

VILLAGE OF
FRANKFORT
EST • 1855

LAND USE AND POLICY COMMITTEE MINUTES
DECEMBER 11, 2019

CALL TO ORDER

Chair Keith Ogle called the meeting of the Land Use and Policy Committee meeting to order at 6:00 P.M. on Wednesday, December 11, 2019, at the Village Administration Building, 432 W. Nebraska Street, Frankfort, Illinois.

ROLL CALL

Land Use and Policy Committee members present included Mayor Jim Holland, Village Clerk Gene Savaria, Chair Keith Ogle, Trustees John Clavio, Adam Borrelli, Margaret Farina, and Jessica Petrow; Stacy Bond, Michael DiMaggio, Cindy Heath, Brian Samuels, and Paul Slade. Staff in attendance included Village Administrator Rob Piscia, Asst. Administrator Jeff Cook, Police Chief John Burica, Asst. Director of Development Services Zach Brown, Building and Economic Development Manager Adam Nielsen, and Administrative Assistant Theresa Cork. Also in attendance were Ed Thelen, Valerie Thelen, Bob Wade, and Nuria Mathog.

APPROVAL OF MINUTES (November 13, 2019)

Trustee Borrelli made a motion (#1), seconded by Member Samuels, to approve the minutes of the Land Use and Policy Committee meeting of November 13, 2019, as presented. The motion was unanimously approved.

VILLAGE'S CODE OF ORDINANCES AMENDMENTS

a. Chapter 72, Parking Regulations - Parking and Storage of Commercial Vehicles

Manager Nielsen presented a proposed modification to Chapter 72, Parking Regulations, of the Village of Frankfort Code of Ordinances for committee discussion. The proposed amendment modifies the definition of a commercial vehicle and prohibits commercial vehicles from parking on streets or alleys within the Village, or on private residential driveways for a period in excess of one hour between 7:00 PM and 7:00 AM, except while actively loading or unloading and/or rendering requested maintenance or construction services to owners or tenants.

Mr. Nielsen explained the proposed revision defines a commercial vehicle as any vehicle used for commercial purposes in excess of 8,000 pounds of unladen weight or having a license plate designation above Class B, which includes any truck tractor, trailer, tractor-trailer combinations, limousines, boat or recreational trailers, vehicles with snow plow removal equipment, tow trucks with tow truck apparatus, vehicles with exterior attached equipment including equipment for the

storage and transportation of ladders, vehicles commonly classified or known as "box trucks or cargo vans; and vehicles (regardless of the manufacturers specified gross vehicle weight rating) emblazoned with a business name, advertising and/or business license number of its owner.

Committee members discussed the weight rating and the types of motor vehicles that would be considered commercial as part of this proposed amendment, including vehicles displaying company logos/decals. Members further discussed the challenges of enforcement in a fair and impartial manner due to enforcement being complaint driven.

Following discussion, staff was asked to consider revised language to address differences in residential and commercial areas, as well as considerations pertaining to the Village's sign ordinance and bring it back for further committee consideration at a future date.

b. Chapter 113, Intoxicating Liquor - Wine Bar and Packaged Sales

Asst. Director of Development Services Brown presented a proposed liquor classification category to address the operation of the Waddling Duck Winery, a wine bar and packaged wine sale business proposed at 21 S. White Street. He reported none of the Village's existing liquor license classifications adequately accommodate the operation without extending additional opportunities for liquor sales not presently contemplated by the applicant. He stated the draft L-2 Wine Bar and Packaged Sales liquor license classification would permit this type of use without going beyond their proposal. He noted draft language addressing the proposed operation was originally presented at the August 14th Land Use & Policy Committee meeting, however the committee did not recommend moving forward at that time as a formal application was not yet submitted for a specific user. He reported a Public Hearing before the Plan Commission to permit the operation of the Waddling Duck Winery is scheduled for Thursday, December 12.

Committee members discussed the proposed amendment and some members voiced concern relating to the issuance of a liquor license without food service. Other members felt the business operation would complement other downtown establishments, noting these types of businesses are trendy and on the rise throughout the country.

Following discussion, Member Heath made a motion (#2), seconded by Member Slade, to forward a recommendation to the Village Board amending the Liquor Ordinance to establish a new L-2 liquor license classification. The motion was approved with a 6-4 vote. Staff was directed to communicate to the applicants of the Waddling Duck Winery prior to the Public Hearing that the proposed license classification did not have the support of the majority of the Village Board at this time.

c. Chapter 119, Tobacco - Sales and Purchase of Tobacco to Persons Under 21

Police Chief Burica presented a proposed modification to the Tobacco Ordinance to prohibit the sale and purchase of any tobacco product to persons under 21 years of age. This amendment will bring Village ordinance into compliance with the State of Illinois tobacco laws.

Mayor Holland made a motion (#3), seconded by Member Heath, to forward a recommendation

to the Village Board to approve the Tobacco Ordinance revisions as presented. The motion was unanimously approved.

d. Chapter 150, Building Regulations - Residential Garbage Can Screening Requirements

Manager Nielsen presented a revised addition to the Village's 2012 Property Maintenance Code, which provides screening requirements for residential waste receptacles. This amendment was introduced to committee members at the previous meeting in November and Mr. Nielsen was directed to revise the requirements and offer additional screening options for homeowners. He reported the proposed ordinance requires all single family residential properties to screen their receptacles for waste and recyclable material in such a manner that the receptacle cannot be viewed from the public right of way, noting the regulations are intended to improve community aesthetics.

Committee members discussed the proposed residential garbage can screening requirements and the exhibits displaying various examples of screening opportunities. Overall, members found the additional screening installation opportunities and fine schedule fair and reasonable. It was suggested to make the ordinance effective August 1, 2020, to allow time for staff to disseminate the information and provide residents an opportunity to comply with the new screening requirements.

Member Heath made a motion (#4), seconded by Trustee Farina, to forward a recommendation to the Village Board to approve the Building Regulations revisions as presented. The motion was approved by a majority vote with a dissenting vote by Member Bond.

AFFORDABLE HOUSING PLAN UPDATE

Asst. Director of Development Services Brown provided an update to the Affordable Housing Plan for committee consideration. He explained state law requires the Village to approve an updated Affordable Housing Plan that defines its approach to achieving 10% affordable housing in the community. He noted Frankfort's plan identifies two residential areas adjacent to Frankfort's corporate limits that could be appropriate for annexation and would contribute to the Village's affordable unit count. These land areas are Autumn Valley Lane Apartments on Route 30, located north of Prairie Crossings; and Gateway Mobile Home Park, located at the northeast corner of Steger and LaGrange Roads. It was noted annexation opportunities require the desire of the property owner because the Village does not surround the territory.

Mayor Holland made a motion (#5), seconded by Trustee Farina, to forward a recommendation to the Village Board to adopt the Affordable Housing Plan as presented. The motion was unanimously approved.

CASINO UPDATE

Administrator Piscia shared that the Village continues to monitor the events surrounding the casino license application submitted to the Illinois Gaming Board to locate a casino in Matteson at the northeast corner of Lincoln Highway and Harlem Avenue. He reported the Village is working

with a consultant to assist the Village in understanding the best possible steps to voice concerns over the casino location due to its proximity to schools and residential neighborhoods. He further reported the Village of Matteson recently held a public hearing to consider development of the casino at the former Lincoln Square Mall site and noted Matteson's Board took no formal action to amend their application at the meeting. Members voiced concern relating to Freedom of Information Act (FOIA) requests filed with Matteson that remain outstanding with no documents provided in response. Administrator Piscia noted the Village filed a request to review the Matteson FOIA denials with the Office of the Attorney General.

OTHER BUSINESS

There were no other items for discussion.

PUBLIC COMMENTS

Ed Thelen, co-owner of the soon to open Wine Thief, located at 6 Elwood Street, spoke before the committee and voiced concerns relating to the proposed liquor license classification discussed by the committee. Mr. Thelen recalled the time, effort, and money spent developing their business model, which includes food service and construction of improvements to the space.

ADJOURNMENT

Hearing no further business, Trustee Farina made a motion (#6), seconded by Trustee Petrow, to adjourn the Land Use and Policy Committee meeting of December 11, 2019, at 7:06 P.M. The motion was unanimously approved.