

PLAN AND ZONING

REPORT OF THE PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF NORTHFIELD
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of
Northfield Plan and Zoning Commission taken at the Northfield
Village Hall, Board Room, Northfield, Illinois on the 8th day
of September, 2021, at the hour of 7:00 p.m.

MEMBERS PRESENT:

BILL VASELOPULOS, Chairperson
KATHY ESTABROOKE
WILLIAM KELLY
STEVEN HIRSCH
CONNIE BERMAN
JENNIFER SUCHER
THOMAS BOLLING

MEMBERS ABSENT:

TODD BERLINGHOF
DAN DELOYS

ALSO PRESENT:

STEVE GUTIERREZ, Community Development Director
GREG LUNGMUS, Village Board President

1 CHAIRPERSON VASELOPULOS: I'd like to call to
2 order the meeting of the Plan and Zoning Commission. My
3 name is Bill Vaselopulos; I'm the Chairman of the
4 Commission. Before I have the Commissioners introduce
5 themselves, I want to say a couple of words.

6 First, welcome back to everyone. We
7 haven't been in this room for a year-and-a-half. It's
8 our first time back, so welcome, everybody. We haven't
9 seen each other for six months because we haven't had a
10 meeting in six months. It's been Zoom up until that
11 point.

12 But a couple of things have changed. I
13 just want to bring it to the attention that Tracey
14 Mendrek, our former Commissioner, has moved on to bigger
15 and better things at the Board. She has been voted as a
16 new Village Board member. So, we wish her the best.
17 She did a great job here. I'm sure she will do a good
18 job at the Village Board.

19 Replacing her is Jennifer Sucher. We
20 thank you, Jennifer, for joining us and making the
21 commitment to participate in our community affairs. So,
22 we wish you well and thank you for your service.

23 Also, Tom Bolling on the far right here,
24 today is Tom's last day with our Commission. He's been
25 with us for a number of years now, and he has some new
26 and exciting personal adventures. He'll be doing a
27 little bit more traveling apparently, so he has resigned
28 from the Commission. But we appreciate your service,
29 Tom, thank you very much. You did a great job; you've
30 been doing a great job. Thank you, Tom.

31 (Applause.)

32 CHAIRPERSON VASELOPULOS: With that, I'd like
33 all the Commissioners please to introduce themselves,
34 starting with Steve.

35 COMMISSIONER HIRSCH: Hi, Steven Hirsch.

36 COMMISSIONER KELLY: Hi, Bill Kelly.

37 COMMISSIONER ESTABROOKE: Kathy Estabrooke.

38 COMMISSIONER BERMAN: Connie Berman.

39 COMMISSIONER SUCHER: Jennifer Sucher.

40 COMMISSIONER BOLLING: Tom Bolling.

41 CHAIRPERSON VASELOPULOS: Thank you very much.

42 The purpose of tonight's meeting is to
43 conduct a public hearing and to consider and discuss a
44 request for approval of a Special Use permit located at
45 300 Happ Road, Suite 108 and 109. The Petitioner's name
46 is Nassir Ali, Happ Fields, LLC, doing business as U
47 Dawg U.

48 The public hearing format will provide an
49 overview of this proposal and a forum for public comment
50 and input. This Commission is a recommending body only
51 and we will forward our recommendation to the Village
52 President and Board of Trustees for final determination

1 on whether or not to grant this item before us today.
 2 The Board will then consider this item being discussed
 3 this evening at the next Board meeting which is
 4 scheduled for Tuesday, September 21, 2021, at 7:00 p.m.,
 5 right here in this board room.

6 Commission meetings require that all
 7 persons wishing to be heard and to enter testimony must
 8 be sworn in. That includes all petitioners, individuals
 9 with the petitioners, and any interested parties and
 10 other property owners. Following the petitioner's
 11 presentation and after the Commission has had an
 12 opportunity to ask questions and discuss amongst
 13 ourselves, then all other interested parties will be
 14 given an opportunity to speak.

15 Prior to speaking, we request that all
 16 parties step forward to the microphone, be sworn in, and
 17 provide their name, address, and interest in the matter
 18 for the record. These proceedings are being recorded,
 19 and that is why we request you speak only at the podium
 20 where the microphone is located. Additionally, we are
 21 asking that everyone attending the meeting today wear
 22 masks. If you are going to speak, please get close to
 23 the microphone so that your voice can be heard and
 24 recorded.

25 Our first order of business is to pass
 26 the minutes from our last meeting of March 1, 2021.

27 Is there a motion?

28 COMMISSIONER HIRSCH: I'll make a motion.

29 CHAIRPERSON VASELOPULOS: Steve, will you
 30 second?

31 COMMISSIONER HIRSCH: I will second.

32 CHAIRPERSON VASELOPULOS: All those in favor?

33 (Chorus of ayes.)

34 CHAIRPERSON VASELOPULOS: All opposed?

35 (No response.)

36 CHAIRPERSON VASELOPULOS: Motion carries.

37 Before the Petitioner steps to the
 38 microphone, Steve, do you have any introductory
 39 comments?

40 MR. GUTIERREZ: Thank you, Chairman
 41 Vaselopulos.

42 Yes, as you indicated, the Petitioner is
 43 Mr. Nassir Ali on behalf of Happ Fields, LLC. He is the
 44 contract purchaser of the U Dawg U Restaurant at 300
 45 Happ Road.

46 This building, this complex is part of
 47 the Northfield Village Shopping Center that includes the
 48 building at 300 Happ where U Dawg U is currently located
 49 as well as the buildings at 310 Happ. That's where the
 50 Subway space is as well as the tennis place, and there
 51 are some offices above. So, that's all one shopping
 52 center under one ownership.

1 The shopping center is in our Village
2 Center Zoning District in which restaurants are required
3 to have a special use permit in order to operate. The
4 current restaurant, U Dawg U, and its owner, Mr. Mages,
5 received a special use in 2010 to operate this 2,730
6 square-foot restaurant. The current owner's special use
7 permit was granted to him personally. It does not run
8 with the property and becomes null and void when the
9 business changes ownership.

10 The new owner is required, as he is
11 doing, to obtain a new special use permit although he
12 does not intend to change the operation at all. The
13 existing tenant space, the layout, and seating capacity
14 will not change. He does not intend to change that.
15 The only slight change he is suggesting or proposing are
16 the hours of operation. The existing hours of operation
17 are 11:00 a.m. to 7:00 p.m., Tuesday through Friday, and
18 11:00 a.m. until 4:00 p.m. on Saturday and Sunday. The
19 Petitioner would like hours of operation from 9:00 a.m.
20 until 10:00 p.m., seven days a week.

21 CHAIRPERSON VASELOPULOS: Steve, you said 9:00
22 a.m. to 10:00 p.m.? Isn't it 10:00 a.m. to 9:00 p.m.?

23 MR. GUTIERREZ: I'm sorry, yes I misspoke,
24 10:00 a.m. until 9:00 p.m., seven days a week.

25 The proposed hours are consistent with
26 the other restaurants in the Village Center including
27 the Northfield Pizza Company which is just a couple of
28 doors down in the same shopping center.

29 While the operation isn't changing, this
30 was an opportunity for us to reassess whether the
31 parking was still adequate. So, we did a study on the
32 availability of parking in the shopping center. We did
33 some observations over four different days of the week
34 in different weeks during the lunch hour. That's when
35 the shopping center has its peak parking demand.

36 We tallied the available parking spaces
37 in each of the four different parking areas in the
38 shopping center. We found that in all of the parking
39 lots combined, the occupancy rate of parking stalls
40 during this peak time, ranged from 39 to 55 percent.
41 The parking area right in front of the U Dawg U
42 Restaurant, the occupancy rate there ranged from 50 to
43 80 percent, slightly higher than the shopping center as
44 a whole. What all of that indicates to Staff is that
45 there is more than adequate parking capacity in that
46 shopping center as it exists today to accommodate this
47 ongoing business. He's not talking about changing the
48 number of seating which really drives the demand for
49 parking in this particular space. So, without any
50 change in the seating capacity, we're very comfortable
51 that there's more than adequate parking in the shopping
52 center.

1 You have, in the materials that we sent
2 you, reports from all of the departments. There were no
3 concerns regarding this new ownership or the special
4 use.

5 To summarize Staff's comments, we believe
6 that the continuation of the restaurant use is
7 consistent with our Comprehensive Plan. The Petitioner
8 intends to continue the operation of a successful
9 business. This business does not have any history of
10 negative impacts on the surrounding area or neighboring
11 properties. I really can't overemphasize the importance
12 of retaining successful businesses as an economic
13 development strategy and this one is, by all manners has
14 been successful. The continued operation of it under
15 the same name just by a different owner provides great
16 value to our tax base by its retention.

17 The parking supply, again, as we had
18 indicated, is more than adequate. The higher occupancy
19 rate in the parking lot in front of the store does
20 prompt Staff to recommend that if the Commission is
21 inclined to recommend approval of the special use, that
22 it include a condition that the employees of the
23 restaurant would need to park in more remote areas of
24 the parking lot where the occupancy rate is lower than
25 right in front of the building. So, that would be the
26 only condition that Staff would suggest in addition to
27 our typical and boilerplate restaurant conditions that
28 you see in the motion that we provided.

29 Just to make one more note, we did tweak
30 the draft motion based on clarifications suggested by,
31 Jennifer in the first condition in that motion. We sent
32 that revised motion out Monday, I'm sorry, Tuesday, and
33 you also have a hard copy in front of you tonight.

34 We have the Petitioner and his representative
35 who are here to present their request to you and answer
36 any questions you might have. Of course, I'm happy to
37 answer any questions you might have of Staff.

38 With that, I'll hand it over to the
39 Petitioners. We'll swear you in as well, so if you
40 could step forward?

41 Okay, raise your right hand, please?

42 (Witnesses sworn.)

43 MR. GUTIERREZ: Thank you. Proceed.

44 MR. RYAN: Do I need to introduce myself?

45 CHAIRPERSON VASELOPULOS: If you'd just state
46 your name for the record, thank you.

47 MR. RYAN: Okay, Tim Ryan, R-y-a-n. My
48 address is 254 North Babcock in Palatine.

49 MR. ALI: My name is Nassir Ali, and my
50 address is 5740 North Campbell Avenue, Chicago, Illinois
51 60659.

52 MR. RYAN: First, I'd just like to thank

1 everybody. A lot of work went into this, and I really
2 want to thank Steve. You did a great job helping
3 coordinate everything with us.

4 I'm the broker, and I work with Rob, the
5 owner, and kind of I'm the conduit between Rob and Mr.
6 Ali to give everything a smooth transition. I've
7 personally been through this process myself on a
8 personal level, so I'm assisting Nassir with all this.
9 He's been in the restaurant/food service industry over
10 30 years. Right now, he does catering for weddings.
11 This weekend, he had a big 300-guest wedding in Geneva,
12 or Galena, and I feel very, very confident that he's
13 going to be very successful in taking over Rob's
14 successful business.

15 I just want to stress he does not plan on
16 changing anything. We've talked about that numerous,
17 numerous times. He's buying a successful business and
18 you don't want to change it. So, anyway, this is Mr.
19 Ali and he'd be happy to get this resolved.

20 MR. ALI: Yes, my name is Nassir Ali, as I've
21 mentioned. I reside in Chicago, 5740 North Campbell
22 Avenue, Chicago, Illinois.

23 MR. RYAN: If there's any questions?

24 CHAIRPERSON VASELOPULOS: Thank you. Thank
25 you very much. Your hours of operations, you plan on
26 expanding them a little bit?

27 MR. ALI: Yes, sir.

28 CHAIRPERSON VASELOPULOS: I just want to be
29 clear of that, that that's the one change really that
30 will be involved here.

31 I just had one question really. Prior to
32 the catering business, have you had any experience with
33 this type of restaurant business?

34 MR. ALI: I've been in the hotel business
35 also; I've worked for Hilton for 10 years. I've been
36 managing a restaurant and catering business for about 30
37 years at two different locations in Chicago. Currently,
38 I'm working at the Indian Garden Restaurant for nine
39 years now, for almost nine years.

40 CHAIRPERSON VASELOPULOS: Great.

41 Commissioners, any further questions or
42 comments?

43 COMMISSIONER BOLLING: Will Rob be involved at
44 all in the transition?

45 MR. RYAN: Yes, sir. Rob is going to stay --
46 I'm sorry.

47 COMMISSIONER BOLLING: Go ahead.

48 MR. RYAN: Rob is going to stay on for three
49 weeks training, and he's also going to be at a
50 consultant level by phone because he's moving, from what
51 I understand, for six months by phone or whatever. But
52 again, the employees of this establishment have been

1 there many, many years and they're going to continue to
2 be on there.

3 Mr. Chairman, as far as the hours, he
4 doesn't want to change the hours now, but he'd like to
5 be approved for the hours that were originally approved
6 10 years ago. Rob had reduced the hours because of
7 COVID. So, when things get back to normal, whenever
8 that is, he would just like the opportunity to go back
9 to those original hours that were granted 10 or 11 years
10 ago.

11 CHAIRPERSON VASELOPULOS: Sure, I understand.
12 Thank you for the clarification.

13 MR. RYAN: Thank you, Chairman.

14 CHAIRPERSON VASELOPULOS: Thank you.

15 Any other questions or comments,
16 Commissioners?

17 COMMISSIONER ESTABROOKE: I have a comment on
18 a personal level. It is the best barbecue chicken salad
19 this side of the Mississippi, and I would be crushed if
20 that wasn't still on the menu.

21 MR. RYAN: He's not going to change the menu.

22 COMMISSIONER ESTABROOKE: Great.

23 COMMISSIONER BOLLING: With the Chicago char
24 dog. No, he's got a great business there. Rob did a
25 phenomenal job in working with both of these guys.

26 CHAIRPERSON VASELOPULOS: Any other comments
27 or questions from anyone, or to make a motion?

28 COMMISSIONER BOLLING: I'd just like to
29 piggyback on what Kathy said. I've been a customer of U
30 Dawg U when they were downtown in Chicago and up here.
31 Congratulations to you and Rob. Thanks for all you're
32 doing and I'm glad to hear that you're going to continue
33 on with the tradition and establishment that he's
34 generated for a few decades now.

35 CHAIRPERSON VASELOPULOS: Tom, do you want to
36 make --

37 COMMISSIONER BOLLING: I'd like to make a
38 motion -- excuse me, I forgot.

39 CHAIRPERSON VASELOPULOS: At this stage, since
40 we are done concluding, I have to ask the audience if
41 anyone has any comments or questions that they have. If
42 they do, please step forward to the microphone.

43 (No response.)

44 CHAIRPERSON VASELOPULOS: That being said,
45 Tom, did you want to make a motion?

46 COMMISSIONER BOLLING: I'd like to make a
47 motion.

48 **A motion to recommend to the Village Board: Approval of**
49 **a Special Use in order to operate a restaurant at 300**
50 **Happ Road, in accordance with the Petitioner's**
51 **Application and Supporting Materials, date stamped**
52 **August 25, 2021, subject to the following conditions:**

- 1 1. The Special Use shall be personal and limited to
2 the Petitioner, Happ Fields LLC, pursuant to
3 Article XVI, Section 4(9) of the Zoning Ordinance
4 of the Village of Northfield. Happ Fields, LLC is
5 owned as follows: Nassir Ali 100%. Upon change in
6 or transfer of ownership of Happ Fields, LLC, the
7 Special Use shall lapse. Change in ownership shall
8 occur when any corporation, partnership or other
9 entity which currently owns 100% of the total stock
10 and/or assets of Happ Fields, LLC, shall in the
11 aggregate own less than 51% of Happ Fields, LLC.
12 The 51% minimum ownership requirements shall apply
13 regardless of whether Happ Fields, LLC is owned by
14 a corporation, partnership or other entity.
15 Furthermore, the Special Use shall only be
16 applicable to the subject property.
- 17 2. The hours of operation shall be limited to 10:00
18 a.m. to 9:00 p.m., seven days a week.
- 19 3. The restaurant shall not expand beyond the existing
20 2,730 square-foot tenant space.
- 21 4. The indoor seating capacity shall not exceed 58
22 seats.
- 23 5. Relative to the outdoor dining area, the following
24 conditions shall apply:
 - 25 a. Seating capacity shall not exceed 16 seats.
 - 26 b. The area shall be kept clean and free of
27 litter and food debris at all times.
 - 28 c. Adequate refuse containers shall be provided.
 - 29 d. Music may not be played in the outdoor dining
30 area.
- 31 6. The Petitioner shall require that restaurant
32 employees park in the underutilized remote areas of
33 the parking lots at 300-310 Happ Road.
- 34 7. Delivery vehicles shall park in the southernmost
35 parking and loading area.
- 36 8. All waste and disposal containers shall be rodent-
37 proof and leak-proof and shall be located in the
38 trash enclosure serving the building. Such area
39 shall be maintained and cleaned on a daily basis by
40 the Petitioner.
- 41 9. The owner shall employ a licensed pest control
42 exterminator to inspect and treat the premises on
43 at least a monthly basis. Documentation of said
44 treatment shall be provided to the Village's Public
45 Health Sanitarian on a monthly basis.
- 46 10. The Petitioner shall employ a qualified service
47 provider to clean out the restaurant's great traps
48 as often as necessary to prevent fats, oils and
49 greases from entering into the sewer system.
50 Documentation of said maintenance shall be provided
51 to both the Public Works and Community Development
52 departments on a monthly basis.

- 1 11. The representations made in the application and
2 supporting documents are binding upon the
3 Petitioner. There shall be no additional uses
4 permitted beyond those specifically enumerated
5 herein or permitted by the Village of Northfield's
6 Zoning Ordinance.
- 7 12. The Village of Northfield Health, Fire, and
8 Building Officials shall be granted access to the
9 subject property at any reasonable time for
10 purposes of conducting inspections for compliance
11 with Village Codes and Ordinances.
- 12 13. An approval pursuant to any requested review by a
13 Village consultant, Village Staff member, Village
14 Commission or Village Board Committee shall be an
15 approval of only those items specified in any
16 motion, resolution, ordinance, or written report.
17 Such approval shall not be deemed to be an approval
18 of any matter which is within the jurisdiction of
19 any other Village consultant, Village Staff member,
20 Village Board Committee or Village Commission that
21 has not issued a report or given its approval.
22 Neither shall such approval be deemed the approval
23 of any County, State or Federal Agency. Under no
24 circumstances shall the approval be deemed to be an
25 approval of any matter not included in this
26 ordinance by virtue of the fact that such a matter
27 appeared on a supporting document which is not
28 attached as an exhibit to this ordinance or
29 incorporated as an exhibit as part of this
30 ordinance.
- 31 14. The Petitioner shall comply in all other respects
32 with the ordinances of the Village of Northfield
33 and nothing in this Special Use shall be construed
34 as a waiver of any of those requirements.
- 35 15. Violation of any condition of this Special Use
36 Ordinance shall be cause to revoke said permit by
37 the Corporate Authorities upon 10 days proper
38 notice to the Petitioner. Alternatively, the
39 Village Manager shall have the right to assess
40 fines, not to exceed \$750 per violation, for
41 violation of this Special Use Ordinance. Such
42 assessment of fines may be appealed to the
43 Corporate Authorities by filing written notice of
44 appeal within three days of the assessment.
- 45 16. Changes in the project may only be made as follows:
46 a. Minor Field changes. Minor changes in
47 locations or sizes shown on exhibits may be
48 approved, in writing, by the Director of
49 Community Development. Typically, a minor
50 field change will not involve a percentage
51 change greater than three percent. however,
52 not all changes of less than three percent

1 shall necessarily be deemed to be minor. The
2 determination of the Director of Community
3 Development as to whether a change is a minor
4 field change shall be final.

5 b. Village Board Approved Changes. The Village
6 Board may approve, without referral to the
7 Plan & Zoning Commission, such other changes
8 as it believes are in the best interest of the
9 Village and which do not involve changes in
10 numbers found in the text of the Ordinance and
11 which do not have a substantial, direct impact
12 on adjacent properties. The determination of
13 the Village Board as to whether a requested
14 change should be referred to the Plan & Zoning
15 Commission shall be final.

16 c. Changes Requiring a Public Hearing. Any
17 change involving a size, quantity or other
18 numerical value found in the text of the
19 Ordinance, or any change having substantial,
20 direct impact on adjacent properties shall not
21 be made except after a public hearing before
22 the Plan & Zoning Commission. Additionally,
23 the Village Board or the Director of Community
24 Development may refer to any requested change
25 to the Plan & Zoning Commission for public
26 hearing when either believes it would be in
27 the best interest of the Village to do so.

28 CHAIRPERSON VASELOPULOS: Is there a second?
29 COMMISSIONER KELLY: With the addition of
30 number seven to staff parking as well as delivery
31 vehicles, is that correct? That's the only change?
32 CHAIRPERSON VASELOPULOS: Did you state the
33 unit number, Tom, in your motion?
34 COMMISSIONER ESTABROOKE: It's not in here.
35 CHAIRPERSON VASELOPULOS: It's unit number --
36 COMMISSIONER ESTABROOKE: It's 8 and 9.
37 COMMISSIONER BOLLING: No, I did not. It's
38 108 and 109.
39 CHAIRPERSON VASELOPULOS: Okay, is there a
40 second?
41 COMMISSIONER ESTABROOKE: I'll second.
42 COMMISSIONER HIRSCH: I'll second.
43 CHAIRPERSON VASELOPULOS: Kathy seconds. All
44 those in favor?
45 (Chorus of ayes.)
46 CHAIRPERSON VASELOPULOS: All those opposed?
47 (No response.)
48 CHAIRPERSON VASELOPULOS: Motion carries.
49 Congratulations! Good luck to you.
50 MR. ALI: Thank you so much.
51 CHAIRPERSON VASELOPULOS: Welcome to the
52 community.

1 MR. RYAN: Appreciate everyone's time.
2 CHAIRPERSON VASELOPULOS: One final comment to
3 Tom. Thanks again for all your service. Good luck to
4 you.
5 COMMISSIONER BOLLING: You know what, I think
6 that Northfield is a bright light in Greater Chicago.
7 Northfield, especially the folks on this Board and the
8 Village, you know, keep it up.
9 Bill, in particular, your excellence is
10 very much respected from me.
11 CHAIRPERSON VASELOPULOS: Well, thank you.
12 COMMISSIONER ESTABROOKE: Amen, amen.
13 MR. LUNG MUS: I've got to say something, Tom.
14 Greg Lungmus, President of the Village of Northfield.
15 Tom, you and I have known each other for
16 a very long time, and we're going to really miss you.
17 Thank you for your service to this community. I mean,
18 it's really what this village is all about. You served
19 on the caucus here as Commissioner. So, I'm going to
20 miss you, man, but thank you so much.
21 COMMISSIONER BOLLING: Thanks.
22 (Applause.)
23 MR. LUNG MUS: Good luck with the next chapter.
24 I'm sure it's going to be a blast.
25 COMMISSIONER BOLLING: Here we go.
26 CHAIRPERSON VASELOPULOS: May I have a motion
27 to adjourn, please?
28 COMMISSIONER KELLY: Motion.
29 COMMISSIONER SUCHER: Motion.
30 CHAIRPERSON VASELOPULOS: From Bill. Second
31 from?
32 COMMISSIONER HIRSCH: I'll second.
33 CHAIRPERSON VASELOPULOS: From Jennifer.
34 All those in favor?
35 (Chorus of ayes.)
36 CHAIRPERSON VASELOPULOS: All opposed?
37 (No response.)
38 CHAIRPERSON VASELOPULOS: Motion carries.
39 Thank you, everyone, good night.
40 (Whereupon, at 7:20 p.m., the above
41 meeting was concluded.)
42
43 APPROVED 10/4/21