusement devices as one device per every 500 square feet of floor area. He took the existing floor area, removed excluded areas, resulting in a maximum of 23 devices in total. Director Nilsen added that the contract with the neighboring property owner for additional parking helps to meet the parking requirements.

Kenny Adamski, North Point Drive Resident, asked how traffic control would be handled. Mr. Georgiades responded that a guard will be there at all times. He also asked about building occupancy established by the fire chief. Director Nilsen explained that certificate of occupancy has not been issued yet because building improvements are not yet completed. Mr. Adamski expressed further concern with noise.

Mr. John Heden, Lakeview Terrace resident, asked for clarifications on ownership and operation. Attorney Short provided an overview of the Illinois Corporations Act. He asked why the property was still up for sale. Mr. John Tschlis replied that the property has been for sale for 4 years, and was on the market for partnership opportunities. It is no longer for sale. Mr. Heden further expressed concern over the ability to generate revenue without the requested variance. Mr. Georgiades responded that the liquor license request is not only to generate revenue, but to accommodate adults and seniors and their events. Mr. Heden asked if the petitioners will be coming back in the future to request a full liquor license and turn the property into a nightclub. Mr. Georgiades said that is not included in their future plans. Mr. Heden further expressed concern with juveniles loitering in his subdivision if they are not allowed into the club.

Mr. Len Mattson, Lakeview Terrace resident, clarified that the neighboring properties are not in the Village, and do not receive services from the Antioch Police Department. He further provided examples of previous establishments in the area that were unsuccessful or closed due to problems with patrons.

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Ms. Nancy Admaski, North Point Drive resident, presented an advertisement showing the property for sale from November, 2010. Mr. Tschlis responded that it was taken off 2 weeks prior to the hearing. She further expressed concern over the potential for drug issues increasing in the area.

Mr. George Krizanovic, Lakeview Terrace resident, is concerned that the neighborhood will inherit the problems and traffic from the club.

Director Nilsen discussed the request for coin operated devices. He stated that there are no mandates for many of the concerns presented at the hearing, and the concerns expressed would not determine whether or not that variance is granted. He added that the matters may be included in the findings of fact, which can be considered when making their decision. He said that a requirement may be made that if the building or business is sold, the subsequent property or business owner will be required to apply for a special use permit as well. He recommended that the number of devices comply with the current code allowances, and that the findings include hours of operation. He said that the need for revenue should not be considered in the finding of fact, and is not justification for a special use.

Member Dominiak expressed concern over the capacity of an 800 square foot room to accommodate 25 machines in addition to the 2-3 children playing on the machines. She asked for more information on the room size before making her decision.

Member Weber asked how it would be enforced if the approval came with certain conditions that were not followed. Director Nilsen replied that citations may be issued, and an adjudication hearing may be required. Attorney Long added that serious violations could result in the removal of the special use permit, or license revocation.

Member Karasek asked for clarification on the square footage. Director Nilsen said that he would request a confirmation of square footage, and confirmation of safe and manageable property. Member Karasek asked if an internet café will be included in the plan. Mr. Tschlis said the internet café was removed, and there will be the x-box and play station rooms in its place. He added that the machines will be along the perimeter, and the center aisle will remain open.

LIQUOR LICENSE REQUEST

Member Ralston asked about the service of alcohol at a wedding that may be scheduled for a Saturday, how it would be communicated to the liquor commissioner and police department, and how it may be regulated. Attorney Long asked Attorney Short why this request is coming at the end of such a large investment. Attorney Short responded that as they worked on the business model, it evolved and resulted in the request. Attorney Long asked how notification may be made or communicated to teens that may show up on a night that is closed for a wedding. Attorney Short replied that advertising will be done in advance through local media, and they would also utilize traffic control.

Chairman Burdick asked how they may have banquets with only beer and wine, and not other liquor. Ms. Garvey responded that she has coordinated many weddings where only beer and wine are sold.

Member Dominiak asked what the value to the village may be. Attorney Short replied that it is a desirable facility that brings something to the community, and will be a great opportunity for youth. She asked how the outside access of the liquor will be secured to avoid burglarizing of the storage room. Mr. Hartshorn said there will be 25 cameras on premises. She asked if the adult functions would have the same levels of security as the teen nights. Mr. Hartshorn said that the security is geared more towards younger people, and he could contract with local police when necessary. Attorney Long added that Basset training is required for all liquor license holders per the Village Code.

Members discussed the scheduling of events with alcohol and the presence of teens during those events.

Chairman Burdick entered into the record, a letter from Mr. & Mrs. Chodelka requesting a denial of the petition, and a petition opposing the request signed by neighbors.

Director Nilsen related that staff recommends approval of the amusement devices request pending conditions stated in the hearing, and conditions represented by the applicant. He explained that pursuant to 10-14-5 the additional devices can be accommodated pending building approval and resolution of technical issues including building code and operational elements stated in the hearing. Regarding liquor, staff would like confirmation on how the liquor license would be blended with the mixed use of the building before a positive recommendation could be made.

Attorney Long asked for the petitioner's attorney to provide a sample of the liquor code requirement that is being requested.

Mr. Matteson asked if the school across the street was considered. Director Nilsen said that the restriction is 100 feet, and the current distance is approximately 178 feet.

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Member Karasek moved, seconded by Member Weber to continue PZB 11-02 citing the conditions and additional information to be provided by the petitioner, with the inclusion that the petitioner include a draft of the hours of sale of alcohol on premises, and square footage of property for the amusement devices, to the February 10, 2011 Planning and Zoning Board Meeting. Upon roll call, the vote was:

YES: 6: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

Chairman Burdick discussed the trailer parking regulations that was adopted in Gurnee, and asked staff to consider those guidelines in the zoning for Antioch. He also asked to review the use of wind turbines. Director Nilsen replied that he does have information regarding the wind turbines as the Antioch community is a member of the Lake County Wind Task Force.

ADJOURNMENT

There being no further discussion, Member Dominiak moved, seconded by Member Kaiser to adjourn the Planning and Zoning Board meeting at 10:44 p.m.

Respectfully Submitted,

Lori K. Folbrick, RMC/CMC
Deputy Clerk