

PLANNING AND ZONING BOARD OF APPEALS

- MINUTES -

Public Hearing Held September 26, 2018

Village of Lansing

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

Chairman Abbasy called the meeting to order at 6:30 p.m.

ROLL CALL:

Present: Board Members Cole, Oberman, Fish, Kasper, Hallow, McSwiggan, Venem, Chairman Abbasy and Secretary Schmittel. Also present was Bob Alderden of the Building Department, Zoran Savic, Building Commissioner and Village Attorney Matthew Ingersoll.

Absent: Commissioner Caballero

Chairman Abbasy informed the petitioner a quorum is present.

A public hearing was scheduled for Wednesday, September 26, 2018 at the Municipal Courtroom, 2710-170th Street to receive testimony and take whatever action was deemed to be appropriate on the above request pursuant to the legal notice published in The Daily Southtown newspaper on Tuesday, September 11, 2018.

RE: The request of VIP Lansing Spa Inc. for a Special Use Permit to operate a massage parlor located at 3674 Ridge Road, Lansing, Illinois 60438

Present was Seung T. Oh, owner of the business, who resides at 925 Youngstown Warren Road, Niles, Ohio 44446, Kris Watson, owner of the building, 3678 Ridge Road, Lansing, Illinois 60438, and Translator/Attorney Peter Lee who resides at 5901 N. Cicero Avenue, Suite 401, Chicago, Illinois 60646. Chairman Abbasy swore them in.

Attorney Lee described to the board his client's request for a Special Use Permit to allow a massage parlor. His client has experience and has run a massage parlor in Ohio for several years. The property has been vacant for quite some time and it is an ideal space for that type of business.

Bob Alderden, Building Department stated that the location is zoned B4, CDB – Downtown. In order to operate a massage parlor in this area, a special use must be granted. Based on the lot size and available parking the Building Department is satisfied.

Chairman Abbasy asked if there were any questions from the audience. Michael Bolz, 2539 183rd Street, Lansing, Illinois 60438 said his concern was massage parlors in general (health, public safety) and suggested that we research how other villages regulate them and their license fees.

Attorney Lee stated we are following the current ordinances not the future ordinances, the workers will be licensed in Illinois.

With no further questions from the audience the public portion of the meeting was closed.

Chairman Abbasy asked OH, through Lee what prior businesses he operated. Mr. Oh through Attorney Lee replied that he operated Hong Kong Spa. Chairman Abbasy informed the applicants that through a search of the public domain, there were articles pertaining to Warren, Ohio massage parlors, in which 10 massage parlors were closed due to allegations of sexual activities and Hong Kong Spa was on that list.

Mr. Oh through Attorney Lee replied that he operated Hong Kong Spa for five (5) years it was his own decision to close his business.

Chairman Abbasy stated that Ohio shows an active listing for Hong Kong Spa at the same address where Mr. Oh resides.

Mr. Oh through Attorney Lee replied that he is not operating at that address and that someone may be incorrectly using that address.

Commissioner McSwiggan asked if Hong Kong Spa was operating under a corporate name and if he had any partners. Mr. Oh through Attorney Lee stated it is not a corporation and he has no partners.

Commissioner Hallow asked Mr. Oh if he lives in Ohio, does he have a massage parlor license and if he knows anything about Susie Kim's Spa, which apparently shared his same home address in 2014.

Mr. Oh through Attorney Lee replied that he does live in Ohio, he does not do massages but rather operates the business, and that he will hire a manager and workers who will be licensed in Illinois. Mr. Oh through Lee further stated that he was unaware of a Susie Kim's Spa.

Commissioner Oberman asked what the hours of operation will be. Mr. Oh through Attorney Lee replied that the hours would be 9 a.m. to 10 p.m. seven days a week.

Commissioner Kasper asked about signage. Kris Watson replied that the sign will be on the west side of the building. She has owned the building and the property next door since 1956.

Chairman Abbasy inquired about the plans to provide customers showers or saunas. Attorney Lee stated that it is common that most places have showers and saunas in their establishments. No further questions being asked, Abbasy asked for a motion to be made,

Commissioner Kasper made a motion that we recommend to the Village Board that they grant a Special Use Permit to VIP Lansing Spa, Inc. to operate a massage spa to be located at 3674 Ridge Road, Lansing, Illinois 60438.

ROLL CALL ON THE MOTION:

AYES – None

NAYS – Cole, Oberman, Fish, Kasper, Venem, McSwiggan, Hallow, Abbasy

FINDING OF FACTS: Unanimous decision to recommend to the Village Board to **deny** a Special Use Permit to VIP Lansing Spa Inc. to operate a massage spa to be located at 3674 Ridge Road, Lansing, Illinois 60438.

NEXT ITEM ON THE AGENDA: Kenneth McNeal

RE: The request of Kenneth McNeal to grant a variance to change the distance between buildings for an accessory building located at 3724 192nd Street, Lansing, Illinois 60438

Present was Kenneth McNeal, 3724 192nd Street, Lansing, Illinois 60438

Chairman Abbasy swore Mr. McNeal in.

Mr. McNeal described to the board his request for a variance to a village ordinance requiring the distance between buildings of 10 feet. The variance request would be to allow Mr. McNeal to build a detached garage 7.5 feet from his existing home. The family has three cars and would like to add a third garage which would be detached and located in the rear northwest corner of the lot. Due to the 10 foot utility/drainage easement a variance is needed. This variance would not have an adverse effect on the neighbors or the neighborhood.

Bob Alderden, Building Department, stated that the addition of a garage and driveway exceeds the 30% maximum lot coverage, Ordinance 56-266 (a) (3). Zoran Savic, Building Commissioner, received a letter from Jeff Pintar, Robinson Engineering, explaining his concerns about the project.

Chairman Abbasy asked if there were any questions from the audience. Being none, the public portion of the meeting was closed.

Commissioner Venem asked what the actual size of the garage would be, what type of roof and how high the structure would be.

Mr. McNeal stated that the size of the garage would be 13 foot by 20 foot, it would have a gable roof and it won't be over 15' high.

Commissioner McSwiggan wanted to know if it was just a 3 foot variance and if you would have to come back for a variance for the green space. Bob Alderden replied that the green space would require a separate variance.

Commissioner Hallow wanted to verify that the variance is just for the building and not for the driveway.

Building Commissioner Savic said it is not safe to have the foundation 10 feet away from the sewer line in case of a break it can damage the foundation.

Chairman Abbasy stated that having 3 cars in a home is not necessarily considered a hardship. Further, a variance for Ordinance 56-266 (a) (3) would be required for the driveway. A separate engineering study would need to be done.

Chairman Abbasy asked for a motion to be made.

Commissioner Kasper made a motion to recommend to the Village Board that they grant a variance of Ordinance 56-266 Section (a) Part (9) to change the distance between buildings from 10 feet to 7.5 feet to facilitate a 10 foot x 13 foot accessory building to be located at 3724 192nd Street, Lansing, Illinois 60438. This would be a variance of 2.5 feet.

ROLL CALL ON THE MOTION:

AYES:- Venem, McSwiggan, Hallow, Cole, Oberman, Fish, Kasper, Abbasy

NAYS – None

FINDING OF FACTS: Unanimous decision to recommend to the Village Board that they grant a variance of Ordinance 56-266 Section (a) Part (9) to change the distance between buildings from 10 feet to 7.5 feet to facilitate a 10 foot x 13 foot accessory building to be located at 3724 192nd Street, Lansing, Illinois 60438. This would be a variance of 2.5 feet.

NEXT ITEM ON THE AGENDA: Nadeem Khan/SNK International, LLC

RE: The request of Nadeem Khan/DNK International, LLC for a Special Use for an indoor amusement at 2416 176th Street, Lansing, Illinois 60438.

Present was Nadeem Khan who resides at 530 S. Princeton Avenue, Villa Park, Illinois 60181 and Nabbil Khan who resides at 530 S. Princeton Avenue, Villa Park, Illinois 60181

Chairman Abbasy swore them in.

Nadeem Khan described his plans to open a store with the latest technologies, Virtual Reality. He has been a Lansing business owner since 2001. He will provide high quality service in which guests can explore many things. It will be a safe, friendly family environment.

Bob Alderden, Building Department stated that the property is zoned B-2 Community Retail and Service. Table 56-197 requires a Special Use to operate this type of business. The location and construction meet the Village of Lansing's codes. The Building Department recommends this Special Use be granted as long as the business can provide at least one ADA accessible rest room. Zoran

Savic, Building Commissionerr, stated the location is well taken care of and it is a great opportunity to experience

Chairman Abbasy asked if there were any questions from the audience. Being none, the public portion of the meeting was closed.

Commissioner Oberman asked if there would be a bathroom for the public. Mr. Khan stated that there would be one.

Commissioner Fish inquired if there would be different entrances for the separate businesses, if there were any similar places in the area and what the hours would be.

Mr. Khan said there would be separate entrances for each business and that there was a similar place in Chicago, Illinois. The hours of business would be 2 p.m. to 12 a.m.

Commissioner McSwiggan asked if the stations were already set up. Mr. Khan replied that they were.

Commissioner Hallow asked if the stations were used by the hour. Mr. Khan stated they are set up by half hour or hour appointments.

Chairman Abbasy said he was fortunate to try it out and wanted the commissioners to know about the health aspect and hygiene.

Mr. Khan explained the sanitation. For new users they will have individual masks, removable foam masks which are washed regularly and after each use the controls are wiped down.

Chairman Abbasy inquired about the selection of games. Mr. Khan explained that there is a section for children. For older people there will be a normal section, nothing obscene, no alcohol, no gambling. If you are under 18 years of age you have to have a parent there.

No further questions being asked, Chairman Abbasy asked for a motion to be made.

Commissioner Kasper made a motion to recommend to the Village Board that they grant a Special Use to allow an Indoor Amusement Facility to be located at 2416 176th Street, Lansing, Illinois 60438 with the following condition, that the facility provide one ADA accessible restroom within 90 days of opening.

ROLL CALL ON THE MOTION:

AYES: Venem, McSwiggan, Hallow, Cole, Oberman, Fish, Kasper, Abbasy

NAYS: None

FINDING OF FACTS:

Unanimous decision to recommend that the Village Board **grant** a special use to allow an Indoor Amusement Facility to be located at 2416 176th Street, Lansing, Illinois 60438 with the following condition, that the facility provide one ADA accessible restroom within 90 days of opening.

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

Commissioner Kasper made a motion to adjourn at 7:50 p.m. The motion was seconded by Commissioner Hallow.

The Public Hearing was adjourned.

Respectfully Submitted,

Saad Abbasy, Chairman
Planning & Zoning Board of Appeals