



MINUTES

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

October 27, 2022–VILLAGE ADMINISTRATION BUILDING

432 W. NEBRASKA STREET

- Call to Order:** Chair Rigoni called the meeting to order at 6:31 PM
- Commissioners Present:** Chair Maura Rigoni, Brian James, Nichole Schaeffer, Dan Knieriem
- Commissioners Absent:** Jessica Jakubowski, David Hogan, Will Markunas
- Staff Present:** Director of Community and Economic Development Mike Schwarz, Senior Planner Chris Gruba, Planner Drew Duffin
- Elected Officials Present:** Trustee Borrelli, Trustee Savaria

A. Approval of the Minutes from October 13th, 2022

Motion (#1): To approve the minutes from October 13th, 2022.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (4-0)

Chair Rigoni swore in any members of the public who wished to speak at the meeting.

B. Public Hearing: Misty Creek

Chris Gruba gave the staff report.

Mike Flaherty, the applicant, approached the stand. He introduced himself and the other representatives for the project, including the architect, Steve Francis, and attorney Jim Olguin. He thanked Chris for the staff report. He felt excited about the project before the Plan Commission, and believed that there was a need for townhomes in the Frankfort area, particularly for older residents looking to age in place. He said other similar developments such as Abbey Woods and Lighthouse Pointe were successful in Frankfort. Representatives of Hickory Creek Middle School, to the north of the development, were receptive of the project, since it proposed residential development rather than commercial development. As part of the development eight feet of right-of-way would be dedicated to Will County along 116th Avenue, which would provide ample space for improvements to nearby

intersections. In turn, those improvements would help ease the congestion around the school. There would also be limited access to the development along 116th Avenue, where a right-in, right-out connection was proposed.

Commissioner Knieriem noted that the location of the dog park had been changed. In previous plans, it was on the corner of 116th Avenue and Laraway Road, but was now moved west, away from the corner.

Staff confirmed the change, and explained that the change was made between the first and second workshop held on the proposal.

Commissioner Knieriem asked if the subject property was currently zoned for commercial use.

Staff clarified that the property was zoned as part of the ER, Estate Residential district. However, the 2019 Comprehensive Plan's Future Land Use Map listed the property for "General Commercial."

Chair Rigoni asked if there were any members of the public who wished to comment on the proposal.

There were none.

Chair Rigoni explained that six comments had been received by staff via email prior to the meeting, which she would read out loud for those present. She asked staff whether she needed to read the statements out in their entirety or if she could summarize each comment.

Mike Schwarz explained that the comments would be included as part of the record, so whether Chair Rigoni wished to summarize the comments was up to her.

Chair Rigoni confirmed that the comments would be available for those who wished to read them, and she paraphrased each email.

Comments were received from Brian Doyle, Alicia Kieffer, Sandra Casey, Nate and Alyssa Root, Steve Rains, and Chuck Coleman. All were opposed to the proposed development.

Motion (#2): To close the Public Hearing.

Motion by: Knieriem

Seconded by: Schaeffer

Approved (4-0)

Chair Rigoni explained to the audience that much of the Plan Commission's discussion would be general, since they had discussed the matter at previous meetings. She asked for comments from the other members of the Plan Commission relating to the requested zoning changes.

Commissioner Schaeffer said that she believed the change in zoning was appropriate for the area. Even though the Future Land Use Map called for commercial development in the area, there was a need for townhomes in Frankfort.

Commissioner Knieriem agreed. He stated that between the proposed R-4, Attached Single Family Residential district and a commercial district, the residential district was preferable.

Commissioner James stated that the proposed use was better than a commercial use. He also liked that this development was satisfying a need for townhomes. He noted that there were several examples of R-4 and R-2, Single Family Residential located in close proximity to one another in Frankfort, and that the developments were generally compatible with one another. Addressing the comments which expressed concern over the proposed development's impact on surrounding property values, Commissioner James noted that in the parts of Frankfort where R-2 and R-4 were near one another, the property values of the R-2-zoned homes typically remained stable.

Chair Rigoni agreed with her fellow Commissioners that R-4 seemed a more appropriate use than a commercial development. Even though the applicant was requesting a rezoning to R-4, the majority of the proposed buildings were duplexes rather than the typical multi-family homes allowed in the R4 district. She turned the conversation toward the proposed Planned Unit Development (PUD) plan, and noted that her concerns relating to the roadways were addressed. But concerns about density, setbacks, and open space still needed to be addressed.

Commissioner Knieriem asked Chair Rigoni if she was referring to the requested exceptions related to the PUD.

Chair Rigoni said she was. She asked the applicant if the proposed lighting fixtures were standard for Frankfort.

The applicant stated they were, and that they were using fixtures which were found elsewhere in the Village.

Chair Rigoni explained that she was looking for a way to reduce the number of requested exceptions, and that the height of the light fixtures could potentially be eliminated. She asked staff if the code required fixtures to be no higher than twelve feet tall.

Staff stated that there were two conflicting regulations, one in the Zoning Ordinance and one in the design standards. When regulations conflict, the more restrictive regulation takes precedence.

Commissioner Knieriem asked the applicant what their reasoning was when deciding to exceed the maximum density for the R-4 district, as well as for proposing lot sizes smaller than the minimum required.

The applicant responded that those decisions were made as a result of how the Zoning Ordinance was written. Staff's report noted that there was no open space proposed in the development. The applicant disagreed with that assessment, since there was plenty of open space between and around the proposed buildings. By reducing the sizes of each lot, there would be more area which could be considered common open space. This design consideration matched other similar developments in the Village.

Chair Rigoni asked if the required minimum lot area of 5,000 square feet was for typical subdivision developments, rather than for PUDs.

Staff responded that she was correct.

Chair Rigoni asked if the difference between the proposed lots and the minimum area requirements were made up for by the additional common area around the proposed buildings. She also asked if the back yards for each proposed building became an outlet.

The applicant responded that she was correct.

Commissioner James asked if the required minimum lot size for a lot zoned R2 was 15,000 square feet.

Staff said that it was.

The architect noted that the proposed layout was common for a PUD. He suggested that the development be considered as a whole, rather than directly compared with the R4 regulations.

Chair Rigoni asked if the area of each lot was equivalent to the footprint of each unit.

The architect said that one building was located in each lot. An additional five feet around the proposed building was also within the lot for green space.

The applicant explained that one option for subdividing the land was to create one lot for each building. However, it would be easier to sell the townhomes in the future if each dwelling unit was subdivided as its own lot. The submitted yield plan showed that there was sufficient space for each unit if designed to follow the R4 regulations but doing so would result in very small dwellings.

The architect added that dividing the net buildable acreage by 32, the number of proposed units, resulted in lots 8,500 square feet in size, which would meet the requirements of the Zoning Ordinance.

Chair Rigoni asked if the proposed Unit 2, which was 2,800 square feet, only included the footprint of the building.

The applicant said that was correct.

Chair Rigoni asked if a traditional lot around the building which Unit 2 was a part of would include more area than the proposed 2,800 square feet. She also asked if the proposed subdivision of land was typical of a PUD.

The applicant responded yes to both questions.

Commissioner Schaeffer stated she was OK with the discussion on density so far, and stated she had no additional questions on that topic.

Commissioner James stated that he initially had some concerns over density, but those concerns were alleviated based on the discussion.

Chair Rigoni noted that they exceeded the maximum density requirement for the R-4 district by one unit. She said that knowing the buildings would be built as duplexes helped alleviate her concerns about density. She turned the discussion to open space, and noted that at a previous meeting, the Plan Commission suggested removing some amenities which could be counted toward the open space requirement. She asked about the dimensions of the dog park.

Staff responded that it was approximately 10,000 square feet, or an area roughly 125 feet by 80 feet.

Commissioner Knieriem asked how much open space would exist if the dog park were counted toward that requirement.

Staff estimated that the applicant would have approximately 5% of the net buildable acreage dedicated to open space, where 20% was required. However, due to the insufficient dimensions of the proposed dog park, the area could not technically be counted towards the open space requirement.

The applicant explained that the proposal had previously met that requirement with the previously proposed walking path in combination with the dog park.

Commissioner James asked whether the previously proposed path was too narrow in some places to be counted toward usable open space.

Staff stated that was the case.

Commissioner Knieriem asked why the proposed path was removed.

The applicant explained that the path was removed based on a recommendation from the Plan Commission at a previous workshop meeting.

Commissioner Knieriem explained that he had no issue with getting rid of the path, since he thought it was unlikely people would have used it anyway.

Chair Rigoni added that the path was removed to allow for additional privacy as well.

Commissioner Schaeffer also noted that the Plan Commission had preferred adding additional landscaping to the north and west sides of the property.

Chair Rigoni asked if there were any other comments regarding open space.

Commissioner Knieriem asked if there was any more detail available on the proposed pet park.

The applicant said that there was more detail in the landscape plan.

Commissioner Schaeffer asked what color the proposed equipment would be.

One of the representatives of the project stated that the equipment would not be blue, as shown in the packet, but more muted colors instead.

Commissioner Knieriem noted that there may be some safety issues with the dog park being located so close to Laraway Road. He asked if the applicant had considered including a double-gate entryway to the park so residents could properly leash their pets before leaving the park.

The applicant stated that a double-gate entryway was proposed.

Commissioner James asked if the proposal would meet the open space requirements if one unit from the triplex adjacent to the park was eliminated and added to the park.

Staff stated they would not meet the open space requirement if they did that.

Commissioner James asked if there was an industry standard for pet park sizes.

Staff did not believe there was.

Commissioner James noted that the proposed development was relatively small, with little space to dedicate to open space. He recalled that there were other existing parks, paths, and wide walkways nearby which residents could use. He was not overly concerned about residents having access to open space, but he did want to see some open space, rather than the zero square feet currently proposed.

Chair Rigoni asked if the proposed street would be public.

Staff responded that it would be.

Chair Rigoni stated that typically streets for these developments were private, and thought it was good that the street would be designed and built to public right-of-way standards. She also liked that there was some open space provided for the residents, which wasn't always the case with residential developments.

The applicant explained that given the dimensions and characteristics of the site, there was no way to meet every requirement set forth. They tried to meet them all, but were unsuccessful. When taken as a whole, some enhanced landscaping was being provided, and was an example of their attempts to make as much use of the space as possible, rather than trying to strictly meet the code requirements. He and his team were aware of the zero square feet of open space, but they worked with staff to provide something to the residents regardless of whether it counted towards code requirements or not.

Chair Rigoni asked if there were any comments on the proposed setbacks.

Commissioner Knieriem asked why the applicant was asking for a 32-foot setback instead of meeting the 40-foot setback requirement.

The applicant explained that the proposed building was currently 40' from Laraway Road, but that setback would be reduced to 32-foot when they dedicated 8 feet to Will County for traffic improvements. Similarly, 8 feet were needed to align the proposed street with another road to create a proper 4-way intersection.

Chair Rigoni asked for comments on the building entrance requirements and the proposed street light fixtures.

Commissioner Knieriem asked why certain units had side and rear entrances, rather than front and rear entrances.

The applicant stated that the side entrances were intended to replace the typical front entrance. He believed the exception request was based on a quirk of Village code.

Chair Rigoni agreed, and suggested that the intention of that particular regulation was to ensure there were two entryways for each unit, and that the location was less of a concern than the number.

Commissioner Schaeffer stated she had no comments on the light fixtures.

Staff noted that they had spoken to the Public Works Department about the light fixtures. They suggested that reflectors be added inside of the light fixtures to help minimize light pollution.

Chair Rigoni stated that those details were beyond the purview of the Plan Commission, and suggested the applicant following the direction of the Public Works Department. She asked the other members of the Plan Commission if there were any other comments they wished to make.

Commissioner Knieriem recalled that some of the comments from the public were concerned with property values. He asked the applicant what the price range would be for the proposed units would be once they were for sale.

The applicant said they would be priced anywhere from the high \$400,000 range to the mid \$500,000 range.

Commissioner Knieriem asked what the sale prices would be if they were built before the large increase in construction costs.

The applicant stated they would have been in the mid \$400,000 range. The units in Abbey Woods sold in the low \$400,000 range. Some of the last units sold in that development sold for around \$500,000. Pricing the proposed units at a similar level was not feasible.

Commissioner James asked the applicant if they had considered varying the color of the roof shingles.

The applicant stated that they wanted to maintain consistent colors across the brick façade and the roof shingles. Varying the color on the shingle roofs was possible, but he had no experience doing that.

Chair Rigoni asked whether the preliminary plat would need to be approved in a separate motion.

Staff clarified, saying the proposed development would return to the Plan Commission for plat approval if the Village Board approved the PUD.

Motion (#3): Recommend to the Village Board an amendment to the Future Land Use Map in the *Your Frankfort, Your Future 2040 Comprehensive Plan* to change the designation of the subject property from “General Commercial” to “Single-Family Attached Residential.”

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (4-0)

Motion (#4): Recommend to the Village Board to approve the Zoning Map Text Amendment (rezoning) from the E-R, Estate Residential District to the R-4, Attached Single-Family Residential District, in accordance with the reviewed plans, findings of fact, and public testimony conditioned on preliminary engineering approval.

Motion by: James

Seconded by: Knieriem

Approved: (4-0)

Motion (#5): Recommend to the Village Board to approve the Special Use Permit for a Planned Unit Development for residential townhomes, in accordance with the reviewed plans, findings of fact, and public testimony, conditioned on preliminary engineering approval and the replacement of any sections of public sidewalk damaged during construction.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (4-0)

C. Public Hearing: 213 Nebraska Street – Plantz Residence

Chris Gruba gave the staff report.

The applicant, Gabriel Garcia, approached the stand. He stated he was available to answer any questions the Plan Commission had.

Commissioner Knieriem asked what the two new variation requests were.

Staff responded that they were to increase the maximum height of the garage and to increase the maximum allowable impervious lot coverage.

Chair Rigoni clarified that the increase in the maximum allowable impervious lot coverage was to accommodate a larger patio area as well as a sidewalk.

Commissioner James added that the sidewalk would lead from the garage to the home.

Chair Rigoni asked what the existing impervious lot coverage was for the site.

The applicant responded that they did not have that information on hand.

Chair Rigoni noted that knowing that information would be helpful in evaluating the request for an increase in the maximum impervious lot coverage. She then asked if there were any comments from the public.

There were none.

Motion (#6): To close the public hearing.

Motion by: James

Seconded by: Schaeffer

Approved: (4-0)

Chair Rigoni summarized the requests before the Plan Commission.

Commissioner Schaeffer stated her largest concern was with the impervious lot coverage. The backyard of the property was relatively small. She stated that the site plan showed a wood deck on the rear of the building. She asked if wood was considered an impervious surface.

Staff responded that it was.

Commissioner Schaeffer noted that the applicant was looking to reorient the shape of the impervious area, but that it would be helpful to have a number for the existing impervious lot coverage for comparison. She also stated that the home was built on a small lot, and that the owners would be losing some grass in order to expand the home.

Commissioner Knieriem asked if the existing detached garage would be expanded or kept the same size.

The applicant explained that the garage would be 1.5 feet deeper. In addition, the garage would be moved closer to the alleyway on the east side of the property. The civil engineer had suggested moving the garage to help alleviate the flooding issue the current garage had. The extra area in the garage would allow it to either store two cars in tandem, or for extra storage space.

Commissioner Knieriem agreed that there were flooding issues in that area. He asked if there was a nearby storm sewer.

The applicant explained that the civil engineer for the project added a drain to the site to help move rainwater off-site and into the storm sewer system.

Commissioner Knieriem asked who would install the drain.

The applicant responded that the drain was designed by DesignTek, and that he had just received the plans for it that day.

Commissioner Knieriem asked whether the system was private or whether it connected to the Village's storm water system.

The applicant responded that it was a private system.

Commissioner Schaeffer asked the applicant where the storm drain would go.

The applicant stated he was unsure, since he had just received the plans that day.

Commissioner Schaeffer said she would like to be sure that the proposed storm drain would ultimately tie in to the larger storm sewer system.

The applicant, after reviewing the plans he had brought with him, indicated that the proposed storm drain would lead to Nebraska Street.

Commissioner Knieriem stated that there was a direct relationship between increasing the impervious lot coverage on the site and an increase in flooding issues. More impervious surfaces left smaller areas to absorb rainwater. He said he would like to see how the storm drain would be built and wanted to see the gutters on the house and drain tiles direct water toward the proposed drain.

The applicant stated he would speak with the engineer on how to implement that idea.

Chair Rigoni suggested that the storm drain aspects of the proposal be added to one of the requests as a condition, since storm water management was outside the purview of the Plan Commission.

Commissioner Knieriem stated he would prefer that.

The applicant added that the existing alley was also an impervious surface which led to large amounts of runoff.

Chair Rigoni suggested that there may be a nexus between the Plan Commission's concerns with the impervious lot coverage request and the proposed storm drain.

Commissioner Knieriem asked if the front yard setback was measured from the front property line to the house.

The applicant responded that it was.

Commissioner Knieriem noted that the request for a 12' 7" front yard setback would make the home the closest building to the street in that area.

The applicant suggested that there may be another home closer to the street along Nebraska Street.

Commissioner Knieriem noted that based on the setback comparison provided by staff, the proposed setback would indeed make the subject property the closest to the street. He asked the applicant if it was possible to reduce the depth of the proposed front porch.

The applicant said that the porch could be narrowed by around a foot before it was no longer usable. The proposed porch was 7' 4" deep, and any porch shallower than 6' 4" would be functionally ornamental. In his experience, many communities liked to see front porches added to homes, and would allow some porches to encroach up to ten feet into the setback. Porches commonly gave a neighborhood a friendlier appearance, and in some cases felt more urban as well. The existing setbacks along Nebraska Street were fairly far back from the road, which did not really align with the near-downtown feel found on other streets.

Chair Rigoni said she agreed with Commissioner Knieriem. She considers the proposal more like a completely new house, rather than an addition, based on how much was being changed. If the proposal was truly new construction, she would not want that building to be the closest one to the street. Her largest concern was with the setback for the front porch. She also noted that Nebraska Street was a major street in the Village and she considered it a boulevard leading into the heart of Frankfort. Those kinds of streets typically had larger setbacks.

Commissioner James agreed with the other comments made. He understood that a 7-foot deep porch was not excessively large for a porch. While the proposed porch was close to the front property line, it was open, and it was different from having the front door so close to the front property line. However, he was concerned with setting the precedent of reducing the setback by so much.

The applicant responded, saying that there was an existing uncovered porch currently. The mass of the building was not changing, rather it was being filled out. The addition of the front porch was intended to add to the original style of the home. Other homes of the same style commonly had front porches.

Commissioner Schaeffer stated she was unsure how she felt about the front yard setback request. The Plan Commission did recently consider another home in the downtown area with a similar request for a shorter setback to build a larger porch. She noted that in that case, though, the setback then matched the neighbors and did not go further than them. In her opinion, that was not the case with the subject property. She agreed that the proposal was an overall improvement to the home, but that the setback was still a concern for her. She asked if there was any way to shorten the whole design of the home, understanding that it would impact more than just the design of the proposed porch.

The applicant responded that if the porch were narrowed at all, it would not be usable.

Commissioner Schaeffer asked if the applicant could reduce the size of the addition, but then noted that the existing home was not extending forward, only the porch.

Chair Rigoni asked the other members of the Plan Commission if they had any comments on the proposed materials.

There were none.

Chair Rigoni asked staff if the setback of the detached garage from the home was existing or proposed.

Staff clarified that it was the existing setback.

Chair Rigoni asked the other members of the Plan Commission had any comments on the rear yard coverage.

The applicant explained that they were reducing the rear yard coverage from 37% to 32%.

Commissioner Knieriem asked how they were reducing coverage.

Commissioner James noted that it appeared on the proposed plans, the rear deck would be smaller.

The applicant confirmed that was the case.

Commissioner Schaeffer said that the Plan Commission had talked about that at a previous meeting, and she believed it was not much of a concern.

Chair Rigoni agreed with Commissioner Schaeffer. She asked whether the request for impervious lot coverage was singled out by staff because it was a new request.

Staff said that was correct. The request was added because the applicant wanted to install a sidewalk leading from the garage to the home and to expand the patio, and the Plan Commission seemed receptive to the added request at the last workshop meeting.

Commissioner Knieriem said he was alright with the request because of the proposed drainage management improvements. He asked if the whole property would be served by the proposed system.

The applicant said it would be, and that plans should have been submitted to staff.

Staff indicated that they did receive a Grading Plan, but it was not included in the Plan Commission's packet because there was some discrepancy between it and the rest of the submitted plans.

The applicant stated he was also aware of the discrepancy and that plans were being redone to address it.

Chair Rigoni asked if the other members of the Plan Commission wished to add the proposed storm water management improvements as a condition to the request for impervious lot coverage.

Commissioner Knieriem indicated he did.

Chair Rigoni asked for comments on the request to increase the maximum allowable height of the garage. It was her understanding that the Plan Commission was comfortable with the request because it would allow the garage to match the roof pitch of the home. She suggested that for consistency's sake, a condition be added to that motion stating the additional space created by changing the pitch could not be used as a dwelling unit.

The applicant noted that typically garage variations were requested for larger two-car garages, rather than the current one-car garage.

Chair Rigoni agreed, but wanted to be clear that the extra space would be allowed for architectural reasons only.

The applicant noted that there were some homes with setbacks shorter than twelve feet from the front property line.

Commissioner Knieriem agreed, but added that Ash Street was also a dead-end street, rather than a thoroughfare like Nebraska Street.

The applicant suggested that there was also precedent for variations regarding impervious coverage in the downtown area.

Chair Rigoni agreed. She noted that there was a member of the audience looking to give comments.

Motion (#7): To reopen the public hearing.

Motion by: Knieriem

Seconded by: Schaeffer

Unanimously approved by voice vote.

Logan Plantz, a relative of the property owner, approached the stand. He acknowledged that the lot was small, but that it was one of the only homes available in Frankfort when his family looked to move to the Village. His family wanted to settle down in this home for the long term. They wanted to help improve Frankfort, and he hoped that the Plan Commission would take that into consideration.

Motion (#8): To close the public hearing.

Motion by: Schaeffer

Seconded by: Knieriem

Unanimously approved by voice vote.

Motion (#9): Recommend the Village Board approve the variance request to reduce the required front yard setback for the primary structure from 30' to 12' 7", on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony.

Motion by: James

Seconded by: Schaeffer

Motion failed: (3-1; Chair Rigoni voted against.)

Motion (#10): Recommend the Village Board approve the variance request for 1st floor building materials to allow non-masonry siding on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony.

Motion by: James

Seconded by: Schaeffer

Approved: (4-0)

Motion (#11): Recommend the Village Board approve the variance request to reduce the required rear yard setback for an accessory building from 10' to 5' 7", on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony.

Motion by: Schaeffer

Seconded by: James

Approved: (4-0)

Motion (#12): Recommend the Village Board approve the variance request to exceed the maximum allowed rear yard coverage to allow 32% instead of 30%, on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony.

Motion by: Schaeffer

Seconded by: Knieriem

Approved: (4-0)

Motion (#13): Recommend the Village Board approve the variance request to exceed the maximum lot coverage to allow 32.8% instead of 20%, on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony.

Motion by: James

Seconded by: Schaeffer

Approved: (4-0)

Motion (#14): Recommend the Village Board approve the variance request to exceed the maximum impervious lot coverage to allow 41.9% instead of 40%, on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony, on the condition that the proposed stormwater improvements be connected to the Village's stormwater system, and that the gutters and drain tiles drain toward the proposed drain.

Motion by: Schaeffer

Seconded by: James

Approved: (4-0)

Motion (#15): Recommend the Village Board approve the variance request to exceed the maximum height for an accessory building (detached garage) from 15' to 20' - 5 ½", on the property located at 213 Nebraska Street, in accordance with the reviewed plans and public testimony.

Motion by: Schaeffer

Seconded by: James

Approved: (4-0)

Motion (#16): Recommend the Village Board approve the Preliminary & Final Plat of Subdivision for the Plantz Resubdivision, in accordance with the reviewed plans and public testimony, subject to any technical revisions prior to recording and conditioned on final engineering approval.

Motion by: Schaeffer

Seconded by: James

Approved: (4-0)

D. Public Hearing: 9500 W. Lincoln Highway – Tiny Tots Play Café

Drew Duffin gave the staff report.

Matthew Coello, the applicant, and Gregg Iser, Jr., the property owner, approached the stand.

Staff informed the Plan Commission that some additional information had been provided by the applicant an hour prior to the start of the meeting. The information was before the Plan Commission, but staff had not had time to review the materials.

Mr. Iser stated that he had provided a parking agreement with Snow Dental.

Chair Rigoni asked the property owner if the agreement was with a business on the south side of Lincoln Highway.

The property owner said that was correct.

The applicant added that the proposed special events would be on certain nights, as noted in the staff report. Specifically, they would be held on the second and fourth Mondays of each month.

Chair Rigoni asked if Tiny Tots would be closed during private events.

The applicant said it would.

Chair Rigoni noted that the proposed business may not be open during every private event time, which would help with meeting the parking requirements of the Zoning Ordinance.

Commissioner James asked what kind of supervision would be available at private parties.

The applicant responded that the ideal level of supervision would have one parent or adult present for each child.

Commissioner James noted that parents dropping their children off at private events at the proposed business would also mitigate any potential parking issues.

Mr. Iser noted that the other document he provided to staff one hour prior to the meeting was for a staircase which would lead from the Mariano's parking lot to the north to the subject property's parking lot. He claimed that there was a parking agreement between Mariano's and himself when he sold a part of his land to Mariano's for additional parking.

Staff clarified that they could not confirm based on submitted documentation that any parking agreement existed between Mr. Iser and Mariano's.

Mr. Iser continued, saying that he wanted to install a ramp between the two lots since there were instances of people parking in the Mariano's lot to get to Mr. Iser's property. He suggested that his property should not be limited on parking, but it was after Mariano's raised the grade of their parking lot, isolating his property.

Chair Rigoni encouraged Mr. Iser to work with staff to get approval for the proposed staircase. She then asked if there were any members of the public who wished to speak.

Gregg Iser, Sr. approached the stand. He explained that he bought the property 25 years ago. When he sold part of the land to Mariano's, there was an agreement that they build an accessway to his building, connecting the two parking lots. However, he was in Arizona while Mariano's was under construction and the accessway was never built. He also described how he installed a staircase between the Walgreen's parking lot to the east and his own property, since patrons were jumping over a retaining wall to get to his property. However, the Village had required him to remove that staircase. He was unsure why that happened.

Chair Rigoni encouraged the Isers to work with staff to obtain any necessary permits if they desire to install a staircase connecting their property to the adjacent properties. She also clarified for them that they were requesting a parking adjustment as opposed to a parking variation.

Motion (#17): To close the public hearing.

Motion by: Schaeffer

Seconded by: Knieriem

Approved: (4-0)

Commissioner James asked the applicant to provide more details on the proposed Valentine's Date Night.

The applicant explained that parents would arrive with their children for a special family event, which would include a small meal.

Commissioner James said he had no additional comments on parking.

Chair Rigoni acknowledged that the property owner would not want to sign a lease with a tenant who would conflict with the restaurant currently on the property. She asked the applicant to make sure that the private event times not overlap with Sorriso's hours of operation.

Motion (#18): Approve an adjustment to the total Zoning Ordinance-required parking for the subject property based on the availability of shared parking for the proposed and current tenants as listed in the staff report.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (4-0)

Mike Schwarz noted that the building would need to comply with the Americans with Disabilities Act's requirement for handicapped spaces. The site required two additional handicapped spaces, which would take away from the 79 parking spaces on-site currently.

Motion (#19): Recommend the Village Board approve a Special Use Permit for Indoor Recreation for an indoor children's play facility located at 9500 W. Lincoln Highway, Suites 5, 6, and 7, in accordance with the submitted plans, public testimony, and Findings of Fact.

Motion by: James

Seconded by: Schaeffer

Approved: (4-0)

E. Workshop: 7654 W. Lincoln Highway – Circle K Redevelopment

Mike Schwarz gave the staff report.

The consultant and project architect for the applicant, Ryan Swanson, approached the stand. He explained that overall, he and his team believed that the proposed development was a vast improvement from what was currently on the site. Reducing the number of driveways on the site would be a big improvement. The site needs upgrades, and as it stands currently, nearly everything on the property is in part, a sign for the business. Lighting and storm water improvements would be brought up to code. Circle K was happy with the proposal before the Plan Commission. Personally, Mr. Swanson was also happy with the improvements. The setback variations requested were necessary to redevelop the site. The Illinois Department of Transportation (IDOT) took some land from the property to expand the right-of-way for Lincoln Highway, which has impacted how the site could be redeveloped. He clarified that the area of the sign which was taken up by LED changeable type, which would show up-to-date fuel prices, would only be 21% of the total area of the sign, not 50%. That could eliminate one of the requests made at a future public hearing. He believed that the logos were reasonably sized. He also wanted to ensure that passers-by would be able to read the prices on the sign. The LED area could be reduced if the Plan Commission deemed it necessary, but was reasonably sized in his opinion. Mr. Swanson stated he was willing to work with the Plan Commission, but asked them to first consider the proposal in front of them. In regard to the lighting on the canopy, he understood why the Plan Commission may ask for it to be removed. There were many Circle K stations which were partnered with Shell, and the lighted canopy was a part of the Shell branding. He stated he had no additional comments on the landscaping, since he and staff had been working together to meet the requirements of the Landscape Ordinance. He also added that in the next set of plans, the material around the base of the convenience store would be upgraded to stone on all sides of the building. The support columns under the canopy and the trash enclosure would also be constructed of the same material. He was happy to answer the Plan Commission's questions.

Chair Rigoni asked if the fuel storage tanks would stay in the same location.

The consultant responded that they would all be removed and replaced with brand new tanks.

Chair Rigoni asked if the other members of the Plan Commission had any comments on zoning.

Commissioner Knieriem stated that the rezoning makes sense since it would allow the current use to remain.

The other members of the Plan Commission agreed with this comment.

Chair Rigoni asked if there were any comments on the proposed special uses, including fuel stations, liquor sales, and hours of operation.

Commissioner James remarked that the uses listed by Chair Rigoni were already a part of the operation of the business. Based on what the Comprehensive Plan called for at that location, those uses seemed appropriate.

Commissioner Knieriem asked if liquor was sold at the convenience store currently.

The consultant responded that it was. He asked if the gas station located near the intersection of Lincoln Highway and Harlem Avenue was within the limits of the Village of Frankfort.

Staff responded it was not.

The consultant clarified that the gas station at that location was their main competitor.

Chair Rigoni asked if the property was under new ownership.

The consultant stated that it was not.

Chair Rigoni said she hoped the owners would maintain a new building better than they had the current building. She was concerned that the applicant had so many requests while not offering much in return.

Commissioner Knieriem asked if there would be a car wash on site as part of the redevelopment.

The consultant responded that there would not be a car wash.

Commissioner Knieriem asked why that was the case.

The consultant said that the main consideration was that they could not fit one on the site, given the need for on-site storm water detention.

Commissioner Knieriem asked how many detention areas were proposed.

The consultant said there would be two.

Commissioner Schaeffer asked if there was on-site detention currently.

The consultant said there was.

Chair Rigoni turned the conversation toward the proposed liquor sales and 24-hour convenience store. She asked if the store currently operated 24 hours a day.

The consultant said it did.

Chair Rigoni asked staff what time the store was required to stop selling liquor.

Staff responded that the regulations could be found in the staff report. In addition, the regulations on when alcohol sales had to end were similar between Will County and the Village of Frankfort, but that the Village had more restrictive regulations. It was staff's understanding that the applicant would be seeking a Class F-3 liquor license, which authorized the sale of alcohol in its original packaging, with unbroken seals, and which was to be consumed off-site. Such stores were also required to be less than 5,000 square feet in area, and no more than 10% of the store's floor area could be dedicate to the sale of alcohol.

Chair Rigoni asked if liquor sales had to cease at 1:00 AM in the Village.

Commissioner James responded that the regulation appeared to say liquor sales would cease at 1:00 AM on weeknights, or 2:00 AM on weekends.

Staff noted that no liquor could be sold after 1:00 AM but the Village's Code contains language that allows the Liquor Control Commissioner to further reasonably restrict liquor sales hours.

Chair Rigoni stated she was trying to understand that while the overall convenience store was open 24 hours a day, liquor sales were not. She wanted to know what time liquor sales had to end, since nothing good happened at or after 2:00 AM. She also stated that it would be good for the applicant to meet code in this regard.

Staff responded that the applicant would have to meet Village Code.

Chair Rigoni stated she would like to have that information available for the next meeting. She asked if any other members of the Plan Commission had any other comments on the proposed special uses.

There were none.

She asked if there were any comments on the variation requests.

There were none.

Chair Rigoni asked staff to confirm that the applicant was still asking for a reduction in the required plant material in the landscaped front yard.

Staff confirmed that was still the case. The landscaped front yard was only 3.8 feet wide, which was not enough space to plant much landscaping.

Chair Rigoni asked the applicant if they attempted to plant the required uses elsewhere on the site.

The consultant said they did, and that the main issue was how narrow the front yard was.

Staff noted that they asked the applicant to relocate the air and vacuum pumps closer to the building to free up space for more plant materials.

The consultant clarified that the area of the plans which showed the location of the air and vacuum pump was in actuality the location of the emergency shutoff controls, which needed to remain in place to comply with safety regulations.

Chair Rigoni asked if the other members of the Plan Commission had any questions or comments on the other requested variations.

Commissioner Schaeffer asked where the setbacks were measured from.

Staff clarified that the front yard setback would be measured from the centerline of the right-of-way for Lincoln Highway. The face of the proposed canopy would be set back 111.6 feet, which was less than the 150 feet required by the Zoning Ordinance.

The consultant added that the existing canopy encroached much more into the 150-foot setback, so that the proposed canopy was closer to compliance than what was there today.

Chair Rigoni asked if there was a visual representation of what area was taken by IDOT for expanded right-of-way.

The consultant responded that it could be seen on the submitted plat.

The document in question was projected on the screen.

Chair Rigoni asked how much of the front yard was taken by IDOT and whether the applicant would have met the 25-foot landscaped front yard requirement if that area was not taken in the first place. She said such information would be helpful in making a decision on the variance request. She also noted that the parcels to the east and south had some established landscaping.

The consultant explained that there was some existing landscaping in the right-of-way which would remain. He agreed that what area was lost to the right-of-way taking could have been depicted better on the submitted documents, but that he believed the total front yard prior to the taking was approximately 30 feet.

Chair Rigoni stated that the Plan Commission had granted variances for landscaped front yards for properties which had land taken for right-of-way in the past. She wanted to know what could have been done in a scenario where the right-of-way was not taken, since reducing the requirement from 25 feet to 3.8 feet was a large reduction.

The consultant explained that the driveways had already been narrowed as much as possible, and that the request for a reduced landscaped front yard was critical to moving forward with the proposed development.

Chair Rigoni said that the best thing to do would be to get the requested information to the Plan Commission for the next meeting. She asked if the other members of the Plan Commission had any comments on the other variances.

Commissioner Knieriem said he knew that the narrow lot shape was a hinderance, and that he believed the applicant was doing the best they could given that limitation. He added that the proposed redevelopment would be better than what was currently on the site.

Commissioner Schaeffer added that it was hard to move around that location in a vehicle.

The consultant stated that he and his team had looked at orienting the building to face Frankfort Square Road, but found that it was not feasible for them.

Chair Rigoni agreed, and stated that she would like to have the additional information on the front yard to help make a case for granting the variance for the reduction in the front yard and so the Plan Commission could make an informed decision.

The consultant stated that the property would definitely meet the 25-foot landscaped front yard requirement if the right-of-way taking had not occurred.

Chair Rigoni asked if any members of the Plan Commission had any comments on the request for a variance in the rear yard setback requirement.

The Plan Commission agreed they had no issues with the request.

Chair Rigoni asked if there were any questions about the proposed signage.

Commissioner Knieriem noted that the night and day views submitted by the applicant had different proportions of LED, changeable type area.

The consultant responded that he could look into that discrepancy.

Commissioner Knieriem added that he could see the LED portion of the sign taking up only 22% of the total sign area on the night rendering, but not on the day rendering. The day rendering looked larger than 22%.

The consultant explained that the proposed sign would have two LED portions, and each would be five square feet in area. That was approximately 21% of the total sign area. The first proposal for the LED areas were three feet by four feet, which was an error. In addition, he was requesting a sign that was eight feet tall as opposed to seven feet which was required by code.

Commissioner James asked the applicant to reduce the height of the proposed sign to meet Village requirements.

The other members of the Plan Commission agreed with Commissioner James' request.

Chair Rigoni asked what the other members of the Plan Commission wished to discuss next.

Commissioner Knieriem suggested they speak about the red banding shown on the proposed canopy.

Chair Rigoni said she thought that the banding was included in the signage discussion, but agreed that it should be discussed.

Commissioner Schaeffer recalled that the proposed colors on the canopy were considered a part of the branding for Shell and Circle K. She asked if the lighted banding around the canopy was also considered part of the branding.

The consultant confirmed that it was.

Commissioner Schaeffer explained that if that was the case, the banding would be considered a sign, and the proposed lighting was not allowed.

The consultant stated he understood.

Commissioner Schaeffer asked the consultant if he would be willing to change the design to meet the Sign Ordinance.

The consultant responded that his client would take issue with having to remove the coloring. The light was preferred, but could be removed from the proposed plans if needed. The consultant's clients had asked him to try and get approval for the lighting.

Commissioner Knieriem noted that there were examples of unlit canopies for Shell and Circle K in the area. Having a visual example of how the unlit canopies looked would be helpful for the Plan Commission when making a decision. He added that the Plan Commission was looking to avoid a design that incorporated lighting which looked tacky or too bright. They would like to see a design which matched the character of the town.

The consultant said he had seen some examples of unlit canopies. He noted that in the proposed design, there was some internal lighting, but much of the illumination came from the banding on the edge of the canopy. He said he could bring in examples as requested, since there were some which still looked good from a branding standpoint.

Commissioner Knieriem asked the consultant to bring photo examples of unlit canopies to the next meeting with the Plan Commission.

Chair Rigoni agreed, and asked that the example photos be taken from nearby examples. She asked the other members of the Plan Commission if they had any other comments on the proposed signage.

There were none.

Chair Rigoni noted that there was not much landscaping along the north and east sides of the property. She asked the consultant to try and add more landscaping to those sides of the property to make up for the lack of landscaping along the south end of the property.

Commissioner James added that there would also be residents of Frankfort Square who would look at the north side of the building, he asked that the consultant consider those residents as well.

The consultant indicated he would.

Chair Rigoni asked if there were any other comments from her fellow Commissioners.

Commissioner Knieriem asked when the applicant was hoping to begin construction.

The consultant said that they had been in contact with IDOT, and they had no issue with the redevelopment. The consultant was hoping to get all the required permits by the end of the year and begin construction in the spring.

Chair Rigoni asked staff if there was anything else the Plan Commission should discuss.

Staff asked if the members of the Plan Commission had any issues with the composite materials proposed.

Chair Rigoni said she was comfortable with the materials. She asked the applicant if they were going to install masonry on the canopy support columns.

The applicant said they would.

Staff added that the proposed materials on the trash enclosure should match the stone on the building as well.

Commissioner Schaeffer acknowledged that the consultant had suggested stone on certain portions of the building, and asked if any more would be added. She was unsure if there was any opportunity to add more.

Staff noted that they had suggested the consultant add stone to the tower elements on the proposed convenience store. However, such changes would require more discussion. Staff reiterated that the proposed building as shown on the submitted plans was better than the existing building.

Commissioner Schaeffer asked what was meant about adding stone to the proposed columns. She was unclear whether the columns being referred to were the support columns under the canopy or architectural features on the proposed convenience store.

Staff clarified that they were referring to the canopy support columns.

Chair Rigoni also noted some stone would be added to the corner elements on the proposed convenience store.

The consultant said they would look into adding stone to the corner elements as well.

Chair Rigoni added that stone could help make the building look less flat. She asked staff if there was anything else the Plan Commission needed to discuss.

Staff said there was not. Robinson Engineering was currently reviewing the submitted engineering plans, which may require revisions. Staff also noted that there was no crosswalk connecting the site across Lincoln Highway running north to south, but that there was a crosswalk running east to west across Frankfort Square Road. The consultant indicated that they intend to remove the utility poles located on their property and bury

the overhead utility lines. The existing utility poles which are located in the public right-of-way would remain.

The consultant stated that they had agreed to that, but the availability of transformers would impact the timing.

There was a brief break starting at 9:28 PM.

F. Workshop: 7 N. White Street – Integrus Development Multi-Tenant Commercial Building

The meeting resumed at 9:34 PM.

Chris Gruba gave the staff report.

Jim Olguin, attorney for the applicant, approached the stand. He introduced the applicant, Dan Elliot and the architect, Jason Nuttleman. He gave a brief overview of the proposal, stating that the applicant was looking to develop a portion of a Village-owned parking lot. They were looking for just enough land for the building itself. From the beginning of the project, the applicant sought to work with the Village. As a resident, the applicant was looking to build something residents could be proud of. He noted that the project was brought before the Historic Preservation Commission the week prior, on October 19th. Based on the feedback the applicant received at that meeting, there would be some changes made to the proposed exterior. The renderings submitted were the same as those seen by the Historic Preservation Commission, and would be changed for the next meeting. The architect would be able to provide more detail.

The applicant, Dan Elliot, approached the stand. He explained he wanted to build something everyone in Frankfort would be proud of. He wanted to see the downtown area continue to grow, and felt that he could contribute to that growth. He wanted to work collaboratively with the Village to design a building everyone could appreciate and enjoy.

The attorney clarified a couple of points raised in the staff report. The rear doors on the proposed building would mainly be used by employees and for deliveries. The outdoor seating along White Street would be minor, and that most of the outdoor seating would be along the south side of the building.

Jason Nuttleman, the architect, approached the stand. He expressed his excitement for what the proposed project would become. He noted that the trail was a unique benefit to the site, as was the proximity to the downtown. As the attorney had mentioned, the team had met with the Historic Preservation Commission and received great feedback from them. One of the changes they requested related to the color palette, and they were looking into that. They had no issues with the massing of the building, but there were some concerns with the modern look of the proposed design, especially along the south, which they were also looking into. There were also some comments on the size of the windows, which all currently went down to grade, which would allow the applicant to vary the size of tenant spaces depending on tenant needs. Other comments they received from the Historic Preservation Commission were that the proposed steel canopies felt too modern, and the metal roof was not a preferred material. Another meeting with the

Historic Preservation Commission was scheduled for December 7th to discuss the revisions. In his opinion, the changes required were minor rather than major. He was happy to answer any questions from the Plan Commission.

The attorney added that he and the applicant expected the site would receive deliveries via box trucks, which would park in the rear of the building. In regard to the proposed off-site trash enclosure, there was no intention at the time to bring it closer to the building or within the newly created parcel. Moving the trash enclosure next to the proposed building could be detrimental for many reasons, including loss of parking spaces. There were some concerns over the impact of traffic moving through the parking lot. Locating the trash enclosure near the south end of the building could be problematic given the proximity to the outdoor seating at the sushi restaurant and the Old Plank Road Trail.

Chair Rigoni noted that this was the first time the Plan Commission had encountered the proposal and that there was much to talk about.

Commissioner Knieriem asked if the applicant had also proposed the development considered in 2018.

The applicant said he did not.

Chair Rigoni suggested that it may be helpful at a future meeting for the applicant to illustrate their proposed building superimposed on an aerial photo. It would help the Plan Commission get a better sense of how the proposed building would fit within the existing parking lot. Having the proposal from 2018 on hand would also be beneficial. She asked the other members of the Plan Commission if they had any comments on the size and orientation of the building, or the size of the yards.

Commissioner Knieriem asked if the building would have a basement.

The applicant said there would not.

Commissioner Knieriem asked if the other parking spaces in the Prairie Park Parking Lot would remain after the building was completed.

The applicant said that there were some grading changes which would need to be addressed, but that on the whole, only the area within the dotted line on the submitted plans would be changed at all. Any damage done to the parking lot would be repaired and the handicapped parking spaces would be relocated on-site.

Chair Rigoni asked for comments on the site plan and proposed setbacks.

Commissioner Schaeffer asked if the proposed building was set back enough from the Old Plank Road Trail.

Chair Rigoni noted that it was hard to tell where the building was in relation to the Old Plank Road Trail, and that having an aerial photo with the proposed building added in would be helpful.

The architect responded that the proposed fence was ten feet from the trail, and that there was another fifteen feet from the fence to the wall of the building, for a total building

setback of 25 feet. He had received some suggestions from others on the setbacks and design of the south yard.

Chair Rigoni recalled that in 2018 the Plan Commission spent a lot of time talking about how the previously proposed building related to the Old Plank Road Trail. She agreed with other comments which had suggested changing the design to create a more welcoming feel. She indicated that she would be focusing on the relationship between the currently proposed building and the trail, not just on the building itself. She asked that staff provide the applicant with details of the old proposal for their reference. Many people biked along the path, and she wanted to ensure that they were accommodated and felt welcome in Downtown Frankfort, and that the trail still looked public, not private.

Commissioner James asked for a comparison of setbacks for other buildings along the Old Plank Road Trail.

Commissioner Knieriem remarked that there would be lots of bike traffic going past the proposed building, and asked if the applicant was thinking of installing bike racks.

The applicant said they were considering installing bike racks along the west side of the building.

Chair Rigoni recalled that the previously proposed building created a specific area for bikes to be stored.

The architect stated that, as shown in the renderings, the building was designed in response to the trail.

Chair Rigoni clarified that there was a specific design feature she liked which she wanted the applicant to look into emulating.

Commissioner James noted that the proposed building was a confluence of different modes and people, and that it would be good for the proposed building to acknowledge that.

Chair Rigoni asked if the stone pillar located at the entrance to the parking lot would remain.

The applicant said that it would remain, as would the sidewalk in front of the proposed building.

The architect said there would be a good flow between all the spaces discussed based on the design of the proposed building. He noted that there was a slight grade change from the south end of the building to the north which they intended to screen, if possible.

Chair Rigoni asked staff to take a closer, more comprehensive look at the available parking, especially in the downtown area. The Plan Commission had considered many cases recently where parking was insufficient per code, and that there were few places where parking was sufficient. She asked that staff take a big-picture look at the downtown area, since that would help the Plan Commission understand how the need for parking would impact the proposed building, but also for other proposed downtown projects. She acknowledged that per the 2016 downtown parking study, the Prairie Park

parking lot was relatively underutilized. However, losing spaces from the existing lot, coupled with other redevelopments requiring their own spaces could mean that the remaining parking available in the downtown area would be in greater demand. Looking at parking could be an important part of a future downtown comprehensive plan.

The applicant stated that there had been some discussions around parking at the Village Board level.

Chair Rigoni said she wanted to ensure the Plan Commission was considering the proposal as holistically as they could.

Commissioner James said that the Plan Commission also needed to take into account all the events held in the downtown area.

Chair Rigoni added that the parking study staff had been completed in 2016, and that the Plan Commission would benefit from updated information.

Commissioner Schaeffer noted that there was a lot of on-street parking in the downtown area which could help offset the need for off-street parking. She also noted that the majority of loading done on-site ought to be done at the rear of the building, since traffic along White Street could be heavy.

The Plan Commission asked that the applicant meet the code requirements for lighting.

Chair Rigoni said it would be helpful to have information on which other businesses downtown also had their trash receptacles off-site. She suggested that there could be issues with having the building's trash enclosure off-site.

Mike Schwarz noted that the proposed off-site trash enclosure would require an easement which would need to be discussed with the Village Board, but that there were no such provisions currently part included within the purchase and sale agreement.

Commissioner Knieriem asked for clarity on where the trash enclosure was proposed.

Mike Schwarz said that the line around the proposed building on the plans was the proposed property line. Discussion of locating the trash enclosure on Village property would need to be handled by the Village Board. According to the proposed plans, the Village would lose some landscaping to the trash enclosure.

The applicant stated they were trying to accommodate the existing landscaping when locating the trash enclosure.

Chair Rigoni expressed she would prefer the trash enclosure not be located on public property, but understood that may not be how the final site is laid out. She said she would like that detail ironed out prior to the next meeting.

Commissioner Knieriem asked Chair Rigoni where she would prefer the trash enclosure be located.

Chair Rigoni said she would locate it as near to the southeast corner of the property as possible.

Mike Schwarz noted that in other downtowns, some buildings had built-in corrals for dumpsters. That could be an option in this case.

Chair Rigoni noted that there could be issues while carrying trash across the parking lot.

Commissioner Knieriem asked if the lot would lose parking spaces if the trash enclosure was moved close to the building.

Chair Rigoni said that the lot was losing parking spaces regardless. People may park in front of a trash enclosure located on-site, which the applicant should anticipate. It would be preferable to avoid having a private garbage receptacle on public property.

The applicant stated that there was some concern for how the garbage trucks would enter and exit the parking lot. Having the trash enclosure close to the trail would be problematic.

Chair Rigoni agreed, but said that the trash enclosure should be screened and landscaped anyway. The applicant had to also consider noises and odors which would be associated with the enclosure, and how the neighbors would respond to them. She asked if the other members of the Plan Commission had any comments on the proposed architecture.

Commissioner Knieriem said he had no comments, since the proposal would return to the Historic Preservation Commission soon.

Chair Rigoni suggested the applicant and his team take a look at the buildings in the downtown area and draw inspiration from them. She said she could see why the Historic Preservation Commission would have concerns. She asked if there were any other comments from her fellow commissioners.

Commissioner Knieriem said he liked the proposed uses, and that there was a need for more restaurants downtown.

The other members of the Plan Commission agreed.

Commissioner James added that he liked the mixture of uses.

Chair Rigoni stated that the applicant should ensure he knew exactly what he wanted to request from the Plan Commission. There were some gray areas in the staff report which we should like cleared up prior to the next meeting. She felt that another workshop would be appropriate.

Mike Schwarz clarified that while the Village had right-of-way lease agreements with other restaurants in the downtown, that the proposed development would have outdoor seating entirely on private property.

The architect added that front setback of the proposed building varied, but was about ten feet at the widest.

Commissioner Schaeffer asked if the seating would require fencing.

There was some discussion on whether the code required fencing around all outdoor seating, or only outdoor seating associated with restaurants which served alcohol.

The applicant stated that he would not be seeking any Special Use Permits for extended hours of operation.

The attorney asked if they would need to apply for variations on signage.

Mike Schwarz responded that the Historic Preservation Commission would consider the design, character, and material of the signs, while any relief on the dimensions would be considered by the Plan Commission.

Chair Rigoni asked that the applicant meet the Code requirements. She asked if there was a uniform sign plan.

Mike Schwarz said that one would be required since the proposed building would have multiple tenants.

Commissioner Schaeffer reiterated Chair Rigoni's suggestion to take a look at the buildings in the downtown area.

Commissioner James agreed, saying that he wanted the buildings in downtown to have a cohesive look, even among newer buildings.

Chris Gruba, referring to earlier in the discussion, stated that the Code required fencing around outdoor seating areas regardless of whether an establishment served alcohol. He suggested that if the applicant did not wish to add fencing, they could ask for an exception from the Zoning Ordinance as part of the PUD.

Commissioner Knieriem said that the outdoor seating along White Street may look better without fencing around it. If fencing would be installed, he did not want anything which looked cheap. He said he would consider a request for no fencing.

Chair Rigoni agreed.

G. Public Comments

There were none.

H. Village Board & Committee Updates

Mike Schwarz informed the Plan Commission that Everbrook Academy was considered at the October 17th meeting of the Village Board. The applicant had requested a Major Change to a PUD, a Special Use Permit for a daycare, and a Special Use Permit for extended hours of operation. The first Major Change request was approved on the condition that only three colors be used on the directional proposed signs to comply with the Village Sign Regulations. The two Special Use requests were also approved.

I. Other Business

There was none.

J. Attendance Confirmation (November 10th, 2022)

Chair Rigoni asked the other members of the Plan Commission to notify staff if they were unable to attend the next meeting.

Motion (#20): Adjournment 10:31 P.M.

Unanimously approved by voice vote.

Approved November 10th, 2022

As Presented _____ As Amended _____

Maura A. Rigoni /s/ Maura Rigoni, Chair

Drew Duff /s/ Secretary