



MINUTES
MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
JUNE 13, 2019 – VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET

Call to Order Chair Rigoni called the meeting to order at 6:30 P.M.

Commissioners Present: Kris Michuda, Alicia Hanlon, Gene Savaria, Lisa Hogan,
Dan Knieriem, and Chair Maura Rigoni

Commissioners Absent: Ken Guevara

Staff Present: Assistant Director of Development Services Zach Brown
and Utilities Executive Assistant Marina Zambrano

Elected Officials Present: Mayor Jim Holland, Trustee John C. Clavio, Trustee
Margaret Farina, and Trustee Adam Borelli

A. Approval of the Minutes from May 23, 2019

Motion (#1): Approval of the minutes from May 23, 2019

Motion by: Hogan Seconded by: Savaria
Approved: (3 to 3)
Abstain: (3) Michuda, Hanlon, Savaria

B. Approval of the Minutes from June 05, 2019

Motion (#2): Approval of the minutes from June 05, 2019

Motion by: Hanlon Seconded by: Savaria
Approved: (5 to 1)
Abstain: (1) Hogan

C. Public Hearing Request: AGA-Number 7, LLC Variance (Ref. #102)

Public Hearing Request: Fence height variance from 5 feet to 6 feet to permit the construction of a privacy fence in the rear yard of the property located at 320 S. 95th Avenue.

Assistant Director of Development Services, Zach Brown presented the staff report and provided an overview of the request. The Representative, Joe Aiello and property owners were present and noted they are looking for approval of the fence variance in order to mitigate noise from nearby roads and for security purposes. Mr. Aiello presented letters of support from the neighboring property owners and a revised cut sheet noting the specific fence material and color.

During the Plan Commission discussion:

- Commissioner Savaria requested the applicant confirm the location of the fence along the rear lot line. The applicant noted that the fence would not be located atop the existing raised berm;
- Members noted that there were numerous buildings and trees between the subject property and Routes 30 and 45 and questioned how a 1' increase in fence height would mitigate noise;
- Commissioners questioned if there had been a sound study performed by a professional verifying that the height of the fence and screening would alleviate the noise concern. The applicant noted that no such study had been performed but that they were following the recommendations of their landscape and fence contractors;
- Commissioners noted the adjacent commercial property to the west and its lack of proper transition yard screening and confirmed with staff that a 6' tall fence is permitted by right on commercial property;
- Commissioners questioned the need for the variance along the northern and southern property lines noting the adjacent residential properties and suggested the applicant revise the proposal to 5' in those areas. Mr. Aiello expressed concern with the lack of uniformity having the rear yard fence at 6 feet and the side fence at a reduced height of 5 feet;
- Chair Rigoni noted the new fence information that was received prior to the meeting and requested that it be made part of the public record;
- Member Hanlon questioned the fence color and length. The applicant added that color chosen is blue / grey and about ±800 linear feet;
- Resident, Terrance Cleeland at 304 S 95th Ave on the south side of the subject property spoke in favor of the fence proposal. Mr. Cleeland expressed his belief that the fence would mitigate noise issues, block lighting from the commercial development to the west, and increase security;
- Commissioners expressed concern that approval of the fence variance could create precedent and result in future requests in the area;
- Members questioned the applicant's hardship noting that the subject property was adjacent to the commercial property and near heavily trafficked roads at the time of purchase;
- Commissioner Hanlon discussed the request and added that she is pleased the letters of approval were obtained from the neighbors;
- Owner of the property, Sam Aiello questioned if residential fence height variances had been approved previously and pointed out that an 8' fence exists

across the street on the Currie Motors property. Mr. Aiello expressed his belief that the requested fence height was not excessive and questioned why the Commission would not approve it if supported by the neighboring property owners;

- Staff noted that the Village had previously modified the zoning ordinance to allow 7' tall fences along the rear lot line of parcels that back up to the Canadian National railroad in an attempt to address noise however pointed out that the fences along side lot lines remained limited to 5';
- Staff requested the applicant confirm if they would like to proceed with a vote on the proposal as originally presented or if they would like to revise the proposal to address the discussions of the Commission. The applicant requested to proceed with the vote with the plans as proposed;

Motion (#3): Recommend the Village Board approve a fence height variance from 5' to 6' to permit the construction of a privacy fence in the rear yard of the property located at 320 S. 95th Avenue in accordance with the reviewed plans and public testimony:

Motion by:	Hanlon	Seconded by:	Savaria
Motion Failed:	(5 to 1)		
Nay:	(5) Savaria, Knieriem, Hogan, Michuda, Rigoni		
Yay:	(1) Hanlon		

D. Workshop: Roma Sports

Future Public Hearing Request: Special use for outdoor recreation and entertainment and a parking variance to permit the construction of three outdoor soccer fields on lots 16, 17 and 18 in the East Point Industrial Park in connection with the existing business, Roma Sports, located at 9115 Roma Court. Other Request: Final Plat Approval

Assistant Director of Development Services, Zach Brown presented the staff report and provided an overview of the request. The property owner, Steve Rotondi was present and noted that he received approval for four soccer fields from the initial project and is looking for the approval to construct three additional fields on the north side of Roma Court.

During the Plan Commission discussion:

- Commissioners discussed the proposed use and expressed concern regarding potential conflicts between industrial development and recreational users;
- Commissioner Knieriem noted that he played soccer previously and that balls can be kicked very far and high into the air and suggested fencing be added;
- The applicant noted that he was open to installing fencing as suggested;

- Commissioners discussed the need for expansion noting that the originally approved fields had not been utilized yet. The applicant added that it took long to cultivate the land but lots are ready now and equipment is being shipped and installed;
- Members noted that the original approval was different than the proposed expansion area in that it is bordered by agricultural land to the south and east and Roma Court to the north;
- Chair Rigoni noted that she was not part of the original approval and questioned the appropriateness of outdoor sports fields in an industrial park altogether. Ms. Rigoni noted that zoning laws are intended to keep incompatible uses separate to protect the safety and welfare of the public;
- Ms. Rigoni questioned if the original special use permits were still valid since they had not been utilized yet. Staff noted that if a special use permit is not put to use within 18 months the Village could initiate a reversion process to revoke the special use permit;
- Mr. Rotondi noted that the facility provides a benefit to the community and fills a need not addressed by the local park districts;
- Commissioners questioned when the applicant acquired the subject property and why the lots were purchased prior to knowing if the intended use would be allowed;
- Commissioners discussed parking noting that the existing use is already inadequately parked and expressed safety concerns for the reliance of on-street parking;
- The applicant suggested blocking off the east portion of Roma Court with cones to address safety concerns. Commissioners noted that it was inappropriate to block off a public street for private use;
- The applicant stated that he could re-stripe a portion of his existing lot and gain a few additional spaces and that he could park more cars on the grass east of his building as an overflow if needed;
- Staff noted that Village ordinance requires parking lots be paved with curb and gutter;
- The applicant noted that the proposed fields would be utilized during the off times of the indoor space and that both the indoor and outdoor space would not be used at maximum capacity simultaneously;
- Member Knieriem noted that with 20-25 players per field, parents and spectators, and overlap in games there could reasonably be several hundred cars at the site at any time;

- Members discussed the lack of existing sidewalks and suggested they be installed on the north and south sides of Roma Court;

E. Workshop: Zoning Ordinance Modification

Future Public Hearing Request: Consideration of proposed revisions to the Village of Frankfort Zoning Ordinance including: Article 5, Section B, Table of Permitted and Special Uses, Article 5, Section C, Use Standards, Article 6, Section B, Part 4 Single-Family Residential Development Standards, Article 6, Section C, Table of Density, Dimensions, and Other Standards for Non-Residential Districts, Article 7, Section A, Part 6 Residential Monotony, Article 7, Section B, Part 1D and 2F (Off Street Parking Requirements) and Article 12, Section A, Part 2: Definitions.

Assistant Director of Development Services, Zach Brown presented the proposed Zoning Ordinance modifications and requested feedback from the Plan Commission members.

During the Plan Commission discussion:

- Commissioners suggested the firearms section be modified to require full masonry walls up to the roof line in multi-tenant buildings and that bollards be required near entry doors;
- Members requested the reduction in the required landscape front yard be excluded from properties along arterial roads;
- Commissioners suggested staff research additional parking requirements for shooting ranges;
- Members suggested non-masonry chimneys be allowed when not located within a certain distance from an exterior wall plane and limited in height;
- Commissioners requested the anti-monotony section be clarified to note that the direction that the front façade of a home faces should not be taken into consideration and that in the case of a corner lot the regulations should apply to both streets;
- Staff suggested Commissioners consider allowing assisted living facilities in the B4 zoning district as a special use permit citing an upcoming proposal;
- Commissioners suggested staff investigate removing outdoor recreation as a special use in industrial districts;

F. Public Comments

None

G. Village Update

Trustee Clavio provided an update on the 7 & 11 N. White Street project. Staff gave an update on Folkers townhome's pond improvement completion and return of deposit.

H. Other Business

Trustee Hanlon questioned whether the new home built in the Iron Gates subdivision met the 20% lot coverage requirement.

I. Attendance Update

Members present confirmed their availability for the next Plan Commission meeting to be held on June 27, 2019 except Alicia Hanlon.

Motion (#4): Adjournment (9:40 PM)

Motion by: Hogan

Seconded by: Savaria

Unanimously approved by voice vote.

Approved June 27, 2019

As Presented X

As Amended

Maura A. Rigoni /s/Maura Rigoni, Chair

[Signature] /s/ Secretary

