



**MINUTES  
MEETING OF VILLAGE OF FRANKFORT  
PLAN COMMISSION / ZONING BOARD OF APPEALS  
FEBRUARY 25, 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, Will Markunas, Dan Knieriem, Michael Leddin, Ken Guevara, and Chair Maura Rigoni

**Commissioners Absent:**                      Lisa Hogan

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

**Elected Officials Present:**                      Trustee John C. Clavio as Village Board Liaison, Mayor Holland, Trustee Farina, Trustee Ogle, Trustee Petrow, Trustee Borrelli and Trustee Savaria

**A. Approval of the Minutes from February 11, 2021**

**Motion (#1):** Approval of the minutes from February 11, 2021.

Motion by: Michuda                                      Seconded by: Guevara  
Approved: (5 to 1)  
Abstain: (1) Rigoni

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

**B. Public Hearing Request: Polaris Martial Arts Special Use (Ref. #102)**

Public Hearing Request: Special Use for indoor recreation/entertainment in the B-2 zoning district to permit the operation of Polaris Martial Arts, a martial arts studio, located at 10850 W. Laraway Road, Unit 3E.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that the use had been operating within 3W for many years and the applicant was seeking to relocate from Unit 3W to Unit 3E. Mrs. Devries was present and noted that they were operating in Unit 3W for 15 years and are now looking to move into a smaller unit. Special use permits are required when tenants move into a different unit within the same building, as the original special use permit is often granted for a specific unit. Mrs. Devries gave Mr. Gruba the title insurance and certified letter receipts at the meeting.

During the Plan Commission Discussion:

- Commissioner Leddin questioned the maximum occupancy for the unit. Mrs. DeVries noted the maximum occupancy anticipated is 25 patrons which includes students and some parents that wish to observe in person versus via zoom. Applicant also noted that it's the same scenario at their location in Crete, IL;
- Chair Rigoni noted that the square footage is considerably smaller within the 3E unit, area measures 44' x 26', or 1,144 square feet sees no issue with the special use request;
- Commissioner Guevara questioned the reasoning for not offering tournaments at this location clarifying no additional need for parking. Applicant noted they are part of the ATA Martial Arts members and the organization offers facilities for the tournaments since it's rather large events. Applicant noted there is no need to have an approval to hold tournaments since no tournaments take place at the facility;
- John Carl, residing at 22250 Heritage Drive, just to the northwest of the access drive to the commercial building, questioned the hours of operation but had no concerns with the request. Applicant noted the hours of operation are Monday through Friday 3-8 PM and closed on weekends;

**Motion (#2):** Recommend the Village Board to approve the Special Use Permit for indoor recreation and entertainment for Polaris Martial Arts, located at 10850 W. Laraway Road, Unit 3E, in accordance with the reviewed plans and public testimony.

Motion by: Michuda  
Approved: (6 to 0)

Seconded by: Guevara

**C. Public Hearing Request: Xtreme E- Sports Special Use (Ref. #103)**

Public Hearing Request: Special Use for indoor recreation/entertainment in the I-1 zoning district, to permit the operation of Xtreme E-Sports, a recreational sports virtual gaming center, located at 9324 Gulfstream Road, Unit 1E.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that the possible approval may be tied in with the condition to stripe the parking lot. The applicants, Gustavo and Lorena Esquivel, were present for discussion and noted they are the sole owners of the building and plan on running the operation of the facility.

During the Plan Commission Discussion:

- Commissioner Michuda questioned the need for a water fountain inside the west unit as noted on the floor plan provided. Mr. Gruba noted that it's not required for Plan Commission approval but rather for the Building Department approval to ensure the unit is up to the Building Code and obtain the operating permit;

- Commissioner Michuda questioned the number of restrooms available at the facility. Mrs. Esquivel noted there is one (1) restroom proposed for male and one (1) restroom proposed for female use;
- Commissioner Guevara questioned staff if parking is allowed on the street. Mr. Brown noted Gulfstream Road is wide enough to allow parking on both sides of the street and parking is not restricted;
- Chair Rigoni questioned the hours of operation. Mrs. Esquivel noted the gaming center will be open 7 days a week from 8 AM to 8 PM and adjusting the hours based on clientele need;
- Commissioners questioned the applicant whether there will be any food preparation at the facility. Mrs. Esquivel noted there's no plans to prepare food at the unit there will only be packaged goods to be offered;
- Commissioner Knieriem questioned the type of business previously in the location. Mr. Esquivel noted there were no tenants at the proposed location, it was only open space that was not utilized;
- Commissioner Guevara questioned staff on the process if the applicant will decide at a later point to offer prepared food at the facility. Mr. Gruba noted that if there was a request to offer prepared food the special use permit would have to be reevaluated;
- Commissioner Leddin questioned whether the use is intended more towards training or socializing. Mrs. Esquivel noted the intention is for patrons to utilize more towards training;
- Commissioners discussed the need to condition the request to no food preparation at the facility. Mr. Brown noted permits will be required if food preparation will take place at the facility. Mrs. Esquivel added that there are no plans to prepare food at the facility and will only offer packaged food and bottled drinks. At this point the business is in process of being developed and looking at options to offer to patrons and know the limitations. Mr. Gruba noted that there are certain food items that can be offered that are considered microwave food;
- Member Guevara questioned the intent to install ovens for cooking at the facility. Mrs. Esquivel noted there is no intent to install ovens since not offering mass production of foods and or food preparation;
- Commissioner Michuda questioned applicant whether there are intentions to allow for party events at the facility. Applicant noted the intent she envisions is for coaches to take their teams to practice;
- Chair Rigoni questioned if the patrons will be required to make appointment or will walk-ins be accepted. Mrs. Esquivel noted appointments will be required by the patrons;

- Mr. Brown questioned the applicant if there is an intent to serve alcohol at the facility and or allow for patrons to bring in their own alcoholic drinks. Mrs. Esquivel noted that there is no intent to serve alcohol and or allow patrons to bring their own alcoholic beverages;

**Motion (#3):** Recommend the Village Board approve a Special Use Permit for indoor recreation and entertainment for Xtreme E- Sports, located at 9324 Gulfstream Road, Unit 1E, in accordance with the reviewed plans and public testimony, with the conditions that the parking lot is re-striped and that double-parking on the site is prohibited.

Motion by: Guevara

Seconded by: Knieriem

Approved: (6 to 0)

**D. Public Hearing Request: The Wine Thief Special Use (Ref. #104)**

Public Hearing Request: Special Use for outdoor seating associated with a permitted restaurant, along the north façade of the building for The Wine Thief, a full-service restaurant, located at 6 Elwood Street.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that the proposal will take up 6 parking spots. The applicants, Edward and Valerie Thelen, were present and noted that they are trying to provide to the patrons the same experience as with the patio on the east side of the building. Mr. Thelen also noted that a pergola has been added on the North side of the building's entrance to bring out the front door of the dining area.

During the Plan Commission Discussion:

- Commissioner Knieriem expressed the same prior concern with the request to install an outdoor dining patio along the north façade of the building consuming 6 parking spaces. Commissioner Knieriem questioned the applicant if he reviewed the recommendation to move the proposal east and incorporate with the existing patio as previously suggested at the workshop meeting. Mr. Thelen noted that he recalls the recommendation but it's not easy to process. He tried to soften the look and at the same time keep the existing tree. Commissioner Knieriem noted he's concerned with preserving the integrity of the building;
- Commissioner Markunas noted the applicant made the biggest change to the entrance of the patio by adding the pergola but, is concerned with the safety of the patrons when exiting the patio area. The 2-step encroaching into the parking lot eastbound when leaving the establishment will leave the patrons directly on the drive aisles allowing an accident involving the patrons leaving and the vehicles on the drive aisle. Applicant noted he was focusing more on the safety of the proposal and did not review the safety issue with the drive

aisle and exiting patrons. Applicant also noted he will recess the stairs and the concrete landing to help with the concern. Commissioner Markunas noted his approval to condition for the stairs to be recessed along with adding a safety sign;

- Commissioner Michuda noted that she agrees that more outdoor seating area is needed but would like to see both patios tied in together which will require the patio moved further to the east. Otherwise allowing the patio on the north side of the parking area will set a precedence for other locations in the plaza to propose the same request. Mr. Thelen noted that other locations might not have the same interest and want to invest in adding outdoor patio;
- Resident, April Jackson residing at 21 Carpenter Street noted that she was disappointed with the certified letter that was mailed to the neighboring residents since the letter did not provide much details of the proposal. Mrs. Jackson questioned the hours of operation and outdoor lighting proposal. Mr. Thelen noted the hours of operation are Sunday 11 AM to 8 PM, Mondays 11 AM to 6 PM, Tuesday Through Thursday open 11 AM to 9 PM and Friday and Saturday 11 AM to 10 PM. Applicant noted he is proposing festoon lighting with a brightness of 2,700 Kelvins which is similar to the current lighting installed on the east patio;
- Chair Rigoni read the letters that were submitted to staff prior to the plan commission meeting with comments;
- Commissioner Knieriem questioned the fellow Commission members whether they felt it was appropriate to request for the proposal to be moved over to the east to incorporate with the existing patio or leave as proposed;
- Commissioners questioned the long-term plans for the north east corner area. Applicant noted he plans on adding amenities to the area but unfortunately at this point his budget was for the north outdoor patio;
- Commissioners discussed the size of the proposed outdoor patio. Some commissioners suggest reducing the size of the patio that possibly feels too intense and other commissioners are ok with the size of the proposed patio and feel of the outdoor dining;
- Commissioner Markunas noted he likes the addition of the pergola on the front of the dining area; he feels it makes it more inviting. And shows support for the proposal if his safety concerns are addressed;
- Commissioner Michuda noted she would like to see the plans depicting both patios to view how they flow together;
- Applicant noted both gates for the patios will be closed after hours to prevent pedestrian traffic. Chair Rigoni expressed appreciation to close the gates;

**Motion (#4):** Recommend the Village Board approve a special use permit for outdoor seating associated with a permitted restaurant, along the north façade of the building for The Wine Thief, located at 6 Elwood Street in accordance with the reviewed plans and public testimony.

Motion by: Markunas

Seconded by: Guevara

Approved: (6 to 0)

**E. Workshop: Multack Eye Care**

Future Public Hearing Request: Construction of a building addition on the south side of the building, involving the removal of the drive-through canopy previously used for First Bank of Frankfort, requiring one or more variances.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that the development is not part of a PUD. The applicant, Sam Multack and the architect, Jonathan Murawski, were present and Mr. Murawski noted that the construction will add 12-13 rooms in which some will be pre-exam rooms, exam rooms, office space and some rooms will allow for storage rooms.

During the Plan Commission Discussion:

- Commissioner Michuda questioned whether there were other options to expand on other sides of the building. Mr. Murawski noted that it was not possible to expand on the north side of the building due to the drive-aisle;
- Commissioner Knieriem questioned the number of businesses that will be operated in the building. Mr. Murawski noted that there will be two (2) businesses operated in the building which includes eyewear sale and eye treatment;
- Member Knieriem questioned the applicant whether the ATM will be removed from the site. Applicant, Sam Multack noted it will be removed;
- Chair Rigoni questioned what the interior side yard setbacks are. Mr. Nielsen noted the interior side yard setbacks are 15 feet in the B-2 zone district. However, this property contains a front yard, a rear yard and two corner side yards (no interior yards). The south property line is considered the rear property line, requiring a 30-foot building setback;
- Chair Rigoni noted her concern with the 2 new proposed handicap parking spots on the east side of the building addition. The concern is with the traffic flow when the vehicles parked in the handicap spots are backing up directly into the main drive aisle. Mr. Brown suggested to look at the green space available in the parking area to the north to add parking spots there instead. Commissioners suggested for the parking spots to be revised and submit an updated plan;

- Chair Rigoni questioned if the building materials utilized for the addition will match with the existing materials. Mr. Multack noted the building materials for the proposed addition will match the existing materials on the building;
- Chair Rigoni questioned if any HVAC will be installed on the roof that will require screening. Applicant noted there will be none installed;

#### **F. Workshop: 143 Kansas**

Future Public Hearing Request: Demolition of the existing single-family home and construction of a new single-family home within Downtown Frankfort, zoned R-2, requiring several variances.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that there are 8 variance requests with the proposal and not all homes in the area meet the building materials requirement. The property owner, Jim Sleeman and architect, Gabriel Garcia and applicant, Amy Brown were present and noted that the size of the lot is a challenge to meet all the requirements but, is improving on some of the variance request making it be less non-conforming.

During the Plan Commission Discussion:

- Commissioner Knieriem noted the proposal is in line with the other homes in the area and has no concern with the multiple variance requests except the rear yard setback for the detached garage at 0'. Commissioner suggested for the applicant to move the garage at least 2' away from the property line;
- Commissioner Markunas noted he has no concern with the variance request proposed but, just questioned the drainage on the back of the property. Other commissioners expressed concern with the runoff water from the roof line and suggested to look at options including possibly to tie in with the existing storm drain. Property owner, Jim Sleeman noted the drainage will be pitched correctly and engineer will provide a drain plan;
- Chair Rigoni questioned the size of the garage to be constructed on the rear of the property. Mr. Sleeman noted the proposal is for a 2-car garage;
- Commissioner Guevara noted he has no concerns with the proposal. Commissioner was reviewing the plans and comparing to the existing and sees no big change in setbacks;
- Commissioners discussed with staff the difference between lot coverage and impervious lot coverage;
- Commissioners requested staff to provide a chart depicting a list of lots in the downtown area that had received variances regarding setbacks, lot coverage, impervious lot coverage and heights, in order to compare them with the proposed variance requests for 143 Kansas.

- Commissioner Markunas requested staff to provide a list of homes that were approved that do not meet the building materials requirement of being constructed with first floor masonry;
- Commissioner Knieriem noted he has no concern with the building materials proposed since it fits in well with the area but, suggests softening the look of the proposal with a brick sidewalk;
- Resident, Marcia Steward residing at 143 Kansas Street questioned the number of homes that have been constructed since "The 2040 Comprehensive Plan" was adopted. Mrs. Steward expressed her concern with the 8 variance requests to construct the home;
- President of the Old Town Homeowners Association, Mark Adams noted that he likes the overlay of the proposal, likes the detached garage and the idea of a ribbon driveway, but was concerned with the height of the home. Mr. Adams suggested reducing the pitch of the roof and therefore the overall height;

#### **G. Public Comments**

None.

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

Trustee Clavio discussed items covered at the various committee meetings of the Village noting the Ziolkowski Variance request for a new driveway on the property located at 254 Willow Street was approved at the Village board meeting.

#### **I. Other Business**

None

#### **J. Attendance Update**

All members present confirmed their availability for the next Plan Commission meeting to be held on March 11, 2021.

#### **Motion (#5):** Adjournment (9:51 PM)

Motion by: Markunas

Seconded by: Leddin

Unanimously approved by voice vote.

Approved March 11, 2021

As Presented   X  

As Amended                     

Maura A. Rigoni /s/Maura Rigoni, Chair

Christopher D. Duda /s/ Secretary