



MINUTES
REGULAR MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
OCTOBER 12, 2017 – VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET

Call to Order Chair Don Schwarz called the meeting to order at 6:30 P.M.

Commissioners Present: Margaret Farina, Lisa Hogan, Alicia Hanlon, Gene Savaria, Maura Rigoni, Jessica Petrow and Don Schwarz

Commissioners Absent: None

Staff Present: Building Department Supervisor Adam Nielsen and Administrative Assistant Marina Zambrano

Elected Officials Present: Trustee Mike Stevens, Trustee Keith Ogle, Trustee Bob Kennedy, Trustee John Clavio and Clerk Adam Borelli

A. Approval of Minutes from September 28, 2017

Motion (#1): Approve the minutes as amended from September 28, 2017

Motion by: Rigoni

Seconded by: Farina

Approved: (6 to 0)

Abstain: Petrow

B. Public Hearing Request: Malecki Variance (Ref. #102)

Public Hearing Request: Accessory structure area variance from 144 sq. ft. to permit the construction of a pergola on the property located at 22191 Chamomile Drive.

Building Department Supervisor Adam Nielsen presented the staff report and provided an overview of the request. Neighboring property owner Lou Hayes offered comments supporting the proposed structure.

- Commissioners discussed the proposed structure and questioned if a roof would be installed. The applicant indicated the proposed structure is open.
- Commissioners discussed the placement of the structure. The applicant indicated there is an existing 16' X 16' paver patio and the structure would cover the existing patio pavers.
- The applicant indicated she received approval from the Sandalwood Estates Home Owner's Association and neighboring property owners.

Chairman Schwarz asked for additional public comment and none were forthcoming.

Motion (#2): Recommend the Village Board approve an accessory structure area variance from 144 square feet to 324 square feet to permit the construction of a pergola in the rear yard of the property located at 22191 Chamomile Drive in accordance with the reviewed plans and public testimony.

Motion by: Hogan
Approved (6 to 0)

Seconded by: Petrow

C. Public Hearing Request: Westerberg Variance (Ref. #103)

Public Hearing Request: Variance of a maximum area of a recreational facility from 144 sq. ft. to 1,700 sq. ft., to permit the construction of a sports court at 22080 Chamomile Drive.

Building Department Supervisor Adam Nielsen presented the staff report and provided an overview of the request. The applicant, Gregory Westerberg, commented that he revised his proposal to accommodate neighbor and Plan Commissioner comments. He also commented that the location of the court was moved further south to address neighboring property concerns and indicated additional landscaping would be installed. Patrick Flynn, who resides at 22040 Chamomile Drive, commented that although children need a safe place to play, he was not in support of the sports court proposal.

- Commissioners thanked the applicant for listening to their previous comments and reducing the size of the sports court area.
- Commissioners questioned the home owner's association approval process and asked what steps were necessary to obtain approval. The applicant indicated plans were submitted to the Sandalwood Board and voted upon. The applicant also commented that he received HOA approval for the previous proposal as well as the revised proposal.
- Commissioners discussed the material to be used on the sports court surface. The applicant indicated it was a Mateflex III surface that provides cushioning and absorption of noise.
- Commissioners discussed drainage on the proposed lot. The applicant's contractor indicated the sports court will be placed at or near the same elevation of the existing ground and did not foresee any drainage concerns. Staff also indicated they were not aware drainage concerns in the area.

Chairman Schwarz asked for additional public comment and none were forthcoming.

Motion (#3): Recommend the Village Board approve an accessory structure area variance from 144 square feet to 1,700 square feet to permit the construction of a sports court in the rear yard of the property located at 22080 Chamomile Drive in accordance with the reviewed plans and public testimony and conditioned upon no illumination of the sports court area.

Motion by: Hogan

Seconded by: Rigoni

Approved (4 to 3)

Ayes: Hogan, Rigoni, Hanlon and Schwarz

Nays: Farina, Savaria and Petrow

D. Public Hearing Request: Novak Variance (Ref. #104)

Public Hearing Request: Variance of the maximum area of a recreational facility from 144 sq. ft. to 1,344 sq. ft. to permit the construction of a sports court on the property located at 8266 Karli Jean Court.

Building Department Supervisor Adam Nielsen presented the staff report and provided an overview of the request. Applicant, Rob Novak, further explained his revised variance proposal. Neighboring property owners Jeffrey Onik and David Keener commented that they opposed the proposed variance request citing a concern that the applicant was utilizing too much of the yard and felt it would lead to drainage concerns and noise complaints.

- Commissioners discussed the revised sports court proposal and thanked the applicant for his efforts in revising the plan.
- Commissioners discussed what material would be placed on the sports court. The applicant indicated a plastic tile would be placed over the concrete surface.
- Commissioners questioned why the applicant had begun construction on the pergola that did not receive a favorable recommendation from the Plan Commission, during the September 14th meeting. The applicant indicated his landscaper installed the post without his knowledge, but was hopeful to return to the Plan Commission at a later date to request a smaller accessory structure variance. Staff informed the applicant and the Commission that this issue would most likely be given to our Code Enforcement Department, as a building permit was not issued for this work.
- Commissioners discussed drainage concerns brought forth by neighboring property owners. Staff indicated a small ponding area was identified on the applicant's parcel, but could easily be rectified during the pre-sod inspection with either the installation of a grass swale or drain tiles. Staff noted the ponding area does not affect the neighboring properties.
- Commissioners discussed the layout of the proposed court. Commissioners also questioned why the applicant could not move the court closer to his home or away from the northeastern property line. The applicant indicated he previously constructed a playset in the middle of the yard, but would consider moving the court to the northwestern corner of the property. The applicant also indicated he hoped to leave the northwestern corner open for the possibility of a future pool.

Commissioners
discussed
quality of
cites for
neighboring
residents

Chairman Schwarz asked for additional public comment and none were forthcoming.

Motion (#4): Recommend the Village Board approve an accessory structure area variance of 144 square feet to 1,344 square feet to permit the construction of a sports court in the rear yard of the property located at 8266 Karli Jean Court in accordance with the reviewed plans and public testimony and conditioned upon no illumination of the sports court area and staff approval of a specific landscape plan.

Motion by: Hogan

Seconded by: Rigoni

Denied (4 to 2)

Ayes: Rigoni and Hogan

Nays: Savaria, Hanlon, Farina and Petrow

E. Public Hearing Request: The Hart Wellness Center Special Use (Ref. #105)

Public Hearing Request: Special use to incorporate massage services into the existing business, The Hart Wellness Center, located at 32 W. Nebraska Street, Unit 1A.

Building Department Supervisor Adam Nielsen presented the staff report and provided an overview of the request. Applicant, Dr. Derek Hartman, provided an overview of his existing business practice. Neighbor, Pam Griffin, asked how many staff would be on-site as she has concerns about the overflow parking associated with that lot.

- Commissioners discussed the special use request and found it to be similar to prior special use approvals.
- Commissioners discussed the Zoning Ordinance requirements for massage establishments and questioned why the applicant did not have separate changing rooms. The applicant indicated they have utilized the entire space and did not have room for separate changing areas. The applicant also commented that the clinical massage he offers is a very small portion of his business and suggested that patrons disrobe in the therapy room, much like our other establishments.
- Commissioners noted the business license inspection revealed the massage room did not have the required self-closing hardware installed. The applicant commented that he proposes to comply with the requirements.

Chairman Schwarz asked for additional public comment and none were forthcoming.

Motion (#5): Recommend the Village Board approve a special use permit for a massage establishment for The Hart Wellness Center located at 32 W. Nebraska Street, Unit 1A in accordance with the reviewed plans and public testimony and conditioned upon the applicant replacing the door hardware with a self-closer to comply with Village Ordinance requirements.

Motion by: Farina

Seconded by: Hanlon

Approved (6 to 0)

F. Workshop: Freddy's Frozen Custard & Steakburgers

Future Public Hearing Request: Major Planned unit development change, and special use for a carry-out restaurant, with outdoor seating, and drive-thru service, to operate Freddy's Frozen Custard & Steakburgers, proposed at 9701 W. Lincoln Highway.

Building Department Supervisor Adam Nielsen presented the staff report and provided an overview of the request.

During the Workshop:

- Commissioners discussed numerous items with the applicant that revolved around the proposed architecture of the building. The applicant commented they were excited about building in Frankfort and would incorporate changes recommended by the Plan Commission.
- Commissioners discussed the special use for the proposed drive thru. Commissioners requested the applicant add additional landscape screening along the northwest corner of the property to help mitigate headlight glare towards vehicular traffic traveling east on Rt.30. The applicant commented he will update the plans to reflect the proposed changes.
- Commissioners discussed the proposed deviations in regards to the required setbacks. Staff informed the Commission that if IDOT did not take property along that parcel for their widening project, the proposed setbacks would most likely comply.
- Commissioners discussed the proposed trash enclosure and landscaped retaining wall. Commissioners felt the columns on the front of the trash enclosure should also be added to the back. Commissioners also commented the enclosure and landscaped wall should utilize the same brick. The applicant agreed to these changes.
- Commissioners discussed the architecture of the building and thanked the applicant for providing samples that closely matched the existing center. Commissioners noted the EIFS area that contains the signage should be revised to either a stone, brick or limestone material. Commissioners also discussed the striped awnings and asked the applicant to either remove them or provide for one single color. The applicant agreed to these changes and noted the revised plans will reflect the revisions and commented they would like to keep the awnings, but would revise to a single color being red.
- Commissioners discussed the photometric plan. Commission members noted a previous proposal at this location utilized a soft LED fixture that was previously approved. The applicant requested to view the previous photometric plan and agreed to the comments.

