



**MINUTES OF THE REGULAR MEETING OF THE
PLAN COMMISSION, VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS**

October 21, 2021

The meeting of the Plan Commission, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 Oak Park Avenue, Tinley Park, IL on October 21, 2021.

CALL TO ORDER – CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for October 21, 2021 at 7:01 p.m.

Chairman Gray stated that pursuant to Governor Pritzker’s disaster proclamation and Public Act 101-0640, which amends requirements of the Open Meetings Act due to the COVID-19 pandemic, this meeting is being held remotely. As Chairman of this public body, I find that conducting this meeting in-person is not practical or prudent due to certain preexisting conditions among the members of this Commission that place them at a heightened risk associated with COVID-19. All remotely attending members have checked-in to ensure their audio is working. For any remotely attending members or public, please ensure to state your name prior to speaking so that all comments can be accurately reflected in the public record. Meeting an public comment protocols were reviewed.

Lori Kosmatka called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray
James Gaskill
Angela Gatto
Eduardo Mani
Ken Shaw
Kehla West (remote)

Absent Plan Commissioners:

Frank Loscuito

Village Officials and Staff:

Kimberly Clarke, Community Development Director
Dan Ritter, Planning Manager
Lori Kosmatka, Associate Planner

Petitioners:

Mark Kurensky, HKM Architects and Planners, on behalf of Crana Homes (remote)
Ted Virgilio, Civil Engineer for Crana Homes
Seth Konkey, on behalf of Loyola Medicine

Members of the Public:

Michael Stocklose
Ava Brescia
Karin Finn

COMMUNICATIONS – There were no communications from Village Staff.

APPROVAL OF MINUTES - Minutes of the October 7, 2021 Regular Meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER GASKILL. COMMISSIONER SHAW requested a correction of a typographical error be corrected on Page 1 “Call to Order” that it should read “ACTING CHAIRMAN SHAW” not “CHAIRMAN GRAY”. The motion was seconded by COMMISSIONER SHAW to approve the October 7, 2021 minutes with the correction. CHAIRMAN GRAY asked for a voice vote; all were in favor. He declared the motion carried.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE OCTOBER 21, 2021 REGULAR MEETING

ITEM #1 PUBLIC HEARING – BROOKSIDE GLEN VILLAS (CRANA HOMES) RESIDENTIAL SUBDIVISION AND CONCEPT COMMERCIAL, 80TH AVE AND 191ST ST REZONING, SPECIAL USE FOR A SUBSTANTIAL DEVIATION, PRELIMINARY/FINAL PLAT OF RESUBDIVISION

Consider recommending that the Village Board grant Frank Bradley, on behalf of Crana Homes, a special use for Preliminary Approval of a Substantial Deviation from the Brookside Glen Planned Unit Development (PUD) and Rezoning of a portion of the lot from B-3 (General Business and Commercial) to R-5 (Low-Density Residential) for property located at the southwest corner of 80th Avenue and 191st Street (8001 191st St.), in the Brookside Glen PUD. Preliminary Plat, Final Plat, and Preliminary Site Plan approvals are also being requested.

Present Plan Commissioners: Chairman Garrett Gray
James Gaskill
Angela Gatto
Eduardo Mani
Ken Shaw
Kehla West (remote)

Absent Plan Commissioners: Frank Loscuito

Village Officials and Staff: Kimberly Clarke, Community Development Director
Dan Ritter, Planning Manager
Lori Kosmatka, Associate Planner

Petitioners: Mark Kurensky, HKM Architects and Planners, on behalf of Crana Homes (remote)
Ted Virgilio, Civil Engineer for Crana Homes

Members of the Public: Michael Stocklose, 19303 Enclave Lane

CHAIRMAN GRAY asked for a motion to open the Public Hearing. Motion made by COMMISSIONER GATTO, seconded by COMMISSIONER GASKILL. CHAIRMAN GRAY requested a voice vote asking if any were opposed to the motion; hearing none, he declared the motion carried.

CHAIRMAN GRAY stated he received proof of the Notice of Publication for this Public Hearing. He invited staff to start with the presentation of this item.

Dan Ritter, Planning Manager, summarized the Staff Report for the Commission. He noted this item came before the Commission last November for its Conceptual phase. He noted the location is the southwest corner of 191st and 80th Avenue, and east of the Magnuson apartments currently under construction. He provided an overview of the PUD process as three steps. The proposal is currently in the Preliminary/second phase. Final approvals will be in substantial conformance with what is being seen today. He reviewed the surrounding zoning including R-5 and R-6 to the south and west, and unincorporated county zoning to the north, B-3 to the east and ORI to the northeast. It is within the Urban Design Overlay District, but not applicable to residential developments. The commercial proposal is still in the Conceptual phase. The Brookside Glen PUD has been amended a few times in response to market demand and future expectations. The area was originally larger commercial vision with big box, but market demands have now changed. Big box retailers have a large radius, and this area is between Orland Park, Tinley Park, Mokena, and New

Lenox corridors. Brookside Marketplace also serves as competition. The development now has 98 duplex units but has same layout as previously proposed. The commercial area is L shaped around the corner and would be ideally walkable from the Brookside Glen homes. The commercial percentage would be about 23%. He noted Preliminary approvals try to identify Exceptions (similar to variations but with respect to the PUD's vision and goals). Landscaping includes a perimeter buffer with the layout being internal. None of the units front the major roads. The proposed landscaping appears to generally meet the intent of the code. Additional landscaping will be provided around the signage. The main shortage is for shrubs but there are additional understory trees substituted which are easier to maintain and provide a more vibrant look. Aluminum black fencing surrounds the development. Staff proposed the north side of the duplexes abutting the commercial area have a privacy style fence. The development is geared in mind toward empty nesters and younger families so a tot lot park will be ideal for young children and grandchildren. In the Final review the tot lot park will have a more finalized design per what the park district wants to see. Eventually it will go to the park district. There will be three overall types of design and models. The duplexes will be similar but not the same in order to achieve a varied streetscape. The proposal will meet the Village masonry requirements and will have a traditional design with high quality materials like Hardieboard. There will be two signs at Greenway and 80th Avenue. There will be two plats, one to rezone and a preliminary plat which lays out the basic framework. This currently does not include easements or drainage. More details will be provided on the Final review. The CC & Rs will be drafted now and forthcoming. It will be part of the PUD documents. Limitations on accessory structures will be identified. The CC & Rs cannot be less restrictive in the future unless the HOA comes for a deviation.

Dan Ritter stated Michael Stocklose had submitted his list of comments/questions he had previously supplied in 2020 during the conceptual phase. Those were supplied to the Commission and part of the record. Many of the concerns were addressed but Mr. Stocklose is in the audience and can speak to those comments or any concerns he may have as part of public comment.

CHAIRMAN GRAY asked if the applicant had anything to add.

The Petitioners, Mark Kurensky (architect/planner) and Ted Virgilio (civil engineer) both stated they had nothing to add but available for questions.

CHAIRMAN GRAY stated he would invite the Commissioners for comments.

COMMISSIONERS GATTO, GASKILL, and MANI had no comment.

COMMISSIONER SHAW noted they went into detail on this at the workshop and his questions had been resolved at that meeting.

COMMISSIONER WEST had no comment.

CHAIRMAN GRAY observed that there was a difference in fence types, open versus closed, among submitted drawings at the north near the parking lot.

Dan Ritter responded that the fencing was supposed to wrap, and asked the Petitioner to confirm.

Mark Kurensky stated that was the intent to have a solid fence where ever it was adjacent to commercial and that would be corrected on the final plans.

CHAIRMAN GRAY stated that the record would note it does get changed.

Dan Ritter said a condition would not be necessary if that is on the record, and would ensure it's corrected for Final plans to wrap the corner by the 80th Avenue access. He noted that the "daycare" proposed use may not be a daycare in the future as the uses are only conceptual, so a solid fence is still needed to separate the commercial and residential developments.

CHAIRMAN GRAY asked if anyone from the public wished to comment.

Michael Stocklose, 19303 Enclave Lane, was sworn in. He commented that some of the issues from the Conceptual plans were already addressed in the current submittal, such as variety of materials and color, adding personality to the architecture. He raised concerns about traffic overall in the area. He noted that the PUD was initiated over 30 years ago, and said at that time most families only had one vehicle. He believes there will be more now and that a new traffic study should be done to correlate with the times and this development. He lives in the neighborhood and said it is already hard for him to get out on 80th Avenue in rush hour. He felt that had a commercial project went forward it would have had different needs. He believes the current submittal will add an extra 200 to 500 additional cars to the road. He commented that the 191st Street and 80th Avenue construction will affect the number of lanes, and that there should be a dedicated right turn lane on 80th avenue into the development. People trying to turn left won't be paying attention. He suggested a stop sign at along Greenway at the south entrance to the residential development. Regarding landscaping, based on the 20-year history of Brookside Glen, he suggested that trees not be placed 6 feet from buildings, that it is too close. He also suggested using single stem and not multi-stem trees between units. He said he's spent up to \$20,000 replacing pine trim boards which have rotted out from facing the sun. He suggested that composite materials would be longer lasting. He also noted that the brick columns off Greenway have major defects and need repair. It would be a good gesture to repair those signs originally completed by Crana Homes instead of the residents.

CHAIRMAN GRAY asked if anyone else from the public wished to comment. Hearing none, he asked if the Petitioner had any further comments.

Mark Kurensky (architect) was sworn in. He clarified that the traffic study did not consider the 80th Avenue reconstruction and widening. He has had conversations with Cook County and the Village Engineer on making it work and providing access to the B-3 commercial. The overall expansion and reconstruction is taking this development into account. He noted that the access point on 80th Avenue was intentionally moved south to the mid-block point per direction from the Village Engineer. The site across 80th avenue will have a similar access point location. He noted access was part of the reason but also noted that retail is challenging now and needs that full access for any chance of development success.

CHAIRMAN GRAY asked if they put a stop sign at the divided highway off Greenway (entry to villas).

Dan Ritter said in talks with the Village Engineer a four-way stop was determined to not be warranted if there's not a true intersection. Vehicles will need to stop before entering Greenway. Greenway is more like a collector or through street. It may cause some drivers to think other vehicles will stop when they do not, which can create a more dangerous situation.

Mark Kurensky responded that all streets will be dedicated to the Village as right-of-way and that the Village can add it later if they believe it becomes necessary.

CHAIRMAN GRAY asked if there were further public comments. Hearing none, he entertained a motion to close the Public Hearing.

Dan Ritter reviewed the draft Standards of Approval on these requests, summarizing the Rezoning, Special Use for Substantial Deviation, and PUD standards as indicated in the Staff Report.

CHAIRMAN GRAY asked if anyone from the public wished to speak. Hearing none, he entertained a motion to close the Public Hearing.

Motion made by COMMISSIONER MANI, seconded by COMMISSIONER SHAW. CHAIRMAN GRAY requested a voice vote asking if any were opposed to the motion; hearing none, he declared the motion carried.

There were four motions for this item.

Motion 1-Map Amendment (Rezoning):

COMMISSIONER SHAW made a motion to recommend that the Village Board grant the Petitioner, Frank Bradley on behalf of Crana Homes, a Map Amendment (rezoning) of the Lot 1 of the Brookside Glen Villas

Subdivision at 8001 191st Street (on the southwest corner of 191st St and 80th Ave) from the existing B-3 (General Business & Commercial) zoning district to the R-5 (Low-Density Residential) zoning district in the Brookside Glen Planned Unit Development, and adopt the Findings of Fact as proposed in the October 21, 2021 Staff Report.

Motion seconded by COMMISSIONER GASKILL. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

Motion 2-Special Use for Preliminary Substantial Deviation:

COMMISSIONER GATTO made a motion to recommend that the Village Board grant a Special Use Permit to the Petitioner, Frank Bradley on behalf of Crana Homes, for Preliminary Approval of a Substantial Deviation to the Brookside Glen Planned Unit Development for the property located at 8001 191st Street (on the southwest corner of 191st St and 80th Ave), to be zoned R-5 (Low-Density Residential) and developed with 98 single-family semi-detached duplex units, in accordance with all plans and documents submitted and listed herein, and adopt the Findings of Fact as proposed by in the October 21, 2021 Staff Report.

Motion seconded by COMMISSIONER SHAW. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

Motion 3-Preliminary PUD Plat:

COMMISSIONER GASKILL made a motion to recommend that the Village Board grant approval to the Petitioner, Frank Bradley on behalf of Crana Homes, Preliminary PUD Plat Approval for Brookside Glen Villas Resubdivision (dated July 21, 2021) in accordance with the Preliminary Plat submitted and listed herein, subject to the condition that the Plat approval is subject to approval by the Village Engineer and Village Attorney.

Motion seconded by COMMISSIONER GATTO. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

Motion 4-Final Plat of Subdivision:

COMMISSIONER MANI made a motion to recommend that the Village Board grant approval to the Petitioner, Frank Bradley on behalf of Crana Homes, Final Plat of Subdivision Approval for Brookside Glen Villas Subdivision in accordance with the Final Plat (dated September 30, 2021) submitted and listed herein, subject to the condition that the Final Plat approval is subject to Final approval by the Village Engineer and Village Attorney.

Motion seconded by COMMISSIONER SHAW. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

CHAIRMAN GRAY noted the request will be reviewed for First reading by the Village Board on November 2, 2021.

Dan Ritter noted he will be in touch with the Petitioner about the Village Board meeting.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE OCTOBER 21, 2021 REGULAR MEETING

ITEM #2 PUBLIC HEARING – LOYOLA MEDICINE CLINIC, 17901 LA GRANGE ROAD REZONING, VARIATIONS, PRELIMINARY PLAT, AND SITE PLAN/ ARCHITECTURAL APPROVAL

Consider recommending that the Village Board grant Shawn Vincent on behalf of Loyola Medicine (Property Owner) a Map Amendment (rezoning) and Variations from the Zoning Code for two parcels that total approximately 26.6 acres at 17901 LaGrange Road (off of Chopin Drive and south of 179th Street). The parcels are proposed to be zoned ORI (Office & Restricted Industrial).

Present Plan Commissioners: Chairman Garrett Gray (recused)
James Gaskill
Angela Gatto
Eduardo Mani
Ken Shaw
Kehla West (remote)

Absent Plan Commissioners: Frank Loscuito

Village Officials and Staff: Kimberly Clarke, Community Development Director
Dan Ritter, Planning Manager
Lori Kosmatka, Associate Planner

Petitioners: Seth Konkey, on behalf of Loyola Medicine

Members of the Public: Ava Brescia, 18146 Bramlett Drive
Karin Finn, 18125 94th Ave

CHAIRMAN GRAY recused himself from the public hearing, stating that his employer has been doing soil testing work for this project. He relinquished his position to COMMISSIONER/ACTING CHAIRMAN SHAW for this item and stepped down from the dais.

ACTING CHAIRMAN SHAW asked for a motion to open the Public Hearing. Motion made by COMMISSIONER GASKILL, seconded by COMMISSIONER MANI. ACTING CHAIRMAN SHAW requested a voice vote asking if any were opposed to the motion; hearing none, he declared the motion carried.

ACTING CHAIRMAN SHAW stated he received proof of the Notice of Publication for this Public Hearing. He invited staff to start with the presentation of this item. He also noted that the if the Petitioner wishes to speak, he can swear them in at that time.

Dan Ritter, Planning Manager summarized the Staff Report for the Commission. This included background information, existing conditions, regulations, the development proposal, and the relief sought. It is located in an area with existing medical facilities nearby on LaGrange Road and I-80 access. The site contains two parcels and has a vacant right-of-way on the former 96th Avenue to the west, which previously underwent a jurisdictional transfer to the Village but remains owned by IDOT. He noted the site and surrounding area currently lack utilities, and would include future utility extensions as part of Loyola's agreements. The area is zoned a mix of B-3 and ORI. The proposed use is for a 72,000 sq. ft. outpatient medical facility comprised of an ambulatory medical clinic for primary care and a cancer care center with infusion rooms. The facility will include exam rooms, CT and linear accelerator suites. The use will expand Loyola Medicine to the larger southwest suburban area and will complement the existing medical uses along the La Grange corridor. He presented the site plan. He noted several aspects including the building

orientation, landscaping, parking, access points and walkways. A crosswalk could potentially be added to cross 179th Street. It was recommended to remove the stub to La Grange Road unless access is approved by IDOT and that change had been made on the resubmitted plans.

The proposal provides stormwater detention and wetland mitigation. The site requires MWRD approval and is just for the Loyola Medicine development. Additional land could be available for detention if needed, at the southeast part of the site. He noted that the property is subject to the Urban Design Overlay District regulations. The site would require a variation to the UDOT's curb cuts and setbacks. Landscaping includes the existing wetland in the area. They have a significant bufferyard and a berm on La Grange that they are planning to plant on. This will make it attractive for those travelling on La Grange Road as well as for the patients receiving treatment. There is some minor waivers of shrubs but the number of understory tree plantings exceed the minimum and offset the shrubs. Overall the intent of the code requirements appears to be met. The architecture is subject to Village masonry standards of 60% on a commercial building of this size. The proposal originally began with predominantly precast concrete and now has added face brick for a more balanced look. The Petitioner worked with staff to increase the appearance and material quality. A variance would still be required but the amount of glass on the structure is an attractive alternative to brick. Signage will include three ground signs and three wall signs thus requiring a variation on quantity and size. Details were given and Variations are requested for wall, ground, and directional signs. The site is unique with 3 frontages and a need for patients to have clear direction to through the site. A parking variation is also requested and supported by a parking and traffic analysis. Lighting information was also received since the workshop and complies with the lighting requirements. He reviewed the approvals needed for the project. He noted the project requires Rezoning, Variations, Plat Approval, Site Plan and Architectural approvals.

ACTING CHAIRMAN SHAW asked if the Petitioner was present and wishes to speak.

The Petitioner, Seth Konkey, was sworn in. He expressed sentiments on the willingness to partner on this project, and thanked staff for being able to review this project so expediently. He was available for questions.

ACTING CHAIRMAN SHAW noted he was glad to see that many of the open items from the last meeting have already since been hammered out.

COMMISSIONERS WEST, MANI, GATTO, AND GASKILL had no comments.

ACTING CHAIRMAN SHAW commented that it was a good workshop session and he had no questions at this time. He asked if anyone from the public had any questions or comments.

Ava Brescia, 18146 Bramlett Drive, a resident of the Chestnut Ridge townhome development off of 94th Avenue, was sworn in. She asked for clarification on what would be developed at the southeast portion of the "L" shaped property, immediately south of Moraine Valley Community College. Dan Ritter responded that there are no immediate plans for this land and it will remain vacant and be farmed for the time being. It could eventually sell in the future, but there are no plans for now. Ms. Brescia stated she was glad to see no access or development on 94th Avenue because of added traffic.

ACTING CHAIRMAN SHAW believed that if it does get developed it goes through the same public process. Dan Ritter noted that it is ORI zoning district now and could be developed under those regulations, but would need to be subdivided and site plan approval in the future to develop it.

Karen Finn, 18125 94th Avenue, a resident of the Chestnut Ridge townhome development, was sworn in. She asked for clarification if the area of 94th Avenue to south of Moraine Valley would be open space. Dan Ritter provided an image from the slide presentation showing a colored breakdown of the parcels. He pointed out the blue area (to the southeast) would not be developed at this time or with this project. The pink and orange (to the north) would be consolidated and developed for the Loyola Medicine Clinic. He noted that the development ends at the same place Chopin Drive ends. He indicated that staff may like to see something developed on the open space eventually, but there is nothing currently proposed.

Karen Finn said her concern is about the traffic impact on 94th Avenue, which has gotten worse than when she moved there with recent developments in the area. Kimberly Clarke, Community Development Director, clarified the access points at Chopin Drive.

Karen Finn expressed other concerns not directly relating to the Loyola project. Her concerns were related to that of her townhome development and the development restarting. She felt her development is densely populated and poorly planned. She was upset that her home will be 26 feet from her neighbors building. She noted she had spoken with the Village previously, and asked if anyone else would speak with her. Dan Ritter noted it was directly related to this project but agreed he would speak with her after the meeting in more detail about her concerns.

ACTING CHAIRMAN SHAW entertained a motion to close the Public Hearing.

Motion made by COMMISSIONER GATTO, seconded by COMMISSIONER MANI. CHAIRMAN GRAY requested a voice vote asking if any were opposed to the motion; hearing none, he declared the motion carried.

Dan Ritter reviewed the draft Standards of Approval on these requests, summarizing the Rezoning, Variations, Preliminary PUD Plat, and Final Plat of Subdivision as indicated in the Staff Report.

There were four motions for this item.

Motion 1-Map Amendment/Rezoning:

COMMISSIONER GATTO made a motion to recommend that the Village Board grant the Petitioner, Shawn Vincent on behalf of Loyola Medicine, a Map Amendment (rezoning) of the lot at the southeast corner of 179th Street and LaGrange Rd, commonly referred to as 17901 LaGrange Road (96th Ave/ Rt.45) from the existing B-3 (General Business & Commercial) zoning district to the ORI (Office and Restricted Industrial) zoning district, and adopt the Findings of Fact as proposed in the October 21, 2021 Staff Report.

Motion seconded by COMMISSIONER Gaskill. Vote taken by Roll Call; all in favor. ACTING CHAIRMAN SHAW declared the motion carried.

Motion 2- Variations:

COMMISSIONER MANI made a motion to recommend that the Village Board grant Variations from the Zoning Ordinance to the Petitioner, Shawn Vincent on behalf of Loyola Medicine, as listed in the October 21, 2021 Staff Report for parking requirements, exterior masonry requirements, signage, and Urban Design Overlay District requirements at the property located at 17901 LaGrange Road in the ORI (Office and Restricted Industrial) zoning district, in accordance with the plans submitted and adopt Findings of Fact proposed in the October 21, 2021 Staff Report.

Motion seconded by COMMISSIONER GATTO. Vote taken by Roll Call; all in favor. C ACTING CHAIRMAN SHAW declared the motion carried.

Motion 3- Site Plan / Architectural Approval:

COMMISSIONER GATTO made a motion to grant the Petitioner, Shawn Vincent on behalf of Loyola Medicine, Site Plan and Architectural Approval for a new medical clinic at 17901 LaGrange Road in the ORI (Office and Restricted Industrial) zoning district, in accordance with the submitted plans and subject to the following conditions:

1. Site Plan Approval is subject to approval of the required Variations and development agreement by the Village Board.
2. Site Plan Approval is subject to other jurisdictional reviews and approval including IDOT, Cook County DOT, MWRD, IEPA, and any others. Any substantial changes to the plans required by other jurisdictional requirements may require additional approvals.

3. Site Plan Approval is subject to Engineering and Building Department permit review and approval of final plans including any grading or drainage changes.

Motion seconded by COMMISSIONER MANI. Vote taken by Roll Call; all in favor. ACTING CHAIRMAN SHAW declared the motion carried.

Motion 4- Final Plat:

COMMISSIONER GASKILL made a motion to recommend that the Village Board grant approval to the Petitioner, Shawn Vincent on behalf of Loyola Medicine, Final Plat of Consolidation Approval for Loyola Medicine in accordance with the Final Plat (dated October 12, 2021) submitted and listed herein, subject to the condition that the Final Plat approval is subject to the following conditions:

1. Final approval by the Village Engineer and Village Attorney.
2. A separate Plat of Easement shall be approved by the Village Board and recorded for all required public easements prior to building occupancy.

Motion seconded by COMMISSIONER GATTO. Vote taken by Roll Call; all in favor. ACTING CHAIRMAN SHAW declared the motion carried.

ACTING CHAIRMAN SHAW noted the request will be reviewed by the Village Board at the November 2nd meeting.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE OCTOBER 21, 2021 REGULAR MEETING
ITEM #2 WORKSHOP – TOBACCO AND NICOTINE-RELATED RETAIL USES – ZONING ORDINANCE TEXT AMENDMENT

Consider recommending that the Village Board adopt a proposed text amendment to the Tinley Park Zoning Ordinance amending Section II.B. (Definitions) and Section V.B. Schedule I (Schedule of Permitted Uses – By Use Type) regulating tobacco and nicotine-related uses.

Present Plan Commissioners: Chairman Garrett Gray
James Gaskill
Angela Gatto
Eduardo Mani
Ken Shaw
Kehla West (remote)

Absent Plan Commissioners: Frank Loscuito

Village Officials and Staff: Kimberly Clarke, Community Development Director
Dan Ritter, Planning Manager
Lori Kosmatka, Associate Planner

Petitioners: None

Members of the Public: None

CHAIRMAN GRAY invited staff to start with the presentation of this item.

Lori Kosmatka, Associate Planner, summarized the Staff Report for the Commission. She provided background on the proposed text amendment to the Zoning Ordinance. She stated planning staff periodically reviews appropriateness of zoning regulations to current planning needs in the community. Staff notes that the zoning ordinance definition most closely aligning to tobacco is a general retail use definition dating back to 1978. This retail use is currently permitted by right in the B-2 and B-3 zoning districts. In addition to not having a specific definition for this particular type of use, tobacco and nicotine related retail uses have grown and evolved over the years with new product types. Accordingly, some municipalities have responded in various types of licensing and zoning regulations. She also noted recent consideration on September 7th Committee of the Whole, where they recommended staff propose a specific definition and Special Use in primary business districts. She also quantified the number of locations currently paying an annual licensing fee to the Village, freestanding smoke lounges, and Change of Use applications currently in process. She provided the existing Chapter 120's regulations of a tobacco shop definition and the minimum proximity to certain institutions. She reviewed the existing use charts for zoning and Legacy District. She described the existing clustering at the southwest corner of 80th and 183rd as well as multiple smoke lounges on the 159th Corridor. She clarified that staff recommendations are to amend the zoning code only with new definitions and adjustments to zoning allowances with additional regulations. She noted that Special Use Permits are reviewed on a case by case situation and may include conditions to mitigate perceived negative impact on adjacent properties. She proposed new definitions, drawing upon the existing Chapter 120 definition for the uses, and upon state statutes for the products. Village of Orland Park adopted these product definitions in an update to licensing regulations earlier this year. The product definitions are all encompassing of specific devices and methods of use. Electronic smoking devices and paraphernalia are part of tobacco products, while marijuana and marketed cessation products are not. Alternative nicotine products also exclude marketed cessation products. Proposed uses are Tobacco Store and Accessory Tobacco Sales. Tobacco Stores are proposed as Special Use in the B-2 and B-3 with a maximum of one per zoning lot. Accessory Tobacco Sales are proposed as Permitted in all Business districts. The proposed Legacy Code update will

have the new Tobacco Store use definition. She also provided other additional regulations that may be considered, and identified some specific regulations in other communities. She noted one concern of tobacco clusters raised in other communities is that a clustering may impact competition, lowering prices, increasing availability, and thus impacting community health and safety. Open Items involved definitions for use and products, use allowances, maximum number per zoning lot vs. minimum distances to other Tobacco Store, and methods of measurement. She provided Special Use standards.

CHAIRMAN GRAY noted that open items #1 and #2 involve definitions and #3, #4, and #5 involve restrictions. He commented that marijuana was originally restrictive, but recent regulations have opened up. This amendment is the reverse.

COMMISSIONER WEST had no comment and is satisfied with what we have.

COMMISSIONER MANI noted the proposal seems good. He asked what “accessory” is, and if certain items like lighters and rolling papers would be classified as that. He asked how they could be split apart.

Lori Kosmatka responded that rolling papers fall under the Tobacco Product definition, and if it is within a Tobacco Store, it would be regulated accordingly. Paraphernalia is not automatically considered Accessory Tobacco Sales. Accessory Tobacco Sales is based on the use, not the product. She clarified the 65% threshold between Tobacco Store and Accessory Tobacco Sales.

COMMISSIONER SHAW clarified that Jewel supermarket would be Accessory.

CHAIRMAN GRAY felt the definitions look clear and have logical exclusions like marijuana and cessation products.

COMMISSIONER SHAW asked why are we addressing the tobacco issue. He agreed there clearly is clustering. He noted entertainment districts may encourage clustering, and asked why are we now looking at tobacco. He asked what the rationale is for this consideration and what is the public good being advanced and/or protected for that. These questions underlie why we would be talking about this in the first place.

CHAIRMAN GRAY concurred with COMMISSIONER SHAW in that there are restaurant rows. He is unfamiliar with how smokers shop. He asked what came first: the five primary and three secondary tobacco places or the child care facility.

COMMISSIONER GATTO noted that the child care facility came first. She did not realize how many tobacco places there were at that area until being shown the slide presentation images.

Kimberly Clarke noted before Happy Bites existed, she believes it was previously a tobacco place.

COMMISSIONER SHAW noted that the perspective of this issue may depend on if you are a smoker or not. A smoker might find the variety of choices preferable, but otherwise it might be a negative. He noted that it is up to the community and the Board to decide. We may encourage a restaurant row or auto mall. At one point Duvan Drive was primarily automobile-related businesses. Whereas in this case, it is not encouraged but is something that is being proposed to be regulated. He asked to understand the rationale for that.

Kimberly Clarke responded that this was brought up by the Village Board for discussion. She commented this is the first community that she’s been at where tobacco is not called out as a zoning use. She also noted limiting the use helps address it from a public health concern. She further noted there has been some business feedback questioning why so many tobacco shops can be in one area.

COMMISSIONER GATTO noted she was baffled how there can be so many in one building at 183rd and 80th. She was not sure how many owners were in the building. She is in marketing, and said she would not place a vape business next to similar business.

COMMISSIONER GASKILL noted he heard it is all owned by the same person.

Lori Kosmatka responded that she believes there might be two owners.

COMMISSIONER SHAW noted when people shop around towns to open a business, or looking to move residentially in. Sometimes it's desirable among towns to have consistency in regulations. Some communities may want to be even (same) as elsewhere or they may want to intentionally be different to "hook" business in. Village Board may have directions to go based on consistency or for a public health statement.

He noted he is coming from the government's overwhelming need to step in and do something based on seeing a cluster. If a tobacco business is otherwise conforming to the Village Ordinances, licensing, and being clean and is clustering and they find that is profitable, then he does not see an overwhelming need to step in and overregulate. He commented it seemed like procedurally there was direction from the COW for staff to propose the amendment, and are now before the Commission.

CHAIRMAN GRAY concurred with COMMISSIONER SHAW as to why we are looking at this.

COMMISSIONER GATTO asked how many surrounding towns have ordinances for tobacco.

Lori Kosmatka responded that many towns have specific licensing regulations and in some cases may also have both, as in the case with Village of Frankfort. Village of Orland Park regulates via licensing and has caps. The way communities choose to regulate varies. Our Village doesn't have any specific regulations for either licensing or zoning.

CHAIRMAN GRAY asked for clarification on existing business conformity if 1,000 feet minimum distance or a minimum of 1 per zoning lot comes in effect. He noted the proposal states it would allow existing businesses to continue in operation as they exist and they are further permitted to seek a special use and not grandfathered in. He asked if the existing businesses would have to apply for the Special Use.

Lori Kosmatka responded they would be conforming while under the same ownership. If they transfer ownership they would not be conforming and would need to seek the Special Use.

CHAIRMAN GRAY asked if this is only if the business is transferring to another owner.

Lori Kosmatka responded yes.

CHAIRMAN GRAY wanted to make sure they don't get penalized where they get permitting after the fact. He agreed with COMMISSIONER SHAW that if it's a one stop shop and business is good, and there's no empty units, then that is a good thing.

COMMISSIONERS GASKILL and GATTO had no comment.

CHAIRMAN GRAY asked if there's anything further needed from Staff.

COMMISSIONER SHAW noted the definitions are well-stated and logical. He likes the alignment with Chapter 120's percentages and the basis in state statute. In terms of the restrictions, he does not object nor have much comment on these open items. Based on the direction from Village Board, this seems reasonable. His only question is if there is a fundamental need to do this amendment at all. Accepting there is an interest in doing it, he agrees with the items as presented.

CHAIRMAN GRAY further commented per Open Item #4 he is not sure about the maximum of one per zoning lot as he doesn't have the insight being a tobacco user. It may be reasonable going forward to not have that clustered established. He noted the 1,000 feet mentioned was from Orland Park. He noted that the recreational marijuana use was recently opened up. If someone is willing to be a landlord or sell the property outright and they make decent business, you might lose somebody. If they are similar in standards in Orland, it might work well here. He is not exactly sure with tobacco use.

CHAIRMAN GRAY asked if there's anything further needed from Staff.

Lori Kosmatka clarified the proposal divides the definitions into primary and secondary. The primary would be special use as one per zoning lot, not 1,000 feet. The distance could be considered case by case as part of the Special Use process.

COMMISSIONER SHAW asked for confirmation that the Special Use is in B-2 and B-3.

Lori Kosmatka confirmed it is B-2 and B-3.

COMMISSIONER SHAW asked in terms of Open Item #4, if there was already an existing special use in a zoning lot, and someone wanted to come in, if that was an administrative denial.

Dan Ritter, Planning Manager, responded yes. This is the way it is written. You would not be able to apply for the Special Use if there were already one in a zoning lot. Staff looked at specific distance requirements, but this is an easier way to enforce it. The distance is an opportunity to consider in the Special Use process depending on the context. There may be other tobacco stores scattered around or churches or schools. The Special Use standards help analyze what's around it and how it affects other uses. A proposed tobacco store would be prohibited to open a tobacco store in a lot that already has one.

CHAIRMAN GRAY asked staff to confirm that this is coming back to the Commission as a Public Hearing at the next meeting in two weeks.

Lori Kosmatka responded yes.

GOOD OF THE ORDER –

Dan Ritter and Kimberly Clarke provided an update. Avocado theory is now open in downtown and has an inviting outdoor patio with rollup doors. The 7-Eleven gas station is anticipated to open within the next two weeks. They are stocking and training staff now. The McDonalds on 159th Street is finishing up exterior and interior remodeling work now. The Zoning Code is updated with previous text amendments over the last year and available online. Staff has been printing copies and will provide them at the next meeting.

COMMENTS FROM THE PUBLIC – CHAIRMAN GRAY asked if there were comments from the public. Hearing none, he asked to adjourn the meeting.

CLOSE MEETING -

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER SHAW to adjourn the October 21, 2021 Plan Commission meeting.

CHAIRMAN GRAY asked for a voice vote; all were in favor. He declared the motion carried and adjourned the meeting at 9:31 P.M.

PLAN COMMISSION STAFF REPORT

October 21, 2021 – Public Hearing

Petitioner

Frank Bradley, on behalf
of Crana Homes

Property Location

8001 191st Street
(SW Corner of 191st St
and Magnuson Ln)

PINs

19-09-11-200-014-0000

Zoning

Current: B-3

Proposed: R-5 and B-3

Approvals Sought

- Rezoning
- Special Use for Preliminary PUD Approval
- Site Plan Approval
- Preliminary and Final Plat Approval

Project Planner

Daniel Ritter, AICP
Planning Manager

Brookside Glen Villa's (Crana Homes) – Rezoning & Preliminary PUD

8001 191st Street (Southwest corner of 191st St and 80th Ave)



EXECUTIVE SUMMARY

The Petitioner, Frank Bradley on behalf of Crana Homes, is a local builder and developer that has been involved with the development of Brookside Glen Planned Unit Development (PUD) since its creation in 1990. He has owned the ~31-acre parcel located at the southwest corner of 191st Street and 80th Avenue for over 30 years that is zoned B-3 (General Business and Commercial District). While it has been actively marketed for commercial development over that time period, there has been no viable commercial interest in the property.

In November 2020, Crana Homes approached the Village about splitting off a portion of the property for low-density two-family attached (duplex) housing. Mr. Bradley feels there is a strong market for this type of housing that has not been provided in the Village. The development would have no age limits but presents a strong demand for seniors and empty nesters. The plan was run through a "concept approval" plan outlined in the PUD section of the zoning code. No zoning entitlements were received but feedback from the Plan Commission and Village Board was generally positive. Direction was given to come up with high-quality housing designs, reduce monotony, and pursue a small park location with the Frankfort Square Park District due to the increase in the PUD's housing density.

The plan as proposed includes more specific approvals including subdividing of the land, rezoning the portion to be used for the residential development to R-5 (Low-Density Residential), preliminary PUD approval, and preliminary plat approval. The proposed plan provides for ~7.2-acres of commercial uses and ~24.1-acres of residential uses. The current preliminary proposal would create certain entitlements for the proposed residential development, but is required to return for approval of final details of the project including the final plat and site plans.

Changes from the October 7, 2021 Workshop Staff Report are indicated in RED.

EXISTING SITE & HISTORY

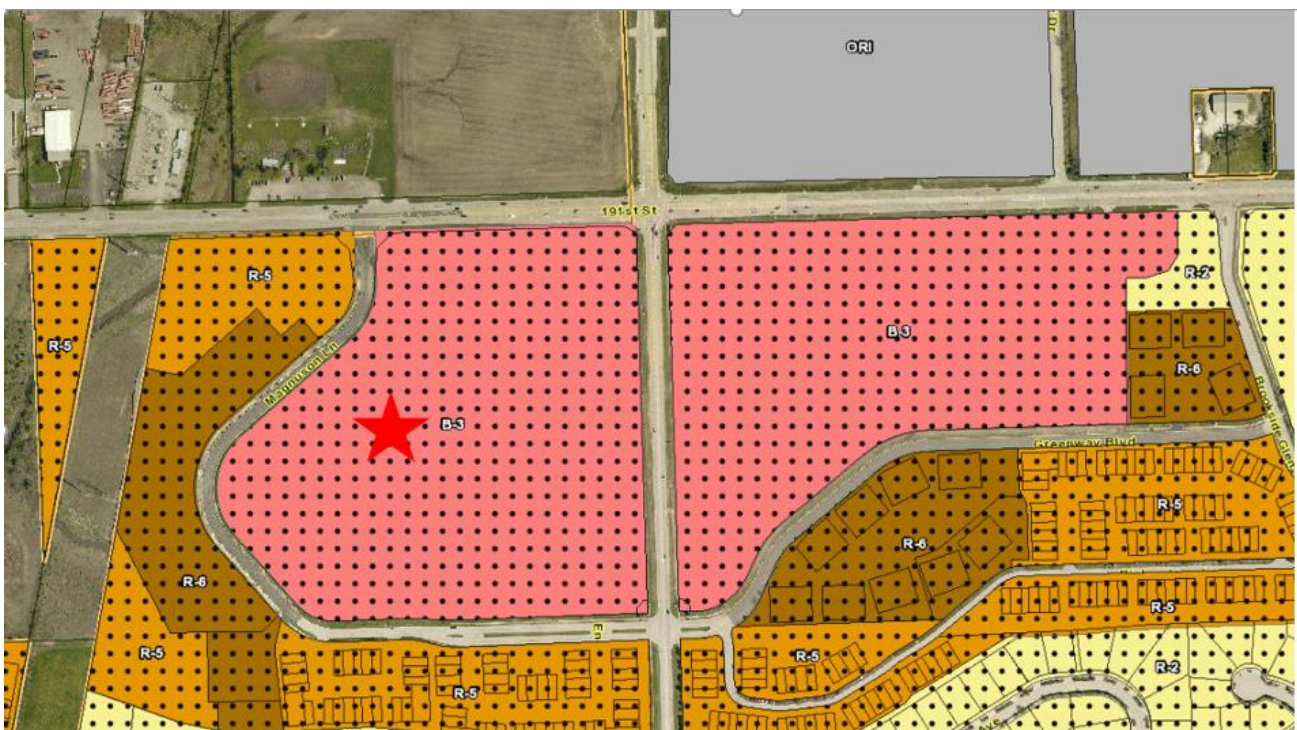
The subject site is a 31.3-acre parcel within the Brookside Glen Planned Unit Development (PUD). The Brookside Glen PUD was approved as part of an annexation of 828-acres in 1990. Since that time, there have been amendments to the Agreement as well as several PUD modifications and rezonings. This is typical for a property of this size that has responded to market trends and fluctuating economic conditions over time. The subject property was originally planned and zoned for the Village's most intense commercial district B-3 (General Business and Commercial District) which includes such uses as hotels, indoor recreation, retail membership clubs, theaters, and large retail centers. This is the same zoning as the Brookside Marketplace commercial development at Harlem Ave and 191st St.

In December of 2017, the Village Board approved plans for the *Residences at Magnuson* which includes four multi-family structures with 144 dwelling units as well as a clubhouse and various amenities. The project is currently under construction. The *Residences at Magnuson* is located immediately west of the subject property. A history of amendments to the Brookside Glen PUD is attached as Exhibit A.

ZONING & NEARBY LAND USES

The subject property is zoned B-3 (General Business and Commercial District) and is part of the Brookside Glen PUD. The property to the west is zoned R-6 (Medium-Density Residential) with a multifamily development under construction. To the south, the property is zoned R-5 (Low-Density Residential) and is developed with townhomes. To the east, across 80th Avenue, is undeveloped B-3 property with R-6 and R-5 zoning immediately to the south. To the north is an undeveloped parcel in unincorporated Will County zoned C-6, which is intended to accommodate commercial recreation, amusement, and entertainment uses. The property to the northeast is an undeveloped parcel zoned ORI (Office and Restricted Industrial).

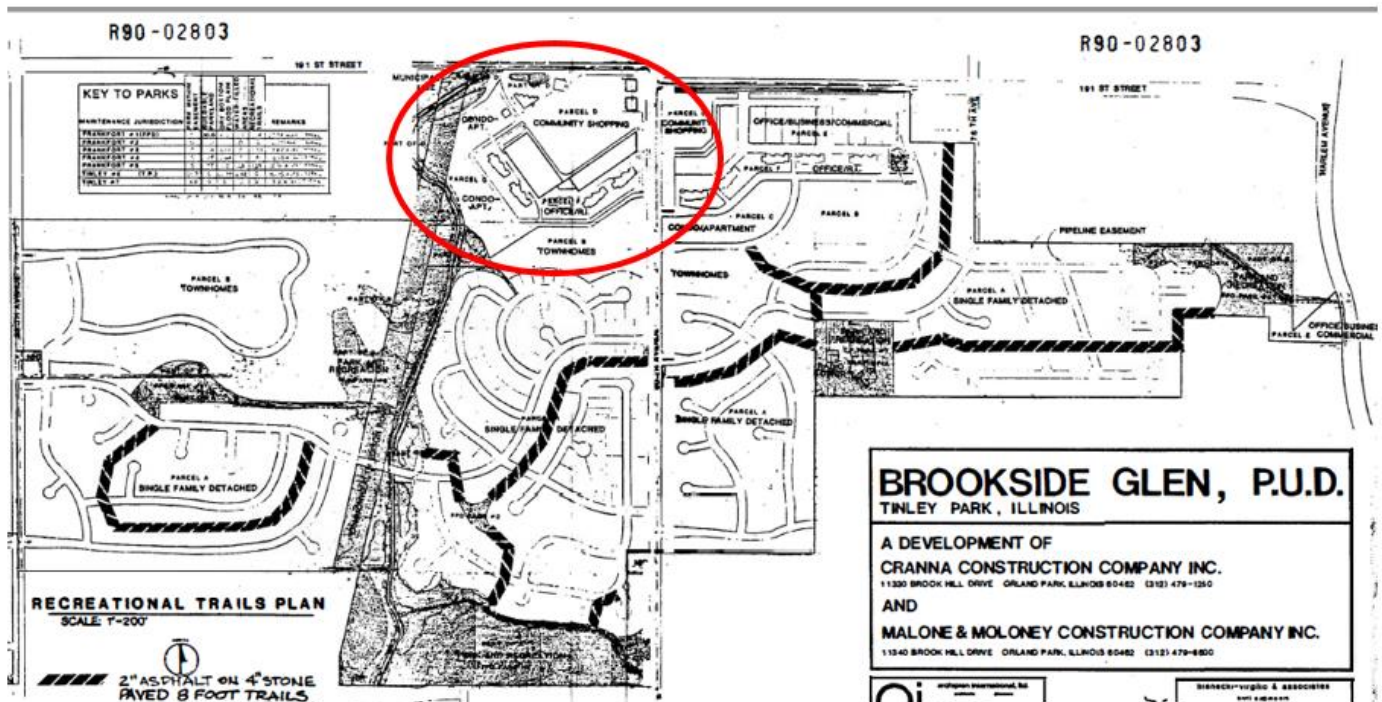
The subject parcel is also located within the Urban Design Overlay District (UD-1) that is intended to regulate non-residential buildings to "accommodate the automobile, but are primarily designed to promote non-motorized and public transportation movements to, within, and among properties". UD-1 attempts to create a streetscape that is defined by buildings rather than parking lots. Residential development is not regulated by this overlay district).



UNDERSTANDING PLANNED UNIT DEVELOPMENTS (PUDs)

In 1990, the annexation of 828-acres for the Brookside Glen PUD was a significant endeavor for the Village of Tinley Park. To plan for a development of this magnitude, the Village utilized a common master planning technique by annexing the parcel as a PUD. It is important to understand that a PUD inherently provides flexibility in its planning and zoning. The PUD approved in 1990 provided a master plan for the 828-acre property as a guide to its future potential. As stated in Section VII of the Zoning Ordinance, the purpose of a PUD is *"to facilitate and encourage the construction of imaginative and coordinated developments and to provide relief from the subdivision and zoning requirements which are designed for conventional developments, but which may inhibit innovation of design and cause undue hardship with regard to developing a parcel of land to its best possible use."* The Applicant is requesting the change in land use due to his inability to develop the parcel in accordance with the original intent for commercial development. The retail market has changed significantly since 1990 with internet sales taking the lead over on-site purchases. Brick and mortar commercial development is stagnant and parasitic at best with new construction luring tenants from existing centers. The Village is working toward maintaining the current inventory of commercial property and has recently incentivized several commercial properties along Harlem Avenue, however attracting larger commercial development for parcels of this size has been difficult. The subject parcel remains attractive for retail development however, it is more likely to be at a smaller scale. In addition, the original intent to use office development as a buffer for the residential uses to the south is also compromised with the declining commercial office market.

The concept plan approved with the Annexation in 1990 is depicted below. Amendments to the original PUD changed the alignment for Greenway Boulevard and provided for the townhomes that currently exist to the south.



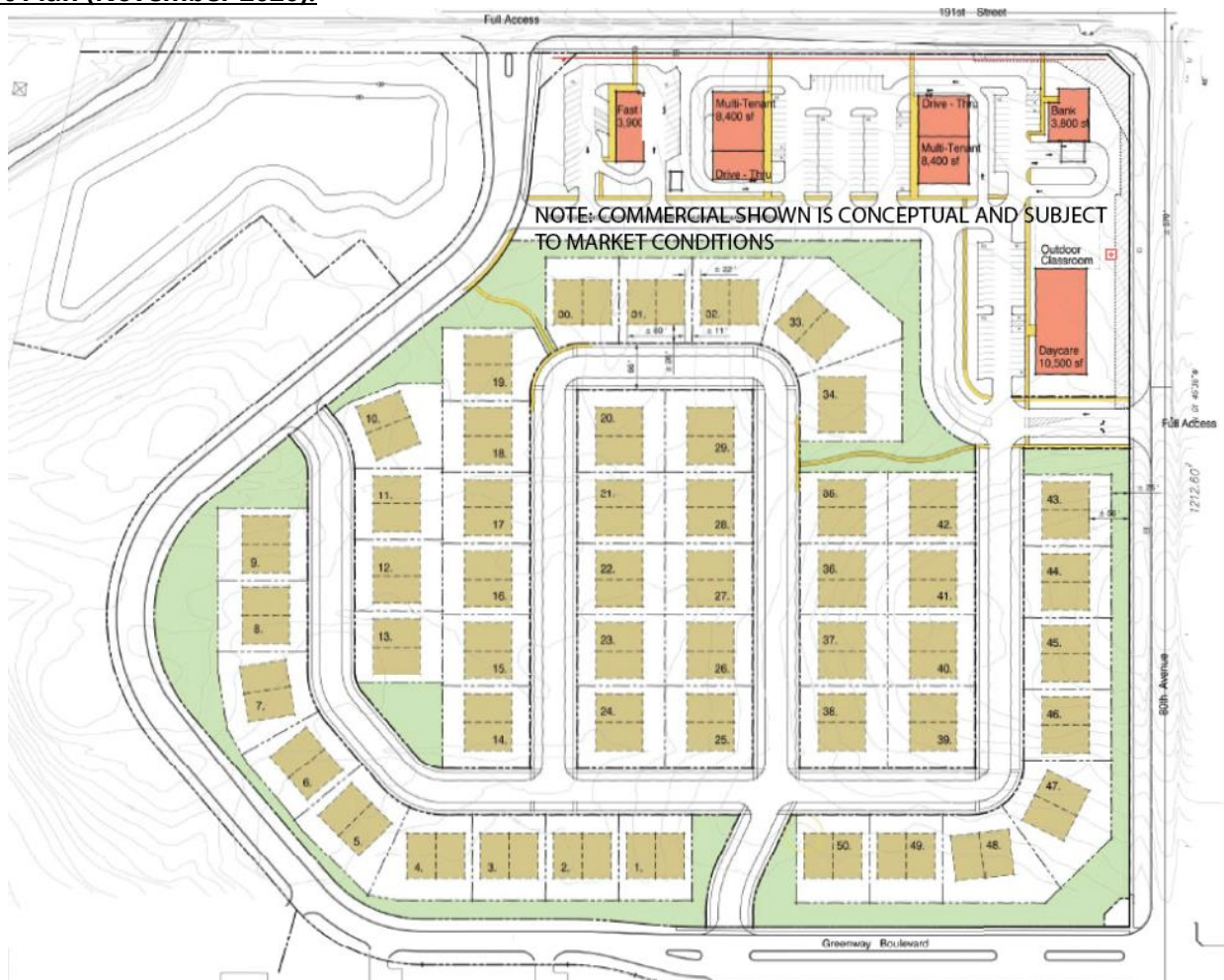
PRELIMINARY PUD/SITE PLAN APPROVAL

PUD Process

The issue before the Plan Commission is to preliminarily approve the proposed site plan, PUD documents, and land use changes to the original PUD approved in 1990. Since the proposed plan will change the original concept or intent of the original development, it is considered a Substantial Deviation. The Plan Commission is required to act in the same manner as required for concept or final approvals. However, there are various approval levels that bring different review processes and entitlements. Most often, changes are minor and they can go straight to final. However, in bigger and multi-phased development “Conceptual” and “Preliminary” approvals are important. By spreading out the review into different levels, the level of detail becomes clearer. This is a benefit to the Plan Commission and Village Board to better understand the PUD’s proposal and purpose. It also benefits the developer by having them only spend time and money developing plans they need. Preliminary and Final approvals including a public hearing and a recommendation will then be forwarded from the Plan Commission to the Village Board of Trustees for final action. The Preliminary CC&Rs (Covenants, Conditions, and Restrictions) and plans will all be exhibits of the approved ordinance and the final plans, plats, and CC&R’s will need to be in substantial conformance with them.

Proposed is a Preliminary PUD Plan, which brings more detailed entitlement than the previous concept level review did, which is mainly for general feedback purposes. Preliminary approval essentially gives them the ability to do what they are proposing as long as final plans are substantially in conformance with the plans and proposal. They will need to come back for final PUD and Plat approvals, however, those are usually just a formality once final engineering plans are completed for a certain phase of the project. Additionally, preliminary approval is only being sought for the residential portion of the development. The commercial portion will remain conceptual and will need preliminary and final approvals in the future when that is developed in whole or in part.

Concept Plan (November 2020):



Preliminary Plan - Residential Only (October 2021)



Preliminary Proposal and Rezoning

Crana Homes is proposing to construct 49 duplex buildings with 98 total units to function as a buffer between the commercial area fronting 191st Street and 80th Avenue and the townhomes to the south of Greenway Boulevard. This is a minor reduction from the concept approval which had 50 buildings and 100 units.

The plan will change the property's land use mix from 100% commercial to approximately 23% commercial and 77% residential. The commercial area identifies five structures with labels of "fast food, multi-tenant, drive-thru restaurant, bank, and daycare". These uses are for illustrative/concept purposes only to show what could be reasonably developed within the area and how access will be accounted for. The zoning designation will remain B-3 (General Business and Commercial) for the commercial property and therefore any future uses will need to conform with that zoning district. The residential portion of the development will be rezoned to R-5 (Low-Density Residential). The site plan as proposed respects the intent of the Urban Design Overlay District (UD-1) by limiting the parking fields to the side or rear of the structures on the commercially zoned property. If the concept plan is approved further refinement of the site plans will indicate additional landscaping and bicycle parking.

Setbacks and density regulations for the R-5 zoning district are shown as being met on all lots for “single-family semi-detached housing” (this is the formal description of a duplex by the zoning ordinances definition). The residential area includes duplex housing that maintains an internal orientation of all units thereby preventing any direct access from a unit to the external road system. This allows for greater screening along the perimeter and a more comfortable living environment for residents.

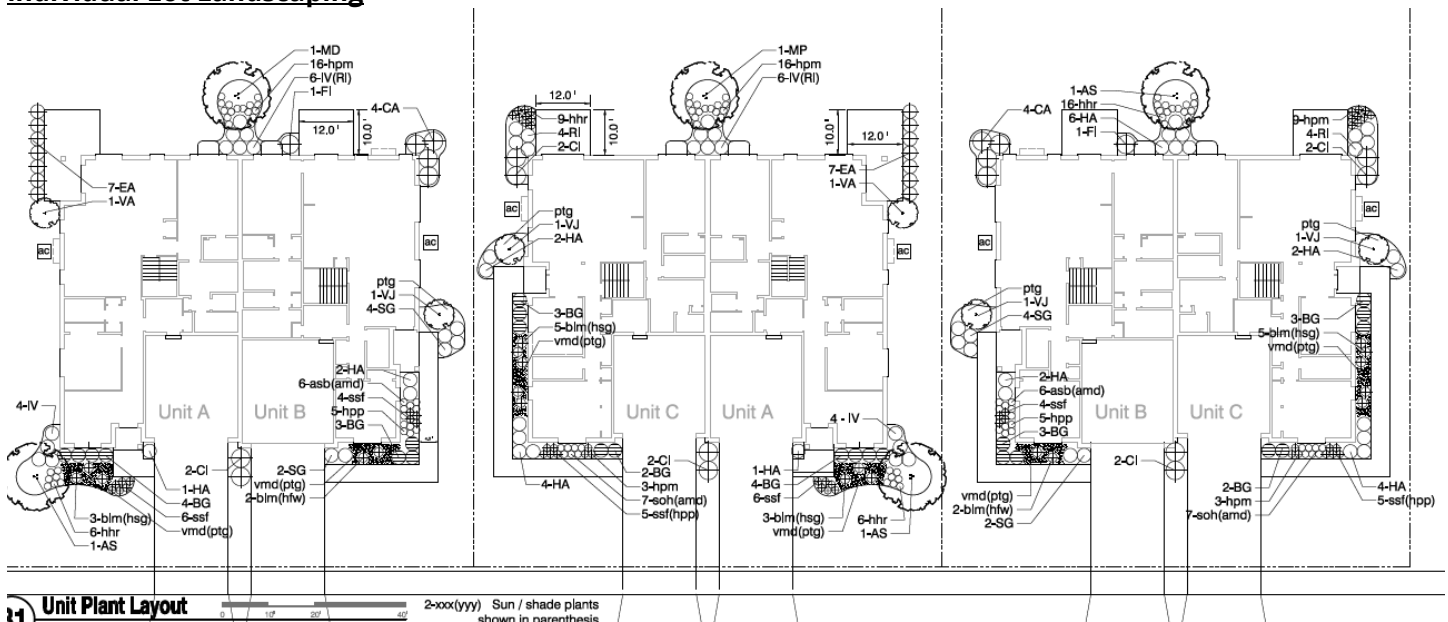
Exceptions

Any items that don’t meet the Zoning Ordinance are considered “Exceptions” instead of Variations and are covered by the PUD approval. While it is not necessary to call out all Exceptions shown in the Plans, staff often outlines these so that the Commission and Village Board understand what flexibility is being given to the development through the PUD process. No specific exceptions were identified with the proposed plans. However, there may be some exceptions identified with final approval when all details are set.

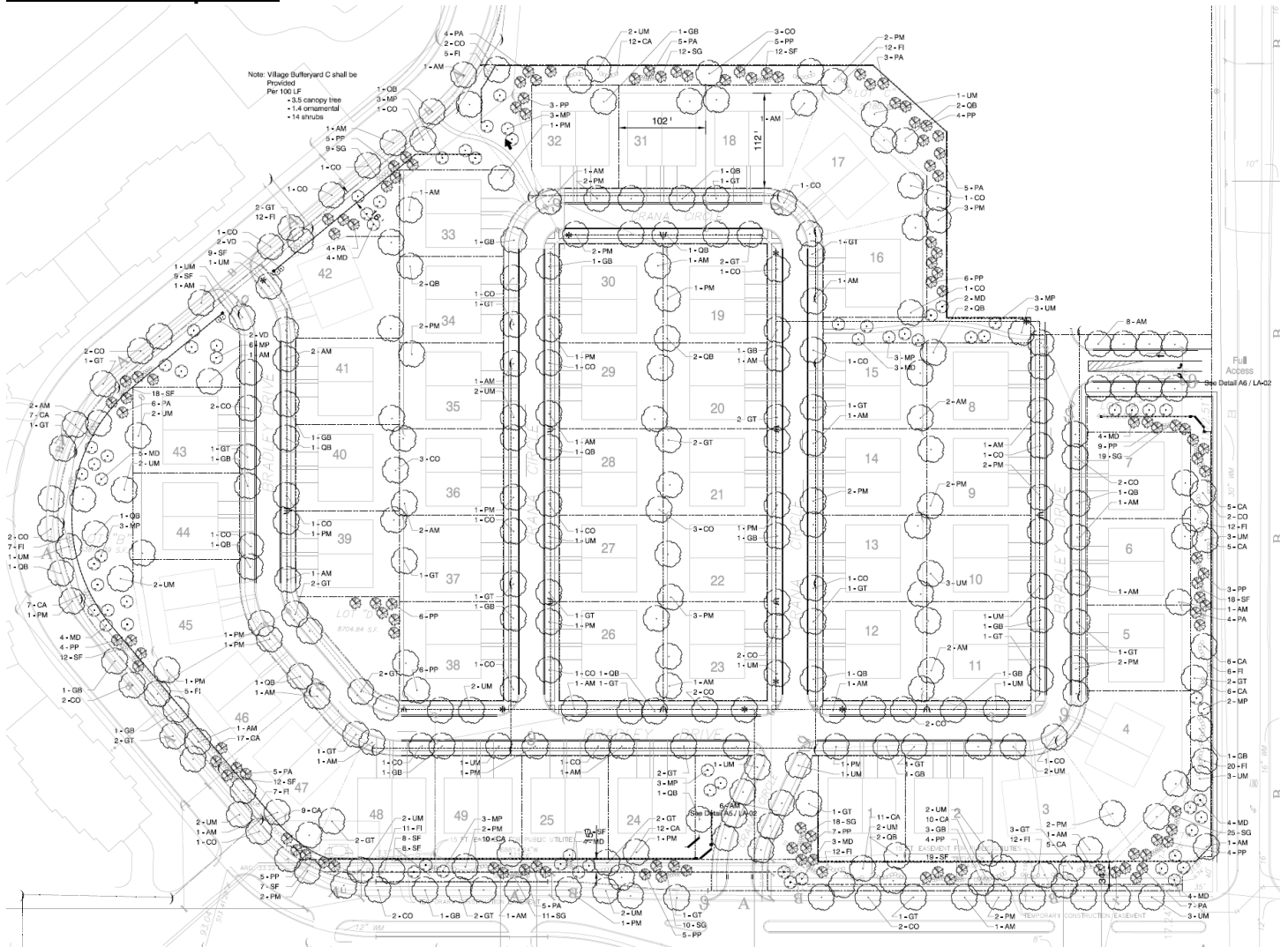
LANDSCAPING

A landscape buffer is proposed along the entire perimeter to serve as an additional buffer to adjacent uses (see below). This buffer ranges in depth from 15’ at its narrowest to 30’ at its widest. This is in addition to the 30 rear yard setback for the duplexes with frontage on Greenway Boulevard. The landscape buffer along the perimeter of the property meets the bufferyard requirement. Compared to the concept plan, this preliminary plan has more detail with regard to plantings. The canopy tree and parkway requirements are met and while there are some minor deficiencies with shrubs in some bufferyards, these are made up by a surplus of more substantial understory trees, which also can require less long-term care and maintenance. Landscaping was also not proposed around the sign. The requirement of 2 sq. ft. of landscaping for each 1 sq. ft. of sign face will need to be met. This would be approved with the final PUD approval or sign permit and will also result in additional shrubs. Staff believes the proposed plan is largely in compliance with the intent of the Landscape Ordinance and will be a benefit to the future residents of the subdivision.

Individual Lot Landscaping



Overall Landscape Plan



Landscape Analysis

BUFFERYARD REQUIREMENTS							
Bufferyard Location	Required Width	Proposed Width	Length	Required Plantings	Proposed Plantings	Deficit	Comments
North ("C" Bufferyard)	25'	25'+	1,050'	37 CT 15 US 147 SH	38 CT 37 US 63 SH	+1 CT +22 US -84 SH	
East ("C" Bufferyard)	25'	25'	595'	21 CT 9 US 84 SH	13 CT 34 US 90 SH	- +25 US +6 SH	
South ("B" Bufferyard)	20'	30' avg.	917'	22 CT 6 US 110 SH	22 CT 36 US 116 SH	- +30 US +6 SH	
West ("B" Bufferyard)	20'	15'	1,162'	28 CT 7 US 140 SH	28 CT 61 US 123 SH	- +54 US -17 SH	

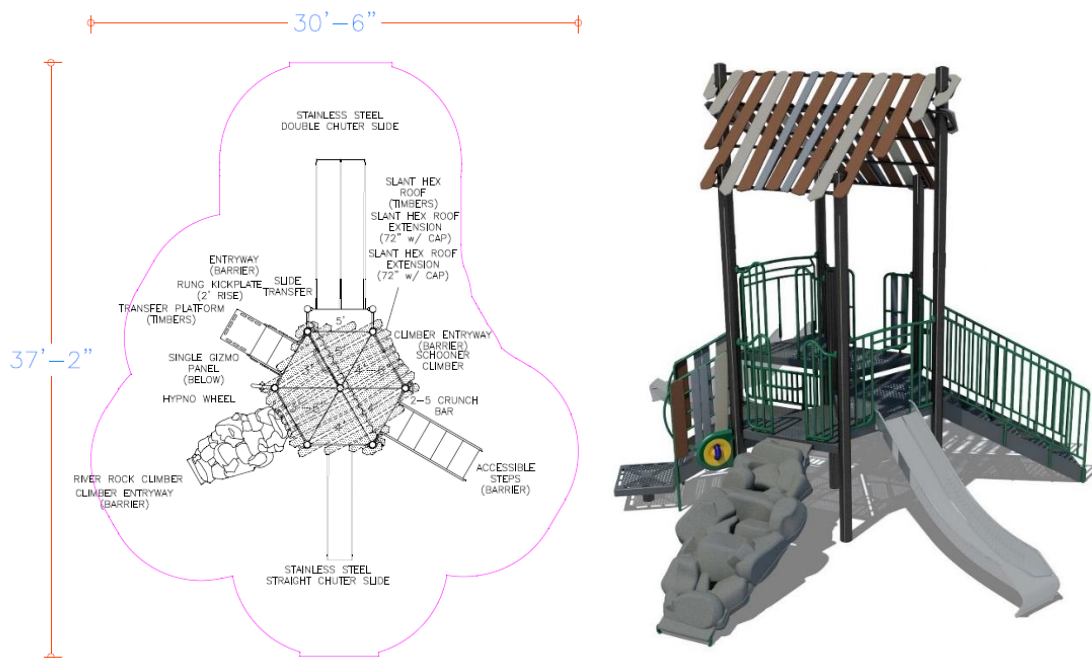
Please note the following abbreviations: CT = Canopy Tree, US = Understory Tree, SH = Shrub, T = Tree.

Fencing

The majority of the site will be enclosed with an open-style aluminum fence. However, the north property line will have a solid picket-style fence at the recommendation of staff. The solid fence will ensure adequate privacy for the residents that back up to the north property line. It will help to avoid any issues with light glare and noise when the commercially zoned property is eventually developed.

Tot Lot Park

Based on feedback from conceptual plan review and discussion with the Frankfort Square Park District, the developer has agreed to construct a tot lot park as part of the development that would be donated to the Frankfort Square Park District upon its completion. The park space will help offset the residential density being added with the conversion to residential. There is no age limit for the development, so the park will benefit both young families with children and older families with grandchildren. The specific design of the park site and equipment is subject to the Frankfort Square Park District approval but will be completed by the developer as part of the development. A similar “tot lot” playground design is shown below.



CIRCULATION

Access is limited to one point of access on Greenway Boulevard for the residential section and two points of access on Magnuson Lane—one for the residential area and one for the commercial area. Only one point of access is provided for 80th Avenue. Shared access to this point on 80th Avenue is indicated on the Plat of Subdivision. Earlier versions of the plan included four points of access on Greenway Blvd. Staff recommended this change to minimize traffic and congestion on Greenway Boulevard.

Full access is provided on 80th Avenue that serves both the commercial and residential areas. Staff encouraged the applicant to increase the commercial area slightly and “wrap” the corner with commercial uses, thereby allowing for full access on 80th Avenue. The land use designations in the commercial section are for illustration purposes only. Once a developer is identified for the commercial area, the plans will be finalized with an end-user in mind. The plan does however reflect requirements of the Urban Overlay District which attempts to limit parking fields to the side or rear of the building so that the architecture of the buildings will dominate the streetscape rather than parking lots. Approval of the commercial area provides direction to future planning as to the layout and access of this area.

An internal sidewalk system has been provided throughout the commercial and residential areas. Some refinement during site plan approvals will be necessary for the commercial area to ensure safe separation between pedestrian and vehicular traffic. Sidewalks along all street frontages (Magnuson Dr, Greenway Blvd, and 80th Ave) are proposed. The phasing of the plan will be clarified in the final PUD approval stage; however, they have agreed to complete the sidewalk along 191st Street with the residential development (as opposed to waiting for the commercial development to complete it).

ARCHITECTURE

Per the applicant, the design of this project is focused *“on the active adult market. To that end, all homes will have a bedroom on the first floor, and some may have secondary bedrooms on a partial second floor. The maintenance free focus for this lifestyle will include Association maintained landscape for the homes and yards, in addition to the Association common spaces.”* While it is age-targeted, there are no age limits, and maybe an attractive home for young families as well.

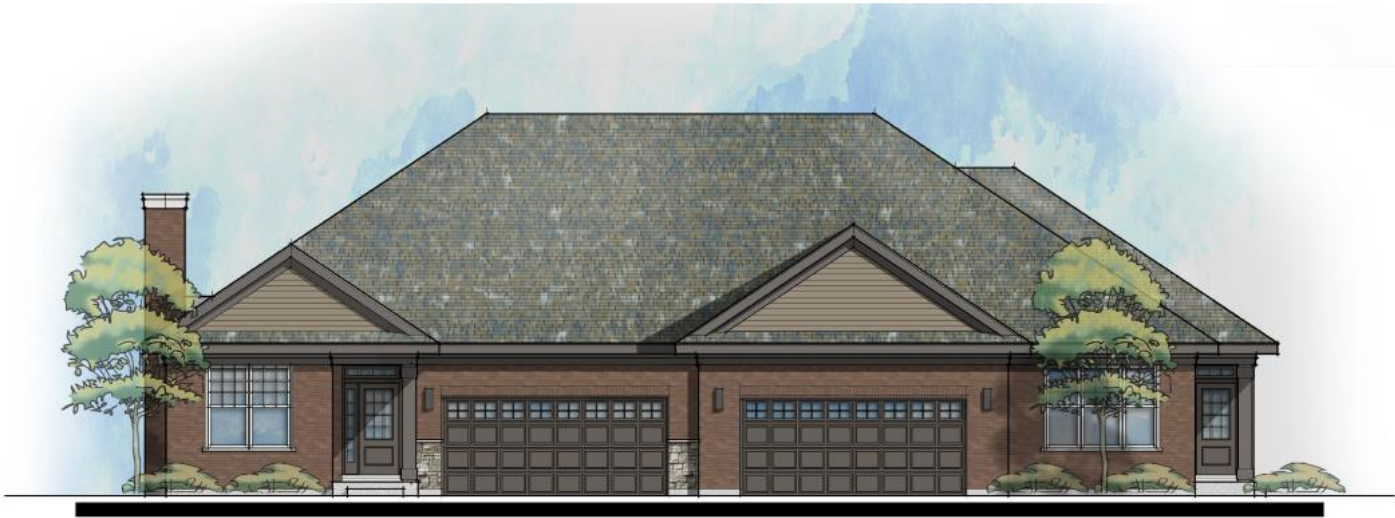
Architectural elevations were further defined and are traditional architectural product that is typical for Crana Homes style. While the architecture is purposefully similar in most attached single-family products (Townhomes and duplexes), there are multiple models and various exterior options to bring a unique appearance to each building. These options including varying brick color, siding color, roof lines, gables, and partial second floor options. With all of the available options, it will make for a unique look to the different buildings that avoids an overly monotonous and repetitive look. Below is an example of how some of the streetscapes might look with scaled setbacks between buildings. Additionally, the overall design of the subdivision leads to many curved roads and varying frontages, so there will not be long lines of buildings; further leading to an attractive streetscape and subdivision. At staff’s request, the petitioner did explore the possibility of side loaded garages to reduce the visibility of garage doors. Under the current design only about 4-5 units could be possible due to the roadway and site layouts. To implement side loaded garages would mean likely redesigning the site or the models, which is not feasible.

One issue staff has noted in past townhomes and duplex approvals are the desire for residents in the future to complete expansions of the structure, often by way of a “sunroom”. However, these “sunroom” additions are by definition a building addition and often lower the quality and appearance of the overall development due to their lower construction quality, materials, and durability. The current proposal would not permit any sunroom or other building additions. This would be a requirement of the CC&Rs but also the PUD regulations. Any future change to that would need to go back through a special use/deviation process.

Streetscape Example



Elevation Options Examples



Unit A Front Elevation w/ Gable Opt.

Unit B Front Elevation



Unit B1 Front Elevation

Unit C Front Elevation



Unit C Front Elevation
w/ Opt 2nd Flr.

Unit A Front Elevation

Materials

The proposed building materials used include stone at the base and red or brown brick for the majority of the structure. Brick and stone are proposed to be on all sides of the first floor, in compliance with the Zoning Ordinance's masonry requirements. Hardie Board (fiber cement siding) is used for the trim, dormers, and limited second floor siding elements. Hardie Board is a name brand fiber cement board product that is typically higher quality and more durable than vinyl siding. These proposed materials are required to be used as part of the PUD Ordinance and any changes in materials type requires revisions to the PUD.

Light Scheme Package



HardiePlank Lap Siding
Cobble Stone, Smooth



HardieBoard Trim
Monterey Taupe



Clopay - Classic Steel Garage Door
Sandstone Woodgrain

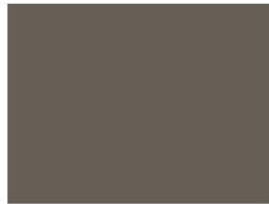
Dark Scheme Package



HardiePlank Lap Siding
Monterey Taupe, Smooth



HardieBoard Trim
Agate Pewter



Clopay - Classic Steel Garage Door
Bronze Woodgrain

Brick Selections



Brampton Brick
Morgan



Glen-Gery
Windsor

Universal Materials



Certainteed - Landmark Pro Asphalt Shingles
Max Def Weathered Wood



Halquist Stone
Biltmore



Illinois Brick Company
Indiana Limestone - Standard Buff

SIGNAGE

Two single-sided subdivision entry signs are proposed for the residential development. One at the entrance off of 80th Avenue and a second along Greenway Blvd. The signs are 6-foot-high with brick and fencing matching the rest of the development. The overall brick portion of the sign is approximately 108 sq. ft. but the signage portion for the subdivision is only 24 sq. ft. The design meets the zoning allowances for residential subdivision signs. These signs will be placed in outlots and maintained by the Homeowner's Association (HOA) after completion of the project.



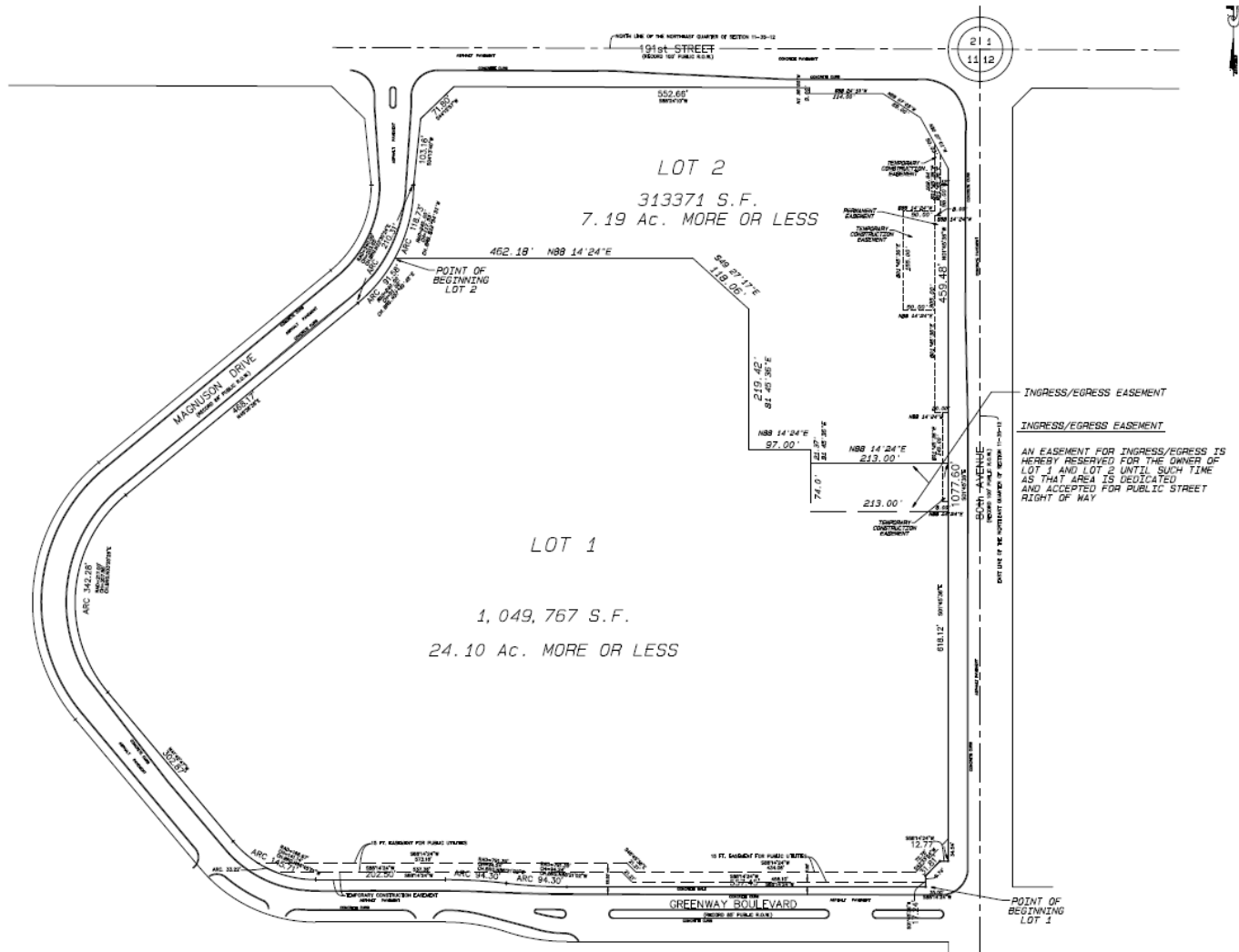
Two existing monument signs are also located at the northwest and southwest corners of Greenway Blvd and 80th Avenue for the larger Brookside Glen area. The signs are not part of the proposed development but the new signs were designed to complement the style of the existing Brookside Glen signs.



PLAT APPROVALS

Final Plat of Subdivision (2 Lots)

The purpose of the first plat is to break the existing single lot into two lots that would allow for two separate zoning districts and developments to occur. The division is rather simple and will be final, meaning if the proposed development didn't move forward, they could each be sold off separately and will keep the underlying zoning district being requested. However, the proposed lots are developable on their own based on the concept plans. A cross-access easement was required with this subdivision due to the need to share an access point on 80th Avenue, and the importance of that access point to each lot's future.



STANDARDS FOR REZONING APPROVAL

The Zoning Code does not establish any specific criteria that must be met in order for the Village Board to approve a rezoning request. Likewise, Illinois Statutes does not provide any specific criteria. Historically, Illinois courts have used eight factors enunciated in two court cases. The following “LaSalle Standards” have been supplied for the Commission to consider. Staff has prepared draft responses for these Standards below. The standards can be modified, or changes as the Plan Commission deems fit based on their findings from the public hearing.

- a. The existing uses and zoning of nearby property;
 - The R-5 zoning is consistent with neighboring residential uses in the area and creates a transition to the business district.
- b. The extent to which property values are diminished by the particular zoning;
 - The zoning change is not anticipated to lower any property values.
- c. The extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public;
 - No property value reductions or complaining parties have been identified.
- d. The relative gain to the public as compared to the hardship imposed on the individual property owner;
 - The development includes new housing and a housing type not currently available in Tinley Park that will benefit the public along with additional property tax not generated by vacant land.
- e. The suitability of the property for the zoned purpose;
 - The property has sufficient roadways, utilities, and location for residential uses.
- f. The length of time the property has been vacant as zoned, compared to development in the vicinity of the property;
 - The property is one of the few remaining vacant parcels in the Brookside Glen PUD. The lot has remained vacant and had little interest as a commercial development for over 30 years. The most attractive and developable commercial frontage along 191st St and 80th Ave will remain as B-3 zoning.
- g. The public need for the proposed use; and
 - There is a strong demand for additional housing in the area and single-story duplex housing specifically has not been constructed in many years. The housing is attractive to seniors, empty-nesters, and young families.
- h. The thoroughness with which the municipality has planned and zoned its land use.
 - The area was originally planned for a large “big-box” commercial area as part of the Brookside Glen PUD. However, as with large PUDs, changes in the market trends can result in changes to the PUD master plan.

STANDARDS FOR A SPECIAL USE

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission when analyzing a Special Use request. Staff has prepared draft responses for these Standards below. The standards can be modified, or changes as the Plan Commission deems fit based on their findings from the public hearing.

X.J.5. Standards: No Special Use shall be recommended by the Plan Commission unless said Commission shall find:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - There is no danger to the public with additional duplex housing proposed.
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - Residential housing surrounds the development. A residential development is less intense than the originally planned “big box” commercial development.
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - The remaining land has been planned in concept for reasonably expected commercial uses. The commercial and residential developments have been planned together.
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - There is adequate roadways, utilities, and drainage existing around the site and proposed throughout in the new development.
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - The ingress and egress access points have been reviewed by the Village Engineer for their best placement on the site and for overall traffic flow for the area.
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance; and
 - The buildings will comply with all other code requirements of the Village not covered by an Exception to the Zoning Ordinance indicated in the PUD documents and plans.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
 - The development will add additional residents that help support surrounding businesses and add additional property taxes where the vacant land currently provides very little.

STANDARDS AND CRITERIA FOR A PLANNED UNIT DEVELOPMENT

Section VII.C. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission for a Planned Unit Development (PUD). The Plan Commission is encouraged to consider these standards (listed below) as well as the Applicant's responses (attached) when analyzing the PUD request. Specific findings are not provided as these are already specific criteria that must be met for the Plan Commission to recommend approval to the Village Board.

- a. The site of the proposed planned unit development is not less than five (5) acres in area, is under single ownership and/or unified control, and is suitable to be planned and developed, or redeveloped, as a unit and in a manner consistent with the purpose and intent of this Ordinance and with the Comprehensive Plan of the Village.
- b. The planned development will not substantially injure or damage the use, value and enjoyment of the surrounding property nor hinder or prevent the development of surrounding property in accordance with the land use plan of the Village.
- c. The uses permitted in the development are necessary or desirable and that the need for such uses has been clearly demonstrated.
- d. The proposed development will not impose an undue burden on public facilities and services, such as sewer and water systems, police and fire protection.
- e. The proposed development can be substantially completed within the period of time specified in the schedule of development submitted by the developer.
- f. The street system serving the planned development is adequate to carry the traffic that will be imposed upon the streets by the proposed development, and that the streets and driveways on the site of the planned development will be adequate to serve the residents or occupants of the proposed development.
- g. When a Planned Unit Development proposes the use of private streets, common driveways, private recreation facilities or common open space, the developer shall provide and submit as part of the application the method and arrangement whereby these private facilities shall be operated and maintained.
- h. The general development plan shall contain such proposed covenants, easements and other provisions relating to the bulk, location and density of residential buildings, non-residential uses and structures and public facilities as are necessary for the welfare of the planned development and the Village. All such covenants shall specifically provide for enforcement by the Village of Tinley Park in addition to the land owners within the development.
- i. The developer shall provide and record easements and covenants, and shall make such other arrangements as furnishing a performance bond, escrow deposit, or other financial guarantees as may be reasonably required to assure performance in accordance with the development plan and to protect the public interest in the event of abandonment of said plan before completion.
- j. Any exceptions or modifications of the zoning, subdivision, or other regulations that would otherwise be applicable to the site are warranted by the design of the proposed development plan, and the amenities incorporated in it, are consistent with the general interest of the public.

STANDARDS FOR SITE PLAN & ARCHITECTURAL APPROVAL

Section III.T.2. of the Zoning Ordinance requires that the conditions listed below must be met and reviewed for Site Plan approval. Specific findings are not required but all standards shall be considered to have been met upon review from the Plan Commission.

Architectural

- a. **Building Materials:** The size of the structure will dictate the required building materials (Section V.C. Supplementary District Regulations). Where tilt-up or pre-cast masonry walls (with face or thin brick inlay) are allowed vertical articulation, features are encouraged to mask the joint lines. Concrete panels must incorporate architectural finishes that comply with “Building Articulation” (Section III.U.5.h.) standards. Cast in place concrete may be used as an accent alternate building material (no greater than 15% per façade) provided there is sufficient articulation and detail to diminish it’s the appearance if used on large, blank walls.
- b. **Cohesive Building Design:** Buildings must be built with approved materials and provide architectural interest on all sides of the structure. Whatever an architectural style is chosen, a consistent style of architectural composition and building materials are to be applied on all building facades.
- c. **Compatible Architecture:** All construction, whether it be new or part of an addition or renovation of an existing structure, must be compatible with the character of the site, adjacent structures and streetscape. Avoid architecture or building materials that significantly diverge from adjacent architecture. Maintain the rhythm of the block in terms of scale, massing and setback. Where a development includes outlots they shall be designed with compatible consistent architecture with the primary building(s). Site lighting, landscaping and architecture shall reflect a consistent design statement throughout the development.
- d. **Color:** Color choices shall consider the context of the surrounding area and shall not be used for purposes of “attention getting” or branding of the proposed use. Color choices shall be harmonious with the surrounding buildings; excessively bright or brilliant colors are to be avoided except to be used on a minor scale for accents.
- e. **Sustainable architectural design:** The overall design must meet the needs of the current use without compromising the ability of future uses. Do not let the current use dictate an architecture so unique that it limits its potential for other uses (i.e. Medieval Times).
- f. **Defined Entry:** Entrance shall be readily identifiable from public right-of-way or parking fields. The entry can be clearly defined by using unique architecture, a canopy, overhang or some other type of weather protection, some form of roof element or enhanced landscaping.
- g. **Roof:** For buildings 10,000 sf or less a pitched roof is required or a parapet that extends the full exterior of the building. For buildings with a continuous roof line of 100 feet or more, a change of at least five feet in height must be made for every 75 feet.
- h. **Building Articulation:** Large expanses of walls void of color, material or texture variation are to be avoided. The use of material and color changes, articulation of details around doors, windows, plate lines, the provision of architectural details such as “belly-bands” (decorative cladding that runs horizontally around the building), the use of recessed design elements, exposed expansion joints, reveals, change in texture, or other methods of visual relief are encouraged as a means to minimize the oppressiveness of large expanses of walls and break down the overall scale of the building into intermediate scaled parts. On commercial buildings, facades greater than 100 feet must include some form of articulation of the façade through the use of recesses or projections of at least 6 inches for at least 20% of the length of the façade. For industrial buildings efforts to break up the long façade shall be accomplished through a change in building material, color or vertical breaks of three feet or more every 250 feet.
- i. **Screen Mechanicals:** All mechanical devices shall be screened from all public views.

- j. **Trash Enclosures:** Trash enclosures must be screened on three sides by a masonry wall consistent with the architecture and building material of the building it serves. Gates must be kept closed at all times and constructed of a durable material such as wood or steel. They shall not be located in the front or corner side yard and shall be set behind the front building façade.

Site Design

- a. **Building/parking location:** Buildings shall be located in a position of prominence with parking located to the rear or side of the main structure when possible. Parking areas shall be designed so as to provide continuous circulation avoiding dead-end parking aisles. Drive-through facilities shall be located to the rear or side of the structure and not dominate the aesthetics of the building. Architecture for canopies of drive-through areas shall be consistent with the architecture of the main structure.
- b. **Loading Areas:** Loading docks shall be located at the rear or side of buildings whenever possible and screened from view from public rights-of-way.
- c. **Outdoor Storage:** Outdoor storage areas shall be located at the rear of the site in accordance with Section III.O.1. (Open Storage). No open storage is allowed in front or corner side yards and are not permitted to occupy areas designated for parking, driveways or walkways.
- d. **Interior Circulation:** Shared parking and cross access easements are encouraged with adjacent properties of similar use. Where possible visitor/employee traffic shall be separate from truck or equipment traffic.
- e. **Pedestrian Access:** Public and interior sidewalks shall be provided to encourage pedestrian traffic. Bicycle use shall be encouraged by providing dedicated bikeways and parking. Where pedestrians or bicycles must cross vehicle pathways a cross walk shall be provided that is distinguished by a different pavement material or color.

MOTIONS TO CONSIDER

If the Plan Commission wishes to take action on the Petitioner's requests, the appropriate wording of the motions are listed below. The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan.

Motion 1 (Map Amendment/Rezoning):

"...make a motion to recommend that the Village Board grant the Petitioner, Frank Bradley on behalf of Crana Homes, a Map Amendment (rezoning) of the Lot 1 of the Brookside Glen Villas Subdivision at 8001 191st Street (on the southwest corner of 191st St and 80th Ave) from the existing B-3 (General Business & Commercial) zoning district to the R-5 (Low-Density Residential) zoning district in the Brookside Glen Planned Unit Development, and adopt the Findings of Fact as proposed in the October 21, 2021 Staff Report."

Motion 2 (Special Use for a Preliminary Substantial Deviation PUD):

"...make a motion to recommend that the Village Board grant a Special Use Permit to the Petitioner, Frank Bradley on behalf of Crana Homes, for Preliminary Approval of a Substantial Deviation to the Brookside Glen Planned Unit Development for the property located at 8001 191st Street (on the southwest corner of 191st St and 80th Ave), to be zoned R-5 (Low-Density Residential) and developed with 98 single-family semi-detached duplex units, in accordance with all plans and documents submitted and listed herein, and adopt the Findings of Fact as proposed by in the October 21, 2021 Staff Report."

Motion 3 (Preliminary PUD Plat):

"...make a motion to recommend that the Village Board grant approval to the Petitioner, Frank Bradley on behalf of Crana Homes, Preliminary PUD Plat Approval for Brookside Glen Villas Resubdivision (dated July 21, 2021) in accordance with the Preliminary Plat submitted and listed herein, subject to the condition that the Plat approval is subject to approval by the Village Engineer and Village Attorney."

Motion 4 (Final Plat of Subdivision):

"...make a motion to recommend that the Village Board grant approval to the Petitioner, Frank Bradley on behalf of Crana Homes, Final Plat of Subdivision Approval for Brookside Glen Villas Subdivision in accordance with the Final Plat (dated September 30, 2021) submitted and listed herein, subject to the condition that the Final Plat approval is subject to Final approval by the Village Engineer and Village Attorney."

LIST OF REVIEWED PLANS

Submitted Sheet Name		Prepared By	Date On Sheet
	Plat of Survey	G & B	12.3.2019
	Preliminary Final Site Plan and Site Data	HKM	7.27.21
	Preliminary Improvement (Engineering) Plans and Preliminary Plat	BVA	7.21.21
	Preliminary Landscape Plan	HKM	9.3.21
	Final Plat of Subdivision	G&B	9.30.21
	Auto-turn Templates	BVA	
	Monument Sign Elevation	HKM	7.27.21
	Brookside – Sales Center Site Plan	HKM	7.27.21
	Elevations and Streetscape Examples	HKM	7.27.21
	Material Board	HKM	7.27.21
	Aluminum Fence and Light Specifications	Crana	
	Preliminary Declaration of Covenants for Brookside Glen Villas	Crana	N/A

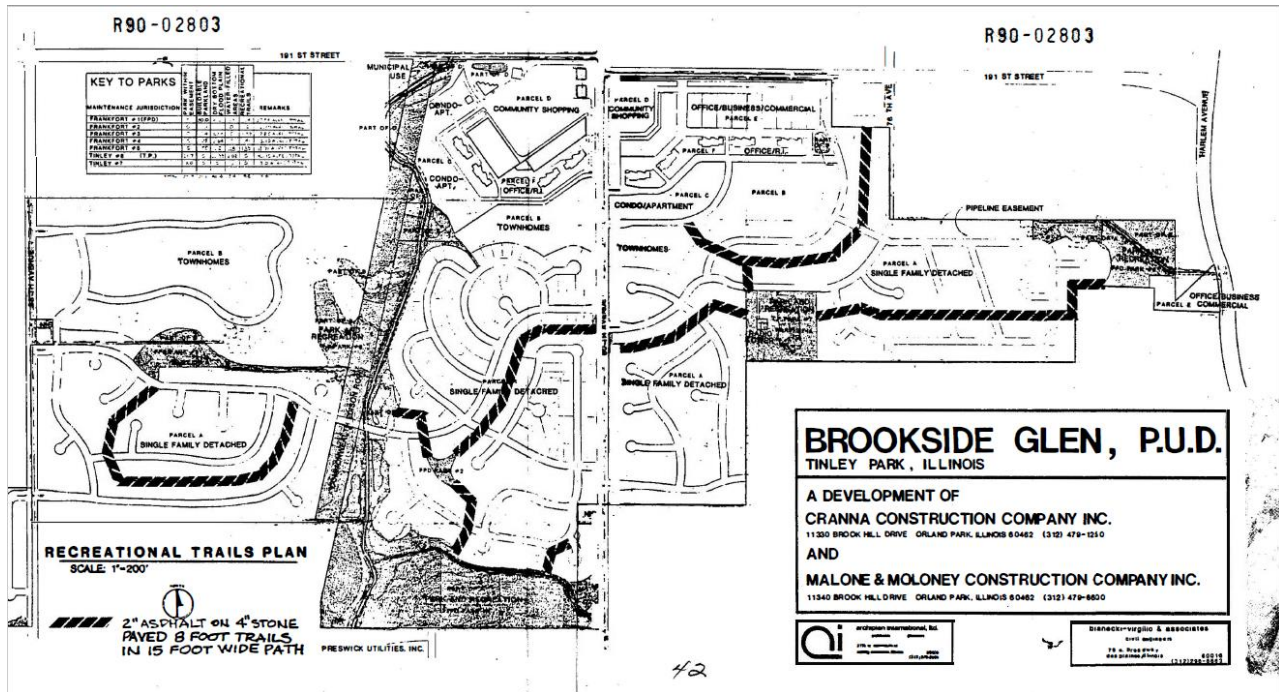
BVA = Branecki-Virgilio & Associates (Civil Engineer)

HKM = HKM Architects + Planners, Inc

G & B = Gremley & Biedermann Surveyors

Exhibit A - Brookside Glen PUD Timeline

- **1989:** A Pre-Annexation Agreement was adopted as Ordinance 89-O-052.
- **1990:** The Annexation Agreement (Resolution 90-R-002) was adopted on January 11, 1990. This agreement also accounted for the Special Use Permit for the Brookside Glen Planned Unit Development. Below is Exhibit C from the Annexation Agreement denoted approved landuses.



The Brookside Glen property was officially annexed under Ordinance 90-O-004 and Ordinance 90-O-005. The first amendment to the Brookside Glen Annexation Agreement was adopted on February 6, 1990 (90-R-004).

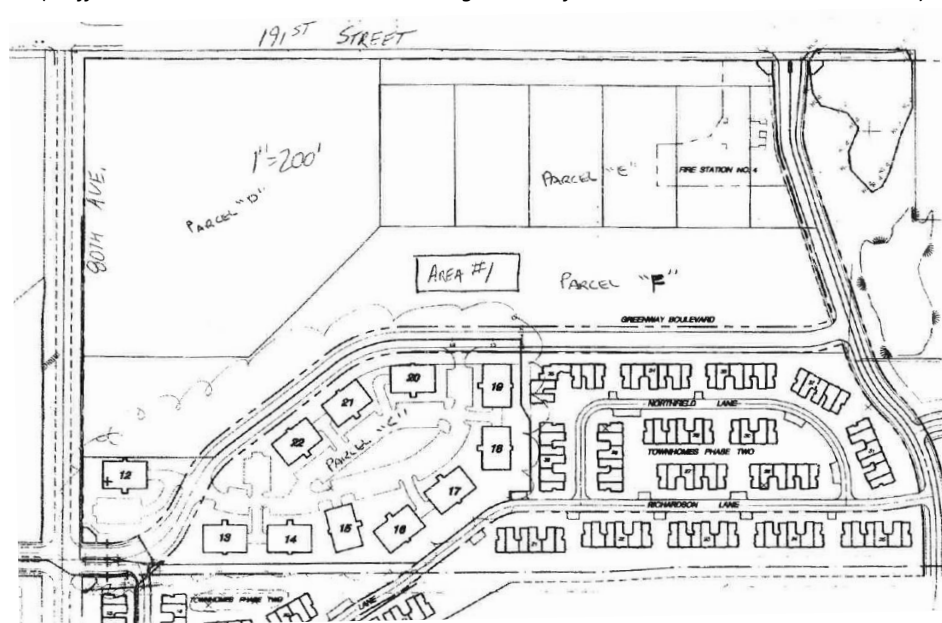
Ordinance 90-O-008 was adopted on February 27, 1990 (although the ordinance itself incorrectly states the adoption year as 1989). This ordinance annexed the Brookside Glen property again due to concerns with proper notice for the annexation. Ordinance 90-O-009 officially rezoned the Brookside Glen property following annexation.

- **1994:** Amendment to the Brookside Glen Annexation Agreement was approved on October 25, 1994 as Resolution 94-R-030 (labeled in error as 94-O-030). This amendment included changes to some of the standards for the single-family residential lots, updated fees, discussed requirements for dedication of public streets and sidewalks, and discussed water mains and sanitary sewers.
- **1998:** A parcel is annexed and added to the Brookside Glen PUD per Ordinance 98-O-018 and Ordinance 98-O-019 on March 17, 1998. A 200' x 209' parcel was annexed and added to the Brookside Glen PUD. The parcel was not available in 1990 when the original PUD was approved. The property that was annexed is located near approximately 19501 88th Avenue (currently this is approximately Brookside Glen Drive and 88th Avenue).
- **1999:** Staff notes that the November 4, 1999 Plan Commission meeting minutes indicate that the New Lenox Pumping Station was considered for a Special Use Permit.
- **2000:** A Substantial Deviation to the original Brookside Glen Planned Unit Development was approved on February 15, 2000 as Ordinance 2000-O-006. This Substantial Deviation amended the acreage and dwelling units

for single-family, townhomes, and condominiums. The allowable acreage of condominiums increased from 21.5 acres to 27 acres and the allowable number of dwelling units increased from 258 to 352 dwelling units. The Ordinance also allowed for an increase in the allowable building height for the condominium buildings (from three stories to four stories with underground parking). The Substantial Deviation was considered at the Plan Commission meetings on 4/15/1999, 5/6/1999, 8/5/1999 and 9/16/1999 and the Village Board meetings on 9/7/1999, 9/21/1999, 1/4/2000, 1/18/2000, 2/1/2000, and 2/15/2000. It appears this is when Greenway Boulevard alignment was changed.

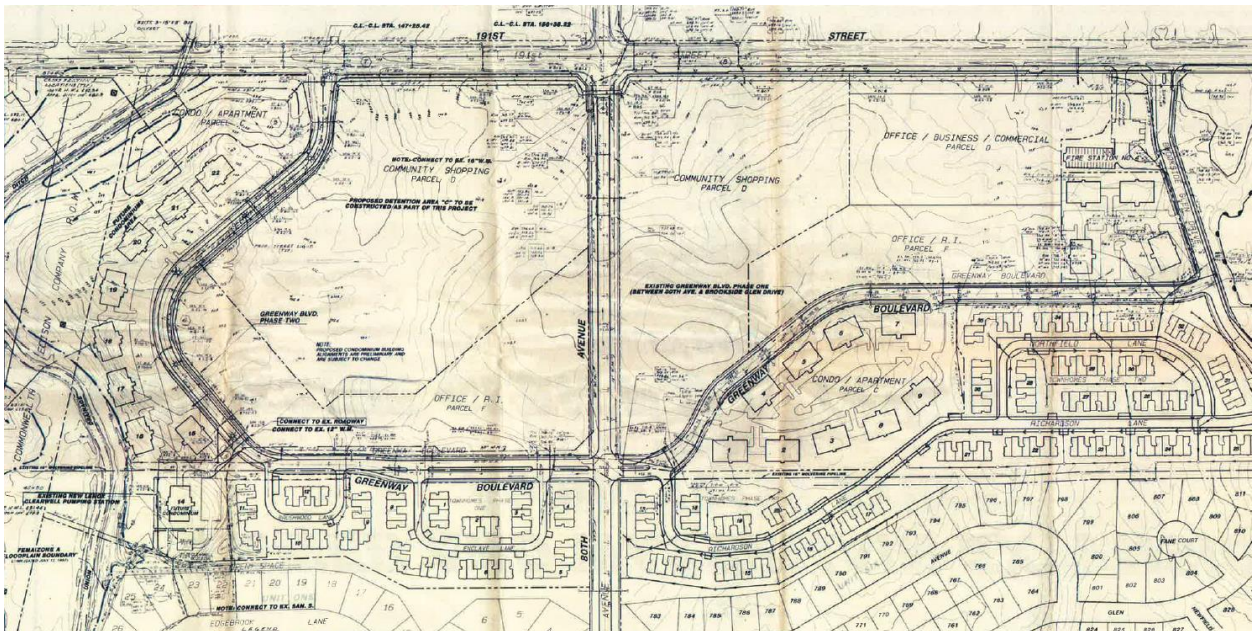


Excerpt from the Site Plan for the Southwest Corner of 191st Street and 80th Avenue
(Staff believes this was included with the Legal Notice for the Substantial Deviation in 1999)



Excerpt from the Site Plan for the Southeast Corner of 191st Street and 80th Avenue
(Staff believes this was included with the Legal Notice for the Substantial Deviation in 1999)

- **2001:** The Plat for Brookside Place Phase I was recorded on January 12, 2001 and included the first seven (7) multi-family buildings (see buildings 1-7 on the image on the following page). The buildings had sixteen (16) units each for a total of one hundred twelve (112) dwelling units. The Plan Commission recommended approval of the Plat on October 5, 2000.
- **2002:** The Plat for Brookside Place Phase II was recorded on June 28, 2002 and included two (2) multi-family buildings (see buildings 8-9 on the image on the following page). The buildings had sixteen (16) units each for a total of thirty-two (32) dwelling units. The Plan Commission recommended approval of the Plat on February 21, 2002.



Excerpt from Engineering Plans for Brookside Place (2002)

- **2004:** The Plat for Brookside Place Phase III was recorded on August 5, 2004 and included four (4) multi-family buildings (see buildings 10-13 on the image below). The buildings had sixteen (16) units each for a total of sixty-four (64) dwelling units. The Plan Commission recommended approval of the Plat on May 20, 2004.



- **2016:** Karli Mayher submits an application (“The Residences at Brookside Glen”) on July 5, 2016 for two (2) four-story, one hundred, forty-four (144) unit multi-family apartment buildings, with surface parking and parking in garages at the rear of the site and an accompanying clubhouse building. On July 11, 2017 Village Board concurred with the Plan Commission’s recommendation to deny the project.
- **2017:** Karlie Mayher submits revised plans on October 2, 2017. These plans include four (4) multi-family residential structures with thirty-six (36) dwelling units per building for a total of 144 dwelling units. Village Board approved December 5, 2017.
- **November 2020:** Conceptual Approval given to proceed with a rezoning and Deviation for the subject site to be rezoned to allow for semi-detached duplexes at the Southwest corner near the intersection of 191st Street and 80th Avenue. The 31-acre site will keep commercial zoning on around 7.2 acres along 191st Street and 80th Avenue. No entitlement or rezoning given but met with general support by the Plan Commission and Village Board.



Petitioner

Shawn Vincent, on behalf
of Loyola Medicine

Property Location

17901 LaGrange Road

PIN

27-34-300-005-0000;
27-34-300-011-0000

Zoning

Existing:

B-3 (General Business
and Commercial) &
ORI (Office and
Restricted Industrial)

Proposed:

ORI (Office and
Restricted Industrial)

Approvals Sought

- Site Plan/ Architecture
Approval
- Variations
- Rezoning
- Final Plat Approval

Project Planner

Kimberly Clarke, AICP
Community
Development Director

Daniel Ritter, AICP
Planning Manager

PLAN COMMISSION STAFF REPORT

October 21, 2021 – Public Hearing

Loyola Southwest Ambulatory Care Center

17901 LaGrange Road



EXECUTIVE SUMMARY

The Petitioner, Shawn Vincent on behalf of Loyola Medicine (property owner), is requesting Rezoning to the Office & Restricted Industrial (ORI) zoning district and variations from the masonry, urban design overlay district, signage, and parking requirements at the property located at 17901 LaGrange Road. Additionally, Site Plan approval and Preliminary Plat are requested.

The property is to be developed into a two-story tall, 72,000 sq. Ft. medical center on a 25.75-acre lot at the southeast corner of LaGrange Road and 179th Street. The medical clinic will be entirely outpatient. Services include an ambulatory medical clinic for primary care, a range of medical specialties, and a cancer care center. The property is currently two lots with two different zoning districts (ORI and B-3); it is proposed to be consolidated into one lot and zoned ORI. The south portion of the lot would remain undeveloped and farmed until such time it can be subdivided or developed in the future.

This proposed project is expected to begin site and foundation work this fall/winter and be operational in 2023. It is anticipated to bring additional jobs to the area and provide needed medical services to 1,500 patients a week.

Changes from the October 7, 2021 Workshop Staff Report are indicated in RED.

EXISTING SITE & HISTORY

The subject site consists of two lots with a total of 25.75-acres, located at the southeast corner of La Grange Road and 179th Street. Parcel one was recently purchased by Loyola, it is the northernmost parcel, approximately 4.13-acres in size, and is zoned B-3 (General Business and Commercial). This parcel was annexed into the Village in 1982. Parcel two has been owned by Loyola for many years and consists of an "L" shaped area zoned ORI (Office Restricted Industrial) approximately 21.62-acres. This site was annexed into the Village in 1984. Both properties have been most recently utilized for farming purposes.

The western edge of the site abuts property formerly occupied by 96th Avenue before the LaGrange Road reconfiguration; the area remains under IDOT's ownership and control. In 1992, The Village of Tinley Park received Jurisdictional Transfer (JT) of the Cook County segment of Old US Route 45 (96th Avenue) that was no longer used after US Route 45 (LaGrange Road) was realigned for the interchange with Interstate 80. The right-of-way can be used for local transportation-related needs, but restricts permanent buildings or structures within the JT. The Village has utilized approximately 1,000 feet of this 96th Avenue ROW south of 183rd Street for a roadway, renamed White Eagle Drive that provides access to the hotels, restaurants, as well as adjacent properties yet to be developed.

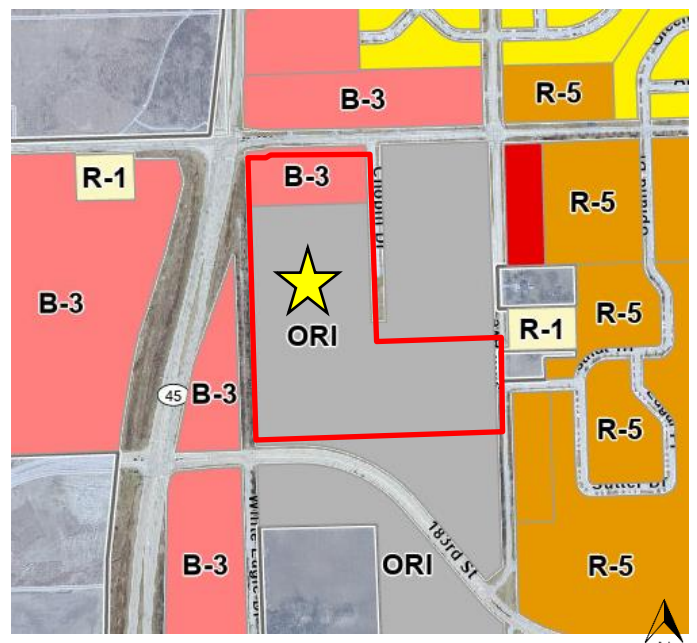
In the interest of economic development, the Village is engineering extensions of our utility systems (water and sanitary sewer) to service adjacent land that has long remained undeveloped, in part because the cost of extending the utilities for any single owner or development is prohibitive. Loyola is partnering with the Village through an easement agreement to use a portion of their land to install a sanitary sewer lift station to service the area.

ZONING & NEARBY LAND USES

The zoning for the site and nearby area is a mix of B-3 (General Business & Commercial) and ORI (Office, Restricted Industrial) zoning districts. There are several businesses to the north with a combination of freestanding buildings and multi-tenant strip centers. The Advocate Medical Campus Southwest is located to the west along with vacant land on LaGrange Road. The northwest corner of the intersection is the 966-acre Orland Grassland Nature Preserve. Directly east is Moraine Valley Community College which was constructed circa 2008. Lawn Funeral Home and residences are located further to the east along 94th Avenue. The site is also located within the Urban Design Overlay District (UDOD), which promotes walkability, lesser front yard setbacks, and overall a more urbanized look. Staff has worked with the Petitioner to ensure that the spirit of the UDOD is met where possible. The site will have planned for pedestrian connections and sidewalks throughout the site.



Location Map 17901 La Grange Road

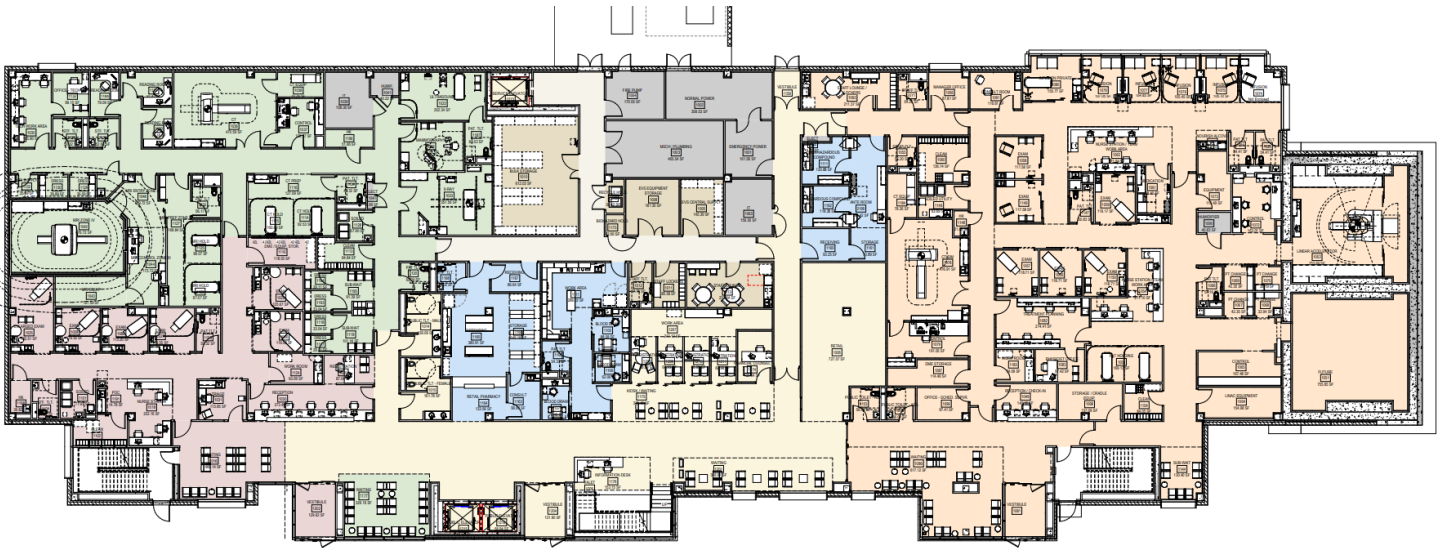


Zoning Map

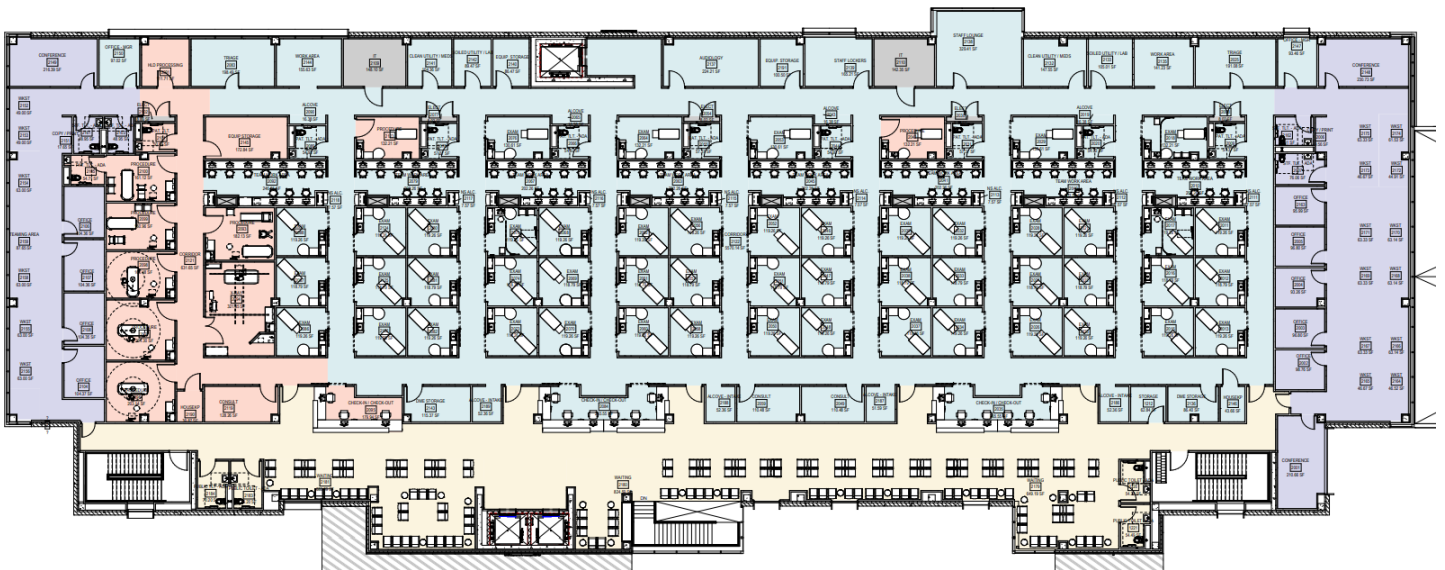
PROPOSED USE

The petitioner is proposing a 72,000 sq. ft. two-story, ambulatory medical clinic for primary care with a range of medical specialties including orthopedic surgery, oncology, cardiology, pulmonary medicine, urology, and general surgery. There will be no overnight accommodations and no patient will be present outside of the anticipated working hours on weekdays 7 a.m. thru 8 p.m., and weekends 8 a.m. thru 3 p.m. A cancer care center will be provided on the north end of the building with exam rooms, infusion rooms as well as CT and Linear Accelerator suites. The overall use is considered a “Medical Clinic”, which is a permitted use in the proposed ORI zoning district.

There is a clustering of other medical users along the LaGrange Road Corridor such as Alpha Med, DuPage Medical Group Immediate Care Center, and Advocate Medical Campus. In addition, there are hotels, food establishments and a local community college nearby and with the close proximity to the I-80 interchange it makes this an ideal location for Loyola to expand their medical availability to service the larger southwest suburban area.



Floor Plan 1st Floor



Floor Plan 2nd Floor

SITE PLAN

Overall

The property will be developed as a medical campus with the building perpendicular to 179th Street and the parking lots situated along Chopin Drive. While there is a large right-of-way setback, the building is oriented to have its highest visibility from LaGrange Road, where there is heavier traffic and most customers will be traveling to and from the site.

The building will have two main public entrances facing east towards the parking lot and Chopin Drive. One entrance is for the main medical center and ambulatory care and the second entrance is for the cancer care center. These areas generally have their own drop-off/pick-up areas and parking fields. However, patients and visitors can park anywhere on the property and they are connected internal to the building.

There will be a variety of gardens and sitting areas provided for patients that may be getting treatment for extended periods. These are located in the northwest corner of the site along 179th Street and part of the required landscaped bufferyard.

An employee entrance, break area, and loading will happen at the rear of the building that faces west towards LaGrange Road. This area will be largely screened from view by a screen wall, overhead canopy, and landscaping.

Vehicle Access

The plan provides multiple access points to the site. The main full access points will be on Chopin Drive which connects to 179th Street to the north. A right-in/right-out is indicated on LaGrange Road. That access point allowance will be determined by IDOT as it traverses their property and connects to their roadway. The LaGrange access point is a strong preference of the Petitioner since the majority of their traffic will enter and leave via LaGrange Road. However, the access point main or may not be possible due to grading and IDOT standards for LaGrange Road. Its approval may lag behind the rest of the site, but the site has been designed to be successful regardless. Additionally, a right-in only is shown as a possibility on 179th Street; this access will be subject to Cook County DOT review. The two access points on Chopin Drive align with the two access points (the main access and one for emergency access only) for Moraine Valley Community College to the east.

~~Open Item #1: A condition is recommended clarifying that approval of access points on 179th Street (Cook County DOT) and LaGrange Road (IDOT) are subject to approval by their controlling jurisdictions.~~

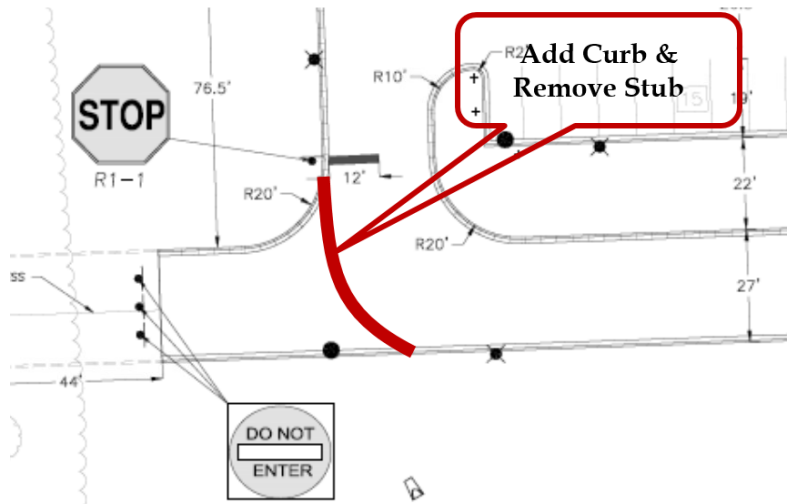
The UDOD only permits one curb cut for a property. The goal is to limit vehicle access points, which makes the area more walkable with one controlled point of access. However, that requirement is not feasible due to the size and scale of the subject site and the amount of traffic. The subject site is requesting to have as many as 4 curb cut access points as described above.

~~Open Item #2: Discuss Variation required from UDOD for additional curb cuts.~~



Since the LaGrange Road access may lag behind the project significantly, staff is recommending that the plans be revised to remove the “stubbed” access point on the southwest corner of the site and create a rounded curbed bend unless preliminary or Final IDOT approval is given to that access ahead of the site’s construction. This will provide the more conservative approach to the initial construction by avoiding an awkward dead end that can be a safety hazard, but still allow for the connection when approved in the future.

Open Item #3: Discuss plan revision to remove “stubbed” access point to LaGrange Road.



Walkways and Sidewalks

An extensive walkway system is proposed around the building and through the parking lot that will provide a safe route for pedestrians. This walkway system is also proposed to tie into the public walkway system. Public sidewalks will also be constructed around the site along 179th Street and Chopin Drive as required by the Village’s subdivision code.

Stormwater

There are stormwater detention areas proposed at the northeast corner and the southwest corner of the property. The image to the right shows how the two parcels are to be developed. Only 12.6-acres of the total 25.75-acre site is proposed to be developed, while the remaining southern 13-acres will remain farmed. The site is proposed to be one lot at this time, with a future subdivision possible for the remaining undeveloped land. The proposed detention will only be designed to accommodate the proposed Loyola development and additional detention will be needed if the remaining vacant land is developed in the future.

Setbacks and Site Layout

The required building setbacks for the Urban Design Overlay District include a 20’ maximum front yard, 10’ minimum side yard, and 10’ minimum rear yard. Additionally, parking setbacks include a 25’ front yard setback and 10’ side yard setbacks. The site fronts three public right of ways and three front yards, so it would be very difficult to meet these setbacks on such a large lot. The Petitioner chose to focus the building’s main frontage nearest to LaGrange Road which is the most heavily traveled, while using the other side as a second frontage that is adjacent to the building’s parking field. This requires Variations from these various UDOD requirements as noted in the table below in red due to the requirements for a maximum setback along public frontages and limited front yard parking. The proposal meets the overall development pattern in the area and is a unique use that will require a focus on traffic access since there are customers traveling for medical care and ambulatory service on the site. Pedestrian accommodations have been made in and around the site to help meet the intent of the overlay district.

Open Item #4: Discuss building and parking setback Variations required from UDOD regulations.

Urban Design Overlay District Setbacks			
	Proposed	Required	Difference
Building – Front (179 th)	95.5'	20' Max.	+75.5
Building - Front (LaGrange)	125.3'	20' Max.	+115.3'
Building – Front (Chopin)	~300' (specific number not noted)	20' Max.	+ More than 280'
Building - Rear	+231.2'	10' Min.	+221.2'
Parking – Front (179 th)	~70' (specific number not note don plans)	25' Min.	+~45'
Parking – Front (Lagrange)	65.7'	25' Min.	+40.7'
Parking – Front (Chopin)	15'	25' Min.	-10'

Engineering and Utilities

The plans require final engineering review and approvals. Additionally, the plans are subject to review by a variety of other jurisdictions including MWRD, IDOT, Cook County, IEPA, and others. Any comments or corrections are not expected to significantly change the final site plans. However, staff recommends a standard condition be placed on the approvals, requiring final engineering review and approval of all plans.

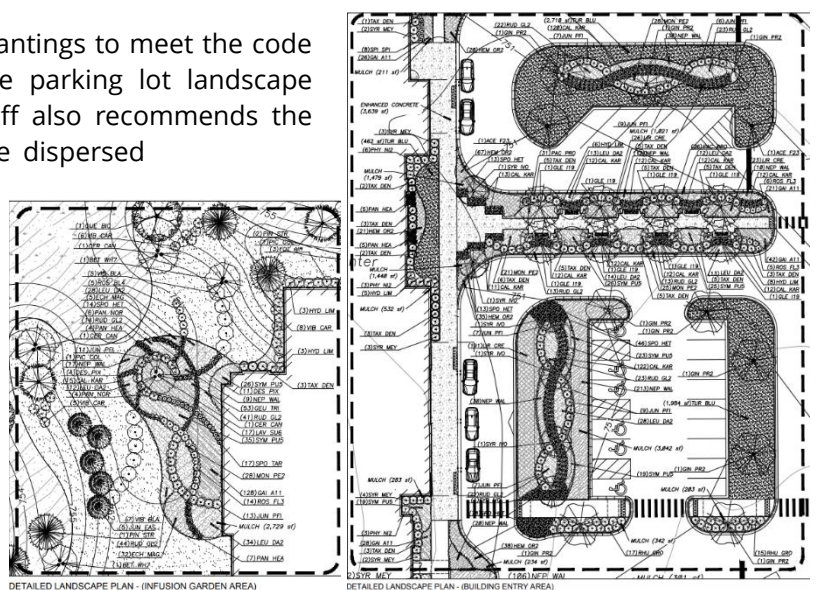
Open Item #5: Staff is recommending the site plan approval be conditioned upon final engineering review and approval.

LANDSCAPE

The property has an existing wetland area at the northwest corner that is currently in the process of being mitigated by the owner. The property will have two detention areas one at the northeast corner of the site and the largest at the far south end of the site. The plan has drive-thru aisles for drop off at each entrance. There is a heavy emphasis on landscaping this area to make it an attractive entryway feature for the medical center. On the west side of the building facing LaGrange Road is proposed 3'-4' berm and an infusion garden. The infusion garden is on the north end where the cancer center will be and the goal is to provide a tranquil area for patients to have a calming natural area to look at while being treated. On the west side there is also a planned employee paver patio area with a potential overhead trellis.

The plan needs to provide additional bufferyard plantings to meet the code requirements. In addition, landscaping within the parking lot landscape islands do not fully meet code requirements. Staff also recommends the buffer plantings for south property line should be dispersed along the drive aisle and the open space to create a more natural aesthetic vs. lining them all within the 25' wide bufferyard. The north and west bufferyards could also have required bufferyard plantings outside of the 25' wide bufferyard to create a more natural appearance.

Revised Plans included additional landscaping in areas along the south and west sides of the property. Some waivers are requested but generally offset by other additional landscaping located throughout the site.



Landscaping @ Infusion Center (Left) and Building Entry (Right)

Open Item #6: Review proposed landscaping plan and waiver requests.

ARCHITECTURE

The facility is intended to maintain the Loyola branding which is based off their main campus location in Maywood. The architecture has a modern look with the use of cooler colors and accent materials of metal and glass. The applicant initially proposed an all precast building with metal and glass accents as seen below.



First Proposal-38% precast panels; 36% glass and 26% metal panels



Second Proposal Option 1- incorporated a brick base around the building. This image provides 5% face brick; 34% precast panels; 31% glass and 29% metal panels



Second Proposal Option 2- incorporated face brick at the entrance points only. This image provides 32% face brick; 26% precast panels; 31% glass and 11% metal panels.



Final Proposal- This last image incorporates face brick on the base and the main entrances but in a gray stone. This brings the building closer to the masonry requirements with 38% face brick; 19% precast panels; 31% glass and 11% metal panels. A variation is still required.

Mechanical equipment will be either housed internally or located in screened locations on the rooftop. An at grade electrical transformer and at grade emergency generator will be located in the service yard on the west side of the proposed project.

The code provisions for Urban Design Overlay District include building design standards for non-residential buildings. Notable, the code states the main entrance to a building shall be oriented toward the major street, be prominent, and pedestrian accessible.

Open Item #7: Review and discuss the proposed architecture and variation in face brick requirement

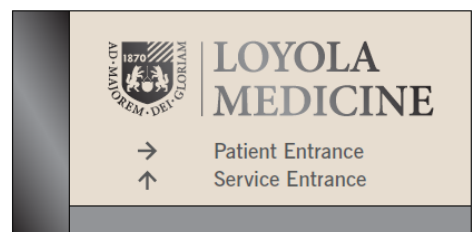
SIGNAGE

Signage for the project is provided but conceptual and details of the designs may change. The petitioner is providing multiple signs on site due to the large size of the property. There are three monuments signs proposed for the site. The first is proposed at the northwest corner of the site closest to the intersection of LaGrange Road and 179th Street. The second ground sign is at the northwest corner of the site closest to the intersection of Chopin Drive and 179th Street and the last ground sign is at the main entrance drive off of Chopin Drive. Properties within the ORI District are permitted to have one (1) ground base sign per adjacent public frontage with a maximum of two (2) ground based signs. There are anticipated wall signs to be placed



above the two entrances on the east side of the building as well as on the west side of the building facing LaGrange Road. With the conceptual designs, it appears a variation to grant an additional wall sign will be needed. The code permits one (1) wall sign per frontage not to exceed 120 sq. ft. per sign. With the two “wings” of the building, the applicant is proposing walls signs that identify the entrances for their patients. The sizes of the signs were not supplied.

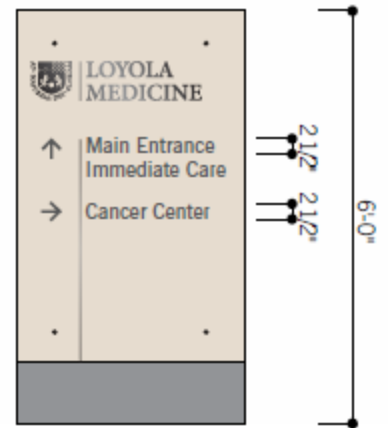
Additional signage information was supplied for review and all ground sign and wall signs appear they will meet size requirements on the site. The specific designs are still conceptual but expected to be similar to the attached sign package. Variations are requested for the additional ground and wall signs.



~~Open Item #8: Discuss proposed ground sign variation to permit one additional ground sign and one additional wall sign. Petitioner to clarify proposed ground sign and wall sign sizes and any need for additional variations.~~

Directional signs are also important in medical facilities that have emergency care and multiple services offered. Directional signs are permitted at a maximum of 4 ft. in height and a maximum of 6 sq. ft. in size with no logos or organizational names located on them. No details were supplied for the location, design, or size of directional signs. The Petitioner needs to supply additional sign details and will need to meet the code or request a variation from the requirements.

Directional sign information was supplied. Due to the unique medical use and various entrances, Variation relief is requested to allow larger and taller signs with the Loyola Medicine name on them. This will assist patients who may be in a hurry or have medical conditions to more easily read the signs and identify where they should go on the site.



~~Open Item #9: Discuss the need to supply details or responses for any directional sign relief.~~

PARKING

The petitioner has supplied a parking demand study by Eriksson Engineering Associates, Ltd., which summarizes the proposed parking use. The proposed development will include 330 parking spaces (28 of which will be accessible and 14 electric vehicle recharging parking spaces), and 2 loading spaces. The property's use is classified within the current Zoning code parking requirements as *Medical or Dental Office* use. Parking requirements are based on a minimum of two spaces for each office, exam room or treatment room, plus one space for each employee. The petitioner has provided a count of the facility's rooms and employees. The proposal includes 83 exam/treatment rooms, 20 offices, 35 workstations, and 130 employees. The code requires a minimum of 406 parking spaces. The code also requires a minimum of four loading spaces for buildings with a gross floor area of 70,001 to 120,000 square feet. The development will require a 76-parking stall Variation from Section VIII.A.10 of the Zoning Ordinance to permit 330 parking stalls instead of the required minimum of 406 stalls. The development will also require a two-loading space Variation from Section VIII.B. of the Zoning Ordinance to permit two loading spaces instead of the required minimum of four spaces.

Tinley Park Zoning Code Requirements

Use	Sized	Tinley Park Zoning Code Requirement	Required Parking
Medical or Dental Office	83 exam/treatment rooms 20 offices 35 work stations 130 employees	Two (2) spaces for each office, examination room, or treatment room, plus one (1) space for each employee	406 spaces

The petitioner suggests that the zoning code parking requirement is based on the outdated healthcare practice of doctors seeing patients in their office after the exam, whereas the current healthcare model uses technology to allow this consultation in the exam rooms. The 55 offices and workstations are anticipated to only be used by doctors and staff, which are already accounted for in the employee count. If the parking requirement is adjusted for this factor, the overall parking need would only be 296 spaces, which is less than the proposed supply.

Eriksson Engineering has also provided two national sources for medical office parking, which conclude that the anticipated parking demand of only 225 spaces and 229 spaces, each less than the zoning code requirement. Eriksson Engineering has recommended the provision of 330 spaces on the site which is 44% higher than the national demand estimates.

Furthermore, the petitioner states in their operational narrative that they are confident that ample parking will be provided for the proposed use, and has stated that, if required, additional site space is available for this purpose.

The development will partially meet the Urban Design Overlay District code provisions for parking. The overlay district requires the parking setbacks are 25' minimum front yard, 10' minimum side yard, and zero-foot rear yard. The parking setback along Chopin Drive is proposed as 15', which is deficient by 10' and will require a Variation from the Zoning Code.

~~**Open Item #10: Discuss proposed parking and loading variations to permit 330 parking spaces instead of the 406 parking spaces required, and two loading spaces instead of the four loading spaces required.**~~

LIGHTING

Photometric plans and lighting cutsheets are attached to the packet. The plans and lighting details conform with all applicable lighting codes and regulations.

~~**Open Item #11: Petitioner needs to supply photometric plans and light spec sheets for review.**~~

SPECIAL APPROVALS NEEDED (REZONING AND VARIATIONS)

Rezoning

The smaller parcel adjacent to 179th Street is zoned B-3 (General Business & Commercial District) and the remaining larger "L" shaped parcel is zoned ORI (Office & Restricted Industrial District). The applicant is seeking to rezone the smaller parcel to the ORI District which will be consistent with all of the land surrounding the Loyola properties. The Zoning Ordinance describes the zoning district as follows:

"The ORI Office and Restricted Industrial District is intended to provide land for medium to large office buildings, research activities, and non-objectionable industrial activities which are attractively landscaped and designed to create a "park-like" setting. The low intensity and limiting restrictions are intended to provide for permitted uses which will be compatible with adjacent residential and commercial developments."

~~**Open Item #12: Discuss the requested rezoning of the subject property to the ORI (Office Restricted Industrial) zoning district.**~~

Variations

1. Urban Design Overlay District
 - a. A Variation from Section V.D.2.D.(2) (Urban Design Overlay District – Dimensional Standards) of the Zoning Ordinance to permit a setback of approximately 95.5 feet (179th St Frontage), 125.3 feet (LaGrange Rd Frontage), and over 300 feet (Chopin Rd Frontage) instead of the required 20 foot maximum.
 - b. A Variation from Section V.D.2.D.(2) (Urban Design Overlay District – Dimensional Standards) of the Zoning Ordinance to permit a surface parking lot to be located 15 feet from the eastern (Chopin Dr) front yard property line instead of the required 25 foot minimum setback.
 - c. A Variation from Section V.D.2.C.(2).f. (Urban Design Overlay District – Access) of the Zoning Ordinance to permit up to four curb cut access point where a maximum of one is permitted per property.

2. Parking Requirements

- a. A Variation from Section VIII.A.10. (Number of Parking Spaces Required) of the Zoning Ordinance to permit 330 parking stalls were a minimum total of 406 stalls are required.
- b. A Variation from Section VIII.B.3. (Number of Off-Street Loading Spaces) of the Zoning Ordinance to permit a total of 2 loading spaces were a minimum of 4 loading spaces is required.

3. Masonry/Exterior Materials

- a. A Variation from Section V.C.7.F. (Commercial and Office Exterior Requirements) of the Zoning Ordinance to permit exterior elevations with 36-42% face brick, where a minimum is 60% face brick is required, per the attached elevations.
- b. A Variation from Section V.C.7.G. (Commercial and Office Exterior Requirements) of the Zoning Ordinance to permit exterior elevations with alternative building materials (precast concrete masonry, metal panels, and glass panels) to exceed the maximum of 15% of the exterior façade.

4. Signage

- a. A Variation from Section IX.H.2. (Industrial/Office Freestanding Signs) of the Zoning Ordinance to permit a total of three ground signs where a maximum of two are permitted (one per public frontage).
- b. A Variation from Section IX.H.1. (Industrial/Office Wall Signs) of the Zoning Ordinance to permit up to two wall signs (at a maximum of 120 sq. ft. each) on the east elevation where only one sign is permitted.
- c. A Variation from Section IX.H.1. (Industrial/Office Wall Signs) of the Zoning Ordinance to permit a wall sign on the west elevation to be up to 200 sq. ft. in size where a maximum of 120 sq. ft. is allowed.
- d. A Variation from Section IX.L.2. (Directional Signs) of the Zoning Ordinance to permit the site's directional signs to be up to six feet in height, 20 sq. ft. in signage area and indicate an organizational name where the maximum height is four feet, maximum size is 6 sq. ft., and the organizational name is not permitted.

~~Open Item #13: Discuss all requested Variations.~~

Plat of Consolidation

The proposed plat consolidates the two lots into one to avoid building a structure over a property line. Additionally, all required easements (utility, drainage, detention, cross-access, etc.) and dedications (sidewalk, roadway, etc.) will be included in separate Plats of Easement or Dedication when final engineering and jurisdiction approvals are received. The Plat has recommended conditions ensuring it received proper engineering and legal approvals. It also notes that a separate Plat of Easement is required to go to Village Board for approval and be recorded once final engineering has been completed.

~~Open Item #14: Discuss the preliminary Plat and the petitioner's timeframe for submittal prior to the Village Board review/approval.~~

STANDARDS FOR REZONING APPROVAL

The Zoning Code does not establish any specific criteria that must be met in order for the Village Board to approve a rezoning request. Likewise, Illinois Statutes does not provide any specific criteria. Historically, Illinois courts have used eight factors enunciated in two court cases. The following “LaSalle Standards” have been supplied for the Commission to consider. Staff will prepare draft responses for these Standards within the next Staff Report for the public hearing.

- a. The existing uses and zoning of nearby property;
 - Surrounding uses are primarily commercial and institutional uses. The LaGrange Rd corridor has similar ORI zoning and medical clinic uses.
- b. The extent to which property values are diminished by the particular zoning;
 - The rezoning would make the two lots a similar zoning district. No surrounding property values are expected to be affected.
- c. The extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public;
 - There is no evidence or expectation of affecting property values based on the zoning change.
- d. The relative gain to the public as compared to the hardship imposed on the individual property owner;
 - The use would be permitted in either of the existing zoning districts. The rezoning is simply to align the zoning districts so the lots can be consolidated.
- e. The suitability of the property for the zoned purpose;
 - The site is suitable being developed with a medical clinic use that is permitted in the zoning district.
- f. The length of time the property has been vacant as zoned, compared to development in the vicinity of the property;
 - The property has been vacant for many years and not previously developed. The two different zoning districts would make consolidating or developing the lots difficult.
- g. The public need for the proposed use; and
 - Additional medical service uses and provider options in the area benefits the community and larger metropolitan area's overall health and wellness. The medical clinic increases employment and drives traffic to the area that helps to support other surrounding commercial uses.
- h. The thoroughness with which the municipality has planned and zoned its land use.
 - The area has largely been considered for a commercial use in previous plans but did not anticipate the lots would be developed together. Medical service uses have been approved nearby along the LaGrange Road corridor.

STANDARDS FOR A VARIATION

Section X.G.4. of the Zoning Ordinance states the Plan Commission shall not recommend a Variation of the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below. The Plan Commission must provide findings for the first three standards; the remaining standards are provided to help the Plan Commission further analyze the request. Staff will prepare draft responses for these Standards within the next Staff

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
2. The plight of the owner is due to unique circumstances.
3. The Variation, if granted, will not alter the essential character of the locality.
4. Additionally, the Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:
 - a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
 - b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
 - c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
 - d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 - e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 - f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

STANDARDS FOR SITE PLAN & ARCHITECTURAL APPROVAL

Section III.T.2. of the Zoning Ordinance requires that the conditions listed below must be met and reviewed for Site Plan approval. Specific findings are not required but all standards shall be considered to have been met upon review from the Plan Commission.

Architectural

- a. **Building Materials:** The size of the structure will dictate the required building materials (Section V.C. Supplementary District Regulations). Where tilt-up or pre-cast masonry walls (with face or thin brick inlay) are allowed vertical articulation, features are encouraged to mask the joint lines. Concrete panels must incorporate architectural finishes that comply with “Building Articulation” (Section III.U.5.h.) standards. Cast in place concrete may be used as an accent alternate building material (no greater than 15% per façade) provided there is sufficient articulation and detail to diminish it’s the appearance if used on large, blank walls.
- b. **Cohesive Building Design:** Buildings must be built with approved materials and provide architectural interest on all sides of the structure. Whatever an architectural style is chosen, a consistent style of architectural composition and building materials are to be applied on all building facades.
- c. **Compatible Architecture:** All construction, whether it be new or part of an addition or renovation of an existing structure, must be compatible with the character of the site, adjacent structures and streetscape. Avoid architecture or building materials that significantly diverge from adjacent architecture. Maintain the rhythm of the block in terms of scale, massing and setback. Where a development includes outlots they shall be designed with compatible consistent architecture with the primary building(s). Site lighting, landscaping and architecture shall reflect a consistent design statement throughout the development.
- d. **Color:** Color choices shall consider the context of the surrounding area and shall not be used for purposes of “attention getting” or branding of the proposed use. Color choices shall be harmonious with the surrounding buildings; excessively bright or brilliant colors are to be avoided except to be used on a minor scale for accents.
- e. **Sustainable architectural design:** The overall design must meet the needs of the current use without compromising the ability of future uses. Do not let the current use dictate an architecture so unique that it limits its potential for other uses (i.e. Medieval Times).
- f. **Defined Entry:** Entrance shall be readily identifiable from public right-of-way or parking fields. The entry can be clearly defined by using unique architecture, a canopy, overhang or some other type of weather protection, some form of roof element or enhanced landscaping.
- g. **Roof:** For buildings 10,000 sf or less a pitched roof is required or a parapet that extends the full exterior of the building. For buildings with a continuous roof line of 100 feet or more, a change of at least five feet in height must be made for every 75 feet.
- h. **Building Articulation:** Large expanses of walls void of color, material or texture variation are to be avoided. The use of material and color changes, articulation of details around doors, windows, plate lines, the provision of architectural details such as “belly-bands” (decorative cladding that runs horizontally around the building), the use of recessed design elements, exposed expansion joints, reveals, change in texture, or other methods of visual relief are encouraged as a means to minimize the oppressiveness of large expanses of walls and break down the overall scale of the building into intermediate scaled parts. On commercial buildings, facades greater than 100 feet must include some form of articulation of the façade through the use of recesses or projections of at least 6 inches for at least 20% of the length of the façade. For industrial buildings efforts to break up the long façade shall be accomplished through a change in building material, color or vertical breaks of three feet or more every 250 feet.
- i. **Screen Mechanicals:** All mechanical devices shall be screened from all public views.

- j. Trash Enclosures: Trash enclosures must be screened on three sides by a masonry wall consistent with the architecture and building material of the building it serves. Gates must be kept closed at all times and constructed of a durable material such as wood or steel. They shall not be located in the front or corner side yard and shall be set behind the front building façade.

Site Design

- a. Building/parking location: Buildings shall be located in a position of prominence with parking located to the rear or side of the main structure when possible. Parking areas shall be designed so as to provide continuous circulation avoiding dead-end parking aisles. Drive-through facilities shall be located to the rear or side of the structure and not dominate the aesthetics of the building. Architecture for canopies of drive-through areas shall be consistent with the architecture of the main structure.
- b. Loading Areas: Loading docks shall be located at the rear or side of buildings whenever possible and screened from view from public rights-of-way.
- c. Outdoor Storage: Outdoor storage areas shall be located at the rear of the site in accordance with Section III.O.1. (Open Storage). No open storage is allowed in front or corner side yards and are not permitted to occupy areas designated for parking, driveways or walkways.
- d. Interior Circulation: Shared parking and cross access easements are encouraged with adjacent properties of similar use. Where possible visitor/employee traffic shall be separate from truck or equipment traffic.
- e. Pedestrian Access: Public and interior sidewalks shall be provided to encourage pedestrian traffic. Bicycle use shall be encouraged by providing dedicated bikeways and parking. Where pedestrians or bicycles must cross vehicle pathways a cross walk shall be provided that is distinguished by a different pavement material or color.

MOTIONS TO CONSIDER

If the Plan Commission wishes to act on the Petitioner's requests, the appropriate wording of the motions is listed below. The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan. The Commission may choose to modify, add, or delete from the recommended motions and recommended conditions.

Motion 1 (Map Amendment/Rezoning):

"...make a motion to recommend that the Village Board grant the Petitioner, Shawn Vincent on behalf of Loyola Medicine, a Map Amendment (rezoning) of the lot at the southeast corner of 179th Street and LaGrange Rd, commonly referred to as 17901 LaGrange Road (96th Ave/ Rt.45) from the existing B-3 (General Business & Commercial) zoning district to the ORI (Office and Restricted Industrial) zoning district, and adopt the Findings of Fact as proposed in the October 21, 2021 Staff Report."

Motion 2 (Variations):

"...make a motion to recommend that the Village Board grant Variations from the Zoning Ordinance to the Petitioner, Shawn Vincent on behalf of Loyola Medicine, as listed in the October 21, 2021 Staff Report for parking requirements, exterior masonry requirements, signage, and Urban Design Overlay District requirements at the property located at 17901 LaGrange Road in the ORI (Office and Restricted Industrial) zoning district, in accordance with the plans submitted and adopt Findings of Fact proposed in the October 21, 2021 Staff Report."

Motion 3 (Site Plan/Architectural Approval):

"...make a motion to grant the Petitioner, Shawn Vincent on behalf of Loyola Medicine, Site Plan and Architectural Approval for a new medical clinic at 17901 LaGrange Road in the ORI (Office and Restricted Industrial) zoning district, in accordance with the submitted plans and subject to the following conditions:

- 1. Site Plan Approval is subject to approval of the required Variations and development agreement by the Village Board.*
- 2. Site Plan Approval is subject to other jurisdictional reviews and approval including IDOT, Cook County DOT, MWRD, IEPA, and any others. Any substantial changes to the plans required by other jurisdictional requirements may require additional approvals.*
- 3. Site Plan Approval is subject to Engineering and Building Department permit review and approval of final plans including any grading or drainage changes."*

Motion 4 (Final Plat):

"...make a motion to recommend that the Village Board grant approval to the Petitioner, Shawn Vincent on behalf of Loyola Medicine, Final Plat of Consolidation Approval for Loyola Medicine in accordance with the Final Plat (dated October 12, 2021) submitted and listed herein, subject to the condition that the Final Plat approval is subject to the following conditions:

- 1. Final approval by the Village Engineer and Village Attorney.*
- 2. A separate Plat of Easement shall be approved by the Village Board and recorded for all required public easements prior to building occupancy."*

LIST OF REVIEWED PLANS

Submitted Sheet Name		Prepared By	Date On Sheet
	Application	Loyola Medicine	9/15/21
	Operational Narrative	HOK	9/15/21
	Zoning Review	HOK	9/15/21
	Plat of Survey 5/24/2021	JLH Land Surveying	5/24/21
	Development Parcel (Preliminary Topographic Base Sheet C100)	Eriksson	n/a
	Overall Plan (Floor Plans)	HOK	n/a
	Roof Plan, Sheet A003	HOK	7/28/21
	Site Plan – Color (not updated, for color rendering only)	HOK	8/4/21
	Landscape Plan Sheets L100, L200, L201 and Review Responses	HOK	10/12/21
	Exterior Renderings (Elevations)	HOK	9/30/21
	Signage Concepts	HOK	10/14/21
	Parking Study	Eriksson	9/15/21
	Traffic Study	Eriksson	9/15/21
	AutoTurn Vehicle Analysis	HOK	9/28/21
	Civil Engineering Plans	HOK and Eriksson	9/28/21
	Plat of Consolidation	Eriksson	10/12/21
	Photometrics and Lighting Details	HOK	9/10/21

Erikson = Erikson Engineering Associates

HOK = Hellmuth, Obata, Kassabaum, Inc. (Architecture, Planning, Engineering)



PLAN COMMISSION STAFF REPORT

October 21, 2021 - Workshop

Zoning Code Text Amendment - Tobacco and Nicotine-Related Uses

Petitioner

Village of Tinley Park

Code Section

Section II (Definitions) and Section V (District Regulations) of Zoning Ordinance

Approvals Sought

Text Amendment

Project Planner

Lori Kosmatka
Associate Planner

EXECUTIVE SUMMARY

Planning staff periodically reviews the appropriateness and adequacy of various Zoning Ordinance regulations for any potential issues or inconsistencies. A lack of specific regulations related to tobacco and nicotine related uses (vaping, e-cig, hookah, nicotine products, etc.) was noticed as a potential concern.

Staff notes that tobacco and nicotine related uses are not specifically defined or regulated in the Zoning Ordinance. Since the adoption of the current Zoning Ordinance in 1978 tobacco-related uses have been regulated under a generic "*Retail Stores*" definition. Generic "*Retail Stores*" are permitted in the B-2 (Community Shopping) and B-3 (General Business and Commercial) zoning districts and prohibited in all others. Tobacco-related retail establishments have grown in popularity and evolved significantly over the years. These uses may pose some unique concerns related to their locations and overall regulation, as compared to other types of "*retail stores*". Additionally, in recent years, a clustering of tobacco-related stores has been observed in the Village.

On September 7, 2021 at the Village Committee of the Whole meeting, Village staff sought direction on how to address tobacco-related uses. The Committee's recommendations included making a specific tobacco-related use definition and requiring them to be special uses in the primary business districts. The Special Use process would be used analyze how they fit into the proposed area and existing concentration of similar uses. The Committee recommended researching and presenting the changes for the Plan Commission to provide them with a recommendation.

Staff has researched and drafted potential amendment options for the Commission's discussion. Staff is proposing a text amendment to provide specific definitions for tobacco and nicotine-related uses and product types, and to regulate accordingly per zoning districts. Retail sales of tobacco and nicotine-related products are generally differentiated by primary and secondary (accessory) business use levels of retail within an establishment. Staff recommends regulating the more intense primary business level as a Special Use in the B-2 and B-3 zoning districts with additional restrictions, while permitting the accessory use level (products are typically sold at retail/convenience stores, gas stations, etc.) in the B-1, B-2, B-3, B-4, and B-5 zoning districts. Staff also recommends clarifying language in the Legacy District's use table but maintaining it as a prohibited use.

BACKGROUND

Since the adoption of the Zoning Ordinance in 1978, tobacco and nicotine-related (vaping, e-cig, hookah, nicotine products) uses have been regulated under a generic *"Retail Stores"* definition, which are permitted in the B-2 (Community Shopping) and B-3 (General Business and Commercial) zoning districts and prohibited in all others. There are no definitions in the Zoning Ordinance specific to tobacco-related uses.

Tobacco-related uses are referred to elsewhere in the Village Code of Ordinances within Title XI: Business Regulations. The references include Chapter 120 "Comprehensive Regulation of Tobacco Products", Chapter 124 "Other Businesses: Tobacco Dealers", and within the fee schedules of Sec. 110.25. Chapter 120 defines *"Tobacco Shop"* as *"a retail establishment which derives at least 65% of its gross revenue from the sale of tobacco products"*. The Village's fee schedules break down *"Tobacco dealer"* into either *"primary business"* or *"secondary business"*, but no further distinction is provided. These Village ordinances relate to the licensing and legal requirements for these establishments. They are not related to zoning requirements. However, when possible, the Village tries to keep consistency across different regulations to avoid confusion.

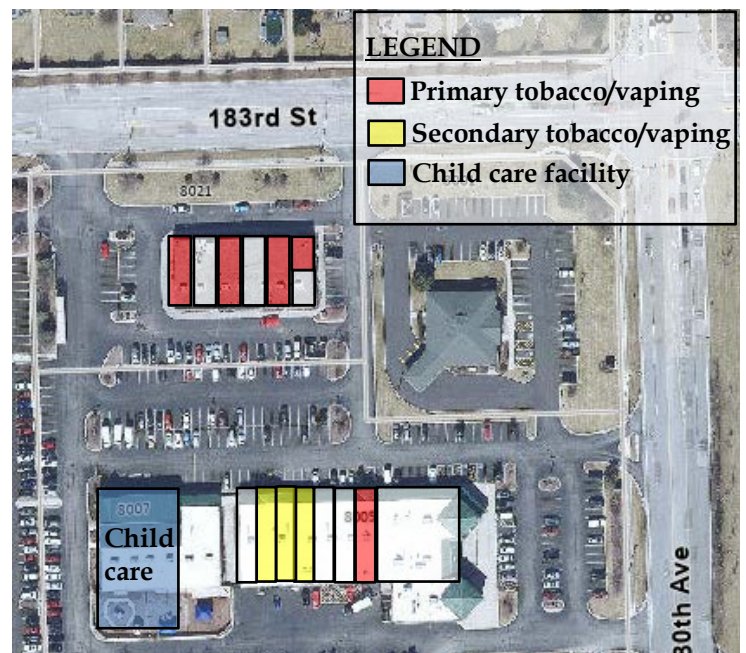
According to Village records, there are currently 27 Tobacco dealer locations who pay an annual fee to the Village (see attachment). These locations include both tobacco as a primary and an accessory (secondary) use. Planning staff has yet to confirm the completeness and accuracy of the locations listed but it provides a sense of the total number of locations operating in the village. In addition to these stores, two hookah/cigar lounges exist in the Village (Habano/Pink Hookah and Cigar at 7615 159th Street and Hollywood Smokes at 6857 159th St). Additionally, at least 2 other businesses have current change of use applications submitted for primary tobacco-related store uses.

Existing conditions include a clustering of tobacco-related uses within the Village. The southwest corner of 183rd Street and 80th Avenue currently has several tobacco dealers. These locations are within the M-1 (General Manufacturing) zoning district but allows for business uses similar to the B-3 district at this intersection through the PUD regulations. 8021 183rd

Street is a six-tenant building, four of which have tobacco or nicotine related uses. The multi-tenant building 185 feet to the south currently has six tenant units, including Will Tobacco and CD Liquors. The Tutor Time child-care facility is approximately 175 feet west of CD Liquors. Additionally, there are a number of tobacco-related uses along the 159th Street corridor.

Currently, the only zoning-related restriction the Village has for tobacco uses is a minimum distance to youth-oriented facilities. This is regulated in Sec. 120.10 "Proximity to Certain Institutions" restricting sale or delivery of tobacco products within 100 feet of any school, child care facility or other building used for education or recreational programs for persons under the age of 18 years.

In order to align with the other Village Code sections and address the varied intensity of use, Staff recommends the Village looks at addressing other Chapters of the Village Code as necessary. This may include defining primary and secondary Tobacco dealers, and providing contemporary definitions of products.



Existing Clustering of Tobacco/Vaping (Nicotine) Uses at 183rd St. & 80th Ave.

EVOLUTION OF USES AND DEFINITIONS

Over the years, products relating to tobacco use have expanded while the retail nature of tobacco establishments have grown and evolved. In addition to traditional tobacco products, e-cigarettes and alternative nicotine products are available to the consumer. These uses and products may pose some unique concerns related to their locations and overall regulation, as compared to other types of “retail stores”.

Definitions

The State of Illinois state statutes Sec. 410 ILCS 82/1 and Sec. 720 ILCS 675 provide comprehensive definitions for these contemporary uses. The state statutes define tobacco product, e-cigarette, alternative nicotine products, and retail tobacco stores. Local municipalities provide definitions with varying scope, and are regulated in varying manners.

Some definitions are be more or less quantitative and specific to allow additional flexibility as products continue to change, and some provide exclusions. For example, the Village of Orland Park’s recent tobacco ordinance enacted earlier this year defines tobacco products in a similar manner to the state statutes, and excludes marijuana and any products specifically approved by the U.S. Food and Drug Administration for use in reducing, treating, or eliminating nicotine or tobacco dependence or for other medical purposes. Tobacco dealers are usually defined as primary and secondary (accessory) types for licensing and zoning regulation. Some municipalities differentiate this by identifying those who derive a minimum percentage of product gross revenue and/or devoting a minimum percentage of gross floor area to the display, advertising, merchandising, or stock of products, while noting that the sale of other products is merely incidental. The percentages vary substantially among municipalities anywhere from 10% to 80%. In the licensing regulations of Chapter 120, the Village currently defines “*Tobacco Shop*” as “*a retail establishment which derives at least 65% of its gross revenue from the sale of tobacco products*”.

Limitations on Location and Density

Regulations can include limitations on locations relative to certain institutions, and density of tobacco stores. Minimum distances from youth-oriented facilities typically reflect the Village’s 100-foot current regulation, though some municipalities increase the distance and include more institutions such as playgrounds, parks, and libraries. A community may choose to increase the minimum distance, and provide the option to apply for reduction of the distance requirement. The City of Aurora requires a 250-foot minimum distance, but allows reduction based upon a submitting a plan of conduct and fee, and receiving approval via an administrative hearing officer’s findings. Beyond the minimum distance, effects on surrounding uses and properties are an aspect of the special use process that is reviewable.

Minimum distances to other tobacco stores are sometimes established in order to limit the density of tobacco stores in a community, such as at the corner of a typical intersection. Generally, this applies to primary uses and excludes secondary (accessory) uses. In nearby communities, Village of Frankfort restrictively regulates that licensed tobacco stores not be located within 2,000 feet of each other, meanwhile Village of Orland Park regulates that licensed primary tobacco or alternative nicotine product retailers and distributors not be within 1,000 feet of each other. Other Chicagoland communities are not as restrictive. One concern of tobacco retailers concentrating in a particular geographic area may include a chance of market conditions potentially leading to an additional impact on community health and safety. High competition between retailers could lead to lowering of prices, which in turn could increase a community’s smoking rates.

Regulations can include limitations on quantity as well. A maximum quantity (cap) of dealers may be established within municipal licensing requirements, typically broken down into primary and secondary uses. This is not recommended by staff as a zoning regulation. If a total cap is desired, it would be better controlled by licensing requirements, similar to liquor licenses.

One additional regulation to consider is the method of measurement when calculating use distances. Some municipalities measure from the property lines of the lots or parcels on which the business locations are situated. Others may measure to the building line or the nearest portal of the building or structure.

Special Use and Zoning Districts

Zoning controls, including a Special Use, would allow the Village discretion to authorize and regulate the location and operation of tobacco and nicotine related dealers as appropriate for the Village, while not unduly burdening legitimate business activities of the dealers. Special Uses may be related to a particular intensity or use type. Village of Frankfort is one neighboring community requiring Special Use for tobacco stores. The Special Use may be more specific. For example, the Village of Antioch's zoning code does not specifically regulate tobacco, but does regulate vaping as a Special Use within their B-1 Business Convenience District. Zoning allowances may also differ based on zoning district. A greater allowance for secondary (accessory) uses of tobacco or nicotine related products could be provided based on the nature of the primary use. In other words, supermarkets may provide accessory sales, which would be permitted in more zoning districts than a primary tobacco store. The City of Aurora only has one use classification of "Cigarette or tobacco shops" but the allowances differ as being permitted in the business and manufacturing districts, and only as an accessory use in their office restricted industrial district.

When considering a Special Use the Commission has the ability to consider certain conditions where there is a rational nexus between the condition and the perceived impact of the proposed use; the conditions must be "specifically and uniquely attributable" to the proposal under review. Further the Zoning Ordinance provides Standards (Section X.J.5.) for consideration by the Plan Commission. Below please find the Standards outlined in the Zoning Ordinance.

X.J.5. Standards: No Special Use shall be recommended by the Plan Commission unless said Commission shall find:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;*
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;*
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance; and*
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.*

Additional Regulations

Indoor smoking or sampling of tobacco and nicotine related products may also be regulated. Current state smoking regulations (410 ILCS 82/ Smoke Free Illinois Act) already prohibits indoor smoking of tobacco and nicotine-related products at any locations that are in a shared or multi-tenant building (unless established prior to the law's passage). Additional regulations could prohibit indoor smoking in all buildings which would include hookah or cigar lounges. Village of Frankfort currently prohibits smoking and/or sampling of tobacco and tobacco related products within the indoor area of any licensed tobacco store.

PROPOSED CHANGES

Zoning Code Definitions

Staff proposes the following definitions to the Zoning Ordinance which helps capture the scope of contemporary tobacco and nicotine related uses and products, while aligning with the gross revenue percentage currently identified in the Village's Chapter 120 "Comprehensive Regulation of Tobacco Products":

Tobacco Store: A retail establishment that derives 65% or more of its gross revenue from the sale of tobacco products, electronic cigarettes, and alternative nicotine products, and in which the sale of other products is merely incidental.

Accessory Tobacco Sales: A retail establishment that derives less than 65% of its gross revenue from the sale of tobacco products, electronic cigarettes, and alternative nicotine products, and in which the sale of other non-tobacco-related products is the primary function.

Tobacco Product: (1) Any product which contains, is made, or derived from tobacco or used to deliver nicotine or other substances intended for human consumption, whether smoked, heated, chewed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco, snuff, snuff flour, bidis, snus, mints, hand gels, Cavendish, plug and twist tobacco, fine cut and other chewing tobaccos, shorts, refuse scraps, clippings, cutting, and sweepings of tobacco; (2) electronic smoking devices; (3) notwithstanding any provision of subsections (1) and (2) to the contrary, "Tobacco Product" includes any component, part, accessory, or associated tobacco paraphernalia of a tobacco product whether or not sold separately. Excluded from this definition is any product that contains marijuana and any products specifically approved by the U.S. Food and Drug Administration for use in reducing, treating, or eliminating nicotine or tobacco dependence or for other medical purposes when these products are being marketed and sold solely for such approved purpose.

Alternative Nicotine Products: As defined in the Illinois Compiled Statutes, 720 ILCS 675/1.5, a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. "The Definition of Alternative Nicotine Product" excludes cigarettes, smokeless tobacco, or other tobacco products and any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Open Item #1: Discuss scope of definitions for two use types: Tobacco Store (primary), and Accessory Tobacco Sales (secondary).

Open Item #2: Discuss scope of definitions for product types of tobacco products (which includes electronic smoking devices), and alternative nicotine products.

Zoning Code Use Chart

Staff recommends the below specific use classifications, retaining the presence in the B-2 and B-3 zoning districts, but limiting Tobacco Stores to require a Special Use. Additionally, clarifying the allowance of Accessory Tobacco Sales in the B-1, B-2, B-3, B-4, and B-5 zoning districts. All other districts would be prohibited. A footnote can be added to accommodate any supplementary regulations the Commission believes should be implemented.

RETAIL USES	B-1	B-2	B-3	B-4	B-5
Tobacco Store		S [#]	S [#]		
Accessory Tobacco Sales	P	P	P	P	P

Footnote #: Maximum of one Tobacco Store per zoning lot. Must comply with other Village regulations of tobacco and nicotine related products and dealers as outlined in Chapter 120 and Chapter 124.

Legacy Code Use Chart

The Legacy Code currently prohibits “Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a principal use”, and provides a Special Use for “Cigar lounge as a principal use (with or without retail sales as an accessory use”. Staff proposes to change the language to identify Tobacco Stores. Staff notes that the lounge use is currently limited to cigars. Staff does not propose to expand the lounge use beyond cigars to include hookahs or vaping, but the Village may consider it.

Legacy Code Use	Legacy Code Allowance
Tobacco Store	Prohibited
Cigar lounge as a principal use (with or without retail sales as an accessory)	Special Use

Open items for Discussion

Open Item #3: Discuss proposed allowances to permit Accessory Tobacco Sales, require Special Use for Tobacco Stores in the B-2 and B-3 zoning districts, and prohibit Tobacco Stores elsewhere, including the Legacy District. Discuss any other recommended supplementary requirements.

Open Item #4: Discuss if a maximum of one Tobacco Store per zoning lot is preferred.

Open Item #5: Discuss if a minimum distance between Tobacco Stores is preferred or else left open to consider as part of the Special Use review process. If preferred, discuss the method of measurement to determine distances.

Nonconforming Uses

Existing primary businesses selling tobacco and nicotine-related products will be affected by this proposal. If they become nonconforming upon the adoption of the ordinance, they would be subject to Section VI “Nonconforming Uses” of the Zoning Ordinance. This section will allow any existing businesses to continue operation as they exist and further are permitted to seek a Special Use to come into conformance with code requirements. However, the requirements for a special use and any other supplementary regulations will need to be met by any future businesses. Additionally, any sale or transfer of the business to a different owner would require the business to come into conformance with the current regulations, including obtaining a Special Use Permit. Staff does not propose any unique grandfathering clause nor changes to the nonconforming use allowances. In certain instances, this would mean the eventual elimination of the use if located in a way that does not permit a new owner to obtain a Special Use. Staff plans on notifying existing businesses of any changes so they are aware of any new requirements going forward.

RECOMMENDATION

Based on Village Trustee direction, Staff is recommending, the Zoning Ordinance be amended to include definitions for tobacco and nicotine related uses, regulating Tobacco Stores as a Special Use within in the B-2 and B-3 zoning districts. The Special Use review process will allow the Board to use discretion to authorize and regulate the location and operation of tobacco and nicotine related dealers as appropriate for the Village.

Upon completion of a successful Plan Commission Workshop staff will draft an ordinance reflecting the amendments. A Public Hearing has been scheduled for November 4, 2021 at the regular Plan Commission meeting.