



MINUTES
MEETING OF VILLAGE OF FRANKFORT PLAN
COMMISSION / ZONING BOARD OF APPEALS
June 9, 2022–VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET

Call to Order: Chair Rigoni called the meeting to order at 6:30 PM

Commissioners Present: Chair Maura Rigoni, Dan Knieriem, Will Markunas, Nichole Schaefer, Jessica Jakubowski, Brian James

Commissioners Absent: None

Staff Present: Director of Community and Economic Development Mike Schwarz, Senior Planner Chris Gruba, Planner Drew Duffin

Elected Officials Present: None

A. Approval of the Minutes from May 26, 2022

Motion (#1): Approval of the minutes, as presented, from May 26, 2022

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (6-0, Hogan abstained)

Gruba noted that the case relating to the Oasis Senior Living proposal was not on the agenda for this meeting and it would need to be re-noticed. The next possible public hearing date would be July 14th.

B. Final Plat: Homestead Center Resubdivision

Chris Gruba summarized the staff report. The only change to the plat was an added utility easement. Gruba noted that some language on the plat should be changed to remove mention of a resolution.

Motion (#2): Motion to recommend that the Village Board approve the Final Plat of Subdivision for Homestead Center, subject to any technical revisions prior to recording.

Motion by: Markunas

Seconded by: Schaeffer

Approved: (7-0)

C. Public Hearing: 170 Vail Drive – Exterior Materials Variation

Mike Schwarz summarized the case. The variation request is to allow non-masonry materials on the first floor of the building and the proposed addition.

Chair Rigoni asked the applicant to come to the podium.

Chair Rigoni swore in the applicant, Billy LaMarche.

The applicant approached the podium. He stated he had nothing to add.

Chair Rigoni asked the Commission if there were any initial questions from the PC/ZBA.

There was no response.

Chair Rigoni asked if the existing brick would be reduced.

Staff responded that it would not.

Chair Rigoni asked if there was anyone in the audience wishing to speak on the request.

Gerald O'Sullivan approached the podium. He stated that he was a neighbor of the applicant, and that the applicant and his family are fine people. They were going to do a nice job with the project.

Chair Rigoni asked if the color photo the applicant had in hand was the same as the one in the packet.

The applicant said yes.

Motion (#3): Motion to close the public hearing.

Motion by: Schaeffer

Seconded by: Knieriem

Approved: (7-0)

Chair Rigoni asked the Commission if they had any questions in regard to the variation.

There were no questions.

Chair Rigoni noted that the change in materials on the house were an upgrade, and asked staff if the variation was required because of the addition.

Staff responded that the variation applied to the whole house, but the variation was required because of the proposed addition.

Motion (#4): Motion to recommend that the Village Board approve a variation from Article 6, Section B, Part 2(g)(2) of the Village of Frankfort Zoning Ordinance to permit the use of non-masonry siding on the first floor of an existing home in conjunction with proposed first and second floor additions and exterior remodeling in the R-2 Single-Family Residential District located at 170 Vail Drive.

Motion by: Markunas

Seconded by: Schaeffer

Approved: (7-0)

D. Workshop: 10841 W. Lincoln Highway – Proposed Retail Center

Chris Gruba provided a summary of the case. The applicant seeks to develop a 20,000 sq. ft. retail space on a corner lot.

Chair Rigoni asked the property owner to come to the podium. The owner and his consultant approached. Chair Rigoni then swore in the property owner, Zaim Sakiri, and one of his consulting engineers, Nick Varchetto.

Mr. Sakiri explained that he has owned the property in question for many years has always intended to develop retail on the site. He listed the considerations he made while designing the proposal.

The engineer stated that the main challenge they face in construction is the floodplain on the southeastern corner of the property. Robinson wanted to complete a full engineering study of the area before the project moves forward. The owner and engineers plan to request landscaping setbacks on the north, east and west sides so that adequate parking can be provided. The development as it stands now would need detention basins underneath the parking lot, as on-site detention is not permitted in the flood zone.

Chair Rigoni stated that the Plan Commission cannot make any decisions or recommendations in relation to engineering challenges, only zoning-related issues.

The engineer asked staff whether there was a way to be granted a variance from the sidewalk requirements.

Staff responded in the negative because the sidewalk requirements are part of the Design Standards. However, in theory, the Village Board could remove the requirement for a complete sidewalk.

The engineer stated that the property owner preferred to be annexed into the Village, but that Will County has less stringent design standards. The Village's regulations make the buildable area smaller than the applicant hoped. He would request variations on setbacks on the north and west sides of the property.

Chair Rigoni requested that the owner state all his zoning concerns before there was any discussion of details.

The engineer responded that their main concerns were with setbacks, the floodplain, and fire regulations. He and the property owner want to make their proposal work within the Village's regulations, but would need some variations to do so.

The property owner added that when he first bought the property around fifteen years ago, IDOT took nearly an acre for right-of-way, which nearly broke the deal at the time.

Chair Rigoni directed the Plan Commission to give Mr. Sakiri and his engineer some general directions and comments on zoning and land use, keeping in mind that not all of the needed information has been provided. Rigoni asked whether B-2 is an appropriate zoning classification for the property.

Commissioner James noted that B-2 does align with the Village's Future Land Use Map.

Commissioner Hogan asked why the property had not yet been annexed into Frankfort.

Mike Schwarz responded that the Village typically does not initiate annexation but rather waits for requests, which typically happens when property owners want to be added to the Village's water and sewer networks. The only way the Village can initiate annexation is if the area in question is fully enclosed by the Village and is smaller than 60 acres.

Chair Rigoni noted that the Village could annex the property in the future even if no annexation took place with this development.

Staff stated that Will County would be in contact with the Village if there was a proposed Will County zoning application regardless of annexation, since the property falls within the Village's 1.5-mile review boundary. A voluntary annexation gives the Village and the property owner opportunity to negotiate the agreement.

Chair Rigoni states the main building meets the relevant code requirements, that the issues are related to the peripheral areas and improvements. She asked staff if the Landscape Ordinance was outside the purview of the Plan Commission.

Staff said it was.

Commissioner James expressed his concern over parking spaces behind the building. They might create safety issues for pedestrians looking to enter the building. He suggested reducing the building size to allow for safer parking arrangements.

The property owner stated that the main building had already been reduced from the initial design, and that further reductions are not preferred.

The engineer added that he and the property owner expected this discussion point. A smaller building area was unacceptable. Even a smaller building would still need same variations to fit on the site.

Chair Rigoni said the Plan Commission was giving guidance to the owner for next steps, and cited the landscape setback as an example.

Commissioner Schaeffer told the property owner her biggest concerns were with parking and with such a large building located so close to a flood zone.

Discussion turned to the proposed retaining wall located on the southeast end of the property and concerns over stormwater management.

Discussion returned to potential pedestrian-vehicle collisions in the rear parking lot.

Commissioner Knieriem asked for more details on the setbacks, which was his biggest concern due to the adjacent residential use. Would IDOT require a turn lane for people entering the property from Route 30?

The engineer explained they were looking to reduce the required 25' landscape transition yard (buffer) to 15', and to overplant the landscaping there to help with screening. Additionally, a variation would be sought to decrease the east landscape setback from 25' to 23'. Despite asking IDOT for information months ago, they had yet to respond.

Chair Rigoni asked staff to look into other examples of granting setback variations along Route 30.

Senior Planner Gruba explained that the project was reviewed against the requirements of the Zoning Ordinance, the Landscape Ordinance and the Design Standards. He noted that in certain instances, variances can be granted for relief from Zoning Ordinance requirements, but that variances cannot be granted for requirements in the Landscape Ordinance and the Design Standards, since they are not part of the Zoning Ordinance. Gruba noted that there is no known vehicle to provide relief from the Landscape Ordinance requirements. He did note that there are a few, but not many, landscaping requirements in the Zoning Ordinance, which can be granted variances because they are in the Zoning Ordinance.

Gruba noted that there is a retaining wall along the southeast corner of the property to raise the land for a parking lot, separating it from the adjacent floodplain. He noted that any walls over 2.5' tall or over 50' long require review and approval by the Plan Commission, as per the Design Standards. This would not be a variance or a special use permit, but rather a general approval granted by the Plan Commission.

Commissioner Markunas remarked on his concerns over parking and the size of the building.

Commissioner Jakubowski stated her concerns over maintaining green space and the property's proximity to residential uses.

Commissioner Hogan asked the property owner if they have considered a two-story building as an alternative

The property owner replied that it was considered, but was undesirable.

Chair Rigoni asked staff to look into how parking works on other, similar properties.

Discussion returned to the flood zone and options to address the challenges it posed.

Chair Rigoni said that the Commission can give better feedback on the project with more detail. She asked staff to look into how loading zones are addressed on similar properties which do not have ones designated.

Mike Schwarz stated that per the Village's Design Standards, development in a floodplain is not allowed, so conducting a study to determine the boundary would be essential. Staff also suggested planning ahead for a future tenant who may want a drive through. Chris Gruba noted that workshops are typically done after preliminary engineering is complete, so the next workshop should happen after that. Lastly, the Plan Commission could not rule on a variation for reduced landscape setbacks on the west side of the property since there was no mechanism for it, though variations might be possible for the north and east sides.

Chair Rigoni asked if there are any questions from members of the public in the audience.

There were none.

E. Workshop: 11031 W. Lincoln Highway - Everbrook Academy Preschool/Daycare

Mike Schwarz summarized the changes made to the proposal since the last workshop.

Chair Rigoni asked the applicant to approach the stand. She swore in the applicant, Tom Williams.

Williams informed the commission that the comments from the last workshop were incorporated as best they could. In regard to questions about the west-facing sign, it was designed to meet code and was located where it was to help identify the entrance to people unfamiliar with the location, as a safety precaution.

Chair Rigoni asked if the commission has any initial comments from the previous workshop.

There were none.

Chair Rigoni restated her concern with having the play area facing Route 30, citing safety and aesthetics. It would be preferable to rotate the building so the play area was in the rear of the building.

Discussion addressed potential changes that could be made to address the play area facing Route 30.

Chair Rigoni asked the commission if they have any comments on the architecture.

Discussion focused on the changes that were made since the last workshop in more detail.

Members of the commission gave comments on the lack of visual continuity with the adjacent bank.

Staff stated that the roof pitch was another area of concern, with respect to the visual appearance of the building.

Discussion returned to the possibility of reorienting the building. The applicant stated that the biggest challenge with reorientation was with pick-up and drop-off.

Commissioner Hogan requested elevations of the proposed building and the adjacent bank for a more direct comparison of aesthetics.

Chair Rigoni asked the commission what comments they had on the proposed signage.

Staff noted that a variation would be needed to allow a sign on the west elevation of the building.

Discussion turned to alternative signage to help people find and access the site. Commissioners asked for visualizations of different alternatives.

Chair Rigoni asked for any other comments.

There were none.

Chair Rigoni asked the applicant that for the next time changes to the plans be clearly marked.

F. Workshop: 10211 W. Lincoln Highway – Rhumbar/Tulips

Mike Schwarz summarized the staff report on the current proposal and provided additional background by including the owner's previous application details.

Chair Rigoni asked the applicant to approach the podium. She swore in the applicant.

The applicant, Joji Tirumalareddy, explained his case in more detail. He bought the property in 2015. A condition of purchase from the bank was that the property be used as a restaurant or bar. He had maintained the property in the time between purchase and this workshop.

Chair Rigoni reminded all present that the current agenda item was just a workshop. She asked initial questions about changes to the original PUD in terms of building footprint and the possibility of an increased seating area.

The applicant responded that there were proposed changes to the PUD in relation to the building footprint, which was being increased. However, there was no proposed increase in the seating area inside, but the increased footprint was going to be used to support the use of the dining area.

Commissioner Markunas asked staff whether the previous restaurants operating on the property were open concurrently with the adjacent offices.

Staff answered that they did not know since it was last open before the tenure of any current staff member.

A member of the audience was recognized by Chair Rigoni and provided a summary of the past restaurants that have occupied the building.

Commissioner Knieriem asked about the proposed hours for the restaurant.

The applicant responded that initially, the restaurant would be open for lunch and dinner, and hours might expand to include breakfast if successful.

Commissioner Knieriem requested that the applicant provide color renderings next time. He then noted that the lack of parking on site was unavoidable, and requested that the applicant maintain his property to a higher standard, even though it was not in use. The commissioner asked if any music would be played on the patio.

The applicant responded that in light of past discussions of the proposed outdoor seating area, there would be music but kept to a low level.

Commissioner Schaeffer asked for clarification on the changes between the previous (2015) application and the current one.

The applicant stated that the only changes from the 2015 application were the addition of a vestibule at the main entrance and the expanded cooler in the rear.

Members of the Commission stated there was not enough information provided in the current application to be clear on what was being proposed.

The applicant responded that there will be more information on future renderings.

Commissioner Hogan expressed concern regarding the number of entries and exits to the proposed building, and asked whether there were plans to use the drive through.

The applicant said that there will be five exits in total for the whole building. He was planning to use the drive through.

Staff responded that a drive through would require a Special Use Permit to operate.

Discussion continued around how exactly the drive through would be used. Concerns raised included traffic patterns, whether patrons could order at the window, and the potential for vehicle-pedestrian collisions in the parking lot.

Discussion returned to the number of exits to the building.

Chair Rigoni said that the number of exits was a concern for the Fire Department.

Dennis Merz with the Frankfort Fire District was present and noted that the department would review the application when they received one.

The Commission again expressed that they cannot give much constructive feedback since there was not enough information present in the application materials submitted to them.

The applicant responded that they would provide all the requested information for the next workshop.

Chair Rigoni asked the applicant to ensure their proposed project architecturally fits with the nearby offices. She also requested staff provide additional background on the 2015 proposal and details on the operation of the restaurant next door for the next workshop.

Commissioner James suggested removing the drive through lane to allow for more parking, to help alleviate the lack of parking spaces in the area.

The applicant expressed their intention to keep and use the drive through lane.

Chair Rigoni opened the discussion to members of the public, reminding them that they were not in a public hearing.

Rita Starkey approached the podium. She asked how many tables would be located in the outdoor seating area, and whether the patio as a whole was new.

Chair Rigoni responded that the patio was a new use in the application.

Starkey expressed her concern that since the nearby restaurant was successful, the addition of another restaurant may disrupt the current state of parking in the lot.

The applicant responded that they were trying to accommodate the changes in dining in response to COVID, namely an increase in demand for outdoor seating.

Dan Ricker, a resident of the nearby neighborhood approached the podium. He expressed his concerns about parking at this site, since overflow parking typically could be found along the streets of the neighborhood. He also wanted to emphasize the use of the property as a restaurant and not as a bar. A red truck has been parking on the proposed patio space during the day since the lot is often completely full, and was an example of the parking problems the site would face.

The applicant responded that since the property had been closed for years, the red truck's owner knew they could park there with no issues.

Steve Arnold, the president of the Brookside II Homeowners Association, approached the podium. He spoke on behalf of the neighborhood. Most of the concerns he came with had been addressed. While the neighborhood in general wanted to have another restaurant within walking distance, they were concerned about its impacts on parking, especially since a big restaurant was proposed to get bigger, and the resulting noise levels. He asked that the noise ordinance be enforced if needed.

Chair Rigoni asked staff how much space was originally approved in 2015.

Staff responded that the current plans were unclear on seating, especially when distinguishing between the bar and dining areas. Past discussion mentioned reducing the number of seats in the restaurant.

The applicant stated he was looking to obtain a class C-1 liquor license, and so plans were looking to comply with the relevant regulations.

Chair Rigoni noted the plans included an expanded seating area, and that the Plan Commission would like more details and context, since the commission had no desire to increase the size of the dining area inside.

Commissioner Knieriem noted that expanding the seating area in a location with already limited parking was an obstacle to the project moving forward.

Chair Rigoni summarized the discussion. More detail on the proposed floor plans, exterior elevations, outdoor seating, materials, intended use of the drive through and lighting were all needed. Staff would be able to help.

G. Public Comments

Chair Rigoni asked if there were any public comments.

Terry Colins, President of the Windy Hill Townhome/Condo Association, approached the podium and asked why the Oasis Senior Living facility project had been tabled in the past.

Chris Gruba responded that the project was not quite ready to be brought to the Plan Commission due to some engineering concerns.

H. Village Board and Committee Updates

Mike Schwarz noted that the following matters that previously came before the PC/ZBA were approved by the Village Board at its meeting on June 6:

1. Walnut Street Subdivision: 142 and 150 Walnut Street – the Final Plat was approved
2. Gale Residence Rear Yard Setback Variance: 19948 Lily Court – the Ordinance was approved
3. Pie & Pla Special Use for Indoor Recreation: 9093 Fey Drive – the Ordinance was approved

I. Other Business

There was no other business.

J. Attendance Confirmation (June 23, 2022)

Chair Rigoni asked the Commissioners to notify staff if they will not be in attendance on June 23rd.

Motion (#5): Adjournment 9:53 P.M.

Motion by: Markunas

Seconded by: Schaeffer

Unanimously approved by voice vote.

Approved June 23, 2022

As Presented X As Amended _____

Maura A. Rigoni /s/ Maura Rigoni, Chair

Christopher DeBe /s/ Secretary