



MINUTES

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

March 21, 2024 –VILLAGE ADMINISTRATION BUILDING

432 W. NEBRASKA STREET

- Call to Order:** Chair Schaeffer called the meeting to order at 6:31 PM
- Commissioners Present:** Nichole Schaeffer (Chair), Johnny Morris, Jessica Jakubowski, Dan Knieriem, Brian James
- Commissioners Absent:** Will Markunas, David Hogan
- Staff Present:** Community & Economic Development Director Mike Schwarz, Senior Planner Christopher Gruba, Planner Amanda Martinez
- Elected Officials Present:** None

A. Approval of the Minutes from March 7th, 2024

Chair Schaeffer asked for questions or comments regarding the minutes.

Commissioner Jakubowski noted that Brian James was not in attendance at the March 7th meeting but that a comment was attributed to him. Staff responded that they'd make the correction.

Motion (#1): To approve the minutes from March 7th, 2024, as amended.

Motion by: Jakubowski

Seconded by: Morris

Approved: (4-0, James abstained)

B. Public Hearing: 20857 and 20859 S. La Grange Road, Bear Down Barbecue

Christopher Gruba presented the staff report.

The applicant, Rashid Riggins, approached the podium.

Chair Schaeffer asked the applicant if patrons would be allowed to stand or sit by the bar. The applicant responded no. Chair Schaeffer asked about the height of the half-wall demarcating the small bar area from the seating area. Chris Gruba said that the height of

the half-wall was not noted on the plans and that the Zoning Ordinance does not have specific regulations for half-wall heights related to bar areas. He physically pointed to the height of the lower dais in front of him as an example of a typical half-wall height. The applicant agreed. The applicant said that the purpose of the bar area was to keep the liquor and drinks away from the smoked meat in the back of the house.

Chair Schaeffer asked the Commission for comments. There were none. She asked if any members of the public wished to speak at the public hearing. There were none.

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

Motion by: Jakubowski

Seconded by: James

Approved by voice vote: (5-0)

Motion (#3): Recommend the Village Board approve an adjustment to the minimum number of required parking spaces from 21 spaces to 0 spaces to allow the existing 501 parking spaces on the property to serve the existing businesses and the proposed expanded restaurant.

Motion by: Jakubowski

Seconded by: James

Approved: (5-0)

Motion (#4): Recommend the Village Board approve a Special Use Permit to allow a full-service restaurant with liquor sales on the property located at 20857 and 20859 S. La Grange Road (total 2,063 square feet), in accordance with the reviewed plans, public testimony and findings of fact, conditioned upon final engineering and that food sales shall comprise the majority of all revenues generated by the business.

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

C. Public Hearing: Ash Street Right-of-Way Vacation

Mike Schwarz presented the staff report.

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

Bob Rowe, resident at 231 Oak Street, approached the podium. He said he appreciated the opportunity to purchase this land from the Village. He said that he'd likely remove and replace the existing fence once the new property lines were finalized. He intends to plant grass on the new extended portion of his property.

No one else wished to speak.

Motion (#5): To close the public hearing.

Motion by: James Seconded by: Knieriem

Approved by voice vote: (5-0)

Motion (#6): To recommend to the Village Board approval of the Plat of Vacation of a portion of the unimproved Ash Street public right-of-way, totaling approximately 5,209 square feet in area, generally located at the southern terminus of Ash Street, in accordance with the approved plans and public testimony, and subject to any necessary technical revisions prior to recording.

Motion by: Jakubowski Seconded by: James

Approved: (5-0)

D. Public Hearing: 9426 Corsair Road – Triple Crown Training/Top Velocity

Amanda Martinez presented the staff report.

The applicant, Corey Stallings, approached the podium. He said that he's a new resident in Frankfort. He said that this would be his business and he'd be a baseball coach. He asked if the Commission had concerns about parking on-site. He said that there would never be any more than 10-15 players at any point, nor more than one team at any time. He noted that most students arrive via carpooling, typically 3-4 kids per car, and that he does not encourage parents to stay on site to stay with their kids. He said that weekends would be the busiest times.

Chair Schaeffer asked Mr. Stallings if he was the prospective business owner. He said yes, but he would not be the building owner. Chair Schaeffer said that the Commission needed to determine the appropriate amount of parking required, but in order to do that, they needed to sort out the site plan revisions that are needed.

The building owner, Omar Hassad, approached the podium. He said that the building used to house a baseball training facility and that his proposal would be exactly the same. He said that he doesn't need the money generated by the facility, but rather he wanted to find the right tenant for the building to be able to give back to the community. He said that he recently purchased the Walgreen's in Frankfort at Wolf Road and Laraway Road. He said that he would not invest another penny in Frankfort unless he's able to get approval for the baseball training facility. He said that he was willing to spend \$100,000 to pave the rear of the property for parking, but he cancelled the job once he found out that the parking lot would need to be set back 60' from the rear property line because of the drainage easement.

He said that there would be four employees and that everyone else usually carools. He asked about the requirement for a trash dumpster and trash enclosure. He said that the proposed use would not generate trash. He said that he has pictures of other businesses in the area that have dumpsters without trash enclosures and wondered why his facility would require a trash enclosure. He said that he felt that a lot of roadblocks and obstacles had been put in place only for him and his tenant. He said that he has a problem when the code isn't applied equally to everyone.

Chair Schaeffer said that the Commission is focused on the request before them, not on other properties. She noted that the applicant's request for a Special Use Permit opens the process for the request to be reviewed per code and by the Commission. She noted that Village staff needed to look at the code for deficiencies and that some were found with his property. Specifically, she noted that the gravel was illicit, being placed in a drainage easement without approval from the Village. She noted that when the facility was operated by Rhino Sports Academy, the rear yard was grass, not gravel.

Mr. Hassad said that he would not change the property at all and would not provide any more on-site parking.

There was discussion among the Commission that the representative at the workshop meeting said that there would be a maximum of 2 teams, or 30 people, at any one time. Mr. Hassad said that the representative was incorrect and that there would never be more than 15 players. Chair Schaeffer asked the applicant to go on record stating that there would never be any more than 15 players at the facility at any time. Mr. Stallings agreed to this.

Mr. Hassad said that the PC/ZBA just approved a Special Use Permit for Bear Down Barbecue and waived all required off-street parking. Chair Schaeffer said that the commercial plaza containing Bear Down Barbecue has ample parking. She noted that the proposed baseball training facility could not technically count on-street parking toward the parking requirement. She noted that the baseball training facility was going to be popular and that there will likely be a high demand and there will be kids from everywhere that will come to this facility. She noted that many parents wouldn't be leaving during practice and would stay on-site.

There was some discussion that other properties in the area were not in compliance with the code requirements regarding parking lot improvements. Commissioner James said that the Village has a code enforcement department that can address other properties that are out of compliance, but that the PC/ZBA does not address code enforcement.

Chair Schaeffer said that she is trying to help the applicant be successful in the process, since the Board may not view the Special Use Permit request favorably if the site plan does not meet code.

Amanda Martinez said that when Great American Bagel, a few buildings to the east, came before the Plan Commission for a Special Use Permit, the request was approved with the condition that they improve their site for more parking. A site plan showing the parking lot improvements was attached to the ordinance that was granted.

Mr. Hassad asked the PC/ZBA for their word that the Village would force compliance on properties that are currently not in compliance with the code.

The conversation turned to the required off-street parking. Chair Schaeffer said that applicants must engage with a professional engineer, architect, or land surveyor to prepare a site plan that meets code.

Amanda Martinez called attention to the drainage easement in the rear yard and that there is still a lot of missing information on the site plan. Chair Schaeffer said that the drainage easement in the rear yard is large and that there may be a path to vacating all or a portion of the easement, but it would require engineering review. Amanda Martinez noted that they would need engineering review and approval to pave within the existing drainage easement if they chose that path. Mr. Hassad said that the rear yard still gets very damp and that the gravel helps the drainage otherwise it would have standing water and a mosquito habitat.

Chair Schaeffer asked that Mr. Stallings confirm the number of staff and their vehicles, and he said there would be 2 cars for staff, himself, and his wife and 12-15 kids at any one time. She clarified with Mr. Stallings that there would be no more than 15 kids at any one time. Mr. Stallings said that there would never be any more than 2 coaches at once. He said that the entire back room of the facility is dedicated for one-on-one training.

Commissioner Morris asked the applicant if they were considering travel teams, since they mentioned the White Sox. Mr. Stallings said that he is friends with the White Sox. Commissioner Morris said that in terms of moving forward, there is no data, that the story is changing, and they can't get to the business at hand. He said that the Commission needs to ensure safety. He again asked for more data and specifically more data about who their clients will be.

Chair Schaeffer said that the facility could also increase in popularity over time if it becomes more successful. Mr. Stallings said that the facility was intended to be successful from the start. He said that he'd have 10 teams on a rotating basis, but not more than 1 team practicing at a time. They would not be open until 3:30 p.m. during the school year.

Chair Shaeffer asked where high school students were going to park, because it's unlikely that they'll all carpool. Commissioner Knieriem said that they haven't yet addressed overlapping times of attendees.

Commissioner Morris said that at the workshop meeting, they had all agreed that 30 parking spaces were required. Commissioner Knieriem postulated that there are an average of 15 kids per team, about 3-4 instructors and 2 staff, equating to about 20 parking spaces. Mr. Stallings agreed with this. Commissioner Knieriem mentioned that the site plan should be reworked to remove the proposed parallel parking spaces because it seemed to go against the overall traffic flow. Mike Schwarz suggested that if the Commission members were amenable to allowing any off-site parking, coaches and high schoolers could park on the street to allow drivers with small children to park in the on-site parking spaces. Commissioner Knieriem recommended that the applicant work with an engineer to ensure proper striping of the parking lot, including ADA accessible spaces. He noted an instance from another community in the past where an ADA space was deficient by 1' and that it led to a lawsuit.

Chair Schaeffer asked the applicants how much time they need to prepare a site plan with engineering review. She said that April 11th is probably not realistic. She said they could aim for April 25th.

Motion (#7): To continue and keep open the public hearing until the April 25th, 2024, PC/ZBA meeting.

Motion by: Morris

Seconded by: Jakubowski

Approved: (5-0)

Chair Schaeffer recessed the Commission for a 5-minute break at 8:20 pm. The meeting resumed at 8:25 pm.

E. Workshop #3: 10211 W. Lincoln Highway – Rhumbar

Mike Schwarz presented the staff report.

The applicant, Joji Tirumalareddy, representing Tulips Chicago LLC dba Rhumbar, approached the podium and mentioned that he would like to rectify all issues as the rent on the property is increasing.

Chair Schaeffer responded that the restaurant use seems reasonable and that the one extra seat in the bar area that staff mentioned needs to be removed on the floor plan is fine for now since that will be changed prior to the public hearing.

Commissioner Jakubowski asked the applicant what the proposed hours of operation are.

The applicant responded that the business would operate from 11 a.m. – 12 a.m. during weekdays.

Commissioner Jakubowski stated that the permissible hours are 7 a.m. – 11 p.m. and asked if he is requesting extended hours of operation.

The applicant responded that he would ensure it meets code by having the hours of operation be 11 a.m.-11 p.m.

Mike Schwarz stated that at the 2015 public hearing for the project a nearby resident was concerned about noise where there is outdoor seating. He added that he needs refinement on the submitted plans such as furnishings, fence details, etc.

The applicant responded that he would get professionals to make those refinements that are needed.

Chair Schaeffer asked if the applicant has a parking agreement with any other property.

The applicant responded that he has reached out to the surrounding businesses, and they said no. He stated that since the other businesses are big corporations, they are not willing to discuss. He added that he and his attorney interpret the parking situation as there being no reason to spend more money or time trying to find more parking since everyone in the office park shares parking.

Chair Schaeffer stated that the original development was unfortunately under parked.

Commissioner James stated that the proposed restaurant won't necessarily be competing with the other restaurants because of the different hours of operation (i.e. Opa!).

Commissioner Morris asked what the reason behind the opening hours is.

The applicant responded that they must ensure food preparation is complete before the restaurant opens.

Commissioner Knieriem stated that the applicant needs to present a new colored rendering of the building elevations and more details that match with what is being proposed.

Chair Schaeffer stated that the applicant will need to show details for the patio furniture, fence, etc. She recommended light/neutral colors for the patio furniture. She added that limiting the hours of operation and/or noise level for the outdoor area may be a condition that can be attached to the requested Special Use Permit.

Chair Schaeffer asked if the Commission had any comments or questions about the drive-up service window.

Commissioner Jakubowski asked if the applicant expects a large portion of the business to be picked up versus sitting down (i.e. Uber Eats, Grub Hub, etc.).

The applicant responded that the business would have a website to encourage pick-ups.

Mike Schwarz added that there is an existing carry-out pick-up door as well as a drive-up pick-up window.

Commissioner Morris asked if there was any traffic data for the site.

The applicant responded that they would have the data when the business is open. He estimates that most of the customers would order online, and then maybe 20-30% of customers will be parked on the site.

Commissioner Morris stated that the drive through lane could only fit 3 vehicles.

Commissioner James stated that he is not worried about the service window or the drive-through lane because it is already there. He added that the 3 vehicles in the drive through lane alleviates 3 parking spaces that would be required in the parking lot. Commissioner Jakubowski agreed with this.

There was some discussion about peak hours and how the drive through lane could get busy and impact traffic in the development.

Mike Schwarz mentioned that if there was a condition limiting the drive-up service window hours, customers might be confused why the drive-up service window has different hours than the restaurant.

There was a consensus that staff and the applicant should look at other examples of restaurants that have a drive-up service window solely for pick-up of online orders.

The applicant wanted to discuss hours of operation again. He asked if he could serve brunch, which means that the restaurant would open at 8 a.m. on weekends. He added that on all holidays, he would also like to open at 8 a.m.

Commissioner Jakubowski asked staff if there are any limitations in the code regarding holiday hours.

Mike Schwarz responded no, but the liquor code does have restrictions.

Chair Schaeffer suggested leaving the hours of operation for the drive-up service window up to the applicant. She asked to move on to the architectural changes and asked the applicant if the building could structurally support full brick.

The applicant responded that he could do either thin or full dimensional brick. The brick sample was passed around to the Commissioners. He stated that if there was full brick, there would be footings in place and wall ties that can support the full dimensional brick. If there was thin brick, it can be directly attached to the building.

Chair Schaeffer stated that it sounds like the applicant is amenable to full brick which is the recommended building material if feasible.

Commissioner Jakubowski asked why the applicant is no longer proposing stone veneer to make it look better. She added that she is amenable to the thinner dimension veneer brick material because this is not new construction, it is retrofitting the existing building.

Commissioner Knieriem stated that the applicant should not try to match the existing brick color on the building because if it doesn't exactly match, it would be obvious that there are some mismatched materials on the building.

There was a consensus to make the entrance or tower element of the building's front/north facade brick in either a very dark grey or lighter beige color selected from the submitted brick sample to provide architectural contrast on the building.

Commissioner James stated that the other buildings have a lighter trim color, so a lighter color brick may be more appropriate.

Commissioner Knieriem stated that he is open to either a light or dark color brick. It is his opinion that the darker color brick would look best as it would provide the most contrast.

Chair Schaeffer asked if the previously proposed rope lighting under the overhangs went away.

The applicant responded that the proposed rope lighting has been removed. He added that he plans to put downlit can lights under the overhangs.

Chair Schaeffer added that the existing boxy floodlights may need to be replaced. She recommends replacing the floodlights with sconces and that would alleviate the need for the downlit canned lights.

The applicant stated that he would like to have a sign on the back of the building near the drive through to say pick-up only.

Mike Schwarz mentioned that there is an existing cabinet sign located above the entrance to the drive-through lane.

Chair Schaeffer recommended painting the sign onto the brick similar to Sparks Coffee.

Commissioner Jakubowski stated that she is amenable to directional signs.

F. Public Comments

None.

G. Village Board & Committee Updates

Mike Schwarz noted the following updates:

- The Blocker Residence Variation related to exterior materials was approved at the March 18, 2024, Village Board meeting.
- The Special Use Permit for Magic Massage was approved at the March 18, 2024, Village Board meeting.
- An Intergovernmental Jurisdictional Boundary Line Agreement Between the Village of New Lenox and the Village of Frankfort was approved at the March 18, 2024, Village Board meeting.
- The Lanigan Residence Variations have not been forwarded to the Village Board yet. The project received a split vote, thus, the project will either go to a Committee-of-the-Whole meeting for discussion or will come back to the Plan Commission with revisions.

H. Other Business

Mike Schwarz informed the Commission that Village Zoning Map typically gets approved by the Village Board every March. Per State Statute, the Village Board did not need to adopt a new Zoning Map for 2024 as the map has had no changes from the 2023 Zoning Map.

I. Attendance Confirmation (April 11th, 2024)

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

J. Adjournment

Motion (#8): Adjournment 10:08 P.M.

Motion by: Jakubowski

Seconded by: James

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

Approved April 11th, 2024

As Presented _____ As Amended X

Nichole Schaeffer /s/ Nichole Schaeffer, Chair

Christopher Spalca /s/ Secretary