



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

April 16, 2020

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on April 16, 2020 at 7:00 p.m.

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 April 16, 2020. Chairman Gray called the meeting to order at 7:00 p.m.

At this time, CHAIRMAN GRAY, stated the meeting was being held remotely consistent with Governor Pritzker's Executive Order 2020-07 issued on March 16, 2020, which suspends the Open Meetings Act provisions relating to in-person attendance by members of a public body. Specifically, the Governor's Office: (1) suspends the requirement in Section 2.01 that "members of a public body must be physically present," and (2) suspend the limitations in Section 7 on when remote participation is allowed. Chairman Gray confirmed Commissioners and Staff were able to communicate. All replied affirmative. CHAIRMAN GRAY then addressed ground rules for the effective and clear conduct of Plan Commission business.

Secretary Bennett called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray (Participated electronically)
Mary Aitchison (Participated electronically)
Eduardo Mani (Participated electronically)
James Gaskill (Participated electronically)
Angela Gatto (Participated electronically)
Tim Stanton (Participated electronically)
Lucas Engel (Participated electronically)
Kehla West (Participated electronically)

Absent Plan Commissioners: Steven Vick

Village Officials and Staff:
Michael G. Mueller, Trustee (Participated electronically)
Kimberly Clark, Community Development Director (Participated electronically)
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner (Participated electronically)
Kevin Kearny, Village Attorney (Participated electronically)
Laura Godette, Deputy Clerk
Hannah Lipman, Management Analyst
Barbara Bennett, Commission Secretary

CALL TO ORDER

PLAN COMMISSION CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for April 16, 2020 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

None

APPROVAL OF MINUTES

Minutes of the February 20, 2020 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER ENGEL to approve the minutes as presented.

AYE:

COMMISSIONERS ENGEL, MANI, STANTON, GATTO, AITCHISON, GASKILL, WEST and CHAIRMAN GRAY.

NAY:

None.

CHAIRMAN GRAY declared the Motion approved by roll call.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE APRIL 16, 2020 REGULAR MEETING

ITEM #1 PUBLIC HEARING: BRIAN POTTER – GARAGE VARIATION - 6420 167TH STREET

Consider recommending that the Village Board grant Brian Potter (Property Owner) a 152 sq. ft. Variation from Section III.I. (Accessory Structures and Uses) of the Zoning Code for the property located at 6420 167th Street in the R-1 (Single-Family Residential) Zoning District. The granting of this Variation will permit the Petitioner to construct an 872 sq. ft. detached garage instead of the permitted maximum of 720 sq. ft. for residential accessory structures.

Plan Commissioners present:

Chairman Garrett Gray (Participated electronically)
Mary Aitchison (Participated electronically)
Eduardo Mani (Participated electronically)
James Gaskill (Participated electronically)
Angela Gatto (Participated electronically)
Tim Stanton (Participated electronically)
Lucas Engel (Participated electronically)
Kehla West (Participated electronically)

Plan Commissioners absent: Steven Vick

Guests: Mr. Potter (Participated electronically)

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER GATTO to open the public hearing of Brian Potter, Garage Variation, 6420 167th Street.

AYE: All Commissioners participated electronically

COMMISSIONERS, AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

CHAIRMAN GRAY noted anyone wishing to speak on this matter will be sworn in before they speak after staff's presentation.

The Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

Paula Wallrich, Planning Manager noted this is a Variation for a detached garage for Mr. Potter at 6420 167th Street. This is located in an R-1 district, which is the largest residential district. The Petitioner noted that their lot is unique due to its large size in comparison to the surrounding neighborhood and the Village overall. The subject property is a large lot that exceeds the minimum width and lot size requirements of the R-1 zoning district. The R-1 zoning district requires the largest size and width residential lots in the Village.

Currently, there is a one-car detached garage on the property. Mr. Potter will be taking down the one-car detached garage and putting up a three-car garage. In doing so, he is looking for a 152 sq. ft. Variation so he can build an 882 sq. ft. detached garage. This exceeds the maximum requirement in the code, which is 720 sq. ft. By building the larger detached garage, he is eliminating what he could do

within code requirements of building two detached garages. He has elected to build one detached garage with three-car stalls, which he feels is more aesthetically pleasing for his lot and less of an impact on the neighborhood.

As with all Variations, we seek not to set undo precedence. Therefore, there were two prior Variations that were approved in the neighborhood that were similar in nature. One was on Gaynelle Rd. and one on Dorothy Ln. both of which exceeded the size of what is being requested this evening. During the findings of both of those Variations, it was noted they both were located on large lots and were located back from the front right-of-way and they did not negatively impact the neighborhood or adjacent properties.

The proposed architecture on this detached garage provides an enhancement to the property. The custom garage design has an attractive residential appearance. The design of the proposed garage uses high-quality and durable materials that are complementary to the principal residential home, such as a stone veneer and fiber cement (Hardie Board) siding.

As with all Variations there are Standards that will be provided. What is looked at in approving any Variance is to make sure there is no negative impact on the neighborhood. In this particular situation, there is an excessive setback from the right-of-way and there is a very large lot. There is the ability to screen this from all surrounding properties.

CHAIRMAN GRAY asked the Commissioners if they had comments or questions.

COMMISSIONER STANTON noted this is a great piece of property. CHAIRMAN GRAY noted this is a nice improvement and is a great improvement to the neighborhood. All other Commissioners had no comment.

CHAIRMAN GRAY asked for comments from the Petitioner, Mr. Potter. Mr. Potter had no comment.

CHAIRMAN GRAY asked for comments from the public. Ms. Wallrich noted there was no public comment submitted by noon today from the public.

A Motion was made by COMMISSIONER WEST, seconded by COMMISSIONER STANTON to close the public hearing of Brian Potter, Garage Variation, 6420 167th Street.

AYE: All Commissioners participated electronically

COMMISSIONERS, AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

Ms. Wallrich noted the Standards for Variation as follows:

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.
 - *While the property can yield a reasonable return while meeting the code, the property is uniquely large, the lot space is being maximized, and the proposal for one larger detached garage rather than one is more economical.*
2. The plight of the owner is due to unique circumstances.
 - *The lot is located in the R-1 zoning district which requires the largest minimum lot size in the Village. The subject property exceeds those minimum lot requirements (20,000 sq. ft.) by approximately 6,180 sq. ft. allowing adequate space for the proposed garage.*
3. The Variation, if granted, will not alter the essential character of the locality.
 - *Due to the size of the lot and the proposed setbacks, the detached garage is not expected to detract from the residential feel of the overall neighborhood. The detached garage is proposed to be setback 157 ft. from the front yard property line and thus visibility of the structure from the right-of-way will be limited. Additionally, the garage design is residential and compliments the residential feel of the property and area.*

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:
 - 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;
 - The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
 - The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
 - The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 - 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
 - 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.

A motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER WEST to recommend that the Village Board grant the Petitioner, Brian Potter, a 152 sq. ft. Variation from Section III.I.2.b. of the Zoning Ordinance (Residential Accessory Structures) to permit construction of a 872 sq. ft. detached garage instead of the 720 sq. ft. maximum floor area at 6420 167th Street Drive in the R-1 (Single-Family Residential) Zoning District, consistent with the List of Submitted Plans attached herein and adopt Findings of Fact as proposed by Village Staff, and as may be amended by the Plan Commission at this meeting, subject to the following condition:

1. A maximum of one detached garage shall be permitted on the subject property.

AYE:

COMMISSIONERS ENGEL, MANI, STANTON, GATTO, AITCHISON GASKILL, WEST and CHAIRMAN GRAY

NAY:

None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board for approval on Tuesday, May 5, 2020.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE APRIL 16, 2020 REGULAR MEETING

ITEM #3 WORKSHOP/PUBLIC HEARING: ANDREW HIGH SCHOOL – ANTENNA - 9001 171st Street

Consider recommending that the Village Board grant Margie Oliver (Dolan Realty Advisors) on behalf of Verizon Wireless a Special Use Permit to amend Ordinance #2010-O-044 to permit three additional antennas, for a total of 12 antennas, within the existing stealth flag pole cellular tower, located at 9001 171st Street (Andrew High School) in the R-3 (Single Family Residential) zoning district. All three new antennas will be located within the existing stealth flag pole and all ground equipment will be located within an existing nearby building (previously a concession stand).

Plan Commissioners present:

Chairman Garrett Gray (Participated electronically)
Mary Aitchison (Participated electronically)
Eduardo Mani (Participated electronically)
James Gaskill (Participated electronically)
Angela Gatto (Participated electronically)
Tim Stanton (Participated electronically)
Lucas Engel (Participated electronically)
Kehla West (Participated electronically)

Plan Commissioners absent: Steven Vick

Guests: Margie Oliver, Dolan Realty Advisors, on behalf of Verizon (Participated electronically)

Paula Wallrich, Planning Manager, presented the Staff Report for the Verizon Antenna Collocation. In 2010 approval permitted the installation of a cellular tower with a maximum of nine antennas and a requirement that the tower be constructed as a stealth flag pole. All antennas and equipment are proposed to be located within the pole and adjacent ground shelter. All three of the newly proposed antennas will be located within that existing stealth flag pole, and the new ground equipment will be located within an existing unused building. (previously a concession stand).

The original cellular tower installation was proposed in 2009. The site was chosen based on the Village's site selection hierarchy at the time. When this site was originally selected, there were a lot of discussion that meant to ensure it did not negatively affect the surrounding areas. There was an express need for telecommunication antennas by that wireless carrier in this area. Since that time, Verizon has also indicated a deficiency of coverage in that area and it is evident that they need additional antennas. They have proposed to add three more antennas inside the flag pole with no negative impact in terms of the aesthetics of the flag pole as it exists now. There is a vacant concession stand on the property where they have proposed to put their ancillary ground equipment. With respect to running the cable from the antenna to the concession stand there is a dog house at the base of the flag pole to house that equipment.

This pole is located adjacent to the athletic field at Andrew High School. The existing flag that is on the pole is torn and weathered and Andrew High School has requested a replacement. The applicant has noted they would replace the flag.

CHAIRMAN GRAY asked the Commissioners if they had comments or questions.

CHAIRMAN GRAY noted he agrees with staff and it is a good idea to replace the flag. All other Commissioners had no comment.

A Motion was made by COMMISSIONER AITCHISON, seconded by COMMISSIONER STANTON to open the public hearing of ANDREW HIGH SCHOOL – ANTENNA - 9001 171st Street

All Commissioners participated electronically

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

CHAIRMAN GRAY noted anyone wishing to speak on this matter will be sworn in before they speak after staff's presentation.

The Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

CHAIRMAN GRAY asked if staff had anything to add. Ms. Wallrich replied not at this time.

CHAIRMAN GRAY asked the Commissioners if they had additional comments. There were none.

CHAIRMAN GRAY asked the Petitioner if they had any comments. Margie Oliver replied none at this time.

CHAIRMAN GRAY asked if there were any comments from the public. Laura Godette, Deputy Clerk replied there were no emails or written comments received.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER WEST to close the public hearing of ANDREW HIGH SCHOOL – ANTENNA - 9001 171st Street

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

Ms. Wallrich noted the Standards for Special Use as follows:

- 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;
 - ***The proposed wireless facility equipment will be collocated on an existing cellular tower site and will operate similarly to the existing equipment on the site. All new antennas will be placed inside of the tower and no changes to the disguised flag pole are proposed. The additional cell antenna on the electrical transmission tower will improve the coverage for that carrier in the area.***
- 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;
 - ***The proposed wireless facility equipment is proposing to use the existing tower to collocate and to incorporate their equipment on. Utilizing an existing nearby structure that is currently unused to house their ground equipment.***
- 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 proposed tower and structures are already existing. The location is nearby high school sports fields that are not intended to be developed in the future, and the addition of three antennas to the existing tower will not impede the normal and orderly development of the surrounding property.***

- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - ***The subject property is currently operating as a cell tower site on a developed site that has a satisfactorily existing road system and utilities.***
- 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; and
 - ***Access to the site is from 171st Street and the adjacent parking lot. The access will only be from the wireless carrier companies and their contractors needing to do work on the housed equipment. There will be very little traffic to and from this site upon completion of the work.***
- 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.
 - ***The existing pole complies with all other zoning requirements. This approval only amends the existing Special Use Ordinance 2010-O-044 to permit three additional antennas for a total of 12 in the pole.***
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
 - ***Additional cell antennas on the tower will improve the coverage for that carrier in the area. Wireless communication continues to become more and more vital to our lives as well as emergency responses. The increase in cellular coverage may translate into a higher quality of life for residents and visitors to the area.***

Ms. Wallrich noted the Standards for Site Plan as follows:

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.

Motion 1 (Site Plan Approval):

A motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER AITCHISON to grant the Petitioner, Margie Oliver (of Dolan Realty Advisors) on behalf of Verizon Wireless, Site Plan Approval for the addition of three antennas on the existing disguised cellular tower site at 7001 171st St (Victor J. Andrew High School) in the R-3 (Single-Family Residential) Zoning District, in accordance with the plans submitted and listed herein.”

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

Motion 2 (Special Use Permit):

A motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER MANI to recommend that the Village Board grant a Special Use Permit to the Petitioner, Margie Oliver (of Dolan Realty Advisors) on behalf of Verizon Wireless, to amend Ordinance 2010-O-044 and permit an additional three antennas, for a total of 12, on the existing disguised flag pole cell tower located at 7001 171st Street (Victor J. Andrew High School) in the R-3 (Single-Family Residential) Zoning District, in accordance with the plans submitted and listed herein and adopt Findings of Fact as proposed by Village Staff in the Staff Report.

1. On condition that the Petitioner add a new flag to the existing flag pole.

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

This item will go to the Village Board for approval on Tuesday, May 5, 2020.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE APRIL 16, 2020 REGULAR MEETING

ITEM #4 **PUBLIC HEARING: TEXT AMENDMENT – MASONRY & SHORT-TERM RENTAL CLARIFICATION**
Consider recommending that the Village Board grant a proposed text amendment to the Tinley Park Zoning Ordinance clarifying Section XII.3.A. (Legacy Code Uses) and Section V.B. (Schedule of Regulations) for short-term rental uses and Section V.C.4.B. (Masonry Requirements) for residential masonry requirements. The purpose of this amendment is to clarify portions of two recent code updates for Masonry requirements on residential properties and for short-term rental allowances.

Plan Commissioners present:

Chairman Garrett Gray (Participated electronically)
Mary Aitchison (Participated electronically)
Eduardo Mani (Participated electronically)
James Gaskill (Participated electronically)
Angela Gatto (Participated electronically)
Tim Stanton (Participated electronically)
Lucas Engel (Participated electronically)
Kehla West (Participated electronically)

Plan Commissioners absent: Steven Vick

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER STANTON to open the public hearing of Masonry & Short-Term Rental Clarification.

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

CHAIRMAN GRAY noted anyone wishing to speak on this matter will be sworn in before they speak after staff's presentation.

The Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

Paula Wallrich, Planning Manager gave a presentation as noted in the Staff Report. Recently the Village approved two text amendments to the Zoning Code relating to exterior masonry requirements (December 17, 2019; 2019-O-074) and for short-term rental uses (July 2, 2019; 2019-O-035). During the course of drafting and implementing the text changes, staff encountered a few text corrections to ensure the intent behind these codes is clear. This report clarifies the text corrections for each.

Masonry. The masonry requirements for residential properties were generally left as they previously existed in the Comprehensive Building Code and just moved into the Zoning Code. The definition of "masonry" was changed to include precast concrete panels. The definition change was intended for commercial properties to have some additional flexibility. However, based on the code's wording, it

could be interpreted that residential homes are permitted to be constructed with precast concrete panels on the first floor. Staff is proposing a minor wording change to clarify that homes must utilize face brick or decorative stone on the first story on a new home as was originally intended.

Short-term rental. The short-term rental (STR) use text amendment has two clarifications that are needed. First, in the Medium-Density (R-6) and High-Density (R-7) residential zoning districts the regulations do not address STR use in single-family detached, single-family attached and two-family dwellings despite the fact they are allowable uses in those districts. The requirements in other residential zoning districts state that STR units in single-family detached, single-family attached and two-family dwellings “are only permitted when separated 500 feet from all property lot lines” from another STR. That distance requirement needs to be addressed in the Medium-Density (R-6) and High-Density (R-7) residential zoning districts as well. Second, the STR use was not addressed in the Legacy Code and clarification is needed for those zoning districts.

Short-Term Rental Background

Following a complaint about a short-term rental property in 2018, staff was directed to look into regulations for short-term rental uses. The proposed text changes were reviewed by Plan Commission in January 2019 and adopted by the Village Board in July 2019 with some minor changes that added requirements to limit the density of short-term rental in a particular area. Short-term rentals are required to obtain a license through the Village Clerk’s office and must also comply with applicable zoning district regulations. Staff has identified two issues with the proposed Zoning Code text amendments which were not anticipated during the initial review.

The final adopted use chart and regulations are as follows:

SHORT-TERM RENTAL: *A dwelling unit that is used as a primary residence by owners or renters, or portion of such a unit, that is rented for less than 30 days at a time, with the exception of dwelling units owned by the federal government, the state, or any of their agencies or political subdivisions and facilities licensed by the state as health care facilities.*

	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5	ORI	M-1	MU-1
Other Uses															
<u>Short-Term Rental, accessory to a dwelling unit</u>	P ^p	P ^p	P ^p	P ^p	P ^p	P ^q	P ^q	X	X	X	X	X	X	X	X

^p Short-term rentals are only permitted when separated five hundred (500) feet on all property lot lines from another short-term rental property line.

^q Short-term rentals in a multi-family cannot exceed twenty-five percent (25%) of the total number of units.

Medium (R-6) and High-Density (R-7) Residential District Homes

The only criteria noted in current STR regulations for Medium-Density Residential (R-6) and High-Density Residential (R-7) zoning districts is “Short-term rentals in a multi-family cannot exceed twenty-five percent (25%) of the total number of units.” While this regulation provides guidance for multi-family units in the R-6 & R-7 zoning districts it also permits lower density single-family attached, single-family detached, and townhomes. The requirements for a 500-foot separation between STR properties that applies to other lower-density residential zoning districts, was not applied to those medium-density and high-density residential zoning districts. Staff is recommending the same restrictions for single-family attached, single-family detached, and townhomes in other single-family districts also pertain to the R-6 and R-7 districts.

To clarify this portion of the code, staff is proposing the text additions as indicated in red below:

	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5	ORI	M-1	MU-1
Other Uses															

<u>Short-Term Rental, accessory to a dwelling unit</u>	P ^p	P ^p	P ^p	P ^p	P ^p	P ^{p/q}	P ^{p/q}	X	X	X	X	X	X	X	X
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^p Short-term rentals located in a single-family detached, single-family attached, single-family semi-detached, and two-family dwelling are only permitted when separated five hundred (500) feet on all property lot lines from another short-term rental property line.

^q Short-term rentals in a multi-family dwellings cannot exceed twenty-five percent (25%) of the total number of units.

Legacy Code Allowance

During the original adoption of the STR regulations, the discussion was focused on traditional residential zoning districts, and did not address STRs in the Legacy Code districts. The Legacy Code encompasses the downtown and Oak Park Avenue corridor between 167th Street and 183rd Street. Within the Legacy Code, all types of housing/dwellings are permitted depending on their specific zoning district (Downtown Core, Downtown Flex, Neighborhood General, etc.) and redevelopment status (Heritage Site or Redevelopment Site). Staff is looking to clarify the regulations for STRs in the Legacy District. Due to the lack of discussion on this topic during the original STR adoption, staff is looking for direction on the matter from the Commission. Options include prohibiting short-term rentals in the Legacy Code districts or allowing the use with conditions similar to the traditional zoning districts that relate to distance separation or a percentage of the total number of units in a multi-family structure.

The advantages of allowing STR in the Legacy District relate to the adjacency of the area to the Metra station, which could be an incentive for visitors to stay in the downtown area and patronize local businesses. While the current licensing requirements of STRs limit rentals to one license per year, that requirement could change in the future and is independent from zoning district decisions. Any allowance of STRs in the Legacy District needs to clearly outline how to regulate the use with a diverse mix of residential uses in the Legacy District (mixed-use, single-family, multi-family, etc.)

By prohibiting STRs, it will eliminate the possibility that STR may negatively impact current or future uses due to the transient nature of the occupants. A “Boarding/Rooming House” is a similar use that is currently prohibited in the Legacy Code Districts.

If Plan Commission wishes to recommend prohibiting STRs in the Legacy Code Districts, “Short-term Rentals” would be added under the list of prohibited uses in Section XII.3.A. (Page 55) of the Legacy Code. If the STRs were to be permitted, staff recommends identifying any conditions that may help mitigate any perceived impact of the use on adjacent properties.

CHAIRMAN GRAY asked for comments from the Commissioners. No comments from the Commissioners.

CHAIRMAN GRAY asked for comments from the public. Laura Godette, Deputy Clerk replied there were no comments received from the public

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER GATTO to close the public hearing of Masonry & Short-Term Rental Clarification.

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

Motion 1 – Residential Masonry

A motion was made by COMMISSIONER AITCHISON, seconded by COMMISSIONER STANTON to recommend that the Village Board approve Text Amendments to Section V.C.4.B. (Masonry Requirements) of the Village of Tinley Park Zoning Ordinance as indicated in the Staff Report dated April 16, 2020. The proposed Text Amendment will clarify the materials permitted to be utilized on the first story of new residential structures.”

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

Motion 2 – Short-Term Rental

A motion was made by COMMISSIONER WEST, seconded by COMMISSIONER ENGEL to recommend that the Village Board approve Text Amendments to Section V.B. Schedule I (Schedule of Permitted Uses) and Section XII.3.A. (Legacy Code Uses) of the Village of Tinley Park Zoning Ordinance as indicated in the Staff Report dated April 16, 2020. The proposed Text Amendment will amend Section V.B. Schedule I to add footnotes to the R-6 and R-7 zoning districts, clarify those footnotes, and to prohibit short-term rentals in the Legacy Code districts.”

All Commissioners participated electronically.

AYE:

COMMISSIONERS AITCHISON, MANI, GASKILL, GATTO, STANTON, ENGEL, WEST and CHAIRMAN GRAY.

NAY:

None

CHAIRMAN GRAY declared the motion approved.

This item will go to the Village Board for approval on May 5, 2020.

ADJOURNMENT:

There being no further business, a Motion was made by PLAN COMMISSIONER GASKILL, seconded by PLAN COMMISSIONER ENGEL to adjourn the Regular Meeting of the Plan Commission of April 16, 2020 at 8:24 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN GRAY declared the meeting adjourned.