

AGENDA
PARK FOREST PLANNING AND ZONING COMMISSION

Park Forest Village Hall
Board Room

7:00 P.M.

TUESDAY
January 24, 2023

1. Planning and Zoning Commission Call to Order
2. Review of Minutes
 - a. December 13, 2022, Regular Planning and Zoning Commission Meeting
3. Petitions - None
4. Audience to Visitors
5. New Business
 - a. Public Hearing: Text Amendment to Article VII (Signs) of the Unified Development Ordinance, to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement.
 - b. Public Hearing: Draft Downtown Master Plan Presentation, Discussion, and Board Recommendation.
6. Old Business – None.
7. Communications
 - a. Member Communications
 - b. Trustee Comments
 - c. Staff Communications
8. Adjournment

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Village Manager's Office at least 48 hours in advance of the scheduled meeting. The Village Manager's Office can be reached via telephone at 708-283-5605 or via email at athurston@vopf.com. Every effort will be made to allow for meeting participation.

**Park Forest
Planning and Zoning Commission Meeting Minutes
Park Forest Board Room
Tuesday, December 13, 2022**

Present: Vice Chair Marguerite Hutchins; Commissioners: Samuel Brooks, Cynthia Burton-Prete, Denise Poston, Doug Price; Trustee Liaison Maya Hardy

Staff: Andrew Brown, Planner

Absent: Chair Vernita Wickliffe Lewis

Visitors: None.

Call to Order: The meeting was called to order at 7:01 pm.

Review of Minutes November 16, 2022:

On page one, after the Review of Minutes October 25, 2022, where it states “Burton-Prete stated the first paragraph on page five the minute’s state.” Add “of” between “five” and “the.”

Additionally, “minute’s” should be changed to “minutes” and an “s” should be added to the end of “state.” In the last paragraph of the first page, change “minute’s” to “minutes” and make “business” plural.

On page two, the first, sixth, and seventh paragraphs, should have “minute’s” changed to “minutes.” In the second paragraph, add an “s” after “toward.”

On page three, the second sentence of the first paragraph under new business should read “Hutchins instructed Brown to give an overview of the request” instead of “Hutchins instructed Brown to overview the request.” In the last paragraph of page three, “feasibility” should be changed to “feasibly.”

On page four, the first paragraph states “if they’re aging-in-place or if they’re abilities change” should have “they’re” changed to “their.” In the last line of the second paragraph, “of” should be “on.” Where it states “Hutchins closed Public hearing at 8:07 pm.” The word “the” should be added between “closed” and “Public” and “Public” should have a lower case “p.” The third paragraph from the bottom states should have “coming down” replaced with “were driving down.”

On page five, the first sentence of the first paragraph, needs the word “spaces” between “parking” and “with.” In the second paragraph, last sentence should be changed to “With the parking spaces being a smaller size, it may cause doors to get dinged.” In the third paragraph from the bottom of the page, a comma should be added between “UDO” and “the Zoning.” The sixth sentence should be rewritten as “Brown agreed with Burton-Prete’s concern that parking in this development would be similar to parking concerns in the co-ops.” In the same paragraph, “handicap” should be made past tense in all instances where “handicap” is used. The word

should read as “handicapped.” In the last sentence of the last paragraph, change “these” to “there,” remove the word “maybe,” and change “peek” to “peak.”

On page six, the first full sentence of the first paragraph should be changed to “Brown stated that the Commission could stipulate parking arrangements as conditions of the special use permit.” In the first sentence of the second paragraph, “buildings” should be changed to “units.” Additionally, “with” should be added between “provided” and “parking.” The following “people outside of the” and the last “parking” should be removed. The word “residents” should change to “nonresidents.” The first line of the third paragraph should read “Burton-Prete wanted to review the size of compact (8 ft.) versus full size (9 ft.) parking spaces.” In the same paragraph, the phrase “he would be recommended” should be changed to “he would recommend.” In the second sentence of the fifth paragraph, the sentence should be changed to “She understood that if somebody wants to move into an apartment they need an area to load and unload.” The following sentence “She asked if that was what this area was used for or not” should be removed entirely. In the first sentence of the sixth paragraph, “sort of” should be removed. In the first sentence of the last paragraph on page six, “garbage pickup” should be changed to “garbage truck” and “get into” changed to “enter.”

On page seven, the fourth paragraph sentence that reads “Can be operated there but we can be flexible” should have “we” changed to “they.” Additionally, “we” should be changed to “they” in the last line of the fourth paragraph. In the first sentence of the fifth paragraph, the sentence states “Brooks stated his last questions is regarding...” should be changed to “Brooks asked about...” A comma should also be added after “accessibility” in the same sentence. The fourth sentence of the fourth paragraph, should be rewritten as “She stated IFF generally has a combination of both tubs and roll-in shower for people with disabilities who have different preferences on what is comfortable for them.” The last sentence of the fourth paragraph should replace “does” with “installs.” In the first line of the sixth paragraph, “...that as far as the rental category..” should be removed from the sentence and the question mark should be changed to a period. The third sentence of the last paragraph should be rewritten to read “Brown thought DPW had no issues with water and sanitary.” The following sentence should also be rewritten as “The only major concern was with stormwater management and Brown believed the last response from DPW was that they would look at their final drawing and site plan for stormwater management...”

On page eight, the second full sentence of the first paragraph should have “the” removed between “at” and “permitting.” Within the same paragraph, “management” should be added after “stormwater” so the sentence will read “...stormwater management, but he thought...” Within the same sentence, “workable” should be changed to “doable.” Where the sentence states “...regards to the stormwater.” The “the” should be removed and “management” added after stormwater. In the third paragraph the sentence states “...the Planning and Zoning Commissions...” an apostrophe should be added after “Commissions.” Within the same sentence, “storm water” should be replaced with “stormwater management.” In the same paragraph, there is a sentence stating “Price asked if that was correct?” This sentence should have the question mark changed to a period. Further, there is an extra space between “water” and “and” which should be removed. In the last line of the page where it states “...an initial conversation with them...” should have “them” changed to “Park Forest Housing Authority.”

On page nine, the second to last paragraph should have the end of the first sentence written as "...with the Village of Park Forest to access a future determined number of Village parking spots to serve the residents and guests of this value." The first sentence of the last paragraph should also be rewritten to read "Price made a motion to approve the nine (9) conditions: eight (8)..."

On page ten, under Member Communications the sentence states "...when they will have the joint meeting." The "the" should be replaced by an "a." Further, it states "...Development Authority (SSLBDA), however, he was..." should have a comma changed to a period after (SSLBDA). Accordingly, the "h" in "however" should be capitalized.

Price made a motion to approve the minutes with the corrections. Seconded by Brooks. All in favor. Minutes approved with corrections.

Petitions: None

Audience to Visitors: None

New Business:

- a. Discussion regarding Amending the Unified Development Ordinance to include Annexation Agreement Review by the Planning and Zoning Commission and Recommendation to the Village Board**

Brown talked about the Unified Development Ordinance (UDO) and stated that he spoke with Tom Mick, Village Manager, regarding the proposed annexation of the gas station southeast of the intersection at Steger Road and Western Avenue. Manager Mick stated the annexation process should receive a recommendation from the Planning and Zoning Commission prior to being presented to the Board.

The future annexation process the Commissioners would consider is similar to a major variation or a zoning map amendment process where the public notification includes mailed notice, sign notice, and a public newspaper notice. Brown stated if the Commissioners are interested in the proposal he can put together a zoning text amendment and any other required Village code amendment to include this new annexation process.

Price stated that the process Brown described is no different than the processes currently used for items that come before the Planning and Zoning Commission. Brooks inquired about Section II-4, Annexed Land, and how the section, which requires undesignated land to be classified as R-1, applies to annexations to the Village. Brown stated that if the zoning district is not designated in the annexation petition or annexation agreement the land use would revert to R-1.

Brooks also inquired about two houses located southeast of the intersection at Western Avenue and Steger Road which is where a developer has planned a gas station and developed a site plan. Brooks stated one house is already under the ownership of the developer but he was not certain about the ownership of the second house. Brown stated that the current plan, as he understands it, would be to purchase and remove both houses and build the gas station in their place.

Old Business:

a. Forest Preserves of Cook County – Report

Brown went over the report Chris Slaughtery, Planning Director for the Forest Preserves of Cook County, provided to the Commission. Brown provided an update based on the report and his communication with Slaughtery. He stated that the Forest Preserve staff wanted to present engagement results from September events and more information to keep the Commission up to date. Forest Preserve staff indicated they were available to meet with the Commission in February but Brown suggested to have the Forest Preserve come to the March Planning and Zoning Commission meeting instead. Brown stated that if anyone had questions about the report, they may let Slaughtery know at the forthcoming meeting.

Price asked if the approval of the increased tax which occurred during the November 2022 elections would affect the Forest Preserves capital budget in 2023 or if the tax increase and resulting funds would take another budget cycle to be allocated. Brown stated that he did not know and Price's question would be a good one for Slaughtery.

Communications:

- a. **Member Communications:** Burton-Prete asked if anyone knew what was inside the containers stored at Rich East High School. Brooks stated that he read in the Southside Newspaper that they are materials for a new warehouse being built in Matteson. Burton-Prete and Price expressed that having any materials stored in the school's parking lot is a violation of Park Forest's Zoning. Hardy stated that since the school is private property, materials can be stored there as long as the materials are safe. Hardy also stated that the Village Manager did inquire with the Village Attorney and this is what the attorney told the Village Manager.

Burton-Prete inquired about a dilapidated house located at 406 Sauk Trail. Brown stated there's a current abandonment case for the property to be acquired through Judicial Deed by the South Suburban Land Bank and Development Authority (SSLBDA) that the Village is supporting. If the pending abandonment case is adjudicated by the courts, 406 Sauk Trail will be acquired by the SSLBDA in early 2023.

- b. **Trustee Comments:** Hardy announced the Village will be developing its first all-inclusive playground at Somonauk Park. The all-inclusive park will be an outdoor park.
- c. **Staff Communications:** The meeting to discuss the DownTown Master Plan by the Planning and Zoning Commission was pushed back to January 24, 2023. The meeting was scheduled later in January because Brown was expecting a meeting with the developer regarding the annexation agreement on January 10, 2023. However, Brown stated that he anticipated the meeting to discuss annexation will be rescheduled. Burton-Prete asked if the consultant for the DownTown Master Plan be at the January 24, 2023 meeting and Brown stated they would be at the meeting. The meeting would include the

same consultants that were at the meeting in November. The February meeting will be held on February 14, 2023. Brown stated that they can push the Forest Preserve meeting to March and the South Suburban Land Bank meeting to April 8, 2023.

Adjournment: A motion to adjourn was made by Price. Seconded by Burton-Prete. All in favor. Meeting adjourned at 8:43 pm.

PLANNING AND ZONING COMMISSION MEMORANDUM

TO: Planning and Zoning Commission

FROM: Andrew Brown, AICP
Planner

DATE: January 20, 2023

RE: NEW BUSINESS – Planning & Zoning Commission Meeting of January 24, 2023, Public Hearing to consider a Text Amendment to Article VII (Signs) of the Unified Development Ordinance, to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement

Background

When the final Unified Development Ordinance (UDO) was approved in 2017, Article VII (Signs), Section VII-5.C.1.b.3 was not in compliance with state law (Public Act 96-0904) which went into effect on January 1, 2011. The law passed during Governor Quinn’s term barred municipalities from regulating when political signs can be displayed on residential property. This law brought Illinois into compliance with a 1994 U.S. Supreme Court ruling indicating that political signs are protected “free speech” under the U.S. Constitution’s First Amendment. Due to the state law already in place on January 1, 2011, any current Village regulation regarding campaign sign usage was preempted and therefore unenforceable.

Because the current regulation still exists within the Village UDO, it creates confusion for some residents requesting the Village to enforce the regulation. Removing this from the UDO will correct an error and remove any confusion for residents searching for a way to regulate when campaign signs can be posted within the Village.

Additionally, while staff discussed this text amendment with other departments they found that the entirety of Section VII-5.C.1 (Auxiliary Yard Signs) was found to be unenforceable by the Building Department. Currently, four yard signs (Section VII-5.B.2) are allowed in every zoning district per street frontage without a permit requirement and have the same size requirements as an auxiliary yard sign. This means, the fifth yard sign – the auxiliary yard sign - would require an applicant to come to the Village and apply for a permit to install their fifth yard sign. The only way to enforce this would be for building inspectors to drive throughout the Village and count yard signs and then if a yard had over four signs, try and contact the offender to have them apply for a sign permit, and then cite them if they did not. Removing the Auxiliary Yard Sign section from the UDO would then limit yard signs to four throughout the Village and make enforcement an easier for building inspectors.

Removing the entire Auxiliary Yard Sign section from the UDO will bring the Village into compliance with state law and make yard sign enforcement more suitable for the Building Department.

Public Hearing Requirements

As required by the UDO, notice of this public hearing was published in the Daily Southtown Newspaper on January 8, 2023. No other notice is required for text amendments. Any additional comments received prior to the Public Hearing will be reported at the Planning and Zoning Commission meeting.

This request is being considered by the Planning and Zoning Commission pursuant to Article VIII-3.E. of the UDO (Zoning Text and Map Amendments), which provides that the Planning and Zoning Commission shall hold public hearings on all requests for text amendments and shall make its recommendations to the Board of Trustees. A text amendment may be granted by the Board only after the Planning and Zoning Commission and the Village Board have evaluated the application and made specific written findings based on the Standards for Zoning Amendments established by Article VIII-3.E.3.

The required standards for zoning amendments are noted below, and a worksheet has been attached to assist the Planning and Zoning Commission in drafting its findings related to the requested amendment. Note that these standards are written to apply to both text and map amendments, and the standard for a recommendation for approval is “based on a balance of the standards”. This is a lower standard than that established for a recommendation for approval of a variation, which is “based on each of the standards”.

- a) The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
- b) The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.
- c) The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.
- d) The proposed amendment makes it more feasible to develop property relative to the present zoning classification of the property.
- e) The proposed amendment addresses the community need for a specific use.
- f) The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
- g) The proposed amendment rectifies existing nonconformities and, if so, the extent of such nonconformities.
- h) The proposed variation is consistent with the intent of the elements of the Comprehensive Plan, this Unified Development Ordinance, and the other land use policies of the Village.

Proposed Text Amendment

The proposed text amendment will remove one part of the UDO: Section VII-5.C.1 (Auxiliary Yard Signs). This strikethrough text as shown below will be removed from the UDO.

A. Temporary Signs with Permit Requirement. The following temporary signs require a sign permit, per § VIII-3.H (Sign Permit), and shall comply with the following standards.

~~1. Auxiliary Yard Signs.~~

~~a. Location. Auxiliary yard signs are allowed in all zoning districts.~~

~~b. Quantity and Display Period. In addition to the four yard signs permitted by §VII 5.B (Temporary Signs Exempt From Permit Requirement) per street frontage, additional auxiliary yard signs are allowed per street frontage for each of the following qualifying conditions with approval of a sign permit:~~

~~(1)The applicant has an active, approved building permit for activities on the property on which the sign is placed. Such auxiliary yard signs shall be removed no later than 10 days after expiration of the building permit, or issuance of an occupancy permit, whichever occurs first.~~

~~(2) The subject property, or buildings on the subject property, are currently for sale, lease, or rent. Such auxiliary yard signs shall be removed no later than seven days after the agreement for sale, rental, or lease has been completed for the subject property.~~

~~(3) The auxiliary yard sign(s) will be installed for a period of time beginning up to 60 days prior to any election and shall be removed no later than 10 days following an election.~~

~~c. Size:~~

~~(1) In residential districts, auxiliary yard signs shall not exceed five square feet in area per sign and six feet in height.~~

~~(2) In non-residential districts, auxiliary yard signs shall not exceed 20 square feet in area per sign and eight feet in height.~~

Staff Recommendation

Staff recommends approval of the text amendment related to Article VII (Signs) of the UDO, to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement and sending this endorsement to the Village Board without delay.

Planning and Zoning Commission Action

After conducting the public hearing, the Planning and Zoning Commission is asked to consider this request for a Text Amendment to Article VII (Signs) Section VII-5.C Temporary Signs with Permit Requirement of the UDO and make a recommendation to the Board of Trustees on this proposal.

**ZONING TEXT AND MAP AMENDMENT
STANDARDS FOR ZONING AMENDMENTS
WORKSHEET**

The Unified Development Ordinance requires that the Zoning Administrator, the Planning and Zoning Commission, and the Board of Trustees evaluate requests for zoning amendments based on a balance of the Standards established by the Ordinance. This worksheet is provided to assist the Planning and Zoning Commission with drafting a response to each of the standards for text amendments that will be sent to the Board of Trustees with a recommendation on the requested amendment. The standards are as follows:

1. *The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.*

2. *The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.*

3. *The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.*

4. *The proposed amendment makes it more feasible to develop property relative to the present zoning classification of the property.*

5. *The proposed amendment addresses the community need for a specific use.*

6. *The proposed amendment corrects an error, adds clarification, or reflects a change in policy.*

7. *The proposed amendment rectifies existing nonconformities and, if so, the extent of such nonconformities.*

8. *The proposed amendment is consistent with the intent of the elements of the Comprehensive Plan, the UDO, and other land use policies of the Village.*
