



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

**AUGUST 20, 2020**

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 August 20, 2020.

At this time, ACTING CHAIRPERSON WEST, stated the meeting was being held remotely consistent with Governor Pritzker's Executive Order 2020-07, Executive Order 2020-10, Executive Order 2020-18, Executive Order 2020-32, Executive Order 2020-33, Executive Order 2020-39, and Executive Order 2020-44, which collectively suspends the Illinois Open Meetings Act requirements regarding in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, issued on June 26, 2020, the members of the Village Board will be participating in the meeting through teleconference.

A live stream of the electronic meeting will be broadcasted at Village Hall. Pursuant to Governor's Executive Order No. 2020-43 and CDC guidelines, no more than 50 people or 50% of the maximum capacity will be allowed in the Council Chambers at any one time, so long as attendees comply with social distancing guidelines. Anyone in excess of the maximum limit will be asked to wait in another room with a live feed to the meeting until the agenda item for which the person or persons would like to speak on is being discussed or until the open floor for public comments. ACTING CHAIRPERSON WEST confirmed Commissioners and Staff were able to communicate. All replied affirmatively. ACTING CHAIRPERSON WEST 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:

Acting Chairperson, Kehla West (Participated electronically)  
Eduardo Mani (Participated electronically)  
Lucas Engel (Participated electronically)  
Mary Aitchison (Participated electronically)  
James Gaskill (Participated electronically)

Absent Plan Commissioners:

Garrett Gray  
Angela Gatto  
Steven Vick

Village Officials and Staff:

Paula Wallrich, Planning Manager (Participated electronically)  
Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

**CALL TO ORDER**

PLAN COMMISSION ACTING CHAIRPERSON WEST called to order the Regular Meeting of the Plan Commission for August 20, 2020 at 7:00 p.m.

**COMMUNICATIONS**

None

**APPROVAL OF MINUTES**

Minutes of the August 6, 2020 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to approve the minutes as presented.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE AUGUST 20, 2020 REGULAR MEETING**

**ITEM #1 PUBLIC HEARING – Hailstorm Brewing Patio Addition, 8060 186<sup>th</sup> St. –  
Special Use for PUD Deviations & Site Plan Approval**

Consider recommending that the Village Board grant Chris Schiller, on behalf of Hailstorm Brewing Company and Tomcat Properties (Owner), a Special Use Permit to amend the Mercury Business Centre Planned Unit Development to allow for Exceptions from Section III.J. (Fence Regulations) and Section VIII.A.10 (Required Parking Spaces) of the Zoning Ordinance. The Special Use and Exceptions and Site Plan Approval will permit a permanent outdoor patio to be constructed at the Hailstorm Brewing Co. property located at 8060 186<sup>th</sup> Street in the M-1 PD (General Manufacturing, Mercury Business Centre PUD) zoning district.

Present Plan Commissioners: Acting Chairperson, Kehla West (Participated electronically)  
Eduardo Mani (Participated electronically)  
Lucas Engel (Participated electronically)  
Mary Aitchison (Participated electronically)  
James Gaskill (Participated electronically)

Absent Plan Commissioners: Garrett Gray  
Angela Gatto  
Steven Vick

Village Officials and Staff: Paula Wallrich, Planning Manager (Participated electronically)  
Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

Guests: Chris Shiller, Petitioner

ACTING CHAIRPERSON WEST noted she had confirmation of the legal notice for this public hearing be published in the local newspaper as required by state law.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to open the Public Hearing for Hailstorm Brewing Co.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

Dan Ritter, Senior Planner presented the Staff Report. The Petitioner, Christopher Schiller, on behalf of Tomcat Properties and Hailstorm Brewing Co., is requesting Site Plan Approval and a Special Use Permit to amend the Planned Unit Development (PUD) to allow for Exceptions to the Zoning Ordinance for permitted fence locations and minimum parking requirements. The requests would allow for the installation of a permanent outdoor patio where there are currently parking stalls at the Hailstorm Brewing taproom located at 8060 186<sup>th</sup> Street in the M-1 PD (General Manufacturing, Mercury Business Centre PUD) zoning district.

Mr. Ritter displayed a slide of the existing site. Hailstorm Brewery has operated the taproom at the subject site since 2014 and in December 2019 finished renovations to expand the seating area and add a full kitchen on the site. The brewery has been successful and does host events (private and public) throughout the year on the site. The Petitioner has been exploring installing the outdoor patio for a couple of years; however, the COVID-19 pandemic had provided a push to create the outdoor space faster. It also allowed an opportunity to test a temporary patio that was set up in May and has received positive feedback from customers.

Outdoor patio areas require Site Plan Approval when added to existing spaces to ensure they are well designed, safely located, and do not cause any unintended issues on the site or to surrounding properties. Based on the proposal, the Petitioner requires an exception to the fence requirements due to the patio's location in the front yard of the property and need to enclose the area for a liquor license. Additionally, an exception to the parking minimum is required due to the reduction of parking and increase in seating capacity. The site was originally designed for industrial and office parking demands, which are typically lower than that of commercial properties that the public visits. The Petitioner owns the building and business and has other industrial tenants in the building. However, most are only open and operating during the day and have little activity during weekends and nights when Hailstorm is busiest.

Mr. Ritter displayed a slide of the site plan being proposed for the outdoor patio. The subject site was approved in 1995 and opened in 1997 as part of the Mercury Business Centre Planned Unit Development (PUD). The multi-tenant building has an address range of 8050-8064 186<sup>th</sup> Street and originally had eight different tenant spaces. The site is 117,000 sq. ft. in size with an approximately 34,000 sq. ft. building. The building was designed as a multi-tenant industrial flex-space building that could function as office, manufacturing, or warehousing space. The structure was designed with a professional office building appearance on the front facades but allowed for docks and overhead doors in the rear. A 10-foot landscape buffer was installed surrounding the site.

The petitioner opened their brewery and taproom at the subject property in 2014 occupying Unit C & D. It started as only a taproom with beer served and they had food trucks during the weekends and special events. The brewery has had success at its taproom location and growing distribution in the Chicagoland area. In 2019 an expansion of the brewery and taproom was completed that added additional brewery space, seating, and a full kitchen that offers a rotating menu. Hailstorm Brewery now occupies Unit A-D. Other tenants currently include Region Construction, Metridea Inc, and Xtreme Fire Protection.

The subject site is zoned M-1 PD (General Manufacturing, Mercury Business Centre PUD). The surrounding sites on all sides of the property are also located in the same zoning district and PUD. All properties are similar light industrial and office buildings with a variety of uses.

A brewery, brewpub, and restaurants are a fairly unique use to have in an industrial area. However, breweries often prefer these industrial locations due to a large amount of open floor space, high ceilings, docks, and other aspects of the space that make it beneficial for beer production equipment and distribution. The taprooms and restaurants associated with breweries usually start as a limited accessory use, but can become a popular destination themselves. While these brewpub and restaurant uses haven't traditionally been associated with industrial uses, the Village allowed for breweries and the associated restaurant and brewpub aspects, to be permitted by right in ORI and M-1 districts to help promote their location within the Village. The sites usually have less visibility but often function as a destination with customers headed there before they leave their house. The Village currently has three breweries located in the Village (Hailstorm, 350, Soundgrowler) with a fourth under construction currently (Banging Gavel).

Deviations from Village's Zoning Ordinance are considered Exceptions rather than Variations and do not require the standard Findings of Fact as required with a Variation. A PUD Exception is typically viewed more specifically to how it relates to the goals and context of that specific PUD, rather than a Variation which has a larger context to requirements that effects the entire Village.

Mr. Ritter identified the Two Exceptions being Requested:

1. Exception from Section III.J. (Fence Regulations) to permit a fence to be located in the primary front yard of a lot where one is not permitted. The fence is proposed and must remain a 75% open design aluminum fence that is wrought-iron style and a maximum of five feet in height.
2. Exception from Section VIII.A.10 (Required Parking Spaces) to permit a site with parking under the required minimum for the existing and proposed uses. The brewery, taproom, and restaurant use are limited to a capacity of 90 people unless additional parking is provided with a cross-parking agreement.

The Petitioner is requesting the addition of a permanent outdoor patio at their existing brewpub location. The Petitioner has been exploring the addition of an outdoor patio for some time. However, the COVID-19 pandemic had provided a push to create a permanent outdoor dining space faster. It also allowed an opportunity to test a temporary patio that was set up in May and has received positive feedback from customers.

The patio area is utilizing the existing paved parking lot that has 5 existing parking stalls and a grass bufferyard area. The patio will require removal of existing asphalt, minor grading/base changes, and installation of new paver bricks. The bufferyard area will remain grass and there is no existing landscaping. A grass area nearest to the building would replace foundational bushes and provide a place for bags and other outdoor games to be set up.

Landscaping is being added to the bufferyard and along the north and south sides of the patio where new curbing is being installed. The landscaping will be shrubs and flowers to help soften the patio area and make it an inviting space to sit. Two trees are also proposed in the patio area to provide shade.

The patio is expected to have a four or five-foot-high fence installed around the perimeter and would only be entered by entering the building. The fence would be a black aluminum fence in the wrought iron style. Fencing is not allowed in a primary front yard on any lot, with the exception of an allowance for patios in the Legacy District. While patios are not typical in industrial areas, it will add an attractive and activated entrance to the business. The fence has a goal of delineating the space where alcohol can be consumed on-premise and helps to protect customers. The proposed fencing will be a 75% open design fence that does not present any visibility or safety issues from the street or driveways.

Wood picnic-style tables are expected to be used and there will also be a fire pit seating area. No changes to the site lighting or signage are proposed. Any new signage must comply with the Zoning Code requirements. Engineering has reviewed the initially proposed grades of the patio and believes it will be acceptable. However, the final engineering/grading plans will require approval to ensure positive stormwater flow is maintained and the patio is ADA compliant. A condition is recommended that the final approval is subject to final engineering approval by the Village Engineer.

Uses like breweries, brewpubs, and taprooms have traditionally located in industrial areas. These are appealing because the equipment for brewing is often very large and requires a lot of space. Additionally, it requires truck deliveries to and from the site. Breweries have grown rapidly in popularity recently and also typically function as a destination, meaning customers know they are going there before they leave their house. They do not often require high visibility or extensive signage for this reason. However, as breweries grow, they provide some unique challenges for areas designed for industrial/office uses. These industrial/office buildings are often not designed with customers or the general public in mind. They often lack sidewalks, crosswalks, signage, or other amenities that make locating and navigating them easier. Additionally, there is often heavy truck traffic due to the traditional uses of the space that can require additional roadway space to make turns. Parking also can become an issue because the warehouse spaces were not anticipated to have large occupancies when much of the interior space is designed for product production and storage. Parking for these is usually only designed for employees with a few for visitor stalls.

Currently, there are approximately 95 parking stalls on the site. The patio proposal includes the removal of five parking stalls resulting in a parking total of 90. The brewery currently has a capacity limit of 90 persons. However, that brewery space itself has a larger building capacity for more people but is limited due to parking limits. This proposal would increase the total seating capacity of the space by approximately 50 seats. While there are still 90 stalls, some of these are used by the businesses to store related vehicles overnight and others are used by employees of Hailstorm Brewing.

The Zoning Code regulates "Eating or drinking place, bar, cocktail lounge, or indoor entertainment" by requiring one space for each seat and one space for each employee. As has been mentioned in the past, these regulations are dated and can be difficult to apply for a one size fits all approach. This is particularly an issue for businesses in this category when there is movable seating, private events, and entertainment that may expand capacity, without more tables. Due to the uniqueness of these spaces, it has been difficult to find exactly what the parking requirements are at the building. It would also require calculating parking for the other industrial tenant spaces that require one space for every two employees and one space for each vehicle used in the conduct of the business.

The brewery has peak hours of operation (Friday and Saturday evenings) that are opposite of the other tenants in the multi-tenant building, as well as the neighboring properties (Weekday business hours). The main concern with the use of on-street parking is that they are public spaces not dedicated to one business and also that they can limit truck turning movements in an industrial area. The Petitioner has noted they have not had any issues or complaints about customer parking at their facility. Customers do occasionally park on the street during special events, often due to the convenience of those spaces. The Petitioner owns the building as well and they have been cognizant of the parking demands and hours of operation of those users. It should be noted that new uses permitted by-right in the district could locate nearby and may have different hours or truck schedules that can overlap the peak hours of the brewery. The goal of the parking regulations limiting the use of on-street parking is also in place to ensure

business customers are not parking in residential areas. This location is not adjacent to any residential zoning and that is not a large concern.

In a scenario such as this, with a variety of different factors on an existing site, staff would typically request a professional parking count and study be conducted. The Plan Commission has the authority to recommend the parking requirement based on that analysis. With the current COVID-19 pandemic, it has made conducting a parking and traffic analysis difficult because the conditions and demand are not “typical”. Instead, for evidence staff has relied heavily on the lack of any formal complaints by neighboring properties and input provided by the Petitioner that they rarely ever use street parking, except for a handful of times a year. There is some expectation that property owners will manage their parking demand so that their site and business will be successful. In this situation, it is helpful that the owners of the property are the same as those operating the business asking for a parking exception. However, staff still wants to ensure that the proposed parking does not negatively impact any surrounding properties.

The location is far from any residential areas and staff’s primary concern is in regards to potential truck movement/turning issues through the area when there is on-street parking along 186<sup>th</sup> Street or 81<sup>st</sup> Avenue. To ensure these concerns can be managed if issues occur in the future, staff is recommending a condition be added that if there are on-street parking or truck movement issues, the petitioner will need to correct the situation by providing for cross-parking off-site at a neighboring property, striping individual stalls on 186<sup>th</sup> Street, installing signage limiting parking in certain areas of the street, or another solution as approved by Village staff. Staff also recommends maintaining the current capacity to 90 persons due to the limited parking availability on the site. The limit has avoided any known issues to-date and is expected to stay that way with the new patio addition. That capacity limit would be able to be increased if a formal parking agreement is in place with an adjacent property.

ACTING CHAIRPERSON WEST asked for comments from the Petitioner.

Mr. Chris Shiller, Hailstorm Brewing Petitioner noted he had nothing to add.

ACTING CHAIRPERSON WEST asked for comments from the Commissioners.

None

ACTING CHAIRPERSON WEST asked for comments from the Public.

None

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to close the Public Hearing for Hailstorm Brewing Co.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

Mr. Ritter gave a summary of the Standards for Special Use:

- 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 PUD exceptions will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because the maximum occupancy is not proposed to increase with the addition of a patio. The proposed plans reflect adequate dimensions for safe traffic maneuvers throughout the site and protect customers within the new patio area. The proposed plans also include improvements to the landscaping at the site to make it more attractive and an inviting space for customers to eat and drink.*
- 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 PUD exceptions will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish and impair properties within the neighborhood*

*because the property has been operating with the same occupancy for over 5 years. On-street parking primarily occurs on weekend evenings when other businesses in the area are not in operation. If any future issues with truck access in the area arises, the petitioner is required to adequately correct the situation.*

- 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 PUD exceptions will not impede the normal and orderly development and improvement of surrounding property because the use is just expanding to have outdoor seating on an existing property. The surrounding properties are already developed without significant changes expected in the near future.*
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
  - *Adequate utilities, access roads, drainage, etc. have already been provided to the overall site. The overall grading of the patio will change slightly to the current use as a parking lot, but all changes will be reviewed and approved by the Village Engineer to ensure adequate drainage is maintained.*
- 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
  - *The proposal makes changes to ensure the parking and drive aisles are maintained and safe for vehicles and for customers sitting on the patio. The fencing is setback from the street, a maximum of four feet in height, and is a 75% open design to ensure adequate visibility at the intersection.*
- 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.
  - *Other than the exceptions to the zoning code, the site and use will otherwise with all Village ordinances, including applicable engineering standards and all building codes.*
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
  - *The use contributes directly and indirectly to the economic development of the community because it allows for the existing business to add additional outdoor space for customers and events. A permanent outdoor patio space is safer and more attractive long-term option than temporary patios setup for the COVID-19 pandemic. The patio will create a more active space in an area with little activity during the evenings and benefit the overall industrial park.*

**Motion 1 (Site Plan):**

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to grant the Petitioner, Christopher Schiller, on behalf of Tomcat Properties and Hailstorm Brewing Co., Site Plan Approval to construct a permanent outdoor patio where parking currently exists at 8060 186th Street in the M-1 PD (General Manufacturing, Mercury Business Centre PUD) zoning district, in accordance with the plans submitted and listed herein and subject to the following conditions:

1. The occupancy limit shall not be increased from the current limit of 90. If a private parking agreement with a neighboring property is put in place, the occupancy limit may also be correspondingly increased, subject to building code and fire department review and requirements.
2. Site Plan Approval is subject to approval of the Special Use Permit by the Village Board.
3. Site Plan Approval is subject to final engineering plan review and approval by the Village Engineer.”

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

**Motion 2 (Special Use):**

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to recommend that the Village Board grant a Special Use Permit to the Petitioner, Christopher Schiller, on behalf of Tomcat Properties and Hailstorm Brewing Co., to permit a Deviation from the PUD with exceptions for fence regulations and minimum parking requirements to add a permanent outdoor patio on the property located at 6800 186<sup>th</sup> Street in the M-1 PD (General Manufacturing, Mercury Business Centre PUD) zoning district, in accordance with the plans submitted and listed herein and adopt Findings of Fact as proposed by Village Staff in the August 20, 2020 Staff Report, subject to the following condition:

1. The occupancy limit shall not be increased from the current limit of 90. If a private parking agreement with a neighboring property is put in place, the occupancy limit may also be correspondingly increased, subject to building code and fire department review and requirements.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

ACTING CHAIRPERSON WEST noted this item will be heard at the Village Board on Tuesday September 1, 2020.



**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**  
**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**  
**SUBJECT: MINUTES OF THE AUGUST 20, 2020 REGULAR MEETING**

**ITEM #2 PUBLIC HEARING – Fox College Parking Lot/Detention Addition, 18020 Oak Park Ave. & 18017 Sayre Ave. - Rezoning, Plat, Variations & Site Plan Approval**

Consider recommending that the Village Board grant George Arnold, on behalf of Gamma Tinley LLC (d/b/a Fox College), a Map Amendment (rezoning) and Variations from the Zoning Ordinance, upon annexation of two parcels that total approximately 1.33 acres in size at 18017 Sayre Avenue. Upon Annexation, the two parcels are proposed to be consolidated with the parcels located at 18020 Oak Park Avenue for a total land area of 5.68 acres and the parcel will be zoned NG (Neighborhood General). The requests, Site Plan Approval and Final Plat Approval will allow for the currently unincorporated lots to be developed with a parking lot expansion and detention pond for Fox College.

Present Plan Commissioners: Acting Chairperson, Kehla West (Participated electronically)  
Eduardo Mani (Participated electronically)  
Lucas Engel (Participated electronically)  
Mary Aitchison (Participated electronically)  
James Gaskill (Participated electronically)

Absent Plan Commissioners: Garrett Gray  
Angela Gatto  
Steven Vick

Village Officials and Staff: Paula Wallrich, Planning Manager (Participated electronically)  
Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

Guests: George Arnold, Attorney (Participated electronically)  
Chris Segal, Fox College Representative (Participated electronically)  
Kevin Camino, Engineer (Participated electronically)

ACTING CHAIRPERSON WEST noted she had confirmation of the legal notice for this public hearing be published in the local newspaper as required by state law.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to open the Public Hearing for George Arnold, on behalf of Gamma Tinley LLC (d/b/a Fox College)

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

Dan Ritter, Senior Planner presented the Staff Report. The Petitioner, George Arnold, on behalf of Gamma Tinley LLC (d/b/a Fox College) (Owner), is requesting Rezoning upon Annexation, Variations, Final Plat of Subdivision Approval, and Site Plan Approval for the site to be developed with a parking lot expansion and a detention pond. The college would like to expand its curriculum and add a program to their location on Oak Park Avenue with its Vet Tech Institute. They would like to grow within the current building. They need to add more parking to accommodate their students.

Mr. Ritter displayed a photo of the existing parcel. Upon Annexation, the two parcels at 18017 Sayre Avenue are proposed to be consolidated with the current Fox College parcels located at 18020 Oak Park Avenue. The lot will have a total land area of 5.68 acres and zoned NG (Neighborhood General). The granting of these requests will allow for the currently unincorporated lots to be developed as a parking lot expansion with an accompanying detention pond. Fox College is located at the existing site on Oak Park Avenue and looking to accommodate a curriculum expansion at the Tinley Park campus.

The proposal includes a parking expansion at the rear of the current facility that would accommodate 95 vehicles. The property being expanded upon is located in a floodplain and thus a large detention pond will be constructed to retain all stormwater on the site before it is released into the Village storm sewer system. The Petitioner has proposed landscaping, lighting, and fencing to create an attractive location and to help mitigate any effects from the neighboring properties. Minor changes to the existing site will be made as well to correct truck circulation issues on the north side of the site and to add 1 additional accessible parking stall.

Fox College has utilized their current facility at 18020 Oak Park Avenue since 2006 when it received a Special Use Permit (Ord. # 2006-O-081) to operate the Vet Tech Institute and have overnight boarding of up to 80 dogs and cats. In 2011, the Special Use was amended (Ord. # 2011-O-044) to permit up to 120 dogs and cats in the facility, with the potential for 160 if the building was expanded or the Physical Therapy program were to be relocated from this location. The Petitioner has been in compliance with the previous Special Use approvals and no issues have occurred in relation to animals. The building was originally constructed around 1971 and expanded to its current footprint/layout in the early 1990s. Prior to Fox College's occupancy, the building served a variety of business uses including grocer, plumbing contractor, towing service, AT&T service center, and St. Xavier University satellite campus. The current Fox College property (18020 Oak Park Ave) consists of two parcels totaling ~4.35 acres in size.

There are two additional properties that are proposed to be annexed for the parking lot expansion and detention pond. One parcel with an existing home (18017 Sayre Ave) that is ~1.33 acres in size and a second vacant land-locked lot (no common address) is ~.41 acres in size. These parcels are currently zoned R-3, single-family residential in Cook County. The county's R-3 zoning is most similar to the Village R-1 or R-2 zoning districts in regards to lot size.

Mr. Ritter displayed a slide showing the large floodplain. The properties are largely encumbered by floodplain, making them difficult and more expensive to develop without the need for compensatory stormwater storage and grading changes. These approvals will go through MWRD & FEMA.

The existing Fox College parcels are located in the Legacy District with NG (Neighborhood General) zoning district. The NG zoning district has largely residential-oriented vision, intending to have residential density to support commercial density in the Downtown Core and promoting living in close to the Metra train station. The existing site and uses are considered a "heritage site", which is a property that was developed prior to the implementation of the Legacy Code. The site and use can continue on the site and can be transferred to future users of the site. However, the site is limited in its ability to expand a non-conforming use or building. Specifically, any voluntary and owner-initiated improvements are limited to a maximum of 50% of the property's value.

The two parcels that are being petitioned to be annexed are currently under county zoning (R-3, Single-Family Residential). Annexations themselves are not reviewed by the Plan Commission. However, the appropriateness of the development proposal and the proposed zoning district are reviewed. Upon annexation, all properties will default to the R-1 (Single-Family Residential) zoning district, as it is the most restrictive and least disturbing. However, those parcels are proposed to be consolidated as part of the Fox College parcels and similarly zoned NG upon annexation. Staff has recommended the single lot and zoning district of the current property be carried through to these new lots because it will function as one development/lot going forward.

The properties adjacent to the subject properties have the following zoning and uses:

- North: Single-family homes zoned NG (Neighborhood General), R-5 (Low-Density Residential). Vacant/Unused 180<sup>th</sup> Street Right-of-Way.
- South: Detention Pond (owned by School District) zoned NG (Neighborhood General) and R-1 (Single-Family Residential). Single-Family home zoned R-1 (Single-Family Residential)
- West: Single-family homes zoned R-1 (Single-Family Residential) and unincorporated (R-3, Single-Family Residential Cook County zoning).
- East (across Oak Park Ave.): Condos/Multi-Family Zoned R-6 PD (Medium-Density Residential, Oak Village Planned Unit Development)

The proposed use is to expand its curriculum at the Tinley Park Campus. The parking lot is heavily utilized and they are also using a neighboring property for overflow. This project is to resolve any current parking issues and also allow them to park new students with the curriculum expansion. This will require annexation, rezoning, plat of subdivision, and variation to make all of this one lot with one zoning district. Fox College has purchase agreements in place for two properties to the west. There will be a parking lot expansion and detention basin for floodplain compensatory storage.

Mr. Ritter displayed diagrams of the proposed site plan expansion. The new parking lot includes 95 parking stalls and has a mix of 26-foot and 24-foot-wide drive aisles. The Legacy Code only requires 24-foot-wide aisles (whereas the rest of the Village requires 26-foot-wide aisles). However, to accommodate comfortable truck and vehicle circulation through the parking lot addition, the main aisles were maintained at 26 feet wide around the perimeter of the parking lot. Only the interior parking aisle was reduced to 24 feet. The reduction allowed for additional bufferyard width to be added on the north and south sides of the site. The parking lot addition was designed to allow a large fire truck to safely circulate through the site.

There are parallel parking stalls located on the north side of the property. These stalls were illegally striped without approval and have reduced the aisle width to around 17-18 feet and make truck circulation around the site difficult when vehicles are parked there. To alleviate the truck circulation concern, the petitioner is eliminating two parking stalls nearest to the dumpster to accommodate truck turning. The area will be hashed and marked "No Parking Permitted". Due to this parking being an immediate issue related to emergency response, the Petitioner has agreed to make these changes this year and is working to get it completed as soon as possible.

The existing aisle width did not meet the aisle width minimum of 24 feet and could not safely be used as a two-way access. Staff is recommended that this aisle be revised to be a one-way drive aisle with appropriate striping and signage ("One-Way →" and "Do Not Enter"). The Petitioner agreed that the northern drive aisle on the existing site will be converted to be a one-way aisle with appropriate signage and striping to be indicated on the final engineering plans. Removal of the two spaces blocking circulation will be changes and enforced as soon as possible.

One ADA parking stall being installed at a space most adjacent to the building. This stall is required per the Illinois Accessibility Code due to the increase in the total number of spaces.

Overall site engineering is preliminary and may require revisions based upon final comments from the Village Engineer and MWRD. Staff recommends the Site Plan and Plat approvals be conditioned that they are subject to final engineering approvals. All stormwater is expected to be handled on-site and there will be some volume control measures installed under the parking lot as well. It is expected that the development will improve stormwater/flooding in the area by containing the floodplain and stormwater on-site going forward.

Parking is an imperfect science and zoning ordinances do their best to assign ratios based on the average intensity of the uses. However, each use and site can have unique differences that could change parking demand. Additionally, parking demand continues to decline from its peak in the 80's and 90's as alternative forms of transportation and ride-sharing services continue to grow in popularity. However, college campuses in the suburbs present a high parking demand since most students and employees will typically drive themselves and can come from a large area covering most of the Chicagoland area. The site uses a high percentage of the parking field and has times or events that can require employees to park off-site at a nearby business. The new parking lot expansion is expected to cover the parking they currently need and also allow them to add a physical therapy program to their curriculum at the Tinley Park campus which could increase peak-time parking demand.

As a heritage site and use, the parking requirements of the Legacy Plan are not retroactively applied. However, the minimum parking would be 4 spaces per 1,000 square feet for commercial or assembly spaces. That would result in around 100 parking spaces for an approximately 25,000 sq. ft. building. While that parking might be adequate for most commercial use, a college use has an obvious need for more parking than that since the existing total is 249 stalls. The Village Zoning Ordinance can also provide some guidance for required parking for various uses; however, there is no specific reference for colleges or technical training. In these situations where a specific use is not listed, the Plan Commission has authority to approve the parking based on the Petitioner's proposal, existing site history, and similar uses noted in the ordinance. A professional parking study is typically required to be supplied to assist the Plan Commission in their review, especially when a use is not existing and there is no reference. The Petitioner has not provided a parking study in this case due to their detailed knowledge of the parking demand. The entire project is based on their desire to provide more parking on-site for their staff and students. Additionally, the current COVID-19

pandemic has made parking studies more subjective, as they do not present “typical conditions” upon which to base the assumptions.

The site currently has 249 parking spaces (7 ADA). While the new parking lot will have 95 new stalls added, there is also be a reduction of 7 stalls on the existing site due to installing the entrance to the new parking lot, removal of parallel stalls, and installation of the new ADA space. The total parking on the site following completion of the project will be 337 stalls (8 ADA) for a total increase in 88 parking stalls.

The new parking lot will be will be illuminated by four new poles mounted at 25 feet high, similar to the existing site’s pole height. The poles have been located to adequately light the parking lot for safety and to avoid any light or glare spillage onto neighboring properties. The lighting has 0 fc at all residential property lines and all fixtures are downcast and full-cutoff to prevent off-site glare from the light source. The existing site will have the poles remain but light fixtures are expected to be replaced with matching fixtures.

The lighting levels comply with the zoning code, but the proposed fixtures do not comply with the required Legacy District fixture types (decorative post or column light) and maximum mounting height of 15 feet. The new parking lot is far from the Oak Park Avenue roadway and would not typically be located in the district without this proposal. The proposed lights are meant to match the existing poles more closely. Additionally, shorter mounting heights would require additional light poles to adequately light the site and could potentially result in light spillage.

It was clarified that the existing lights in the front parking lot won’t be replaced until they require replacement. At that time, they will need to meet the code requirements. Plan Commission had no concerns due to the lights being installed in the rear of the lot behind the building and away from the Oak Park Avenue frontage.

The proposed site would include a variety of planting surrounding the parking lot and detention area. The site is unique in that a large portion of it will be an open dry bottom detention pond and not a typical commercial site. However, by code it is a commercial site that requires certain landscaping bufferyards. Waivers are being requested because adding additional landscaping to the parking lot or additional bufferyard width would require either a reduction of parking stalls or acquisition of more land. The alternatives to meet code would make the overall project financially and practically infeasible. The Petitioner has noted that development is already very expensive for a parking lot addition and due to the added costs of developing in a floodplain.

The proposal has focused landscaping around the parking lot and around the residential properties to help mitigate any negative effects or views of the parking lot expansion and help delineate the detention area. The detention pond is directly adjacent to the large Central Middle School detention pond that currently has a natural look with very little landscaping. The Petitioner’s proposal will have a similar naturalized look but with purposeful landscaping surrounding it to limit any negative effects to surrounding properties. Additionally, a new six-foot solid privacy fence is proposed around the parking lot addition that prevents headlight glare on the adjacent properties. The Petitioner revised the new fence to be PVC material per the Plan Commission recommendation.

Landscaping Waivers include the following based on the current proposal:

1. Street Trees along Sayre Ave: Street Trees shall be located every 25 feet along a public frontage, excluding driveways and paved walkways. Trees can be placed on private property (in addition to any required private bufferyard) where there is not sufficient space in the public right-of-way. The subject property has 100 feet of frontage along Sayre Avenue and thus would be required to have four street trees. The private bufferyard also requires four trees (2 trees every 50 feet). The proposal only indicates three trees (one shade/canopy, and one existing/unidentified). It should be noted that Sayre Avenue is not a roadway that was planned for in the Legacy District and typically the Village’s subdivision code would only require street trees every 50 feet in non-residential districts. The total shortage of trees on this frontage is six.
  - Staff recommends the addition of two additional street trees along the Sayre Avenue frontage. The frontage is a detention pond and thus the buffering is not as concerning. Meeting half of the tree requirement would keep the development in line with what would be expected for any new residential developments on Sayre Avenue.
2. Private Bufferyard: The Petitioner has requested a waiver from the requirement of shrubs and ornamental trees around the perimeter. The bufferyard would typically require two shade trees, one ornamental, and 20 shrubs.

- Staff is supportive of this waiver request. The goal of the private bufferyard requirement is to buffer commercial uses from residential or non-legacy uses. However, the majority of the site that will be visible from residential properties will be an open detention pond. Landscaping has been added around it to provide for an attractive appearance; however, shrubs would increase construction and ongoing maintenance costs without much benefit to neighboring properties.
3. Interior Parking Lot and End Islands: The parking lot is required to have 15% of the surface area landscaped with minimum 8-foot end islands on rows of parking. The petitioner has proposed landscaping at the corners and around the exterior.
- Staff is supportive of this waiver request. End island landscaping would eliminate four parking stalls and also make truck circulation through the lot more difficult. Adequate landscaping has been added surrounding the parking lot to help offset any negative visual effects.

The Petitioner revised the plan to add two additional trees along the Sayre Avenue frontage. The Plan Commission agreed the proposal did a sufficient job in landscaping the pond, parking lot, and site overall. It was noted the code's bufferyard requirements anticipate physical development and that the detention pond, while part of a commercial property, will remain open space.

The proposed Plat of Subdivision will consolidate the two existing Fox College lots with the two lots proposed to be annexed into the Village that will have the parking lot and detention pond constructed on. The result will be a single lot that is ~5.68 acres in size. Existing drainage and utility easements will remain on the property with a new drainage easement placed over the proposed detention pond area.

ACTING CHAIRPERSON WEST asked for comments from the Petitioner.

George Arnold, Attorney for the Petitioner thanked staff for the presentation and noted he had nothing to add. We will be happy to answer any questions from the Commissioners and the Public.

ACTING CHAIRPERSON WEST asked for comments from the Commissioners.

None

ACTING CHAIRPERSON WEST asked for comments from the Public.

ACTING CHAIRPERSON WEST swore in those wanting to make comments.

Mr. Imtiaz Chughala, 18025 Sayre Avenue, was sworn in and stated the detention lot is adjacent to his property and he has concerns:

1. Rezoning the area to NG and what would be permitted there.
2. Where will the runoff going to go? The detention area in existence from the school district does not detain the water on my property, Sayre Avenue and across the street to my neighbor's property.
3. The proposed light fixtures will cause a lot of light bleeding into the area.
4. The PVC fence will be ugly as this is a very wooded area. Wood fencing is preferred so it blends in better.
5. We have to think of his property and the ability to sell them in the future.
6. He will basically have a parking lot off of his backyard and another one to the north of him.
7. The school district is no longer mowing their detention pond and this causes a lot of mosquitos. This will also be the case to the side of my house that has two sides surrounded by detention basins.
8. His big problem is where will this water go as it is a detention basin, not a retention basin. He could not find anything showing where the water will go. Currently the floodplain says it is going from north to south in a westward direction which will put it in my and my neighbor's house. He is incorporated and the rest of the neighborhood is unincorporated.
9. He would like to know if there will be permeable pavement. These may be expensive, but it is expensive to me to have my basement flooded. He currently has to pay flood insurance. He believes this will make his property flood more. The current school district detention basin pushes water into my back yard. I have several things that need to be clarified.
10. They would also want non-ornamental trees along the perimeter. When you drive down the street, PVC fencing and the bare minimum to soak up this water. Currently they are taking ½ acre of forest down and not coming up with a way to get this water soaked up.

Mr. Ritter replied that the NG is actually a residential zoning district long-term. So while the parking lot can be expanded on this property, the long term vision if it redevelops is residential. The Village Engineer, FEMA and MWRD will be looking at this before it ever gets permitted. With the requirements for floodplain, they will have to accept any floodplain water that is on that site and keep it on their site. Currently that water either sites there or flows overland onto neighboring properties. So the result of this project would be no change to the neighboring property stormwater or even a small improvement. They will be tying into the same storm sewer as the school district that exits to Oak Park Avenue. The detention is made to hold the water on the site during a storm and then slowly releases it into the storm sewer at a rate it can handle. This is a floodplain and that means there are flooding issues there larger than one site. This project should improve it on these properties since the stormwater would be directed into the stormsewer, not sitting there until the ground absorbs it. The existing trees do very little and close to nothing to soak up stormwater. However, there is still larger area flooding issues with the floodplain. This project is not going to resolve the existing floodplain issues on other's property. For their site, they will have to keep all the floodplain water within their property. This will be engineered and approved by MWRD, who is very tough, and our Village Engineer to make sure all the grades keep the stormwater on their property.

We will make arrangements to have our Village Engineer contact you to explain the process. They can also go take a look at the existing school pond to see if there are any issues. Something may be blocked or not functioning as designed if it is backing up into their lot. FEMA and MWRD are very strict with development in floodplains, ensuring it doesn't make anything worse and slowly would correct the problems with redevelopment. We will also have the Fox College engineer respond to you and look into the fence type.

11. Mr. Chaughala noted no one from Fox College notified him of what was going on. He has a tendency to not believe this Board if no one contacted him.
12. There are still barking dogs he can hear in the background. He has had dogs come to his house that got loose. He had them put up the back fence.
13. It also looks like they will be using the school district's detention basin also. This water is flooding into my back yard and with another ½ acre of concrete he knows he will flood. How deep will this be?

Mr. Ritter replied that they would be tying into each other. We can have Fox College and the Village Engineer look at the school district's detention basin to see if there may be something clogging it or it was not designed correctly. It seems like there might be some issue if it is doing that and understand his concerns.

Kevin Camino, Engineer for Fox College, replied that the detention basin will hold the stormwater. It will be a flat bottom basin with native plants to encourage infiltration better than the current site does. There is a pipe that will discharge after it is restricted into the northwest corner of the Central Middle School's basin. The overflow for the basin if it reaches the mother of all storms with a 2 1/2 foot depth, it will discharge into the Central Middle School's basin as well.

14. This is at the rear of his property. His property butts right up to the detention pond behind the property on the east side and on the north side it will be directly next to his property. The one right now spills into his property.

Mr. Ritter replied he will have the Village Engineer look into it to see if it is the design. Right now, the stormwater is following the path of the lowest point. Once the proposed basin is developed, it will be directed into that pond and then into the storm system. There could be a blocked pipe or erosion. We understand his concern if that one is not functioning correctly but we will need to look into why. We cannot promise that this will fix a flood issue in a floodplain though. They are still below that floodplain elevation. So they may still have flooding from the water on their property. However, the water would not come from this development once completed.

15. This will make things more difficult for his neighborhood. By putting more concrete down, this will not help. There are currently two storm drains. One is one the corner of his property and the other one is at 18001 that is 2-3 feet above the blacktop and it is not helping to drain the current standing water. That is one of the things that should be looked at.

Mr. Ritter replied that he is not sure if Sayre Ave is a Village or county road. We can look into it but those may be sanitary sewers, not storm sewers. This is a floodplain area, so there is and continue to be flooding there unless property owners control their own flooding or there is a larger redevelopment and pond. When this area was developed and was in the county they did not do detention ponds or look at drainage which has caused these problems and the federal requirement for those properties to have flood insurance. The hope is, as this property gets developed, FEMA and the Village engineer has to approve this plan and all the flood

water has to stay within the confines of the property. So while there is pavement being added, the new development will actually control stormwater, the current setup just lets it sit on the property and flow onto the neighboring properties.

16. The PVC fence looks cheap. It looks like a plastic fence in a wooded area.

Mr. Ritter noted the PVC fence was preferred on commercial properties typically due to less maintenance and higher quality. The Petitioner actually preferred a wood fence and the Plan Commission can consider the wood fence with his perspective of fitting into the wooded area in mind.

ACTING CHAIRPERSON WEST swore in David Kucher, 18042 Sayre Ave.

Mr. Kucher, noted he was not familiar with this. He lives across the street and he floods constantly. This will make it worse. Also, will this be elevated higher than other properties around it? What is with the sewers that are 2 feet above the ground?

Mr. Ritter did a brief overview of the development and the reason for the development. His property is in a floodplain, so yes it is not surprising it would flood and this project is not going to resolve the large overall floodplain issues. It will only resolve it on these properties but must be designed in a way that it does not push stormwater onto any other neighboring property. The sewers may be sanitary and not storm sewers. There is a reason they are elevated at that level; however, the Village Engineer is the best person to explain that correctly. He can relay information he hears back this week and they can talk with the Village Engineer if they have further questions.

Kevin Camino, Fox College Engineer, noted the grade of the new lot would be 10 – 12” lower than the existing parking lot. Underneath the lot there will be further infiltration measures. Plastic pipe and stone as a catch basin helps to filter and hold water before it goes to the detention basin that will also encourage infiltration there before remaining stormwater goes into the Village’s sewer system.

17. Will they be using a paver set up? Will this be made up of impervious stone or permeable material?

Mr. Camino replied the parking lot would be asphalt. It will drain to the catch basin which will go to an underground infiltration ad then into the sewer.

Mr. Ritter replied they will have to compensate for the flood plain stormwater, but also has to compensate for any impervious surface they are adding as well. This will accomplish both issues.

18. This will shed all the fast moving water off their property onto their property or the detention basins. By adding all the impervious area, it will cause the water to come quicker into their homes.

Mr. Ritter replied when this is designed it will have to be kept all within their site and released into the Village’s sewer system. This may actually improve some aspects in the area, but it there are multiple levels of review and approval ensuring no water is shed off the site.

19. Mr. Chaughala, currently the detention pond that was put behind the school was supposed to take us out of the floodplain and it didn’t.

Mr. Ritter replied this was done to take the school out of the flood plain and hold their water. This should not push water onto their property as he stated, so that is why they think something is wrong. There could be something blocked in that pond. However, that pond was not designed or intended to resolve other property’s flooding issues so, he is not sure who would have relayed that information to him back when he bought the house.

20. If you could find something blocked and have it fixed, that would be great.

Mr. Ritter stated, they are going to have the Village Engineer look into it before the next meeting on this.

Dolores Franciose, 18014 Sayre Ave. noted she has lived there for 48 years and asked how will she sell her house with a parking lot right in front of her. The homes around there aren’t selling and have degraded over the years with many people that are not good neighbors.

Mr. Kucher asked if there would be a driveway or access on Sayre Avenue.

Mr. Ritter replied there would not be a driveway on Sayre Avenue only the detention area would front that. All access to the site will remain through the existing Oak Park Avenue driveways. The whole detention area will be a drainage easement that prevents development and grants Village access to work on it if there are any issues. The Village engineer would have background in this floodplain area and if there are any larger plans that could resolve the issues, as well as what those costs are.

21. After the house is demolished and the property is rezoned, can they increase the parking lot to be bigger? I will look forward to the engineer contacting me.

Mr. Ritter replied with the NG zoning it is residential zoning, so if it redevelops, it needs to be residential per that zoning. The parking lot can't expand unless they went back through a similar process. Costs would be very high to get more detention area.

22. We were not notified that this was happening. The only way he knew about it was when we saw the sign being put on the property and one neighboring property got a notice.

23. It needs to look good so if we want to sell their houses. There will be lights visible. This area needs to be upkept more.

Mr. George Arnold, Attorney, noted this parking lot will not be butting up to this gentleman's property. It will be more than 100' away. The detention pond will be landscaped and the PVC fence will be at the parking lot, not at the detention pond. The fence can be wood if Plan Commission prefers. He doesn't believe the fence will be abutting up to his property either. The lighting will also be at the parking lot and far from his property.

Mr. Ritter replied that is correct the parking lot does not abut the residents lot. There will be no light spillage or glare onto the neighboring property. However, yes the light pole might be visible. Also in regards to the property maintenance concerns, the Village can only enforce their requirements on properties within the Village and does so. However, they cannot enforce those on unincorporated properties in the county. They can contact the county, but it is up to them if they respond, write notices, or issue citations. The worst homes they have noted are all unincorporated lots.

Mr. Arnold noted the lighting will not be adjoining his property, but he will probably be able to see the light poles, just as he can see the building now.

ACTING CHAIRMAN WEST asked the Commissioners if there were any further comments.

None.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to close the Public Hearing for George Arnold, on behalf of Gamma Tinley LLC (d/b/a Fox College)

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

Mr. Ritter identified the Standards for Rezoning:

- a. The existing uses and zoning of nearby property;
  - *The lots are being developed and consolidated with the properties to the west that are zoned NG (Neighborhood General). The heritage status of the commercial use will apply, but the zoning district is residential if redeveloped in the future.*
- b. The extent to which property values are diminished by the particular zoning;



- *Oak Park Avenue has a mixture of commercial and residential uses. The current use as a technical/vocational college has been existence for almost 20 years. Commercial uses on the site predate most of the surrounding residential.*
- c. The extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public;
  - *The use of the site will remain the same with only a small parking lot expansion. The project will contribute directly to the economic development of the community providing educational opportunities, visitors, and additional property tax revenue where the existing vacant property is generating minimal tax revenue and unlikely to be redeveloped independently due to being located completely in a floodplain. No complaints have been received with the request.*
- d. The relative gain to the public as compared to the hardship imposed on the individual property owner;
  - *No hardship is expected from neighboring properties due to the landscape and fence buffering provided. Lighting, landscaping, and the overall site layout were designed to avoid any issues with the neighboring residential properties. The project will contribute to the economic development of the community where the existing vacant property is generating minimal tax revenue and unlikely to be redeveloped independently due to being located completely in a floodplain.*
- e. The suitability of the property for the zoned purpose;
  - *The primary use of the site is currently in operation. The rezoning of properties provides the ability to expand the parking lot.*
- f. The length of time the property has been vacant as zoned, compared to development in the vicinity of the property;
  - *While there is a home on one of the lots, it has aged and the area is generally in need of redevelopment. The location of these properties in a floodplain makes them difficult and expensive to redevelop independently.*
- g. The public need for the proposed use; and
  - *There is a demand for higher education and an expanded curriculum at Fox College and their Vet Tech Institute. This demand is not only from Tinley Park but the entire Chicagoland area.*
- h. The thoroughness with which the municipality has planned and zoned its land use.
  - *The use has been specifically permitted to remain operating and can continue to operate and even expand on the property within certain limits. If the property redeveloped in the future, it has been a long-term vision to be residential.*

Mr. Ritter identified the Standards for Variation:

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.
  - *The difficulty in developing sites located entirely in the floodplain results in a need to have an economical efficiency. The proposed light poles have been designed to be economical, attractive, and to safely illuminate the rear parking lot.*
2. The plight of the owner is due to unique circumstances.
  - *The location entirely in a floodplain is unique and burdensome on the property. The lots would not typically be part of the Legacy Code requirements due to their location far from Oak Park Avenue; however, the parking lots connection to fox college requires it to be zoned similarly. The parking lot will not be easily visible or detract from the Oak Park Avenue frontage design.*
3. The Variation, if granted, will not alter the essential character of the locality.
  - *The parking lot has been adequately screened with fencing and landscaping. The lights will only be minimally visible from Oak Park Avenue or adjacent properties with no off-site light or glare on residentially-used properties.*

**Motion 1 (Map Amendment/Rezoning):**

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to recommend that the Village Board grant the Petitioner, George Arnold on behalf of Gamma Tinley LLC (d/b/a Fox College), a Rezoning (Map Amendment) of the two properties located at 18017 Sayre Avenue upon annexation to the NG (Neighborhood General) zoning district and adopt the Findings of Fact submitted by the applicant and as proposed by Village Staff in the August 20, 2020 Staff Report.”

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

**Motion 2 (Variations):**

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to recommend that the Village Board grant the Petitioner, George Arnold on behalf of Gamma Tinley LLC (d/b/a Fox College), a Variation from Section XII.3.1.7. (Legacy Code - Lighting Standards) to permit a different light pole type and a light fixture to be mounted at a height of 25 feet at the properties located at 18020 Oak Park Avenue and 18017 Sayre Avenue in the NG (Neighborhood General) zoning district, in accordance with the plans submitted and listed herein and adopt Findings of Fact as proposed in the August 20, 2020 Staff Report.”

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

**Motion 3 (Site Plan):**

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER GASKILL to grant the Petitioner, George Arnold on behalf of Gamma Tinley LLC (d/b/a Fox College), Site Plan Approval to construct a parking lot expansion and detention pond at 18020 Oak Park Avenue and 18017 Sayre Avenue in the NG (Neighborhood General) zoning district, in accordance with the plans submitted and listed herein and subject to the following conditions:

1. Site Plan Approval is subject to Annexation and approval of the Rezoning, Variations, and Final Plat by the Village Board.
2. Site Plan Approval is subject to final engineering plan review and approval by the Village Engineer, MWRD, FEMA, or any other agencies with jurisdiction on the property.”

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AND AITCHISON

NAY: ACTING CHAIRPERSON WEST

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

**Motion 4 (Final Plat):**

A Motion was made by COMMISSIONER AITCHISON, seconded by COMMISSIONER MANI to recommend that the Village Board grant approval to the Petitioner, George Arnold on behalf of Gamma Tinley LLC (d/b/a Fox College), for the Final Plat for the Fox College Subdivision in accordance with the Final Plat submitted and dated July 27, 2020, subject to the following condition:

1. Final Plat Approval is subject to final engineering plan review and approval by the Village Engineer, MWRD, FEMA, or any other agencies with jurisdiction on the property.”

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

ACTING CHAIRPERSON WEST noted this item will be heard for a first reading at the Village Board on Tuesday September 1, 2020.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**  
**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**  
**SUBJECT: MINUTES OF THE AUGUST 20, 2020 REGULAR MEETING**

**ITEM #3 PUBLIC HEARING – Tinley Park Plaza Redevelopment, 15917-16037 S. Harlem Avenue -  
Special Use for Planned Unit Development & Site Plan Approval**

Consider recommending that the Village Board grant Andrew Balzar, Brixmor Property Group, on behalf of Centro/IA Tinley Park Plaza, LLC (property owner) a Special Use for a Planned Unit Development with exceptions related to Phase I of the redevelopments of Tinley Park Plaza located at 15917-16037 S. Harlem Avenue. The project will include the demolition of 87,000 sq. ft of existing building on the northern portion of the center and the construction of the core and shell of approximately 66,600 sq. ft for retail uses and general improvements to the in-line tenants including façade improvements, landscaping and parking lot improvements.

Present Plan Commissioners: Acting Chairperson, Kehla West (Participated electronically)  
Eduardo Mani (Participated electronically)  
Lucas Engel (Participated electronically)  
Mary Aitchison (Participated electronically)  
James Gaskill (Participated electronically)

Absent Plan Commissioners: Garrett Gray  
Angela Gatto  
Steven Vick

Village Officials and Staff: Paula Wallrich, Planning Manager (Participated electronically)  
Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

Guests: Andrew Balzer, Project Director (Participated electronically)  
Andrew Scott, Dykema (Participated electronically)  
Ryan Walter, Woolpert, Project Manager (Participated electronically)  
Chris Ludwig, Woolpert, Project Manager (Participated electronically)

ACTING CHAIRPERSON WEST noted Andrew Balzar, Brixmor Property Group, on behalf of Centro/IA Tinley Park Plaza, LLC (property owner) a Special Use for a Planned Unit Development with exceptions related to Phase I of the redevelopments of Tinley Park Plaza located at 15917-16037 S. Harlem Avenue. The project will include the demolition of 87,000 sq. ft of existing building on the northern portion of the center and the construction of the core and shell of approximately 66,600 sq. ft for retail uses and general improvements to the in-line tenants including façade improvements, landscaping and parking lot improvements. This item was tabled from the August 6, 2020 Plan Commission Meeting

ACTING CHAIRPERSON WEST noted she had confirmation of the legal notice for this public hearing being published in the local newspaper.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to open this Public Hearing for Andrew Balzar, Brixmor Property Group, on behalf of Centro/IA Tinley Park Plaza, LLC.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice call.

Paula Wallrich, Planning Manager, presented the Staff Report. The redevelopment of Tinley Park Plaza is critical for the success of the Harlem Avenue commercial corridor. The antiquated shopping center (constructed in 1974) comprises over 22 acres and approximately 244,132 sq. ft. of retail/service space. Currently, it is experiencing vacancies upwards of twenty percent with significant leases expiring within the next few years. Brixmor Property Group is proposing a complete remodel of the plaza. The project is planned in phases with the first phase completed in 2015 involving the construction of a 9,100 sq. ft. multi-tenant retail building at the north end of the property. The current proposal represents the second phase of the project which will involve the demolition of approximately 87,000 sq. ft. of existing buildings and the construction of approximately 67,110 sq. ft. in new retail space. The proposal includes façade improvements, landscaping, and new parking lot reconfiguration/reconstruction. Brixmor anticipates beginning this second phase in the fall of 2020 with completion by June 2021. The third phase will involve the redevelopment of the southern portion of the center.

Tinley Park Plaza is located in the B-2 Community Shopping and is part of one of the Village's major commercial corridors located on Harlem Avenue. A mapping error was discovered in researching the zoning for this parcel. Since 1977 the property has been noted as a Planned Unit Development (PUD) however the property was annexed in 1968 with a B-2 (Community Shopping) zoning designation and there is no record of subsequent zoning for a PUD. Therefore, as part of the zoning entitlement for this property a PUD will be approved.

The subject property is zoned B-2 Community Shopping with property to the north and east also zoned B-2 and developed with commercial uses. The property to the west across Harlem Avenue (Park Center Plaza) is zoned B-3 (General Business and Commercial) as is Park Place to the southwest (Previous K-Mart complex). The property to the south is zoned B-4 (Office and Service Business) and is occupied by a medical facility.

The Village code requires 26' drive aisles in parking lots. The main aisles in the plaza have been designed at 26.5'. The diagonal parking aisles are 18' as required by code. The aisles in the north parking lot are 26' or greater. The remaining aisles are noted as 24' wide. The Village has approved parking aisles at 24' in other developments such as Sam's Club, Marriott hotels, and the Brixmor out lot; none of which have proven problematic to traffic flow. Minimum 24' widths are a pretty standard requirement in most communities. Meeting the 26' requirement code will result in loss of parking and landscape buffers. If the Commission supports this change it will need to be noted as an exception to the Village Code as part of the PUD. At the workshop a Commissioner expressed concern regarding fire access to the store; the Fire Department has approved the site plan as proposed. The Commission did not express concern regarding the aisle width and it will be noted as an exception.

Ms. Wallrich displayed photos of the areas where delivery trucks have run over the landscape islands. The east side, or rear of the building currently functions as the delivery aisle for all the tenants. There are multiple access points depending on where the tenant is located and the configuration of the docks. The additional width of the east-west lane on the north side of the property provides the necessary lane width to accommodate these turning movements without running over the curb and landscaping, however Staff has requested further explanation of how the access lane will be striped to clarify lane usage for vehicular traffic. Staff has also requested the north parking lot be reconfigured to ensure safe access at the northwest corner of the lot. The grocer has provided a truck study that follows the path shown below but does not encroach in on-coming traffic lanes. At the very least we want to make sure that while addressing the wheel drag and the need for the delivery vehicles we have not made awkward points of conflict between the parking lot and the access ways. Subsequent to the workshop the applicant has revised the design for the North parking lot resulting in the loss of 6 parking spaces but providing room for 3 trash enclosures.

They will be striping the access way and there is a bump-out in the northwest corner of the site that will be removed. The plans they are proposing will clean this up and make it much safer. We will make sure to finalize the delivery access and ensure that the east/west lane is better defined. There will be an expectation of 7 trucks per day for deliveries. They will confirm the delivery schedule but are expected at off-hours.

Staff has worked closely with the developer to ensure adequate pedestrian access is provided to and through the site. A 6' sidewalk traverses the site along Harlem Avenue consistent with the sidewalk provided in the out lot. Due to the narrow parkway along segments of the ROW, the sidewalk encroaches on private property in some areas; this was the situation with the sidewalk for the out lot as well. There is also utility poles and fire hydrants in the way of a straight alignment; therefore, the sidewalk has been designed around some of these encumbrances. Those areas where the public walk encroaches onto private property will require a "Sidewalk and Public Access Easement Agreement" consistent with what was approved with the out lot development. Bike parking has been provided at the southwest corner of the proposed grocery store. A "Sidewalk and Public Access easement Agreement" will be required to be recorded prior to issuance of a certificate of occupancy as a condition of approval.

There are two trash enclosures at the rear of the grocery store. The trash detail indicates ground face “Oldcastle Burnished Finish” CMU enclosure which is a decorative concrete block. Per code (Section III. U.6.j.) trash enclosures must be “screened on three sides by a masonry wall consistent with the architecture and building material for the building it serves. Gates must be kept closed at all times and constructed of a durable material such as wood or steel.” The proposal meets the intent of the ordinance. There are several existing unenclosed trash enclosures along the rear of the property. Since these are not located in a defined enclosure they are haphazardly strewn throughout the rear delivery lane. As part of the renovation project, all dumpsters will need to be enclosed in appropriate enclosures. Staff is recommending this be a condition of the PUD. There is also a Mobile Generator in the rear of the grocer that will require screening and needs to be revised. New Plans were submitted that provides for eight (8) masonry trash enclosures. This resolves the requirement that all dumpsters enclosures will be located in a masonry enclosure. The mobile generator is not a permanent installation and is just brought in when needed.

All mechanical systems must be screened from view. The applicant has provided elevations (north, east and south) showing some of the roof top RTUs. Staff has requested verification that they cannot be seen from public view. A site line study is being prepared and will be presented. Staff has continued to work with the applicant regarding the screening of the rooftop mechanical systems. Parapet and rooftop heights have been adjusted so that all roof top units are screened from view from the right-of-way. A screen wall has also been added to the rear of the grocer entry parapet in response to Staff’s concern regarding seeing the rear of the parapet and bracing.

The grocer anticipates a need for some seasonal outdoor sales along the frontage of the store and/or in the parking lot. This can be addressed as part of an Outdoor Sales Display Level 1 application which requires administrative approval. Level 1 outdoor sales allows for this temporary use upon administrative approval for seasonal displays between April 15 and October 15. However, the applicant is requesting sales beyond this time frame (for winter holiday displays). This can be provided within the PUD as an exception.

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Parking is an imperfect science and zoning ordinances do their best to assign ratios based on the average intensity of the uses. In a large multi-tenant plaza such as TPP there are many shared parking opportunities as well as a wide range of intensity of uses amongst its tenancy. The original Tinley Park Plaza PUD was approved with 200,365 sq. ft. gross leasable area and 929 parking spaces resulting in an overall parking ratio of 4.64 parking spaces per 1,000 sq. ft. of gross leasable floor area for the entire plaza. There are several parking fields separated by access drives for this shopping center; the 4.64 ratio represents an overall ratio regardless of land uses or physical relationship between parking field and destination. Staff has provided an analysis of parking fields divided by the access drive on the north. This assumes that the parking surrounding the outlot has little utility for the in-line tenants south of the access drive especially since the north parking lot can provide parking for the most northern in-line tenant(s). It is also important to note that the introduction of a grocer in this phase shifts some of the parking load from the south parking field (south of the 161<sup>st</sup> Street access) to this phase. As with most grocers there are expectations by the tenant for a certain parking ratio; the developer has stated that the grocer is looking for a 4.5/1,000 sq. ft. ratio to serve their grocery

There are 424 parking spaces in the parking field south of the north access drive serving approximately 85,804 sq. ft. of retail space. This translates to a 4.94/1,000 sq. ft. ratio which exceeds the grocer requirement of 4.5/1,000 sq. ft. There are 59 spaces surrounding the outlot and with the proposed revisions to the north lot there are 28 spaces for a total of 87 parking spaces to serve approximately 22,690 sq. ft of retail space. This translates to a ratio of 3.83/1,000 sq. ft. This is less than the 4.64 ratio approved originally for the center; the decrease is due to the loss of parking spaces in the north lot.

Analyzing the parking for this entire area (Phase I & II) results in a total provision of 511 spaces as proposed. The total square footage of retail is 108,328 sq. ft. for a total overall ratio of 4.7/1,000 sq. ft. which exceeds the original approved ratio for the center of 4.64 parking spaces per 1,000 SF. As a point of comparison, the Zoning Ordinance requires 6.5 spaces per 1,000sq. ft. of gross leasable floor area for a planned shopping center. However, that ratio dates back to the 80’s and 90’s. By today’s standard this is excessive and is based on ‘the day after Thanksgiving’ parking counts. If the current standard is applied to this center, a total of 705 parking spaces is needed just for this phase—or 194 additional parking spaces. It is staff’s contention that retail locations are often ‘overparked’ resulting in seas of asphalt that are mostly unused and result in high energy, development and environmental

costs. As society continues to trend to more efficient modes of travel and less car dependent shopping patterns, it is Staff’s opinion that the relationship and proximity of parking to the uses, along with a balance of green space and good circulation patterns, translates to an appropriate parking ratio as proposed. As an exception to the code it will however still need to be noted as part of the PUD approval. The Commission did not express concern regarding the parking ration and it will be noted as an exception.

The existing architecture of Tinley Park Plaza is outdated and in need of significant remodeling. Staff has worked with the applicant to create an updated and modern look with quality materials that reflect some of the characteristics of the newly constructed outlot. The proposed design of the in-line stores and the existing design of the outlot building are compatible and consistent in architectural style, form, height, exterior building materials, fenestration, storefront systems as well as color palettes. The style and building forms, specifically the vertical and horizontal articulation, as seen on the horizontal metal awnings, brick pilasters and stepped tenant facades, promotes continuity between the in-line and outlot stores. Traditional aluminum storefront entry and glazing systems exist on both buildings. In addition, they are of similar height and both use similar exterior materials such as brick, stone accents, and EIFS. The brick veneer, decorative modern wall lighting and earth-tone EIFS colors help create consistent façade treatments throughout the site.

The two larger lease spaces at the south end of this phase deviate from the in-line tenant architecture to reflect some of the unique branding of the future soft goods retailer and grocer. While distinct in style, they maintain an aesthetic connection to the rest of the center through the sleek modern look of the building materials which reflect an architectural style with appropriate scale, massing and height. The soft goods tenant utilizes pre-cast concrete with a masonry pattern with porcelain tile accent areas near the entryway. The alucobond portal system pronounces the entryway with a distinguished brushed metal finish. The grocer also utilizes Stonewood phenolic panels (cementitious panels) in grey with corrugated metal and “electric lime” banding under the awnings for a striking yet understated accent. These materials represent a new trend in building materials that are durable, cost effective and modern in aesthetic.

The percentage of the building materials for the overall west façade is reflected below. It does not meet the 25% brick requirement (18% is brick or stone) or the 75% alternate masonry material (12% is pre-cast). A total of 15% of the façade can be used for architectural accents. There are several building material types listed that are not masonry that comprise 71% of the façade. These materials are listed as approved alternated materials (fiber cement, metal, phenolic panels, EIFS, and tile) and are typically used as accents and therefore are limited to 15% of the façade. In the proposed architecture some of these materials represent the primary façade treatment (such as metal or phenolic panels) and therefore necessarily exceed the 15% that was designed for accent treatments. The use of these ‘accent materials’ (fiber cement, phenolic panels, and metal represent a modern architectural style to the façade. The pre-cast concrete panel meets code requirements with its masonry pattern and constitutes less than 15% of the façade (13% is proposed).

<b>WEST ELEVATION MATERIAL PERCENTAGE</b>		
<b>MATERIAL</b>	<b>AREA</b>	<b>% OF (TOTAL-GLASS)</b>
BRICK/ STONE	2940 SQ. FT.	16%
PRE-CAST WITH MASONRY PATTERN	2310 SQ. FT.	13%
FIBER CEMENT	3517 SQ. FT.	19%
METAL	5365 SQ. FT.	29%
PHENOLIC PANELS	2775 SQ. FT.	15%
E.I.F.S.	1251 SQ.FT.	7%
PORCELAIN TILE	156 SQ. FT.	1%
TOTAL - GLASS	18,314 SQ. FT.	

Overall the west façade of this renovation phase is consistent with the design guidelines outlined in Section III.U. which requires attention to cohesive building design through the use of architectural style and building materials; compatible architecture with appropriate rhythm along the entire length of the façade in terms of scale, massing and setback; building articulation by introducing opportunities for shadow patterns with varied setbacks and canopies; and the screening of mechanical systems and trash enclosures. The proposed facades for the soft goods store and the grocery store exceed the 35’ height limitation for the B-3 district; the soft goods store is proposed at 36’4” and the grocery store is proposed at 36’8”. Staff considers these exceptions as minor in light of the large setback from Harlem Avenue. While taller than the in-line stores, they are in scale with the architecture of the buildings.

Additionally, the applicant has received updated architecture for the soft goods store that is different than what was originally presented. The colors and building materials remain the same. Below is the revised rendering for the soft goods retailer. The height of the soft good and grocery stores will also need to be noted as exceptions if approved by the Commission. The Commission did not express concern regarding the proposed architecture or building materials and it will be noted as an exception.

A Photometric Plan has been provided that provides light readings for the property as well as cut sheets for the selected light fixtures and standards. The light fixtures limit off-site glare and are consistent with lighting established in the out lot. The parking field in front of the grocer represents the highest foot-candles; the readings at the majority of the property line meet ordinance limits of 2 foot-candles. The tallest light standard is 40' which is consistent with existing poles in the parking lot. The maximum height allowed per ordinance is 25'. If the Commission approves this height variation it will be noted as an exception in the PUD ordinance. There are floodlights highlighting the front of the grocery store. The Commission did not express concern regarding the height of the light poles and it will be noted as an exception.

The proposed landscape plan represents an improvement over existing condition. Attempts have been made to meet landscape requirements especially with respect to bufferyards. Staff has prioritized entryways and foundation planting with a sensitivity to retain viewsheds from Harlem Avenue. With the increased sidewalk and pedestrian-friendly character along the front façade, low accent plantings and movable planters have been prioritized here that will animate the sidewalk zone. While most of the areas in front of the in-line tenants and soft goods store have included planting beds the area in front of the grocery store is provided with only movable planters; permanent planting beds are required to meet code requirements. All foundation planting beds must have a curbed edge to retain mulch.

Due to the limited parkway area along Harlem Avenue and constraints of the existing parking field/access configuration, staff supports increasing the size of shade trees from 2.5" cal. to 4" as a means to mitigate the deficiencies in bufferyard plantings; this will also provide for a more instant dramatic impact. The bufferyard for the east property line is accomplished with the existing solid wood fence. Any deficiencies in the fence will need to be corrected as a condition of PUD approval. All parking islands have been increased from the original proposal to a minimum width of 3.5' with many meeting the 9' width requirements. All planting areas will be irrigated; planting areas along the foundation will be required to have couplers to allow for easy irrigation of movable planters' Additional landscape planters have been placed along the foundation of the in-line stores within a curbed island. The repair of the fence and irrigation of all landscape beds will be a condition of the PUD.

Currently, there are 4 ground-mounted signs on the property. The main pylon sign located at the 161<sup>st</sup> Street access, will be removed and replaced with a 20' multi-tenant sign ground-mounted sign. The maximum height allowed for ground-mounted signs is 10'; however, there is precedent for a 20' tall freestanding sign for the shopping center across the street. This exception will need to be recognized as part of the PUD approval.

The overall frontage of the plaza exceeds 1,000 l.f. and therefore is allowed three (3) freestanding signs directly adjacent to the public frontage. Currently, there are four (4) freestanding signs on the property. With the three signs proposed as part of this phase, the Walt's freestanding sign will meet to be removed as part of the terms of their lease. This will be made a condition of the PUD.

Free-standing signs must be set back a minimum of ten feet (10') from the property lines and shall not obstruct clear sight triangles near intersections. The proposed 20' ground-mounted sign and the 10' ground sign at the south end of the plaza do not meet these requirements. The 20' sign cannot meet the required setback without closing the access from the parking lot to the 161<sup>st</sup> Street access therefore this exception will need to be noted as part of the PUD approval. The same configuration exists for the 10' sign at the south end of the plaza and will also require an exception. The 10' ground sign at the north entrance from Harlem does meet the 10' setback requirement. At the workshop the size of the signs was also discussed. The size limitation is 120 sq. ft.; the 20' tall sign has a sign area of 267 sq. ft. which exceeds the size limitation of 147 sq. ft. Staff supported the size exception noting the large setback for the stores from Harlem Ave. and that the height was in scale with the overall sign. This will require approval as an exception.

The applicant has been encouraged to submit a comprehensive sign package for wall signs however one has not been submitted and therefore will not be approved as part of the PUD.

Subsequent to the workshop it was discovered that comprehensive sign regulations for Tinley Park Plaza was adopted as part of the outlot approval. At that time the plaza was considered to be part of a PUD therefore the amendment for the signs on the outlot extended to the in-line stores. A copy of the amendment is attached and will govern the in-line signs which allow 1.5 Sq. Ft. of



wall sign area per 1 Sq. Ft. of tenant frontage. This exceeds current code of 1 Sq. Ft. of signage per 1 Sq. Ft. of tenant frontage. This increase in sign area was approved as a consequence of the excessive setback from Harlem Avenue.

The applicant has provided a separate wall sign proposal for the two larger units (soft goods retailer and grocer). Per the sign regulations the area of a sign is determined by drawing a single continuous perimeter around all letters. (see adjacent graphic) The soft goods retailer is requesting a sign that will total 297 Sq. Ft. in area with individual channel lit letters. With a tenant frontage of 147', the allowable wall signage is limited to 221 Sq. Ft.; therefore, an exception of 76 Sq. Ft. will need to be granted to allow for this sign.

Staff has spoken to the applicant in an attempt to negotiate with their future tenant regarding the proposed signage. Concessions have been made and prior submittals have been reduced, however their tenant is unwilling to reduce their sign any further. Staff believes there has been a good faith effort to comply with the code and supports the exception. In addition to the sign area the applicant is also requesting an exception to the maximum number of signs. The applicant is requesting a small non-illuminated logo to be placed adjacent to the doorway. The logo is fairly small (16 Sq. Ft. ) and includes a lot of negative space, (it is basically just an outline of their logo image). Staff is supportive of this request; however, it will need to be noted as an exception. The proposed sign meets the maximum lettering height at 72" (regulations allow up to 84").

The grocery store is proposing a wall sign that meets code requirements in size (204 Sq. Ft. when code allows 350 Sq. Ft.) letter height (6' when code allows 7') and number of signs per frontage. Although the graphic indicates 3 lines of lettering (code limits it to 2 lines of lettering), the third line is a logo. Since the main drive aisle borders its south façade, the grocer is allowed a second wall sign which will be approximately 70% of the size of the sign on the primary frontage (at 143.3 Sq. Ft.). (see below)

The Commission did not express concern regarding the height or size of the ground signs not the setback; these will be noted as exceptions. The soft goods retailer is requesting an exception of 76 sq. ft. in area for their wall sign and the number of wall signs per frontage by allowing one additional wall sign – 16 sq. ft. in area. These will be noted as exceptions. The removal of Walt's sign at the end of their lease will be a condition of approval.

Preliminary engineering is still under review. Fire Department as approve the proposed plans.

All of the staff recommendations have been completed or addresses and there are no open items.

ACTING CHAIRPERSON WEST asked the Petitioner to comment.

ACTING CHAIRPERSON WEST swore in the Petitioner.

Mr. Andrew Balzer, Brixmor replied that there was nothing to add and staff's work was comprehensive.

ACTING CHAIRPERSON WEST asked for comments from the Commissioner

COMMISSIONER GASKILL noted he was still opposed to the perpendicular parking in front of the buildings and he is questioning the one retail store being red brick.

Ms. Wallrich replied that it is not red brick it is red Nichiha Illumination Panels.

COMMISSIONER GASKILL inquired when will Walt's be leaving. He also inquired as to who the new grocer will be.

Ms. Wallrich replied it would be in the fall of 2021. She also replied that she is not aware of the who the new grocer will be and where there is their corporate headquarters will be. She also noted that they cannot divulge who the grocer is at this time and it is part of their agreement.

Mr. Balzer replied that at this time he is not able to announce who the grocer will be and cannot say where the headquarters is located.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSISONER ENGEL to close the Public Hearing for Andrew Balzar, Brixmor Property Group, on behalf of Centro/IA Tinley Park Plaza, LLC.

AYES: COMMISSIONER MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAYS: None

ACTING CHAIRPERSON WEST declared the Motion approved by voice call.

Ms. Wallrich noted the Standards and Criteria for Planned Unit Development

- 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. *The Property is greater than five acres and is under the single ownership and control of the applicant, Centro/IA Tinley Park Plaza, LLC.*
- 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. *The Special Use will not be injurious to the use and enjoyment of other property in the immediate area, nor substantially diminish and impair property values within the neighborhood as the property currently operates as a community shopping center with similar uses. The site will be well-landscaped with appropriate screening. The building will be constructed with quality materials. The project will be constructed meeting current Village building codes and is among the highest and best uses for a parcel at a heavily traveled intersection and is in conformance with the Village of Tinley Park Comprehensive Plan.*
- C. The uses permitted in the development are necessary or desirable and that the need for such uses has been clearly demonstrated. *The redevelopment of the center will allow for the continuation of existing uses and will include the addition of new retail which is consistent with the zoning for the property.*
- 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. *Tinley Park Plaza has operated as a commercial center for approximately 30 years and has been adequately supplied with utilities, and 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. *The developer has provided a timeline which provides for occupancy of the grocer by fall of 2021.*
- 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. *The proposed improvements are to a shopping center that currently operates with adequate ingress and egress access that minimizes traffic congestion in the public streets. All major drive aisles have been designed to meet code requirements; turning radii have been provided for delivery vehicles, garbage and fire trucks.*
- 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. *All access to the plaza is by way of public right-of-way. In some areas where the public sidewalk encroaches private property and public access easement is provided.*
- 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. *All required public easements necessary for utilities and sidewalks have been provided,*

- 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. *The property is located within a Tax Increment Financing District and is expected to receive an incentive utilizing anticipated increment; additional security is not warranted.*
- 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. *Several exceptions to the Zoning Ordinance have been requested related to aisle width, signs, lighting and building materials that have been reviewed and supported by the Plan Commission.*

Ms. Wallrich noted the Standards for Special Use:

- 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 Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because the proposed project is consistent with the district zoning (B-2) as a Community Shopping Center located on a commercial corridor which currently operates with the similar commercial uses as proposed. The project will be constructed meeting current Village building codes and is among the highest and best uses for a parcel at a heavily traveled intersection.*
- 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 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 as the property currently operates as a community shopping center with similar uses. The site will be well-landscaped with appropriate screening. The building will be constructed with quality materials.*
- 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 Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district because the majority of the property within this area has already been developed or is in the process of redevelopment. The property is appropriately located along a major commercial corridor.*
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided; *The proposed improvements are to a shopping center that currently operates with adequate utilities, access roads, drainage and/or other necessary facilities. Truck turning studies have been performed and improvements have been made to the plans to ensure appropriate accommodation of the delivery vehicles without impacting landscape islands or encroaching into oncoming traffic lanes. All on-site and accepted existing off-site drainage has been accounted for within the plans.*
- 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  
*The proposed improvements are to a shopping center that currently operates with adequate ingress and egress access that minimizes 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.

*The Special Use conforms to all other applicable regulations of the Zoning Ordinance and Village regulations except for certain exceptions as part of the PUD approval related to aisle width, timing of outdoor sales display areas, parking ratio, building materials, building height, light pole height, the height, size and setback of ground signs and size and number of wall signs. These exceptions are consistent with design and site design guidelines and contribute to the overall character of the development.*

- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.

*The proposed redevelopment will contribute directly to the economic development of the community by providing commercial services to residents and visitors, providing additional jobs, and providing additional property and sales tax revenue.*

Ms. Wallrich noted the Standards for Site Plan Approval & Architectural Review

#### 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.  
*Exceptions are requested for building materials for the soft goods and grocery store; the materials proposed are included in the list of approved alternate building materials although they exceed the 15% allowance.*
- 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. *The architecture of the façade is consistent on the west, north and south sides of the structure; the east side represents the rear of the stores and is screen by a 6’ privacy fence.*
- 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 out lots 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. *The architect has provided an architectural character in terms of scale, building material and overall design that his consistent with the architecture of the outlot.*
- 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. *The colors chosen for the in-line stores are consistent with the outlot building. The larger Jr. box stores reflects their prototypical colors.*
- 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). *The architecture reflects current commercial architectural trends.*
- 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. *Entry ways are prominent on the front façade of the tenant spaces.*
- 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. *The roof line is varied along the entire frontage.*

- 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. *The facades of both the in-line and Jr. boxes provide a variety of recesses and projections creating shadow patterns and movement along the frontage.*
- i. Screen Mechanicals: All mechanical devices shall be screened from all public views. *All roof top units will be screened from the Harlem Avenue ROW.*
- 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. *All trash enclosures will be enclosed in a masonry enclosure.*

#### 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. *As an existing facility the parking field could not be relocated to the rear or side.*
- 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. *Loading areas are located at the rear of the building.*
- 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. *There is not outdoor storage; outdoor sales displays are allowed. An exception to allow outdoor sales display beyond ordinance limitations will be considered as part of the PUD approval.*
- 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. *Share parking is provided throughout the Plaza; a truck route has been reviewed and considered as part of the site plan review.*
- 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. *Pedestrian access has been encouraged through the provision of sidewalks along Harlem Avenue as well as connections between Harlem Avenue and the center with appropriate crosswalk designations. Bicycle parking has also been provided.*

ACTING CHAIRPERSON WEST asked for a Motion

#### **Motion 1 (Site Plan):**

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER GASKILL to grant the Petitioner, Brixmor Property Group, on behalf of Centrol/IA Tinley Park Plaza, LLC (Property Owner), Site Plan approval in accordance with plans as noted in the List of Submitted Plans within the Staff Report and attached to the Plan Commission Meeting Packet, to redevelop the property located at 15917-15957 Harlem Avenue.”

AYES: COMMISSIONER MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAYS: None

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

**Motion 2 (Special Use for a Planned Unit Development with Exceptions):**

A Motion was made by COMMISSIONER AITCHISON, seconded by COMMISSIONER MANI to recommend that the Village Board grant the Petitioner, Brixmor Property Group, on behalf of Centrol/IA Tinley Park Plaza, LLC (Property Owner) for approval of a Special Use for a Planned Unit Development, (Tinley Park Plaza- Phase 1), in accordance with plans as noted in the List of Submitted Plans within the Staff Report and attached to the Plan Commission Meeting Packet ,and adopt Findings related to the Standards for a Planned Unit Development and for a Special Use as outlined in the staff report to redevelop the property located at 15917-15957 Harlem Avenue with the following exceptions to the Village Zoning Ordinance:

1. An exception of the required 26' aisle width in a parking lot to allow 24' aisle widths as defined in the approved Site Plan;
2. An exception to the allowed time period for Outdoor Sales Displays to allow for outdoor sales displays at any time during the year in accordance with ordinance time limitations;
3. An exception to the required parking ratios to allow for a total of 511 parking spaces in accordance with the approved site plan;
4. An exception of the required building materials to allow for the use of alternate building materials in the percentages identified in the approved architectural elevation plans;
5. An exception in the maximum building height of 35' to allow structures to be built at a height of 36'4" and 36'8";
6. An exception to the maximum light pole height of 25' to allow light poles to be retained or erected at 40' in height;
7. An exception to the maximum ground sign height of 10' and area of 120 Sq. Ft. to allow a ground sign to be erected 20' in height and 267 Sq. Ft. in size;
8. An exception to the required ground sign setback of 10' to allow two ground signs to be installed with a 2' setback; and
9. An exception to the maximum size for a wall sign (1.5 Sq. Ft./1 L.F. of tenant frontage) and maximum number of wall signs (1 per primary frontage) to allow one 296 Sq. Ft. wall sign for the soft goods retail store and a second wall sign measuring 16 Sq. Ft.

With approval conditioned upon:

1. Recordation of Sidewalk and Public Access Easement Agreement prior to occupancy;
2. Screening of roof top mechanical units from Harlem Avenue viewshed;
3. Repair of fence along east property line;
4. Irrigation of all landscaped areas;
5. Removal of Walt's sign at the end of their lease;
6. Final engineering

AYES: COMMISSIONER ENGEL, MANI, AITCHISON and ACTING CHAIRPERSON WEST

NAYS: COMMISSIONER GASKILL

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

ACTING CHAIRPERSON WEST noted this item will be heard at the Village Board on Tuesday September 1, 2020.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**  
**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**  
**SUBJECT: MINUTES OF THE AUGUST 20, 2020 REGULAR MEETING**  
**ITEM #4 WORKSHOP/PUBLIC HEARING – Dreamland Academy Inc., 7901 167<sup>th</sup> Street – Special Use Permit for a Child/Day Care Center**

Consider recommending that the Village Board grant Zuzanna Gaj, on behalf of Dreamland Academy Inc (Contract Purchaser), approval of a Special Use Permit for a child care center on property located at 7901 167<sup>th</sup> Street in the R-6 (Medium Density Residential) zoning district. No changes to the exterior building or site are being proposed with this project. No changes to the exterior building or site are being proposed with this project.

Present Plan Commissioners: Acting Chairperson, Kehla West (Participated electronically)  
Eduardo Mani (Participated electronically)  
Lucas Engel (Participated electronically)  
Mary Aitchison (Participated electronically)  
James Gaskill (Participated electronically)

Absent Plan Commissioners: Garrett Gray  
Angela Gatto  
Steven Vick

Village Officials and Staff: Paula Wallrich, Planning Manager (Participated electronically)  
Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

Guests: Zuzanna Gaj

Dan Ritter, Senior Planner presented the Staff Report. The Petitioner, Zuzanna Gaj, on behalf of Dreamland Academy Inc. (Contract Purchaser), is seeking approval of a Special Use Permit for a child care center at 7901 167<sup>th</sup> Street in the R-6 PD (Medium-Density Residential, Brentowne South PUD) zoning district.

The Petitioner currently operates a state-licensed child care center at 7777 159<sup>th</sup> Street in Tinley Park. They are looking to purchase the property at 7901 167<sup>th</sup> Street and relocate their existing child care center, Dreamland Academy, to the subject property. From the site's original development in 1980 until this year, the site was owned and operated by Bobbie Noonan Child Care. The subject property is designed to look like a single-family home, similar to those in the neighboring subdivision, but was specifically constructed to meet the requirements of a child care center. Previously the site was approved to have a capacity of 109; the Petitioner is proposing to have a limit of 33 children. With the lower child total, it is expected the traffic and parking demands will be substantially less than there are under the previous operator.

- Hours of Operation: 6:00am – 6:00pm (Monday – Friday)
- Number of Full-Time Employees: 5
- Number of Children: ~33 (pending DCFS approval of new location)
- Ages of Children: 2 – 5 years old

Parking on the site is limited to parallel parking at the front entrance drop-off. The original approvals for the day care center included an informal agreement for use of up to ten parking stalls at the adjacent church for employee parking. The Petitioner has been working to contact the church for a similar agreement but believes they can actively manage the parking on the site to avoid any overflow to the street near the residences. The facility has only a few visitors, usually current or prospective parents, that typically have an appointment. Pick-ups and drop-offs times are also managed with parents to avoid large rushes or lines. They do have a verbal agreement with the church for additional parking.

The subject property consists of two lots that total approximately 17,500 sq. ft. in size. The property is located on the southwest corner of 167<sup>th</sup> Street and Paxton Avenue. The two lots were originally planned to be residential homes in the Brementowne South Subdivision. However, in 1978, the Bobbie Noonan Child Care proposed having a child care center on the property of one lot and an outdoor play area for the daycare on the second lot. The Site Plan and Special Use Permit (Ord. #78-O-020) for a child care facility were approved in October 1979. The structure was completed and occupied in 1980. The original Special Use approval included requirements that the structure be designed to look similar in style architecturally to the homes in the adjoining neighborhoods. Additionally, the site was approved with only five parking parallel parking stalls and it was expected that a parking agreement would be put in place with the neighboring church for employees to park. Access was originally on 167<sup>th</sup> Street, where on-street parking was also available. However, access was changed prior to construction due to engineering and safety concern.

In 1983, Bobbie Noonan Child Care received approval to construct an addition on the west side of the building. An amendment to the Special Use was not required at that time since it appears it was interpreted as one zoning lot and no expansion of the business operations. The access was converted to one-way with the site plan approval with spaces to park proposed on both sides of the drop off area. In 2007, a Variation was received for a seven-foot-high open style PVC fence to be constructed. The fence height was due to the raised elevation of the playground and was the recommendation of the Department of Child and Family Services (DCFS) to increase to that height from the existing four-foot fence at the time. There are no known issues or concerns noted about the site while Bobbie Noonan operated on the site. It is not known if Bobbie Noonan maintained the parking agreement with the church after the original approval, although, it has been noted that street parking along 167<sup>th</sup> Street was occasionally used by visitors of the business. Bobbie Noonan was approved through DCFS to have as many as 109 children at the facility.

The Petitioner has operated a DCFS state-licensed child care facility in Tinley Park since 2015, when they received a Special Use Permit (Ord. #2015-O-037) to operate a 2,200 sq. ft. child care center at 7777 159<sup>th</sup> Street. That location is leased in a multi-tenant building with medical uses. The operations of the new child care center will remain the same as they are at the current location. There have been no known issues or complaints at their current location. Prior to opening in Tinley Park, Dreamland Academy also operated a licensed home-based child care center since 2013 in Hickory Hills that remains in operation today.

The subject site is located in the R-6 PD (Medium-Density Residential, Brementowne South PUD). To the south and east of the subject property is the same Brementowne South PUD, which was designed with a mix of uses, including single-family homes, townhomes, two-family homes, and multi-family buildings. Directly to the south of the subject property, is a residential structure that functions as either single-family or two-family. To the east is a single-family home. To the west is Tinley Park Community Church located in the B-3 zoning district. To the north across 167<sup>th</sup> Street is a single-family home zoned R-4 in the Parkview Subdivision/PUD.

Child/day care facilities are a unique use because they are traditionally viewed as a commercial/business use. However, they often tend to start as home-based child cares, they do not require drive-by traffic, and there is a convenience for parents to have them located near to the residential areas in which they live. In this way, child/day cares are very similar to traditional schools. Having children in lower-density areas with parks with less traffic and noise also has advantages for the centers. Day cares also tend to have limited hours of operation with small parking demand, as they function mainly with a vehicle pick-up and drop-off system. It is likely for these reasons that they are permitted with a Special Use Permit in the residential-oriented R-6 (Medium-Density Residential) and R-7 (High-Density Residential) zoning districts. These two zoning districts are the highest residential density districts in the Village and are often near commercial areas with easy access to public streets. Child/daycare facilities also require Special Use approval in the B-1, B-2, and B-3 zoning districts. Unique concerns with the use in general include their proximity to surrounding uses that may not be compatible with children, as well as ensure pick-up operations do not cause any traffic issues on private property or public roads.

The operations of Dreamland Academy on the subject property are expected to be the same as their existing child/day care center location at 7777 159<sup>th</sup> Street. Child care is provided for children ages two to five years old and the facility will be open from 6:00am – 6:00pm Monday thru Friday. The daycare is currently licensed for up to 33 children at any one time but may be limited by DCFS and Fire Department code requirements. The daycare is staffed by up to five employees at any time. All employees must follow DCFS protocols and have had background checks, have experience in child care, and have taken courses related to child care. Staff also completes CPR and First Aid courses. The site offers an existing outdoor space and playground that is enclosed by a seven-foot-tall fence. The facility will require re-inspection by the Fire Department and DCFS to make sure it is safe and compliant with all code requirements. However, since the building very recently operated as a child care facility, it is expected that few changes will need to be made with the site to comply with the requirements.



The Petitioner is proposing to keep a maximum of 33 children, which is significantly less than Bobbie Noonan's 109 maximum that was previously permitted. Due to the decrease in the number of children, both drop-off traffic and parking is expected to be decreased from the prior use. Drop-offs and pickups are typically scheduled with parents ahead of time and that gives staff the opportunity to stagger the times parents come and explain rules for parking, pick-up, and drop-off. Safety measures are utilized such as sign-in and sign-out procedures, surveillance cameras (indoor and outdoor), fire alarms/fire sprinkler systems, and burglar alarms.

The Village Zoning ordinance provides some guidance for required parking for various uses; however, there is no specific reference for a day or child care facility. In these situations where a specific use is not listed, the Plan Commission has authority to approve the parking based on the Petitioner's proposal and similar uses noted in the ordinance. Depending on the site and use being proposed, a professional parking study is sometimes utilized to better understand the site, existing uses, and the proposed use in terms of the parking supply and demand. In this case, the site has operated as a child/day care facility since 1980 without any known issues and therefore provides some history about how the site can operate.

The existing site has approximately six parallel parking stalls located along the pick-up/drop-off aisle and dumpster enclosure located adjacent to Paxton Avenue. The property also has adjacent on-street parking on 167<sup>th</sup> Street and Paxton Avenue. The drive aisle requires restriping prior to their occupancy and staff is requesting that proper traffic control signage be installed the entrance and exits indicating "One-way/Entrance" and "Do Not Enter/Exit". Additionally, parking stalls will need to be striped so that the maximum number of vehicles can be parked safely on site. One parking stall will need to be an accessible space compliant with the Illinois Accessibility Code. A recommended condition has been placed on the approval with these improvements being required along the access aisle.

While the parking on the site is rather limited, the Petitioner feels they can manage the parking and understands their need to control and limit any on-street parking around the residential area to the south and east. No formal complaints have been filed previously and there were no known issues when Bobby Noonan operated at this location. Typically, parents simply drop their kids off at the door at an agreed upon time and an employee takes them into the building. Parents or guests will typically only enter the building with an appointment. With the current pandemic, guest and parent access has been even further limited at child care centers, which is expected to remain typical for the foreseeable future. The drop-off operations and parking demand are expected to be substantially less than Bobbie Noonan Child Care had and hours of operation are limited to 6am to 6pm.

The Petitioner does not anticipate any substantial site changes, as the site and building are currently designed to be a child care center in compliance with state standards. However, a few upgrades and corrections will be made on the site that will bring it in to code compliance prior to occupancy. These changes include landscaping modernization, signage, painting/staining the dumpster enclosure, and directional striping/signage along the drop-off aisle. A street tree is also required to be replaced along the Paxton Avenue frontage parkway. The special use has been conditioned that these code and property maintenance items will be resolved prior to occupancy.

ACTING CHAIRPERSON WEST noted she had confirmation of the legal notice for this public hearing be published in the local newspaper as required by state law.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to open the Public Hearing on Dreamland Academy, 7901 167<sup>th</sup> Street.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

ACTING CHAIRPERSON WEST asked for comments from staff or Commissioners.

Mr. Ritter noted he did receive comments in the form of emails from parents with their children enrolled in Dreamland and they were all very positive and in support of the new location.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to CLOSE the Public Hearing on Dreamland Academy, 7901 167<sup>th</sup> Street.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice vote.

Mr. Ritter noted the Standards for Special Use:

- 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 daycare is a relatively low-intensity use with operating hours limited to weekdays. The property has operated as a child care facility for 40 years without any known issues. The facility will be state-licensed and meet all building and fire code requirements for a child care facility.***
- 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 daycare is a relatively low-intensity use with operating hours limited to weekdays. The property has operated as a child care facility for 40 years without any known issues. Total occupancy and parking will be managed on-site to avoid parking issues on Paxton Avenue and the neighboring residential 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;
  - ***The property was developed and has operated as a daycare for 40 years. All neighboring properties have previously been developed.***
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
  - ***The site was previously developed and has adequate existing utilities, access roads, and drainage.***
- 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
  - ***The loading area for children pick-up and drop-off is existing and has functioned for 40 years without any known issues. The drop-off and pick-ups are proposed to be managed to avoid any parking issues or backups onto 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.
  - ***The business and property will otherwise conform to zoning, building, and fire codes. The facility will be licensed and inspected by the state regularly for compliance as a child care center.***
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
  - ***The property was designed to be a child care facility and the use will allow it to continue to operate as one. The property would be costly to convert to a residential use that would be permitted in the R-6 zoning district and would likely take longer to market and occupy as a residential use. Child care facilities provide employment themselves as well as a needed service for both residents and workers in the area.***

A Motion to recommend that the Village Board grant the Petitioner, Zuzanna Gaj, and behalf of Dreamland Academy Inc. (Contract Purchaser), a Special Use Permit for a child care center on the property located at 7901 167<sup>th</sup> Street in the R-6 PD (Medium-Density Residential, Bremetowne South PUD) zoning district, in accordance with the plans submitted and adopt Findings of Fact as proposed by Village Staff in the August 20, 2020 Staff Report, subject to the following conditions:

1. The occupancy of the facility shall be limited to a maximum of 33 children. The total occupancy may be raised to 100 total children if an appropriate cross-parking agreement is put in place with the neighboring church property. If at any time after the parking agreement is in place, it is canceled or no longer valid, the occupancy revert to 33.
2. Any missing site landscaping or parkway trees shall be replaced prior to occupancy.
3. The Access aisle shall be striped with parking stalls and directional markings. Directional signs shall be posted at the entrance and exit. An accessible parking stall shall be striped and signed in accordance with the Illinois Accessibility Code

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by roll call.

This item will be heard at the Village Board on September 1, 2020

**COMMENTS FROM THE PUBLIC**

None

**GOOD OF THE ORDER**

1. There is a new Nashville Hot Chicken Restaurant going in where Fajita's was, called FRY THE COOP. There is another location in Oak Lawn, if you would like to try them out before they open up here.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to adjourn the August 20, 2020 Plan Commission Meeting.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON and ACTING CHAIRPERSON WEST.

NAY: None.

ACTING CHAIRPERSON WEST declared the Motion approved by voice call.

ACTING CHAIRPERSON WEST declared the Plan Commission Meeting adjourned at 9:03 pm.