

CITY OF COUNTRYSIDE

*803 Joliet Road
Countryside, IL 60525
www.countryside-il.org*



Meeting Minutes

Regular Meeting of the Plan Commission

Zoning Board of Appeals

Tuesday, July 2, 2024

7:15 P.M.

City Hall

Board Members

**Chairman Robert Schwarz, Secretary Tina Grotzke,
Bryan White, Marco Gutierrez, Ronald Ward, Steve Kehr,
Tom Geraghty, Danielle Edenfield, Jonathan Gertsmeier**

Meeting called to order at 7:15 p.m. by Chairman Schwarz.

Roll Call: Secretary Grotzke called the Roll of Members physically present:
Present: Chairman Robert Schwarz, Steve Kehr, Tina Grotzke, Tom Geraghty, Ronald Ward
Absent: Marco Gutierrez, Danielle Edenfield, Bryan White, Jonathan Gertsmeier
Also Present: City Attorney James Hess, Planning Manager Richard Trent

Approval of Minutes -- The Regular Meeting Minutes of June 11, 2024 were previously distributed to Board Members. There were no corrections; motion made to approve the minutes as presented.

A motion was made by Mr. Geraghty, seconded by Mr. Ward, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 5 Schwarz, Geraghty, Grotzke, Ward, Kehr
Nay: 0
Absent: 4 Gutierrez, Edenfield, Gertsmeier, White

Chairman's Comments -- None

Action Items:

- 1. CASE #PZV24-0001: Consideration of a Variance**
 - a. To consider granting a Variance to reduce the distance from any other structure from the minimum required 10' to 6' for a proposed new gazebo/playhouse/pool equipment cover in the R-1 Zoning District at the subject property of 6717 S. Sunset Avenue.**

Ms. Grotzke moved to open the Public Hearing in this matter, seconded by Mr. Kehr and carried by unanimous voice vote. PM Mr. Trent presented the Staff report. The Community Development Department has received the required Proof of Notice.

Mr. Trent stated that this case is a Variance request; the applicants are Amanda and James McDonnell; the property is zoned R-1 One-Family Residence, approximately 20,000 sq. ft. in size. They wish to construct a new building/structure in the rear yard close to their in-ground swimming pool. Slides depicting the north, south, east and west elevations were shown with note that perimeter fencing surrounds the rear yard. The Petitioners began construction without a permit, were informed of the requirements of the Code, and then sought a variance request. The Code requirement is 10'; they would be requesting to deviate to 6'. The proposed structure is approximately 11'-5" x 22'-3" or 254 sq. ft. and would be six (6) feet from the edge of the in-ground pool. Slides showing the renderings of the structure were presented. Storm water from the neighbor's residence on the south is being diverted through the McDonnell property (as provided in the photographs), thus the need and request to keep the proposed structure as close to the in-ground pool as possible in order to prevent water from slowly deteriorating the structure.

The 2024 Comprehensive Plan does not specifically designate this parcel under a Subarea Plan. It does, however, under *“Residential Areas and Neighborhoods”* identify an overall goal and recommendations for the area. Based on the information provided and the circumstances inherent with the property, Staff is recommending approval of granting the Variance to reduce the distance of an accessory building from ten (10) feet to six (6) feet, subject to the three (3) conditions as presented in the Planning & Zoning Memorandum dated July 2, 2024.

Mr. McDonnell was sworn in by Chairman Schwarz as was Mr. Krzeminski. Mr. McDonnell appreciates the explanation by Mr. Trent. They do not have a flat back yard; there were issues when the neighbor built their home; a storm sewer was installed to capture most of the rainwater, however, the water still comes through their yard. Mr. Krzeminski spoke in favor of this variance; it is totally acceptable. There were no other Interested Parties.

Chairman Schwarz stated that the materials filed by the Petitioner will be received as Exhibit 1 and the Planning & Zoning Memorandum (dated July 2, 2024) will be received as Exhibit 2. Ms. Grotzke moved to close the Evidentiary Portion of the Public Hearing, seconded by Mr. Ward and carried by unanimous voice vote.

Ms. Grotzke moved to approve granting the Variance to reduce the distance from any other structure from the minimum required ten (10) feet to six (6) feet for a proposed new gazebo/playhouse/pool equipment cover in the R-1 Zoning District at the subject property of 6717 S. Sunset Avenue, subject to the three (3) conditions as presented in the Staff Memorandum (dated July 2, 2024), seconded by Mr. Geraghty and carried by unanimous Roll Call vote.

A motion was made by Ms. Grotzke, seconded by Mr. Geraghty, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 5 Schwarz, Geraghty, Grotzke, Ward, Kehr
Nay: 0
Absent: 4 Gutierrez, Edenfield, Gertsmeier, White

Chairman Schwarz stated that this matter will come before the City Council at its Regular Meeting on July 10, 2024.

2. CASE #PZAR24-0001: Consideration of a Zoning Amendment (Rezoning)

- a. To consider granting a Zoning Amendment (Rezoning) to rezone the property at 9540 W. 56 St. from R-3, one-family residence, to P-1, Public & Semi-Public Zoning District;
- b. To consider granting a Zoning Amendment (Rezoning) to rezone a portion of the property at 9649 W. 55th St (Parcel 3, Lot 1) from B-3, Service & Wholesale Business, to P-1 Public & Semi-Public Zoning District and a portion of the property at 9649 W. 55th St. (Parcel 1, Lot 2) from B-1, Retail Business to P-1, Public & Semi-Public Zoning District in order to expand operations.

Mr. Geraghty moved to open the Public Hearing in this matter, seconded by Ms. Grotzke and carried by unanimous voice vote. The Community Development Department has received the required Proof of Notice. Mr. Trent made the Staff presentation: Mr. Jim Zale is representing Helping Hand (HH), 9649 W. 55th Street. They seek to rezone the property at 9540 W. 56th Street and to unify a couple of their parcels on the HH property under one Zoning District – for expansion purposes. Helping Hand currently has six (6) PINS associated with their property, amassed over the past 60 years of operation. They are experiencing “growing pains” with their current operations, especially bus traffic, coming and going in the morning and afternoon. The 56th Street property would be primarily used to address parking for staff, visitors, vendors, and parents and free up space for bus access and traffic circulation.

The three (3) parcels combined are approximately 50,530 sq. ft. – 1.16 acres in size. The parcel at 9540 W. 56th Street did have a house on site at one time, which was demolished when the City purchased the property; what remains is a detached garage, being used by the City for various purposes. The City now wishes to sell this property. The two (2) parcels on 55th Street (aerial view) reveal a building and a parking area. In 1989, HH had previously sought a rezoning from B-3 to P-1 to allow for expansion. The Applicant is now seeking further expansion and would like to combine all parcels under one unified zoning district. Slides of all elevations were presented and discussed in detail. The 2024 Comprehensive Plan identifies these parcels under the “55th Street Subarea Plan”, noting that the specific properties would benefit from reinvestment and possible redevelopment. The main reason for the purchase of this property (9540 W. 56th Street) is to provide for overflow parking and ease congestion for bus traffic. HH has provided a Conceptual Plan for the build out of the property. Any formal Site Plan submitted would be reviewed from the standpoint of drainage, landscaping, lighting, buffering – all of which, would be in accordance with Code. Based on the information provided and the analysis of the request, Staff is recommending approval of granting the Zoning Amendment (Rezoning), from R-3 to P-1, Public & Semi-Public Zoning District for expansion purposes subject to the one (1) condition as presented in the Planning & Zoning Memorandum dated July 2, 2024. Staff also recommends granting the Zoning Amendment (Rezoning) to rezone portions of the HH property, Parcel 3, Lot 1 from B-3 to P-1, and Parcel 1, Lot 2, from B-1 to P-1, for expansion purposes, subject to the one (1) condition as presented in the Staff Memorandum dated July 2, 2024.

Chairman Schwarz sought clarification re: the residential lot (9540 W. 56th Street) and if the intent would be to change the zoning to public use; the other two (2) lots would only be rezoned to make them consistent with the remaining lots. The 56th Street lot would only be used for employee parking; bus traffic would remain in front of the building. Will there be an exit/entrance onto 56th Street? Mr. Trent stated that a gated outlet on 56th Street is being suggested only for emergency purposes, in the event that 55th Street was blocked in some manner. There is no current outlet to the south for HH use in the case of a fire or any other emergency. The Code requires a landscape buffer of 5' on each side; a fence would also be required between properties. The lot is approximately 70' wide and would require a maneuvering lane of 24'; parking stalls at 9'x18'; and a parking surface to be impervious. A Photometric Plan would be required for any parking lot lights; proposed poles would be no higher than 25' with flat lenses pointed downward to prevent spillover onto neighboring properties. All future plans must be

submitted to the City, subject to the review and approval of the City Engineer and Community Development Department. Tonight's hearing is about the rezoning request to the P-1 Zoning District and less about the Concept Plan submitted. If the rezoning request is approved by City Council, then the final redevelopment of the site would be handled administratively and Staff would make sure that all items discussed above would be addressed.

Chairman Schwarz noted the attendance of several residents (more than 20); residents stood and were sworn in *en masse* by Chairman Schwarz. Interested Parties made their statements: Tim Gorniak, 9600 W. 56 Street – emergency access behind Highline Automotive is available.

Mr. James Zale, on behalf of Helping Hand, addressed the “easement” that was opened up because of the IDOT project on 55th Street; it's a temporary solution; it's not paved and is not a part of the HH property. Highline Automotive is allowing them to use the property temporarily. They face liability issues in so doing; they are being a “good neighbor.” Once the project is completed, a barrier will be erected between the parcels that will make it no longer accessible for emergency use or otherwise. HH has adults and children with developmental disabilities and medical issues; ambulance activity getting to the nearest exit is a problem. HH would be willing to take the 56 Street exit off the plan entirely; that is not their main concern. They are a non-profit organization; using a civil engineer would be very costly. The submittal is only a Concept Plan because HH has not purchased the property; sale would be contingent upon receiving a favorable zoning change; if that happens then they would submit definite plans. Their corporate culture is to gather on a semi-annual basis – to get staff together – there is no room to do that. They have asked the City in the past to allow them to use the old City Hall parking lot on those occasions. Otherwise, there would be complete gridlock; every single space is taken. A potential parent who tours the facility cannot get parking – what message does that send? Chairman Schwarz lauded HH for the exceptional work that it does for clients. He recognizes the impact a proposed parking lot could have on the neighborhood. Mr. Zale stated moving traffic through the lot would be counter-productive. The proposed lot would be close to what is shown and would be almost exclusively used for staff parking with landscaped curbs, lighting, etc. HH is willing to eliminate the emergency gate on 56th Street; buses cannot use the lot for maneuvering because the drive aisle would be too narrow. The entire premises would have security cameras throughout.

Mr. Bill Dwyer, HH CEO, stated that the hours of operation are 8 am to 7 pm, Monday through Friday; most students leave around 2:30 pm. The daily population is around 70 people; 20 more children are on the waiting list. They work with many school districts and are considered to be top notch in their field. HH would make the proposed lot acceptable to the community, especially to the adjacent neighbor. They are a very stable non-profit and are careful stewards of their funds.

Interested Parties made comments:

Attorney Joseph Nichele represents several neighboring property owners – specifically, Mr. & Mrs. Tom Jerbis, the adjacent neighbor, Anthony Fatolo, across the street and Mr. & Mrs. Fullmer. Mr. Nichele expressed the extreme concern of the neighbors that this change of zoning would have the potential to drastically alter the characteristics of a residential area. This is a whole residential area; if this

amendment is allowed to proceed, there would be a parking lot in the middle of this neighborhood. All surrounding properties are residential; there are no other parking lots. This would have a deleterious effect on the value of these properties, particularly the Jervis family, who would look out of their window and see a parking lot. This property is suitable for other development without rezoning it and turning it into a parking lot. The Zoning Amendment change would not be for a public benefit; this is a residential area. The primary public benefit would be for it to remain residential. How does the benefit of one entity (HH) outweigh the detriment to the entire neighborhood? The zoning has always been residential; residents have a right to rely on that zoning; to change that parcel to a zoning that would allow for a parking lot would affect the esthetics of the area, increasing traffic and pollution. This is strictly a residential area; it should remain that way. Thank you for your consideration.

Mr. Richard Fullmer, former PC/ZBA Chairman, is here to ensure that the City maintains the existing zoning; that's why he and other residents hired an attorney. Residents don't want a fueling center; it has no benefit to the residents. Mr. Tom Jerbis lives next door and doesn't want a parking lot. Currently, the lights from HH shine into his house. He has an in-ground pool; what if someone drives through the fence or gets hurt. It is no place for a parking lot. Gallarda Jerbis – this parking lot would have no benefit to residents; lights from HH invade their bedroom; they have to keep their blinds closed.

Beatrice Sutkus, 9501 W. 56 Street – HH does good work; she lives across the street from the old City Hall; she does not want a parking lot; lights from HH come directly into her bedroom. She does not want a truck stop, which will be an eyesore. Listen to the residents; we don't want a parking lot there.

Rosemary Dostal asked Mr. Zale which City Staff negotiated this contract - Gail Paul and Mayor McDermott – they spoke on many occasions.

Ed Krzeminski, former Mayor, agreed that this rezoning change would not be conducive to the area; the property should remain single family residential. He is opposed to rezoning. Mr. Trent stated that the 2024 Comprehensive Plan (Comp Plan) calls for commercial expansion of businesses along 55th Street (subject properties included). Staff concludes that P-1 is less intrusive than a commercial property. Further discussion of the Comp Plan ensued.

Kathy Gorniak, 9600 56 Street – disputed the Comp Plan for the community.

Justin Fuller, 9538 56 Street – also discussed the Comp Plan and stated the parking lot would not be a good idea for this community. Residents were not aware of the “grand plan” for the community. Chairman Schwarz advised that all interested residents had input into the Comp Plan over the past two years; that's how the Plan came into being; it was not done in secret. Input from residents was requested throughout the process. Mr. Fuller stated that most residents were not aware of this “grand plan”. Now that they realize its implication, they are advising the City that they are not in agreement with that portion of the Plan; the City should listen to the residents. Ed Krzeminski was at the Comp Plan meetings and admits he did not pay attention to this sliver of property – among the 118 pages of the entire Comp Plan.

Mr. Tim Gorniak stated that residents are voicing their concerns; he suggested HH use the new playground area as a parking lot; he asked about snow removal – where does the snow go? It is wrong to do this and to put this parking lot there.

Mr. Rod Christmon, 9640 56th Street – a new resident, chose his home because it is a beautiful residential area; he is surprised that HH doesn't have a full plan and nervous that the City would consider a partial plan; even though they say they won't exit onto 56th Street now, they would need it in the future. He is very concerned.

John Harris, 6700 S. Brainard Avenue, representing his family at 9615 56 Street who lived there over 25 years – there is serious flooding on this street; water goes down their back stairs; nothing is done about the sewers; a parking lot would increase the amount of water backing up on the street; there is no solution for that. Light pollution from 25' tower LED lights would brighten up the neighboring houses. Listening to car doors slamming and mufflers running and smelling exhaust fumes from a parking lot would be undeniable. Speeding concerns down 56th Street are not addressed by the City. This is no location for a parking lot. It is not fair; leave it R-3 and sell to someone who can build a house there.

John Owen, 9621 56 Street – use the truck stop for a parking lot; currently, the property is still under contract.

Randall Cabrera – suggested alternative areas for the parking lot – Terry's Plumbing – Cube Smart – other empty lots in the immediate area – use those lots. There were no other comments from Interested Parties. Mr. Ward moved to close the Evidentiary Portion of the Public Hearing, seconded by Ms. Grotzke and carried by unanimous voice vote.

Chairman Schwarz stated that the materials filed by the Petitioner will be received as Exhibit 1 and the Planning & Zoning Memorandum (dated July 2, 2024) will be received as Exhibit 2. Ms. Grotzke moved to close the Evidentiary Portion of the Public Hearing, seconded by Mr. Ward and carried by unanimous voice vote.

Ms. Grotzke moved to **DENY** granting a Zoning Amendment (Rezoning) to rezone the property at 9540 W. 56th Street from R-3, One-Family Residence, to P-1, Public & Semi-Public Zoning District, seconded by Mr. Ward and carried by unanimous Roll Call vote.

A motion was made by Ms. Grotzke, seconded by Mr. Ward, that this matter be DENIED as presented. The motion carried by the following vote:

Aye: 4 Geraghty, Grotzke, Ward, Kehr

Nay: 1 Schwarz

Absent: 4 Gutierrez, Edenfield, Gertsmeier, White

Mr. Geraghty moved to **APPROVE** granting a Zoning Amendment (Rezoning) to rezone a portion of the property at 9649 W. 55th Street (Parcel 3, Lot 1) from B-3, Service & Wholesale Business, to P-1, Public &

Semi-Public Zoning District, and a portion of the property at 9649 W. 55th Street (Parcel 1, Lot 2) from B-1, Retail Business, to P-1, Public & Semi-Public Zoning District, seconded by Mr. Ward and carried by unanimous Roll Call vote.

A motion was made by Ms. Grotzke, seconded by Mr. Ward, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 5 Schwarz, Geraghty, Grotzke, Ward, Kehr

Nay: 0

Absent: 4 Gutierrez, Edenfield, Gertsmeier, White

Chairman Schwarz stated that this matter will come before the City Council at its Regular Meeting on August 14, 2024 at 7:30 p.m.

(Whereupon a brief recess was had.)

3. CASE #PSU24-0002: Consideration of a Special Use

- a. To Consider granting a Special Use to permit a dog grooming business (Fluffheads Dog Grooming) with no overnight boarding of animals in the B-2 Zoning District at the subject property of 909 W. 55th Street.**

Mr. Geraghty moved to open the Public Hearing in this matter, seconded by Mr. Ward and carried by unanimous voice vote. The Community Development Department has received the required Proof of Notice. Staff presentation was made by PM Mr. Trent. The current zoning classification is B-2; the Petitioner is Mr. David Horenberger, who wishes to open a dog grooming business to be known as “Fluffheads Dog Grooming” with no overnight boarding of animals. Aerial photographs were presented depicting the proposed business location in the Highland Plaza, just west of Brainard Avenue and north of Plainfield Road. Mr. Horenberger is a former employee of the Barker Shop for over 16 years. Photos were presented of the east, west, north and south elevations and were discussed; there is adequate parking in the front and in the rear of the plaza. Photos of dogs groomed (before and after) by Mr. Horenberger were shown. The proposed location would have two (2) grooming stations serving existing and future clientele in Countryside. The hours of operation would be Monday-Friday, 9:00 am to 5:00 pm by appointment only, and one (1) Saturday per month. Mr. Horenberger plans to have 2-3 employees; there are approximately 117 parking spaces shared with other business in the plaza. The area to be leased would be approximately 900 sq. ft. The proposed floor plan indicates grooming tables and washing/drying stations, plus cages/kennels for the dogs before and after grooming. Mr. Horenberger would provide the use of a “porch potty” – (photo presented) for animal relief, since there would be no grass in the immediate area. Based on the information provided and the analysis of the request, Staff recommends granting approval of the Special Use for the dog grooming business with no overnight boarding of animals in the B-2 Business District at the property located at 909 W. 55th Street, subject to the seven (7) conditions as presented in the Planning & Zoning Memorandum dated July 2, 2024.

Several people were sworn in *en masse* by Chairman Schwarz. Mr. Horenberger thanked Mr. Trent for an excellent presentation. He was a manager and dog groomer for Kathy Dietz for many years up until she sold the business last year and moved to Willowbrook. Mr. Horenberger would like to continue to serve his customers in Countryside. He is happy to remain in Countryside and provide dog grooming for the animals; he asked if there were any additional questions the Board members may have. Chairman Schwarz asked if he was aware of the seven (7) conditions (as presented by Staff) – and read those recommendations aloud. Mr. Horenberger acknowledged awareness and compliance.

Ms. Grotzke asked about the “porch potty”; she has never seen one – Mr. Horenberger stated it is fairly new; the device is thoroughly drained and sanitized on a daily basis. He purchased the device because there is no grassy area in the immediate vicinity; this would be an excellent option.

Comments from Interested Parties -- Beatrice Sutkus, Countryside, spoke in favor of Mr. Horenberger and stated he is a benefit to the community. He is the best dog groomer and works magic with dogs. Julie Degnan, Western Springs, spoke glowingly of his love for dogs. He should be given this opportunity to start a business in a community that needs this type of service. She asked for expedited attention to this matter. Alicia Horenberger, Wheaton, indicated that she has a petition with 85 signatures in support of the business. Mr. Geraghty moved to close the Evidentiary Portion of the Public Hearing in this matter, seconded by Ms. Grotzke and carried by unanimous voice vote.

Chairman Schwarz received in evidence the Petition and Supporting Documents as Exhibit 1, and the Planning & Zoning Memorandum (dated July 2, 2024) as Exhibit 2. Mr. Geraghty moved to approve granting the Special Use to permit a dog grooming business (Fluffheads Dog Grooming) with no overnight boarding of animals in the B-2 Zoning District, subject to the seven (7) conditions as presented stated in the Planning & Zoning Memorandum dated July 2, 2024, at the subject property of 909 W. 55th Street, seconded by Ms. Grotzke and carried by unanimous Roll Call vote.

A motion was made by Mr. Geraghty, seconded by Ms. Grotzke, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 5 Schwarz, Geraghty, Grotzke, Ward, Kehr

Nay: 0

Absent: 4 Gutierrez, Edenfield, Gertsmeier, White

Chairman Schwarz stated that this matter will come before the City Council at its Regular Meeting on July 10, 2024.

Other Business

Ticket Statistics (for June 2024) - In June, 13 total tickets were issued in total - 4 issued for idling trucks prohibited; 8 issued for parking/storing tractor-trailers; 1 issued for commercial vehicles at residence; and 0 issued for not registered to a business. The only alternatives would be to amend the Code again or increase ticket costs, which at this point doesn't appear to be a deterrent. Your continued assistance in reporting incidents is greatly appreciated.

2018-24 Zoning Cases - New items were updated for the calendar year. The Willow Plaza Special Use and Variance request which came before the Board last year (December) for the restaurant with outdoor seating – has submitted an extension request for the Variance – which are only good for six (6) months. That request will be presented to City Council next week.

Upcoming Cases

The next meeting is **August 6, 2024** – two (2) cases are: the Stanley Luke Farm, recently purchased by Double (JJ) -- Johnson Equestrian Center – requesting to operate above and beyond the normal riding stable. The second request is for a Special Use/Variance at 6260 Joliet Road, to the east of Sunbelt Rental. The land owner entered into a lease agreement with a contractor who is working on the I-294 project – extra storage for outdoor equipment plus a mobile office, etc. There may be a third item, the Gina Fisher property -- vacant lot at the intersection of Joliet Road and LaGrange Road – they would seek a Special Use to cover the VW portion of the Autobarn Dealership and expand into the adjacent lot to provide for additional inventory.

News announced -- that “Jack-in-the-Box” restaurant will return to Countryside and Arby’s Beef will be leaving; it’s official.

ADJOURNMENT:

A motion was made by Ms. Grotzke, seconded by Mr. Geraghty, that this meeting be ADJOURNED. The motion carried by the following vote:

Aye: 5 Schwarz, Geraghty, Grotzke, Ward, Kehr

Nay: 0

Absent: 4 Gutierrez, Edenfield, Gertsmeier, White

Chairman Schwarz declared the meeting adjourned at 10:30 p.m.

APPROVED:

Respectfully Submitted,



ROBERT SCHWARZ, CHAIRMAN

/fp