

ZONING BOARD OF APPEALS
MINUTES OF APRIL 3, 2024 – 7:00 P.M.

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Rhonda Santana, Kathy Mennella, Jenny Corral, Wayne Bernacki, Bruce Boreson, Frank Grieshamer, Chairman Mark Cwik, Lisa Manzo (Secretary), Ryan Morton (Village Attorney), and Rudy Repa (Village Planner). All members were present.
3. Member Grieshamer made a motion to accept the minutes of March 6, 2024. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: None
5. New Business: ZBA 24-03
Text Amendment
Village of Franklin Park

Chairman Cwik stated that this hearing is for a Text Amendment to Sections 9-2-3, 9-9-2, 9-9-3, 9-11-5, and 9-11-6 and tables 9-1 and 11-2 regarding definitions for Ecommerce Facilities; zoning district permissions and use standards for Ecommerce Facilities and Day Care Centers; parking requirements for Ecommerce Facilities; and on-street parking credits for the C-2 and C-3 Commercial Districts.

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Mr. Rudy Repa, petitioner, came forward. He signed in and was sworn in.

Mr. Repa gave his presentation at this time. He stated that there are three (3) different sections of the code that will be addressed at this time. They would be the following:

- 1- Ecommerce Facilities added into the Zoning Code as well as adding in the definition. In recent years, Ecommerce -- short for electrical commerce, or online commerce -- has gained popularity as websites like Amazon, eBay, Etsy & other online retailers have gained a significant share of the retail market. The proposed amendment would create a specific use category for Ecommerce facilities and provide clarity to ensure that this use is not regulated the same way as retail sales establishments or warehousing and distribution. The

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proposed definition of “Retail-Ecommerce Facility” is as follows:

Retail – Ecommerce facility. A facility that primarily sells and distributes products from online sales or services. Such sales or services may include but are not limited to apparel, housewares, jewelry, toys, books, arts & crafts, software, or website design. Ecommerce facilities may have ancillary office and storage areas, but do not permit manufacturing on the premises.

Mr. Repa also stated that Retail -Ecommerce facilities would be entered into Section 9-9-2 Use Matrix Generally/Table 9-1: Use Matrix as being Permitted in the C-4 and C-5 Districts. It would be added into Section 9-11-5 - Required off-street vehicle parking spaces/Table 11-2: Off-Street Vehicle Parking Requirements as “1 per each on-site employee plus 1 per 2,500 square foot GFA.”

He further stated that the proposed requirement of 1 parking space for each on-site employee ensures adequate parking spaces without creating an unrealistic burden for businesses. The change will guarantee parking is available for each on-site employee as well as some additional parking for visitors, guests, or other additional employees. Moreover, Section 9-11-6 outlines several parking flexibilities, including fee-in-lieu for on-street parking, which could be counted towards the parking requirement if necessary.

- 2- Day Care Centers: the proposed amendment would permit Day Care Centers in the C-3 General Commercial districts on zoning lots adjacent to Grand Avenue east of Mannheim Road. Day Care Centers were previously prohibited in the C-3 District due to concerns about traffic, as well as noise and air pollution adjacent to Mannheim. However, Grand Avenue east of Mannheim, which is also in the C-3 District, is a better fit for Day Care Centers with similar zoning intensity. Allowing Day Care Centers in that part of the C-3 District makes sense for the community. Mr. Repa further stated that the proposed amendment would add a fourth standard for Day Care Centers (Section 9-9-3 Principal Use Standards/H. Day Care Centers): “*Location. Where authorized as a permitted use within the C-3 District, Day Care Centers shall only be located on zoning lots adjacent to Grand Avenue east of Mannheim Road.*”

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- 3- Parking Credits: As currently structured, vehicular parking standards may be reduced through on-street and off-street parking credits in the C-1, C-4, C-5, and DT districts. Such flexibility is only permitted when certain requirements, including availability of public parking, are met. The proposed amendment would expand on-street vehicular parking credits to the C-2 and C-3 zoning districts.

The verbiage in Section 9-11-6 Parking flexibilities/B. Parking credits would read as follows: “*Vehicular parking standards may be reduced by achieving the following credits: 1. On-street parking credits in **all commercial and downtown** districts...*”

He further explained that the proposed amendment would allow for more business types and operations to occur in C-2 and C-3 zoning areas with historic, physically constrained zoning lots. Business owners often face challenges as such buildings are built in a way that does not allow for necessary parking. The proposed amendment will allow already existing on-street parking spaces to count to such buildings if they are existing in proximity to such commercially zoned buildings.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:18 p.m.

The members discussed this hearing at this time.

Board Discussion ended at 7:20 p.m.

Member Grieshamer made a motion to “approve the Text Amendment to Sections 9-2-3, 9-9-2, 9-9-3, 9-11-5, and 9-11-6 and tables 9-1 and 11-2 regarding definitions for Ecommerce Facilities; zoning district permissions and use standards for Ecommerce Facilities and Day Care Centers; parking requirements for Ecommerce Facilities; and on-street parking credits for the C-2 and C-3 Commercial Districts.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

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Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

6. Public Comment: None.

7. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Mennella. All in favor. Motion carried.

The meeting adjourned at 7:22 p.m.

Respectfully Submitted,

Lisa M Manzo

Lisa M. Manzo
Zoning Board of Appeals Secretary