



**MINUTES
RESCHEDULED REGULAR MEETING OF
VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
OCTOBER 1, 2009 – 6:30 P.M. - FRANKFORT POLICE STATION
20602 LINCOLN WAY LANE (LOWER LEVEL)**

Legal notice of rescheduled meeting published in the Frankfort Station on September 17, 2009.

Call to Order

Chair Renae Goldie called the meeting to order at 6:30 P.M.

A. Roll Call

Commissioners Present: John Newton, Dave Schumpp, Bob Beeson, Ken Chemers, Jim Matlock, Renae Goldie, and Don Schwarz

Commissioners Absent: None

Staff Present: Community Development Director Jeff Cook and Planning Tech, Tony Minette

Elected Officials Present: Liaison to the Village Board, Trustee Mike Stevens

B. Approval of Minutes from September 24, 2009

Motion (#1) to approve by: Chemers Seconded by: Schwarz

Approved (7 to 0)

Abstain (0)

C. Public Hearings

Newell Fence Variance

Applicant: John Newell

Location: 915 N. Butternut Circle

Request: Variance of the maximum fence height from 5' to 6' to permit the construction of a 6' fence along the east property line.

Legal notice published in the Frankfort Station on September 17, 2009.

Chair Goldie swore in all those wishing to provide testimony. Certified receipts for the registered letter were entered into the record.

Planning Tech Tony Minette presented the staff report and provided an overview of the request.

The applicant was present and acknowledged he would answer any questions.

No additional public testimony was offered.

Motion (#2): Close the public Hearing
Motion by: Chemers Seconded by: Schwarz
Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners questioned the need for the increased height. The applicant informed them that the south end of the yard is lower than the north and a 5' fence will not provide adequate privacy.

The Commission accepted and made the following Findings of Fact:

Fence Height

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;

Due to the change in grade, a 5' fence will not provide adequate privacy.

2. That the plight of the owner is due to a unique circumstances; and

Butternut ARC does not permit fences, however in this unique case, the fence was approved by the Butternut ARC.

3. That the variation, if granted, will not alter the essential character of the locality.

Established vegetation exists along the east property line and provides screening. The Butternut ARC found the fence appropriate for the neighborhood.

Motion (#3): Approve a fence height variance from 5' to 6' along the east property line for the property located at 915 North Butternut Circle, in accordance with the reviewed plans.

Motion by: Schumpp Seconded by: Newton
Approved (7 to 0)

One Shot Kustoms Special Use Request

Applicant: Amy Conrad
Location: 9232 Gulfstream Rd.

Request: Special Use for auto repair and service

Legal notice published in the Frankfort Station on September 17, 2009.

Chair Goldie swore in all those wishing to provide testimony. Certified receipts and the registered letter were entered into the record.

Planning Tech Tony Minette presented the staff report and provided an overview of the request.

The applicant was present and acknowledged he would answer any questions.

No additional public testimony was offered.

Motion (#4): Close the public hearing
Motion by: Newton Seconded by: Schwarz
Approved (7 to 0)

During the Plan Commission discussion:

- The applicant stated they were moving from an existing location in Lockport.
- Commissioners discussed other uses in the building.
- Commissioners discussed the proposed paint booth and staff reported the village uses the 2006 International Building Code and 2006 Fire Protection Code. An IEPA permit may also be required.
- The applicant stated they were aware of the regulations and stated the paint booth will not exceed environmental standards and will comply with village codes.

Motion (#5): Approve a special use for auto body repair and service in the I1 District to permit One Shot Kustoms at 9232 Gulfstream Road Unit A, in accordance with the reviewed plans and conditioned on no outdoor storage or vehicle repair.

Motion by: Schwarz Seconded by: Matlock
Approved (7 to 0)

Dominick's Major PUD Change

Applicant: Doyle Signs Inc.
Location: 19965 S. LaGrange

Request: Major PUD Change

Legal notice published in the Frankfort Station on September 17, 2009.

Chair Goldie swore in all those wishing to provide testimony.

Community Development Director Jeff Cook presented the staff report and provided an overview of the request.

Representatives Terry Doyle and Steve Gorski stated that Dominick's is currently in the process of renovating all existing stores with similar sign packages. The sign packages include a pharmacy sign and additional signage for tenants located within the Dominick's grocery store. The applicants stated the additional signage equates to an increase of approximately 115 sq.ft., and in their opinion the additional area was reasonable given the 380' frontage of Dominick's, which is setback over 500' from LaGrange Rd.

No additional public testimony was offered.

Motion (#6): Close the public hearing

Motion by: Chemers Seconded by: Schwarz

Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners debated the use of the Pharmacy sign with a majority favoring its exclusion.
- Commissioners did not object to changing the existing permitted "Fresh Store" sign to the proposed internally illuminated circular "Signature Café" sign as proposed.
- Members noted previous cases in which similar requests were not granted.
- Some commissioners suggested the village take a look at the sign ordinance concerning signage for businesses within other businesses. Others noted the topic was discussed at length in 2005. All favored uniform Application of Sign Standards.

Motion (#7): Approve a major PUD change to permit modifications to the existing wall signage along the west façade and the installation of additional wall signage for the Dominick's building located at 19965 S. LaGrange Road., in accordance with the reviewed plans, and conditioned upon the removal of the pharmacy, Chase Bank, and Starbucks signs from the plan.

Motion by: Chemers Seconded by: Newton

Approved (7 to 0)

Tommy Nevins Irish Pub Special Use Request

Applicant: Tommy Nevins of Frankfort LLC

Location: 9680 Lincolnway Lane

Request: Special Use permits for liquor sales and extended hours of operation until 1 A.M. daily.

Legal notice published in the Frankfort Station on September 17, 2009.

Chair Goldie swore in all those wishing to provide testimony.

Community Development Director Jeff Cook presented the staff report and provided an overview of the request.

The applicant was present and stated that he purchased the building and is willing to answer any questions the commissioners have.

No additional public testimony was offered.

Motion (#8): Close the public hearing
Motion by: Schwarz Seconded by: Newton
Approved (7 to 0)

During the Plan Commission discussion:

- It was noted no change in use was proposed for the existing Irish Pub, which has an outdoor bar area.
- Commissioners discussed signage allowances originally granted for the building. Staff informed the commission three architectural sign decorations were installed by Galway Tribes along with one primary wall sign. The applicant agreed to remove the proposed westernmost architectural sign from the south façade and install only two American Flags by the entrance.
- Commissioners discussed flags as attention getting device and stated the two American Flags may be temporarily changed upon issuance of a special events permit.
- Chair Goldie informed the applicant of the village's ordinance concerning umbrella signage.
- Staff confirmed that Galway Tribes was open to 1 A.M. daily.
- Commissioner Schumpp questioned how late the outdoor patio would remain open. Discussion ensued and commissioners agreed not to restrict the patio hours.
- Commissioners questioned if any lighting would be added to the patio, to which the applicant stated he has no plans for additional lighting.
- Commissioners discussed the location of the restaurant in regards to its proximity to the Frankfort Police Station and the surrounding commercial uses.
- Staff reviewed several recommended conditions.

Motion (#9): Approve a special use for Liquor Sales in connection with a Full-Service Restaurant for Tommy Nevins Irish Pub located at 9680 Lincolnway Lane, in accordance with the reviewed plans, and conditioned upon tying the permit to the operation of a full-service restaurant, no additions or expansions, limit alcohol storage to the bar and cooler areas shown on the plan, alcohol consumption and dining limited to indoor areas and the existing approved outdoor seating area, occupants not to exceed standards required by the Mokena Fire Protection District, limiting uses and improvements to those specifically identified, compliance with all village ordinances, violations may result in permit revocation, and automatic expiration of the permit upon change in ownership, restaurant name, or discontinuance of a full-service restaurant.

Motion by: Schwarz Seconded by: Chemers
Approved (7 to 0)

Motion (#10): Approve a special use for extended hours of operation until 1 A.M. daily for Tommy Nevins Irish Pub located at 9680 Lincolnway Lane, in accordance with the reviewed plans, and conditioned upon tying the permit to the operation of a full-service restaurant, no additions or expansions, limiting uses and improvements to these specifically identified, compliance with all village ordinances, violations may result in permit revocation, and automatic expiration upon change in ownership, restaurant name, discontinuance of a full-service restaurant, and no indoor or outdoor sound source is allowed to create a public nuisance.

Motion by: Schwarz Seconded by: Beeson
Approved (7 to 0)

Jameson's Special Use Request

Applicant: Peter Gelis
Location: 9545 St. Francis Road

Request: Special Use permits for liquor sales and hours of operation

Legal notice published in the Frankfort Station on September 17, 2009.

Chair Goldie swore in all those wishing to provide testimony.

Community Development Director Jeff Cook presented the staff report and provided an overview of the request, noting that while working with the applicant staff learned of plans to expand the restaurant/bar concept to include outdoor entertainment and events, which requires a special use permit. Mr. Cook encouraged members to consider the request for extended hours and liquor sales concurrent with the outdoor entertainment review.

The applicant was present and stated that he is remodeling the interior of the building. Mr. Gelis discussed his 26 years of experience operating other restaurants and stated he proposes to provide a combined menu from Jameson's Pub (Joliet) and Louie's Chophouse (Shorewood & Oak Lawn) and the full menu will be available until one hour prior to closing of the business. Mr. Gelis said he built and sold Bourbon Street in Merrionette Park, was involved with Sapphire in Joliet, has experience as an events promoter and engages in many charity events.

Mr. Gelis discussed his appreciation of the property south of the building and expressed desire to host outdoor events such as bean bag toss games, bands, weddings, corporate outings and similar large scale events. Mr. Gelis indicated he contacted neighboring property owners in pursuit of shared parking opportunities. He stated he was aware review and approval is required for an entertainment use and requested commissioners approve extended hours and liquor sales so he could

open the restaurant. Jameson's Pub's primary focus is the food, otherwise Gelis reasoned, he would not have remodeled the kitchen.

Commissioners debated the boundaries of restaurant use versus an entertainment use, expressing concerns for vehicular and pedestrian traffic, parking, noise, lighting, and future residential development. Members favored hours and liquor for restaurant use but stated outdoor entertainment was different. Mr. Gelis confirmed his future plans are comparable to CD&ME on South LaGrange Road, but the size of the space is not the same scale.

Commissioners stated they look forward to finding the right fit for a restaurant at this location. Members noted outdoor entertainment might be permissible with proper limitations, noting this was not the subject of consideration at this time.

Mr. Gelis confirmed for Mr. Cook that the outdoor entertainment question does not affect his decision to open the proposed restaurant.

No additional public testimony was offered.

Motion (#11): Close the public hearing
Motion by: Schumpp Seconded by: Newton
Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners further discussed the adequacy of parking. Mr. Minette confirmed there are 84 spaces at the bank, 137 spaces at the adjacent office complex and 96 spaces at the subject property, totaling 317 parking stalls if shared agreements were in place.
- Members discussed concerns with hosting large crowds on the property, noting it would not be appropriate for people to be crossing St. Francis Road to park.
- Commissioners discussed surrounding uses.
- Members noted the existing permit for outdoor seating has restrictions.
- Mr. Gelis told commissioners he will provide a detailed plan for the outdoor area for future consideration.
- Chair Goldie informed the applicant of the village's ordinance concerning umbrella signage. Mr. Gelis said Jameson's umbrellas were solid green.
- Director Cook recommended a series of conditions for the special use permits to ensure clarity on the outdoor use.
- Commissioners requested the record reflect that the consideration at this meeting is only for extended hours of operation and liquor sales in connection with a full-service restaurant and specifically does not include any approval of outdoor events.

Motion (#12): Approve a special use for Liquor Sales in connection with a full-service restaurant for Jameson's Pub located at 9545 St. Francis Road, in

accordance with the reviewed plans, and conditioned upon tying the permit to the operation of a full-service restaurant, no additions or expansions, limit alcohol storage to the bar and cooler areas shown on the plan, alcohol consumption and dining limited to indoor areas and the existing approved outdoor seating area, table-service only for outdoor liquor sales, occupants not to exceed standards set by the Frankfort Fire Protection District and Frankfort Building Department, limiting uses and improvements to those specifically identified, compliance with all village ordinances, violations may result in permit revocation, and automatic expiration of the permit upon change in ownership, restaurant name, or discontinuance of a full-service restaurant.

Motion by: Schumpp Seconded by: Chemers
Approved (7 to 0)

Motion (#13): Approve a special use for extended hours of operation until 1 A.M. daily for Jameson's Pub located at 9545 St. Francis Road in accordance with the reviewed plans, and conditioned upon tying the permit to the operation of a full-service restaurant, no additions or expansions, limiting uses and improvements to these specifically identified, occupants not to exceed standards set by the Frankfort Fire Protection District and Frankfort Building Department, no indoor or outdoor sound or noise permitted beyond the property line after 10 p.m. on weekdays and 11 p.m. on weekends, portable or temporary lighting is not permitted, compliance with all village ordinances, violations may result in permit revocation, and automatic expiration upon change in ownership, restaurant name, or discontinuance of a full-service restaurant.

Motion by: Chemers Seconded by: Matlock
Approved (7 to 0)

D. Workshops – None

E. Other Business

Staff noted the 10/8 Plan Commission meeting will be cancelled.

Motion (#14) to Adjourn

Motion by: Matlock Seconded by: Newton
Approved (7 to 0)

F. Adjournment – 8:05 pm

APPROVED October 22, 2009

As Presented X

As Amended _____

/s/ Renae Goldie, Chair

/s/ Tony Minette, Secretary