



**MINUTES  
MEETING OF VILLAGE OF FRANKFORT  
PLAN COMMISSION / ZONING BOARD OF APPEALS  
APRIL 08, 2021 – VILLAGE ADMINISTRATION BUILDING  
432 W. NEBRASKA STREET**

**Call to Order** Chair Rigoni called the meeting to order at 6:30 P.M.

**Commissioners Present:** Kris Michuda, Dan Knieriem, Michael Leddin, Lisa Hogan, Ken Guevara, and Chair Maura Rigoni

**Commissioners Absent:** Will Markunas

**Staff Present:** Senior Planner Christopher Gruba, Utilities Director Zachary Brown, and Utilities Executive Assistant Marina Zambrano

**Elected Officials Present:** Trustee John C. Clavio as Village Board Liaison, Mayor Jim Holland, and Trustee Margaret Farina

**A. Approval of the Minutes from March 25, 2021**

**Motion (#1):** Approval of the minutes from March 25, 2021.

Motion by: Hogan                      Seconded by: Knieriem  
Approved: (6 to 0)

Chair Rigoni swore in all those wishing to provide public testimony.

**B. Public Hearing Request: Graefen Development Major PUD Change (Ref. #109)  
(Tabled until April 22, 2021)**

Public Hearing Request: Re-subdivision for lot consolidation, special use for outdoor storage, side yard setback variance, and variance to permit decreased public parking in the I-1 zoning district, to permit the construction and operation of a building trades' and contractor's office with outdoor storage, located at 22791 S. Challenger Road.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting the applicant proposes to install an 8' tall fence. Mr. Gruba also noted the Village's engineer also expressed concern with the effect the fencing will have on the proper stormwater drainage on the parcel running south to north through the middle of the site. The applicant, Jeff Graefen was present and noted he is proposing to move the development from the existing site in Mokena to the industrial park in Frankfort.

During the Plan Commission Discussion:

- Commissioners discussed the proposal for the fence and questioned the height of the existing fence. Jeff Graefen noted the existing fence is 6' tall and are proposing an 8' tall fence at the new location since they have a need for a larger area due to the growth of the operation;
- Commissioners expressed concern with the screening for the outdoor storage of materials for Millennium-Kyle Holdings;
- Commissioner Guevara questioned the number of employees and the hours of operation for the facility. Mr. Graefen noted the hours of operation will be 7 am to 5 pm and will have a maximum of 10 employees at the facility and as such, the 25 parking spaces required per code are unnecessary;
- Chair Rigoni reiterated to staff that a building materials variance request was not being sought with the development. As such, the proposed building materials and architecture would have to be altered to comply with the Zoning Ordinance requirements;
- Commissioner Knieriem expressed concern with the limited landscape plan that is proposed;
- Commissioner Leddin noted the existing lot size is 1 acre and the proposed is a 2-acre lot which is narrower and deeper with the ability to avoid the need for a parking variance;
- Commissioner Knieriem questioned if there will be any challenges with lowering the asphalt along the drain easement. Jeff Graefen noted there is going to be a swale along the easement where the storm sewer runs regardless and sees no issue with it;
- Chair Rigoni questioned if there is a catch basin on the property and whether it will be covered due to the lot combination. Mr. Graefen noted there is a catch basin on the lot but will not be covered;
- Commissioners expressed a concern with the 6' tall fence and recommended to install an 8' tall fence;
- Chair Rigoni questioned if a chain link fence installation is common in the industrial park. Mr. Brown noted that type of fencing is common in the industrial park along with chain link fence slats;
- Commissioners expressed a concern with the landscaping proposal and recommended for the applicant to provide a landscaping plan to screen the outdoor storage area. Mr. Graefen stated that the outdoor storage area would be adequately screened by the proposed 8' tall fence;

- Mr. Graefen questioned the reasoning for the 20' side yard setback noting that he is providing a 15' setback on the north side of the property line and sees no issue with it. Applicant noted there are other developments that provide a 15' side yard setback within the Fey-Graefen subdivision and sees no issue with it;
- Chair Rigoni suggested for the applicant to add additional parking spaces within the outdoor storage area in order to avoid a variance for a parking deficiency. The applicant noted he will stripe the parking spots to avoid a variance for parking;
- Commissioners discussed the concerns with the applicant regarding the proposal lacking a landscaping plan to screen the outdoor storage. Applicant decided to table the public hearing to April 22<sup>nd</sup> in order to revise the proposal and provide a landscaping plan.

**Motion (#2):** Table the public hearing to April 22, 2021.

Motion by: Michuda  
Approved: (6 to 0)

Seconded by: Hogan

**C. Public Hearing Request: O'Malley Builders, Inc. Major PUD change (Ref. # 108) (Tabled from March 25, 2021)**

Public Hearing Request: Major Planned Unit Development Change to the Lighthouse Pointe Phase 3 Townhomes to revise the site plan regarding the lot layouts and revise the architectural designs for the development approved for 87 units. Other Request: Plat of resubdivision approval.

Senior Planner, Christopher Gruba presented the staff report and provided an overview of the request noting some of the lot locations were rearranged and added a 3-car garage option for thirteen (13) specific units. The applicant, Shawn O'Malley, was present and noted that some of the lots were rearranged since a new survey and engineering review took place that revealed that the flood zone boundaries were slightly inaccurate.

During the Plan Commission Discussion:

- Commissioners questioned if any of the optional 3-car garage will face Pfeiffer Road. Shawn O'Malley noted none of the optional 3-car garage will face Pfeiffer Road;
- Existing resident in Lighthouse point questioned what the plan is for the street maintenance during construction. Mr. O'Malley noted they will follow the same standard construction maintenance and will include a silt fence on the construction sites to maintain any debris;
- Existing resident questioned the allowed construction working hours. Mr. Brown noted the allowed working hours are Monday – Friday 7 am to 7 pm.

- Resident Christian Wilson residing at 20394 Grosse Point Drive questioned the standing water on his lot. Mr. O'Malley noted that the standing water will have to be discussed with the Village to see if there's a leak. Mr. Brown noted he will have a Village employee go to the site to further investigate;
- Resident Rita Robertson residing at 20357 Mackinac Point Drive questioned if the doors on the 2-units will match those of the existing units on the same street. Mr. O'Malley noted they will match;
- Resident on Mackinac Pont Drive questioned if there is a landscaping plan in place to screen the cemetery on the rear of the lots. Mr. O'Malley noted there is no plan in place, but any resident can purchase any plantings and coordinate with him to be incorporated with the existing plantings;
- Resident Laura Johnson who lives on lot 14 expressed her concern with the added traffic resulting from office/model home on lot 13. Other neighboring residents also expressed a concern with the traffic on lot 13 which is on a cul-de-sac on Indiana Harbor Drive. Mr. Brown questioned the builder how many visitors he anticipates each day. Mr. O'Malley noted it varies some days it could be 10-13 and some days it could be 1-2 visitors. Mr. O'Malley noted any overflow parking can also park on Pfeiffer road. Chair Rigoni noted for staff to review with the builder the 3 parking spots in the middle of the cul-de-sac showing on the previous plan.

**Motion (#3):** Recommend to the Village Board to approve the Major PUD Change, in accordance with the reviewed plans and public testimony, conditioned on approval and recording of a corresponding Plat of Resubdivision.

Motion by: Guevara  
Approved: (6 to 0)

Seconded by: Hogan

**Motion (#4):** Recommend to the Village Board approve the Plat of Resubdivision for Lighthouse Pointe Phase 3, conditioned on final engineering approval.

Motion by: Guevara  
Approved: (6 to 0)

Seconded by: Knieriem

**A. Public Hearing Request: Ultimate Volleyball Special Use (Ref. #104)**

Public Hearing Request: Special use for indoor recreation/entertainment in the B-2 zoning district to permit the operation of Ultimate Volleyball, an athletic training facility, located at 10850 W. Laraway Road, Units 1-3W.

Senior Planner, Christopher Gruba presented the staff report and provided an overview of the request noting Ultimate Volleyball has been operating in this building for several years within the main indoor sports field area and are proposing no tournaments at this facility. Mr. Gruba noted that Ultimate Volleyball is seeking units 1-3W for office use and strength training activities. The representative Laura Sues was present and noted

they have been operating for over 20 years and are looking to increase practice times and not increasing patrons at this time.

During the Plan Commission Discussion:

- Several neighboring residents were present and expressed a concern with the traffic from the tournaments taking place at the Heritage Sports Plaza. Residents noted sometimes their mailboxes are blocked and are not able to get mail service. Other concerns are that the overflow parking is happening in streets where parking is restricted and concern with access to Laraway Rd from Heritage Drive. Mr. Brown noted the traffic concern can be addressed at the Traffic Advisory Committee;
- Commissioner Leddin questioned how the Village could guaranty no increase of athletes/ patrons on the facility. Applicant noted at the current time they are not planning on increasing the number of patrons but not sure on the future. Mr. Brown noted there is a capacity limit on the building that will have to abide by;
- Neighboring resident questioned if there are any restrictions on hours of operations for the facility. Mr. Brown noted they can operate from 7 AM to 11 PM with no restrictions;

**Motion (#5):** Recommend to the Village Board to approve the Special Use Permit, in accordance with the reviewed plans and public testimony, with the condition that all activities occur within the building and that tournaments will not be held at this location.

Motion by: Knieriem  
Approved: (6 to 0)

Seconded by: Leddin

**B. Public Hearing Request: Buford's BBQ and Bourbon (Ref. #105)**

Public Hearing Request: Special use for accessory liquor sales to permit the operation of Buford's BBQ and Bourbon, a carry-out restaurant, proposed at 21112 S. LaGrange Road.

Senior Planner, Christopher Gruba presented the staff report and provided an overview of the request noting the prior restaurant at the location did not hold a liquor license. The accessory liquor license would allow for sales of beer, wine, and bourbon only. The applicant, John Mathis, was present and noted he will like to employ about 10 employees and will like to be open on Mondays also. On his current request his intent was to only open Tuesday – Sunday.

During the Plan Commission Discussion:

- Applicant noted the hours of operation will be Monday – Thursday 11 am – 8 pm, Friday – Saturday 11 am – 9 pm, and Sunday 11 am – 8 pm;
- Commissioners discussed the liquor license and reiterated that it does not allow

for carry-out liquor but rather for consumption on site;

- Commissioner Leddin questioned the applicant on the vision between the 2 adjacent restaurants that he will operate; the existing Salina's Pizza and the proposed Buford's BBQ & Bourbon. Mr. Mathis noted he is planning on keeping the two businesses independent for now but there is a possibility in the future he will combine the two restaurants.

**Motion (#6):** Recommend to the Village Board to approve the Special Use Permit for accessory liquor sales to permit the operation of Buford's BBQ & Bourbon, located at 21112 S. LaGrange Road in accordance with the reviewed plans and public testimony and conditioned upon limiting alcohol sales to beer, wine and bourbononly.

Motion by: Hogan  
Approved: (6 to 0)

Seconded by: Knieriem

**C. Varner Variances (Ref. #106)**

Public Hearing Request: Three (3) variances in the E-R zoning district to permit the construction of new single-family residential dwelling, located at 613 Prestwick Drive. The variances would permit a decreased side yard setback from the east and west property lines and permit the use of non-masonry siding.

Senior Planner, Christopher Gruba presented the staff report and provided an overview of the request noting 83% of the homes in the subdivision are constructed of masonry and 17% are non-masonry. The applicants, Steve and Jarrett Lecas were present along with the property owners, John & Erin Varner. Steve Lecas noted that the Prestwick Subdivision HOA regulations require that garages be attached to the house. New detached garages are not permitted in Prestwick. As such, the attached garage became part of the primary structure, requiring a 25' side yard setback. If the garage were detached, it would only require a 10' side yard setback and would comply with the Zoning Ordinance.

the property owners' hardship of losing space to build on due to not being able to construct a detached garage. Since the owner is required to build an attached garage and must abide by the 25' side yard setback. If the garage were detached from the house, the regulations for accessory structures would apply. Accessory structures must be set back at least 10' from side or rear property lines and cannot be placed within the front yard setback.

During the Plan Commission Discussion:

- Chair Rigoni noted four (4) neighboring residents residing at 681 F, 612, 615 and 611 Prestwick Drive submitted their letter of approval along with the Prestwick Homeowners Association;
- Commissioner Michuda noted initially was concerned with the side yard setback but now realizes the property line tapers on the west side of the property line. The lot measures approximately 150' wide, measured at the front

yard setback line, which is 40' back from the front property line. The lot narrows to 135' wide along the rear property line;

- Chair Rigoni expressed her appreciation for the updated exhibit with the trees;
- Commissioners questioned if the proposal offers a chimney. Steve Lecas noted the proposal will offer an exterior masonry fireplace.

**Motion (#7):** Recommend the Village Board to approve the variance request for first-floor building materials to allow non-masonry siding on the property located at 613 Prestwick Drive, in accordance with the reviewed plans and public testimony.

Motion by: Hogan  
Approved: (6 to 0)

Seconded by: Guevara

**Motion (#8):** Recommend the Village Board to approve the variance request to reduce the required side yard setback (west) for the primary structure from 25' to 22.3', on the property located at 613 Prestwick Drive, in accordance with the reviewed plans and public testimony.

Motion by: Guevara  
Approved: (6 to 0)

Seconded by: Knieriem

**Motion (#9):** Recommend to the Village Board approve the variance request to reduce the required side yard setback (east) for the primary structure from 25' to 17.7', on the property located at 613 Prestwick Drive, in accordance with the reviewed plans and public testimony.

Motion by: Hogan  
Approved: (6 to 0)

Seconded by: Michuda

#### **D. Public Comments**

None.

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

Trustee Clavio discussed items covered at the various committee meetings of the Village noting the Village Board approved the Brown variance requests at 143 Kansas Street and the Wine Thief special use permit with the revised plans.

#### **F. Other Business**

Trustee Clavio thanked the Plan Commission members for all their work with every variance request as he retires as a Village Trustee.

#### **Attendance Update**

All members present confirmed their availability for the next Plan Commission meeting to be held on April 22, 2021 except Dan Knieriem.

**Motion (#10):** Adjournment (9:45 PM)

Motion by: Michuda

Seconded by: Hogan

Unanimously approved by voice vote.

Approved April 22, 2021

As Presented   X  

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

Maura A. Rigoni /s/Maura Rigoni, Chair

Christy L. Duba /s/ Secretary