

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, September 3, 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
Marco Gutierrez
Absent: Jonathan Gertsmeier, Danielle Edenfield, Bryan White,
Also Present: City Attorney James Hess, Planning Manager Richard Trent, Building Comm. Kevin
Wagner

Approval of Minutes -- The Regular Meeting Minutes of August 6, 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. Ward, seconded by Ms. Grotzke, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez,
Nay: 0
Absent: 3 Gertsmeier, White, Edenfield

Chairman's Comments - Chairman Schwarz reminded the audience to either turn off their cell phone or make sure they are on vibrate mode - so as not to disturb the meeting. There are three (3) separate matters on the agenda tonight which will take considerable time. Mr. Trent will present each case; when he is done, Board members may question him. After that time, the Petitioner will make their presentation; Board members may question them; and after that, Interested Parties may make comments or ask questions.

Action Items:

1. CASE #PSU24-0005: Consideration of a Special Use

- a. To consider granting a Special Use to permit an adult-use cannabis dispensing organization (Craft Grower) in the M-1 Zoning District at the subject property of 430 E. Plainfield Road.

2. CASE #PZV24-0003: Consideration of a Variance

- a. To consider granting a Variance to reduce the required number of off-street parking spaces from two hundred nineteen (219) to sixty (60) spaces for the adult-use cannabis dispensing organization (Craft Grower) in the M-1 Zoning District at the subject property of 430 E. Plainfield Road.

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

PM Mr. Trent stated that a Special Use request was filed by Petitioner, Carmen Rossi, to permit the manufacturing, production, distribution and packaging operation (Craft Grower) for cannabis products such as edible delicatessens and candies. The second request is a variance to reduce the required

number of parking spaces from 219 to 60 for the proposed cannabis dispensing organization (Craft Grower) on the premises of 430 E. Plainfield Road.

Mr. Trent provided aerial views of the subject property (formerly Cooper's Hawk) – which is located east of 9th Avenue and west of Dansher Road on the south side of Plainfield Road. Aerial views and photos of each of the four (4) elevations were presented showing the surrounding properties (commercial) on all four sides; the area is approximately 85,320 square feet and/or 1.59 acres in size and zoned M-1, Limited Manufacturing District. The 2024 Comprehensive Plan provides specific Goals and Recommendations for each of the subarea plans; this area, however, is not within a specific Subarea Plan but is identified under the Commercial and Industrial Areas. Mr. Trent read aloud the highlighted excerpts from that portion of the Plan pertaining to the proposed business. The proposed business **WOULD NOT BE A RETAIL DISPENSARY**. There would never be any sale or consumption of cannabis products on site. The proposed facility would manufacture, produce, distribute and package cannabis products – raw material would be brought into the facility, would be stored in a vault, and eventually converted into edible products (i.e. edibles, gummies, and vaping cartridges). There would be **no** sale or consumption of any cannabis products taking place on site. Regarding the Variance request for parking – the Ordinance that was crafted in 2019 stated that these types of uses (dispensaries) would be comparable to retail sales and banks; this facility, however, would have employees come to work and leave – **no** customers or sales would take place on the subject property.

The Site Plan identifies improvements to be made to the interior and exterior of the facility; with the parking lot to be improved with resealing, restriping and new car bumpers for sixty (60) spaces on site. The building is approximately 43,876 square feet. The tentative Floor Plan shows offices on the northwest side of the building with a storage vault, production locations, and edibles kitchen at the south end of the building; and a production/infusion lab located in the middle of the building. A new security system per State and local requirements would be installed with additional landscaping along the north, northwest, south, and east side of the building.

Hours of operation are noted as being Monday - Friday, 8 a.m. - 6 p.m.; occasional Saturdays, same hours; with no Sundays. They would have approximately 55-60 employees; parking would be adequate for the intended use. Staff recommends approval of the Special Use subject to the fourteen (14) conditions as presented in the Planning & Zoning Memorandum dated September 3, 2024. If the Special Use request is granted, Staff would recommend approval of granting the reduced required number of parking spaces from two hundred nineteen (219) to sixty (60) spaces in the M-1 Zoning District subject to the three (3) conditions as presented in the Planning & Zoning Memorandum dated September 3, 2024.

Mr. Gutierrez asked about exterior finish on the building. None is being proposed, except to paint over the graffiti on the building. A Final Landscape Plan would need to be submitted to the Community Development Department. Exterior lighting – exterior wall packs are currently on the site. Any new proposed lighting would require a Photometric Plan subject to review. The only signage request would be a LOGO on the front entrance of the building. There were no other questions from Board Members.

The Petitioner and two (2) other men were sworn in *en masse* by Chairman Schwarz. Mr. Carmen Rossi thanked Mr. Trent for his comprehensive presentation. His partners are Dennis Jaboro, Security expert Dan Farrell, and Architect Anthony Abruzzo. They anticipate only using half of the building. The Zoning Code allows this type of use (by Special Use) and the State of Illinois issues various licenses re: cannabis. This particular license does **not** allow for the sale of retail cannabis. They also would **not** grow any plants in the facility. The business calls for probably thirty (30) employees working at any given time; they do not anticipate working on Saturdays. Lighting would surround the entire building. The Landscape Plan would be up to Code. The building itself is in good shape; the mechanicals are in good shape. There would be additional security installed on site. The State of Illinois is very strict regarding security; cameras have to cover every square inch on the inside of the facility; a recording must be kept on location which feeds into the State system. Multiple inspections are required by the State. They would also have exterior cameras. The State requires a secure vault to hold the product. Garage doors would have a “double door system” – the first doors would open upon arrival of the driver; after confirmation of identity, the second doors would open; small trucks such as cargo vans would be used. The frequency of deliveries would be about two (2) times per week; perhaps five (5) sales reps may visit the site; the only arms-length transactions taking place would be purchase orders. This is their third visit to the City; they have agreed to everything that was proposed by the City and is ready to answer any questions.

Chairman Schwarz inquired whether they possess the Dept. of Agriculture Illinois License – they do. Mr. Rossi stated that the process was highly competitive; they had an award-winning application and received the maximum allowed points. The licenses were applied for in 2018 and awarded in 2019 and they have been searching for a location since that time. The licenses are renewed annually. Companies are subject to regulatory oversight and compliance. The industry has been growing cannabis since passage of the medical cannabis bill by Governor Quinn. The industry is very strict; care and use is strictly regulated re: the packaging /distribution -- amount of “THC” is frequently tested; failure to comply would cause revocation of the State License. Regarding the manufacturing process, Chairman Schwarz inquired about producing food products and the possibility of odor escaping into the neighborhood. The (Illinois) State Air Filtration requirements are very rigorous, more so than neighboring states. If any odor emanated from the building, it would come from either the flower, thousands of plants in excess of, or from the waste stage. From that point, the product is boiled down to jars of oil used to infuse vape or petals. How is waste from the manufacturing process disposed of or kept in a secure manner? The City does not want to find something in a dumpster. Mr. Rossi indicated that everything would be kept indoors in this process.

Anthony Abruzzo spoke regarding waste byproducts – within the loading dock facility there would be a dual door system with a series of locks where the waste would be kept; waste is a byproduct. It would be disposed of through contracted waste haulers and never dispersed loosely in containers or dumpsters.

Dan Farrell, Security – Regulations state that left-over waste must be destroyed under camera with a liquid or formula that inactivates the THC, then it's bagged up and transported via a special transportation company to haul it away.

Chairman Schwarz received into evidence the Petitioner's Application as "Exhibit #1" and the Planning & Zoning Memorandum dated September 3, 2024 as "Exhibit #2", for the record. No objections noted.

Comments from Interested Parties – sworn in by Chairman Schwarz -- John Harris, 6700 Brainard Avenue, was concerned about this request but after listening to the testimony this evening, he feels somewhat better. He is concerned about the possible odor to the neighborhood within one block; many children live in the vicinity. Children should not have to smell that.

Chairman Schwarz asked if the air filtration system would be the same for a commercial dispensary. Regulations stipulate that odor control must be in place; the system has charcoal filters which remove the cannabis smell so no odor escapes. Mr. Farrell is familiar with operations in other states and no odor has been detected in those communities.

Ms. Grotzke discussed the parking situation: with 60 spaces there might be 65 employees and sales reps coming in – where is the overage parking. Mr. Rossi stated that 65 is not a realistic number; no more than 50-60% of the total employees will be on site at the same time; there are different shifts and different skill levels to the shifts. Part of it is just packaging, which doesn't lead to a 40-hour work week; many jobs are part time. There would never be 60 employees present at one time – they just projected on the high side; loading dock doors will never be blocked. Mr. Gutierrez moved to Close the Evidentiary Portion of the Public Hearing, seconded by Mr. Geraghty and carried by unanimous voice vote.

Ms. Grotzke moved, seconded by Mr. Gutierrez, to approve the Special Use to permit an adult-use cannabis dispensing organization (Craft Grower) in the M-1 Zoning District at the subject property of 430 E. Plainfield Road, subject to the fourteen (14) conditions as presented in the Planning & Zoning Memorandum dated September 3, 2024.

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

Aye: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez,

Nay: 0

Absent: 3 Gertsmeier, White, Edenfield

Mr. Gutierrez moved, seconded by Mr. Ward, to approve the Variance to reduce the required number of off-street parking spaces from two hundred nineteen (219) to sixty (60) spaces for the adult-use cannabis dispensing organization (Craft Grower) in the M-1 Zoning District at the subject property of 430 E. Plainfield Road.

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

Aye: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez,

Nay: 0

Absent: 3 Gertsmeier, White, Edenfield

Chairman Schwarz stated that this matter will come before the City Council at its Regular Meeting on September 25, 2024 at 7:30 p.m.

3. CASE #PSU24-0006: Consideration of a Special Use

- a. To consider granting a Special Use to permit the expansion of the automobile retail sales dealership (Autobarn Volkswagen) with appurtenant service facilities, not including major body repair or painting, but including outdoor display and sales, to the extent customarily requisite to the proper operation of such business in the B-3 Zoning District at the subject property of 6161 & 6131 Joliet Road.

4. CASE #PZV24-0004: Consideration of a Variance

- a. To consider granting a Variance to reduce the required off-street parking space width from nine feet (9') to eight and half feet (8.5') for the storage of car inventory at the automobile retail sales dealership (Autobarn Volkswagen) in the B-3 Zoning District at the subject property of 6161 & 6131 Joliet Road.

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.

PM Mr. Trent stated that a Special Use request and Variance request were filed by the Petitioner for both properties at 6161 Joliet Road and 6131 Joliet Road. The properties are currently zoned B-3. The Petitioner is RRV 6150 LLC, c/o Gina Fisher, a/k/a Autobarn Volkswagen Dealership. The Special Use is a request to expand the Autobarn Volkswagen dealership at 6161 Joliet Road into the adjacent property – 6131 Joliet Road, accompanied by a Variance to reduce the off-street parking space width from 9' to 8 ½' for inventory storage at the above dealership. This location is considered to be very prominent in the community (northwest corner of LaGrange Road and Joliet Road).

Three (3) parcels are involved in this request: The Land Title Survey shows that the 6161 parcel has two (2) PINS; it is an existing automobile dealership facility that was created years ago under a previous Code. Because the Petitioner is seeking to expand their space and move inventory into the adjacent property, the City has an opportunity to bring the original parcel up to current Code. The existing building is approximately 29,000 square feet. There is an existing asphalt area that was completed roughly one year ago in anticipation of the proposed expansion. The two (2) PINS on the 6161 Joliet Road parcel total approximately 171,736 square feet, or +/- 4.08 acres in size. The third parcel, at the

corner (6131 Joliet Road), is approximately 74,618 square feet or +/- 1.71 acres in size; combined they are 5.79 acres in total.

Aerial views and photos of each of the four (4) elevations were presented – on the north, 6070 S. LaGrange Road, also owned by the Petitioner, but **not associated with the proposed request**. This property may be included at some time in the future. The south elevation along Joliet Road shows a gravel area, and an asphalt area to the north. The east elevation also shows a gravel area, which will be cleaned up. There are two (2) access drives and one (1) cross-access location; the intent is to install gates to block access drives except for deliveries. The west elevation shows the asphalt area to the east. The City's Comprehensive Plan, updated in 2024, identifies the property under the Commercial and Industrial Areas; the property is designated "Regional/Commercial". Goals and recommendations were highlighted by Staff: *Continue to enhance the economic viability, productivity, and uniqueness of the City's primary commercial corridors* – found on Page 37, 2024 Comprehensive Plan.

The request for the Variance at 6131 Joliet Road is to reduce the off-street parking space width from 9' to 8 ½' to allow for the storage of additional car inventory at the subject property. The original site at 6161 Joliet Road currently has approximately 182 parking spaces, however, the areas along Joliet Road have been earmarked for inventory. The other spaces on site are a combination of inventory, employee, and customer parking. At 6131 Joliet Road, 88 parking spaces would be added, specifically along the west, south, and east perimeter of the property. The interior of the lot would be used for staging deliveries and unloading cars to various areas on site. Currently, there is an asphalt parking lot, but curb and gutter would be installed along the east and south portions of the property.

A Preliminary Landscape Plan has been submitted that shows parkway landscaping along the south and east portions of the property (6131 Joliet Road) noting one (1) tree for every 35' from center and additional green space – the gravel areas would be converted into grassy areas. There are 182 parking spaces at 6161 Joliet Road and would be another 88 spaces at 6131 Joliet Road. The hours of operation are Mon-Fri., 9 am to 8 pm, Sat. 9 am to 6 pm, and no Sundays. The number of employees is unknown; the parking requirements for this type of use are typically based on square footage, not the number of employees on site (per Section 10-10-5 of the Code). Staff has reviewed all information and recommends permitting the expansion as requested at 6161 and 6131 Joliet Road subject to the twelve (12) conditions as presented in the Planning & Zoning Memorandum dated September 3, 2024. If the Special Use request is granted, Staff also recommends approval of granting the Variance to reduce the off-street parking space width from nine feet (9') to eight and half feet (8 ½') for the storage of car inventory at 6131 Joliet Road, subject to the four (4) conditions as set forth in the Planning & Zoning Memorandum dated September 3, 2024.

Mr. Gutierrez inquired about appropriate storm water drainage plans. Mr. Trent stated that auto dealerships have several exceptions to Code rules with regard to landscaping; the only one that would apply is parkway landscaping. Lighting would be installed at 6131 Joliet Road – nothing additional at 6161 Joliet Road. A Photometric Plan has been submitted and reviewed by the City Engineer.

Four (4) individuals were sworn in *en masse* by Chairman Schwarz on behalf of Autobarn Volkswagen. Mr. Anastas Shkurti introduced Ms. Gina Fisher and Mr. Steven Kaminski who will be offering testimony. Mr. Shkurti provided a Q and A format which has been summarized herein: Ms. Fisher is the current owner of the properties at 6161 and 6131 Joliet Road. She also owns the property at 6191 Joliet Road. The current dealership opened at the current location in 2012. Expansion and renovation of the dealership took place in 2015. Ms. Fisher also owns the Autobarn Subaru dealership at 6191 Joliet Road. In 2023, additional expansion and renovation took place with assistance from the City. Volkswagen corporate is seeking a significant increase in inventory storage capacity; Autobarn Volkswagen intends to use the 6131 Joliet Road property for new car inventory storage only. There would be no customer or employee parking allowed at 6131 Joliet Road; the parcel is paved with three (3) access points, two (2) on Joliet Road and LaGrange Road and a third cross-access to 6161 Joliet Road. No new signage would be installed at 6131 Joliet Road; the existing sign at 6161 Joliet Road would remain on site. Eight (8) bike racks would be installed on existing concrete at 6161 Joliet Road, near customer parking at the front of the building. The Special Use and Variance would eliminate the dangerous practice of unloading delivery vehicles along Joliet Road. The Site Plan provides for significant improvements to the intersection of LaGrange Road and Joliet Road. They would install parkway landscaping on the south and east borders of the property.

Steven Kaminski, Mackie Consultants, Civil Engineer for this project has prepared the Master Plan and Parkway Landscape Plan. The Q and A format has been summarized herein: Total acreage of both lots is 5.79 acres. Mr. Kaminski noted the 8 bike racks being installed at the front of 6161 Joliet Road building, bringing that up to Code. The request for 8 ½' wide stalls is purely for the inventory of vehicles at the 6131 Joliet Road site – the reason being that only employees would be moving vehicles around; the general public would not have access to that area; it would be a controlled environment with trained dealership personnel – as part of the dealership operation. The question regarding storm water management would be addressed by submitting additional materials (Civil Engineering Plans) for the City Engineer's review. They would not be adding or disturbing any impervious areas previously in place. The car carrier trucks would have sufficient maneuvering room for internal circulation of unloading vehicles. The proposed aisles would be 26' wide; 88 parking stalls would be created. There would be no parking spaces along the northern border of 6131 Joliet Road; this is an irregularly shaped lot. The State (IDOT) has taken a portion of the property which reduces the available land area for parking. The third access point on the NW side of 6131 Joliet Road is only for the use of staff in moving new cars into the lot. A pole swing gate would be installed on the Joliet Road entrance and the LaGrange Road entrance to prevent the general public from using these access points. The Landscape Plan shows fourteen (14) flowering pear trees placed behind the existing extensive landscaping along LaGrange Road; that would add a vertical element to enhance the ground shrubbery. They would eliminate all of the gravelly-looking areas present since the State acquired the property. The Photometric Plan includes eight (8) new light poles along the perimeter, each with a single fixture pointing inward to focus light onto the site. Two (2) poles would be in the flex parking area with four (4) heads. The west property line would include a new fixture on the existing poles between the two lots for a total of ten (10) new poles, similar to the existing light poles; each would be 25' high as per Code.

Mr. Geraghty noted that he walks the subject property with some frequency; he lives near the Best Western. The Joliet Road entrance is frequently damaged by car carriers; to avoid doing that they damage the parkway, and then it is never repaired – at the 6131 Joliet Road Parcel -- east side of the driveway. The driveway appears to be too narrow; they damage the property. The access drives are under IDOT jurisdiction but they will take a look at it.

Chairman Schwarz received into evidence Petitioner's Application as "Exhibit #1", and the Planning & Zoning Memorandum dated September 3, 2024 as "Exhibit #2".

Comments from Interested Parties - Ed Krzyminski was sworn in by Chairman Schwarz. He stated that he has waited for the marriage of these two (2) properties for a long time. He is very encouraged by this action. He appreciates that there would be a turning radius for trucks. They would not have to unload inventory at 6161 Joliet Road anymore; he is very much in favor of this Special Use and Variance. Mr. Geraghty moved to close the evidentiary portion of the Public Hearing, seconded by Mr. Gutierrez and carried by unanimous voice vote.

Mr. Gutierrez moved to approve the Special Use, seconded by Ms. Grotzke to permit the expansion of the automobile retail sales dealership (Autobarn Volkswagen) with appurtenant service facilities, not including major body repair or painting, but including outdoor display and sales, to the extent customarily requisite to the proper operation of such business in the B-3 Zoning District at the subject property of 6161 and 6131 Joliet Road, subject to the twelve (12) conditions as noted in the Planning & Zoning Memorandum dated September 3, 2024.

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

Aye: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez,
Nay: 0
Absent: 3 Gertsmeier, White, Edenfield

Ms. Grotzke moved to approve the Variance, seconded by Mr. Geraghty to reduce the required off-street parking space width from nine feet (9') to eight and half feet (8 ½') for the storage of car inventory at the automobile retail sales dealership (Autobarn Volkswagen) in the B-3 Zoning District at the subject property of 6161 and 6131 Joliet Road, subject to the four (4) conditions as noted in the Planning & Zoning Memorandum dated September 3, 2024.

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: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez,
Nay: 0
Absent: 3 Gertsmeier, White, Edenfield

Chairman Schwarz stated that this matter will come before the City Council at its Regular Meeting on September 25, 2024 at 7:30 p.m.

(Whereupon a brief recess was had.)

5. CASE #PSU24-0004: Consideration of a Special Use - CONTINUED

- a. **To consider granting a Special Use to permit a contractor office and shop (Meade Electric) in the B-3 Zoning District at the subject property of 6260 Joliet Road.**

6. CASE #PZV24-0002: Consideration of a Variance - CONTINUED

- a. **To consider granting a Variance to waive the requirement for contractor offices and shops - that all storage of material, equipment along with all trailers will be stored entirely within a building or storage container;**
- b. **To consider granting a Variance to waive the requirement that all commercial or public open off-street parking areas shall be improved with either six inches (6") of portland cement concrete or one and one-half inches (1 ½") asphalt binder course with a one and one-half inch (1 ½") asphalt top coat, both over a compacted aggregate base, not less than eight inches (8") thick; and**
- c. **To consider granting a Variance to waive the requirements of perimeter parking lot landscaping that includes the minimum 5' wide landscape area around that part of the perimeter of all parking lots which abut another parcel or right of way and concrete curbs around the perimeter at the subject property of 6260 Joliet Road.**

Mr. Geraghty moved to Re-Open the Public Hearing in this matter, seconded by Ms. Grotzke and carried by unanimous voice vote. Mr. Trent presented the Staff Report: not a full presentation, but highlighting certain aspects of the overall Petition. Some new items have been submitted since the last meeting. They specifically address landscaping and esthetics along Joliet Road. The property is zoned B-3; Petitioner is Cheryl Nelson on behalf of Meade Electric. They have requested a Special Use and three (3) Variances, as outlined by Chairman Schwarz.

The Plat of Survey shows that Sunbelt Rentals occupies the western portion of 6260 Joliet Road; the eastern portion is comprised of part of 6260 and another, secondary PIN that make up the subject property – approximately 2.43 acres in size. Aerial views and photos were presented – Sunbelt Rentals received a Special Use in 2005; all their equipment and materials are stored on asphalt. The eastern portion of the subject property is currently all gravel. As noted in the August meeting, the subject property was used for automobile storage in the past and provided overflow parking. This was considered to be a legal non-conforming use which was permitted to continue until such time as the use changed. Ms. Nelson decided to NOT STORE automobiles on site but rather open it up to Meade electric, an entirely different user, who is seeking to store heavy equipment and materials for projects they are currently working on in the area and along I-294.

Regarding the Special Use request, the Plat submitted highlights several areas; photos were included in the last Staff Report as well as in the report presented this evening. New photos (of the equipment and materials on site) were taken on August 23, 2024. Staff also made a final inspection late this afternoon prior to the meeting. Last month, the PC/ZBA asked the Petitioner to provide a general plan to address landscaping along Joliet Road, specifically in front of the existing metal chain link/slates 6' fence. They have provided some documents for PC/ZBA review.

The general Landscape Plan shows three (3) additional trees (parkway trees) installed along the front of the property, along with eighteen (18) arborvitaes along the fence line with mulch to provide some buffering and esthetics to the site. The suggestion at the last meeting was to consider replacing the fence for something more appealing along with landscaping; that has not been included in the general plan. Photos taken on August 23rd do show that there has been some clean-up of the site. The mobile office appears to be gone; the containers are still in the same location; the heavy equipment and trucks are along the fence line, protruding above the fence. It does appear that some equipment was moved to the rear – primarily the SE corner; efforts have been made to organize the equipment. Staff also noted that the junk hauler and associated items have been removed. The photos presented show the property upon entry and panning the area from left to right, doing a full circle. A porta-john is located in the middle of the property. There is a slight drop in elevation but it is gradual and not dramatic. Staff is recommending granting the Special Use for the contractor office (Meade Electric) subject to the eleven (11) conditions as presented in the Planning & Zoning Memorandum dated August 6th and now September 3, 2024. If the Special Use is granted, then the Variances would be at the discretion of the PC/ZBA. If the three (3) Variances are recommended approval, Staff has provided six (6) conditions for each request for PC/ZBA consideration, all of which have been provided in the Planning & Zoning Memorandum dated September 3, 2024.

Mr. Geraghty noted that there has been no feedback from the Petitioner. Ms. Nelson is present tonight and can answer any questions. Mr. Gutierrez noted that there were no suggestions by the Applicant regarding surfacing the site. Mr. Trent indicated that is correct. What is the tree spacing they are proposing? Mr. Trent stated that their general plan indicates three (3) trees, no specific distance from each tree provided, but they should be spaced at least 35' apart minimum. Shrubs can be placed in any direction and/or spacing – rather than providing a new fence, they would like to use a vegetative barrier with arborvitaes. The property to the east is also owned by the Petitioner. Ms. Grotzke asked why a new fence was not included in these plans. You can see through the current fence and it looks junky. Mr. Trent reiterated that chain link fences with slats are prohibited everywhere in the City except within the industrial district – they are not permitted in the commercial district.

Ms. Cheryl Nelson was sworn in by Chairman Schwarz. They did not pursue fencing because they hope to keep the arborvitaes close enough to cover the fence; this is a fast-growing arborvitae and pretty soon it would be very thick. If they need to replace the fence they can do something different with the property; this is just a temporary situation – to be able to store their items while they work in the area. Ms. Nelson was hoping that in two (2) years the previous car inventory would return. If there was a different use, that would initiate redesigning the property. Right now, they would like to spruce it up

and put some vegetation in front (along Joliet Road); is that something the City would consider. Ms. Grotzke noted that this is “Historic Route 66” and the current fence is not acceptable; the fence is not up to Code.

Chairman Schwarz has a similar concern about the arborvitaes. The use by Meade Electric is potentially only a two-year period; the landscaping does not serve the purpose; there is insufficient time for substantial growth; the fence would need to be brought up to Code. The use has changed and the non-conforming fence needs to be replaced. Mr. Kehr asked if they plan to pave the lot – not yet; they don’t know what they will do with the lot; this would be a temporary situation. Mr. Kehr stated that when trucks return to park, they scatter the dust all around; no other lot in Countryside is unpaved; they are parking on gravel – with too many vehicles creating dust problems. The trucks can be seen from the road; they should be moved to the back. Ms. Grotzke stated that two (2) years is not really temporary – and the use could go longer. There were no comments from Interested Parties.

Chairman Schwarz received into evidence Petitioner’s Application as “Exhibit #1” and the Planning & Zoning Memorandum dated September 3, 2024 as “Exhibit #2” for the record. Mr. Geraghty moved to close the Evidentiary Portion of the Public Hearing, seconded by Mr. Ward.

Ms. Grotzke moved to **DENY** the request for a Special Use, seconded by Mr. Kehr, to permit a contractor office and shop in the B-3 Zoning District at the subject property of 6260 Joliet Road.

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

Aye: 4 Schwarz, Grotzke, Ward, Kehr

Nay: 2 Geraghty, Gutierrez

Absent: 3 Gertsmeier, White, Edenfield

Mr. Geraghty moved to approve the Variance, seconded by Mr. Gutierrez, to waive the requirement for contractor office and shops that all storage of material, equipment along with all trailers will be stored entirely within a building or storage container, subject to the six (6) conditions as noted in the Planning & Zoning Memorandum dated September 3, 2024.

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

Aye: 6 Schwarz, Geraghty, Grotzke, Kehr, Gutierrez, Ward

Nay: 0

Absent: 3 Gertsmeier, White, Edenfield

Mr. Gutierrez moved to **DENY** the Variance, seconded by Ms. Grotzke, to waive the requirement that all commercial or public open off-street parking areas shall be improved with either six inches (6”) of portland cement concrete or one and one-half inches (1 ½”) asphalt binder course with a one and one-

half inch (1 ½") asphalt top coat, both over a compacted aggregate base, not less than eight inches (8") thick.

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

Aye: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez,

Nay: 0

Absent: 3 Gertsmeier, White, Edenfield

Mr. Geraghty moved to approve the Variance, seconded by Ms. Grotzke, to waive the requirements of perimeter parking lot landscaping that includes the minimum 5' wide landscape area around that part of the perimeter of all parking lots which abut another parcel or right of way and concrete curbs around the perimeter at the subject property of 6260 Joliet Road, subject to the six (6) conditions as noted in the Planning & Zoning Memorandum dated September 3, 2024.

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: 4 Schwarz, Grotzke, Kehr, Geraghty

Nay: 2 Gutierrez, Ward

Absent: 3 Gertsmeier, White, Edenfield

Chairman Schwarz stated that this matter will come before the City Council at its Regular Meeting on September 25, 2024 at 7:30 p.m.

Public Comments

Becky Cornell, 5333 7th Avenue - Does the City do background checks on people doing business in the City? – It depends on the nature of the business. Mr. Trent reiterated that sentiment – in the case of the 1st item on the agenda, they are regulated by the State; State Certification must be provided, which is above and beyond what the City requires. The applicant has a copy of that license which must be renewed annually. They must also file a business license with the City. Who monitors conditions of the business in operation? The Planning Manager, Code Enforcement Officer, and the Building Commissioner – all conditions of non-compliance would be brought to their attention (the Petitioner) and citations may be issued; if they remain in non-compliance, revocation may be suggested. Ms. Cornell mentioned the Tavern on LaGrange re: overflowing dumpster – the property is in between owners; they are stripping the interior and redoing it. The dumpster is in the parking lot; a permit has been submitted for the use of the dumpster. Mr. Hess is working with the new tenant; restoration in progress requires them to remove the kitchen equipment, which will be cleaned and reinstalled; so it is temporary storage; they are working through Mr. Wagner with proper permitting – not a long term situation.

Other Business

Ticket Statistics (for August 2024) - No August report to be shared at this time; the individual who

normally provides the ticket breakdown is on vacation.

2018-24 Zoning Cases - New items were updated for the calendar year. The former City Hall project (5550 East Avenue) and the former Sonamatic – now Highland Automotive (9665 W. 55th Street) re: expansion of the automotive use and connection drive behind the building have not been completed – both will be expiring soon.

Upcoming Cases

The next meeting is **October 1, 2024** - There are no new cases scheduled for next month. Generally, October of each year is the time when the DRAFT calendar is presented for the upcoming year. If there is no October meeting, Staff will notify the PC/ZBA via email.

ADJOURNMENT:

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

Aye: 6 Schwarz, Geraghty, Grotzke, Ward, Kehr, Gutierrez

Nay: 0

Absent: 3 Gertsmeier, White, Edenfield

Chairman Schwarz declared the meeting adjourned at 9:58 p.m.

APPROVED:

Respectfully Submitted,



ROBERT SCHWARZ, CHAIRMAN

/fp