

# **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 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, Jonathan Gertsmeier  
**Absent:** Marco Gutierrez  
**Also Present:** Attorney James Hess, Planning Manager Richard Trent, Alderman Frohlich, Recording Sec. Prokop

**Approval of Minutes** -- The Regular Meeting Minutes of June 7, 2022 were previously distributed to Board Members. There being no corrections or additions to the minutes, motion made to approve the minutes as presented.

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

**Aye: 8 Fullmer, Grotzke, Anderson, Kehr, Schwarz, Ward, Gertsmeier, Edenfield**  
**Nay: 0**  
**Absent: 1 Gutierrez**

**Chairman's Comments - None.**

#### **Action Items**

- 1. CASE #PSU22-0006: Consideration of a Special Use**
  - a. To consider granting a Special Use to permit a second location and expanded space for the dance school (West Suburban Ballet Conservatory) in the B-2 Zoning District at the subject property of 919 W. 55<sup>th</sup> Street, Unit #A.**

Ms. Grotzke moved to open the Public Hearing in this matter, seconded by Ms. Edenfield and carried by unanimous voice vote. The Applicant, Crystal Laakso, was sworn in by Chairman Fullmer. The required Proof of Notice has been received by the Building Department.

PM Mr. Trent stated that this is a request for a Special Use by West Suburban Ballet Conservatory (WSBC). They wish to expand their current location in Highland Plaza (east side). Their request is to establish an additional dance school area on the west side of the building; the two (2) areas are not contiguous -- this would be a new location -- 919 W. 55<sup>th</sup> Street, Unit #A. The Petitioner is the Ballet Tutor, LLC, in the B-2 Zoning District. Photos of the north, south, east and west were shown. The site is approximately 34,970 sq. ft. or .80 acres with cross access at 1023 W. 55<sup>th</sup> Street. Parking spaces are shared by the various businesses located within the Plaza. Parking for the new location would be situated on the west side of the Plaza.

The Comprehensive Plan denotes this site as part of the Plainfield Road/55<sup>th</sup> Street Subarea Plan and calls for parking lot landscaping and parkway improvements. Staff does not recommend doing that at this time, but if the site were to be redeveloped in the future, then Staff would recommend those improvements. The floor plan for the proposed 2,500 sq. ft. addition would include two (2) studios, two (2) offices and a reception area with a bathroom and dressing room. Interior and exterior photos showing the Green Studio and Purple Studio were presented along with photos of the students during a

routine session. Students would be 12-17 years old; they would be driven to the location by their parents – no school vehicles are proposed for this location. Hours of operation would be Mon.-Thurs. 3:00-9:00 p.m., Sat. & Sun. from 10:00 a.m.-12:00 noon; they anticipate 10-20 additional students. Additional dance space would include modern jazz, hip hop, pointe and contemporary/recreational dance. Current parking on site with both parcels is approximately 156 spaces, including 151 regular stalls and 5 ADA stalls. Combined uses of all businesses located at the Plaza would not exceed 120 stalls (12-22 stalls would be provided). Staff recommends approval of the Special Use for WSBC for a second location to operate at 919 W. 55<sup>th</sup> Street, Unit #A, subject to the five (5) conditions as presented in the Staff Report.

Ms. Laakso is a volunteer and has not prepared a formal report. They wish to grow their current business; to do so they need additional space for students to learn and practice different dances – more recreational type dances. She wishes the two (2) areas were connected, but they are not. The girls are less skilled but will learn recreational dance approximately three (3) times per week for a few hours. Some of the more serious dancers will attend six (6) days per week for longer periods of time. Board Members had no further questions; there were no interested parties. Ms. Laakso made no Closing statement. Mr. Hess stated that the recommendation would be to approve granting a Special Use to permit a second location and expanded space for the Ballet Tutor, LLC on the property commonly known as 919 W. 55<sup>th</sup> Street, Unit #A, subject to the five (5) conditions listed in the Staff Report (dated July 5, 2022). Ms. Edenfield moved to close the Evidentiary Portion of the Public Hearing, seconded by Mr. Ward and carried by unanimous voice vote.

**A motion was made by Mr. Schwarz, seconded by Ms. Grotzke, that this matter be APPROVED as presented above, subject to the five (5) conditions listed in the Staff Report (dated July 5, 2022); motion carried by the following vote:**

**Aye: 8 Fullmer, Grotzke, Anderson, Kehr, Schwarz, Ward, Gertsmeier,  
Edenfield**  
**Nay: 0**  
**Absent: 1 Gutierrez**

Chairman Fullmer stated that this matter will come before the City Council at its Regular Meeting on July 13, 2022 at 7:30 p.m.

**2. CASE #PTA22-0002: Consideration of a Text Amendment - CONTINUED**

- a. To consider amending Zoning Code Section 10-6A-2 to include Animal Daycare/ Kennels/Boarding as a Special Use in the B-1 Zoning District.**

Ms. Edenfield moved, seconded by Ms. Grotzke to Open the Public Hearing in this matter; motion carried by unanimous voice vote. Mr. Trent discussed both businesses in town – Dogtopia and the Barker Shop -- and the procedures they had taken to become operational. Dogtopia has more offerings than the Barker Shop; both businesses went through various stages from initial dog grooming to daycare to boarding facilities. Dogtopia is under new ownership and they are fully aware of all applicable guidelines, special uses, amendments and restrictions.

At the last meeting, Staff suggested streamlining that process and broadening the scope by proposing new language under Section 10-6A-2 including the use “Animal Daycare/Kennels/Boarding.” Issues

mentioned included proximity to other uses, hours of operation and sales of animals. The proposed REVISED Language is shown in black (**bold**), specifically items **b**, **d**, **e** and **f**.

- b) Animal daycare/kennels/boarding are not permitted directly adjacent to any residential use with the exception of facilities that are entirely enclosed.**
- d) All animals must be kept within a completely enclosed building between the hours of seven o'clock (7:00) p.m. and seven o'clock (7:00) a.m.**
- e) The retail sale of dogs or cats is prohibited with the exception of rescue adoption and/or drives.**
- f) Outdoor runs and exercise areas must be enclosed by a solid fence or wall that is a minimum of six (6) feet in height.**

After lengthy discussion of each of the items (above), Board Members agreed that the revised language should be kept as is with no additions. It was noted that these conditions do not necessarily apply to veterinary hospitals. Messrs. Hess and Trent have researched other communities in Illinois including Aurora, Downers Grove, Naperville, Lisle, Bensenville and Joliet to assist in crafting the proposed/revised language found in items **b**, **d**, **e** and **f**. Mr. Ward moved to close the Public Hearing, seconded by Ms. Edenfield and carried by unanimous Roll Call vote.

There were no further questions from Board Members. There were comments from Interested Parties.

Teresa Napolitano, 1416 W. 55<sup>th</sup> Street, was the former Dogtopia manager and now new owner since December 2021. She believes that clear language should be the goal for business owners and neighbors. Dogtopia is a boarding and day care facility; there is no sale of animals. They are growing and will need more space in the near future. She discussed item **d** – how it affects the health and well-being of the animals. She does not consider sixty (60) dogs too many; they are kept inside and let out in small groups for brief periods of time. They are open from 7:00 a.m. to 7:00 p.m. Dogs have play time from 7:00 a.m. - 12:00 noon, rest period 12:00 - 2:00 p.m. and play time from 2:00 - 7:00 p.m. They have three (3) separate play areas; the boarders are allowed outside in small groups after 7:00 p.m. She acknowledges the need for a realistic plan to use the outdoor areas during daytime hours. Again, lengthy discussion took place; Dogtopia is trying to come up with a schedule to suit all concerned parties. They allow groups of twelve (12) dogs out for brief “potty breaks” during the morning and afternoon; she would like that number raised to twenty (20) dogs. Discussion ensued re: noise containment and the number of animals outdoors (with supervision and clean-up). Mr. Trent noted that specific times are needed to clarify outdoor daytime hours. After further discussion, Board members agreed to keep the revised language as stated and apply any additional language on a case-by-case basis. Mr. Hess stated that the recommendation is to amend the Zoning Code Section 10-6A-2 to include Animal Daycare/Kennels/Boarding as a Special Use in the B-1 Zoning District as noted in the Staff Report (dated July 5, 2022).

**A motion was made by Mr. Ward, seconded by Mr. Gertsmeier, that this matter be APPROVED as presented above; motion carried by the following vote:**

**Aye: 8 Fullmer, Grotzke, Anderson, Kehr, Schwarz, Ward, Gertsmeier, Edenfield**  
**Nay: 0**  
**Absent: 1 Gutierrez**

Chairman Fullmer stated that this recommendation will come before the City Council at its Regular Meeting on July 13, 2022 at 7:30 p.m.

**3. CASE #PTA22-0003: Consideration of a Text Amendment**

- a. To consider amending Zoning Code Section 10-6C-2 to include Commissaries as a Special Use in the B-3 Zoning District.**

Ms. Grotzke moved to open the Public Hearing in this matter, seconded by Mr. Anderson and carried by unanimous voice vote. PM Mr. Trent presented the Staff Report. The City has been approached by a developer who is seeking to establish a new restaurant, outdoor patio, office space and "Commissary" at 6420 Joliet Road. The site has previously been home to several car dealerships. The developer seeks to use the site as a headquarters for a restaurant chain. They would prepare and make food items, package, and distribute said items to their other seven (7) other locations in the Chicagoland area. The site would serve in part as a warehouse/distributor for their other locations. Currently, the B-3 Zoning District permits restaurants and offices as a permitted use and outdoor patios as a Special Use. The developer believes this is an ideal location as it has everything they need plus easy access to major highways. The use "Commissary" is *not* specifically defined or permitted in the Zoning District. The City does *not* have "Commissary" as a defined term in any City Ordinance.

Staff has been asked to present a Text Amendment to consider new language that would allow the production/packaging of food items *on site* including storage and distribution of same *off site*. Staff is seeking Board member comments, feedback and direction in crafting new language to permit use by Special Use in the B-3 Zoning District. The term "Commissary" needs to be defined and standards established for the proposed use.

To assist in crafting new language, Messrs. Hess and Trent have reviewed definitions used by other communities. Mr. Trent read aloud the definitions from: the City of Chicago, City of Evanston, Village of Glenwood, Village of West Dundee, and Madison County, IL. It was noted that Countryside does not allow mobile food trucks in the City. Mr. Trent believes that the definition by the Village of West Dundee has the closest appropriate meaning; the City would be looking to blend language from commercial and industrial uses. That specific language reads:

**"Commissary/Commercial Kitchen" means an establishment in which the principal use is to engage in the preparation and production of prepared food items for off premises consumption and/or sale. Typical uses for a commissary would be for commercial food trucks, bakeries and caterers. This classification does not include businesses involved in the processing or manufacturing of wholesale food products. (Village of West Dundee)**

Mr. Trent is seeking input only tonight; he asked Board members to review the material and make no recommendation but think about it – is it a "use" that could fit within the B-3 Zoning District? Mr. Ward

moved to CONTINUE this matter to next month, seconded by Ms. Grotzke and carried by unanimous voice vote.

**A motion was made by Mr. Ward, seconded by Ms. Grotzke, that this matter be CONTINUED to next month; motion carried by the following vote:**

**Aye: 8 Fullmer, Grotzke, Anderson, Kehr, Schwarz, Ward, Gertsmeier,  
Edenfield**

**Nay: 0**

**Absent: 1 Gutierrez**

### **Other Business**

#### **Upcoming Cases**

There is nothing on the agenda for next month except for the Text Amendment - "Commissary" matter.

#### **Comprehensive Plan Update**

Houseal Lavigne has been gathering all information and distilling it into an extensive memo (an interim deliverable) outlining their work thus far. The City will receive an Existing Conditions Memorandum (ECM), a long memo answering the question -- Where is Countryside today? The ECM will include maps and graphics to support two data points: used to develop goals, policies and land use recommendations, and serve as a foundation to guide the development of the Comprehensive Plan. The memo will include a demographic snapshot of influencing factors, trends and potentials that will form the Plan. An overview of current zoning and existing land uses, an overview of the transportation network and mobility options, an overview of community facilities and infrastructure, and an overview of parks and open spaces will be included. The ECM will be used during development of goals, etc. Opportunities for public input will continue throughout the Plan adoption.

The next event seeking input from residents will be the Community Subarea Workshop. The ECM should arrive within the week; Staff will review and digest the information; and then the next step will be discussion with the Steering Committee. No specific date has been set.

The Zoning Case Log from 2018-2022 is included in the Board packets, which is updated monthly.

#### **Private Email Addresses**

Mr. Trent distributed a memo from Mr. Hess detailing the use of personal Emails. City correspondence should only be conducted via City-issued email accounts and *not* by personal email accounts. The City has received a FOIA request that is being disputed, which may involve a search of private emails that could potentially be made public. In all future correspondence with the City, Board members will be required to use only their City-issued email addresses and will be asked to consider changing their password on a monthly basis. Mr. Hess stated that this is for each person's private protection. City assistance will be made available for Board members.

#### **Parking Ticket Statistics**

Regarding enforcement of the truck parking issue, statistics from the Police Department show that

during the month of June - 14 tickets were issued for parking, storing semi-tractors/trailers, 2 for idling, and 28 for overnight parking – a total of 54 tickets were issued in June 2022.

**The next PC/ZBA Meeting is scheduled for August 2, 2022.**

**ADJOURNMENT**

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

**Aye: 8 Fullmer, Grotzke, Anderson, Kehr, Schwarz, Ward, Gertsmeier,  
Edenfield**

**Nay: 0**

**Absent: 1 Gutierrez**

**Chairman Fullmer declared the meeting adjourned at 9:25 p.m.**

APPROVED:

Respectfully Submitted,



RICHARD FULLMER, JR., CHAIRMAN

/fp