

MINUTES OF THE
CREST HILL PLAN COMMISSION

The March 14, 2024 Plan Commission meeting was called to order by Chairman Bill Thomas, at 7:00 p.m. in the Council Chambers of the City Center, 20600 City Center Boulevard, Crest Hill, Will County, Illinois.

The Pledge of Allegiance was recited in unison.

Roll call indicated the following present: Chairman Bill Thomas, Commissioner Ken Carroll, Commissioner Angelo Deserio, Commissioner Cheryl Slabozeski, Commissioner John Stanton, Commissioner Jeff Peterson, Commissioner Jan Plettau.

Also present were: Interim Community Development Director Ron Mentzer, City Attorney Alex Boyd, Administrative Clerk Samantha Tilley, Administrative Clerk Zoe Gates.

Absent were: Interim Planner Maura Rigoni, City Attorney Mike Stiff.

Chairman Thomas asked for the new people sitting at the dais to introduce themselves.

City Attorney Alex Boyd introduced himself and stated that he works with the law firm Spesia & Taylor and is here on behalf of the city attorney.

Interim Community and Economic Director Ron Mentzer introduced himself. He commented that his Great Uncle was Don Randich, and his other Uncle owns Sontag Speed Supply and he worked there on and off when he was growing up. He stated he is familiar with the area and the City of Crest Hill has a place in his heart. He has been doing this line of work for thirty-five years, where he retired from the Community Development Director position for Warrenville, Illinois. He stated that he is happy to be here and can answer any questions anyone might have.

APPROVAL OF MINUTES: Chairman Bill Thomas presented the minutes from the regular meeting held on February 8, 2024 for Commission approval.

(#1) Motion by Commissioner Deserio seconded by Commissioner Carroll, to approve the minutes from the regular meeting held on February 8, 2024, as presented.

On roll call, the vote was:

AYES: Commissioner Deserio, Carroll, Slabozeski, Peterson, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Stanton, Plettau.

ABSENT: None.

There being five (5) affirmative votes, the MOTION CARRIED.

PUBLIC HEARING: Chairman Bill Thomas presented case number SU-24-1-2-1, which was recessed at the last Plan Commission meeting on February 8, 2024. This request is from Lisa Holland, owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for

animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois. The necessary paperwork was in order.

Chairman Thomas asked for a motion to re-open the public hearing on case number SU-24-1-2-1.

(#2) Motion by Commissioner Peterson seconded by Commissioner Slabozeski, to open a public hearing on case number SU-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Plettau, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The public hearing was opened at 7:04 p.m.

Chairman Thomas commented that this is a Special Use request and a parking variance request for the property at 2551 Theodore Street. The applicant is Lisa Holland from Cozy-Pawz Accommodations, LLC is requesting special use for a daycare and boarding business for dogs at this location which is in the B3 zoning district. He commented that the reason we had to recess the meeting last month and re-open it tonight is because we had realized that we had not properly sent out the notifications to all the residents and they now have been properly notified.

Chairman Thomas asked if anyone in the audience would like to make a comment regarding Cozy-Pawz.

Kathleen Roth approached the podium and was sworn in. She commented that she has been a customer of Cozy-Pawz for a year and a half and she is a teacher in Chicago who travels far for work and lives in Plainfield. She stated that she can do her job easier knowing her dog is well taken care of by Lisa Holland. She also stated that wherever Lisa goes she will follow, and she hopes that her new location will be in Crest Hill.

Chairman Thomas asked Lisa Holland to approach the podium for further questions and to be sworn in. Lisa approached the podium and was sworn in. Chairman Thomas asked her if she had any questions or comments, and she did not. He then asked if any of the Commissioners had any questions at this time.

Commissioner Stanton asked if anyone would be sleeping overnight with the animals. Lisa commented that for the safety of the animals there would be night staff at the location with the animals during the non-business hours in case something happens. Commissioner Stanton commented that the reason he is mentioning this is because he wanted to make sure the dogs go out quickly in case of fire. Lisa commented that she would think the customers would want someone there with the animals to shuffle them out in case of an emergency instead of fending for themselves until someone can get there.

Commissioner Slabozeski asked what the cleaning protocol would be. Lisa commented that the feces are cleaned up twice a day, which is usually around 10:00 a.m. when all the animals have

arrived and then again between 2:00 and 4:00 p.m. after lunch and before dinner. If they had more dogs, they would implement more cleaning times. She commented that they double bag the feces and whenever the garbage pick-up would be is when it would be discarded. She also stated that she would get a dumpster if needed. Lisa then commented that they have all the cleaning supplies and disinfectants for the inside and the floors.

Chairman Thomas asked where the large feces container would be stored. Lisa commented that she believes it would be on the side closest to where the gate would open, which is the farthest away from the building.

Chairman Thomas asked how far out towards Theodore would a fence be placed. Lisa commented that there is a retention pond there and would be six to eight feet from the building.

Chairman Thomas commented that he noticed the fence is going to be a six-foot shadowbox design and recommended that it be composite instead of cedar and when composite is used, they will use steel instead of wood which will rot overtime.

Chairman Thomas asked for a motion to close the public hearing.

(#3) Motion by Commissioner Carroll seconded by Commissioner Peterson, to close the public hearing on case number SU-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Carroll, Peterson, Plettau, Stanton, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The Public Hearing was closed at 7:17 p.m.

Chairman Thomas commented that if this is approved there would be eight (8) conditions of the Special Use, which are:

- No dog walking is allowed from the subject property/facility. All dog walking services provided by the business would be provided off-site at the customer's location.
- Dogs are allowed to be in the outdoor fenced area during the hours of operation of the business, which are as follows:
 - Monday through Friday 6:30 a.m. – 7:00 p.m.
 - Saturday 8:00 a.m. – 4:00 p.m.
 - Sunday 9:00 a.m. – 3:00 p.m.
- Employees may remain on the property outside of normal business hours only during the instances where dogs are on the property for overnight boarding. The facility shall not provide overnight accommodation that represents sleeping or living quarters.
- Dogs being boarded overnight may utilize the outdoor fence area within the hours prescribed in the noise ordinance.

For your reference, the hours of the noise ordinance are as follows:

- Sunday 8:00 a.m. to 10:00 p.m.
- Monday, Tuesday, Wednesday, and Thursday 6:30 a.m. to 10:00 p.m.
- Friday 6:30 a.m. to 11:00 p.m.
- Saturday 8:00 a.m. to 11:00 p.m.

Lisa Holland commented that she would hope that if the dog needs to go out during non-hours, how would that work. Chairman Thomas commented that the big issue is the noise and the intent on this was that the noise was not late at night, but he understands that we can put a clause in here regarding an emergency.

- The outdoor area must be secured by fencing on all sides. At such time, should the fencing on the adjacent property to the east be removed, the business owner must install fencing along the east property line immediately.

Lisa commented that she was putting a fence up anyways to make sure that it is fenced all the way around and not worry if the fence that is there now ends up getting taken down.

- The Plan Commission is encouraged to discuss the removal and location of waste on the property. Below is an example of a condition the Commission may consider:
 - The business owner shall clean/remove feces from the outdoor dog area (insert frequency) times a day. All containers utilized for feces waste are to be located (insert location) and removed from the site (insert frequency).
- All overhead garage doors must be closed when not actively being used to move products or dogs in and out of the Cozy Pawz space.
- There will be seven parking spaces allocated for Cozy-Pawz Accommodation, LLC.

Chairman Thomas asked for a motion to recommend approval of the request for case number SU-24-1-2-1, for a request from Lisa Holland owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois contingent on the above eight (8) conditions previously mentioned.

(#4) Motion by Commissioner Peterson seconded by Commissioner Slabozeski, to recommend approval of the request for case number SU-24-1-2-1, for a request from Lisa Holland owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois contingent on the above eight (8) conditions previously mentioned.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Plettau, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

Chairman Thomas informed the petitioner that the Plan Commission is a recommendation body only. The City Council will hear the case at a future meeting.

Chairman Thomas presented case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois.

Chairman Thomas asked for a motion to re-open the public hearing on case number V-24-1-2-1.

(#5) Motion by Commissioner Deserio seconded by Commissioner Plettau, to re-open a public hearing on case number V-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Deserio, Plettau, Peterson, Stanton, Carroll, Slabozeski, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The public hearing was opened at 7:26 p.m.

Chairman Thomas commented that this is a variance request for the property at 2001 Noonan Street. The applicant is Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property. He commented that the reason we had to recess the meeting last month and re-open it tonight is because we had realized that we had not properly sent out the notifications to all the residents and they now have been properly notified.

Chairman Thomas asked if anyone in the audience would like to approach the podium and make a comment. There were no comments.

Chairman Thomas asked the applicant to approach the podium and be sworn in. He then asked the applicant, Dainius Kasperavicius, if he wanted to make any additional comments regarding his case. He did not have any additional comments.

Chairman Thomas asked if any Commissioners had any questions.

Commissioner Plettau commented that he noticed the shed is sitting on an easement and noticed it does not have a concrete foundation. Chairman Thomas commented that that is correct and gave a quick summary of this case. He stated that when the shed was placed there was no permit, and this was made known to the City of Crest Hill by a resident. Our Building Department then went out and inspected this shed and noted that it was violating the south and west easements and was sitting on a storm drain easement. Chairman Thomas also mentioned that while the inspector was there, they also found several building code violations which has been discussed with the applicant. Commissioner Plettau asked if the applicant is willing to move the shed and if they needed to get in there and it would be at the cost to the applicant. Dainius Kasperavicius commented that he understood that and agreed to it.

Commissioner Stanton commented that if the city needs to go in there to fix the drainage and the applicant puts down this foundation and now the shed is compromised or demolished who is going to pay for this. Chairman Thomas commented that the applicant who is the property owner will be paying for this. Commissioner Stanton commented that this would be a huge expense.

Chairman Thomas asked the applicant to share what his plans are for this shed. Dainius commented that since the last time they had meant he had contacted a concrete company to place the foundation. He also commented that the shed has been sitting there over two years already and it is very tight and secure. He also commented that he can move it or do whatever needs to be done to make it legal.

Chairman Thomas commented that they met with the City Engineer and the Building Department to see what could be done to minimize and fix this situation. He also commented that he was told that the applicant agreed to raise the shed and place a cement foundation under the shed. Dainius commented that he is okay with that if this is what needs to be done.

Chairman Thomas commented that he received a memo from the engineer stating that:

“The location of the existing shed currently is not impeding existing drainage. Stormwater is still getting to the property to the south by flowing around or underneath the shed/garage. If in the future, drainage was needed to be installed to correct a drainage issue at the south end of the subdivision then connecting to the existing storm sewer located in the right of way of Gaylord will require the removal of the existing shed at that time. Currently the city is not aware of any issues with drainage in this area which would require any future drainage installation.”

Commissioner Stanton commented that when the foundation is placed it will block the flow of the water.

Commissioner Peterson asked Dainius if he ever has had water in his backyard, and he stated he has not. Commissioner Peterson then commented that the engineer's statement states if it ever were to happen it would go around or under the shed, but he has never had any drainage water coming from the north to the south in six years.

Commissioner Stanton commented that you can discuss it all you want but it is compromised by the object and will be impounded with the foundation.

Commissioner Deserio commented that the engineer is recommending it be placed on a concrete slab/solid base. Commissioner Plettau commented that he agreed with Commissioner Stanton to where if you are placing a foundation why not just move the shed off the easement. Commissioner Deserio commented that based on the property limits he cannot move it based on the zoning ordinances with the space of structure on the property lines. He also stated that where it is now, it meets the requirements of the property lines. Administrative Clerk Zoe Gates commented that it does not meet the zoning requirements because it is too close to the property line. Chairman

Thomas commented that they are willing to let that go if he meets the conditions, and the City Engineer feels strongly that the storm sewer issue is not going to happen.

Commissioner Deserio commented that the best thing to direct flow of water is stone and if a concrete slab is placed it will divert and pool the water, and stone would allow it to flow and give to the easement. He also commented that the shed has been there two years and is solid and the city engineer is stating it will not cause any impact, therefore he feels this is a dead issue.

Chairman Thomas commented that to allow the shed to remain in its current position would be conditioned upon the following:

- The applicant acknowledges this accessory structure is located in a stormwater and public utility easement and that the installation of the accessory structure at this location is at their own risk.
- If the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the area, it is understood the accessory structure may be impacted. The restoration is the responsibility of the property owner, not the city or the utility company.

Chairman Thomas explained to the applicant if we move forward with this, and you agree to the conditions there would be a document to sign stating you agree and understand that the applicant is responsible for any damage occurring to the shed from the city having to fix something in that easement.

Chairman Thomas also explained to the applicant that that document he would sign if he agreed would be attached to his property and if he were to sell the property the new owner would inherit that document.

Commissioner Carroll commented that he wants to make sure the applicant is aware that this could be very expensive.

Commissioner Stanton asked if the city comes in to move the shed and destroys the foundation is the owner committed to pay for the damages. Chairman Thomas commented that if he signs the document he is agreeing to except the damages and the cost. Commissioner Stanton asked the applicant if he realized how much this would cost.

Chairman Thomas explained to the Commissioners that this case is really about the three variances and not the code violations, and that they have nothing to do with the code violations. He also commented that their job is to approve the variances or not approve the variances.

Commissioner Carroll asked if the document would have language stating the applicant must fix the code violations. Interim Director Mentzer commented that the city planner recommends the commission to consider adding two conditions to the approval of the variance, if approved. He then stated this would then be attached to the recommendation with conditions and be attached to the ordinance.

Dainius commented that he likes Crest Hill, his children were born here, and he plans to live here for their future.

Chairman Thomas asked for a motion to close the public hearing on case number V-24-1-2-1.

(#6) Motion by Commissioner Plettau seconded by Commissioner Carroll, to close the public hearing on case number V-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Plettau, Carroll, Peterson, Stanton, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The public hearing was closed at 7:51 p.m.

Chairman Thomas asked for a motion to recommend approval of the request for case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois with two (2) conditions previously mentioned.

(#7) Motion by Commissioner Peterson and seconded by Commissioner Deserio, to recommend approval of the request for case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois with two (2) conditions previously mentioned.

On roll call, the vote was:

AYES: Commissioner Peterson, Deserio, Plettau, Carroll, Slabozeski, Chairman Thomas.

NAYES: Commissioner Stanton.

ABSENT: None.

There being (6) affirmative votes, the MOTION CARRIED.

Chairman Thomas commented that this approval of the three requested variances in no way affects the facts that there are still building code violations that need to be corrected, which are:

- Permits need to be acquired for both the shed and the paver bricks at the entrance.
- The shed needs to be supported on a hard surface.
- The shed needs to be attached to a hard surface.
- The shed needs to have hurricane ties on the trusses.

Chairman Thomas informed the petitioner that the Plan Commission is a recommendation body only. The City Council will hear the case at a future meeting.

PUBLIC COMMENTS: There were no public comments.

There being no further business before the Commission a motion for adjournment was in order.

(#8) Motion by Commissioner Peterson, seconded by Commissioner Slabozeski, to adjourn the March 14, 2024 Plan Commission meeting.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Plettau, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The meeting was adjourned at 7:54p.m.

As approved this 14th day of April, 2024
As presented ✓
As amended

Bill Thomas
BILL THOMAS, COMMISSION CHAIRMAN