



**MINUTES**  
**MEETING OF VILLAGE OF FRANKFORT**  
**PLAN COMMISSION / ZONING BOARD OF APPEALS**  
**June 10, 2021 – VILLAGE ADMINISTRATION BUILDING**  
**432 W. NEBRASKA STREET**

**Call to Order:** Chair Rigoni called the meeting to order at 6:31 P.M.

Before proceeding to roll call, Chair Rigoni swore in newly appointed Commissioner Nichole Schaeffer.

**Commissioners Present:** Will Markunas, Dan Knieriem, Lisa Hogan, Ken Guevara, Nichole Schaeffer, and Chair Maura Rigoni

**Commissioners Absent:** David Hogan

**Staff Present:** Senior Planner Christopher Gruba, Senior Planner Janine Farrell, Director of Community and Economic Development Michael Schwarz

**Elected Officials Present:** None

**A. Approval of the Minutes from May 27, 2021**

**Motion (#1):** Approval of the minutes from May 27, 2021.

Motion by: Markunas                      Seconded by: Knieriem

Approved: (6 to 0)

Chair Rigoni swore in all those wishing to provide public testimony and introduced the meeting process for the public.

**B. Public Hearing Request: 20553 S. La Grange Road – Abri Credit Union Major PUD Change & Special Use (Ref. # 108)**

Chair Rigoni introduced the case. Gruba provided an update. The attorneys for Abri Credit Union and neighboring Dunkin' Donuts are actively working together to resolve the cross-access issue. The attorneys believe that they will come to an agreement by June 24, 2021 and both parties are requesting the case be tabled until that date. Kathy Moncek, representative for Abri Credit Union, was present and spoke from the audience confirming that they are requesting this case to be tabled until June 24, 2021 as discussions are ongoing. Chair Rigoni stated that at the previous Plan Commission meeting on May 27, 2021, the Commission requested the case be tabled "indefinitely" if it was not prepared to go to public hearing on June 10, 2021. Chair Rigoni clarified that tabling indefinitely would require renotification to properties within 250 ft. and republication in the newspaper. Chair Rigoni asked the Commissioners if they were receptive to once more tabling to a specific date since the parties were close to an

agreement. Commissioner Lisa Hogan stated that June 24, 2021 should be the final time before the case is then tabled indefinitely. Chair Rigoni confirmed with the applicant that the case would be ready for public hearing on June 24, 2021. The applicant stated that she will report back to the attorney for Abri Credit Union about the final tabling to June 24, 2021.

**Motion (#2):** Table the public hearing to June 24, 2021.

Motion by: Lisa Hogan

Seconded by: Markunas

Approved: (6 to 0)

**C. Public Hearing Request: Rapcan Residence – 11 W. Sauk Trail (Ref. # 105)**

Chair Rigoni introduced the case. The applicants, Tom and Beth Rapcan, are requesting one (1) variance in the R-2 zone district to permit the construction of a driveway expansion at a single-family residential dwelling, located at 11 W. Sauk Trail. The variance would permit a driveway expansion to allow a 32' wide driveway, whereas the Zoning Ordinance allows for a 28' maximum width. Under the same section of the Zoning Ordinance, driveways within 20' of the garage may not be wider than the width of the garage. The proposed 32' wide driveway would be wider than the garage, which measures 23' 9". Gruba confirmed that although there are two deviations from the code, this is the same provision in the Zoning Ordinance and therefore only one variation request. Gruba presented an image of the Plat of Survey with the proposed driveway expansion illustrated. Gruba stated that the proposed driveway expansion would meet the other setback requirements from the property lines. Gruba detailed the previous variation history on the property from 2015 for front yard setback from 30' to 10.6', rear yard setback from 30' to 18.1', and lot coverage from 20% to 36.4%. These variations permitted the construction of the current home on the site. Gruba noted that the lot is undersized for the R-2 zoning district in terms of area and depth and that driveways do not count towards the impervious coverage calculation. Gruba showed images of the site and displayed the variation standards or findings of fact from Article 3, Section B of the Zoning Ordinance. Gruba stated that within the staff report, staff provides an analysis of the standards or findings of fact. The applicant's own assessment of the standards or findings of fact and a blank sheet listing the standards or findings of fact for the Commissioners to review are included as part of the packet.

Chair Rigoni asked if the applicants were present and if they wished to speak.

One of the applicants, Tom Rapcan, introduced himself and stated that he and his wife are seeking to expand their driveway to accommodate their vehicles.

Chair Rigoni asked the Commissioners if there were any initial questions.

- Commissioner Lisa Hogan asked Gruba to confirm if the northern portion of the property is considered the rear yard and what the required setback would be. Gruba confirmed that the setback for the driveway is 5 ft. from any property line.

- Commissioner Guevara asked the applicant if any landscaping will be removed for the driveway expansion. The applicant confirmed that only grass will be removed or paved over. The trees and shrubs adjacent to the driveway will remain in place. Commissioner Guevara asked Gruba if parking pads are uncommon in this area. Gruba stated that although he did not have the numbers in front of him, roughly two or three properties out of ten have an oversized driveway in this area.
- Commissioner Schaeffer complimented staff on the packet for the case.
- Chair Rigoni asked what the driveway length was currently, not the width. The applicant stated 17 ft.
- Commissioner Markunas asked the applicant if the driveway will be concrete and the applicant confirmed.
- Commissioner Knieriem asked the applicant if he had two cars and a two-car garage. The applicant confirmed but also stated that he had a motorcycle which is brought to the property during the summer months. When the motorcycle is on the property, one of the vehicles parks across the street at the church parking lot.

Chair Rigoni asked if anyone from the public wished to speak on the matter. There was no one present wishing to speak on the case.

Chair Rigoni asked the Commission to begin discussion of the variation request.

During the Plan Commission Discussion:

- Commissioners Markunas, Schaeffer, and Guevara had no additional comments or questions.
- Commissioner Knieriem asked staff about the lot coverage percentage with this driveway addition. Gruba stated in 2015, a variation for lot coverage from 20% to 36.4% was approved, but lot coverage only includes buildings like residences and sheds or garages, not driveways. Driveways also do not count towards maximum impervious coverage for residential properties.
- Commissioner Knieriem stated that variations must meet the first three standards or findings of fact from the Zoning Ordinance and this request does not meet the first standard, "that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone." The applicant, Beth Rapcan, introduced herself and stated that the purpose of the variation is not based exclusively upon a desire to make more money out of the property which is also a standard.
- Commissioner Knieriem asked the applicants if they both can park in the garage. The applicant, Beth Rapcan, stated yes, but a car cannot fit straight length-wise

in the driveway, so they park at the church across the street. The applicants no longer wish to continue parking at the church property.

- Chair Rigoni asked if there is potential to expand the driveway without the need for a variation. Gruba presented the plans and stated that the garage is 23 ft. 9 in. wide and the applicant could expand the driveway a few feet to that width without needing a variation. Gruba displayed an image of the site and the applicants noted that their proposal shows the driveway going past the garage and the landscape planter.
- Chair Rigoni recalled conversations during the 2015 variation case for the property and that the Commission questioned the size of the driveway at that time.
- Commissioner Lisa Hogan also recalled conversations during the 2015 variation case regarding the driveway. Commissioner Lisa Hogan expressed concern for the lack of green space currently on the property and that the driveway expansion will eliminate more. The applicants stated that the portion of the yard to be covered by the proposed driveway is not visible. Commissioner Lisa Hogan stated that she frequently walks past this property and that portion is visible to people walking past. The applicants stated that they built the house to blend in with the neighborhood and want to complete this driveway expansion correctly, going through the variation process.
- Commissioner Knieriem asked the applicants if they would be willing to expand the driveway to the width of the garage which would not require a variation. The applicants stated no, that they would not bother since it is such a minor amount, only a few feet. Chair Rigoni stated that the small amount of expansion may permit more space for a vehicle.

**Motion (#3):** Recommend the Village Board approve a driveway variance from Article 6, Part 2 (i) to permit a 32' wide driveway, exceeding both the maximum driveway width of 28' at the property line and the width of the garage when within 20' of the garage for the property located at 11 W. Sauk Trail, in accordance with the reviewed plans and public testimony.

Motion by: Knieriem

Seconded by: Lisa Hogan

Denied: (2 to 4)

Commissioners Guevara and Schaeffer voted aye.

Commissioners Markunas, Knieriem, Lisa Hogan, and Chair Rigoni voted nay.

Chair Rigoni confirmed that the motion failed. The applicants asked about the neighbor notifications and noted that no one came to object to the request. Chair Rigoni stated that neighbor objection or support is only one item among others, like the variation standards, that is taken into consideration. Chair Rigoni stated that the case will be on the June 21, 2021 Village Board agenda.

#### **D. Public Hearing Request: Method Athletics – 702 Center Road (Ref. # 106)**

Chair Rigoni introduced the case. The applicant, Method Athletics, is requesting a special use to permit an indoor recreation and training use in the B-2 zone district. Method Athletics currently occupies suites 704-706 and the special use permit would allow an expansion into suite 702. Gruba presented the proposal, stating that suite 702 was formerly occupied by Hodge Podge and is now vacant. Method Athletics would like to expand their operations to this suite. In 2019, Method Athletics was approved for a special use permit for indoor recreation and entertainment for suite 706 and in 2020 for suite 704. An open floorplan is proposed for suite 702 and extended hours are also being requested to allow the business to open at 5:00 a.m. as opposed to 7:00 a.m. The expansion reflects the same use as what is currently in operation. Gruba completed an analysis of the traffic and parking and noted that there will still be a surplus of parking on the site with this expansion. Gruba explained staff completed an analysis of the special use standards or findings of fact in the staff report, but since this is a new process, the applicant did not complete responses to the standards or findings of fact. Gruba presented images of the site and showed the overhead door which faces north. Staff is recommending a condition that the overhead door not open before 7:00 a.m.

Chair Rigoni asked if the applicant was present and wished to speak.

Dr. Gavin Weir introduced himself. Dr. Weir clarified that the open floorplan is to allow for more space for the athletes for movement analysis.

Chair Rigoni asked the Commissioners if there were any initial questions.

- Commissioners Knieriem and Schaeffer did not have any initial questions.
- Commissioner Markunas asked the applicant if he supported the condition about limiting the time the overhead door can open. The applicant confirmed his support.
- Chair Rigoni congratulated the applicant on his growing business and asked if there was any change to the business plan. The applicant stated no, that the operations will be the same as they currently are. The applicant stated that the trucks and trailers from the former business, Hodge Podge, are now gone which has freed up more parking spaces.
- Commissioner Lisa Hogan asked if there will be any increase in customers or members. The applicant stated no, that this expansion only allows for more space for the athletes.
- Commissioner Guevara stated that he had no questions and no concerns about traffic or parking.

Chair Rigoni asked if anyone from the public wished to speak on the matter. There was no one present wishing to speak on the case.

Chair Rigoni asked if the Commissioners had any additional questions or comments



before taking a vote. The Commissioners did not have any additional questions or comments.

Gruba stated that the recommended conditions are the same ones which were applied to the previous requests in 2019 and 2020.

**Motion (#4):** Recommend the Village Board approve a special use for indoor recreation and entertainment to permit the operation of Method Athletics proposed at 702 Center Road in accordance with the reviewed plans and public testimony.

Motion by: Knieriem

Seconded by: Lisa Hogan

Approved: (6 to 0)

**Motion (#5):** Recommend the Village Board approve a special use for extended hours of operation to permit the 5:00 a.m. opening of Method Athletics proposed at 702 Center Road in accordance with the reviewed plans and public testimony and conditioned upon the overhead door along the northern façade of the building remaining closed until 7:00 a.m.

Motion by: Lisa Hogan

Seconded by: Markunas

Approved: (6 to 0)

**E. 1.5 Mile Review: Pedigo Subdivision – 9257 W. Franklin Ave.**

Chair Rigoni introduced the case. The applicant, Richard Pedigo, Jr., is seeking approval of a final plat of subdivision for the property located at 9257 W. Franklin Avenue, in unincorporated Will County, for the purpose of creating an additional developable residential lot. Farrell displayed the final Plat of Subdivision and presented the case. The subject properties are currently unincorporated. Since the Village of Frankfort is within 1.5 miles of the site, the municipality can perform an extraterritorial review under State Statute and must sign the final Plat of Subdivision. In 2019, 9257 W. Franklin was divided into two parcels, Lot 1 and Lot 2 as shown on the Plat of Subdivision. These two parcels currently exist as shown on the County's GIS and tax map. A residence and detached garage are located on Lot 1, which measures 1.03 acres. Lot 2 is vacant and measures 1.0 acres. In order to build a single-family residence on Lot 2, the applicant must retroactively go through the subdivision process to address the division that occurred in 2019. The lots both meet the County's R-3 single-family residential zoning district standards, and if they were annexed, would meet the Village's R-2 zoning district standards.

Chair Rigoni asked if the applicant was present and wished to speak.

Rick Pedigo introduced himself. The applicant stated that in 2019, his father was looking to sell the property which was then one parcel. Potential buyers did not want over two acres, so with the assistance of a real estate agent and attorney, the parcel was divided in half which violated the County's Subdivision Ordinance. The parcel with the residence was sold and the applicant purchased the vacant parcel from his father. The applicant is now going through the subdivision process to address this

division since his father is elderly and living in Florida.

Chair Rigoni asked the Commissioners if they had any questions or comments.

During the Plan Commission Discussion:

- Commissioner Lisa Hogan asked if the vacant parcel was buildable. The applicant stated that the parcel cannot tie into Village sewer and water since it is a great distance away and would not be financially feasible. The applicant stated that the parcel will be on well and septic and would be buildable if the subdivision is approved.
- Commissioner Guevara appreciated the explanations from staff and the applicant about the case.
- Commissioner Markunas did not have any questions or comments.
- Commissioner Knieriem noted the odd shape of Lot 2. The applicant stated that it is due to the southern parcel extending further east than Lot 1.
- Commissioner Schaeffer asked if the underlying zoning district will change or be affected by this subdivision. Farrell clarified that the zoning will remain R-3 residential in the unincorporated area.

**Motion (#6):** Recommend the Village Board approve the final plat for the Pedigo Subdivision located at 9257 W. Franklin Avenue in unincorporated Frankfort Township.

Motion by: Markunas

Seconded by: Markunas

Approved: (6 to 0)

#### **F. Plat Approval: 20523 Abbey Drive**

Chair Rigoni introduced the case. The applicant, Scott Kunz, is requesting Plat of Abrogation approval to remove a portion of the 10' wide public utility easement from Lot 8A in the Abbey Woods Subdivision. Gruba presented the case and showed the grading plan. Gruba stated that the utilities are located in front of the home, not within the easement shown, and this is the same situation for all the properties located in this area. While the easement should be abrogated for all those properties, the Village is processing these requests on a case by case basis since it would be a sizeable undertaking. Gruba stated that the pool otherwise meets all applicable requirements including setbacks.

Chair Rigoni asked if the applicant was present and wished to speak.

Scott Kunz introduced himself and greeted Gruba, stating that he has worked with Gruba, Adam Nielsen, Tom Bartnik, and Robinson Engineering for months on this project. The applicant explained the difficult and time-consuming process to have all

the utility companies sign off approval on the Plat of Abrogation.

Chair Rigoni asked the Commissioners if they had any questions or comments.

During the Plan Commission Discussion:

- Commissioner Knieriem asked the applicant if this was the closest to the house that the pool could be located. The applicant confirmed that the pool must be a minimum of 10 ft. from the house so this is the nearest to the home it could be located without a variation.
- Commissioner Markunas asked if all the utility companies have signed off approval. The applicant confirmed and included that the HOA has approved the Plat of Abrogation as well.
- Chair Rigoni asked staff if the Village's Utilities Department has reviewed and approved the Plat of Abrogation. Gruba confirmed. Chair Rigoni asked if the drainage easement would be altered. Gruba confirmed that the drainage easement along the northwest property line will remain in place.
- Commissioner Lisa Hogan had no questions or comments.
- Commissioner Schaeffer asked to view the grading plan on the screen and if there would be earthwork cut and fill replacement to replace the capacity of the detention pond. The applicant stated that Robinson Engineering is still reviewing and confirmed that some replacement will be required. Gruba showed a cut and fill diagram noting that blue was for fill and red for cut. Earthwork fill is required in order to raise the ground around the proposed pool and earthwork cut is required to create a larger/deeper dry detention pond area to mitigate the fill.
- Commissioner Guevara confirmed with the applicant that all utilities had signed off approval.

**Motion (#7):** Recommend the Village Board approve a plat of abrogation eliminating a portion the 10' wide public utility & drainage easement on the property located at 20523 Abbey Drive (Lot 8A) in accordance with the reviewed plans and public testimony.

Motion by: Lisa Hogan

Seconded by: Schaeffer

Approved: (6 to 0)

#### **G. Public Comments**

Dennis Merz of the Frankfort Fire Protection District was present and greeted the Commission and staff.

#### **H. Village Board and Committee Update**

There were no Village Board or Committee updates. The Commission noted that a



Village Board liaison was not present.

**I. Other Business**

Chair Rigoni welcomed new Commissioner Nichole Schaeffer and asked her to introduce herself. Commissioner Schaeffer stated that she has been a resident of Frankfort for five years, is an Environmental Engineer with Baxter & Woodman, and enjoys cycling and the outdoors. Commissioner Schaeffer stated she is excited to be serving on the Commission and working to make Frankfort a better place.

Commissioner Knieriem asked staff about the status of 99 N. White Street. Gruba indicated that the two variances for a rear yard setback and 1<sup>st</sup> floor building materials were approved by the Village Board, but that a Plat of Dedication was needed to dedicate the White Street right-of-way to the Village, which would require review by the Plan Commission and final action by the Village Board.

**J. Attendance Update**

Chair Rigoni reminded the Commission that the Abri Credit Union case will be on the next Plan Commission/Zoning Board of Appeals meeting, June 24, 2021.

Commissioner Guevara stated that he will be absent for that meeting. All other Commissioners present confirmed their availability.


**Motion (#8):** Adjournment (7:33 PM)

Motion by: Lisa Hogan

Seconded by: Guevara

Unanimously approved by voice vote.

Approved June 24, 2021

As Presented 

As Amended \_\_\_\_\_

Maura A. Rigoni /s/Maura Rigoni, Chair

Jasmine Farrell /s/ Secretary