



MINUTES

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

March 7, 2024 –VILLAGE ADMINISTRATION BUILDING

432 W. NEBRASKA STREET

- Call to Order:** Chair Schaeffer called the meeting to order at 6:30 PM
- Commissioners Present:** Nichole Schaeffer (Chair), Johnny Morris, Jessica Jakubowski, Will Markunas, Dan Knieriem
- Commissioners Absent:** Brian James, David Hogan
- Staff Present:** Community & Economic Development Director Mike Schwarz, Senior Planner Christopher Gruba, Planner Amanda Martinez
- Elected Officials Present:** None

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

Chair Schaeffer asked for questions or comments regarding the minutes.

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

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

Motion by: Knieriem

Seconded by: Jakubowski

Approved: (5-0)

B. Public Hearing: Lanigan Residence

Christopher Gruba presented the staff report.

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

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

Building Materials:

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

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

Front Yard and Corner Side Yard Setback:

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

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

There was a consensus that the setbacks are sufficient.

Lot Coverage:

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

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

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

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

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

Lot Depth and Width:

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

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

Plat:

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

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

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

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

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

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

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

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

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

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

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

Motion by: Jakubowski

Seconded by: Markunas

Approved: (5-0)

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

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

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

Motion by: Knieriem

Seconded by: Morris

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

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

Motion by: Jakubowski

Seconded by: Knieriem

Approved: (5-0)

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

Motion by: Jakubowski

Seconded by: Markunas

Approved: (5-0)

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

Motion by: Jakubowski

Seconded by: Knieriem

Approved: (5-0)

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

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

C. Public Hearing: Bear Down Barbeque & Catering Company

Christopher Gruba presented the staff report.

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

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

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

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

Chair Shaeffer asked if Commissioners had any initial questions.

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

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

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

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

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

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

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

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

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

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

D. Public Hearing: Magic Massage

Amanda Martinez presented the staff report.

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

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

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

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

Motion by: Morris

Seconded by: Jakubowski

Approved: (5-0)

E. Public Hearing: Blocker Residence

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

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

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

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

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

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

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

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

Motion by: Jakubowski

Seconded by: Morris

Approved: (5-0)

Chair Schaeffer expressed her general agreement with the proposal.

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

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

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

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

Motion by: Markunas

Seconded by: Jakubowski

Approved: (5-0)

F. Non-Public Hearing: Triple Crown Training

Amanda Martinez presented the staff report.

Applicant David Wayne Posley Jr. approached the podium.

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

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

Commissioner Knieriem asked the applicant if he was the owner. The applicant responded that he is a representative of the owners and the lead instructors. Commissioner Knieriem asked if they would only focus on baseball if it was previously a Rhino Sports Academy

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

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

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

Commissioner Markunas asked what the maximum occupancy would be of the facility. The applicant responded that there would be a maximum of 2 teams at once, or about 30 people. Chair Schaeffer said that most of the players will be young and not driving to the facility. Commissioner Knieriem said that typically, parents pick up and drop off children at once, which can lead to a mess of cars at once. He said that he would prefer it if the site plan could be reworked to provide a one-way entrance and one-way exit to allow proper circulation. He said that the existing 5-6 existing parking spaces would be deficient. He said that as an industrial property, he would not want kids being picked up in the streets, crossing the street or otherwise being in the street. He believed that approximately 34-40 on-site parking spaces would be required. Mike Schwarz noted that the property could not exceed an impervious lot coverage of 80% and to keep that in mind.

