

Village of Homer Glen

**14933 S. Founders Crossing
Homer Glen, Illinois 60491**

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PLAN COMMISSION SPECIAL MEETING

**Monday, February 22, 2016
7:00 PM**

**Village Council Chamber
14917 S. Founders Crossing
Homer Glen, Illinois 60491**

A. Call the Plan Commission to Order

The meeting of the Homer Glen Plan Commission was called to order by Chairman Maska at 7:00 P.M.

B. Pledge of Allegiance to the Flag**C. Roll Call**

Present for the Plan Commission were Chairman Joe Maska, Members Kevin O'Donnell, Eileen Crement, Chris Locacius and Broque Backal. Present on behalf of the Village of Homer Glen was the Director of Planning and Zoning, Michael J. Schwarz. The minutes were recorded and transcribed by Candace Rose.

D. Public Comment

None

E. Minutes

None

Chairman Maska asks that anyone wishing to speak tonight please sign in and then stand to be sworn in by Mike Schwarz. Mr. Schwarz swears in the audience.

F. Agenda Items

- 1. HG-1601-S CBR Fitness Company d/b/a Anytime Fitness (*Public Hearing*): Consideration of requests for (1) a Special Use Permit for health club, which is similar to an indoor recreation and entertainment use, which is an allowable special use in the C-2 Local Business District (Table 2A of the Zoning Ordinance); and (2) a Special Use Permit for hours of operation beyond normal 6:00 a.m. to 11:00 p.m. business hours for a 24-hour business, as required in Section 7.9-1(K) of the Village of Homer Glen Zoning Ordinance, for certain real property located at 12513, 12517, and 12521 W. 159th Street, Homer Glen, Illinois.**

Mike Schwarz states that he has received all the green cards from the applicant and that he will provide a short summary of the case for the audience. The petitioner CBR Fitness d/b/a Anytime Fitness is requesting (1) a Special Use Permit for

health club, which is similar to an indoor recreation and entertainment use, which is an allowable special use in the C-2 Local Business District (Table 2A of the Zoning Ordinance); and (2) a Special Use Permit for hours of operation beyond normal 6:00 a.m. to 11:00 p.m. business hours for a 24-hour business, as required in Section 7.9-1(K) of the Village of Homer Glen Zoning Ordinance, for certain real property located at 12513, 12517, and 12521 W. 159th Street, Homer Glen, Illinois, 60491.

Mr. Schwarz explains that the proposed health club would occupy the middle three adjoining tenant spaces, out of five available spaces in the westernmost building of the Glen Oaks Center development. The business will require minor interior modifications to a vacant newly constructed commercial tenant space. The three combined tenant spaces comprise approximately 4,468 square feet of gross leasable area. The business would have one on-site employee during staffed daytime hours. During non-staffed, overnight hours, access to the facility would be via a unique key fob assigned to each member. The proposed business would be open 24 hours a day, seven days per week. The applicant has provided additional information regarding security and other operational aspects of the facility. Per the brochure, a study by Anytime Fitness concludes that relatively few members visit the clubs between 10:00 p.m. and 5:00 a.m. The brochure states that noise and traffic during nighttime hours are not an issue. The brochure states that many health club members visit the facility in pairs, arriving together, and therefore the facility does not require many parking spaces – typically 10 or fewer – even during peak hours. The applicant is available tonight to provide more information on the proposed 24-hour business at the public hearing.

There are a number of other 24-hour Anytime Fitness locations in the Chicago area, including:

Orland Park – 11033 W. 179th Street
Frankfort – 21134 S. LaGrange Road
Romeoville – 54 S. Weber Road

Mr. Schwarz states that in order to help mitigate potential noise from car doors, vehicle engines, etc., that he is recommending a condition to be attached to the Special Use Permits as follows:

1. The applicant shall install and maintain parking signs in the east and west parking lots of the subject building, with said signs stating “No Customer Parking on this side of Building from 11:30 p.m. to 6:00 a.m.” or similar abbreviated language subject to Village staff review.

At this time, he is not recommending any other conditions to the Special Use Permit(s) such as a condition that would limit the hours of parking lot lighting. Additional lighting discussion is provided in the Plan Commission Memorandum. However, based on public testimony at the public hearing, Mr. Schwarz states that

the Plan Commission may, in its discretion, attach any conditions that may be necessary to mitigate any potential impacts from the proposed 24-hour business.

Mr. Schwarz states that given that the Lighting and Photometric Plan for the Glen Oaks Center PUD was previously approved by the Village, and incorporates fully-shielded parking lot light fixtures which are located approximately 25 feet from the adjoining residential property line, initially, he is not recommending a condition to the proposed Special Use Permit(s) that would limit the hours of parking lot lighting. However, based on public testimony at the public hearing, the Plan Commission may use its own discretion to attach a potential condition to limit the use of parking lot lights during overnight hours. The developer and project architect have indicated that the parking lot lights and exterior building lights are separately wired and controlled. The parking lot lights and exterior building lights may be set to operate on a timer, or set to operate based on darkness via a photocell, or operated manually. The project architect has indicated that the parking lot lights are wired as a group and the exterior building lights are wired as a group so that either all or none of the lights may be switched on/off. The project architect has indicated that it would be difficult to re-wire those systems to only control several light fixtures.

Jenifer Ritolo states that this will be a family owned and operated business. She will be running the facility with her two sons and her nephew. They have lived in the Village for 42 years and wanted to have a business here. She states that Mr. Schwarz has explained their request sufficiently so she has nothing to add but will answer any questions or address any issues.

Member Backal asks what percentage of the members are expected to access the facility between 9 pm and 5 a.m. Ms. Ritolo states that generally they can expect between 4 and 6%. The space they will be renting is small but an average [Anytime Fitness] gym would support 800 to 1000 members or so. Because their facility is so small they may expect 4 to 6 people wanting to come in at off hours. Generally it would be people working odd shifts, like nurses wanting to work out before going to work.

Member Locacius asks what the minimum age requirement is for the gym membership. Ms. Ritolo states 18 years is the minimum age for membership. They do allow 16-year olds but they must be accompanied by a parent.

Chairman Maska calls for a motion to open the public hearing.

A motion to open the Public Hearing in Case No. HG-1601-S was made by Member Locacius, seconded by Member Backal. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Mr. Tim Krouse states that he lives in Country View Estates and has no problem with a health club occupying the space but does not like the 24-hour/365-day a

year schedule. He thinks the lights and noise will be an issue. He also states that the lights should be rewired at the very least to allow for them to be on and/or off separately. He would not mind it being open until midnight but not 24-hours.

Ms. Shirley Ambutas also lives in Country View Estates and thinks a health club here is great. She is a nurse and her current health club (Palos Health and Fitness) is closing and she could literally walk to this location.

Member Backal states that he agrees that a 24-hour business is too intense for this location. He believes there is an issue of safety.

Dr. Glen Nisivoccia, owner/developer of the Glen Oaks Center, asks if anyone from the Village called and spoke with other towns that have allowed Anytime Fitness and if they have encountered any problems. Dr. Glen Nisivoccia states that he spoke with a Trustee from Frankfort where there is an Anytime Fitness and the Trustee indicated that they have not had any issues, but he has not spoken with other communities. Dr. Glen Nisivoccia states that there are lights and video cameras on each end of the building so safety should not be an issue.

Member Locacius states that someone using the facility alone could have a heart attack and there would not be anyone to summon help.

Ms. Ritolo states that they would like this to be an enhancement to the Village of Homer Glen, a benefit to the community. She states that they (her family) care about Homer Glen. The light and noise should not be an issue. Anyone wanting to work out after hours would be someone who wants to exercise and then go to work. They would not be drunker partying going on so she does not see the concern.

Member Locacius asks if they had considered staffing the facility 24-hours. Ms. Ritolo states that they have, but it is not economically feasible.

Ms. Shirley Ambutas states that having the facility open and active would seem to make the location safer. There was already a home owner in her subdivision that was robbed, having the lights on and people coming and going would be beneficial for the safety of the area.

Member Crement asks what conditions would have to be justified to have overnight staffing. Ms. Ritolo states that it would be based on the volume of business. Twenty or more overnight members might make it feasible but she would have to do some research. They were thinking of offering a special membership to policemen and firemen to help with that shift. She would be willing to look into the number of members needed using the facility after hours to support staffing and talk about it a later date.

Ms. Ritolo mentions that her insurance business will be located in an adjoining tenant spaces and that she will be at the site most days. If she needed to have staffing overnight she could ask her teenage son to work that shift. Some discussion ensued regarding the possibility of the health club expanding into the vacant adjoining tenant space. Mr. Schwarz states that if such an expansion into another unit is the case down the road, and the applicant wishes to expand, she would need to come back to the Plan Commission with a request for an amendment to the Special Use Permit.

Mr. Schwarz also points out that this is not the first or only business in the Village with hours beyond the normal operating times. The Circle K gas station located at 14310 S. Will-Cook Road is a 24-hour/7-day business; The McDonald's drive-through facility is open from 6:00 a.m. to 12:00 a.m. daily from December through May, and is open 24-hours daily from April through November; Jewel is open from 5:00 a.m. to 1:00 p.m. 7-days; Charter Fitness is open from 5:00 a.m. to 11:00 p.m. Monday through Friday; and the Meijer Store is open 24-hours/7-days.

Chairman Maska calls for further questions or comments. Hearing none he asks for a motion to close the Public Hearing.

A motion to close the Public Hearing in Case No. HG-1601-S was made by Member Locacius, seconded by Member O'Donnell. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Member Backal asks if any of the other business back up directly to a residential area. Mr. Schwarz states that Circle K abuts residential. Mr. Schwarz also states that the PUD for Glen Oaks requires a substantial landscape plan. This area will be planted in the future.

Member O'Donnell asks if the state plans on putting lights along here after construction of 159th Street is completed. Mr. Schwarz states that lights will only be placed at the major intersections.

Chairman Maska asks what the normal night time lighting along this area is like. Mr. Schwarz states that he has driven the area and it does not seem to be a problem.

Member Backal states that he will make a motion on this item with the notation that he has concerns about it being a 24-hour business without staff and the impact noise and lighting will have on the residents.

A motion to adopt staff's findings as the findings of the Plan Commission, and to recommend the approval of (1) a Special Use Permit for a health club, which is similar to an indoor recreation and entertainment use, which is an allowable special use in the C-2 Local Business District (Table 2A of the Zoning Ordinance); and (2) a Special Use Permit for hours of operation beyond normal 6:00 a.m. to 11:00 p.m.

business hours for a 24-hour business, as required in Section 7.9-1(K) of the Village of Homer Glen Zoning Ordinance, for certain real property located at 12513, 12517, and 12521 W. 159th Street, Homer Glen, Illinois, 60491. (Case No. HG-1601-S; CBR Fitness Company d/b/a Anytime Fitness), subject to the following condition:

1. The applicant shall install and maintain parking signs in the east and west parking lots of the subject building, with said signs stating "No Customer Parking on this side of Building from 11:30 p.m. to 6:00 a.m." or similar abbreviated language subject to Village staff review.

was made by Member Backal, seconded by Member O'Donnell. Roll call vote taken. In favor (5) Locacius, Crement, Backal, O'Donnell, Maska. Opposed (0) none. Absent (2) McGary, Mitchell. Abstained (0) none. *Motion Carried.*

Members Locacius, Crement, and Maska all voted in favor noting concerns about the facility being open 24-hours without staffing. Member Backal voted in favor noting concerns about lighting and noise.

G. Other/New Business

None

H. Adjournment

A motion to adjourn at 8:10 p.m. was made by Member Locacius, seconded by Member Backal. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Approved March 17, 2016
Chairman Maska 