

MINUTES
FLOSSMOOR PLAN COMMISSION
CONTINUED REGULAR APRIL MEETING
APRIL 28, 2016

Chair Curran called the April 28, 2016 Meeting to order at 7:35 PM

1. ROLL CALL

PRESENT:

Chair Curran, Commissioners Matthys, McCarthy, Mitchell and Thiros.

ABSENT:

Commissioners Martin and White.

ALSO PRESENT:

Scott Bugner, Zoning Administrator; Edward McCormick, Village Attorney; Jane Sloss, Christina Swanson and Tim Knapp representing New Hope Center; John Ochiuzzo representing Elemental Landscapes

2. APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 17, 2016

Commissioner Mitchell motioned to accept the minutes of the March 17, 2016 meeting as submitted.
Commissioner Thiros seconded the motion which passed by voice vote.

Ayes: Chair Curran, Commissioners Matthys, Mitchell and Thiros

Nays: None

Abstained: Commissioner McCarthy

3. PUBLIC HEARINGS

A. A PUBLIC HEARING TO CONSIDER A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT FOR A SWIMMING POOL, PATIO AND SPA. (1315 AMERY CT. – MCINNIS)

Chair Curran introduced the petition and asked Mr. Bugner to provide a brief summary of the agenda item. Mr. Bugner provided a brief summary of the proposed request as outlined in the staff memorandum.

Mr. Bugner explained that the petition had been requested as a result of a change to the site plan for a previously approved Special Use Permit issued in November of 2015. Mr. Bugner indicated that the pool and patio were reoriented on the site, the cabana was eliminated and a spillover spa was added. Mr. Bugner further indicated that the new proposal continued to meet all provisions of the Zoning Ordinance.

Chair Curran asked the petitioner to briefly describe the reason for the changes proposed. John Ochiuzzo from Elemental Landscapes advised that the homeowner had changed their mind. Attorney McCormick advised that the homeowner be made aware that any future changes to the site plan would also be subject a new public hearing and that they need to be sure that the proposed changes are final.

Chair Curran asked if the Commissioners had any questions.

Commissioner Mitchell asked if any variances had been requested. Mr. Bugner advised that the proposed plan did not require any variations from any provisions of the Zoning Ordinance.

Commissioner Matthys asked if the fence was the same as previously proposed. Mr. Bugner advised that a six (6) foot aluminum wrought iron style fence was proposed with no change to the location.

Chair Curran asked if there were any questions or comments from the public, to which there was none.

Chair Curran asked for a motion to recommend approval of the Special Use Permit as resubmitted.

Commissioner Mitchell motioned to recommend approval of a Special Use Permit for a swimming pool, spa and patio as submitted. Commissioner Thiros seconded the motion which passed by roll call vote.

AYES: Chair Curran, Commissioners Matthys, McCarthy, Mitchell and Thiros.

NAYS: None

B. A PUBLIC HEARING OF A REQUEST FOR APPROVAL OF FINAL PLAT AND PLAT OF CONSOLIDATION, A REZONING AND A PLANNED UNIT DEVELOPMENT AS A SPECIAL USE. (1032-1038 LEAVITT AVENUE NEW HOPE APARTMENTS).

Chair Curran introduced the petition and asked Mr. Bugner to provide a brief summary of the agenda item. Mr. Bugner provided a brief summary of the proposed request as outlined in the staff memorandum.

Mr. Bugner explained that several public hearings had been previously held before the Plan Commission and that the Preliminary Plan has been approved by the Village Board of Trustees. Mr. Bugner stated that the petitioner has returned before the Plan Commission for a public hearing to request the recommendation for final approval. Mr. Bugner advised that the final plat conforms with the approved Preliminary Plan with only minimal changes to the floor plan design.

Chair Curran asked the Commissioners for any questions.

Commissioner Matthys asked about the discrepancy between the civil drawings and the architectural site plan with relation to the existing trees and which trees were to be removed. Jane Sloss indicated that they have further revised the drawings and coordinated between civil and architectural and stated four trees would be removed and that the particular tree in question should be able to remain. Commissioner Matthys asked if the trees along the north lot line would be protected during construction. Ms. Sloss indicated that those trees would be protected.

Attorney McCormick further explained the details of the restrictive covenant which is to be recorded.

Chair Curran asked for a motion to recommend approval of the request as submitted.

Commissioner Matthys motioned to recommend approval of a Final Plat and Plat of Consolidation, a Rezoning and Planned Unit Development as a Special Use Permit as submitted. Commissioner Thiros seconded the motion which passed by roll call vote.

AYES: Chair Curran, Commissioners Matthys, McCarthy, Mitchell and Thiros.

NAYS: None

C. A PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND SECTION 4-107.5 OF THE FLOSSMOOR ZONING ORDINANCE REGULATING TEMPORARY TOILET FACILITIES.

Chair Curran introduced the petition and asked Mr. Bugner to provide a brief summary of the agenda item. Mr. Bugner provided a brief summary of the proposed request as outlined in the staff memorandum.

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Mr. Bugner stated that as a result of an Illinois state law known as the 'Construction Site Temporary Restroom Facility Act' (410ILCS 37/), the existing provisions of the Zoning Ordinance which prohibit temporary toilet facilities at other than new construction sites and establish a maximum of one (1) temporary toilet at any construction site are unenforceable. Mr. Bugner stated that the only provision in the existing regulation which may be enforced is the distance setback requirement from a front lot line which is 25 feet. Mr. Bugner stated that an amendment has been drafted which could further restrict the placement of these facilities based on site specific criteria. Mr. Bugner advised that one (1) temporary toilet would be permitted in residential districts where there is no working sanitary facilities and that such would be required to be placed in a rear yard or side yard if accessible for placement and maintenance, or if placed in a front yard a minimum setback of 25 feet would continue to be required. Mr. Bugner stated that the temporary facility would be required to be removed upon the completion of an enclosed and functional toilet within the residence under construction. Mr. Bugner stated that the number of temporary facilities for commercial buildings would be based on OSHA requirements.

Chair Curran asked the Commissioners for any questions or comments.

Commissioner McCarthy asked how the determination would be made requiring the placement in a rear yard as opposed to the front or side yard. Mr. Bugner stated that administrative discretion would be used and that if there is a reasonable means to place the temporary facility in the rear yard then such would be requested.

Commissioner Mitchell and Chair Curran asked what the criteria for side yard placement would be. Mr. Bugner advised that the placement would have to meet minimum side yard setbacks for accessory uses.

Commissioner Matthys stated that the proposed provision to have the temporary facility removed immediately upon the availability of an interior facility was important. Chair Curran suggested that in addition, perhaps adding an additional provision for removal upon a continuous construction stoppage.

The members of the Commission agreed that the additional provision be added to require the removal of the temporary facility when continuous construction ceases for a period of thirty (30) days.

Chair Curran asked for a motion to recommend approval of the amendment with the suggested revision.

Commissioner McCarthy motioned to recommend approval of an amendment to Section 4-107.5 of the Flossmoor Zoning Ordinance with the suggested revision. Commissioner Mitchell seconded the motion which passed by roll call vote.

AYES: Chair Curran, Commissioners Matthys, McCarthy, Mitchell and Thiros.

NAYS: None

D. A PUBLIC HEARING OF A REQUEST TO AMEND ARTICLE 22 OF THE FLOSSMOOR ZONING ORDINANCE REGULATING GRAND OPENING EVENT DISPLAY SIGNAGE.

Chair Curran introduced the petition and asked Mr. Bugner to provide a brief summary of the agenda item. Mr. Bugner provided a brief summary of the proposed amendments as outlined in the staff memorandum.

Mr. Bugner advised that this was a request by Village management to address grand opening event display signage. He advised that given the larger scale development which is occurring and which is projected to continue in the former TIF area, the current Section 22-108.11. regulating Temporary Advertising Banners does not allow adequate signage for grand opening events at larger occupancies located on roads with denser traffic patterns and increased speed limits. Mr. Bugner stated that the proposed amendment would allow for more visible displays for new and existing business occupancies which are adjacent to roadways with four or more lanes only and for grand opening events only. The provisions of Section 22-108.11. would continue to regulate all other special event signage and would continue to provide the regulation for business occupancies located in other areas of the Village. Mr. Bugner advised that the proposed amendment would only permit one event per year for any occupancy and only within a 30 or 60 day period following the issuance of an occupancy permit. He stated that the display would be limited in duration to a total of 24 days including setup and takedown.

Chair Curran asked the Commissioners for any questions or comments.

Commissioner McCarthy asked for clarification of the permitted duration of the displays. Mr. Bugner advised that a display could begin to be setup up to 7 days prior to the grand opening, allowing an additional 15 days for the event itself and allowing a 2 day take down period following the event for an overall duration of up to 24 days.

The members discussed the limitation of 30 days following the issuance of an occupancy permit for existing buildings versus the 60 days allowed for new construction. Commissioner Matthys stated that an existing building occupancy may also need up to 60 days from issuance of the occupancy permit to allow time for stocking and such and asked if there was a need to differentiate between new and existing buildings. The members of the Commission agreed that eliminating the 30 day period for existing buildings and allowing 60 days for both new and existing construction would avoid any confusion and allow equal time should a new owner or occupant require it.

Commissioner Mitchell raised concerns that other business occupancies in areas not adjacent to four lane roads may feel that they are not receiving fairness by being omitted from such displays. Mr. Bugner advised that given the store frontages of most of these occupancies are much smaller and would not have the space to display additional signage. Mr. Bugner also advised that the existing "temporary advertising banner" provision in the Zoning Ordinance does permit advertising up to 4 times per year for grand openings and other special events. Mr. Bugner stated that this provision was geared toward larger occupancies where the "temporary advertising banner" provision would be ineffective given the size of the site and location.

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Commissioner Matthys asked if feather flags were permitted under the existing regulations. Mr. Bugner stated that they were not permitted and that they would only be permitted for grand opening events as described in the new proposed regulation. Commissioner Matthys asked about the standard size of the feather flags. Mr. Bugner stated that the maximum 15 foot height proposed was based on research of various vendors or manufacturers of these types of flags for a typical large feather flag. Mr. Bugner advised that given the large lot sizes of the areas in question, smaller flags may not provide adequate visibility. Chair Curran added that these flags would only be permitted along road ways with four or more lanes or essentially Vollmer Road, Governors Highway and Kedzie Avenue.

With no further discussion Chair Curran asked if there was a motion to recommend approval as amended.

Commissioner Thiros motioned to recommend approval of the amendment as revised. Commissioner Matthys seconded the motion which passed by unanimous roll call vote.

AYES: Chair Curran, Commissioners Matthys, McCarthy, Mitchell and Thiros.

NAYS: None

4. OTHER BUSINESS

None

5. OLD BUSINESS

None

6. STAFF REPORTS

None

7. MEMBERS CONCERNS AND IDEAS

None

Commissioner McCarthy motioned to adjourn the meeting. Commissioner Thiros seconded the motion which passed by unanimous voice vote.

AYES: Chair Curran, Commissioners Matthys, McCarthy, Mitchell and Thiros.

NAYS: None