



PLAN COMMISSION / ZONING BOARD OF APPEALS AGENDA

Thursday, March 21, 2024
6:30 P.M.

Frankfort Village Hall
432 W. Nebraska Street (Board Room)

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes of March 7, 2024**
4. **Public Hearing: 20857 and 20859 S. La Grange Road – Bear Down Barbecue (Ref#107) Continued from March 7, 2024**
Request: Special Use Permit for a full-service restaurant with liquor sales, for Bear Down Barbeque & Catering Company, located at 20857 and 20859 S. La Grange Road in the B-2 Community Business District (PIN: 19-09-22-100-051-0000).
5. **Public Hearing: Ash Street Right-of-Way Vacation (Ref#108)**
Request: Vacation of a section of Ash Street public right-of-way, generally located at the southern terminus of Ash Street.
6. **Public Hearing: 9426 Corsair Road – Triple Crown Training/Top Velocity (Ref#109)**
Request: Special Use Permit for indoor recreation for a baseball training facility in the I-1 Limited Industrial District (PINs: 19-09-34-302-013-0000).
7. **Workshop #3: 10211 W. Lincoln Highway – Rhumbar**
Future Public Hearing Request: Proposed Major Change to the Brookside Commons Office Centre Planned Unit Development for building exterior changes; Special Use Permit for a Full-Service Restaurant with liquor sales; Special Use Permit for Outdoor Seating associated with a permitted restaurant; and Special Use Permit for a drive-up service window associated with a permitted use, in the B-4 Office District. (PIN: 19-09-21-304-021-0000)
8. **Public Comments**
9. **Village Board & Committee Updates**
10. **Other Business**

2024 Zoning Map
11. **Attendance Confirmation (April 11, 2024)**
12. **Adjournment**

All applicants are advised to be present when the meeting is called to order. Agenda items are generally reviewed in the order shown on the agenda, however, the Plan Commission/Zoning Board of Appeals reserves the right to amend the agenda and consider items in a different order. The Commission may adjourn its meeting to another day prior to consideration of all agenda items. All persons interested in providing public testimony are encouraged to do so. If you wish to provide public testimony, please come forward to the podium and state your name for the record and address your comments and questions to the Chairperson.

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Community Development Department at (815) 469-2177, preferably no later than five days before the meeting.



MINUTES

MEETING OF VILLAGE OF FRANKFORT PLAN COMMISSION / ZONING BOARD OF APPEALS

March 7, 2024 –VILLAGE ADMINISTRATION BUILDING

432 W. NEBRASKA STREET

Call to Order: Chair Schaeffer called the meeting to order at 6:30 PM

Commissioners Present: Nichole Schaeffer (Chair), Johnny Morris, Jessica Jakubowski, Will Markunas, Dan Knieriem

Commissioners Absent: Brian James, David Hogan

Staff Present: Community & Economic Development Director Mike Schwarz, Senior Planner Christopher Gruba, Planner Amanda Martinez

Elected Officials Present: None

A. Approval of the Minutes from February 22nd, 2024

Chair Schaeffer asked for questions or comments regarding the minutes.

Commissioner Jakubowski asked if the attendance confirmation section could be revised as she did not state that she would be absent at the March 7th meeting.

Motion (#1): To approve the minutes from February 22nd, 2024, as amended.

Motion by: Knieriem

Seconded by: Jakubowski

Approved: (5-0)

B. Public Hearing: Lanigan Residence

Christopher Gruba presented the staff report.

The applicant's representative, Steve Francis, approached the podium and added that they have made minor changes in the architectural details to align with the homeowner and Commission requests.

Chair Schaeffer stated that the Commission will go through the requested variations one at a time.

Building Materials:

Commissioner Markunas thanked the applicant for making changes after the workshop, the changes softened the color of the house.

Chair Scheffer thanked the applicant for the changes and noted that there is more masonry on the proposed house.

Front Yard and Corner Side Yard Setback:

Chair Scheffer stated that she is agreeable to the setback variation request because the road pavement is not centered within the right-of-way on Maple Street.

Commissioner Markunas stated that the corner side yard area is large. He added that his home is also a corner lot, so he understands and is amenable to the request.

There was a consensus that the setbacks are sufficient.

Lot Coverage:

Staff stated that the lot coverage percentage remained the same from the workshop meeting, and that the impervious surface coverage percentage changed since the workshop meeting to meet Code.

Commissioner Markunas stated that he does not see the hardship in the lot coverage request.

Commissioner Knieriem asked if there is any effort to reduce the lot coverage percentage.

The applicant's representative stated that the proposal is based on what the homeowner would like within the house and that the rooms were squeezed to be smaller to attempt a lower percentage.

Commissioner Jakubowski stated that she is amenable to the lot coverage variation request because if the second floor got larger, there would be less architectural variation on the house.

Lot Depth and Width:

Chair Schaeffer stated that the subject property is a non-conforming lot, so she is amenable to the lot depth and width request since it is acknowledging that it is a non-conforming lot.

There was a consensus that the lot depth and width is reasonable.

Plat:

There was a consensus that the Commission is ok with the proposed plat.

Chair Schaeffer asked if anyone from the public wished to speak.

Jim Sleeman, representing Sleeman Builders, approached the podium and stated the below concerns:

- As a frequent builder in the local area, he had been advised that there is no land related hardship if the lot is over 15,000 square feet. He added that there should be consistency in that statement if true.
- He had been discouraged in the past to propose houses with a 3-car garages. He added that there should be consistency with these types of requests from the Commission. He made reference to a house that he sought variations for at 202 Ash Street.
- He does not think that the proposed house meets the Residential Design Guidelines within the 2019 Comprehensive Plan, which staff and the Commission have been firm on before.

Beth Partyka approached the podium and stated that she was involved with the proposal for the house on Ash Street that Sleeman Builders just mentioned. She stated that the property on Ash Street is a corner lot, just like the proposal at tonight's meeting, and Sleeman Builders was told to shrink the home size to ensure that the lot coverage was reduced from 21% to 20%. She added that she does not think it looks good for the Village to approve a variation request for one homeowner and not the other, so the Residential Design Guidelines should be followed.

Mari Toepper approached the podium and stated that she lives at the house at 202 Ash Street that was just mentioned and was denied a variation request. She stated that she was told to not have a 3-car garage that is visible from the road and that the impervious surface coverage was exceeding the maximum allowable percentage. She stated that there should be consistency when these variations have been denied for someone just a few years ago. She added that she does not think the proposed house at tonight's meeting fits in with the surrounding area because it might overshadow homes adjacent to it.

Motion (#2): To close the public hearing.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

Motion (#3): Recommend the Village Board approve the variation request for 1st floor building materials to allow non-masonry siding on the property located at 219 Pacific Street, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

Motion (#4): Recommend the Village Board approve the variation request to reduce the required front yard setback for the primary structure from 30' to 22.6', on the property located at 219 Pacific Street, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Jakubowski

Seconded by: Markunas

Approved: (5-0)

Motion (#5): Recommend the Village Board approve the variation request to reduce the required corner side yard setback for the primary structure from 30' to 24.9', on the property located at 219 Pacific Street, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

Motion (#6): Recommend the Village Board approve the variation request to exceed the maximum lot coverage to allow 28.9% instead of 20%, on the property located at 219 Pacific Street, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Knieriem

Seconded by: Morris

Denied: (1-4, Morris, Jakubowski, Markunas and Knieriem voted no)

Motion (#7): Recommend the Village Board approve the variation request to reduce the minimum lot width to 101.28' instead of 120' for a corner property, on the property located at 219 Pacific Street, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Jakubowski

Seconded by: Knieriem

Approved: (5-0)

Motion (#8): Recommend the Village Board approve the variation request to reduce the minimum lot depth to 147.31' instead of 150', on the property located at 219 Pacific Street, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Jakubowski

Seconded by: Markunas

Approved: (5-0)

Motion (#9): Recommend the Village Board approve the variation from Section 9.5-1 of the Village of Frankfort Land Subdivision Regulations to approve a Plat of Subdivision for a lot width and depth which do not conform to the requirements of the Village of Frankfort Zoning Ordinance, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Jakubowski

Seconded by: Knieriem

Approved: (5-0)

Motion (#10): Recommend the Village Board approve the Preliminary and Final Plat of Subdivision of 219 Pacific Street Subdivision, subject to technical revisions prior to recording.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

C. Public Hearing: Bear Down Barbeque & Catering Company

Christopher Gruba presented the staff report.

The applicant, Rashid Riggins, approached the podium to introduce himself and his business which is in Frankfort. He stated that his customers frequently go to other restaurants, such as Chef Klaus, for a drink before they go to his restaurant to eat. He added that he would like to include a service bar for the bartender, which is something that was missed by the architect before they submitted the floor plan.

Staff stated that the bar area would need to be shown on the floor plan so that it can be reviewed for compliance and asked where the bar area would be located.

The applicant stated that he would want to put the bar area by the new bathrooms which takes out one table that was shown on the floor plan. He added that the bar table would be approximately 6' long and would have no seating as it would be solely a workstation for the bartender.

Staff stated that there are standards for restaurants with liquor sales including the requirement to physically delineate the bar from the dining area.

Chair Shaeffer asked if Commissioners had any initial questions.

Commissioner Markunas stated that he visits the business and advised the applicant to work on his floor plan so that the Village Board would not have a hard time reviewing for approval.

Commissioner Morris asked the applicant what the hours of operation would be.

The applicant responded that the business would be open 5 days a week from 7:00am to 8:00pm.

There was a consensus that the applicant should work with staff to revise the floor plan to show a bar area that is compliant with the standards mentioned in the Zoning Ordinance.

Chair Schaeffer asked if anyone from the public would like to speak.

Niambi Riggins, the applicant's family member, asked if there would need to be one or two partition walls since the bar area needs to be compliant with the Zoning Ordinance.

Chair Schaeffer responded that staff would help guide the applicant with further detail after this meeting.

Chair Schaeffer asked for a motion to continue the public hearing to the next available Plan Commission/Zoning Board of Appeals meeting.

Motion (#11): To continue and keep open the public hearing until the March 21st, 2024, PC/ZBA meeting.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

D. Public Hearing: Magic Massage

Amanda Martinez presented the staff report.

The applicant, Sarah Cai, approached the podium and introduced herself.

Chair Schaeffer asked the applicant if she currently has a business anywhere else. Ms. Cai replied no, but that she used to have a business in California. Chair Schaeffer asked her if it was also a massage business. Ms. Cai replied yes, and that she had it for two years before selling it.

Commissioner Markunas asked if the business would be open every day. Ms. Cai replied yes, from 10 am – 9 pm.

Commissioner Knieriem noted that there are 5 rooms on the floorplan and asked if there would be 5 employees. Ms. Cai replied that she wasn't sure at this time. She said that there would be 4 single-person rooms and 1 couples' room. She said that for her soft opening, it would be herself and two other employees, for a total of 3 employees. They will likely start off with more couples' massages at first.

Chair Schaeffer asked Ms. Cai if she and all her employees are licensed for such work in Illinois. Ms. Cai replied yes.

Commissioner Morris asked how Ms. Cai decided on her hours of operation. Ms. Cai said that she simply looked at how long other businesses were open in the area and used them as a template.

Chair Schaeffer raised the topic of parking and noted that the applicant would request a parking adjustment to waive all required off-street parking. Commissioner Markunas said that this shopping plaza is never close to being full.

Chair Schaeffer asked Amanda Martinez if all the Zoning Ordinance requirements for a massage establishment had been met. She replied yes.

Chair Schaeffer asked if anyone from the public wished to speak. There were none.

Motion (#12): To close the public hearing.

Motion by: Jakubowski

Seconded by: Markunas

Approved: (5-0)

Motion (#13): Approve an adjustment to the minimum number of required parking spaces to allow the existing 558 parking spaces in the subject plaza to serve the existing businesses and the proposed massage establishment.

Motion by: Jakubowski

Seconded by: Markunas

Approved: (5-0)

Motion (#14): Recommend the Village Board approve a Special Use Permit for a Massage Establishment to permit the operation of a Massage Establishment in the B-3 Community Business District for the property located at 19989 S. La Grange Rd., Frankfort, Illinois 60423 (PIN 19-09-15-101-006-0000), in accordance with the submitted plans, public testimony, and Findings of Fact, subject to the following two conditions:

1. The applicant shall obtain a Business License.

2. The applicant shall comply with Zoning Ordinance Article 5, Section C, Part 11.1, Use Regulations for Massage Establishments.

Motion by: Morris

Seconded by: Jakubowski

Approved: (5-0)

E. Public Hearing: Blocker Residence

Amanda Martinez presented the staff report. Additionally, she summarized an email that staff received from Sam Aiello at 320 S. 95th Avenue who shared support of the proposed new construction house.

The applicant, Jarrett Lecas, approached the podium and stated that he is representing the property owners, Stephen, and Monica Blocker. He added that the product that is proposed for the cedar siding has a warranty of 25 years even if submerged under water. He also noted that the house passes LEED certification, applies a rainscreen system behind the exterior walls and an insect screen at the bottom of the walls as well.

Commissioner Knieriem said that building materials have evolved over time and that the cedar siding product looks durable.

Commissioner Markunas said that the proposed cedar siding product looks superior to Hardie board per his research. He asked the applicant if he's used this product anywhere else. The applicant responded no, but that he's viewed other homes that have used the product and that it seems to hold up over time. Commissioner Markunas asked if the product holds up to UV. The applicant responded yes.

Chair Schaeffer asked if anyone from the public wished to speak. Resident Lisa Cleeland of 304 N. 95th Avenue approached the podium. She said she lives in the a-frame house next door and that she's excited that the property next to hers will be developed.

Resident Doug Heathcock of 229 N. White Street approached the podium. He described the proposed architecture and materials as "cool". He said the house could not nor should not be masonry.

Resident Frank Dicolosa of 95 Cambridge Court agreed with the other residents. He likes the design because it is not "cookie cutter".

Motion (#15): To close the public hearing.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

Chair Schaeffer expressed her general agreement with the proposal.

Commissioner James said that he appreciated the different design and sustainability.

Commissioner Markunas said that the materials were well suited for the architecture.

Mike Schwarz explained the removal of the variation for the proposed metal roof. He stated that staff took a conservative approach in interpreting the language in the Zoning Ordinance. Upon further review of the language, staff determined that a variation for the metal roof is not required. He said that the requirement for the masonry siding has always been in the Zoning Ordinance and therefore this variation still applies. The property is not located within the downtown boundary and therefore the Residential Design Guidelines within the 2019 Comprehensive Plan do not apply.

Chair Schaeffer said that the property is almost entirely surrounded by commercial uses. She said that an all-brick exterior could appear monotonous and that the proposed house is “anti-monotony”.

Motion (#16): Recommend the Village Board approve a variation request to allow non-masonry siding for first floor and second-floor building materials on a house proposed on Lot B in the Aurthur T. McIntosh and Company’s Kean Avenue, S. 95th Ave. (19-09-22-300-025-0000), in accordance with the reviewed plans, public testimony and Findings of Fact.

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

F. Non-Public Hearing: Triple Crown Training

Amanda Martinez presented the staff report.

Applicant David Wayne Posley Jr. approached the podium.

Commissioner Morris asked if they have operations in other states, if this location will be a franchisee and if the applicant could explain why they chose Frankfort as a location. The applicant replied that his clients are Frankfort residents, and that the operation will be a franchise.

Commissioner Markunas said that being a franchise, he is assuming that the parent company has design standards for how it looks. The applicant said that there are no plans to modify the existing building.

Commissioner Knieriem asked the applicant if he was the owner. The applicant responded that he is a representative of the owners and the lead instructors. Commissioner Knieriem asked if they would only focus on baseball if it was previously a Rhino Sports Academy and if Triple Crown would own it. The applicant replied that they would only focus on baseball, that it was in fact a former Rhino facility and that Triple Crown would lease the building. Commissioner Knieriem asked if all sports activities would be indoor, and nothing would be outdoors. The applicant responded that was correct. The applicant said there would be no outdoor field to play baseball because this facility would only be used for training and practice. Commissioner Knieriem said that there is a shortage of this type of use in Frankfort.

Chair Schaeffer asked if the facility would ever be rented out for parties or events. The applicant responded no.

Chair Schaeffer asked for comments regarding parking. She said that the gravel in the rear yard was not approved to be there and should be removed. It could either be restored with grass or it could be paved for a rear parking lot. She said that since the facility would be relatively large, that more on-site parking would likely be required. The applicant noted that they would likely prefer to pave the rear yard for parking. Mike Schwarz noted that any new parking lot on site would need to be reviewed for engineering compliance and would require curb & gutter, etc. The plans would need to be prepared by a licensed architect or engineer. The applicant asked the Commission how much parking he needs for the proposed use. Chair Schaeffer replied that that is what is being debated tonight. The applicant asked if there were any records showing that parking “spillover” was an issue when Rhino was there. Amanda Martinez noted that Rhino did not have any conditions for parking attached to their approval. She noted that the required parking for Rhino was based upon what the applicants said they needed at the time. However, the code technically states that the required parking must be based upon “maximum occupancy”, which would equate to 64 parking spaces, which probably won’t be able to fit on site. The applicant responded that this facility would be primarily for pick-up and drop-off of youths and that he’d prefer to not spend the money to pave a parking lot expansion.

Commissioner Markunas asked what the maximum occupancy would be of the facility. The applicant responded that there would be a maximum of 2 teams at once, or about 30 people. Chair Schaeffer said that most of the players will be young and not driving to the facility. Commissioner Knieriem said that typically, parents pick up and drop off children at once, which can lead to a mess of cars at once. He said that he would prefer it if the site plan could be reworked to provide a one-way entrance and one-way exit to allow proper circulation. He said that the existing 5-6 existing parking spaces would be deficient. He said that as an industrial property, he would not want kids being picked up in the streets, crossing the street or otherwise being in the street. He believed that approximately 34-40

on-site parking spaces would be required. Mike Schwarz noted that the property could not exceed an impervious lot coverage of 80% and to keep that in mind.

Commissioner Markunas said that he estimates 2/3^{rds} of the parents would sit in the parking lot and read a book while waiting for practice to end. As such, parking will be required on-site. Amanda Martinez noted that on-street parking does not technically count toward the amount of required parking. There was general discussion regarding the amount of parking that should be required. The Commission seemed to agree that 30 spaces would be required.

Commissioner Knieriem asked if a trash enclosure was considered, taking into account turning movements for emergency vehicles. Commissioner Markunas asked the applicant if they received proper directions. They replied yes.

G. Public Comments

None.

H. Village Board & Committee Updates

Mike Schwarz noted that the following projects were approved by the Village Board at its meeting on March 4, 2024:

- The Voorn Lawndale Subdivision (preliminary and final plat); and
- The 39 and 49 E. Bowen Street Wall Massing Variation (Ord. 3441).

I. Other Business

None.

J. Attendance Confirmation (March 21st, 2024)

Chair Schaeffer asked Commissioners to please let staff know if someone cannot attend the next meeting.

Motion (#13): Adjournment 8:58 P.M.

Motion by: Jakubowski

Seconded by: Knieriem

The motion was unanimously approved by voice vote (5-0).

Approved March 21st, 2024

As Presented _____ As Amended _____

_____/s/ Nichole Schaeffer, Chair

_____/s/ Secretary

DRAFT

Project: Bear Down Barbeque & Catering Company
Meeting Type: Public Hearing
Request: Special Use Permit, full-service restaurant with liquor sales
Location: 20857 & 20859 S. La Grange Road
Applicant: Rashid Riggins
Prop. Owner: Butera Center Management, Inc.
Representative: Rashid Riggins
Plan Reviewer: Christopher Gruba, Senior Planner

Site Details

Lot Size: 10.58 Acres
PIN(s): 19-09-22-100-051-0000
Existing Zoning: B-2
Proposed Zoning: N/A
Buildings: 3
Total Sq. Ft. tenant: 2,063 SF (proposed)

Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Commercial	Commercial	B-2
North	Commercial	Commercial	B-2/B-4
South	Commercial	Commercial	B-2
East	Res. Townhomes	Single-Family Attached Residential	R-4
West	Commercial	Commercial	B-2

Figure 1. Location Map



Project Summary

Bear Down Barbeque & Catering Company is an existing carry-out restaurant located in the southeast corner of the former Butera shopping plaza. The applicant is proposing to expand their existing restaurant and transition to a full-service restaurant with liquor sales. The existing tenant space at 20857 S. La Grange Road is 1,151 square feet and they would add 912 square feet from the adjacent tenant space at 20859 S. La Grange Road (formerly Computer Repair), for a total of 2,063 square feet. The floor plan illustrates 12 tables, with a total of 46 seats. There are no planned changes to the exterior of the building, nor is any outdoor seating proposed.

Attachments

- Aerial photograph scale 1:2,000, prepared by staff GIS
- Survey of property
- Floor plan provided by the architect, received March 13, 2024
- Findings of Fact for a Special Use Permit, completed by the applicant, received January 16, 2024
- Special Use Findings of Fact Commissioner Evaluation Form
- Parking analysis of Butera shopping plaza (existing & proposed regulations)
- Description of business and hours of operation, received via email February 29, 2024

- Current menu of Bear Down Barbeque & Catering Company (from website)
- Draft PC/ZBA meeting minutes of March 7, 2024

Changes to the plans since the last public hearing: _____

The PC/ZBA reviewed this request during the public hearing on March 7, 2024. At that time, the applicant noted that he wanted a small bar area/server station within the seating area of the restaurant, which was not reflected on the floor plan. Staff noted that any changes to the floor plan would need to be reviewed to ensure compliance with the Zoning Ordinance and other codes. As such, the PC/ZBA motioned to keep the public hearing open and table the item until March 21, 2024.

The architect has since changed the floor plan slightly to include a small bar area/server station and removed 6 seats. The bar area would be delineated from the dining area by a partition half-wall. There would be no seating at the bar/server station area. The new floor plan, as proposed, complies with the Zoning Ordinance use standards for full-service restaurants with liquor sales.

Analysis (unchanged) _____

In consideration of the request, staff offers the following points of discussion:

Parking:

The Village is currently reviewing a Zoning Ordinance text amendment for parking requirements. The Butera shopping plaza is technically deficient by 299 spaces per the existing requirements and would be deficient by 204 spaces per the proposed regulations. However, it's generally accepted that this plaza is not deficient based on actual parking demand and could even be considered to have a surplus of parking.

The existing parking regulations require 1 space for every 100 square feet of gross floor area, plus 1 for each employee. The area, after the expansion, will be 2,063 square feet, requiring 21 parking spaces, plus employees.

The Zoning Ordinance permits the Plan Commission to adjust the parking required in business and industrial districts on a case-by-case basis. Given that a parking deficiency has not been noted at this plaza, and the fact the shopping center provides for 501 existing spaces that are shared parking among all tenants, staff recommends that the Plan Commission consider approving an adjustment to the required on-site parking from 21 spaces to 0 spaces per Article 7, Section B, Part 5 (b) of the Zoning Ordinance as follows:

"The following provisions and factors shall be used as a basis to adjust parking requirements:

1. Evidence That Actual Parking Demands will be Less Than Ordinance Requirements. The petitioner shall submit written documentation and data to the satisfaction of the Plan Commission that the operation will require less parking than the Ordinance requires.

2. Availability of Joint, Shared or Off-Site Parking. The petitioner shall submit written documentation to the satisfaction of the Plan Commission that joint, shared, or off-site parking spaces are available to satisfy the parking demand.

a) Agreements shall be provided which demonstrate evidence that either parking lots are large enough to accommodate multiple users (joint parking) or that parking spaces will be shared at specific times of the day (shared parking, where one activity uses the spaces during daytime hours and another activity uses the spaces during evening hours.)

b) Off-site parking lots may account for not more than 50-percent of the required parking and shall be located not more than three-hundred (300) feet from the principal use that it is intended to serve.”

The applicant has not provided evidence or written documentation as noted above. However, staff has performed a thorough parking analysis of this shopping plaza as part of the proposed parking requirements text amendment (attached).

Liquor Sales:

In an email to staff sent February 15, 2024, the applicant noted the following regarding liquor sales: *“We will have a very small liquor option that will grow as time goes on to about a normal level of liquor options. To start we will just do beer and wine in prepackaged bottles, and simple drinks like whisky/rum & cokes, vodka and cranberry, and gin and orange juice. Our income will definitely be mostly from the meats, but we do look forward to it being supplemented by the adult beverages that our customers have been hoping we’d eventually get for years”*. The Zoning Ordinance’s definition of a full-service restaurant says that food sales “shall comprise a majority of all revenues generated by the business”. If liquor comprises a majority of all revenues, the use will fall into the category of “tavern”. Staff recommends adding this as a condition of approval, should the PC/ZBA recommend approval to the Board.

Restroom Facilities:

The Building Department has noted that the proposed full-service restaurant with liquor sales will require 1 women’s toilet, 1 men’s toilet and 1 urinal per the IL State Plumbing Code. The proposed restroom facilities comply with this requirement.

Standards for Special Use

No special use shall be recommended by the Plan Commission, unless such Commission shall find:

- a. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.
- b. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- c. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- d. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
- e. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
- f. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- g. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

Findings for Consideration

The Plan Commission/Zoning Board of Appeals finds:

1. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.
2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
5. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

Affirmative Motions

1. Approve an adjustment to the minimum number of required parking spaces from 21 spaces to 0 spaces to allow the existing 501 parking spaces on the property to serve the existing businesses and the proposed expanded restaurant;
2. Recommend the Village Board approve a Special Use Permit to allow a full-service restaurant with liquor sales on the property located at 20857 and 20859 S. La Grange Road (total 2,063 square feet), in accordance with the reviewed plans, public testimony and findings of fact, conditioned upon final engineering and that food sales shall comprise the majority of all revenues generated by the business.

20857 S. La Grange - Bear Down BBQ



5 0 125 250 500 Feet

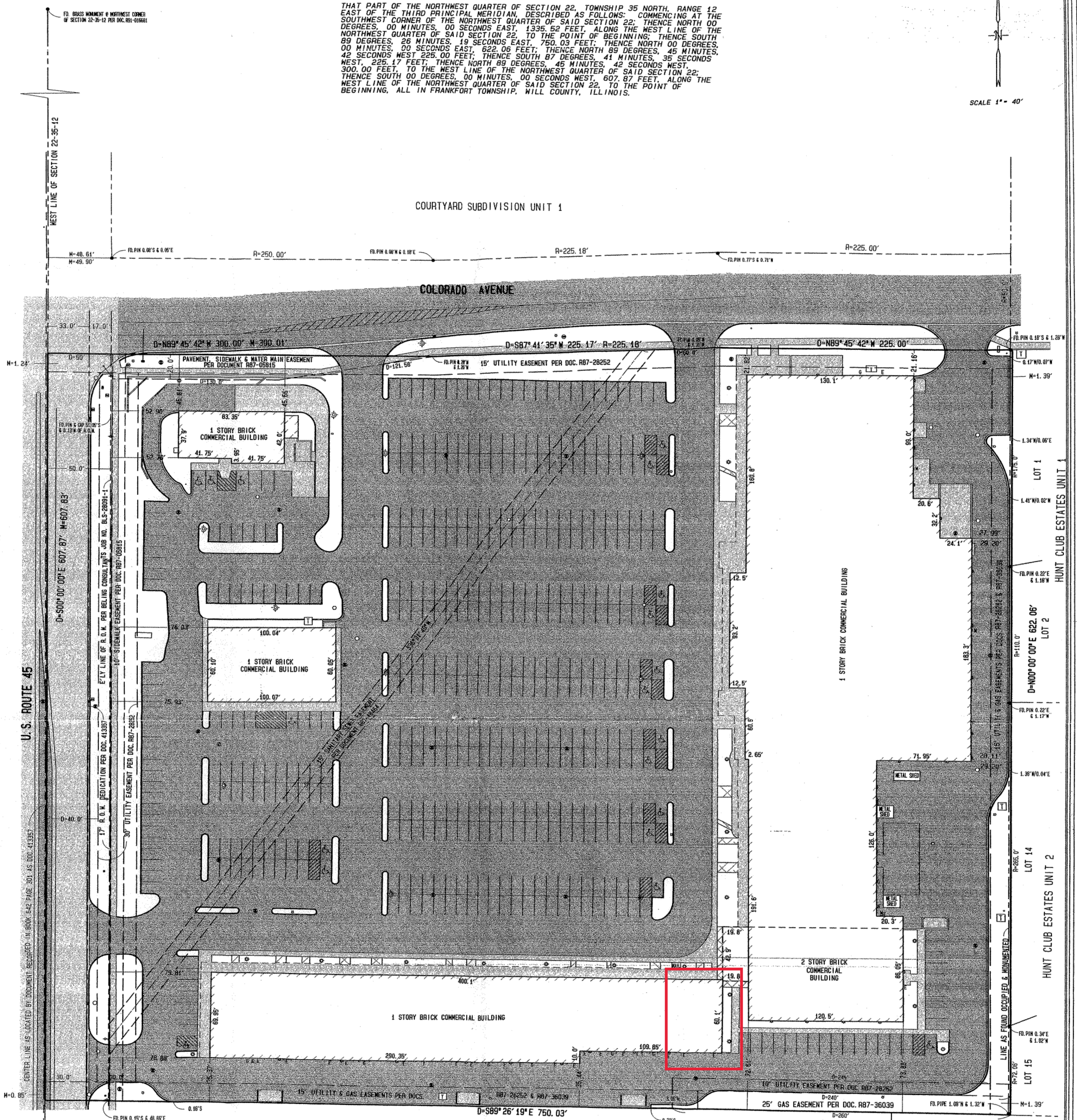
RECEIVED

By Christopher Gruba at 1:30 pm, May 11, 2022

LAND TITLE SURVEY

Order No. 012687A

SCALE 1" = 40'



THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 1336.62 FEET; ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES, 26 MINUTES, 19 SECONDS EAST, 750.03 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 622.06 FEET; THENCE NORTH 89 DEGREES, 45 MINUTES, 42 SECONDS WEST, 225.00 FEET; THENCE SOUTH 87 DEGREES, 44 MINUTES, 35 SECONDS WEST, 225.17 FEET; THENCE NORTH 89 DEGREES, 45 MINUTES, 42 SECONDS WEST, 300.00 FEET; TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, 607.87 FEET; ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, TO THE POINT OF BEGINNING, ALL IN FRANKFORD TOWNSHIP, WILL COUNTY, ILLINOIS.

COURTYARD SUBDIVISION UNIT 1

COLORADO AVENUE

U.S. ROUTE 45

HUNT CLUB ESTATES UNIT 1

HUNT CLUB ESTATES UNIT 2

P. I. N. 09-22-100-060

P. I. N. 09-22-100-046

UNSUBDIVIDED LAND

SURFACE FEATURES LEGEND

- CATCH BASIN
- INLET
- WATER VALVE
- SEWER MANHOLE
- ELECTRICAL MANHOLE
- I. B. T. MANHOLE
- TRAFFIC SIGNAL
- FIRE HYDRANT
- UTILITY POLE
- STREET LIGHT
- TRAFFIC SIGNAL VAULT
- GAS VALVE
- ELECTRIC
- GAS METER
- TELEPHONE BOX
- TRANSFORMER

GENERAL NOTES:

- THE LEGAL DESCRIPTION, EASEMENTS AND BUILDING LINES SHOWN HEREON ARE PER TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY AND KNOWN AS NO. 1410 001382543 MB WITH AN EFFECTIVE DATE OF OCTOBER 4, 2001.
- NOTE: UTILITY INFORMATION SHOWN IS BASED ON VISIBLE SURFACE EVIDENCE ONLY. MARKING: BEFORE BEGINNING ANY CONSTRUCTION CONTACT J.U.L.I.E. FOR UTILITY STAKING AT 1-800-692-0123.
- EASEMENT PROVISIONS PER SCHEDULE B OF CHICAGO TITLE INSURANCE COMMITMENT 1410-0042853 KA.
EXCEPTION 1 - C- UTILITY LETTERS WERE NOT PROVIDED BY CLIENT FOR OUR REVIEW
EXCEPTION 2 - THIS INFORMATION CONTAINED THEREIN HAS NOT BEEN SHOWN.
EXCEPTION 3 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 4 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 5 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 6 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 7 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 8 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 9 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 10 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 11 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 12 - APPLIES AND AFFECTS THE PROPERTY AS SHOWN ON SURVEY
EXCEPTION 13 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 14 - APPLIES AND AFFECTS THE PROPERTY AS SHOWN ON SURVEY
EXCEPTION 15 - APPLIES AND AFFECTS THE PROPERTY AS SHOWN ON SURVEY
EXCEPTION 16 - APPLIES AND AFFECTS THE PROPERTY AS SHOWN ON SURVEY
EXCEPTION 17 - APPLIES AND AFFECTS THE PROPERTY AS SHOWN ON SURVEY
EXCEPTION 18 - DOES NOT PERTAIN TO MATTERS OF SURVEY
EXCEPTION 19 - DOES NOT PERTAIN TO MATTERS OF SURVEY



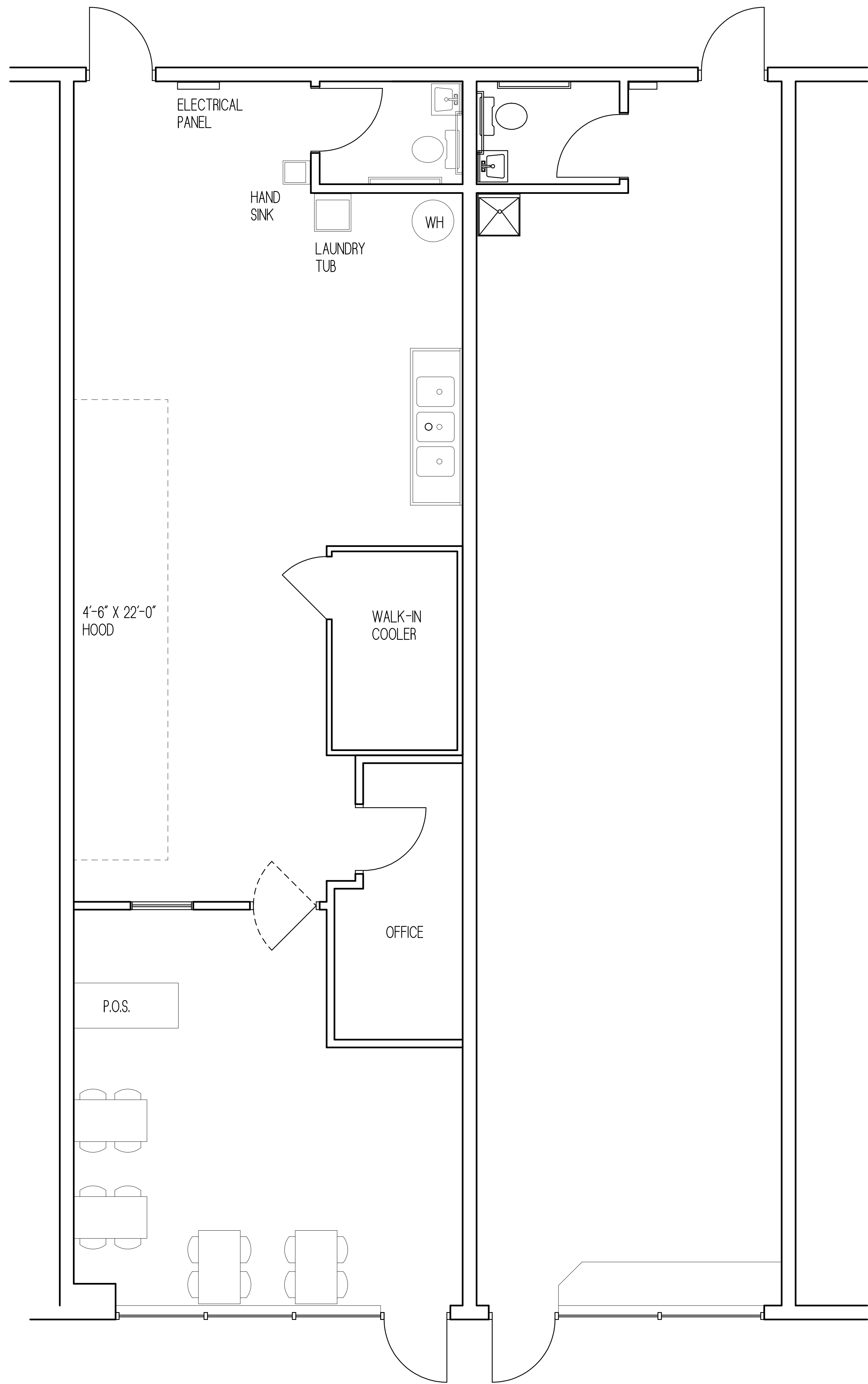
TO CHICAGO TITLE INSURANCE COMPANY FOR COMMITMENT NO. 1410 001382543 MB

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, AND 11A OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE POSITIONAL UNCERTAINTIES RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

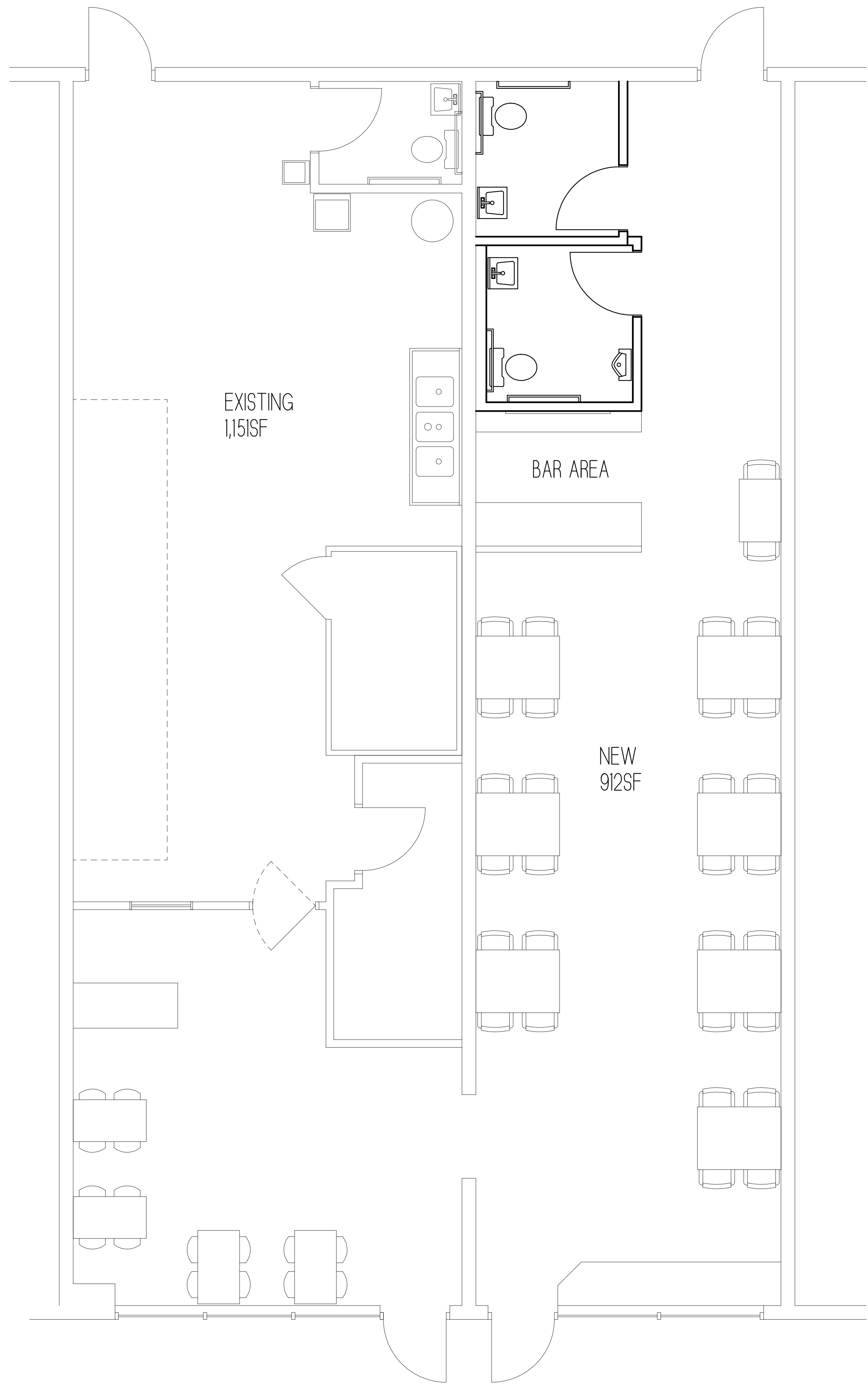
DATE OF SURVEY: NOVEMBER 26, 2001
DATE ISSUED: DECEMBER 10, 2001

Courtney W. Shropshire
COURTNEY W. SHROPSHIRE IV, PLS 2783

LAND DIVISIONS, Inc.
Professional Surveying Services
P.O. Box 835
West Dundee, Illinois 60118
(847) 551-9171 (847) 551-9193 Fax



EXISTING FLOOR PLAN
SCALE 1/4" = 1'-0"



PROPOSED FLOOR PLAN
SCALE 1/4" = 1'-0"



Application for Plan Commission / Zoning Board of Appeals Review
Special Use Permit Findings of Fact

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use permit request. The Plan Commission must make the following seven findings based upon the evidence provided. To assist the Plan Commission in their review of the special use permit request(s), please provide responses to the following “Findings of Fact.” Please attach additional pages as necessary.

1. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.

We believe that the establishment, maintenance, and operation of our full-service restaurant with accessory liquor sales will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare. Our business has a history of providing high-quality food and service, and we are committed to maintaining a safe and welcoming environment

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

We assert that our special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity, nor will it substantially diminish or impair property values within the neighborhood. We aim to enhance the local dining scene and contribute positively to the community.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

We are confident that the establishment of our full-service restaurant will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

The exterior architectural appeal and functional plan of our proposed structure have been carefully designed to harmonize with the structures already constructed or in the course of construction in the immediate neighborhood. We believe this will not cause substantial depreciation in property values within the neighborhood.

5. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

Adequate utilities, access roads, drainage, and necessary facilities have been and will continue to be provided to support our expanded business operations.

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

We have taken and will continue to take adequate measures to provide ingress and egress designed to minimize traffic congestion in public streets, ensuring a smooth flow of traffic in the vicinity.

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

We assure you that our special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. Any necessary modifications will be made in accordance with the recommendations of the Plan Commission and the approval of the Village Board.



Findings of Fact Commissioner Evaluation Form - Special Use Permit

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use permit request. No special use shall be recommended by the Plan Commission unless all the following findings are made.

	STANDARD	NOTES	MEETS	
a.	That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.		YES	NO
b.	That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.		YES	NO
c.	That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.		YES	NO
d.	That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.		YES	NO

e.	That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.		YES	NO
f.	That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.		YES	NO
g.	That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.		YES	NO

BUTERA CENTER			EXISTING REGULATIONS			
Address	Tenant	Use	Area	Requirement	Estimated employees	Parking Req'd
20883	Plaza Cleaner	Dry Cleaner	4200	1 per 200 GFA, + 1 ea. employee	5	26
20855/101	Be Well Chiropractic	Health Office	1000	3 per exam room, + 1 each employee	5	11
20855/200	Mind and Health	Health Office	757	3 per exam room, + 1 each employee	3	6
20855/202	Personal Solutions	Health Office	1425	3 per exam room, + 1 each employee	3	12
20855/208	Personal Solutions	Health Office	1286	3 per exam room, + 1 each employee	3	12
20855/209	Personal Solutions	Health Office	1188	3 per exam room, + 1 each employee	3	12
20871	Facen 4ward	Indoor Entertainment	1400	1 per 4 pple max occupancy + 1 ea. employee	3	19
20861	Crisis Rooms	Indoor Entertainment	4200	1 per 4 pple max occupancy + 1 ea. employee	3	21
20855/205	Lydia Hodges/ Doorway 11	Massage	2400	1 per 200 GFA + 1 ea. employee	3	15
20873	M R Gold & Silver	Retail	1400	1 per 250 GFA, + 1 per ea. employee	2	8
20821	Bargain Mania	Retail	39348	1 per 250 GFA, + 1 per ea. employee	10	168
20815	Tiny Tots	Indoor Recreation	4186	1 per 4 pple max occupancy + 1 ea. employee	3	30
20855/100	VACANT	Retail (assumed)	1150	1 per 250 GFA, + 1 per ea. employee	2	7
20855/103	VACANT	Retail (assumed)	525	1 per 250 GFA, + 1 per ea. employee	1	4
20855/105	VACANT	Retail (assumed)	2058	1 per 250 GFA, + 1 per ea. employee	2	11
20875	Lincoln Travel	Office	1400	1 per 200 GFA		7
20855/102	VACANT	Retail (assumed)	2300	1 per 250 GFA, + 1 per ea. employee	2	12
20855/104	VACANT	Retail (assumed)	432	1 per 250 GFA, + 1 per ea. employee	1	3
20855/201	VACANT	Retail (assumed)	1275	1 per 250 GFA, + 1 per ea. employee	2	8
20879	Salt Cave	Personal Services	4200	1 per 200 GFA, + 1 ea. employee	3	24
20867	Barber Shop	Personal Services	900	1 per 200 GFA, + 1 ea. employee	2	7
20887	Jeff Lamorte	Personal Services	6000	1 per 200 GFA, + 1 ea. employee	10	40
20863	Frankfort Computer Repair	Repair Services	900	1 per 400 GFA, + 1 ea. employee	3	6
20893	Subway	Restaurant	1750	1 per 75 GFA, + 0.5 per ea. employee	4	26
20857	Bear Down BBQ	Restaurant	1200	1 per 75 GFA, + 0.5 per ea. employee	3	18
20831	Amigo Mexican	Restaurant	2800	1 per 100 GFA, + 1 per ea. employee	5	33
20829	Chef Klaus	Restaurant	6400	1 per 100 GFA, + 1 per ea. employee	10	74
20805	Social 45	Restaurant	8710	1 per 100 GFA, + 1 per ea. employee	8	96
20811	Starbucks	Restaurant	2800	1 per 75 GFA, + 0.5 per ea. employee	6	41
20887	Red Dresser	Retail	4555	1 per 250 GFA, + 1 per ea. employee	2	21
20869	Vibe Nutrition	Retail	1400	1 per 250 GFA, + 1 per ea. employee	2	8
20833	US Tobacco	Retail	2800	1 per 250 GFA, + 1 per ea. employee	2	14
Total Required						800
Total Available						501
Deficient						299

BUTERA CENTER				PROPOSED REGULATIONS		
Address	Tenant	Use	Area	Requirement	Estimated employees	Parking Req'd
20883	Plaza Cleaner	Dry Cleaner	4200	1 per 200 GFA	5	21
20855/101	Be Well Chiropractic	Health Office	1000	1 per 250 GFA	5	4
20855/200	Mind and Health	Health Office	757	1 per 250 GFA	3	3
20855/202	Personal Solutions	Health Office	1425	1 per 250 GFA	3	6
20855/208	Personal Solutions	Health Office	1286	1 per 250 GFA	3	6
20855/209	Personal Solutions	Health Office	1188	1 per 250 GFA	3	5
20871	Facen 4ward	Indoor Entertainment	1400	1 per 200 GFA	3	7
20861	Crisis Rooms	Indoor Entertainment	4200	1 per 200 GFA	3	21
20855/205	Lydia Hodges/ Doorway 11	Massage	2400	1 per 240 GFA	3	10
20873	M R Gold & Silver	Retail	1400	1 per 250 GFA	2	6
20821	Bargain Mania	Retail	39348	1 per 250 GFA	10	158
20815	Tiny Tots	Indoor Recreation	4186	1 per 200 GFA	3	21
20855/100	VACANT	Unknown	1150	1 per 100 GFA	2	12
20855/103	VACANT	Unknown	525	1 per 100 GFA	1	6
20855/105	VACANT	Unknown	2058	1 per 100 GFA	2	21
20875	Lincoln Travel	Office	1400	1 per 300 GFA		5
20855/102	VACANT	Unknown	2300	1 per 100 GFA	2	23
20855/104	VACANT	Unknown	432	1 per 100 GFA	1	5
20855/201	VACANT	Unknown	1275	1 per 100 GFA	2	13
20879	Salt Cave	Personal Services	4200	1 per 240 GFA	3	18
20867	Barber Shop	Personal Services	900	1 per 240 GFA	2	4
20887	Jeff Lamorte	Personal Services	6000	1 per 240 GFA	10	25
20863	Frankfort Computer Repair	Repair Services	900	1 per 400 GFA	3	3
20893	Subway	Restaurant (carry out)	1750	1 per 100 GFA	4	18
20857	Bear Down BBQ	Restaurant (carry out)	1200	1 per 100 GFA	3	12
20831	Amigo Mexican	Restaurant (carry out)	2800	1 per 100 GFA	5	28
20829	Chef Klaus	Restaurant (full service)	6400	1 per 85 GFA	10	76
20805	Social 45	Restaurant (full service)	8710	1 per 85 GFA	8	103
20811	Starbucks	Restaurant (carry out)	2800	1 per 100 GFA	6	28
20887	Red Dresser	Retail	4555	1 per 250 GFA	2	19
20869	Vibe Nutrition	Retail	1400	1 per 250 GFA	2	6
20833	US Tobacco	Retail	2800	1 per 250 GFA	2	12
Total Required						705
Total Available						501
Deficient						204

From: [Rashid Riggins](#)
To: [Chris Gruba](#)
Subject: Re: Bear Down BBQ
Date: Thursday, February 29, 2024 2:22:59 PM

Our barbecue company was created by a chef who is passionate about many of the different world cuisines, but the methodology of cooking foods with nothing more than wood, smoke and fire, in an old world traditional fashion is what inspired his true calling to become a Pitmaster!

We pride ourselves on being an authentic Smoke House. We create each and every rub (spice blend), marinade, and barbecue sauce from scratch with love in our very own kitchen. The same thing goes for our side dishes. Everything on our menu is created using high quality, all natural ingredients, and premium cuts of meat.

We really do work very hard to do things the right way, by matching each cut of meat with the right choice of smoke, rub, marinade, sauce, and cooking/smoking method. Our customer's health is very important, so we don't unnecessarily add extra butters, syrups, and sugars to our meats; just traditionally prepared, authentic smoky meat, that's perfectly seasoned.

Our attention to detail definitely creates a lot more work for us, but the value we place on our customers overall satisfaction with our product makes it all worth it. Our customers are extremely important to us, and we will always go out of our way to make them happy!

Pulled description from website.

Hours will be Tuesday - Saturday from 11-9pm

Rashid Riggins
Proprietor & Pitmaster
Bear Down Barbecue & Catering Co.
20857 S. Lagrange Rd.
Frankfort, IL 60423
www.beardownbarbecue.com
www.facebook.com/beardownbarbecue

LUNCH SPECIALS (TUES.- FRI. 11AM-3:30PM)

ALL SPECIALS INCLUDE A SIDE AND BEVERAGE

1. PULLED PORK SANDWICH \$8
2. PULLED CHICKEN SANDWICH \$8
3. PORK RIB TIPS \$10
4. GRILLED BURGER \$10
5. CHICKEN TIPS \$11
6. HOT LINKS \$11
7. ANGUS BEEF BRISKET SANDWICH. \$12
8. PORK SPARE RIBS \$12

LUNCH SPECIAL SIDE OPTIONS:

1. POT. SALAD / FRIES / C. SLAW / SPICY GREEN BEANS + \$0.00
2. COWBOY BEANS/ MAC-N-CHEESE + \$1
3. SEASONED FRIES/ ONION RINGS + \$.50

COMBO'S

1. RIB & BRISKET W/FRIES \$26
2. TIPS & BRISKET W/FRIES \$24
3. TURKEY BREAST & BRISKET W/FRIES \$27
4. RIB & LINK W/FRIES \$20
5. TIP & LINK W/ FRIES \$18
6. RIB & FRIES SM. \$12 REG. \$21 LG. \$33
7. TIP & FRIES SM. \$10 REG. \$17 LG. \$27
8. CHICKEN TIP & FRIES SM. \$11 REG. \$19 LG. \$30
9. HOT LINKS W/FRIES SM. \$11 REG. \$19 LG. \$30
10. BURGER W/FRIES \$10
11. CHICKEN TENDERS W/FRIES \$8
12. FRIED CHICKEN SAND. W/FRIES \$10
13. 6PC CRISPY BUFFALO WINGS W/FRIES \$12
14. PIZZA PUFF W/FRIES \$8
15. BEEF DEEP FRIED POLISH
W/GRILLED ONIONS & SAUCE W/FRIES \$8
16. SMOKED ANGUS BRISKET CHEESESTEAK
W/FRIES \$23

LUNCH SPECIAL

(TUES.- SAT. FROM 11am to 3PM)

PULLED PORK OR PULLED CHICKEN

- SANDWICH W/FRY & DRINK \$10
CHOOSE PULLED BRISKET: \$14
COLE SLAW TOPPING: + \$1

SANDWICHES

1. PULLED PORK SM. \$5 REG. \$8
2. PULLED CHICKEN SM. \$5 REG. \$8
3. PULLED BRISKET SM. \$9 REG. \$12
4. GRILLED BURGER \$7
5. GRILLED BURGER TOPPED W/BACON & PULLED PORK \$12

- | | |
|--|----------------------------------|
| 6. WILD CAUGHT SALMON SANDWICH | \$12 |
| 7. FRIED CHICKEN SANDWICH | \$7 |
| 8. TURKEY BURGER | \$7 |
| 9. CORKSCREW CUT JUMBO BEEF HOTDOG | \$4 W/SLAW: \$6 |
| 10. 1LB MEGA BURGER | \$20 W/BRISKET \$27 W/BACON \$22 |
| 11. BEEF DEEP FRIED POLISH
W/GRILLED ONIONS & SAUCE | \$5 |
| 12. SMOKED ANGUS BRISKET CHEESESTEAK | \$20 |

MEATS BY THE POUND

- | | |
|-------------------|------|
| 1. BRISKET | \$28 |
| 2. TURKEY BREAST | \$20 |
| 3. SPARE RIBS | \$18 |
| 4. PULLED PORK | \$16 |
| 5. PULLED CHICKEN | \$16 |
| 6. HOT LINKS | \$16 |
| 7. CHICKEN TIPS | \$16 |
| 8. PORK TIPS | \$14 |

SIDES

- | | |
|-------------------------------|------------------------|
| 1. MAC-N-CHEESE | SM. \$4.50 LG. \$9.00 |
| 2. COWBOY BEANS | SM. \$4.50 LG. \$9.00 |
| 3. SPICY GREEN BEANS | SM. 3.50 LG. \$7.00 |
| 4. POTATO SALAD | SM. 3.50 LG. \$7.00 |
| 5. COLE SLAW | SM. \$3.50 LG. \$7.00 |
| 6. FRESH CUT FRIES | SM. \$3.00 LG. \$6.00 |
| 7. ONION RINGS | SM. \$3.50 LG. \$6.50 |
| 7. F. CUT SEASONED FRIES | SM. \$3.50 LG. 6.50 |
| 8. PITMASTER CUT STEAK FRIES | SM. \$5.00 LG. \$10.00 |
| 9. P. CUT SEASONED STEAK FRY. | SM. 5.50 LG. 10.50 |

DESSERTS

- | | |
|--------------------|-----------|
| 1. PIE OF THE DAY | SLICE \$5 |
| 2. CAKE OF THE DAY | SLICE \$5 |
| 3. BANANA PUDDING | SLICE \$5 |

SPECIALTY ITEMS

- | | |
|---|---------------------|
| 1. MAC-N-CHEESE W/PORK OR CHICKEN | \$12 W/BRISKET \$17 |
| 2. BBQ SUNDAE (BEANS, MEAT, SLAW & SAUCE IN 16OZ CUP) | |
| CHICKEN OR PORK | \$12 |
| BRISKET | \$14 |
| 3. BRISKET & MAC-N-CHEESE SANDWICH | \$15 |

LIMITED TIME

- | | |
|---|----------|
| 1. SMOKED PULLED PORK OR SMOKED
PULLED CHICKEN EGG ROLLS | \$3 EACH |
|---|----------|

BEAR DOWN BBQ CATERING MENU

20857 S. LAGRANGE ROAD, FRANKFORT IL 60423
(815) 464-1000 www.beardownbarbecue.com

EVENT / PARTY PACKAGES

- 25 PERSON / HEAD COUNT MINIMUM
- SERVED WITH SMALL BRIOCHE BUNS FOR PULLED MEAT OR BRISKET
- DISPOSABLE CHAFER SETUPS & DINNER MINTS
- PAPER PLATES, SERVINGWARE, NAPKINS, AND PLASTICWARE

TWO MEAT & TWO SIDES

- CARRY-OUT \$19 PER PERSON
- DELIVERY & SET UP \$21 PER PERSON

THREE MEAT & THREE SIDES

- CARRY-OUT \$23 PER PERSON
- DELIVERY & SET UP \$25 PER PERSON

SMOKED MEAT OPTIONS	PER POUND PRICING	HALF PAN 6LBS FULL PAN 12LBS
SPARE RIBS	\$18	\$108 / \$216
PORK RIB TIPS	\$12	\$72 / \$144
CHICKEN TIPS	\$12	\$72 / \$144
TURKEY BREAST	\$20	\$120 / \$240
ANGUS BEEF BRISKET	\$24	\$144 / \$288
PULLED PORK	\$16	\$96 / \$192
PULLED CHICKEN	\$16	\$96 / \$192
HOT LINKS	\$12	\$72 / \$144
WHOLE HOG	\$14	-----
WHOLE TURKEY	\$80	16-18LBS

SIDE OPTIONS	HALF PAN / FULL PAN
POTATO SALAD	\$30 / \$60
COLE SLAW	\$30 / \$60
HOUSE SALAD W/CUCUMBER	\$30 / \$60
COWBOY BEANS	\$35 / \$70
SMOKED MAC-N-CHEESE	\$35 / \$70
FRESH CUT FRYs	\$30 / \$60
FRESH CUT SEASONED FRYs	\$35 / \$70
BANANA PUDDING	\$35 / \$70

- SIDE HALF PAN, APPROXIMATELY 20-25 SERVINGS
- SMOKED MEAT, APPROXIMATELY 3 PEOPLE PER LB.

Approved: (5-0)

Motion (#9): Recommend the Village Board approve the variation from Section 9.5-1 of the Village of Frankfort Land Subdivision Regulations to approve a Plat of Subdivision for a lot width and depth which do not conform to the requirements of the Village of Frankfort Zoning Ordinance, in accordance with the reviewed plans, public testimony and findings of fact.

Motion by: Jakubowski

Seconded by: Knieriem

Approved: (5-0)

Motion (#10): Recommend the Village Board approve the Preliminary and Final Plat of Subdivision of 219 Pacific Street Subdivision, subject to technical revisions prior to recording.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

C. Public Hearing: Bear Down Barbeque & Catering Company

Christopher Gruba presented the staff report.

The applicant, Rashid Riggins, approached the podium to introduce himself and his business which is in Frankfort. He stated that his customers frequently go to other restaurants, such as Chef Klaus, for a drink before they go to his restaurant to eat. He added that he would like to include a service bar for the bartender, which is something that was missed by the architect before they submitted the floor plan.

Staff stated that the bar area would need to be shown on the floor plan so that it can be reviewed for compliance and asked where the bar area would be located.

The applicant stated that he would want to put the bar area by the new bathrooms which takes out one table that was shown on the floor plan. He added that the bar table would be approximately 6' long and would have no seating as it would be solely a workstation for the bartender.

Staff stated that there are standards for restaurants with liquor sales including the requirement to physically delineate the bar from the dining area.

Chair Shaeffer asked if Commissioners had any initial questions.

Commissioner Markunas stated that he visits the business and advised the applicant to work on his floor plan so that the Village Board would not have a hard time reviewing for approval.

Commissioner Morris asked the applicant what the hours of operation would be.

The applicant responded that the business would be open 5 days a week from 7:00am to 8:00pm.

There was a consensus that the applicant should work with staff to revise the floor plan to show a bar area that is compliant with the standards mentioned in the Zoning Ordinance.

Chair Schaeffer asked if anyone from the public would like to speak.

Niambi Riggins, the applicant's family member, asked if there would need to be one or two partition walls since the bar area needs to be compliant with the Zoning Ordinance.

Chair Schaeffer responded that staff would help guide the applicant with further detail after this meeting.

Chair Schaeffer asked for a motion to continue the public hearing to the next available Plan Commission/Zoning Board of Appeals meeting.

Motion (#11): To continue and keep open the public hearing until the March 21st, 2024, PC/ZBA meeting.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

D. Public Hearing: Magic Massage

Amanda Martinez presented the staff report.

The applicant, Sarah Cai, approached the podium and introduced herself.

Chair Schaeffer asked the applicant if she currently has a business anywhere else. Ms. Cai replied no, but that she used to have a business in California. Chair Schaeffer asked her if it was also a massage business. Ms. Cai replied yes, and that she had it for two years before selling it.

Commissioner Markunas asked if the business would be open every day. Ms. Cai replied yes, from 10 am – 9 pm.

Project: Ash Street Public Right-of-Way Vacation
Meeting Type: Public Hearing
Requests: Vacation of a section of Ash Street public right-of-way, generally located at the southern terminus of Ash Street.
Location: Undeveloped public right-of-way
Applicants: Charles S. and Susan K. Christensen; Robert D. Rowe Revocable Trust
Prop. Owner: Village of Frankfort
Consultant: Rudy P. Dixon, PLS, Regional Land Services
Report By: Michael J. Schwarz, AICP

Site Details

Parcel/Lot Size: 5,209 square feet
PIN(s): Not applicable
Existing Zoning: R-2 Single-Family Residential District
Prop. Zoning: R-2 Single-Family Residential District
Building(s) / Lot(s): None
Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Public Right-of-Way	Public Right-of-Way	R-2
North	Public Right-of-Way	Public Right-of-Way	R-2
South	Single-Family Detached Residential	Single-Family Detached Residential	R-2
East	Church / Single-Family Detached Residential	Public Institutional / Utility / Single-Family Detached Residential	R-2
West	Single-Family Detached Residential	Single-Family Detached Residential	R-2

Figure 1: Location Map



Project Summary

The applicants, Charles S. and Susan K. Christensen, owners of real property located at 230 Center Road (PIN 19-09-28-227-012-0000), and the Robert D. Rowe Revocable Trust, the owner of real property located at 231 Oak Street (PIN 19-09-28-226-015-0000), have each filed an application requesting the vacation of a portion of the unimproved Ash Street public right-of-way, totaling approximately 5,209 square feet in area, generally located at the southern terminus of Ash Street in the Village of Frankfort, Illinois, each with the intention of purchasing a portion of the vacated public right-of-way from the Village of Frankfort.

Property Background

The applicants in this matter recently approached the Village about their desire to purchase the undeveloped portion of the public right-of-way at the southern terminus of Ash Street to expand the yard areas of their properties. Both property owners have lots which are adjacent to the subject public right-of-way. The matter was discussed at the Committee-of-the-Whole meeting on August 9, 2023 (refer to attached minutes). Following the Committee meeting staff was directed to reach out to leadership of St. Peter's Church to see if they too would be interested in purchasing a portion of the public right-of-way that is adjacent to the church property. Given the relatively small size and

triangular shape of the portion of the right-of-way which would have been divided from the overall undeveloped public right-of-way, the church declined interest.

The applicants have jointly submitted a Plat of Vacation for the proposed vacation of the public right-of-way (refer to attached plat). The plat has been reviewed and approved by the Village's Consulting Engineer for accuracy and compliance with land surveying standards. At the request of the Village's Department of Public Works, the proposed public right-of-way to be vacated would begin ten feet (10') south of the existing edge of the street pavement at the terminus of Ash Street, to provide an area for snow to be stored as needed during winter months. It should be noted that the existing chain link fence is owned by the Village. If the request for vacation of the public right-of-way is approved by the Village Board and pending the necessary documents to be prepared by the Village Attorney for the conveyance of the property to the applicants, the fence may be removed by the applicants if desired. It should also be noted that the Department of Public Works is not seeking the retainer of any public utility and/or drainage easements within any portion of the subject public right-of-way. The owner of 231 Oak Street recently installed a catch basin and underground stormwater pipe to allow the subject area to drain through his property and toward the public stormwater mains under Oak Street. That facility would be privately owned and maintained should the vacation be approved.

As depicted on the Plat of Vacation, the vacated public right-of-way would be divided into two tracts. Tract 1, which is 2,541.08 square feet, would be conveyed by the Village to the owner(s) of 231 Oak Street. Tract 2, which is 2,667.84 square feet, would be conveyed to the owner(s) of 230 Center Road. Pursuant to recent Village Board policy and application procedures concerning such requests for the vacation of public right-of-way within the Village, rather than requiring an appraisal process, any vacated public right-of-way which is less than 7,000 square feet, requires a single \$1500 fee paid to the Village. Additionally, the applicant(s) will be responsible for the \$200 application fee and all recording, professional and legal fees associated with the vacation of the property.

The Illinois Compiled Statutes (65 ILCS 5/11-91-1) allow the corporate authorities of a of any municipality, whether incorporated by special act or under any general law, determine that the public interest will be subserved by vacating any street or alley, or part thereof.

Attachments

1. 2020 Aerial Photograph from Will County GIS (1:2257 scale)
2. 2020 Aerial Photograph from Will County GIS (1:1128 scale)
3. Site Photographs taken 3/15/24
4. Approved Minutes of the 8/9/23 Committee-of-the-Whole Meeting
5. Plat of Vacation last revised 3/18/24, received 3/19/24

Analysis

In consideration of the request, staff offers the following points of discussion:

Article 4, Section C, Part 1(a) of the Zoning Ordinance provides:

In the event that uncertainties exist with respect to the intended boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:

- a. The district boundaries are the center-lines of streets or alleys, unless otherwise indicated. Where designation of a boundary line on the Zoning Map coincides with the location of a street or alley, easements, railroads, and right of ways, the centerline of such street or alley shall be construed to be the boundary of such district.*

Based on the above rule, the subject public right-of-way is zoned R-2 Single-Family Residential District, the same as the adjacent properties, and would remain zoned as such should the requested public right-of-way vacation be approved.

Affirmative Motion _____

For the Commission's consideration, staff provides the following potential affirmative motion:

1. Recommend to the Village Board approval of the Plat of Vacation of a portion of the unimproved Ash Street public right-of-way, totaling approximately 5,209 square feet in area, generally located at the southern terminus of Ash Street, in accordance with the approved plans and public testimony, and subject to any necessary technical revisions prior to recording.



- Address Points**
- Roadways**
- Federal
 - State
 - County
 - Local and Private
- Parcels**
- Townships**

Notes

Date: 3/15/2024

1: 2,257



0 0.04 0.07 Miles



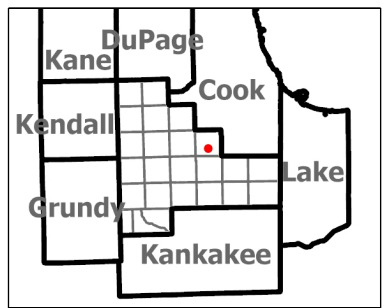
Projection

WGS_1984_Web_Mercator_Auxiliary_Sphere

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Ash Street Public Right-of-Way Vacation



Legend

- Address Points
- Roadways
 - Federal
 - State
 - County
 - Local and Private
- Parcels
- Townships

Notes

Date: 3/15/2024

1: 1,128

0 0.02 0.04 Miles

Projection

WGS_1984_Web_Mercator_Auxiliary_Sphere

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Site Photos – Ash Street Public Right-of-Way Vacation



Figure 1: Southern terminus of Ash Street, view looking south from roadway.



Figure 2: Southern terminus of Ash Street, view looking south from roadway.



Figure 3: Rear yard of 231 Oak Street, view looking southwest from Ash Street.



Figure 4: Rear yard of 230 Center Road (visible beyond fence), view looking southwest from Ash Street.

PROPOSED FUTURE LAND USE MAP AMENDMENT – NEC OF HARLEM AVENUE & STEGER ROAD

Staff reported the representative of the property owner requested this item of business be removed from the agenda at this time.

WETLAND CREDIT AGREEMENT: PFEIFFER ROAD EXTENSION PROJECT

Asst. Village Administrator Burica reported the Village is required to enter into an agreement with the Girl Scouts of Northern Illinois, Inc. (“GS”) to purchase 2.58 certified wetland mitigation credits from the GS Mitigation Bank, for the Pfeiffer Road Extension Project (“Project”), in the amount of \$309,000.00. He noted this expense is included in the \$4.5 million budget for the Project.

Following brief discussion, Trustee Borrelli made a motion, seconded by Trustee Petrow, to forward a recommendation to the Village Board authorizing the execution of the agreement between the Village of Frankfort and Girl Scouts of Northern Illinois, Inc. to purchase wetland mitigation credits for the Pfeiffer Road Extension Project. A voice vote was taken. All were in favor. The motion carried.

OTHER BUSINESS

○ *Extension of Kansas Street Closure*

Trustee Savaria sought Village Board feedback regarding the closure of Kansas Street, between Ash and Oak Streets, for outdoor dining until the end of October. The street was closed earlier this year to provide an enhanced dining and event space and is set to reopen the week leading up to Fall Festival. It was the consensus of the Committee to extend the closure of Kansas Street, between Ash and Oak Streets, until October 31. The closure of Kansas Street was closed as a proof of concept and members will debrief after the season.

○ *Ash Street Right-of-Way*

The Village received an informal request to sell/vacate an unimproved portion of Ash Street right-of-way (ROW). The Village has no plans to develop or improve this ROW, and neighboring property owners who are adjacent to this ROW have expressed interest in acquiring ownership of it. Staff noted there is an existing fence which encloses the majority of the subject property. Members discussed the matter and directed staff to seek legal advice regarding the potential sale or vacation of this Village-owned property.

One of the adjacent property owners, Bob Rowe, who is interested in obtaining this property, approached the podium and stated he and his wife are currently building a new home and a pool, and they have applied for permits related to fence and landscape work to comply with pool regulations. They are hoping to acquire this ROW property to incorporate it into their plans. Mr. Rowe expressed concerns about the timing of the permitting process and the Village’s decision on

the ROW property. Staff suggested that temporary occupancy could be allowed utilizing the existing fence. This temporary arrangement would be in place until a formal agreement regarding the ROW property has been reached. This approach would allow Mr. Rowe to continue with his construction plans while the Village works on formalizing the decision about the ROW property.

- *Downtown Parking Update*

Members discussed the progress of proposed downtown parking lots and asked for an update on the next steps. Asst. Administrator Burica reported that Robinson Engineering is currently working on an engineering services agreement and plans to create two parking areas: one at the northeast corner of White Street and Elwood Street and one at the southwest corner of Elwood Street and Oak Street. Mayor Ogle noted Administrator Piscia had recently sent an email to the Village Board which contained additional information about the ongoing efforts related to the parking lots. Members requested that staff conduct further research into other downtown properties that could potentially be used for creating additional parking opportunities.

PUBLIC COMMENTS

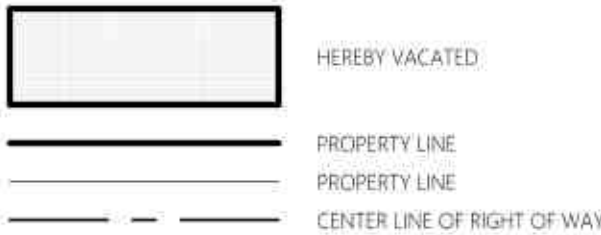
There were no comments from the public.

ADJOURNMENT

Hearing no further business, Trustee Borrelli made a motion, seconded by Trustee Savaria, to adjourn the Committee of the Whole meeting of Wednesday, August 9, 2023. A voice vote was taken. All were in favor. The motion carried. The meeting adjourned at 6:20 P.M.

PLAT OF VACATION

LEGEND



MAIL TO:
VILLAGE OF FRANKFORT
432 W. NEBRASKA STREET
FRANKFORT, IL 60423

CLIENT:
BOB ROWE
231 OAK STREET
FRANKFORT, IL 60423

RECEIVED

By Mike Schwarz at 11:20 am, Mar 19, 2024

VACATED TRACT 1

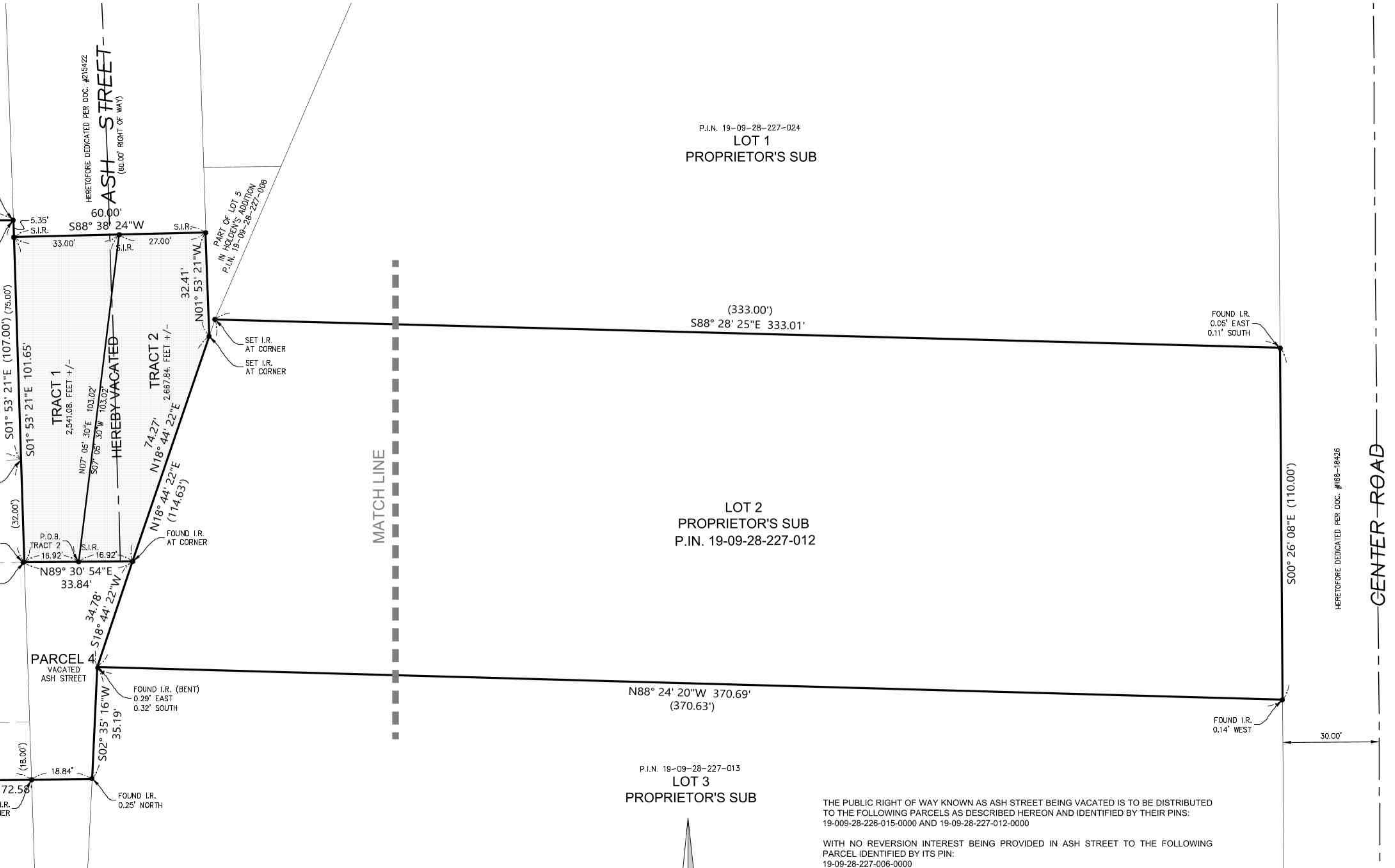
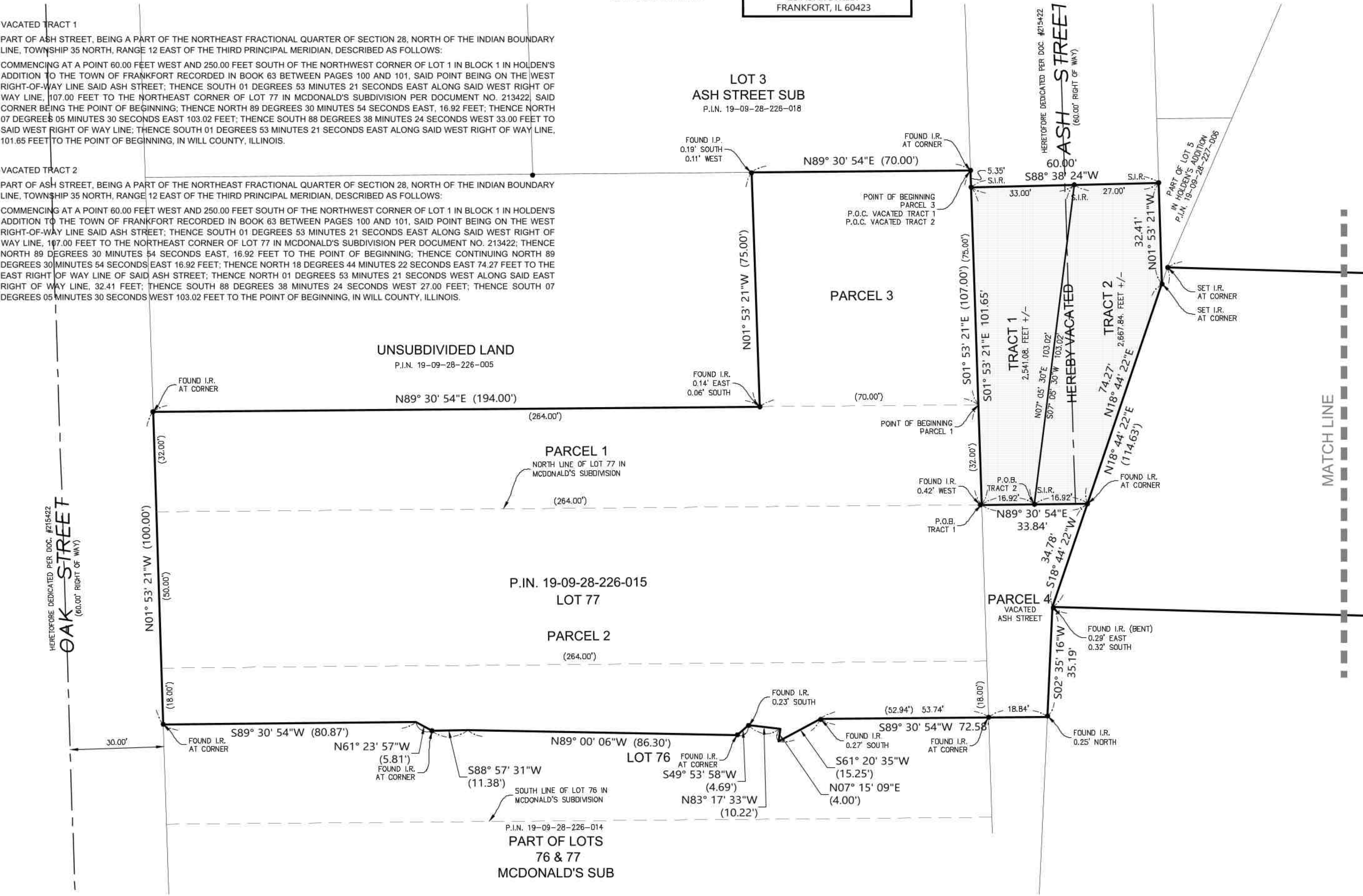
PART OF ASH STREET, BEING A PART OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 28, NORTH OF THE INDIAN BOUNDARY LINE, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 60.00 FEET WEST AND 250.00 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 1 IN BLOCK 1 IN HOLDEN'S ADDITION TO THE TOWN OF FRANKFORT RECORDED IN BOOK 63 BETWEEN PAGES 100 AND 101, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE SAID ASH STREET; THENCE SOUTH 01 DEGREES 53 MINUTES 21 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, 107.00 FEET TO THE NORTHEAST CORNER OF LOT 77 IN MCDONALD'S SUBDIVISION PER DOCUMENT NO. 213422; SAID CORNER BEING THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, 16.92 FEET; THENCE NORTH 07 DEGREES 05 MINUTES 30 SECONDS EAST 103.02 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 24 SECONDS WEST 33.00 FEET TO SAID WEST RIGHT OF WAY LINE; THENCE SOUTH 01 DEGREES 53 MINUTES 21 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, 101.65 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

VACATED TRACT 2

PART OF ASH STREET, BEING A PART OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 28, NORTH OF THE INDIAN BOUNDARY LINE, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 60.00 FEET WEST AND 250.00 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 1 IN BLOCK 1 IN HOLDEN'S ADDITION TO THE TOWN OF FRANKFORT RECORDED IN BOOK 63 BETWEEN PAGES 100 AND 101, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE SAID ASH STREET; THENCE SOUTH 01 DEGREES 53 MINUTES 21 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, 107.00 FEET TO THE NORTHEAST CORNER OF LOT 77 IN MCDONALD'S SUBDIVISION PER DOCUMENT NO. 213422; THENCE NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, 16.92 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST 16.92 FEET; THENCE NORTH 18 DEGREES 44 MINUTES 22 SECONDS EAST 74.27 FEET TO THE EAST RIGHT OF WAY LINE OF SAID ASH STREET; THENCE NORTH 01 DEGREES 53 MINUTES 21 SECONDS WEST ALONG SAID EAST RIGHT OF WAY LINE, 32.41 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 24 SECONDS WEST 27.00 FEET; THENCE SOUTH 07 DEGREES 05 MINUTES 30 SECONDS WEST 103.02 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.



APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FRANKFORT,

ILLINOIS AT A MEETING HELD THIS _____ DAY OF _____ A.D. 20 _____.

ORDINANCE NUMBER _____, ADOPTED THIS _____ DAY OF _____ A.D. 20 _____.

(65 ILCS 5/11-91-1)

BY: _____ ATTEST: _____

PRESIDENT

VILLAGE CLERK

THE VILLAGE OF FRANKFORT, ILLINOIS RESERVES UNTO ITSELF AS A CORPORATE MUNICIPALITY AND TO ANY PUBLIC UTILITY, ITS SUCCESSORS OR ASSIGNS, THE RIGHT TO INSPECT, MAINTAIN, CONSTRUCT AND RELOCATE THEIR RESPECTIVE FACILITIES IN, UNDER, ACROSS AND ALONG THOSE PARTS OF THE PUBLIC STREETS AND/OR ALLEYS AS HEREIN VACATED, WITH THE RIGHT OF ACCESS THERETO AT ALL TIMES FOR ANY AND ALL SUCH PURPOSES AS MAY BE REASONABLY REQUIRED FOR SAID CONSTRUCTION, MAINTENANCE AND EFFICIENT OPERATION OF SAID FACILITIES.

BASIS OF BEARINGS:
BEARINGS SHOWN HEREON BASED ON
ILLINOIS STATE PLANE COORDINATES,
ZONE EAST NAD 1983

THE PUBLIC RIGHT OF WAY KNOWN AS ASH STREET BEING VACATED IS TO BE DISTRIBUTED TO THE FOLLOWING PARCELS AS DESCRIBED HEREON AND IDENTIFIED BY THEIR PINS:
19-09-28-226-015-0000 AND 19-09-28-227-012-0000

WITH NO REVERSION INTEREST BEING PROVIDED IN ASH STREET TO THE FOLLOWING PARCEL IDENTIFIED BY ITS PIN:
19-09-28-227-006-0000

STATE OF ILLINOIS)
COUNTY OF OGLE) SS

I, RUDY P. DIXON, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HEREBY STATE THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE CAPTION TO THE HEREON DRAWN PLAT, FOR THE PURPOSE OF VACATING SAME AS SHOWN HEREON. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 62 DEGREES FAHRENHEIT.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D., 20 _____.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 035-003832
LICENSE EXPIRES NOVEMBER 30, 2024
DESIGN FIRM: 178-007858

HERETOFORE DEDICATED PER DOC. #195-18425

CENTER ROAD



DRAWING NUMBER VACATION	SHEET 1 OF 1	DATE 2/19/2024	PROJECT NUMBER 230224	REGIONAL LAND SERVICES 9512 FOWLER ROAD ROCHELLE, ILLINOIS 61068 PHONE: (618) 559-2260	ENGINEER: ESM CIVIL SOLUTIONS, LLC CIVIL ENGINEERING - LAND ENTITLEMENTS - PROJECT FEASIBILITY 4320 WINFIELD ROAD - SUITE 200 WARRENILLE, IL 60555 O: 630-300-0933 C: 630-624-0520	SURVEYORS NOTES: 1) ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. 2) BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS OR FENCES FIELD MONUMENTATION SHOULD BE ESTABLISHED. 3) REFER TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES FOR RESTRICTIONS, BUILDING LINES AND EASEMENTS. 4) PARCEL DIMENSIONS AND/OR BEARINGS WITHIN PARENTHESES ARE NOT TO BE USED FOR RECORDING PURPOSES. 5) PARCEL DIMENSIONS AND/OR BEARINGS WITHIN PARENTHESES ARE NOT TO BE USED FOR RECORDING PURPOSES.	P.U.E. PUBLIC UTILITY EASEMENT P.U. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT B.S.L. BUILDING SETBACK LINE A. ARC LENGTH C. CHORD BEARING R. RADIUS B.L.G. BUILDING C.L.F. CHAIN LINK FENCE W.D.F. WOOD FENCE F.G.F. FIBERGLASS FENCE W.F. WROUGHT IRON FENCE F.P. FOUND OR SET IRON PIPE F.R. OR S.F. FOUND OR SET IRON ROD F.C. OR S.C. FOUND OR SET CROSS NOTCH F.P. OR S.P. FOUND OR SET MAGNETIC P.K. NAIL	2 CORRECTED VACATED PARCEL DIMENSIONS AND LEGAL 1 VILLAGE COMMENTS 0 ISSUED REV DESCRIPTION DATE	03/16/2024 2/19/2024 2/19/2024	PROJECT NUMBER 230224 SCALE 1" = 20' ORDERED BY ESM PROPERTY ADDRESS 231 OAK STREET FRANKFORT, IL 60423	DRAWN BY RWVH DATE 2/19/2024 CHECKED BY RPD DATE 2/19/2024 FIELD WORK COMPLETED DATE 11/4/2023
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Project: Triple Crown Training
Meeting Type: Public Hearing
Requests: Special Use Permit for Indoor Recreation
Location: 9426 Corsair Road
Applicant: David W. Posley Jr.
Prop. Owner: UMC Meds, LLC
Consultants: None
Representative: Applicant
Report By: Amanda Martinez, Planner

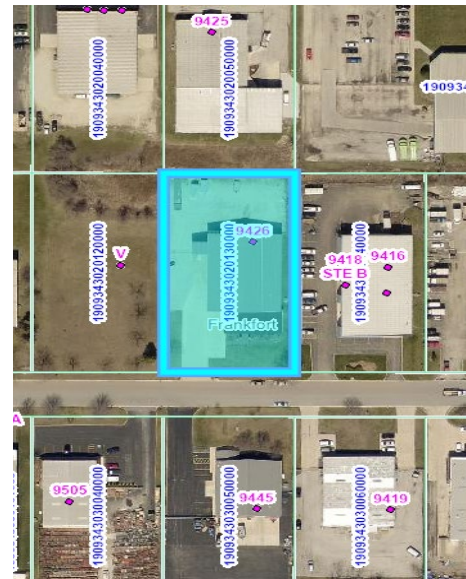
Site Details

Lot Size: 44,536 sq. ft. (±1 Acres)
PIN(s): 19-09-34-302-013-0000
Existing Zoning: I-1
Prop. Zoning: I-1 with a Special Use Permit for Indoor Recreation
Buildings / Lots: 1 building / 1 lot
Total Sq. Ft.: ±12,000 sq. ft.
Average Lot Size: N/A

Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Industrial	Industrial	I-1
North	Industrial	Industrial	I-1
South	Industrial	Industrial	I-1
East	Industrial	Industrial	I-1
West	Industrial	Industrial	I-1

Figure 1. Location Map



Project Summary

The applicant, David W. Posley Jr., representing Triple Crown Training LLC, a tenant/lessee on behalf of the property owner, UMC Meds, LLC, has filed an application requesting a Special Use Permit for Indoor Recreation to open an indoor baseball training facility at 9426 Corsair Road. The subject property is zoned I-1 light industry district and is located within the Airport Industrial Park. A Special Use Permit was granted in 2012 (Ord. 2806) for a similar operation (National Rhino Sports Academy) at this location. The longevity of the discontinuance of the special use requires the business to obtain a new Special Use Permit.

Attachments

1. Aerial Photograph from Will County GIS
2. Site Photographs taken 3.1.24
3. ALTA/NSPS Land Title Survey dated 9.29.21 and received 2.15.24
4. Floor Plan received 2.16.24
5. Revised Floor Plan received 2.23.24

6. Site Plan received 3.11.24
7. Property Owner Request for Parking Adjustment email received 3.11.24
8. Example of a Special Use Permit with Parking Conditions (Ordinance 2639)
9. Business Operation Letter received 2.22.24
10. Top Velocity Program Brochure received 2.14.24
11. Top Velocity Website Homepage
12. Draft PC/ZBA Meeting Minutes from on March 7, 2024
13. Findings of Fact provided by applicant and received 2.16.24
14. Special Use Permit Findings of Fact Form for Plan Commissioners

Updates from Workshop Meeting

For the public hearing, staff provides the following updates from the March 7, 2024, Plan Commission meeting which held the workshop for this project:

General Updates

- The applicant is requesting a Special Use Permit for Indoor Recreation. In kind, the applicant is requesting a parking adjustment for the required number of parking spaces associated with the proposed Indoor Recreation use.
- Staff would like to emphasize that the ALTA/NSPS Land Title Survey shows a 60-foot drainage easement in the rear of the property, which seems to be standard for the lots within the Airport Industrial Park Subdivision.
- The applicant is required to provide 64 parking spaces for the proposed Indoor recreation use. Staff believes that only approximately 17 parking spaces would be feasible on the site due to the 60-foot drainage easement that is located in the rear of the property, required setbacks, and required dimensions (see the attached “example site plan” that staff provided to the applicant for guidance before their site plan was submitted).
- Staff notes that the applicant is allowed to move forward with a request for a parking adjustment (rather than a variation) as the Commission is allowed to approve or deny parking adjustments.

Requests from Applicant

- The parking adjustment being requested is for either the existing parking spaces or the feasible number of parking spaces that are added onto the site plan. The applicant has stated their intention is to have their business operate by pick up and drop off. The property owner has stated that the property has sufficient parking. Staff attached the property owner’s request for a parking adjustment to this staff report.
- The property owner worked with staff on providing additional parking spaces to the site plan (see the attached site plan).
- The property owner would like to leave the subject property as-is, regardless of any non-conformities. The property owner stated that the property should be left as-is because there are nearby properties that also do not comply with the Village’s requirements.

Requests from Staff

- Staff requested the applicant to submit an application for a parking variation since there is a land related hardship to provide adequate parking requested by the Commission, staff, and the Zoning Ordinance (staff notes that on-street parking spaces do not count towards a private development’s required off-street parking spaces).
 - The property owner responded that they disagree and denied staff’s request for a parking variation.
- The property owner submitted a site plan showing 15 parking spaces in the front parking lot. Staff notes that although there are more parking spaces being shown on the site, there would need to be compliance with the

requirements regarding the improvements to the parking lot, which have not been shown on the submitted site plan.

- Staff advised the applicant to revise the submitted site plan to depict compliance with the Village's Zoning Ordinance, Municipal Code, Design Standards, and Landscape Ordinance (i.e. drive aisle width, parking stall dimensions, ADA requirements, pavement type, pavement setback, and landscaping requirements). The property owner responded that a new site plan will not be provided.
- Staff requested the applicant to revise the floor plan to confirm that the trash bin will be located indoors, which would meet the Village's requirement regarding trash screening and handling in industrial districts.
 - The applicant did not provide a revised floor plan as requested.
 - The property owner responded that they would not be changing how the property currently handles trash (trash bin will be located outdoors, unscreened as shown in aerial images and site visit pictures). The property owner provided that the reason is due to other industrial properties are also in compliance with this requirement.
- Staff requested the property owner revise the site plan to show the removal of the non-conforming gravel, especially where there is gravel within the public utility & drainage easement, and the trash handling taking place on the site.
 - Staff advised the property owner to revise the site plan to show grass instead of gravel, especially the gravel that has been placed in the 60-foot drainage easement that is in the rear of the property. The property owner responded that a new site plan will not be provided.

Analysis

In consideration of the request, staff offers the following points of discussion:

Proposed Use

- The applicant is requesting a Special Use Permit for Indoor Recreation to operate a private indoor baseball training facility at 9426 Corsair Road.
- The subject property consists of a ±12,000 square foot industrial building on a ± 1-acre lot located within the Airport Industrial Park.
- The subject site would be a new franchise location for the business known as Triple Crown Training which facilitates the "Top Velocity Academy Program", a baseball training program that consists of high-quality equipment, curriculum, and coaches.
- Existing franchise locations are:
 - Top Velocity Head Quarters located in Covington, Louisiana
 - Top Velocity York located in York, Pennsylvania
 - Top Velocity Dayton located in Moraine, Ohio
 - Top Velocity Charlotte located in Pineville, North Carolina
 - Top Velocity Argyle located in Argyle, Texas
 - Top Velocity San Diego located in San Diego, California
 - Top Velocity Burlingame located in Burlingame, California
 - Top Velocity Central Long Island located in Bohemia, New York
 - Top Velocity Boca Raton located in Boca Raton, Florida
 - Top Velocity Nampa located in Nampa, Idaho
 - Top Velocity Salado located in Salado, Texas
- The applicant stated that the space is still intact from the previous baseball training facility that used the space.
- Per the submitted ALTA/NSPS Land Title Survey, the vestibule is 31.79' x 60.90' (per the submitted floor plan, the vestibule is approximately 39' x 9' 6" and has two bathrooms). After

entering the vestibule, patrons would then enter the turf and netted area that is approximately 109' x 79'.

- Per the submitted floor plan, there will be a 2' x 6' counter for retail products, ancillary to their use but a staple part of their Top Velocity Academy Program since they offer nutritional guidance and supplements as part of the program. The submitted floor plan shows that the counter will be in the very front of the space.
- Per the submitted floor plan, there will be 5 pitching and throwing lanes in the approximately 18'7" x 47' 8" room in the rear of the space. The floor plan also shows an approximately 18'7" x 47' 8" weight room next to the pitching/throwing room.
- Per the submitted business operations letter, the business would have 4 employees on-site (2 of the 4 are the main coaches).
- The business intends to have the training facility mainly for players that are members of their program. The applicant verbally stated that the business will be open to the public as well as the members of their programs.
- Per the submitted business operation letter, the business would allow teams to have a contract with the business. The teams (approximately 8 teams) would have an assigned time to be at the facility. The teams will have 2 days a week of 2-hour training.
- Per the submitted business operation letter, the business would have 2 programs, Top Velocity Academy Program and Start Right Training. The Start Right Training program would occur 2-5 days a week for 8 weeks. The Top Velocity Academy Program brochure is attached to this staff report; according to the Top Velocity website, this program operates 5 days a week.
- The applicant verbally stated that the maximum operating scenario for their business would be 2 teams which would approximately be 24 people at the facility at the same time (2 teams and 2 coaches).
- The applicant is proposing hours of operation within the permissible hours of operation (7am to 11pm), thus, no special use approval is required for extended hours of operation.
- The proposed business hours of operation are Monday through Sunday: 7:00am-11:00pm. The applicant stated in the business operation letter that the peak hours would be from 5:00pm-9:00pm.
- Staff notes that Google Images show a roll out dumpster (no trash enclosure. The applicant would need to either revise the floor plan to show where the trash bin goes indoors (the submitted floor plan does not show the loading dock area) or implement a trash enclosure on the site plan that complies with the Village trash enclosure standards.

Parking

- In kind with the Special Use Permit request, the applicant is requesting a parking adjustment for the required number of parking spaces associated with the proposed Indoor Recreation use.
- The Zoning Ordinance requires Indoor Recreation facilities to provide "1 parking space for every 4 patrons based upon the maximum occupancy of the facility, plus 1 parking space for each employee during the largest working shift".
- The previous baseball training business that was at this location (National Rhino Sports Academy) had 10 pitching/batting lanes and the same maximum operation of 2 teams (approximately 24 people including the coaches); the previous baseball training business was required to provide 6 parking spaces. Staff at the time referenced the American Planning Association parking standards that suggested 1-4 parking stalls per batting cage and used the maximum operating occupancy.
- To be consistent, staff referred to the parking analysis that was provided for the previous baseball training business. According to the submitted floor plan and the American Planning Association parking standards, the 5 pitching/throwing lanes would yield a requirement of 5-20 parking stalls. According to the applicant, the "maximum operating scenario" (no definition in the Zoning Ordinance) would be 2 teams (approximately 24 people including the coaches). According to the

submitted business operation letter, there will be at most 4 employees during peak hours. The required number of parking spaces for the proposed use would equate to 8 spaces.

- If staff were to take a more stringent approach and conduct the parking analysis based on “maximum occupancy”, as mentioned in the Zoning Ordinance, the required number of parking spaces for the proposed use would equate to 64 spaces.
- The submitted ALTA/NSPS Land Title Survey shows that there are 7 existing parking spaces provided on the subject site.
- The west side of the parking lot and the rear of the subject lot is unpaved, gravel (Will County GIS aerial images show that the gravel was put in between 2015-2017 with a setback from the west property line; then in 2018, the gravel was extended to the property line).
- Staff requested the applicant to pave the rest of the lot to comply with the Zoning Ordinance and provide additional parking. The Zoning Ordinance requires all off-street parking, except in a single-family district, to be improved with concrete curb and gutter and paved surface (not gravel). The applicant responded that the gravel area is fenced off and would restrict parking in the rear (see the submitted ALTA/NSPS Land Title Survey for fence location). The applicant also mentioned that there will not be a demand for more parking since they mostly see a drop-off and pick-up operation for their programs and that the business will not be providing an indoor waiting/gathering area.

Standards for Parking Adjustments

Article 7 Section B Part 5 in the Village Ordinance provides for parking adjustments to the minimum number of parking spaces required, subject to case-by-case approval by the Plan Commission. The following provisions and factors shall be used as a basis to adjust parking requirements:

1. Evidence That Actual Parking Demands will be Less Than Ordinance Requirements. The petitioner shall submit written documentation and data to the satisfaction of the Plan Commission that the operation will require less parking than the Ordinance requires.
2. Availability of Joint, Shared or Off-Site Parking. The petitioner shall submit written documentation to the satisfaction of the Plan Commission that joint, shared, or off-site parking spaces are available to satisfy the parking demand.
 - a. Agreements shall be provided which demonstrate evidence that either parking lots are large enough to accommodate multiple users (joint parking) or that parking spaces will be shared at specific times of the day (shared parking, where one activity uses the spaces during daytime hours and another activity uses the spaces during evening hours.)
 - b. Off-site parking lots may account for not more than 50-percent of the required parking and shall be located not more than three-hundred (300) feet from the principal use that it is intended to serve.”

Standards for Special Uses

Article 3, Section B, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use request. No special use shall be recommended by the Plan Commission, unless such Commission shall find:

- a. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.

- b. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- c. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- d. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
- e. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
- f. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- g. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

Affirmative Motion

For the Plan Commission's consideration, staff is providing the following proposed affirmative motion for the special use request:

1. Approve an adjustment to the minimum number of required parking spaces to allow the existing 7 parking subject property for the proposed Indoor Recreation Use;

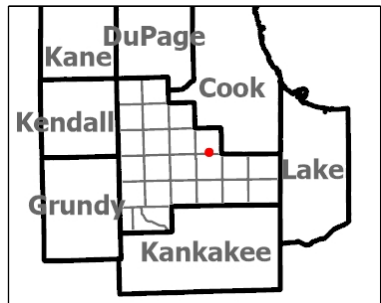
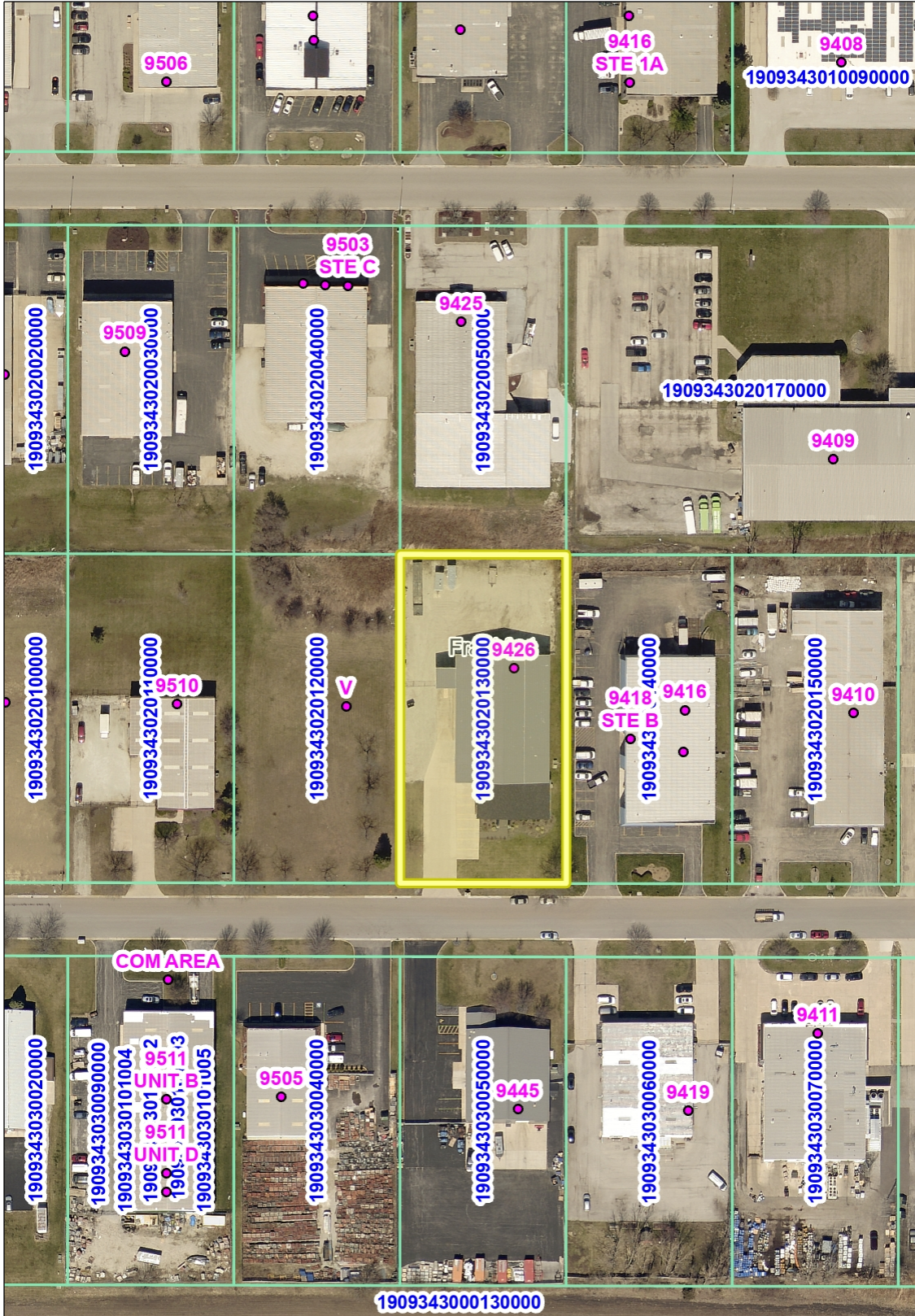
OR

Approve an adjustment to the minimum number of required parking spaces to allow the applicant's proposed 15 parking spaces to serve the proposed Indoor Recreation Use; and

2. Recommend the Village Board approve a Special Use Permit for Indoor Recreation (baseball training facility) in the I-1 Light Industrial District for the property located at 9426 Corsair Road, Frankfort, IL 60423 (PIN: 19-09-34-302-013-0000), in accordance with the submitted plans, public testimony, and Findings of Fact, subject to the following two (2) conditions:
 - a. The applicant shall provide a revised site plan that demonstrates that the site is with compliant parking lot and landscape requirements subject to staff approval (and engineer approval if necessary).
 - b. The applicant shall remove all gravel that has not been permitted.



9426 S. Corsair Rd.



Legend

- Address Points
- Parcels
- Townships

Notes

Date: 3/1/2024

1: 2,257

0 0.04 0.07 Miles

Projection

WGS_1984_Web_Mercator_Auxiliary_Sphere

Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to gis@willcountyillinois.com.

Site Visit Photos Taken on 3.1.24



PLAT OF SURVEY

LOT 21 IN AIRPORT INDUSTRIAL PARK, A SUBDIVISION OF PART OF THE NORTH 80 ACRES OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 35 NORTH, AND IN RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 9, 1988, AS DOCUMENT NUMBER R88-36799 AND CERTIFICATE OF CORRECTION RECORDED OCTOBER 21, 1988, AS DOCUMENT NUMBER R88-50495, IN WILL COUNTY, ILLINOIS.



Center Road
East Right of Way Line

Legend:

- Set 1/2" Iron Pipe
- Found Iron Pipe
- X-Found Cross

Surveyor Notes:

- Field Work Completed on 9-28-21
- Prepared for Robert A. Egan, P.C., for real estate transaction.
- Site Address: 9426 Corsair Road, Frankfort, IL 60423
- Pin No.: 19-09-34-302-013
- The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.
- Auto Cad Files will not be released under this contract.
- The utilities as shown on this drawing were developed from the information available. This is not implied nor intended to be the complete inventory of utilities in this area. It is the clients responsibility to verify the location of all utilities (whether shown or not) and protect said utilities from any damage.
- All building dimensions and ties are to the current siding material and not to the foundation.
- Bearings are assumed.
- No boundary corners were set at time of field survey. Boundary corners will be set a later date.
- This plat was prepared with the aid of Fidelity National Title Insurance Company file number WJ21030738 dated July 30, 2021.

State of Illinois)
SS)
County of Lake)

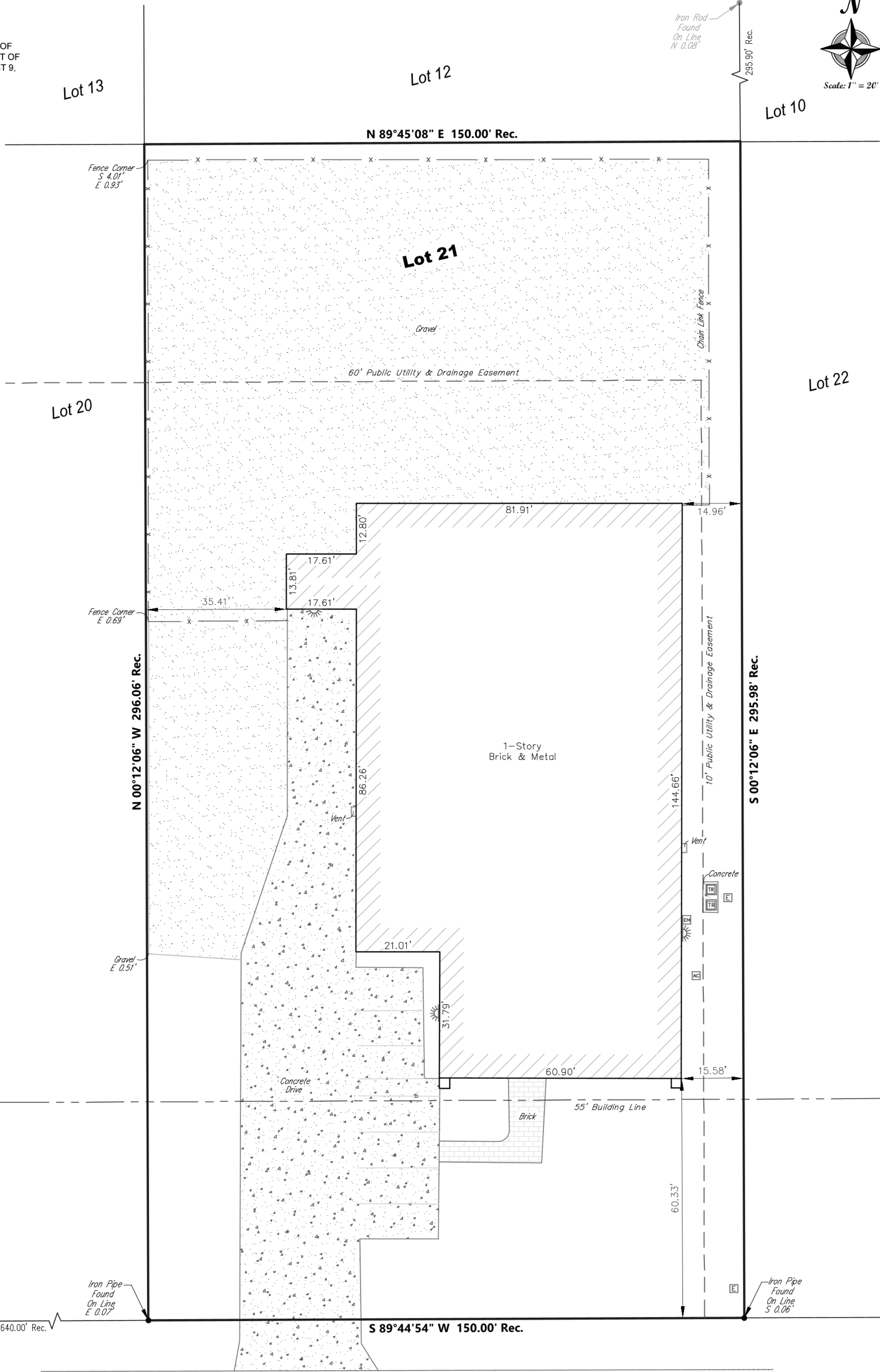
We, Land Surveying Services, Inc. do hereby state that we have surveyed and mapped the property and that this is the Plat that represents the conditions found on the ground.

Given under my hand and seal this 29th day of September, A.D. 2021, in Lake Zurich, Illinois.

Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 0323
License Expiration Date 11-30-22

This professional service conforms to the current Illinois minimum standards for a boundary survey.



Corsair Road
66' Right of Way

Drafted By: ER	Field Work: DA	10-11-21
Revision		Date

Land Surveying Services, Inc.

1182 Heather Drive Lake Zurich, Illinois 60047
Ph. (847)847-1079 Fax. (847)847-1279
Professional Design Firm License No. 184-D03632

Field Work Completed: 9-28-21	Scale: 1" = 20'	Date: 9-29-21
Site Address: 9426 Corsair Road Frankfort, Illinois		

Job Number LS211667	Sheet Name PLAT OF SURVEY
Sheet Number SURVEY	

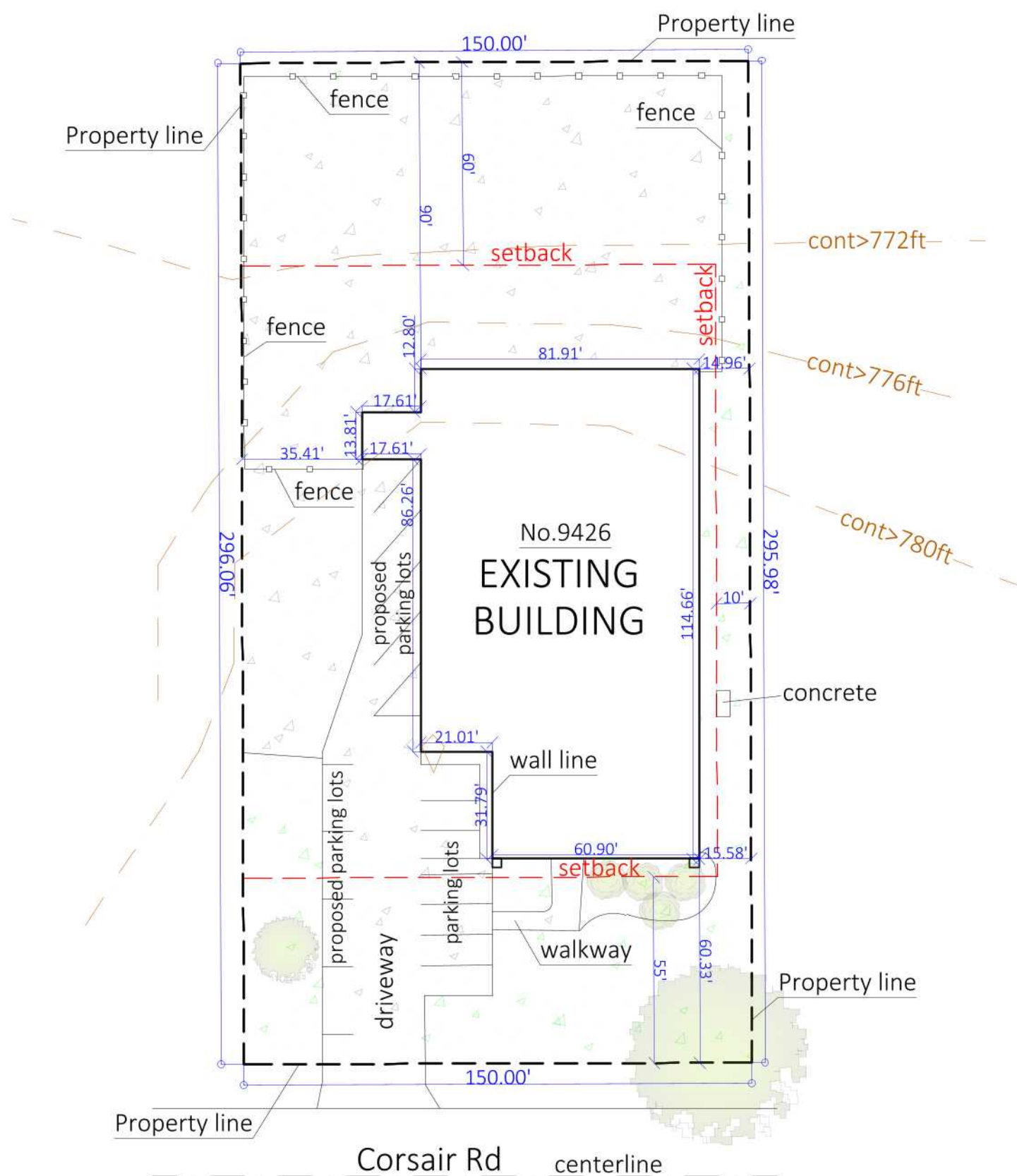
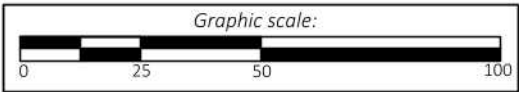


CAUTION: This e-mail originated outside of the Village's email system.
DO NOT click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.



See attached

9426 Corsair Rd
Frankfort, IL 60423
Parcel ID: 19-09-34-302-013
Lot area: 1.02 Acres
Paper Size: 11"x17"



From: [O H](#)
To: [Amanda Martinez](#); [Adam Nielsen](#); [Michael Schwarz](#); [Legacy Adviser](#); [Cutrice Stallings](#); [Corey Stallings](#)
Subject: Re: 9426 Corsair Rd - Triple Crown Training DOCS
Date: Wednesday, March 13, 2024 9:18:43 AM
Attachments: [We sent you safe versions of your files.msg](#)
[Certified mailing 031124.pdf](#)

CAUTION: This e-mail originated outside of the Village's email system.
DO NOT click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Certified mailing 031124 sent.

On Mon, Mar 11, 2024 at 7:53 PM O H <ohassad1@gmail.com> wrote:

Attached is the site plan purchased from <https://getasiteplan.com/> which shows the proposed parking. There are 15-18 parking spots available on the existing concrete (not including the street parking available).

I do not believe this was necessary to purchase as the plat of survey shows the same information. I am doing this to comply with the Frankfort Code.

I have already expressed my frustration via email and in person regarding the disregard for enforcing codes across the board. Truly, this makes me feel like it's discriminatory as it is blatantly obvious my neighbors are not following code.

- I purchased this property in 2018. It was still set up as National Rhino Sports Academy when I received ownership. Clearly there was an existing baseball training academy 2012-2015 without issue, otherwise if there was a special permit or parking issue, the building would have been up to code prior to my purchase. Triple Crown Training is a drop off operation. There is still adequate parking available on the driveway. There is also free street parking. Triple crown can easily follow National Rhino Sports Academy's workflow operation to avoid the parking issue before I invest 100k+ into asphaltting the property.
- Image 1 attached shows my Property and neighbors'. Clearly they are not up to code as they asphalted beyond the easement and the city did nothing about it. You are trying to force me to asphalt but I can only asphalt 60ft away from the property line. The Neighbor is now causing me an issue with water running off into my property because they did not follow code and you did not enforce it upon them.
- Image 2 + 20240309_124756.jpg + 20240309_124811.jpg attached: The property on 22763 S Center Rd, Frankfort, IL 60423, Arctic Snow and Ice Control has gravel parking during business hours and overnight. This is not code.

Please keep the scheduled public hearing regarding 9426 Corsair Rd. If this is removed from the agenda, my legal team is prepared to take action.

ORDINANCE NO. 2639

AN ORDINANCE AMENDING ORDINANCE NO. 2519 TO PERMIT INSTALLATION OF AN INDOOR CUSTOMER SEATING AREA FOR THE GREAT AMERICAN BAGEL CARRY-OUT RESTAURANT LOCATED AT 9326 CORSAIR ROAD, FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS,

WHEREAS, an application to amend the existing Special Use Permit for The Great American Bagel carry-out restaurant, located within the Village of Frankfort, legally described below, was filed by Wayne Flatley, Applicant, and TGAB Real Estate LLC, Owner, 7600 S. County Line Road, Burr Ridge, Illinois 60527; and

WHEREAS, the Subject Property, commonly known as 9326 Corsair Road in the Airport Industrial Park, is currently zoned I-1 Limited Industrial District with a Special Use Permit for a carry-out restaurant; and

WHEREAS, the Applicant seeks to modify the existing Special Use Permit granted by Ordinance No. 2519 for a carry-out restaurant to permit the installation of an indoor customer seating area on the Subject Property; and

WHEREAS, the Village would not otherwise permit the installation of an indoor customer seating area until the previously required parking lot improvements are complete; and

WHEREAS, the Applicant proposes to deposit with the Village a \$55,000 performance deposit to assure construction of an 11-stall parking lot at the northern end of the property in the spring of 2010, in accordance with the engineering plans prepared by Joseph A. Schudt & Associates, dated 11.19.09 and attached hereto as Exhibit A; and

WHEREAS, the Village agrees to permit the Applicant to move forward with the installation of the indoor customer seating area and defer construction of the parking lot until spring of 2010; and

WHEREAS, the Village shall return the performance deposit to the Applicant in full upon construction of the parking lot improvements, in accordance with the engineering plans prepared by Joseph A. Schudt & Associates, dated 11.19.09 and attached hereto as Exhibit A; and

WHEREAS, a timely Notice of Public Hearings before the Plan Commission/Zoning Board of Appeals of the Village of Frankfort was published in the *Frankfort Station* Newspaper announcing a Public Hearing on the Owner's application for an amendment to the Special Use Permit for the Subject Property; and

WHEREAS, at a time and place designated in such published notice, a Public Hearing was held before the Village of Frankfort Plan Commission/Zoning Board of Appeals on the Owner's application for an amendment to the Special Use Permit for the Subject Property; and

WHEREAS, the Frankfort Plan Commission/Zoning Board of Appeals has made special written Findings-of-Fact as required by the Village of Frankfort Zoning Ordinance 2001; and

WHEREAS, the Frankfort Plan Commission recommended to the Board of Trustees of the Village of Frankfort that the Subject Property be granted an amendment to Ordinance No. 2519 to permit installation of an indoor customer seating area on the Subject Property, with conditions as enumerated in Section 1 of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS AS FOLLOWS:

ORDINANCE NO. 2519 is hereby amended to read as follows:

SECTION 1. SPECIAL USE PERMIT

That the following described real property to wit:

PIN: 19- 09-34-327-008

LOT 40, IN AIRPORT INDUSTRIAL PARK UNIT 2, BEING A SUBDIVISION OF PART OF THE NORTH 80 ACRES OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 29, 1990, AS DOCUMENT R90-65424, WILL COUNTY, ILLINOIS, commonly known as 9326 Corsair Road in the Airport Industrial Park, Frankfort, Will County, Illinois, which is the property subject to the previously described application for a Special Use Permit, is hereby granted a Special Use Permit for a carry-out restaurant **and indoor customer seating area**, in accordance with the reviewed plans **and conditioned upon construction of an 11 stall parking lot at the northern end of the property**, in accordance with the engineering plans prepared by Joseph A. Schudt & Associates, dated 11.19.09 and attached hereto as Exhibit A.

SECTION 2. ZONING MAP AMENDMENT

That the Zoning Map of the Village of Frankfort is hereby amended to reflect the Subject Property is rezoned to I-1 Limited Industrial District with a Special Use Permit for a carry-out restaurant **with indoor customer seating** as provided under this Ordinance and the Village of Frankfort Zoning Ordinance.

SECTION 3. REPEALER

That all other ordinances or parts or provisions of ordinances of the Village of Frankfort, which are inconsistent with this Ordinance, are hereby expressly repealed.

SECTION 4. SEVERABILITY

In the event any word, phrase, clause, sentence, paragraph, provision, or section of this Ordinance or any portion thereof shall be held to be unconstitutional, unenforceable, or void, the same shall not affect the validity or enforceability of any remaining words, phrases, clauses, sentences, paragraphs, provisions, or sections thereof.

SECTION 5. EFFECTIVE DATE

The Ordinance shall take effect after its passage, approval, and publication in pamphlet form, as regulated by law.

PASSED, this 2nd day of March, 2010, with five members voting AYE; no members voting NAY; and one member ABSENT; the President not voting; with no members abstaining and said vote being:

KEVIN EGAN	<u>ABSENT</u>	CYNTHIA CORSO HEATH	<u>AYE</u>
TODD S. MORGAN	<u>AYE</u>	MIKE STEVENS	<u>AYE</u>
RICHARD TREVARTHAN	<u>AYE</u>	R. DOUGLAS WALKER	<u>AYE</u>




ROBERT J. KENNEDY
VILLAGE CLERK

APPROVED this 2nd day of March, 2010.



JIM HOLLAND
VILLAGE PRESIDENT

ATTEST:



ROBERT J. KENNEDY
VILLAGE CLERK

Triple Crown Training

Top Velocity Performance Center (Chicago - South)

Total of 4 employees Rotating between Trainers and Office staff.

Prime Hours: 5-9pm M-F = 20 hours per week /80 hours per month

Revenue Generators:

- 8 Teams
- 30 Academy Members
- 30 Start Right Members

Business Model Review:

1. Team Contracts: 8 teams. Use of facility at assigned times which includes 2xs a week for 2 hours with access to 2-3 lanes.

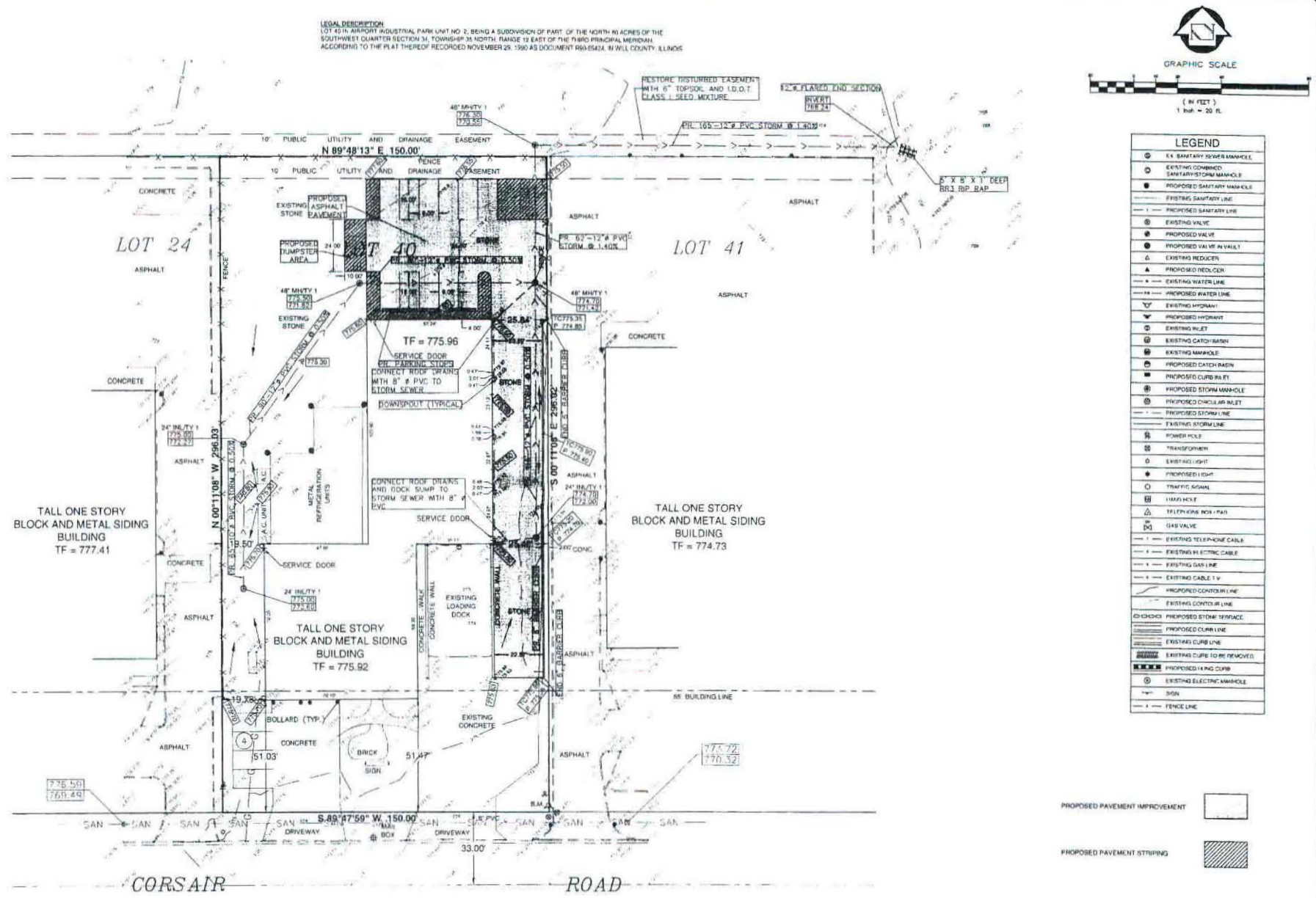
2. Top Velocity Academy Program

3. Start Right Training: 2xs a week for 8 weeks for players 14 and under

Joseph A. Schudi & Associates
19350 S. HARLEM AVENUE FRANKFORD, IL 60423
PHONE: 708-770-1000 FAX: 708-770-1000
CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL LAND PLANNING

PROPOSED IMPROVEMENTS
FRANKFORD, IL
PROPOSED PLAN

Date: 11-19-09
Scale: 1" = 20'
Job No: 09-077-PLAN
Drawn: TMF
Checked: WDO
Sheet:
2 of 3
Project No.:
09-077



LEGEND	
⊙	EXISTING SANITARY MANHOLE
⊙	EXISTING COMBINED SANITARY/STORM MANHOLE
⊙	PROPOSED SANITARY MANHOLE
---	EXISTING SANITARY LINE
---	PROPOSED SANITARY LINE
⊙	EXISTING VALVE
⊙	PROPOSED VALVE
⊙	PROPOSED VALVE IN VAULT
⊙	EXISTING REDUCER
⊙	PROPOSED REDUCER
⊙	EXISTING WATER LINE
---	PROPOSED WATER LINE
⊙	EXISTING HYDRANT
⊙	PROPOSED HYDRANT
⊙	EXISTING RILEY
⊙	EXISTING CATCH BASIN
⊙	EXISTING MANHOLE
⊙	PROPOSED CATCH BASIN
⊙	PROPOSED CURB RISE
⊙	PROPOSED STORM MANHOLE
⊙	PROPOSED CHOKER IN RILEY
---	PROPOSED STORM LINE
---	EXISTING STORM LINE
⊙	POWER POLE
⊙	TRANSFORMER
⊙	EXISTING LIGHT
⊙	PROPOSED LIGHT
⊙	TRAFFIC SIGNAL
⊙	TRAFFIC SIGNAL
⊙	TELEPHONE BOX/PAN
⊙	GAS VALVE
---	EXISTING TELEPHONE CABLE
---	EXISTING GAS CABLE
---	EXISTING CABLE TV
---	PROPOSED CABLE TV
---	EXISTING CONTROL LINE
---	PROPOSED CONTROL LINE
---	EXISTING STONE TERRACE
---	PROPOSED CURB LINE
---	EXISTING CURB LINE
---	EXISTING CURB TO BE REMOVED
---	PROPOSED HANG CURB
⊙	EXISTING ELECTRIC MANHOLE
⊙	SON
---	FENCE LINE

PROPOSED PAVEMENT IMPROVEMENT
PROPOSED PAVEMENT STRIPING

WHAT IS **TOP VELOCITY?**

TopVelocity is a game-changer in the world of baseball player development programs.

As the undisputed leader in the field, Top Velocity offers exciting and customized training programs that are designed to help athletes of all levels and positions unlock their true potential on the field.

TopVelocity is revolutionizing the way athletes train and perform by offering the most complete cutting-edge science-based training system in the game that produces results while preventing injury.

With the latest in advanced technology, including an artificial intelligence-driven player evaluation system, Top Velocity is able to establish an exact "roadmap" for each athlete to achieve elite levels of performance.

If you're ready to take your game to the next level, TopVelocity is the training program for you!



START NOW



LOCATIONS



TopVelocity Performance Centers are franchise locations offering the same high-quality training program as TopVelocity Headquarters. With state-of-the-art equipment, personalized coaching, and a comprehensive training curriculum, TopVelocity Performance Centers are specifically designed to enhance overall athletic performance.

www.topvelocity.center

UNLEASH YOUR FULL POTENTIAL



PERFORMANCE *Centers*

THE MOST **ADVANCED** PLAYER
DEVELOPMENT PROGRAMS IN
THE GAME!



PITCHING VELOCITY
THROWING VELOCITY

EXIT VELO

POP TIME

FASTPITCH

NUTRITION



CALL NOW
1-985-TOPVELO



PERFORMANCE
Centers

TRAINING OPTIONS

PLAYER EVALUATION

The Top Velocity Evaluation is an essential step for athletes entering into our training programs to establish current ability and assign training goals.



START RIGHT TRAINING

This program is designed to introduce beginner methods of TopVelocity Training.



TOPVELOCITY ACADEMY MEMBERSHIP

Each player receives a complete evaluation with a customized training platform to follow under the guidance of a certified instructor.



TOPVELOCITY REMOTE COACHING

If you can't travel to headquarters or join a local TopVelocity Performance Center, you can get started with a personal coach thru TopVelocity Remote Coaching.

**UNLEASH YOUR
FULL POTENTIAL**



**- EDUCATION OF
OUR ATHLETES**

**- SCIENCE BACKED
TRAINING**

**- EVALUATION
SYSTEM UTILIZING A/I**

**- SPECIALIZED
TRAINING EQUIPMENT**

**- PROPRIETARY
DRILLS**

**- CUSTOMIZED
TRAINING APP**

**- INJURY
PREVENTION**

- RESULTS

www.topvelocity.center



TOP VELOCITY PERFORMANCE CENTERS

IF YOU WANT TO TRAIN WITH THE BEST PLAYER DEVELOPMENT PROGRAM IN THE NATION, TOP VELOCITY IS THE PLACE TO BE!

THE PURPOSE OF TOP VELOCITY PERFORMANCE CENTERS

In 2020, due to the overwhelming demand of coaches and players throughout the world, Top Velocity™ set out on a mission to bring Top Velocity™ methods to local communities. Through

our licensed facilities and certified instructors thousands of aspiring athletes will now have unlimited access to Top Velocity™ training methods in their hometown.

Top Velocity™ programs are specifically designed to enhance the overall athletic performance in all skilled movements of baseball and softball athletes. Regardless of your specific position on the field we have a program for you.

The Top Velocity™ System of training provides the best player development program in the world with a progressive curriculum of Science-Based training methods that is proven to help every athlete reach their full potential. From 6-year-old athletes to the Pros, the Top Velocity program provides a proven way to improve your athletic performance NATURALLY while reducing the risk of injury.

Top Velocity Performance Centers are an extension of Headquarters and provide a local training option while maintaining Top Velocity™ standards through our live virtual training.

Find your nearest location and schedule to attend our next event to experience why Top Velocity™ has been the industry leader in player development training for 15+ years, helping thousands of coaches and athletes of all ages through our proven science-based biomechanical training systems.

THE TOP VELOCITY PROGRAM

What is TopVelocity Baseball Training?



FIND A LOCATION



TAKE A LOOK INSIDE OUR FACILITIES



START TRAINING NOW!

Each affiliate location follows the successful training format developed over the past 15+ years that has produced more 90+mph testimonials than any other training program in the game.

Whether you are just beginning your training or an elite performer looking to increase your performance, Top Velocity and Top Velocity Performance Centers have a program to fit your needs.

STEPS TO MEMBERSHIP:

PLAYER INTERVIEW



First step is to schedule your FREE Player Interview to discuss your goals. Once you enter the facility you will see there is something special happening in a Top Velocity Performance Center. You will meet with a staff member who will take you on a tour of the facility pointing out all the special features of a Top Velocity Performance Center. Make sure to review the goal banners which will outline how to reach your goals.

PROGRAM RECOMMENDATION



Following your interview you will be provided our best program recommendation based upon your age, skill level, and goals.

Standard Program Options:

- Start Right Intro Clinic (2 days a week)
- Start Right Training (5 days a week)
- Top Velocity Academy Training Membership (over 12yos – 5 days a week)
- Clinic
- Camp

MEMBERSHIP SELECTED



Once you have selected your program you will be registered for your Training Group or specific class. Each athlete will establish their Top Velocity account and will be provided access to education, training, and evaluation systems through an application on their phone or internet login. All of our training memberships start with the Complete Evaluation to establish a baseline

of performance and will be provided a customized training program through our artificial intelligence programming. If you have selected a clinic or intro class you will receive a base evaluation to establish general performance metrics to educate the athlete of their current performance level. As with all of our introductory clinics, classes, and workshops, we encourage each athlete to take the next steps towards our unlimited membership options to start training with a customized training program in our academy program.

PLAYER EVALUATION



The proprietary Top Velocity evaluation assesses over 50 individual measurements which are entered into the Trademarked Top Velocity Artificial Intelligence Program to establish a baseline and assess the athletes current ability. Once the data is entered the athletes will receive their customized training program with a roadmap to elite metrics.

The Top Velocity Evaluation is an essential step for athletes entering into our training programs for the following reasons:

1. Establish a baseline of current ability
2. Assign Customized Training
3. Establishment future Goals
4. Records and Monitors Progress

The Top Velocity evaluation is recommended every 2-4 weeks for those who select the Top Velocity membership. After the initial evaluation, each athlete and parent meets individually with a Team Member to review the results.

3X/2X VELOCITY CAMP



The 3X Pitching Velocity Programs and the 2X Position Player Programs were built to develop the healthily high velocity athlete. This is the premier offering and the program that has built the success of Top Velocity. Each player joining a membership will be provided the complete camp training with Certified Instructors in your affiliate location who will work directly with your athlete following Coach Brent via live remote broadcast from headquarters. This is the \$2997 program for the 2 day training and will be included in your Top Velocity Performance Center Membership at a discount.

START RIGHT TRAINING



The Start Right Training Program is provided for the 4 weeks following the attendance of the 3X/2X Velocity Camp to ensure proper proficiency in all med ball and throwing drills. Weekly training times provide the instruction needed to master these drills. For the Athletes who are not interested in the full commitment of the Membership, they have the option to begin training through the Start Right Intro Clinic which walks an athlete through the Beginner Drills over a 4-8 week program. After completing the intro clinic, athletes who qualify are invited to apply for membership with all its benefits.

TOP VELOCITY ACADEMY



After the player is properly onboarded into their training program they are provided their customized Top Velocity Training application on their phone for ease of instruction. Athletes are placed in training groups to follow their 5 day a week training program.

REACH YOUR GOALS

Start your customized training platform and study all materials to further your understanding of what it takes to be a professionally trained athlete. Re-evaluations should be performed every 2-4 weeks to establish your next level of training. Follow the program and reach your goals!

WHY TOP VELOCITY GETS RESULTS!

Start Building Your Baseball Franchise NOW!



WHAT MAKES TOP VELOCITY DIFFERENT?

COMPLETE EVALUATION

With the proprietary Top Velocity evaluation you have the best player evaluation system in the game. No matter what level you are currently we will make you better.

EDUCATION

We pride ourself on educating our athletes and providing scientific data to substantiate our findings. Top Velocity recommendations are not an opinion but are rather based on science to allow each athlete to follow a system that produces results as compared to the traditional anecdotal information provided by most coaches.

MOBILITY TRAINING

A cutting-edge mobility routine to unlock your bodies power production and reduce injury.

DRILLS

A proprietary medicine ball overload velocity training program in addition to a complete throwing program that significantly reduces injury.

OLYMPIC LIFTING

A Science built strength and conditioning program to optimize mass, power, and motor control to develop an explosive elite athlete.

ANAEROBIC CONDITIONING

To enhance high performance stamina and recovery.

NUTRITION PROGRAM

The purpose of this program is to educate the athlete regarding optimal nutrition as part of optimizing performance and remove misinformation currently on the market.

PITCH DEVELOPMENT

Once on the training program our athlete's have an opportunity to develop a more complete arsenal through advanced analysis of spin, pitch grip, and ball release techniques used by the Pro's.

CUSTOMIZED PROGRAMS

Each of our athletes will receive a customized training program following a complete biometric evaluation. Our proprietary evaluation and trademarked Artificial Intelligence program develops an exact roadmap for each athlete to reach elite metrics following their training program.

OTHER WAYS TO START WITH TOP VELOCITY!

CLINICS

Not all players are ready for our membership and training model. Clinics are a great way to get started and learn better techniques. Clinics offered are Throwing Velocity, Hitting Velocity, Catcher Sub 2.0, Weight Training, Speed & Agility, Arm Care, and Nutrition.

START RIGHT INTRO CLINIC

The Start Right Intro Clinic is a program designed primarily for the under 12 age group to introduce the Top Velocity methods to athletes covering a course format of 10 different training agendas focused on throwing and hitting skills development. This training will teach younger athletes proper mechanics and introduce advanced training methods in a class setting.

Following this training, athletes are eligible to select the Start Right Training Membership which provides up to 5 day a week training for the committed athlete.

SEASONAL TRAINING

For the multi-sport athlete, our seasonal training programs offer an instructor led program designed to fast-track an athlete through the Top Velocity methods. The programs include Off-Season, Pre-Season, and In-Season group instruction.

HOLIDAY OR SUMMER PROGRAMS

These programs are designed for fun and education. Each session includes instruction in Top Velocity methods and competitive games to keep your young athlete active during the school breaks.

TEAM TRAINING

The Team Training program is a special offering that provides a weekly scheduled workout program for teams looking for an edge. Each session provides a dynamic warm-up, TopV med ball drills, baseball drills, and finishes each session with speed & agility training. Teams are encouraged to use the batting cage prior to workouts to maximize their training time. Each athlete will receive periodic evaluations to establish a baseline and monitor development throughout the program.

READY TO DOMINATE THE COMPETITION?

CLICK THE LINK BELOW TO GET STARTED TODAY!

SIGN UP

Top Velocity Performance Centers, LLC

17588 Hard Hat Dr.

Covington, LA 70433

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Chair Schaeffer expressed her general agreement with the proposal.

Commissioner James said that he appreciated the different design and sustainability.

Commissioner Markunas said that the materials were well suited for the architecture.

Mike Schwarz explained the removal of the variation for the proposed metal roof. He stated that staff took a conservative approach in interpreting the language in the Zoning Ordinance. Upon further review of the language, staff determined that a variation for the metal roof is not required. He said that the requirement for the masonry siding has always been in the Zoning Ordinance and therefore this variation still applies. The property is not located within the downtown boundary and therefore the Residential Design Guidelines within the 2019 Comprehensive Plan do not apply.

Chair Schaeffer said that the property is almost entirely surrounded by commercial uses. She said that an all-brick exterior could appear monotonous and that the proposed house is “anti-monotony”.

Motion (#16): Recommend the Village Board approve a variation request to allow non-masonry siding for first floor and second-floor building materials on a house proposed on Lot B in the Aurthur T. McIntosh and Company’s Kean Avenue, S. 95th Ave. (19-09-22-300-025-0000), in accordance with the reviewed plans, public testimony and Findings of Fact.

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

F. Non-Public Hearing: Triple Crown Training

Amanda Martinez presented the staff report.

Applicant David Wayne Posley Jr. approached the podium.

Commissioner Morris asked if they have operations in other states, if this location will be a franchisee and if the applicant could explain why they chose Frankfort as a location. The applicant replied that his clients are Frankfort residents, and that the operation will be a franchise.

Commissioner Markunas said that being a franchise, he is assuming that the parent company has design standards for how it looks. The applicant said that there are no plans to modify the existing building.

Commissioner Knieriem asked the applicant if he was the owner. The applicant responded that he is a representative of the owners and the lead instructors. Commissioner Knieriem asked if they would only focus on baseball if it was previously a Rhino Sports Academy and if Triple Crown would own it. The applicant replied that they would only focus on baseball, that it was in fact a former Rhino facility and that Triple Crown would lease the building. Commissioner Knieriem asked if all sports activities would be indoor, and nothing would be outdoors. The applicant responded that was correct. The applicant said there would be no outdoor field to play baseball because this facility would only be used for training and practice. Commissioner Knieriem said that there is a shortage of this type of use in Frankfort.

Chair Schaeffer asked if the facility would ever be rented out for parties or events. The applicant responded no.

Chair Schaeffer asked for comments regarding parking. She said that the gravel in the rear yard was not approved to be there and should be removed. It could either be restored with grass or it could be paved for a rear parking lot. She said that since the facility would be relatively large, that more on-site parking would likely be required. The applicant noted that they would likely prefer to pave the rear yard for parking. Mike Schwarz noted that any new parking lot on site would need to be reviewed for engineering compliance and would require curb & gutter, etc. The plans would need to be prepared by a licensed architect or engineer. The applicant asked the Commission how much parking he needs for the proposed use. Chair Schaeffer replied that that is what is being debated tonight. The applicant asked if there were any records showing that parking “spillover” was an issue when Rhino was there. Amanda Martinez noted that Rhino did not have any conditions for parking attached to their approval. She noted that the required parking for Rhino was based upon what the applicants said they needed at the time. However, the code technically states that the required parking must be based upon “maximum occupancy”, which would equate to 64 parking spaces, which probably won’t be able to fit on site. The applicant responded that this facility would be primarily for pick-up and drop-off of youths and that he’d prefer to not spend the money to pave a parking lot expansion.

Commissioner Markunas asked what the maximum occupancy would be of the facility. The applicant responded that there would be a maximum of 2 teams at once, or about 30 people. Chair Schaeffer said that most of the players will be young and not driving to the facility. Commissioner Knieriem said that typically, parents pick up and drop off children at once, which can lead to a mess of cars at once. He said that he would prefer it if the site plan could be reworked to provide a one-way entrance and one-way exit to allow proper circulation. He said that the existing 5-6 existing parking spaces would be deficient. He said that as an industrial property, he would not want kids being picked up in the streets, crossing the street or otherwise being in the street. He believed that approximately 34-40

on-site parking spaces would be required. Mike Schwarz noted that the property could not exceed an impervious lot coverage of 80% and to keep that in mind.

Commissioner Markunas said that he estimates 2/3^{rds} of the parents would sit in the parking lot and read a book while waiting for practice to end. As such, parking will be required on-site. Amanda Martinez noted that on-street parking does not technically count toward the amount of required parking. There was general discussion regarding the amount of parking that should be required. The Commission seemed to agree that 30 spaces would be required.

Commissioner Knieriem asked if a trash enclosure was considered, taking into account turning movements for emergency vehicles. Commissioner Markunas asked the applicant if they received proper directions. They replied yes.

G. Public Comments

None.

H. Village Board & Committee Updates

Mike Schwarz noted that the following projects were approved by the Village Board at its meeting on March 4, 2024:

- The Voorn Lawndale Subdivision (preliminary and final plat); and
- The 39 and 49 E. Bowen Street Wall Massing Variation (Ord. 3441).

I. Other Business

None.

J. Attendance Confirmation (March 21st, 2024)

Chair Schaeffer asked Commissioners to please let staff know if someone cannot attend the next meeting.

Motion (#13): Adjournment 8:58 P.M.

Motion by: Jakubowski

Seconded by: Knieriem

The motion was unanimously approved by voice vote (5-0).

Approved March 21st, 2024

As Presented _____ As Amended _____

Application for Plan Commission / Zoning Board of Appeals Review
Special Use Permit Findings of Fact

We will not have any change to exterior.

5. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

Yes all utilities are adequate and current in infrastructure.

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Yes we look forward to minimal traffic only pickup / drop off.

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

This special use will be used according to Plan Commission recommendations and Village Board approval.



Findings of Fact Commissioner Evaluation Form - Special Use Permit

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use permit request. No special use shall be recommended by the Plan Commission unless all the following findings are made.

	STANDARD	NOTES	MEETS	
a.	That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.		YES	NO
b.	That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.		YES	NO
c.	That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.		YES	NO
d.	That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.		YES	NO

e.	That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.		YES	NO
f.	That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.		YES	NO
g.	That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.		YES	NO

Project: Rhumbar
Meeting Type: Workshop #3
Requests: Special Use for a full-service restaurant with liquor sales; Special Use for outdoor seating; Special Use for a drive-up service window; Special Use for a Major Change to the Brookside Commons PUD (amending Ordinance No. 2992 from 2015 which amended Ordinance No. 1895 which granted a Special Use for a Planned Development in 2002)
Location: 10211 W. Lincoln Highway
Applicant: Joji Tirumalareddy, Tulips Chicago LLC dba Rhumbar
Prop. Owner: Medha Teja LLC-Frankfort
Consultants: William Warman, Architect
Representative: David Bejgiert, Attorney
Report By: Michael J. Schwarz, AICP

Site Details

Lot Size: 1.3 acres (56,628 SF)
PIN(s): 19-09-21-304-021-0000
Existing Zoning: B-4 Office District, PUD
Prop. Zoning: B-4 Office District, PUD, with a Special Use for a Full-Service Restaurant with Liquor Sales; Special Use for Outdoor Seating; Special Use for a Drive-up service window
Building(s) / Lot(s): 1 building (7,061 SF) / 1 lot
Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Restaurant	General Commercial	B4 PUD
North	Residential	Single-Family Residential	R-2
South	Office	General Commercial	B4 PUD
East	Office	General Commercial	B4 PUD
West	Restaurant	General Commercial	B4 PUD

Figure 1: Location Map



Project Summary

The applicant, Joji Tirumalareddy, has filed an application requesting approval of a Special Use for a full-service restaurant with liquor sales; a Special Use for outdoor seating; a Special Use for a drive-up service window; and a Major Change to the Brookside Commons PUD (amending Ordinance No. 1895 which granted a Special Use for a Planned Development in 2002), for the subject property located at 10211 W. Lincoln Highway. Joji Tirumalareddy holds 100 percent interest in Tulips Chicago LLC doing business as Rhumbar. Medha Teja LLC is the real estate company holding the ownership of the building. Tulips Chicago LLC is leasing the property from Medha Teja LLC.

The applicant proposes to open a new restaurant to be named Rhumbar. The subject building was most recently occupied by Simply Smokin BBQ however has been vacant for many years. In 2015, the same applicant requested and was granted these same requests (not including the Special Use for a drive-up service window) but was not granted a liquor license and never opened the restaurant. On October 5, 2015, the Village Board approved

Ordinance No. 2990 which granted a Special Use for a full-service restaurant with liquor sales; Ordinance No. 2991 which granted a Special Use for outdoor seating; and Ordinance No. 2992 which granted a Major Change to the Brookside Commons Office Centre PUD. Given that the Special Uses never commenced on the property, the applicant must re-apply and again go through the Village's review process. Following the first workshop held on June 9, 2022, the applicant removed the proposed small addition at the southwest corner of the building to add an exterior cooler and removed the proposed new covered vestibule at the northeast corner of the building. Since the second workshop on October 13, 2022, the applicant has decided to replace the existing stucco material on the entrance tower with an applied brick veneer as well as to make minor exterior repairs as necessary. In the past few months, the applicant has expressed to Village staff a desire to re-establish the drive-through facility for conventional drive-up ordering and pick-up. However, staff explained to the applicant that this idea was generally not supported by the Plan Commission at the second workshop. Therefore, the applicant is now only seeking to re-establish the existing drive-through facility for call-ahead ordering only.

Attachments

1. 2020 Aerial Photograph from Will County GIS (1:1,128 scale)
2. Site Photos taken on 5.19.22
3. Site Photos taken on 3.15.24
4. Interior Renovation Plans last revised 1.19.24, received 1.19.24
5. North Elevation last revised 12.19.23, received 2.22.24
6. Approved Minutes of the PC/ZBA Meeting on 6.9.22
7. Approved Minutes of the PC/ZBA Meeting on 10.13.22

Analysis

In consideration of the request, staff offers the following points of discussion:

Full-Service Restaurant with Liquor Sales

- The sale of liquor is typical in connection with full-service restaurants in Frankfort.
- The Village of Frankfort Municipal Code contains several special use categories addressing a wide range of liquor sales operations, each with their own corresponding standards.
- Rhumbar is classified as a full-service restaurant with liquor sales and is subject to the following use standards:
 1. Bar and lounge areas within the restaurant shall not contain more than 25% of the total number of seats located within the premises nor shall they exceed 25% of the total customer floor area. A total of 65 seats are labeled in the bar area (7 bar stools and 58 seats at tables). A total of 257 interior seats are shown (185 seats on the first floor and 72 seats on the mezzanine level). The proposed 36 outdoor seats are not counted toward this calculation. Therefore, the proposed 65 seats in the bar area equate to 25.29% of the 257 total interior seats. This slightly exceeds the maximum ratio allowed by the Liquor Ordinance. **(Does not comply - A minimum of 1 seat would need to be removed from the bar area to achieve compliance.)**
 2. Bar and lounge areas within the restaurant shall not exceed 25% of the total customer floor area. The submitted floor plans indicate that the dining area on both floors is 4,788 square feet and the bar area located on the first floor is 1,029 square feet. Therefore, the proposed bar area is 21.5% of the total dining floor area and complies with the requirement. **(Complies.)**
 3. Bar and lounge areas within the restaurant shall be reasonably delineated from the dining area by a wall, partition or similar permanent and physical improvement. A wall with three doorway openings separates the bar area from the first-floor dining area. **(Complies.)**

4. Amusement devices are not permitted. **(Complies** - No amusement devices are shown on the floor plans.)
 5. Electronic video displays and their accompanying audio, including but not limited to televisions and projection screens, shall not be located or transmitted outside of the dedicated bar or lounge area. **(Complies** – all televisions and their sound will be limited to the dedicated bar area.)
 6. All menu items and specials shall be available until one hour prior to closing and shall be prepared and cooked by an on-site kitchen staff. **(Complies** - all food will available until close).
- Significant interior renovation is proposed to comply with the standards for this Special Use, as the existing bar is centrally located and not delineated from the dining area.
 - The applicant's 2015 liquor license request included a request for live entertainment. The 2015 plans depicted a 5' x 7' stage in the northwest corner of the bar area. The 2015 liquor license request was not approved by the Village Board. The applicant continued to submit a Floor Plan that depicted a small entertainment stage during the workshops held in June and October of 2022. A triangular approximate 50-60 square-foot stage was depicted on the proposed First Floor Plan in the northwest corner which appears to signify that regular entertainment was intended. The current Floor Plan submittal indicates that the previously shown stage is no longer proposed.
 - The subject property was designed and intended for restaurant use as part of the PUD approval for the original Brookside Commons office complex. All previous tenants have used the building as a restaurant.
 - Previous restaurant tenants have provided liquor sales at this location.
 - During the 2015 workshop meeting Commissioners discussed parking availability in the immediate area noting that daytime parking is limited. The eastern portion of the Brookside Commons office complex contains 6 office buildings and 2 restaurants which together share 123 parking spaces. Below is a breakdown of Village ordinance requirements based on use and square footage:

Use	Square Footage	Ordinance Provision	Required Parking
Office	25,500	5 / 1,000 sq. ft.	127
Restaurant	9,843	10 / 1,000 sq. ft.	98
total required			225

- Although technically deficient with respect to Zoning Ordinance requirements (225 spaces required / 123 provided) the original PUD for the Brookside Commons office complex took into consideration shared parking opportunities and offset peak hours of operation. Whereas the office users utilize the majority of the parking spaces during the weekdays, restaurants typically utilize the parking spaces during the evenings and on weekends.
- Despite shared parking opportunities it is reasonable to assume that restaurant parking availability will be limited during the late afternoon and early evening hours on weekdays where restaurant and office hours overlap. Staff has asked the applicant to consider potential off-site parking opportunities, such as a lease agreement with one or more neighboring businesses such as Avanti Furniture and/or Cole Digital. To date, the applicant has not indicated if such off-site lease agreements have been explored.
- Commissioners are encouraged to consider that *any* use of the vacant building will increase parking demand beyond present day observations. If the subject building was converted to an office use, overall parking requirements would be reduced to 192 spaces. However more of the parking would be in demand during the weekday daytime hours and any shared parking / offset peak hour efficiencies would be reduced or eliminated.

Extended Hours

- The Zoning Ordinance limits the permissible hours of operation for commercial businesses to the hours of 7:00 am to 11:00 pm. Establishments that operate outside of those hours must be approved to do so through a Special Use Permit.
- The applicant has not applied for extended hours of operation at this time.
- Following the 2015 workshop meeting the applicant agreed to limit his requested hours of operation to 11:00 pm during the week and 12:00 pm on Friday and Saturdays only. The initial 2015 proposal contemplated 1:00 am daily operation.
- The 2015 staff report noted that the Village previously approved extended hours of operation until 12:00 am or later for several full-service restaurants with liquor sales including Jameson's, Tommy Nevins (since closed), Buffalo Wild Wings, Francesca's, and La Dolce Vita.
- None of the previous restaurant tenants at this location requested extended hours of operation.

Outdoor Seating

- Outdoor seating areas require approval of a Special Use within the B-4 Office District.
- The applicant intends to provide outdoor seating on the existing concrete patio area north and east of the primary entrance. 9 patio tables with 4 chairs each are proposed, for a total of 36 proposed outdoor seats.
- The 2015 Site Plan reflected 36 seats in the proposed outdoor seating area (68 seats initially were proposed).
- The Village's Municipal Code requires that outdoor seating areas must be enclosed by a fence or wall with a minimum height of 3' where liquor sales are provided. The applicant previously proposed to install a 4' ornamental iron fence enclosing the entire outdoor seating area. The color 3D renderings that were submitted for the 2022 workshops indicated black metal open style fencing around the outdoor seating area. Specifications for the fencing have not been provided at this time.
- In 2015, the submitted site plan showed that at the eastern end of the outdoor seating area the proposed fence would have extended to the edge of the parking lot. At the 2015 workshop meeting Commissioners requested the fence be shifted $\pm 8'$ to the west to allow use of the existing customer drop off / pickup area and to limit potential maintenance issues due to vehicular damage. The current Site Plan submittal appears to satisfy this previous concern.
- Due to the proposed liquor sales and the outdoor seating area's proximity to residential properties ($\pm 270'$ south / $\pm 180'$ north), staff recommends the Commission add a condition on any potential Special Use Permit for outdoor seating associated with a permitted restaurant, limiting the hours of the outdoor seating area and prohibiting live entertainment.
- The Village of Frankfort Zoning Ordinance establishes a maximum sound level of 55 decibels measured at the property lines of commercial development. As a point of comparison 55 decibels is comparable to a normal human conversation or the hum of an electrical transformer from 100' away. Staff recommends any outdoor music comply with this requirement as a condition of approval for any potential Special Use Permit for outdoor seating associated with a permitted restaurant.
- The proposed outdoor area is not expected to significantly increase parking demand and is seasonal in nature.

- Ordinance No. 2991 which previously granted a Special Use for outdoor seating in 2015 included the following conditions:
 1. The outdoor seating area is limited to the north portion of the building only and to the nine (9) tables depicted on the restaurant renovation plan;
 2. No live entertainment in the outdoor dining area;
 3. Outdoor amplified music shall not exceed 55 decibels as measured at the property line, in accordance with Article 6, Part 2, of the Village of Frankfort Zoning Ordinance;
 5. All exterior doors to remain closed during indoor live entertainment; and
 6. Relocation of the easternmost portion of the outdoor seating area enclosure \pm 8 feet to the west.

Drive-Up Service Window

- The Zoning Ordinance classifies drive-up service windows as a Special Use. The applicant is seeking to re-establish the required Special Use Permit for the existing drive-up service window on the rear of the building for call-ahead pick-up only. The applicant has indicated that there would be no ordering of food from the drive-up window. The applicant believes that any vehicle queuing would be minimal. The existing vehicle entrance to the drive-up service window only accommodates the stacking of approximately 2-3 standard size vehicles. According to the records of the Frankfort Township Assessor, the subject building and drive-up service window was constructed in 1999 following approval of the Brookside Commons PUD circa 1997. The Zoning Ordinance, which was adopted in 2001, now requires queuing for a minimum of eight (8) vehicles waiting at a drive-up service window.

Major Change to a Planned Unit Development

- The existing building has been vacant for many years and as a result has not been properly maintained both internally and externally.
- The following Site Plan changes require approval of a Major Change to a PUD: installation of a wrought iron enclosure for the outdoor seating area, exterior changes to the building including the addition of brick veneer on the existing tower, replacement of existing sconce lighting with new sconce lighting and rope lighting for accent lighting under the roof overhangs.
- The existing E.I.F.S entrance tower element is deteriorating and may need to be removed and rebuilt. The 2015 proposed Building Elevations depicted stone veneer on a new vestibule to comply with current commercial building standards which require masonry construction. At this time, the applicant is proposing to remove the existing E.I.F.S. material and install brick veneer in a darker red “Aberdeen” panel brick to be consistent with the existing exterior brick on the building as well as the adjacent office buildings (refer to attached Site Photos). It is staff’s understanding that the applicant proposes to use a thin dimension material as a veneer and does not propose to use standard dimension brick stacked upon a brick ledge. The applicant has submitted a material sample for staff and Commission review to ensure that the proposed material will attempt to match the color of the existing red brick on the building as well as the color of the brick on the office buildings in the Brookside Commons PUD.
- Previously submitted color 3D renderings for the workshops held in 2022 depicted new channel cut letter signage on the tower facing Route 30. Signage details were not provided at the time of this report. The applicant must comply with the Village’s exterior signage regulations as well any other signage requirements of the Brookside Commons PUD.

Standards for Planned Unit Developments --- ***(also applicable to Major Changes to Planned Unit Developments)***

For reference during the workshop, Article 3, Section F of the Village of Frankfort Zoning Ordinance refers to Planned Unit Developments (refer to complete Article 3 attached). Part 4 of said Section F refers to the review standards the must be considered.

In granting or withholding approval of Preliminary Plans and Final Plans, the Plan Commission and the Village Board shall consider the extent to which the application fulfills the requirements of this Ordinance and the following standards:

- a. The plan is designed to protect the public health, welfare, and safety.
- b. The proposed development does not cause substantial injury to the value of other property in the immediate area.
- c. The plan provides for protection of the aesthetic and function of the natural environment, which shall include, but not be limited to, flood plains, streams, creeks, lakes, ponds, wetlands, soil and geologic characteristics, air quality, vegetation, woodlands, and steep slopes.
- d. The plan provides for and ensures the preservation of adequate recreational amenities and common open spaces.
- e. Residential use areas may provide a variety of housing types to achieve a balanced neighborhood.
- f. The planned unit development provides land area to accommodate cultural, educational, recreational, and other public and quasi-public activities to serve the needs of the residents thereof.
- g. The proposed development provide for the orderly and creative arrangement of all land uses with respect to each other and to the entire Village.

Standards for Special Uses

For reference during the workshop, Article 3, Section B, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use request.

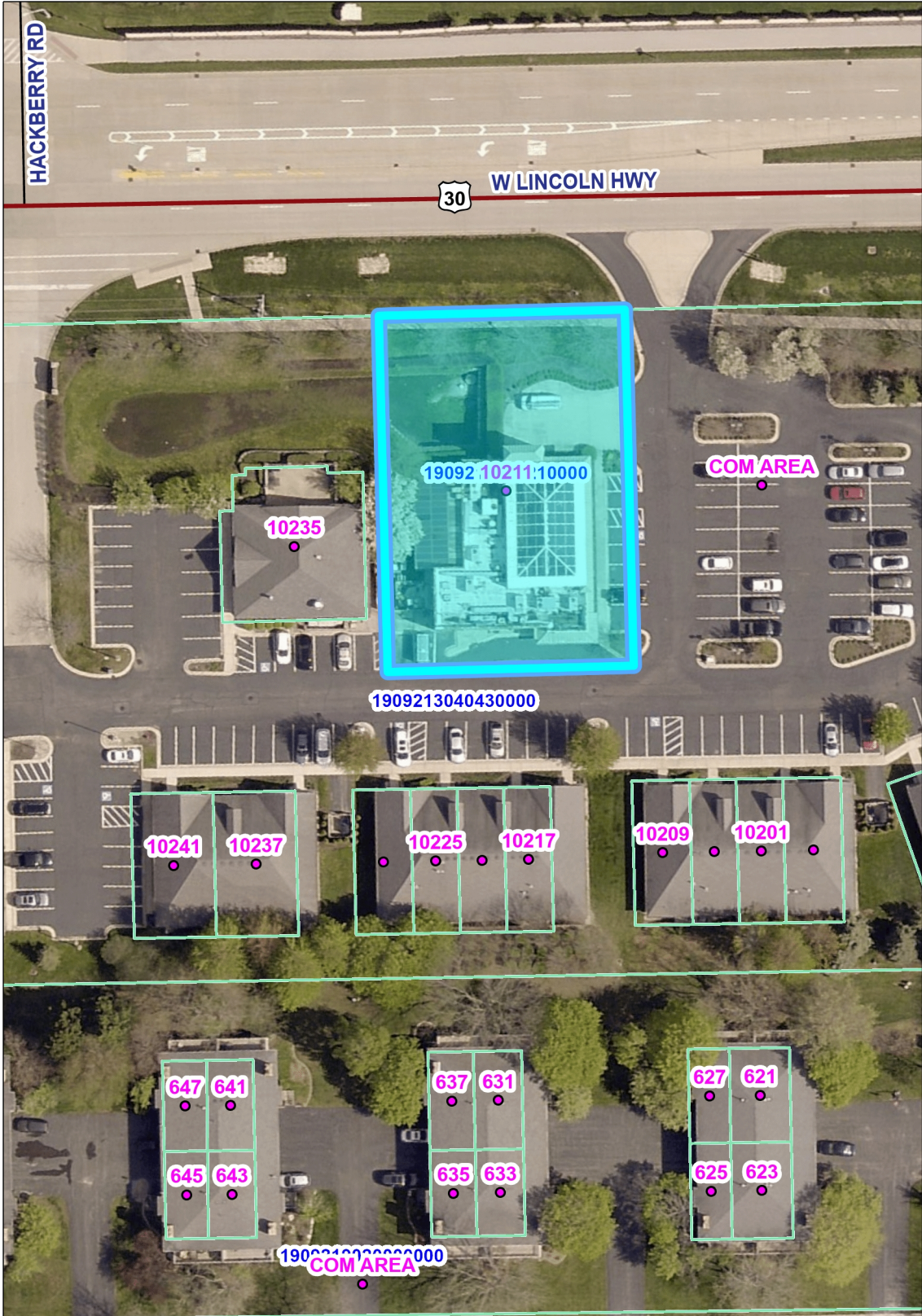
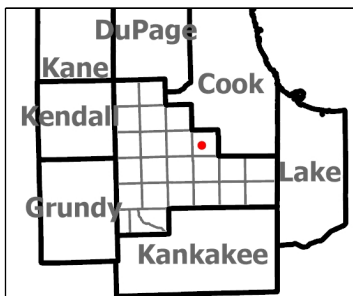
The Plan Commission shall make written findings of fact and shall refer to any exhibits containing plans and specifications for the proposed special use, which shall remain a part of the permanent record of the Plan Commission. The Plan Commission shall submit same, together with its recommendation to the Village Board for final action. No special use shall be recommended by the Plan Commission, unless such Commission shall find:

- a. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.
- b. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- c. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- d. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
- e. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
- f. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- g. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.



10211 W. Lincoln Highway



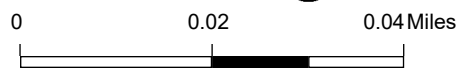
Legend

- Address Points
- Roadways
 - Federal
 - State
 - County
 - Local and Private
- Parcels LY
- Townships

Notes

Date: 6/1/2022

1: 1,128



Projection

WGS_1984_Web_Mercator_Auxiliary_Sphere

Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to gis@willcountyillinois.com.

Site Photos – 10211 W. Lincoln Highway (May 19, 2022)













Site Photos – 10211 W. Lincoln Highway (March 15, 2024)



Figure 1: Former Simply Smokin' BBQ & Grill Restaurant located at 10211 W. Lincoln Highway.



Figure 2: Parking lot to the east of the subject building at 10211 W. Lincoln Highway.



Figure 3: Rear façade of 10211 W. Lincoln Highway.



Figure 4: West façade of 10211 W. Lincoln Highway.



Figure 5: Shared drive-aisle behind 10211 W. Lincoln Highway, viewed looking west.



Figure 6: Shared drive-aisle behind 10211 W. Lincoln Highway, viewed looking east.



Figure 7: Existing brick façade at 10211 W. Lincoln Highway compared to proposed Panelbrick brand thin brick veneer product in “Aberdeen” style (proposed to replace existing EIFS material on entrance tower).

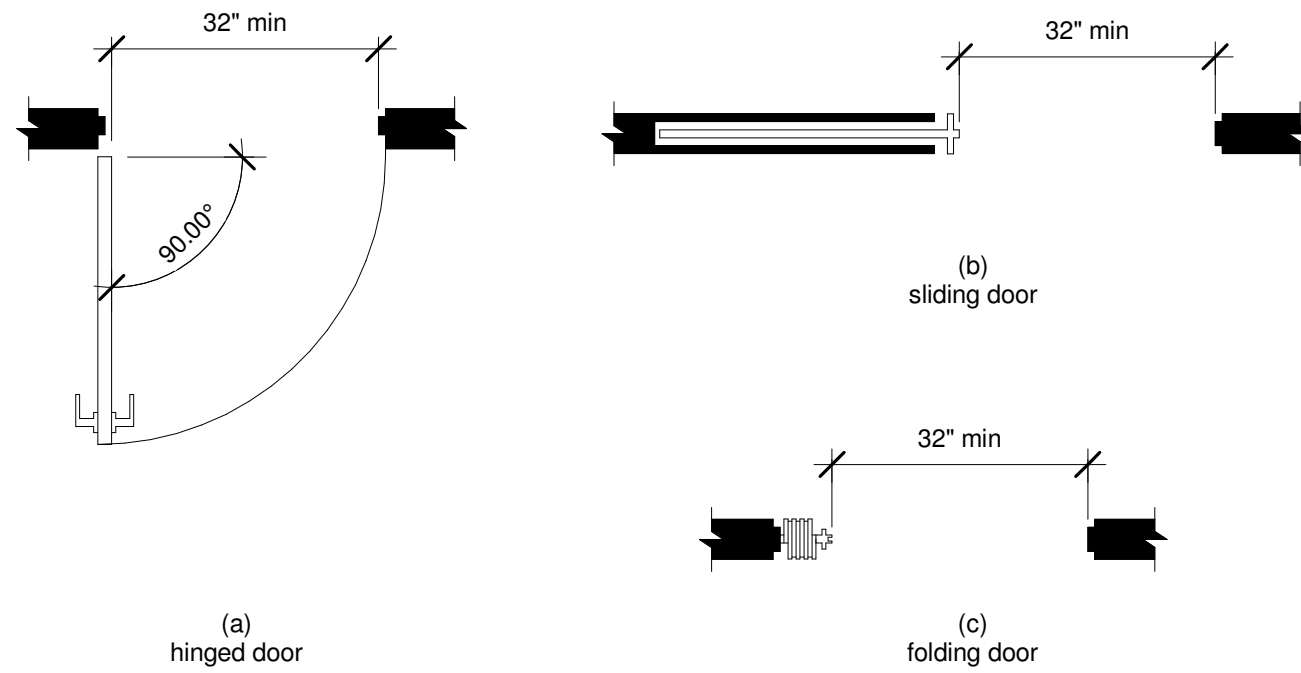


Figure 8: Existing brick façade at 10217 W. Lincoln Highway (same brick material among the other office buildings in Brookside Commons) compared to proposed Panelbrick brand thin brick veneer product in “Aberdeen” style (proposed to replace existing EIFS material on entrance tower).

1	2	3	4	5	
ABBREVIATIONS		DRAWING CONVENTIONS		SITE LOCATION	
<div><div><div><div><div><div>A</div><div>B</div><div>C</div><div>D</div></div><div><div>1</div><div>2</div><div>3</div><div>4</div></div><div><div>5</div><div>6</div><div>7</div><div>8</div></div><div><div>9</div><div>10</div><div>11</div><div>12</div></div><div><div>13</div><div>14</div><div>15</div><div>16</div></div><div><div>17</div><div>18</div><div>19</div><div>20</div></div><div><div>21</div><div>22</div><div>23</div><div>24</div></div><div><div>25</div><div>26</div><div>27</div><div>28</div></div><div><div>29</div><div>30</div><div>31</div><div>32</div></div><div><div>33</div><div>34</div><div>35</div><div>36</div></div><div><div>37</div><div>38</div><div>39</div><div>40</div></div><div><div>41</div><div>42</div><div>43</div><div>44</div></div><div><div>45</div><div>46</div><div>47</div><div>48</div></div><div><div>49</div><div>50</div><div>51</div><div>52</div></div><div><div>53</div><div>54</div><div>55</div><div>56</div></div><div><div>57</div><div>58</div><div>59</div><div>60</div></div><div><div>61</div><div>62</div><div>63</div><div>64</div></div><div><div>65</div><div>66</div><div>67</div><div>68</div></div><div><div>69</div><div>70</div><div>71</div><div>72</div></div><div><div>73</div><div>74</div><div>75</div><div>76</div></div><div><div>77</div><div>78</div><div>79</div><div>80</div></div><div><div>81</div><div>82</div><div>83</div><div>84</div></div><div><div>85</div><div>86</div><div>87</div><div>88</div></div><div><div>89</div><div>90</div><div>91</div><div>92</div></div><div><div>93</div><div>94</div><div>95</div><div>96</div></div><div><div>97</div><div>98</div><div>99</div><div>100</div></div><div><div>101</div><div>102</div><div>103</div><div>104</div></div><div><div>105</div><div>106</div><div>107</div><div>108</div></div><div><div>109</div><div>110</div><div>111</div><div>112</div></div><div><div>113</div><div>114</div><div>115</div><div>116</div></div><div><div>117</div><div>118</div><div>119</div><div>120</div></div><div><div>121</div><div>122</div><div>123</div><div>124</div></div><div><div>125</div><div>126</div><div>127</div><div>128</div></div><div><div>129</div><div>130</div><div>131</div><div>132</div></div><div><div>133</div><div>134</div><div>135</div><div>136</div></div><div><div>137</div><div>138</div><div>139</div><div>140</div></div><div><div>141</div><div>142</div><div>143</div><div>144</div></div><div><div>145</div><div>146</div><div>147</div><div>148</div></div><div><div>149</div><div>150</div><div>151</div><div>152</div></div><div><div>153</div><div>154</div><div>155</div><div>156</div></div><div><div>157</div><div>158</div><div>159</div><div>160</div></div><div><div>161</div><div>162</div><div>163</div><div>164</div></div><div><div>165</div><div>166</div><div>167</div><div>168</div></div><div><div>169</div><div>170</div><div>171</div><div>172</div></div><div><div>173</div><div>174</div><div>175</div><div>176</div></div><div><div>177</div><div>178</div><div>179</div><div>180</div></div><div><div>181</div><div>182</div><div>183</div><div>184</div></div><div><div>185</div><div>186</div><div>187</div><div>188</div></div><div><div>189</div><div>190</div><div>191</div><div>192</div></div><div><div>193</div><div>194</div><div>195</div><div>196</div></div><div><div>197</div><div>198</div><div>199</div><div>200</div></div><div><div>201</div><div>202</div><div>203</div><div>204</div></div><div><div>205</div><div>206</div><div>207</div><div>208</div></div><div><div>209</div><div>210</div><div>211</div><div>212</div></div><div><div>213</div><div>214</div><div>215</div><div>216</div></div><div><div>217</div><div>218</div><div>219</div><div>220</div></div><div><div>221</div><div>222</div><div>223</div><div>224</div></div><div><div>225</div><div>226</div><div>227</div><div>228</div></div><div><div>229</div><div>230</div><div>231</div><div>232</div></div><div><div>233</div><div>234</div><div>235</div><div>236</div></div><div><div>237</div><div>238</div><div>239</div><div>240</div></div><div><div>241</div><div>242</div><div>243</div><div>244</div></div><div><div>245</div><div>246</div><div>247</div><div>248</div></div><div><div>249</div><div>250</div><div>251</div><div>252</div></div><div><div>253</div><div>254</div><div>255</div><div>256</div></div><div><div>257</div><div>258</div><div>259</div><div>260</div></div><div><div>261</div><div>262</div><div>263</div><div>264</div></div><div><div>265</div><div>266</div><div>267</div><div>268</div></div><div><div>269</div><div>270</div><div>271</div><div>272</div></div><div><div>273</div><div>274</div><div>275</div><div>276</div></div><div><div>277</div><div>278</div><div>279</div><div>280</div></div><div><div>281</div><div>282</div><div>283</div><div>284</div></div><div><div>285</div><div>286</div><div>287</div><div>288</div></div><div><div>289</div><div>290</div><div>291</div><div>292</div></div><div><div>293</div><div>294</div><div>295</div><div>296</div></div><div><div>297</div><div>298</div><div>299</div><div>300</div></div><div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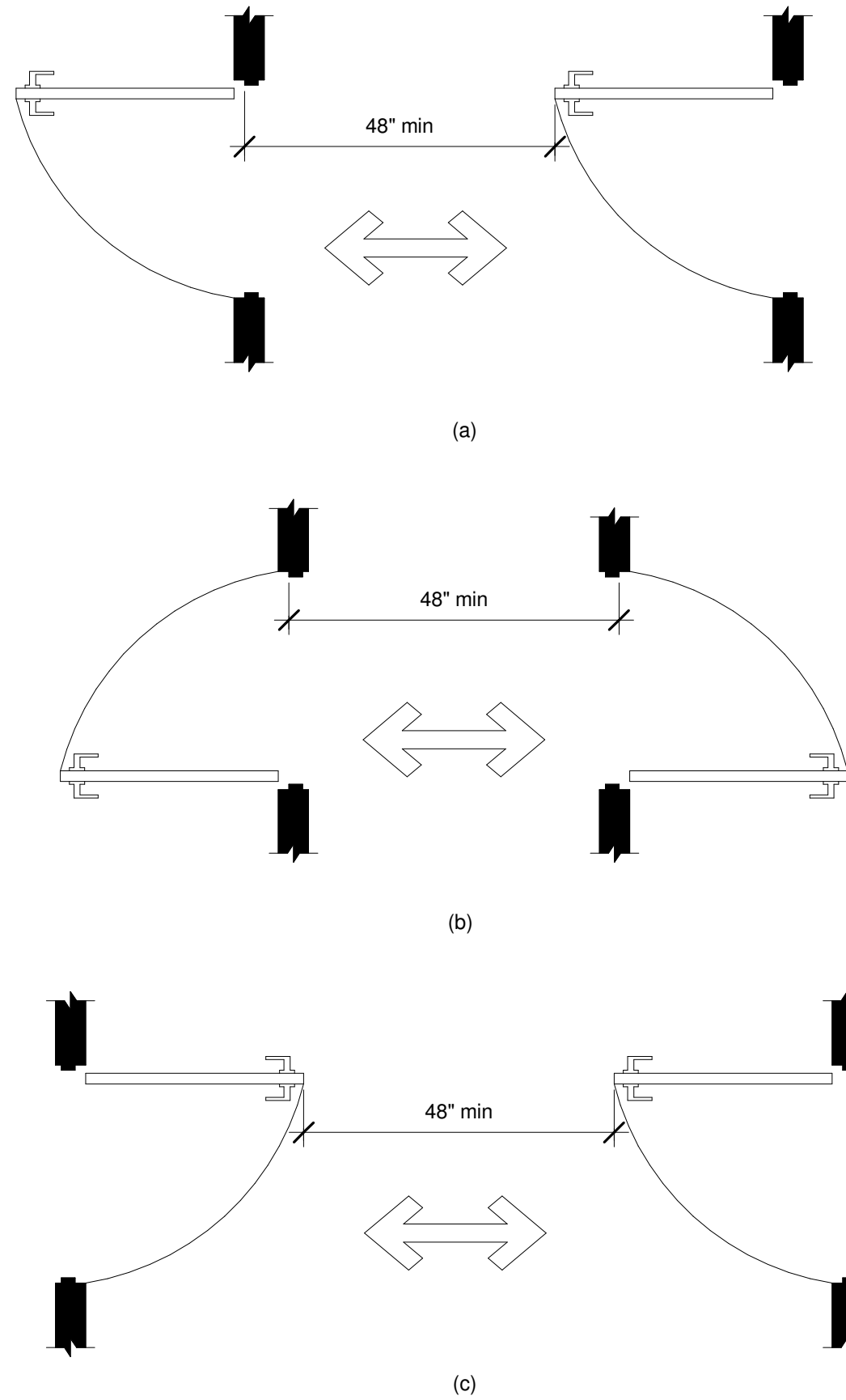
A

1



13 ADA CLEAR WIDTH OF DOORWAYS
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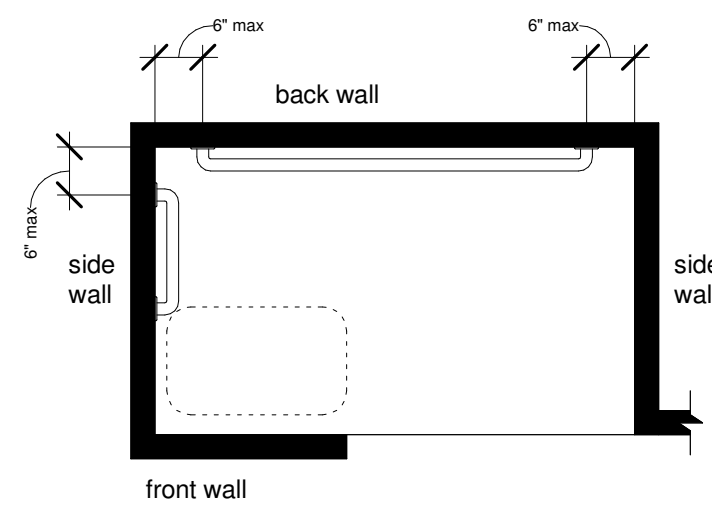
B



12 ADA DOORS IN SERIES AND GATES IN SERIES
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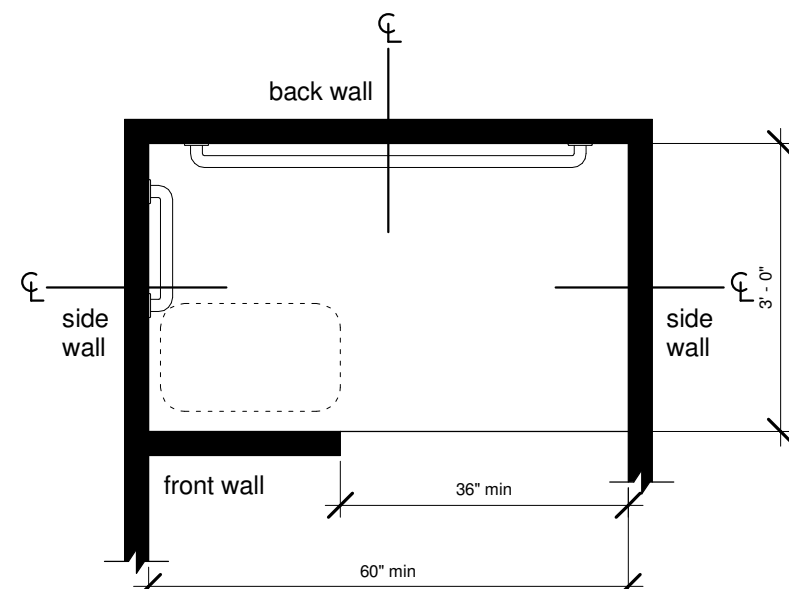
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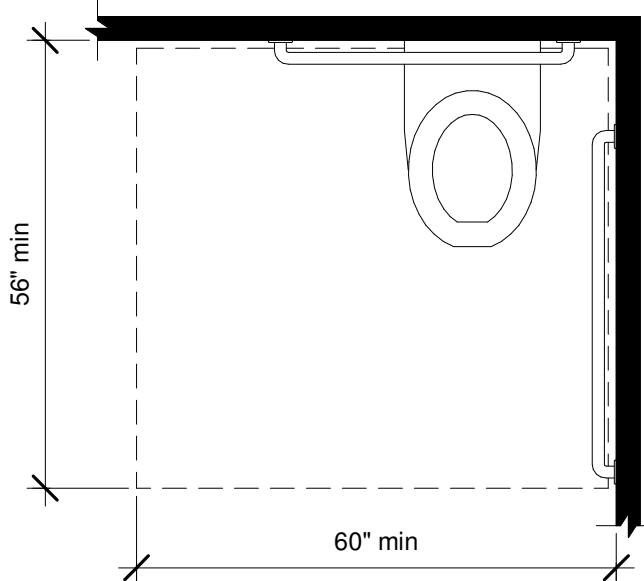
11 ADA - GRAB BARS FOR ALTERNATE ROLL-IN TYPE SHOWERS
1/2" = 1'-0"

2



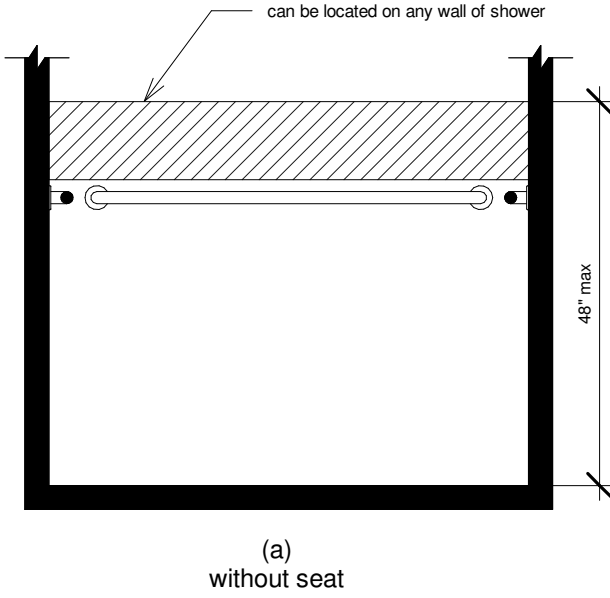
10 ADA - ALTERNATE ROLL-IN TYPE SHOWER COMPARTMENT SIZE AND CLEARANCE
1/2" = 1'-0"

3



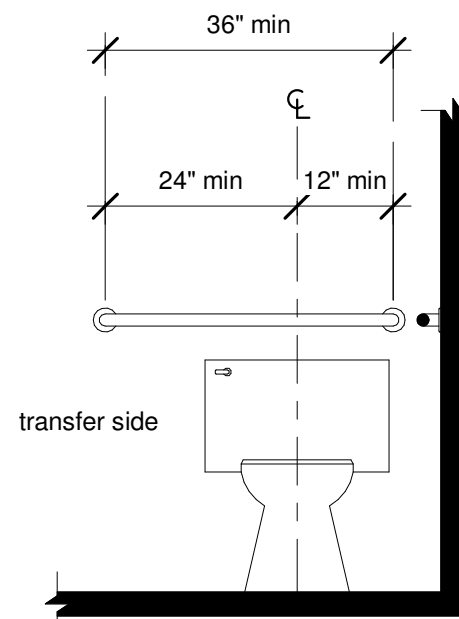
7 ADA - SIZE OF CLEARANCE AT WATER CLOSETS
1/2" = 1'-0"

3



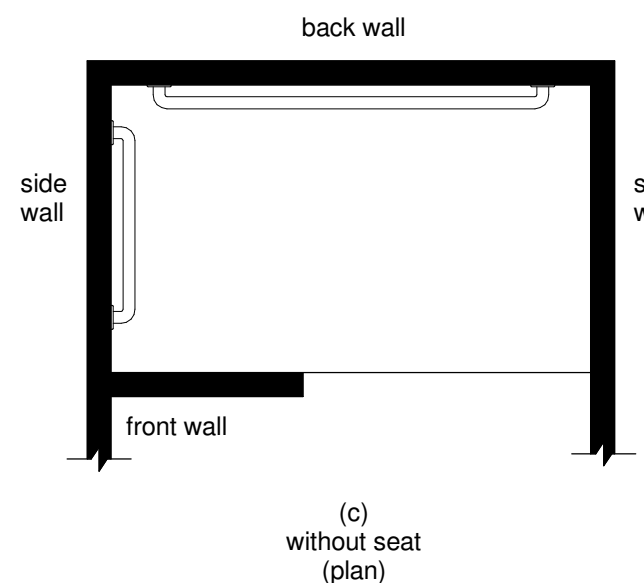
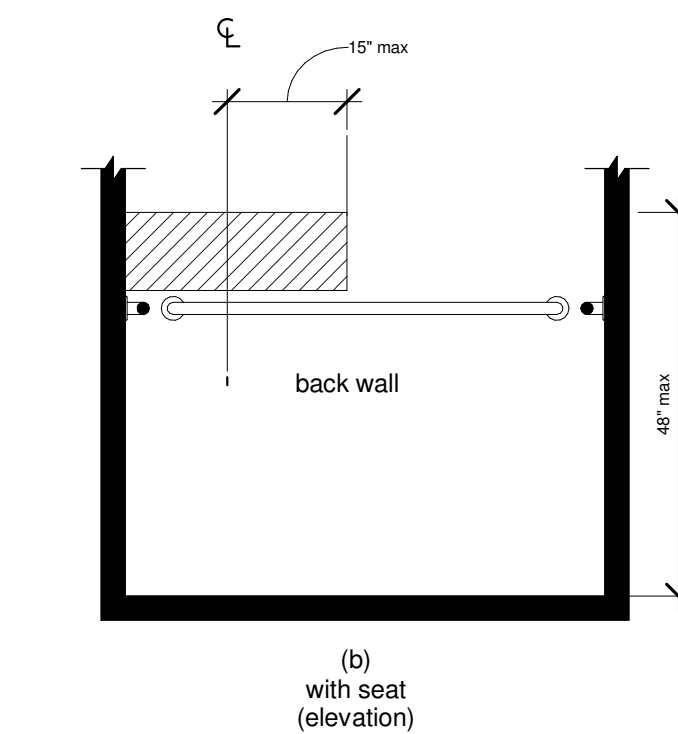
9 ADA - STANDARD ROLL-IN TYPE SHOWER COMPARTMENT CONTROL LOCATION
1/2" = 1'-0"

6



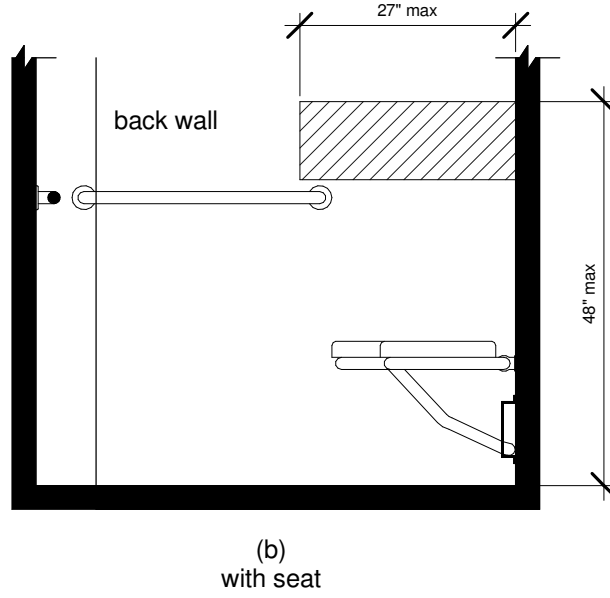
6 ADA - REAR WALL GRAB BAR WATER CLOSETS
1/2" = 1'-0"

3

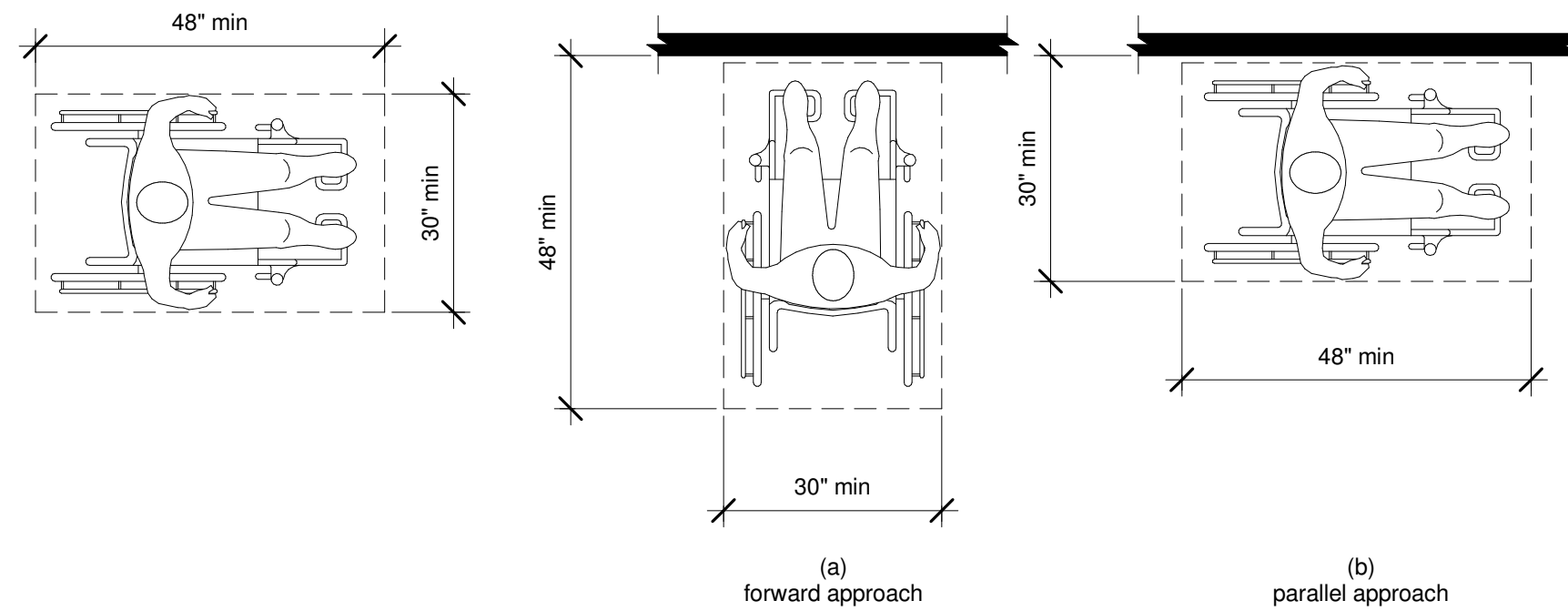


8 ADA - ALTERNATE ROLL-IN TYPE SHOWER COMPARTMENT CONTROL LOCATION
1/2" = 1'-0"

3

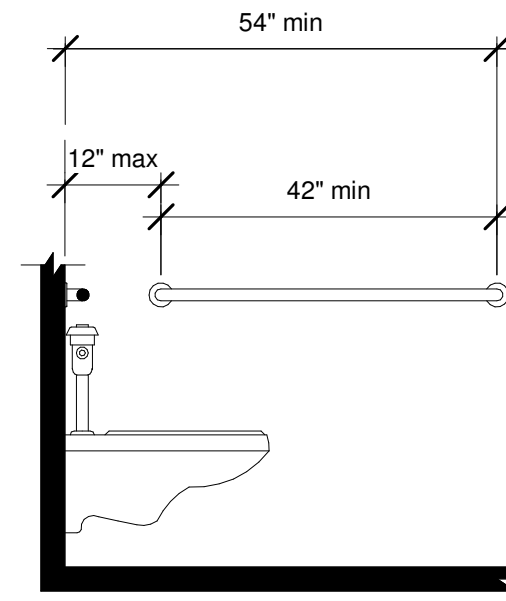


4



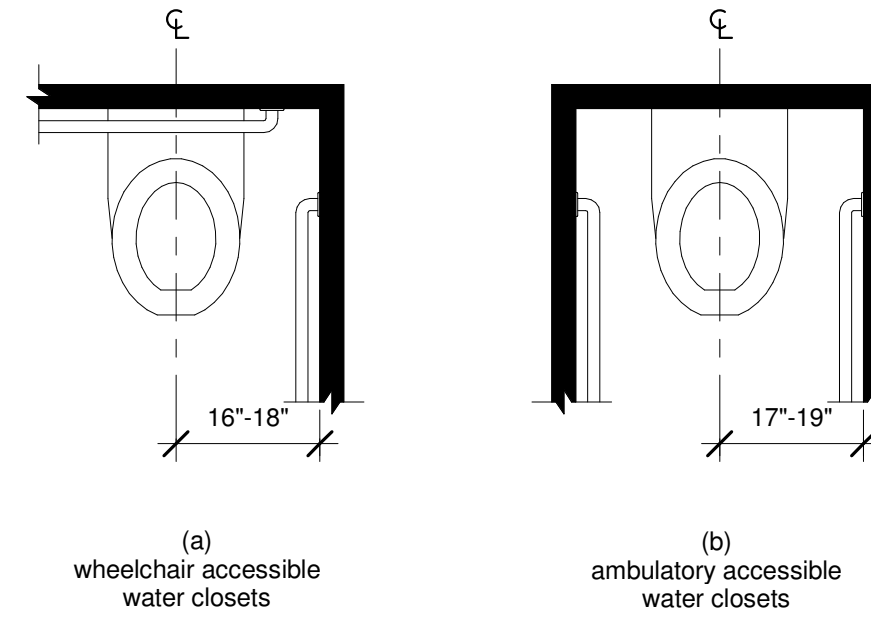
1 ADA CLEAR FLOOR OR GROUND SPACE
1/2" = 1'-0"

4



5 ADA - SIDE WALL GRAB BAR AT WATER CLOSETS
1/2" = 1'-0"

5



4 ADA - WATER CLOSET LOCATION
1/2" = 1'-0"

D

Sheet Title
ACCESSIBILITY
NOTES

Project Number **SUS23017**

Drawn By

Checked By

G-003

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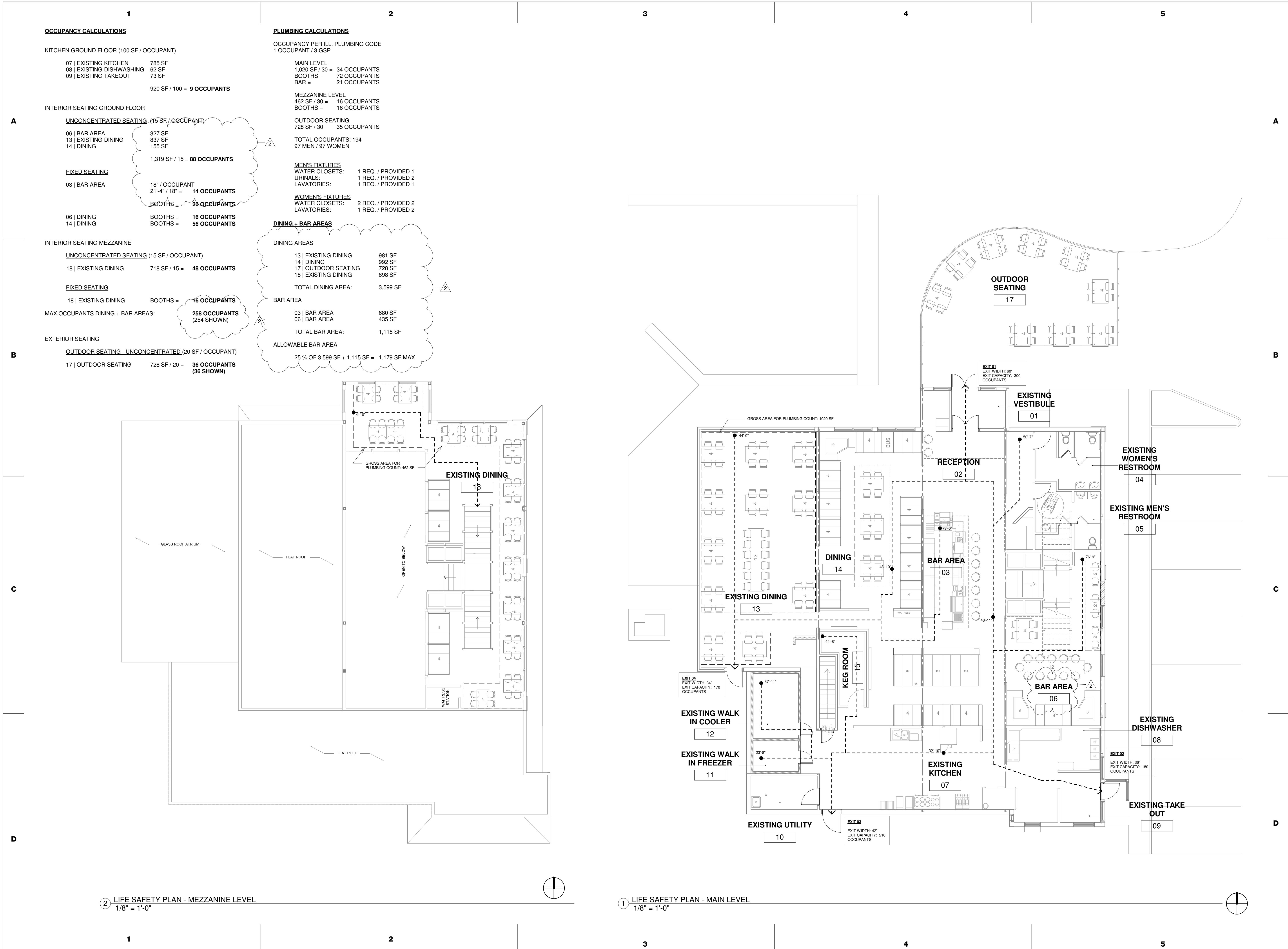
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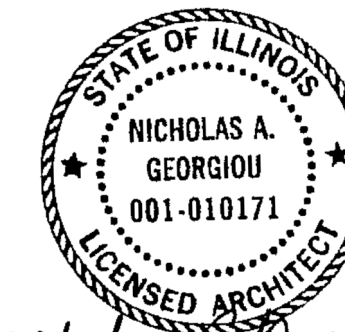


Nicholas A. Georgiou

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		ISSUE FOR PERMIT	REVISION - ISSUE FOR PERMIT
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**EXITING AND LIFE
SAFETY PLANS**

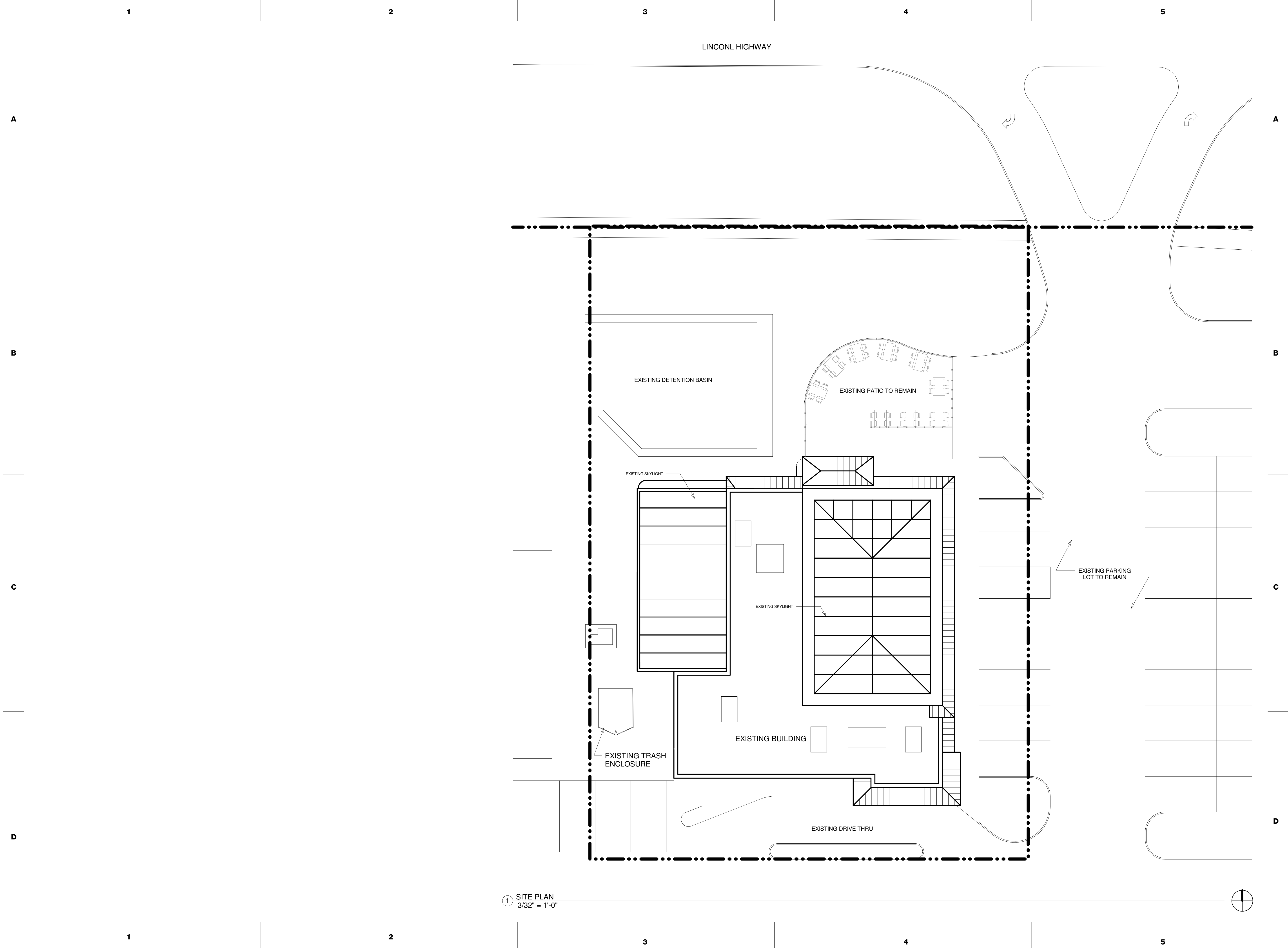
Project Number **SUS23017**

Drawn By **KT**

Checked By **JO**

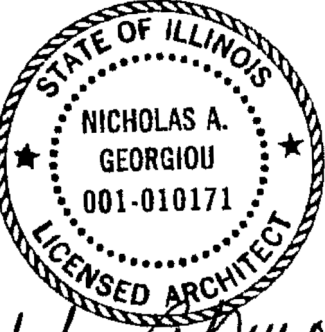
G-004

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① SITE PLAN
3/32" = 1'-0"

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Description

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A-001



 Nicholas A. Pungon

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DEMOLITION PLAN

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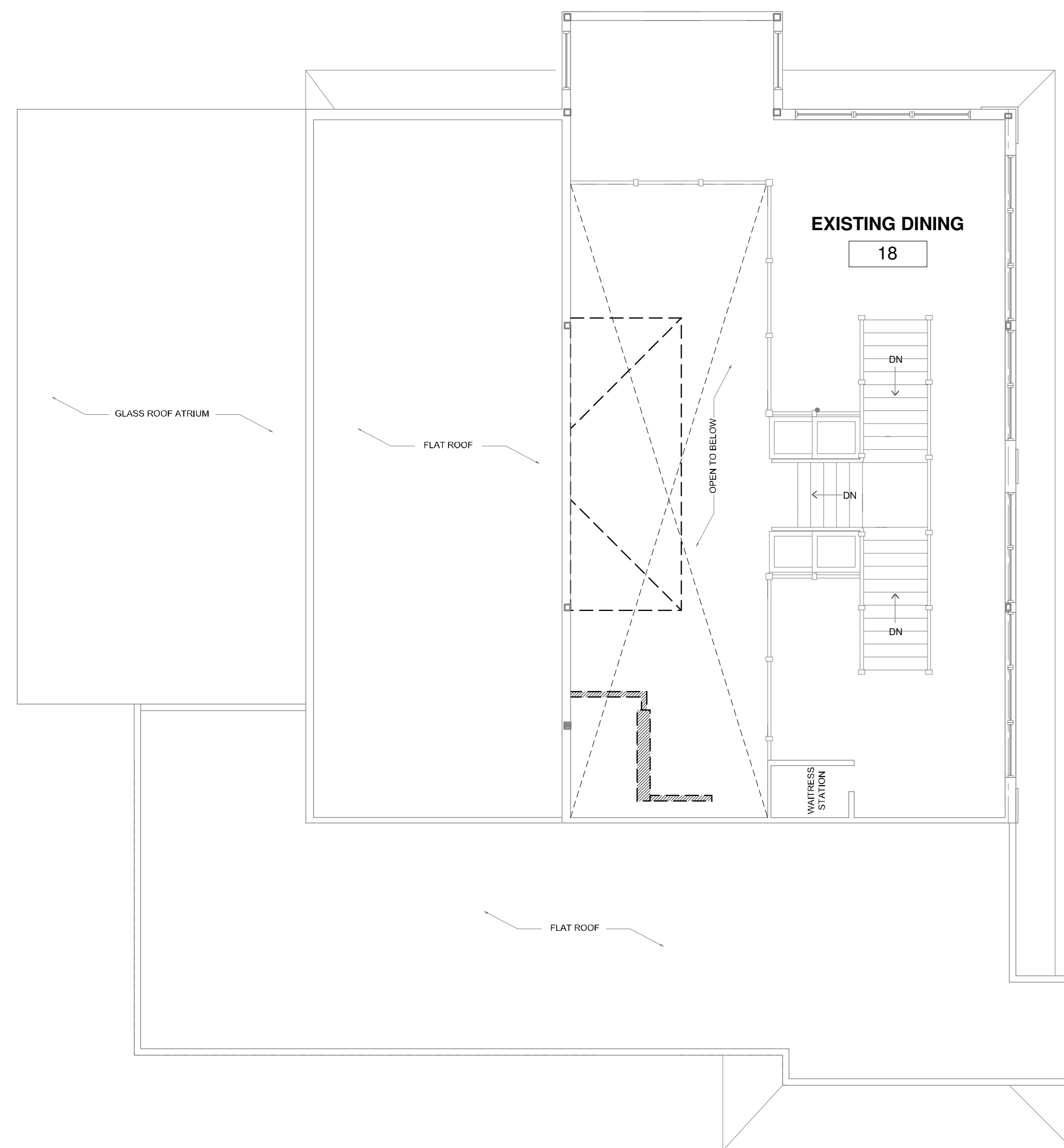
Drawn By **KT**

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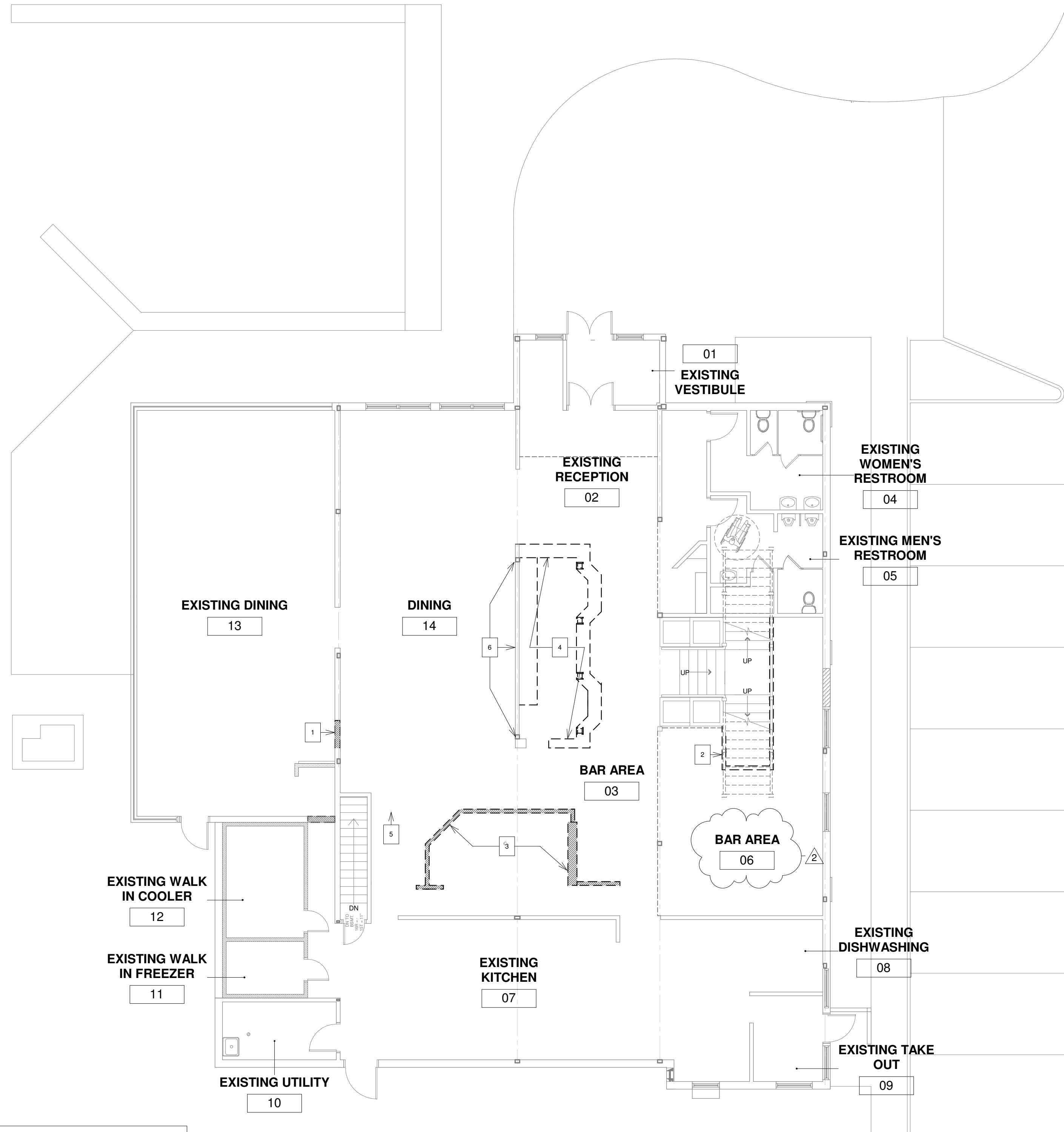
A-100

1. EXISTING CONSTRUCTION TO REMAIN UNLESS OTHERWISE NOTED.
2. ALL SURFACES AFFECTED BY CONSTRUCTION TO BE PATCHED TO MATCH ADJACENT SURFACE.
3. NEW DOOR CASINGS ARE TO MATCH EXISTING MATERIALS AND PROFILES.
4. ALL CEILING MOUNTED ILLUMINATED EXIST SIGNS AND EMERGENCY LIGHT FIXTURES ARE EXISTING TO REMAIN.

- 1 REMOVE NON BEARING WALL AS REQUIRED FOR NEW OPENING
- 2 REMOVE WALL UNDER STAIRS
- 3 REMOVE KITCHENETTE COMPLETE. INCLUDE KITCHEN HOOD AND ELECTRICAL, MECHANICAL EQUIPMENT.
- 4 REMOVE BAR COMPLETE, INCLUDING CANOPY STRUCTURE, COUNTER AS REQUIRED FOR NEW BAR EQUIPMENT LAYOUT.
- 5 CORE THROUGH PRECAST FROM PLANK FOR NEW DRAIN. LOCATE OPENING IN PLANK VOIDS/CORES.
- 6 PROVIDE SUPPORT TO STRUCTURAL BEAM AND COLUMNS DURING BAR DEMOLITION.



2 DEMO PLAN - MEZZANINE LEVEL
1/8" = 1'-0"

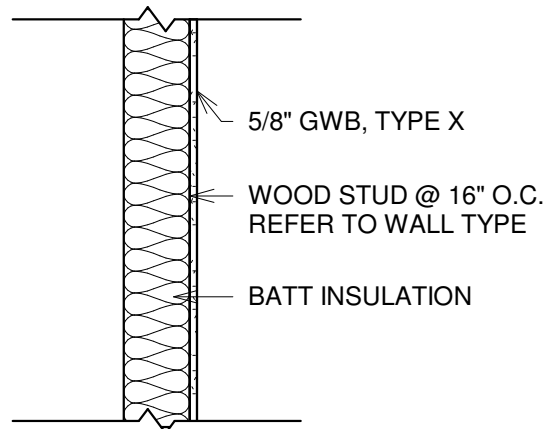
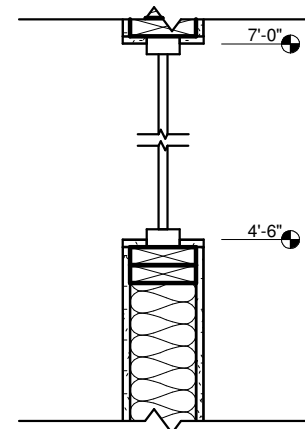
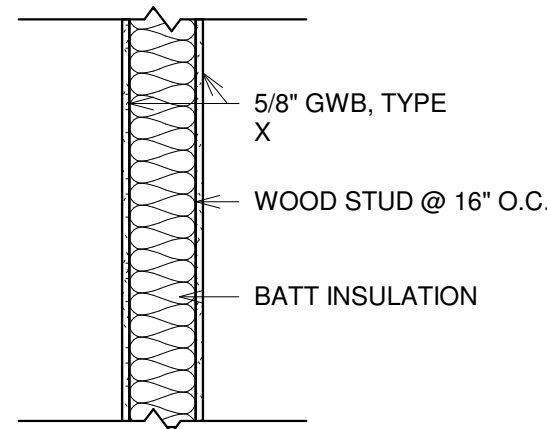


NOTE:
ALL EXISTING WALLS, CEILINGS, FLOOR FINISHES, ETC.
ARE EXISTING TO REMAIN, UNLESS OTHERWISE NOTED.

1 DEMO PLAN - MAIN LEVEL
1/8" = 1'-0"

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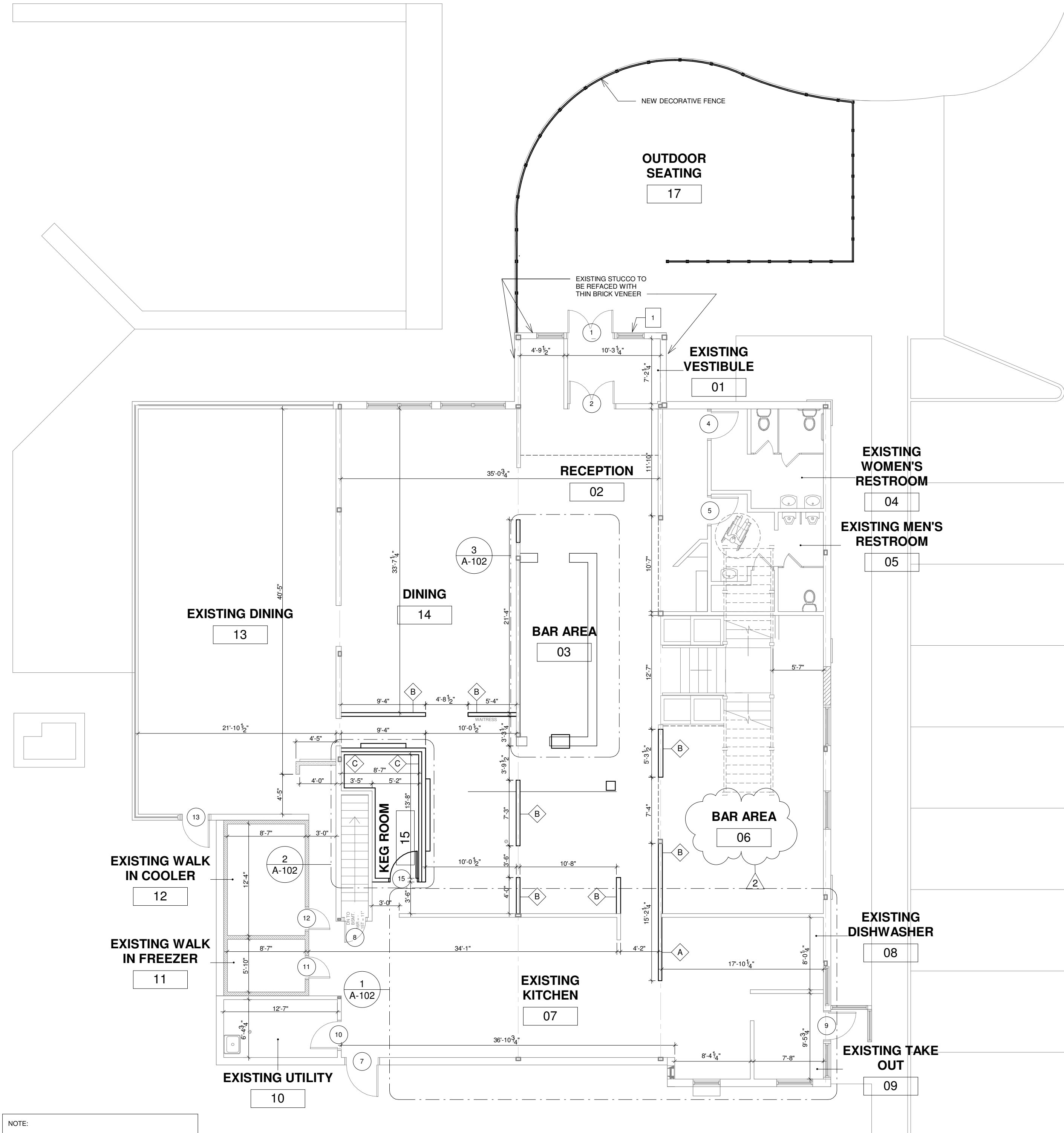
DOOR SCHEDULE									
Mark	Location	Door			Frame		HW Set	Comments	
		Height (A)	Width (B)	Panel Type	Finish	Frame Material	Finish		
1	EXISTING VESTIBULE	7' - 0"	5' - 0"					EXISTING TO REMAIN	
2	EXISTING RECEPTION	7' - 0"	5' - 0"					EXISTING TO REMAIN	
4	EXISTING WOMEN'S BATHROOM	7' - 0"	3' - 0"					EXISTING TO REMAIN	
5	EXISTING MEN'S BATHROOM	7' - 0"	3' - 0"					EXISTING TO REMAIN	
7	EXISTING KITCHEN	7' - 0"	3' - 6"					EXISTING TO REMAIN	
8	EXISTING BASEMENT	7' - 0"	2' - 4"					EXISTING TO REMAIN	
9	EXISTING TAKEOUT	7' - 0"	3' - 0"					EXISTING TO REMAIN	
10	EXISTING UTILITY	7' - 0"	3' - 0"					EXISTING TO REMAIN	
11	EXISTING WALK IN FREEZER	7' - 0"	2' - 4"					EXISTING TO REMAIN	
12	EXISTING WALK IN COOLER	7' - 0"	2' - 4"					EXISTING TO REMAIN	
13	EXISTING DINING	7' - 0"	2' - 10"					EXISTING TO REMAIN	



WALL TYPES
3/4" = 1'-0"



2 FLOOR PLAN - MEZZANINE LEVEL
1/8" = 1'-0"



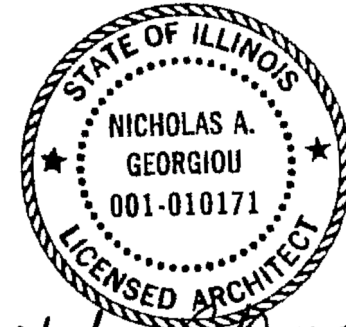
NOTE:
ALL EXISTING WALLS, CEILINGS, FLOOR FINISHES, ETC.
ARE EXISTING TO REMAIN, UNLESS OTHERWISE NOTED.
HVAC AND LIGHTING ARE ARE EXISTING TO REMAIN.

1 FLOOR PLAN - MAIN LEVEL
1/8" = 1'-0"

PLAN NOTES

- 4" STOREFRONT AND ENTRY DOORS. FINISH TO MATCH EXISTING STOREFRONT. DOOR TO BE MEDIUM STYLE.

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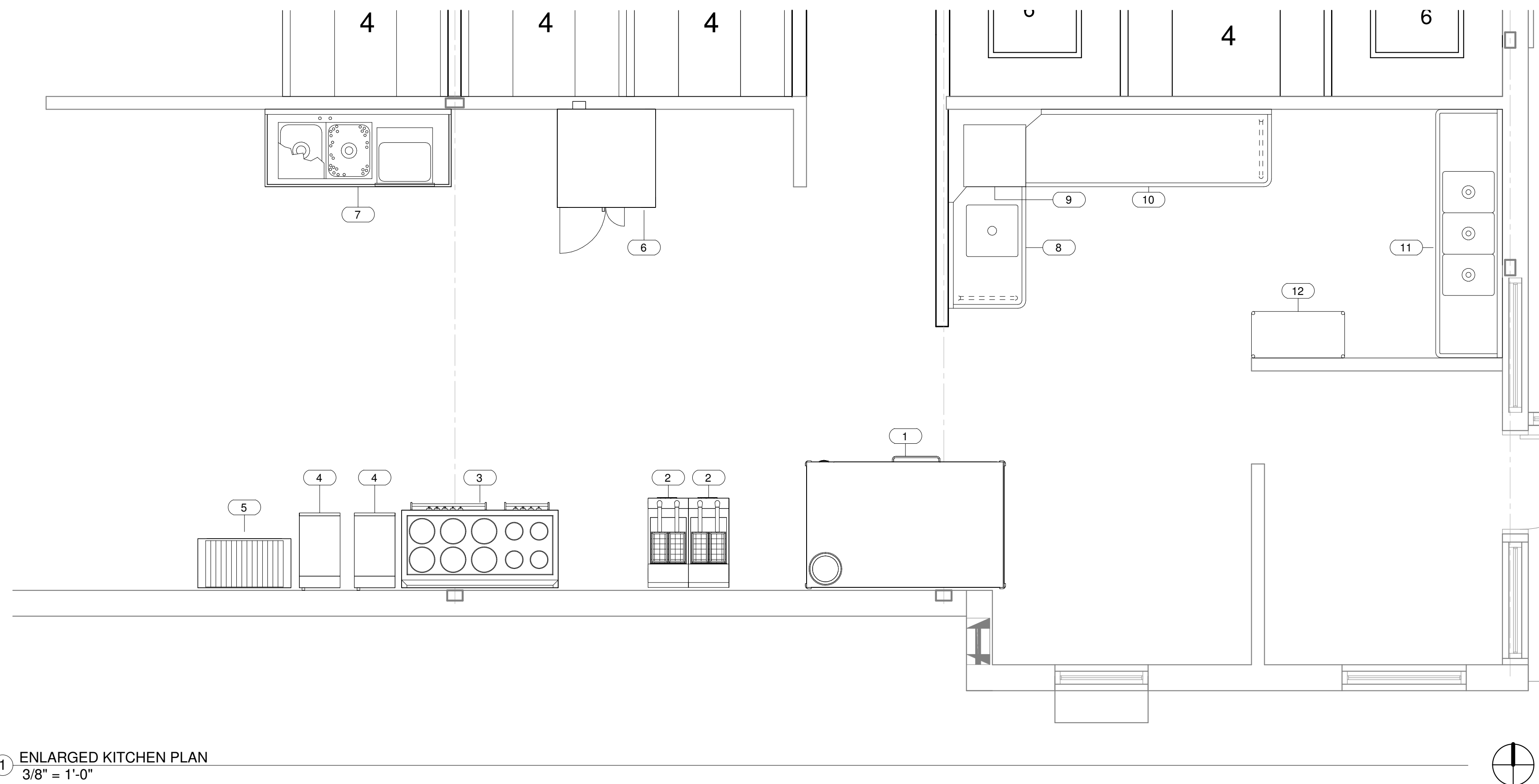
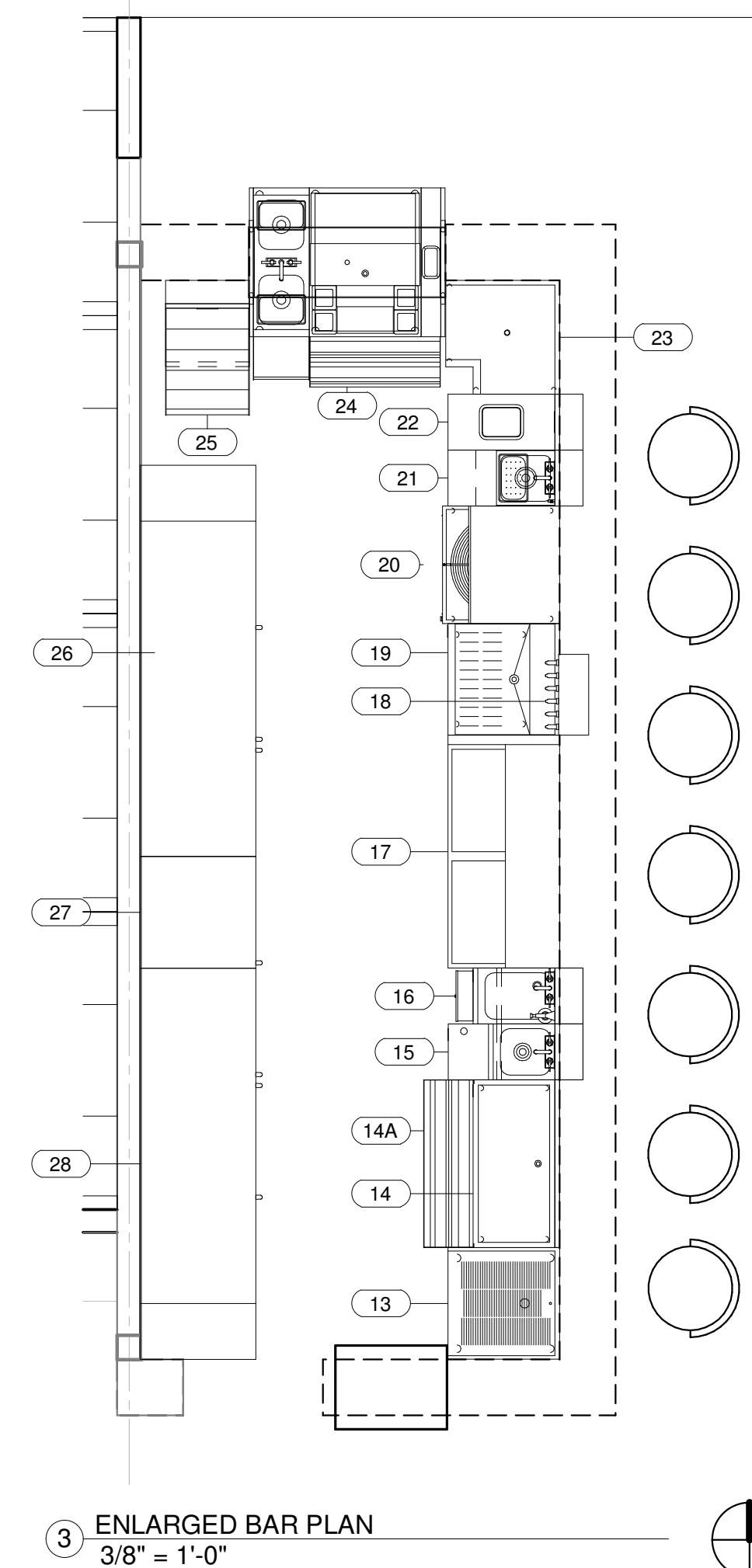
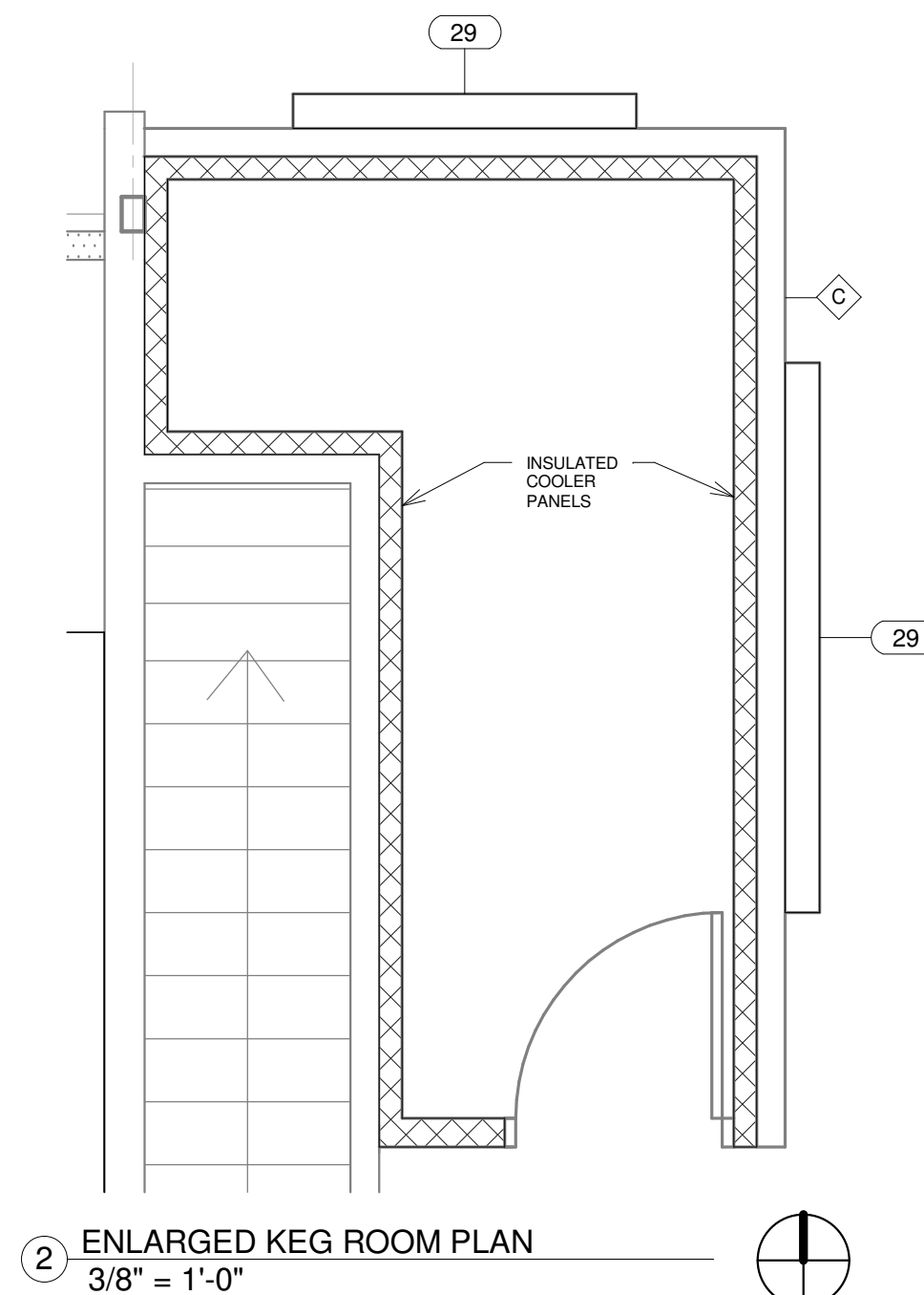
FLOOR PLAN

Project Number **SUS23017**

Drawn By **KT**

Checked By **JO**

A-101

[illegible]

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Indicates A Surgeon

[illegible]

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FURNITURE PLAN

Project Number **SUS23017**

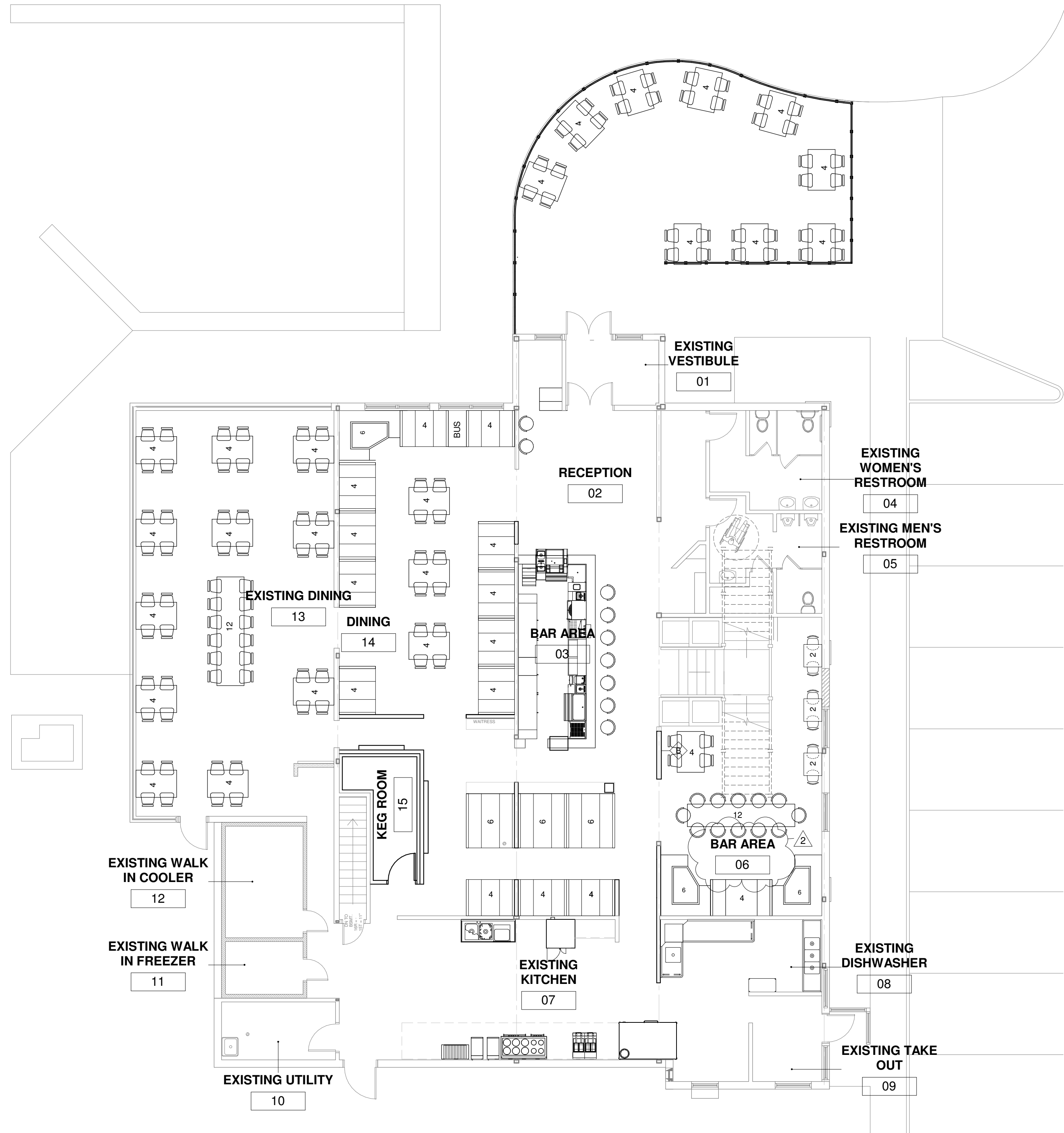
Drawn By **KT**

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A-103



2 FURNITURE PLAN - MEZZANINE LEVEL
1/8" = 1'-0"



① FURNITURE PLAN - MAIN LEVEL
1/8" = 1'-0"

5

By Mike Schwarz at 10:38 am, Feb 22, 2024

A-201

There were none.

Chair Rigoni asked the applicant that for the next time changes to the plans be clearly marked.

F. Workshop: 10211 W. Lincoln Highway – Rhumbar/Tulips

Mike Schwarz summarized the staff report on the current proposal and provided additional background by including the owner's previous application details.

Chair Rigoni asked the applicant to approach the podium. She swore in the applicant.

The applicant, Joji Tirumalareddy, explained his case in more detail. He bought the property in 2015. A condition of purchase from the bank was that the property be used as a restaurant or bar. He had maintained the property in the time between purchase and this workshop.

Chair Rigoni reminded all present that the current agenda item was just a workshop. She asked initial questions about changes to the original PUD in terms of building footprint and the possibility of an increased seating area.

The applicant responded that there were proposed changes to the PUD in relation to the building footprint, which was being increased. However, there was no proposed increase in the seating area inside, but the increased footprint was going to be used to support the use of the dining area.

Commissioner Markunas asked staff whether the previous restaurants operating on the property were open concurrently with the adjacent offices.

Staff answered that they did not know since it was last open before the tenure of any current staff member.

A member of the audience was recognized by Chair Rigoni and provided a summary of the past restaurants that have occupied the building.

Commissioner Knieriem asked about the proposed hours for the restaurant.

The applicant responded that initially, the restaurant would be open for lunch and dinner, and hours might expand to include breakfast if successful.

Commissioner Knieriem requested that the applicant provide color renderings next time. He then noted that the lack of parking on site was unavoidable, and requested that the applicant maintain his property to a higher standard, even though it was not in use. The commissioner asked if any music would be played on the patio.

The applicant responded that in light of past discussions of the proposed outdoor seating area, there would be music but kept to a low level.

Commissioner Schaeffer asked for clarification on the changes between the previous (2015) application and the current one.

The applicant stated that the only changes from the 2015 application were the addition of a vestibule at the main entrance and the expanded cooler in the rear.

Members of the Commission stated there was not enough information provided in the current application to be clear on what was being proposed.

The applicant responded that there will be more information on future renderings.

Commissioner Hogan expressed concern regarding the number of entries and exits to the proposed building, and asked whether there were plans to use the drive through.

The applicant said that there will be five exits in total for the whole building. He was planning to use the drive through.

Staff responded that a drive through would require a Special Use Permit to operate.

Discussion continued around how exactly the drive through would be used. Concerns raised included traffic patterns, whether patrons could order at the window, and the potential for vehicle-pedestrian collisions in the parking lot.

Discussion returned to the number of exits to the building.

Chair Rigoni said that the number of exits was a concern for the Fire Department.

Dennis Merz with the Frankfort Fire District was present and noted that the department would review the application when they received one.

The Commission again expressed that they cannot give much constructive feedback since there was not enough information present in the application materials submitted to them.

The applicant responded that they would provide all the requested information for the next workshop.

Chair Rigoni asked the applicant to ensure their proposed project architecturally fits with the nearby offices. She also requested staff provide additional background on the 2015 proposal and details on the operation of the restaurant next door for the next workshop.

Commissioner James suggested removing the drive through lane to allow for more parking, to help alleviate the lack of parking spaces in the area.

The applicant expressed their intention to keep and use the drive through lane.

Chair Rigoni opened the discussion to members of the public, reminding them that they were not in a public hearing.

Rita Starkey approached the podium. She asked how many tables would be located in the outdoor seating area, and whether the patio as a whole was new.

Chair Rigoni responded that the patio was a new use in the application.

Starkey expressed her concern that since the nearby restaurant was successful, the addition of another restaurant may disrupt the current state of parking in the lot.

The applicant responded that they were trying to accommodate the changes in dining in response to COVID, namely an increase in demand for outdoor seating.

Dan Ricker, a resident of the nearby neighborhood approached the podium. He expressed his concerns about parking at this site, since overflow parking typically could be found along the streets of the neighborhood. He also wanted to emphasize the use of the property as a restaurant and not as a bar. A red truck has been parking on the proposed patio space during the day since the lot is often completely full, and was an example of the parking problems the site would face.

The applicant responded that since the property had been closed for years, the red truck's owner knew they could park there with no issues.

Steve Arnold, the president of the Brookside II Homeowners Association, approached the podium. He spoke on behalf of the neighborhood. Most of the concerns he came with had been addressed. While the neighborhood in general wanted to have another restaurant within walking distance, they were concerned about its impacts on parking, especially since a big restaurant was proposed to get bigger, and the resulting noise levels. He asked that the noise ordinance be enforced if needed.

Chair Rigoni asked staff how much space was originally approved in 2015.

Staff responded that the current plans were unclear on seating, especially when distinguishing between the bar and dining areas. Past discussion mentioned reducing the number of seats in the restaurant.

The applicant stated he was looking to obtain a class C-1 liquor license, and so plans were looking to comply with the relevant regulations.

Chair Rigoni noted the plans included an expanded seating area, and that the Plan Commission would like more details and context, since the commission had no desire to increase the size of the dining area inside.

Commissioner Knieriem noted that expanding the seating area in a location with already limited parking was an obstacle to the project moving forward.

Chair Rigoni summarized the discussion. More detail on the proposed floor plans, exterior elevations, outdoor seating, materials, intended use of the drive through and lighting were all needed. Staff would be able to help.

G. Public Comments

Chair Rigoni asked if there were any public comments.

Terry Colins, President of the Windy Hill Townhome/Condo Association, approached the podium and asked why the Oasis Senior Living facility project had been tabled in the past.

Chair Rigoni noted that she appreciated that the applicant had given the building a face-lift, which is older and needed attention.

Drew Duffin asked the commissioners for clarity regarding the amount of parking required for the proposed use, which is unique. Mike Schwarz clarified by noting that the PC-ZBA recently reviewed the Special Use Permit request for Pic & Plā pickleball and assigned a specific number of parking spaces for the use, and that a similar action could be taken for Tiny Tots. Commissioner Knieriem stated that he believed that the use would generate up to 25 cars, not including employees; the other commissioners agreed.

Mike Schwarz noted that the public hearing for this Special Use Permit had already been noticed in the newspaper and will be held on October 27th.

C. Workshop: 10211 W. Lincoln Highway – Rhumbar

Mike Schwarz presented the staff report.

The applicant, Joji Tirumalareddy approached the podium. He noted that there would not be any enclosure of the existing patio, nor would the mezzanine level be expanded.

Commissioner Hogan noted that the applicant was requesting to be open for breakfast, lunch and dinner and then turned to the issue of parking in this commercial plaza. He noted that restaurant as proposed would have a very large number of seats, perhaps being the largest restaurant in the Village.

Commissioner Knieriem noted that there is so little parking in the plaza currently that cars are being parked in the drive-through area and on the patio. He asked if the applicant were willing to transform the front patio area into some parking spaces. The applicant responded that he would not because the patio dining is very important for the business.

Commissioner Markunas asked when the restaurant would be open. The applicant responded 7 am – 11 pm. Mike Schwarz noted that the PC-ZBA could condition the hours of operation as part of the Special Use Permit request.

Chair Rigoni noted that the parking situation is significantly better after 5 or 6 pm. She noted that the restaurant immediately to the west recently came before the PC-ZBA for a Major PUD Change and the owner willingly offered to curtail their operating hours by opening later at 3 pm. She recommended something similar for Rhumbar.

Commissioner Schaeffer noted that the amount of parking generated by the restaurant is dependent on the number of seats proposed. She suggested further reducing the number of seats to help alleviate the parking deficiency. Alternatively, the applicant could approach Avanti Furniture to the west to explore the option of overflow/shared parking. She asked if the drive-through lane could be removed and converted into a few additional parking spaces.

Commissioner Knieriem asked the applicant if he was willing to only be open after 4 pm to help alleviate the parking demand in the plaza. The applicant responded that he would not. Commissioner Knieriem noted that parking is extremely limited in the plaza and that even if the restaurant were demolished, the parking lot would still be at-capacity. He felt that a new restaurant being open for the entire day, every day, would be hard to support.

Commissioner Hogan noted that if patrons come to the restaurant and find parking very difficult, that they might not come back. He recommended that the applicant speak with neighboring property owners to explore the option of shared parking. He noted that it would be hard to support the project as proposed without any shared parking agreement in place.

Chair Rigoni asked for more information when the restaurant was initially constructed. In particular, she asked for the seating capacity or floorplan of the restaurant as it was initially approved. She noted that the building was constructed as a restaurant, but that seating capacity and shared parking should be considered. She believed that even one more seat in the restaurant than was originally approved would be too much.

Commissioner Markunas noted that the parking situation is awful, but that this was not necessarily the fault of the applicant. He noted however, that the applicant should look for creative solutions to the parking problem, including things which could also help the business be successful. He noted that a lot of people would not go to the restaurant if parking were severely limited.

Commissioner James said that being open for breakfast on weekdays would be problematic but could potentially work for weekends when most of the other businesses were closed. He recommended adding more parking, perhaps in the area of the patio or the drive-through lane. He noted that even though such an action might add only 6-7 more parking spaces, it would be a good gesture.

Commissioner Knieriem noted that the existing greenhouse/glass enclosure area was in very poor condition and needed to be rebuilt. He noted that since it would likely need to be demolished anyway, this area could be used for an outdoor patio instead, and the existing patio area could be used for additional parking. In this scenario, the outdoor seating area would be set back further away from busy Route 30. The applicant noted that he was not open to this idea and had already hired a contractor to repair the glass enclosure area.

Chair Rigoni reiterated the need for creative solutions. She then asked for comments regarding the proposed drive-through.

Commissioner Hogan noted that the proposed drive-through would be problematic in a parking lot at maximum capacity. The applicant noted that he wanted to keep the drive-through window and operation, as the coronavirus pandemic had changed the nature of the restaurant business.

Commissioner James inquired about the proposed solar-powered wall-mounted lamps. He was concerned that if each light were powered by its own battery, that they would vary in brightness. The applicant explained that while they were individually powered, they were hard-wired to the building so that there would be uniform lighting. Commissioner James also noted the proposed rope lights which had the appearance of a casino. The applicant responded by saying that the light source within the rope light would not be visible because it would be recessed under the awnings and that only reflected light would be visible. Mike Schwarz noted that persons under the awning itself would be able to directly see the rope lights.

Commissioner Schaeffer asked if the rope lights would be placed under the lip of the awning. The applicant responded in the affirmative and added that he may also add can lights beneath the awning. Commissioner Schaeffer asked about the proposed brick on the tower element of the building and whether it would match the rest of the brick on the building. The applicant responded that the new brick would match the existing brick. Commissioner Schaeffer said that the color rendering of the building made the brick on the tower appear very different than the rest of the brick on the building and that she would prefer a contrasting brick instead of a somewhat matching brick. Chair Rigoni requested that a sample board be left at the site so that the commissioners could see the exact contrast in the field.

Commissioner Knieriem also voiced a preference for a brick on the tower that contrasted more with the existing brick. He also cautioned the use of rope lighting because it is not typically used on high-end properties. He recommended using LED or can lights instead of rope lights.

Commissioner Markunas stated his opposition to rope lighting, which would give the building an appearance of a tiki bar. He noted that once the applicant selects an architect prior to the next meeting, they should bring in a sample of the rope lights, if they are insistent upon using them.

Chair Rigoni expressed her opposition to new rope lights on the building.

Commissioner Markunas asked if the applicant was proposing an indoor stage and if so, what it would be used for. The applicant responded that they were proposing a stage and that they may use it for piano, karaoke or open mic night, among other possible things. Chair Rigoni noted that piano and karaoke engender different atmospheres and asked that the applicant decide exactly what they'd like to use the stage for, prior to the next meeting. She noted that live entertainment could increase the demand for parking.

Chair Rigoni recognized that there were several members in the audience and that although it was not a public hearing, she would permit comment. An unidentified male approached the podium and noted that the mezzanine appears to be an extension of the bar, giving the business more of a feeling of a bar than a restaurant. He noted that the menu proposed by

the applicant appeared to be nearly identical to the menu for Republic Gastropub in Oklahoma City.

An unidentified female approached the podium. She recommended that the applicant consider the commissioner's comments because in doing so, it would help his business. She also recommended adjusting the plans to create more parking spaces, perhaps by removing the outdoor seating area. She also recommended having the restaurant remain closed inside for breakfast and lunch, but only offering take-out through the drive-through only during those times to help alleviate the parking demand.

Mary Willcamp approached the podium. She said that people park on Johnson Avenue between Washington Parkway and Mulberry Road on the north side of the street. She noted that there's a school bus stop at Mulberry and Johnson and that if there is increased traffic and parking in the residential subdivision that it could be a safety concern. Chair Rigoni suggested to staff that this concern may merit a discussion with the Traffic Advisory Committee.

A second unidentified female approached the podium and noted that she lives on Johnson Avenue. She was concerned about the noise but was a little less concerned if the restaurant would close at 11 pm.

Commissioner Knieriem asked that when the applicant returns to the PC-ZBA, that he be prepared with a specific plan about his business model, including the use of the indoor stage. Mike Schwarz reminded the applicant that plans prepared by an architect are required prior to any future meeting.

D. Public Comments

There were none.

E. Village Board & Committee Updates

Mike Schwarz noted that the following matters that previously came before the PC/ZBA were reviewed by the Village Board at its meeting on October 3rd, 2022:

- Three of the four variances for the proposed new home at 240 Center Road were approved by the Board. The metal roof variance was denied.
- The Special Use Permit for indoor recreation for Pic & Plā pickleball at 21800 S. La Grange, Unit B, was approved unanimously by the Board.
- The Major PUD Change for the patio enclosure and new outdoor patio for Opa restaurant at 10235 W. Lincoln was tabled at the request of the applicant. The applicant may return to the Board in the spring of 2023.