

# 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, April 5, 2022

7:15 P.M.

City Hall

### Board Members

**Chairman Richard Fullmer, Jr., Secretary Tina Grotzke  
Michael Anderson, Marco Gutierrez, Ronald Ward, Steve Kehr,  
Robert Schwarz, Danielle Edenfield, Jonathan Gertsmeier**

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

**Roll Call:** Secretary Grotzke called the Roll of Members physically present as follows:  
**Present:** Richard Fullmer, Jr, Ronald Ward, Michael Anderson, Danielle Edenfield, Steve Kehr, Tina Grotzke, Robert Schwarz, Marco Gutierrez, Jonathan Gertsmeier  
**Also Present:** Attorney Erik Peck, Planning Manager Richard Trent, City Administrator Gail Paul, Alderman Tom Frohlich, City Engineer John Fitzgerald, Recording Sec. Prokop

**Approval of Minutes** -- The Regular Meeting Minutes of March 1, 2022 and Special Meeting Minutes of March 22, 2022, were previously distributed to Board Members. There being no corrections or additions to the minutes, motion made to approve both sets of minutes as presented.

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

**Aye: 9 Fullmer, Ward, Grotzke, Anderson, Edenfield, Kehr, Schwarz  
Gutierrez, Gertsmeier**  
**Nay: 0**

**Chairman's Comments** - Mr. Fullmer stated that City officials are present tonight. He asked the audience to allow responses in full without interruptions or comments; he does not want outbursts – or a repeat of the last meeting. Please show respect for others.

#### **Action Items**

- 1. CASE #PSU22-0004: Consideration of a Special Use**
  - a. To consider granting a Special Use to permit a dance school (West Suburban Ballet Conservatory) in the B-2 Zoning District at the subject property -- 915 W. 55<sup>th</sup> Street.**

Ms. Edenfield moved to open the Public Hearing in this matter, seconded by Mr. Gutierrez and carried by unanimous voice vote. It appears that there are no principals present tonight. Mr. Trent provided several options; Chair Fullmer asked that the matter be **CONTINUED** to the May meeting. Ms. Grotzke moved to **CONTINUE** this hearing to the May meeting, seconded by Mr. Gertsmeier and carried by unanimous voice vote.

- 2. CASE #PRC22-0001: Consideration of a Plat of Resubdivision - CONTINUED**
  - a. To consider approving a Preliminary/Final Plat of Resubdivision in order to subdivide the subject property at 5550 East Avenue into two lots (Lots 1 & 2).**
- 3. CASE #PPUD22-0001: Consideration of a Business PUD (Special Use) - CONTINUED**
  - a. To consider approving a Preliminary/Final Development Plan for a Planned Unit Development (PUD) in order to construct a business development of commercial uses (automobile service station, drive-through facilities and outdoor patios) in the B-3 Zoning District at the subject property -- 5550 East Avenue.**

Ms. Grotzke moved to open the Public Hearing in this matter, seconded by Mr. Gutierrez and carried by unanimous voice vote. The Petitioners, on behalf of Luka Travel Center 1 LLC, Attorney Philip Fornaro,

Vladislav Pavlovic, Paul Vukavic and Eric Eriksson were sworn in *en masse* by Chairman Fullmer.

PM Mr. Trent gave the Staff report: These matters were CONTINUED from last month at which time there was a lengthy presentation re: the Plat of Resubdivision and the Special Use request. The end result was a Revised Site Plan was provided by the Petitioner. Questions raised at the last meeting entailed the following: 1) impact of the proposed fuel center on Helping Hand; 2) on the City's water supply; 3) effect of Quarry Blasting; and 4) the distinction between truck and auto counts in the Traffic Study which will be answered tonight. Those four (4) topics will be covered in an email response from City Engineer Fitzgerald. There were also 3D Renderings submitted to Staff showing the proposed "final" development.

The subject property is approximately four (4) acres in size; last year the City combined four (4) parcels into one (1) parcel. The Applicant is seeking to subdivide the one lot into two (2). The entire property is approximately 177,899 sq. ft. or 4.09 acres in size and is zoned B-3, Service and Wholesale Business District. The proposed subdivision would create one (1) lot at approximately 94,459 sq. ft. or 2.17 acres and a second lot at approximately 83,440.53 sq. ft. or 1.29 acres in size. The second request involves the redevelopment of the site with the creation of a Business PUD – Planned Unit Development – that would include several uses – a fueling station for trucks and cars, outdoor patios (on the upper and lower levels of the Market Building), and drive-through facilities. The Revised Site Plan is dated March 21, 2022. Three (3) buildings are being proposed with a combined square footage of approximately 22,302 sq. ft. Building 1 is identified as the "Fuel Center" on the north end of the property; Building 2 is identified as the "Market Building"; and Building 3 is identified as an "Out Building".

Main areas of residents' concerns were noted at the March 1, 2022 meeting. In response, Luka Travel Center 1 LLC has revised the entire project. Some of the changes noted are as follows:

- 1) Truck and Auto Fueling Station – reduced from 6 truck pumps to 5 truck pumps (trucks fuel from both sides at the same time);
- 2) Access Drives – originally proposed 5 access drives, reduced to 4, with NO ACCESS on 56<sup>th</sup> Street;
- 3) Reduction in Market Building size from 21,535 sq. ft. to 14,292 sq. ft.;
- 4) Noise Disturbance – provided a 40' berm, heavy landscaping and detention basin along 56<sup>th</sup> Street; and
- 5) Truck Parking on site – reduced from 11 truck stalls to 1 truck stall on the east side of the site.

The Petitioner provided enlarged 3D renderings showing several views of the entire property; all aspects of these individual photos were discussed. Sidewalks along 56<sup>th</sup> Street, 55<sup>th</sup> Street and along East Avenue were noted. A closer view of the proposed berm along 56<sup>th</sup> Street was discussed, noting the increased landscaping and park-like setting. The proposed Market Building was discussed with mezzanine and outdoor patios noted. Total building square footage including patios would be approximately 22,302 sq. ft. Parking requirements call for 112 parking stalls. The Applicant has proposed 114 regular stalls and 6 ADA stalls plus 1 truck space (total - 120 stalls). At this juncture, Mr. Trent read aloud the entire memo from Mr. Fitzgerald responding to the four (4) topics raised last

month. Copies of the memo were provided to interested parties. Mr. Fitzgerald was present this evening to answer any questions.

Chairman Fullmer asked the Petitioners to make their presentation, followed by questions from Board Members; the Hearing will then be opened to the audience.

Philip Fornaro appeared on behalf of Petitioner, Luka Travel Center 1 LLC. He thanked Mr. Trent for his excellent presentation. They believe they have solved most of the problems noted at the last meeting. The main point of concern was traffic access on 56<sup>th</sup> Street -- that has been eliminated. The above-ground detention creates a water feature and along with the berm moves the building farther north. The proposed "Market Building" elevation is higher, which will create a noise barrier to keep sounds from traveling; that is a great addition and creates privacy for the rooftop. He discussed landscaping around the entire perimeter and the parking islands. Those additions are paramount in addressing resident concerns. There is sufficient parking; truck stalls have been eliminated; this is truly a first-class project jointly by the City, the residents and the Petitioner. Mr. Eriksson echoed those sentiments and believes the revised Site Plan will be a safe site and an asset to the City. Mr. Fornaro asked that the new documents introduced become part of the evidence of record in this matter; Chairman Fullmer agreed.

Chairman Fullmer asked about the hours of operation of the proposed "Fuel Center" – 24/7. The outdoor patio hours would be consistent with Code. The fresh grocer would be open until 8 p.m. The proposed "Brewery and Restaurant" would stay open until 10 p.m. Are there plans for outdoor music? There are plans for that but it would be subject to the review and approval of the City – these are all discussion points in the PUD. Mr. Ward discussed truck traffic entering the station from 55<sup>th</sup> Street with East Avenue as the exit point. Mr. Gutierrez asked about the height of the berm – approximately 7 feet. He agrees that the height of the proposed "Market Building" would help with the noise level; there are many good improvements on the south. On the north side, only one (1) truck pump is eliminated; discussion ensued re: the area that formerly was six (6) truck stalls – that would remain as an empty area possibly for turning radius and access to the rear of the Market Building for deliveries, etc. Ms. Edenfield is concerned with future resale of the divided lot. The proposed "Market Building" is beautiful on paper; the berm is a big improvement. If the Market Building were sold and the Fuel Center remained, it would be a very tight area. Mr. Fornaro stated that no future sales are planned at present; in any event, there would be a Joint Reciprocal Easement Agreement with cross access affecting the entire site.

Mr. Gertsmeier echoed the sentiments on the south side; the berm and landscaping are a beautiful addition to the plan. He is concerned that deliveries to the rear of the Market would necessitate trucks backing out – with the noise that it entails. Delivery Hours and garbage removal hours could be adjusted. The empty area is a good place for snow dumping. Discussion ensued re: 6 truck pumps and 5 islands – that allows trucks with gas tanks on both sides to fuel each simultaneously. There would be no overnight parking, thus the elimination of the truck parking stalls. The proposed "Out Building" would probably be a fast food location – whatever the market would bear. Mr. Schwarz is impressed that they removed the access on 56<sup>th</sup> Street. The proposed berm and landscaping are excellent ideas; he echoes

the comments regarding the south side. Would there be any other commercial enterprise in the "Market Building"? No, everything is strictly market-related; patrons may purchase other package goods or sit inside to eat a sandwich they just purchased. Would there be live music or piped-in music at the brewery site? Any music would be limited to indoor, background music not on speakers to the patio area. There would be no live outdoor music on the upper level. Mr. Trent stated that clarification as to intent is important – outside on the upper level would have conditions attached. If it were internal music with doors closed and time restraints placed – that's another matter. Mr. Fornaro stated there would be no live music on the rooftop.

Mr. Schwarz asked if the proposed "Fueling Center" were not run 24/7, would that kill the project? Mr. Fornaro stated the key is the morning traffic. They need to work out a reasonable time to tie in with the Vulcan hours. Mr. Schwarz suggested closing time at 10 p.m. and opening at 5 a.m. or 6 a.m. They would not want to lose the Vulcan traffic – they agreed to a 5 a.m. to 10 p.m. timeframe.

(Whereupon a brief recess was had.)

Ms. Edenfield had traffic questions – discussion ensued re: truck ingress/egress route from East Avenue and from 55<sup>th</sup> Street. Mr. Fornaro stated that the intersection is being widened. Discussion ensued re: right turn in and right turn out on 55<sup>th</sup> Street. IDOT plans to install a raised curb on 55<sup>th</sup> Street from East Avenue to the access drive allowing traffic to turn left into the Fueling Center. There would be signage directing traffic as well. It is unknown at this time whether East Avenue will have a center raised curb. Trucks will take the path of least resistance to get fuel; if they're not comfortable, they will go elsewhere. IDOT has final approval on all permitting issues. Mr. Fornaro thanked Commissioner Kehr for suggesting the berm at the last meeting. Their preference for hours of the Fueling Center would be 4 a.m. to 10 p.m., Monday through Saturday, and 7 a.m. to 9 p.m. on Sundays; conditions could be considered by the PC/ZBA.

Chairman Fullmer opened the Public Hearing to audience questions:

Beatrice Sutkus, 9501 W. 56 Street – her main concern is truck traffic and how it would enter and leave the fueling station. There is no one-way traffic pattern; trucks coming in from both sides at the same time is problematic. What is the stacking limit for trucks? Mr. Eriksson stated that there is room for two (2) trucks behind each truck at the fueling pumps; 100 gallons of diesel fuel could be completed in two minutes. She also took issue with the traffic study. IDOT would require a traffic study prior to issuing any permit for access. Mr. Fitzgerald stated that traffic counts are usually done under typical weekday conditions and typical weekend conditions. Residents believe Covid-19 lessened the traffic count.

Donna Miller, 5808 Francis – why have another gas station; there are gas stations on all four corners. She doesn't agree with the concept; the community doesn't want it and the neighborhood doesn't need it. Car carriers go down 57<sup>th</sup> Street and tear up the streets. Traffic is impossible now; she is against it.

William Urban, 6009 East Avenue, Hodgkins, IL – is concerned that any liquor sales or gaming are too close to the school – if "Helping Hand" is considered a school. Mr. Trent stated that the Code is one

hundred (100) feet to the nearest use. Mr. Urban stated that this distance is probably 40' or 60' - has that issue been addressed.

Julia Pukar, 5870 Longview Drive, real estate broker – noted that low taxes need developments like this to support the City; especially if the owner is a local man who lives in Countryside.

Jeff Fuller, 9535 – 56<sup>th</sup> Street – the City built this beautiful City Hall, a Green building, why would they allow a fueling station with noise and pollution – it doesn't make sense. The City should make things better for the community; this fueling station would not make the community better. Electric cars are on the way – it doesn't make sense – trucks coming in from both sides; he foresees a log jam. Dump truck drivers are not a happy group, even to each other.

Ed Krzyminski, 6929 S. Lorraine Drive – discussed traffic congestion on 55<sup>th</sup> Street. East Avenue northbound will have a through turn lane with no stop going east. He also has concerns about the water line from the water tower going underneath the berm heading to East Avenue. There is an easement there. This project doesn't fit the community. He also suggested at least have one-way truck traffic to prevent congestion.

Jeff Henneman, 9612 W. 56<sup>th</sup> Street, a truck driver – stated there would be more accidents at this intersection. Selling Diesel to Vulcan is very lucrative; this project belongs three blocks east in McCook on 55<sup>th</sup> Street – there is a huge area that would fit the need, with easy in and out, and no neighborhood disruption. Why does it need to be here?

Beatrice Sutkus, doesn't want the trucks, the berm is beautiful, but no trucks, absolutely no trucks. She speaks on behalf of the residents here; all are in agreement for NO TRUCKS. Niko Sutkus, age 20, played baseball in the front yard; if this truck stop is built, he would not raise his kids here. Keep Countryside Green; keep it the way it is – why build a truck stop on a residential block – makes no sense. Donna Miller asked the Board to consider the residents' feelings and not the money behind the project. Countryside doesn't need this fueling station; respect the residents' wishes – NO TRUCKS. What kind of life would it be for the residents? Horrible! Debbie Tyler – if IDOT doesn't approve the plans, they would be changed accordingly.

Bryan Cushing, 9708 W. 56<sup>th</sup> Street - discussed overflow parking on residential streets when the parking lot for the proposed Brewery and Fresh Market fills up; cars would be parking illegally and driving on 56<sup>th</sup> Street impaired.

Mr. Fornaro thanked the Board for listening and hope they support the petition moving forward.

Mr. Gutierrez moved to close the Evidentiary Portion of this Hearing, seconded by Ms. Grotzke and carried by unanimous Roll Call vote.

Ms. Grotzke moved to DENY the Preliminary/Final Plat of Resubdivision, commonly known as 5550 East Avenue, seconded by Mr. Gutierrez; motion carried by Roll Call vote.

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

**Aye: 6 Fullmer, Grotzke, Anderson, Edenfield, Gutierrez, Gertsmeier**  
**Nay: 3 Ward, Kehr, Schwarz**

Ms. Grotzke moved to DENY the Special Use to permit a Business PUD on the property commonly known as 5550 East Avenue, seconded by Mr. Anderson; motion carried by Roll Call vote.

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

**Aye: 6 Fullmer, Grotzke, Anderson, Edenfield, Gutierrez, Gertsmeier**  
**Nay: 3 Ward, Kehr, Schwarz**

Chairman Fullmer stated that this matter will come before the City Council at its Regular Meeting on April 27, 2022. They have the final approval on this matter.

#### **Public Comment - None**

#### **Other Business**

Mr. Trent stated that the next Regular Meeting is scheduled for May 3, 2022. The Agenda will have the matter of 1023 W. 55<sup>th</sup> Street – for a Sign Variance request – the future site of Kiddie Academy. Also, the matter of the West Suburban Ballet Conservatory, **CONTINUED** from this evening, will be on the agenda.

#### **Comprehensive Plan Update**

Mr. Trent is working with the consultant to coordinate dates for two (2) meetings – the Business Visioning Workshop – with the Countryside Chamber of Commerce. If that is not feasible, there will be an open invitation to all business owners to gather and get their perspective. The second meeting is a Community-wide Visioning Workshop – inviting everyone to come in and discuss the Comprehensive Plan; to obtain their viewpoints, opinions and thoughts concerning the future of the City. Mr. Trent hopes to schedule those meetings for the third or fourth week of April.

The Zoning Case Log from 2018-2022 is included in the Board packets.

Regarding enforcement of the truck parking issue, statistics from the Police Department include: – Idling Trucks Prohibited – 13 tickets issued; Parking, Storing Semi-Tractors/Trailers Prohibited – 44 tickets issued; Commercial Vehicles at Residences – 1 ticket issued; Vehicles Parked Not Registered to Business – 21 tickets issued; from January 1 through March 31, 2022. Mr. Trent will try and provide the monthly report from the Police Department statistics moving forward.

**ADJOURNMENT**

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

**Aye: 9 Fullmer, Ward, Grotzke, Anderson, Edenfield, Kehr, Schwarz  
Gutierrez, Gertsmeier**

**Nay: 0**

**Chairman Fullmer declared the meeting adjourned at 9:45 p.m.**

APPROVED:

Respectfully Submitted,



By:

RICHARD FULLMER, JR., CHAIRMAN

/fp