



MINUTES
REGULAR MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
JANUARY 23, 2014 – FRANKFORT POLICE STATION
20602 LINCOLN-WAY LANE

Call to Order

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

Commissioners Present: Don Schwarz, Alicia Hanlon, Neil Nunamaker, Bob Beeson, Sue Anstett, and Dave Schumpp

Commissioners Absent: Jim Matlock

Staff Present: Assistant Director of Development Services Zachary Brown and Planner Dan Lee

Elected Officials Present: Mayor Jim Holland and Liaison to the Village Board, Trustee Mike Stevens

A. Approval of Minutes from January 9, 2013

Motion (#1): Approve the minutes from January 9, 2013

Motion by: Hanlon Seconded by: Anstett
Approved (5-0)
Present (1)

B. Public Hearing – Shuman Variances (Ref. # 105)

Public Hearing Request: Variances of minimum lot width from 100 feet to 85 feet; minimum lot size from 15,000 square feet to 14,026 square feet; minimum lot width from 100 feet to 65 feet; and minimum lot size from 15,000 square feet to 10,725 square feet to permit subdivision of the property located at 254 Oregon Street creating the two lot Lisburn Subdivision. Additional variances are requested to permit the construction of new single-family residential homes on each lot including a first floor building materials variance to permit the use of Hardi-board siding on the first floor of the home proposed on Lot 1 and variances of first floor building materials to permit the use of Hardi-board siding on the first floor, and maximum lot coverage from 20% to 23.15% for the home proposed on Lot 2 of the Lisburn Subdivision.

Chair Schwarz swore in all those wishing to provide public testimony. Certified receipts were entered into the record.

Planner Lee presented the staff report and provided an overview of the request. Mr. Lee noted that the existing property was significantly larger than many lots in the surrounding area and that a similar request was approved on Locust Street in 2005.

The applicant, Sam Shuman was present and stated that he has 20 years of experience as a developer and this was his first project in Frankfort.

Chair Schwarz opened the floor to public questions and commentary. Andrew Schwerha of 239 Utah Street asked Mr Shuman when construction would begin, noting that his home was located to the south of the subject property. Mr. Shuman stated that pending variance approval, he hoped to begin work by June of 2014.

Jim Buckner of 262 Oregon Street stated his disapproval of two homes being constructed on the property rather than one. He expressed his concern with drainage problems that can arise as a result of the construction, citing past experiences when his basement had flooded. He stated that while measures were taken to fix the problem in the past, any new development could increase runoff and as such he took issue with the proposed homes. Assistant Director Brown noted that prior to approval of a building permit, a grading plan submitted by a licensed engineer must be approved by the Village.

Jeffrey Rade of 282 Oregon Street stated his concern with the proposed homes due to grading changes, noting that he had recently purchased his home and already had problems with his foundation. He questioned Mr Shuman why he staggered the widths of the proposed subdivision rather than split the lots down the middle. Mr. Shuman stated that he consulted with Village Staff who informed him his home would be subject to the Village's residential design and anti-monotony standards, and as such he wanted to make each home unique and avoid a "cookie-cutter" look.

Rich Stanevicius of 258 Oregon Street expressed his opposition with the project, questioning the curb appeal, the need for what he perceived to be large homes and the Village's desire for increased greenspace. Mr Shuman stated the homes were designed with as much consideration to Village Zoning Ordinance as possible. Assistant Director Brown stated that lot coverage is a consideration when determining appropriate green space.

Mr. Stanevicius also expressed concern with the potential drainage issues due to the proposed construction. Steve Bolsoni, an associate of Mr. Shuman's who is involved with the project, noted that licensed engineers are required to review and approve all grading plans associated with new construction and as such assure all appropriate measures are taken. He further noted that in many cases the drainage ends up better in the neighborhood following construction projects. Mr. Stanevicius stated his preference that the existing home remain and no new construction takes place on the property.

Mr. Buckner said that while his past flooding issues have been resolved, the creek in his backyard gets significantly high during rainfall. He stated his preference for only one home being constructed and that the downtown area's 1890's charm be maintained.

Staff noted that consideration of the existing downtown area was a major consideration in their review of the project prior to the public hearing and found that the existing lot is significantly larger than the majority of those in the surrounding area and as such a larger and more out of scale home more suitable for the newer

subdivisions in Frankfort could potentially be built without the need for variances or a public process.

Motion (#2): Close Public Hearing

Motion by: Nunamaker Seconded by: Hanlon

Approved (5-0)

During the Plan Commission discussion:

- Commissioner Beeson noted his approval of the proposed renderings. He noted that he would prefer to see only one home constructed however would not want to see a mansion constructed and as such saw the subdivision as more suitable.
- Commissioner Anstett stated her belief that drainage is a separate issue that would need to be resolved during the building permit review process. She approved the proposed renderings and stated her belief that the subdivision is a better option for the property than constructing one large home that would be out of scale with the surrounding neighborhood
- Commissioner Schumpp cited the variances being requested as ones commonly approved in the past. He noted that an engineer must be relied on to prevent potential water problem and stated his role as a plan commissioner is to review the request in accordance with the Village zoning ordinance. He stated the proposed plans looked satisfactory.
- Commissioner Hanlon acknowledged that such proposals represent change which can be a concern for current residents however noted that the homes were well designed and that the variances meet the findings of fact considered by the Village. She stated that drainage would need to be reviewed however confirmed her trust in the engineering review process.
- Commissioner Nunamaker questioned if Mr. Shuman had experienced issues with drainage on other properties during his time as a developer. Mr. Shuman stated that flooding problems had to be resolved when developing a subdivision in Markum but had not arisen when constructing homes in existing neighborhoods. Mr. Bolsoni elaborated that drainage concerns are always addressed during a plan review process. Commissioner Nunamaker expressed his concern with approval of a variance for a 65' wide lot.
- Chair Schwarz questioned when the homes would be ideally sold. Mr. Shuman stated that he hope for the houses to be sold early during building plan review or construction.
- Mr. Buckner further expressed his disapproval for the project and distrust in the reliance of engineers and asked that the Village cover expenses in the event his basement flooded.

Motion (#3): Recommend the Village Board approve a lot width variance from 100 feet to 85 feet to accommodate the creation of Lot 1 of the proposed Lisburn Subdivision on the property located at 254 Oregon Street in accordance with the

reviewed plans and public testimony and conditioned upon construction of the home as depicted on the architectural plans prepared by William K. Olsen Architects, dated 06.04.2013.

Motion by: Hanlon Seconded by: Schumpp
Approved (5-0)

Motion (#4): Recommend the Village Board approve a lot size variance from 15,000 square feet to 14,026 square feet to accommodate the creation of Lot 1 of the proposed Lisburn Subdivision on the property located at 254 Oregon St in accordance with the reviewed plans and public testimony and conditioned upon construction of the home as depicted on the architectural plans prepared by William K. Olsen Architects, dated 06.04.2013.

Motion by: Beeson Seconded by: Anstett
Approved (5-0)

Motion (#5): Recommend the Village Board approve a lot width variance from 100 feet to 65 feet to accommodate the creation of Lot 2 of the proposed Lisburn Subdivision on the property located at 254 Oregon St in accordance with the reviewed plans and public testimony and conditioned upon construction of the home as depicted on the architectural plans prepared by William K. Olsen Architects, dated 06.04.2013.

Motion by: Schumpp Seconded by: Anstett
Approved (5-0)

Motion (#6): Recommend the Village Board approve a lot size variance from 15,000 square feet to 10,725 square feet to accommodate the creation of Lot 2 of the proposed Lisburn Subdivision on the property located at 254 Oregon St in accordance with the reviewed plans and public testimony and conditioned upon construction of the home as depicted on the architectural plans prepared by William K. Olsen Architects, dated 06.04.2013.

Motion by: Anstett Seconded by: Hanlon
Approved (5-0)

Motion (#7): Recommend the Village Board approve a Final Plat of Subdivision for the Lisburn Subdivision on the property located at 254 Oregon St in accordance with the reviewed plans and conditioned upon construction of the homes as depicted on the architectural plans prepared by William K. Olsen Architects, dated 06.04.2013.

Motion by: Hanlon Seconded by: Beeson
Approved (5-0)

Motion (#8): Recommend the Village Board approve a first floor building materials variance to permit the use of Hardi-Board siding in the construction of a single family home on Lot 1 of Lisburn Subdivision located at 254 Oregon St in accordance with the reviewed plans and public testimony.

Motion by: Anstett Seconded by: Beeson
Approved (5-0)

Motion (#9): Recommend the Village Board approve a first floor building materials variance to permit the use of Hardi-Board siding in the construction of a single family home on Lot 2 of Lisburn Subdivision located at 254 Oregon St in accordance with the reviewed plans and public testimony.

Motion by: Beeson Seconded by: Anstett
Approved (5-0)

Motion (#10): Recommend the Village Board approve a lot coverage variance from 20% to 23.15% to permit the construction of a single family home on Lot 2 of Lisburn Subdivision on located at 254 Oregon St in accordance with the reviewed plans and public testimony.

Motion by: Beeson Seconded by: Anstett
Approved (5-0)

C. Public Hearing Request – Zoning Ordinance Modification

Request: Consideration of proposed revisions to the Village of Frankfort Zoning Ordinance including: Article 5, Section B, Table of Permitted and Special Uses, Article 5, Section C, Use Standards and Article 12, Rules and Definitions pertaining to the operation of medical cannabis cultivation centers and dispensaries.

Planner Lee provided a brief overview of the Compassion Use of Medical Cannabis Pilot Program, which allows for the establishment of medical cannabis cultivation centers and dispensaries throughout Illinois. He noted that the proposed changes to the Village of Frankfort Zoning ordinance to address such facilities was discussed at both a Plan Commission workshop and Land Use and Policy Committee meeting and that some changes were since made. No members of the public were present to provide additional commentary.

Motion (#11): Close the Public Hearing.

Motion by: Beeson Seconded by: Nunamaker
Approved (5-0)

During the Plan Commission Discussion:

- Commissioners discussed the distance requirements as established by the state. Chair Schwarz question interpretation of the word “pre-existing” in relation to the buffer zones from schools and if it also applied to properties owned by school districts to be developed at a later date. Staff stated that the definition can be interpreted as such; however it did not affect the current

eligible properties. Discussion ensued on whether a clearer definition should be made and the Commission decided to leave the definition as proposed.

- Commissioner Nunamaker questioned if the facilities would be able to openly display paraphernalia and marijuana-related materials. Staff noted that one of the proposed standards limited accessory retain and merchandise sales to 10% of the gross floor area.
- Staff noted that much of the administrative details regarding the program still need to be determined by the state departments involved and that the ordinance can be address again in the future if any such determinations would affect the zoning ordinance.

Motion (#12): Recommend that the Village Board approve revisions to the Village of Frankfort Zoning Ordinance including: Article 5, Section B, Table of Permitted and Special Uses, Article 5, Section C, Use Standards and Article 12, Rules and Definitions pertaining to the operation of medical cannabis cultivation centers and dispensaries.

Motion by: Beeson Seconded by: Nunamaker
Approved (5-0)

- D. Committee Update:** Combined with Village Board Update
- E. Village Board Update:** Trustee Stevens listed several projects that were recently approved by the Village Board at the January 21st meeting.
- F. Other Business:** Assistant Director Brown updated the Commission on several development projects within the Village, including Bradford, Riverside and the Jewel Outlot.
- G. Attendance Confirmation:** All commissioners expected to be present at the next meeting.

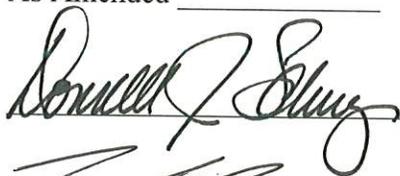
Motion (#13): **Adjournment:** (8:30)

Motion by: Nunamaker Seconded by: Beeson
Unanimously approved by voice vote.

Approved February 13, 2014

As Presented X

As Amended _____



/s/ Don Schwarz, Chair



/s/ Secretary