



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

SEPTEMBER 17, 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 September 17, 2020.

At this time, CHAIRMAN GRAY, 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. CHAIRMAN GRAY confirmed Commissioners and Staff were able to communicate. All replied affirmatively. CHAIRMAN GRAY then addressed ground rules for the effective and clear conduct of Plan Commission business.

Secretary Bennett called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Mary Aitchison (Participated electronically)
James Gaskill

Absent Plan Commissioners:

Angela Gatto
Kehla West

Village Officials and Staff:

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

CALL TO ORDER

PLAN COMMISSION CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for September 17, 2020 at 7:00 p.m.

COMMUNICATIONS

None

APPROVAL OF MINUTES

Minutes of the September 3, 2020 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER VICK to approve the minutes as presented.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

DRAFT

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE SEPTEMBER 17, 2020 REGULAR MEETING

**ITEM #1 Public Hearing – Pete’s Fresh Market – 16300 Harlem Avenue
Special Use for a Substantial Deviation of the Park Place PUD**

Consider recommending that the Village Board grant Petros Drimonas, Pete’s Fresh Market, on behalf of 163rd & Harlem LLC (property owner) a Special Use for a Substantial Deviation of the Park Place Planned Unit Development (89-O-048) for a phased development located at 16300 S. Harlem Avenue, Tinley Park. The granting of this request will allow for the use of the former K-Mart structure as a warehouse/distribution center in Phase 1. Phase 2 shall include the construction of a new grocery store (Pete’s Fresh Market), associated retail (approximately 119,000 Sq. Ft.) and renovation of the former K-Mart store for an additional 38,000 Sq. Ft. retail as Phase 2.

Present Plan Commissioners: Chairman Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Mary Aitchison (Participated electronically)
Steven Vick (Participated electronically)
James Gaskill

Absent Plan Commissioners: Angela Gatto
Kehla West

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

Guests: Eugene Grzynkiewicz, PM Realty, Inc. (Participated electronically)
John Bradshaw, Architect. (Participated electronically)

CHAIRMAN GRAY noted he 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 VICK to open the Public Hearing for Pete’s Fresh Market

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

Paula Wallrich, Planning Manager, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.

CHAIRMAN GRAY asked the applicant for comments and swore in the Petitioner and Architect.

Eugene Grzynkiewicz, PM Realty Inc. noted he had nothing to add to the presentation. He noted that Ms. Wallrich did an excellent job on the presentation to explain phase 1 and phase 2. Phase 2 is currently being worked on and the site development plan will be tweaked. We will be presenting that in the near future. He has been in contact with Ms. Wallrich and he foresees no issues to the Village’s request.

John Bradshaw, Architect had nothing to add, but is open for any questions.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER VICK inquired when the proposed grocery store opens, will it have the interior loading and unloading docks? Mr. Wallrich replied that it would.

CHAIRMAN GRAY inquired if the proposed warehouse will have hours of operation from 5 a.m. to 5 p.m. Ms. Wallrich replied that it would and 5 a.m. to 5 p.m. is for phase 1. Chairman Gray inquired if this would be revisited if there is a need. Ms. Wallrich replied that is correct.

CHAIRMAN GRAY noted that repurposing the sign is okay. There would be no need to take the sign down if it can be repurposed in the future. He has no issues with putting the concrete sidewalk in phase 2. The Commission would concur with staff that all this is contingent on having a grocery store by September of 2022.

CHAIRMAN GRAY asked for comments from the Public.

CHAIRMAN GRAY swore in Jim and Lynn Romanenghi, neighbors on Lake Villa Avenue, behind the proposed development.

Lynn Romanenghi noted their concern is noise. When the K-Mart was there, the trucks would idle all day and all night in the winter. She would like to make sure the trucks that will be there behind the new store will not be idling. She would like to make sure the hours will be from 5 a.m. to 5 p.m. and it will not be in the middle of the night or the evening.

Dan Ritter, Senior Planner noted the warehouse space with those hours is what is getting approved tonight and they will make sure that does not happen. The store portion might be different hours but that would come forward with the approval for that phase 2 project.

Jim Romanenghi inquired about the 43,000 sq., ft. retail store and the deliveries to that place. Their house is right behind where it is proposed. Mr. Ritter replied right now the municipal ordinance limits that deliveries would have to be between 10 a.m. and 7 p.m. If they want to change that, and it has been changed by Sam's Club (7 a.m. to 10 p.m.) it could be done. Pete's would probably want the hours a little earlier, so they would have to come back as part of phase 2 and ask for that. As they do not have the retail space yet, they do not know what their needs are.

Lynn Romanenghi also noted they are concerned about the hours of the store. K-Mart was open 24 hours a day which meant music was being blasted and the cars would do donuts in the parking lot. She was constantly calling the police. They need to take into consideration that because they are building this right in front of them, the hours cannot be 24 hours. Pete's should consider putting in speed bumps to contain the speed in the lot.

Eugene Grzynkowicz noted the hours of operation are going to be from 7 a.m. to 10 p.m. for the store. The delivery hours are from 6:30/7:00 a.m. to 5 p.m.

Jim Romanenghi inquired about the construction noise. Pete's should soundproof the back windows. There were people doing donuts and hanging out late at night in the K-mart parking lot previously.

Mr. Ritter noted with all development there is a short time where there is going to be some construction noise but it is part of making improvements to all properties. There are ordinances for construction hours to limit disturbances.

Eugene Grzynkowicz replied that the warehouse is proprietary to Pete's Market. Its sole purpose is to feed the Pete's Market stores. We have complete control of the warehouse and the grocery store. He is always open to talk with the Village police department and would sign an agreement with them regarding control to police this site. This would include parking and being in the fire lane and also contributing to the problems they have had in the past to mitigate those issues. Mr. Grzynkowicz noted the construction would generally be from 7 a. m. to 5 p.m.

Mr. Ritter noted it will help when they flip the parking to the other direction and the addition of landscape islands that don't exist now. There is less room for speeding and donuts in the parking lot.

Mr. Grzynkowicz noted they are condensing this large parcel of asphalt and densifying it with buildings. When this happens you really start to close down the opportunity for people to run rapid. They will monitor it though and contact police if needed.

Lynn Romanenghi inquired if Pete's Market will own the retail space and rent it out. Her major concern is that they do not get another 24 hour business. This is a problem when you are trying to sleep.

Ms. Wallrich replied that they will own it and be leasing those out. As we move on to phase 2, you will receive another notice and it will be addressed then.

Mr. Ritter noted they should feel free to contact staff about questions about phase 2 or to see the plans before the next meeting. One of our biggest concern is the residential areas and they would be glad to walk them through the phase 2 development once it is submitted.

CHAIRMAN GRAY asked the Commissioners if there were any further comments.

There were none.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AITCHISON to close the Public Hearing for Pete's Fresh Market.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

Ms. Wallrich presented the Standards for Special Use for a Substantial Deviation of the Park Place PUD as noted in the Staff Report.

CHAIRMAN GRAY asked the Commissioners for comments on the Standards.

There were none.

Motion 1 (Site Plan):

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER VICK to grant the Petitioner, Petros Drimonas, Pete's Fresh Market, on behalf of 163rd & Harlem LLC (property owner), Concept 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 16300 Harlem Avenue.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

Motion 2 (Special Use for a Substantial Deviation of the Park Place PUD with Exceptions and Conditions):

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER MANI to recommend that the Village Board approve a Special Use for a Substantial Deviation of the Park Place PUD to allow warehouse/distribution uses as part of Phase 1 as an accessory use to a grocery store to be occupied by September 1, 2022, and thereafter the warehouse/distribution use is prohibited as a use independent from the grocery store use, 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 Special Use as outlined in the staff report for Phase I of property located at 16300 Harlem Avenue with an exception to allow the overnight storage of five (5) delivery vehicles parked at the loading dock, conditioned upon occupancy of the grocery store by September 1, 2022, prohibition of outdoor storage, and the planting of street trees prior to Phase 1 occupancy.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will be heard at the Village Board Meeting on October 6, 2020.

The staff report was presented at the meeting and is hereby entered into the record.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE SEPTEMBER 17, 2020 REGULAR MEETING
**ITEM #2 Workshop/Approval – Chipotle Commercial Building (Formerly Bank of America),
7228 191st Street – Site Plan Approval**

Consider recommending that the Village Board grant Daniel Abdo on behalf of Glazier Development Group (Contract Purchaser), is seeking a Site Plan Amendment to make site and façade changes for a two-tenant commercial building at 7228 W 191st Street in the B3 PD (General Business and Commercial, Brookside Marketplace PUD) Zoning District.

Present Plan Commissioners: Chairman Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Mary Aitchison (Participated electronically)
Steven Vick (Participated electronically)
James Gaskill

Absent Plan Commissioners: Angela Gatto
Kehla West

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

Guests: None

Dan Ritter, Senior Planner, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.”

CHAIRMAN GRAY asked the Applicant to comment.

There was no applicant in attendance.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER VICK noted:

- The fence design needs to be consistent design between the two different patios.
- There should be requirements to make sure if the pickup lane becomes a drive thru lane then there should be a traffic study. That condition is a good idea.
- The landscaping design is okay. The end island trees are being adequately offset by the new landscaped areas.
- Overall, they have done a good job on the site design.
- The pick-up order sign needs revision and agrees with that condition.

COMMISSIONER MANI has no issues with the open items and he agrees with COMMISSIONER VICK.

- There is a safety concern that needs to be addressed on the SE corner of the building. Fencing should be installed to create a barrier so pedestrians/children cannot walk out in front of the pickup lane.

Mr. Ritter replied that this is a good point and he will discuss with the applicant to make it more pedestrian friendly and avoid that blind spot. We will have them close it off and remove the crosswalk at that location.

CHAIRMAN GRAY noted these are good comments regarding the safety concern. This is a blind spot where a fence should be installed. The

sidewalk and the landscaped area there should be removed across the pickup lane. Cars are coming out of the drive thru area and there is a blind spot. The drawing on the staff report shows a fence blocking off that area.

Mr. Ritter replied this is a good point and that this will be addressed.

CHAIRMAN GRAY noted he echo's Commission Vicks comments.

- If a new tenant comes in and the pickup is changed to a drive thru, a traffic study should be done.
- The architecture is good.
- The outdoor patios should be kept consistent.
- The signs should conform with the rest of the signs on Brookside Drive.

A Motion was made by COMMISSIONER VICK, seconded by COMMISSIONER MANI to grant the Petitioner, Daniel Abdo, on behalf of Glazier Development Group (Contract Purchaser), Site Plan Approval for the property located at 7228 W. 191st Street in accordance with the plans submitted and listed herein, subject to the following conditions:

1. If the drive-up aisle is not utilized in the future, a new site plan approval is required prior to occupancy of the space or immediately upon the decommissioning of the drive-up operations.
2. Any changes in drive-up window or parking demand from what was presented requires a new traffic/drive-thru analysis and prior approval to ensure the on-site drive-thru stacking and parking is sufficient.
3. Site Plan Approval is subject to final engineering plan review and approval by the Village Engineer.
4. The pick-up window directional sign shall be revised to comply with the Zoning Code and PUD requirements."

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

The staff report was presented at the meeting and is hereby entered into the record.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE SEPTEMBER 17, 2020 REGULAR MEETING

**ITEM #3 Workshop/Public Hearing - New School for Massage, Bodywork & Healing,
18440 Thompson Court, Suite 10 - Special Use Permit**

Consider recommending that the Village Board grant New School for Massage, Bodywork & Healing (tenant), approval of a Special Use Permit for a vocational massage school at 18440 Thompson Court, Suite 10 in the ORI (Office & Restricted Industrial) zoning district.

Present Plan Commissioners: Chairman Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Mary Aitchison (Participated electronically)
Steven Vick (Participated electronically)
James Gaskill

Absent Plan Commissioners: Angela Gatto
Kehla West

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

Guests: Emmanuel Bistas, Owner of the school
Marilyn Monaco, Property Manager

Paula Wallrich, Planning Manager, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.”

CHAIRMAN GRAY asked for comments from the Petitioner.

Marilyn Monaco, Property Manager noted Ms. Wallrich explained everything.

CHAIRMAN GRAY asked for comments from the COMMISSIONERS.

CHAIRMAN GRAY inquired if there would be people coming into the class rooms to be worked on.

Mr. Bistas replied that there would only be students in the school. No outsiders would be allowed for being practiced on. Massage Therapy could be vulnerable and for safety, no one would be allowed other than students. Even during the admissions tours, outsiders would not be allowed in the class rooms.

CHAIRMAN GRAY noted he would be now be proceeding to the Public Hearing.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER VICK to open the Public Hearing for New School for Massage Therapy.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing be published in the local newspaper as required by state law.

CHAIRMAN GRAY noted anyone wishing to speak will be sworn in.

CHAIRMAN GRAY asked for comments from the COMMISSIONERS.

There were none.

CHAIRMAN GRAY asked for comments from the Petitioner.

Mr. Bistas replied he had no comment other than being very excited for this opportunity to be here and speak with the Commission.

CHAIRMAN GRAY asked for comments from the Public.

There were none.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER VICK to open the Public Hearing for New School for Massage Therapy.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice call.

Ms. Wallrich noted the Standards for Special Use as stated in the Staff Report.

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER AITCHISON to recommend that the Village Board grant a Special Use Permit to the Petitioner, Marilyn Monaco, Property Manager, for a Special Use on behalf of Steve Vernon, SAVI Properties, LLC, for a Vocational Educational Facility to be located at 18440 Thompson Ct., Suite 10, in the Hickory Creek Planned Unit Development (PUD) and adopt Findings of Fact as proposed by Village Staff in the Staff Report.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, AITCHISON, VICK and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by Roll Call.

The staff report was presented at the meeting and is hereby entered into the record.

This item will be heard at the Village Board Meeting on October 6, 2020.

GOOD OF THE ORDER

1. Staff has reviewed permit requests on Brixmor Development.
2. Magnuson Residential Development on 191st is in for permit and is being reviewed.
3. Dan and Kimberly are virtually attending the APA Illinois Conference. There has been interesting sessions on reinventing suburban corridors. Also sessions on the many changes regarding Covid-19, outdoor dining and legal considerations, sustainability with landscape design, and granting economic development incentives. If any Commissioners are interested in attending the Commissioner Training at the state conference in the future, let staff know and it would be possible.

COMMENTS FROM THE PUBLIC

There were none.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER MANI to adjourn the September 17, 2020 Plan Commission Meeting.

AYE: COMMISSIONERS MANI, ENGEL, GASKILL, VICK, AITCHISON and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice call.

CHAIRMAN GRAY declared the Plan Commission Meeting adjourned at

8:53 pm.



Petitioner

Petros Drimonas, Pete's
Fresh Market, on behalf of
163rd & Harlem LLC
(property owner)

Property Location

16300 S. Harlem Avenue

PIN

27-24-202-020-0000 &
27-24-202-021-0000

Zoning

B-3 PD (General Business
and Commercial, Park
Place PUD)

Approvals Sought

Special Use for a
Substantial Deviation of
the Park Place Planned
Unit Development

Concept Site Plan
Approval

Project Planner

Paula J. Wallrich, AICP
Planning Manager

PLAN COMMISSION STAFF REPORT

September 17, 2020 – PUBLIC HEARING

Special Use for a Substantial Deviation of the Park Place Planned Unit Development, Concept Site Plan Approval

16300 S. Harlem Avenue

REVISIONS TO WORK SHOP STAFF REPORT ARE NOTED IN RED

EXECUTIVE SUMMARY



Pete's Fresh
(PFM) recently
purchased the
K-Mart

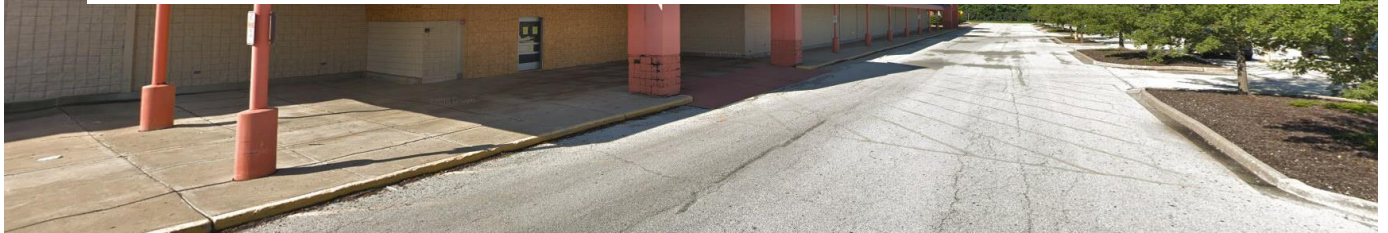
Market
former

property at 16300 Harlem Avenue and have presented a conceptual development proposal that includes new construction of a $\pm 76,000$ sq. ft. grocery store and $\pm 43,000$ sq. ft. retailer. They also propose to redevelop the former K-Mart store to provide an additional $\pm 38,000$ sq. ft. of retail space and $\pm 138,000$ sq. ft. of accessory warehouse/distribution space. The proposal will require an amendment to the existing Park Place Planned Unit Development as a Substantial Deviation. The project will be developed in phases, with Phase 1 comprising the re-use of the former K-Mart building for warehouse/distribution uses. Phase 2 will include the construction of a Pete's Fresh Market grocery store and associated retail. Phase 2 will also include the renovation of the former K-Mart store to include an additional $\pm 38,000$ sq. ft. of retail and maintain the warehouse/distribution uses as accessory to the grocery store.

HISTORY

The proposed development for Pete's Fresh Market is located in the Park Place PUD, adopted November 7, 1989 (89-O-045). The original planning for this property included Single Family (R-1) and General Business and Commercial uses (B-3) with the hope of attracting a hotel, restaurant, office and retail uses. Additionally, there were hopes to build a 9-hole golf course as part of the mixed-use PUD. The residential uses were constructed on the west side of the property and in 1993 the Village amended the PUD (93-O-36) to allow for the construction of the Aldi store. A PACE Warehouse Store (a membership buyer's club) was already constructed north of Aldi and is now occupied by Sam's Club. Two years later in 1995, the Village amended the PUD again to provide for the K-Mart store (95-O-001) and outlot; the required stormwater management essentially eliminated any future plans for a golf course. The perimeter fencing, landscape berms and parking lot improvements were all constructed with the development of the K-Mart store.

EXISTING SITE & PHASING



The proposed development comprises two of the four parcels previously owned by the K-Mart corporation. Parcel 1 (27-24-202-020-000) comprises almost 26 acres and includes the former K-Mart Store with associated parking. Parcel 2 (27-24-202-021-000) is just over an acre in size and is undeveloped (see graphics below.) There are two other parcels under PFM ownership but they are located south and west and are undevelopable (contain floodplain and storm water detention for the site) for a total of 52 acres. The Substantial Deviation will cover both parcel 1 & 2, however the proposed project is primarily planned for Parcel 1.



The



project will be developed in phases with the first phase involving the use of the former K-Mart store for warehouse/distribution uses. Due to COVID-19, Pete's Fresh Market has experienced increased demand for warehouse space at their existing warehouse facilities. Currently, their warehouses contain dry goods and some non-grocery related items such as fixtures and spare equipment for their stores. PFM proposes to use the vacant

K-Mart store to relocate these items to make room for more grocery related items in their existing warehouse facilities. They have also stated that during this time of COVID-19 they have been presented with purchasing opportunities for items of necessity that have been difficult to keep stocked in their stores. Therefore, they propose to use the Tinley Park property to store some of these products as well.

PFM has committed to beginning construction for Phase 2 by June 1, 2021, therefore no physical alterations are planned for the site or building for Phase 1 beyond continued maintenance and life safety requirements for occupancy of the warehouse at this time.

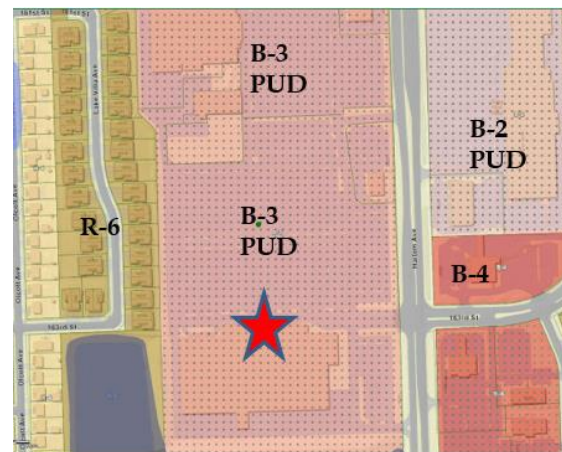
Phase 2 will comprise the construction of a Pete's Fresh Market grocery store ($\pm 76,000$ sq. ft.) with an additional $\pm 43,000$ sq. ft. of associated retail. This phase will also include the renovation of the former K-Mart store to include an additional $\pm 38,000$ sq. ft. of retail that will wrap around the northeast corner of the former K-Mart Store. Phase 2 will allow for the continuation of the warehouse/distribution uses as accessory to the grocery store and will involve the construction of five (5) additional loading docks on the west side of the existing loading dock. Discussions with the applicant have resulted in an anticipated schedule for Phase 2 as follows:

November 15, 2020	Phase 2 PUD submittal by PFM
January 21, 2021	PC # 1 workshop - Pete's PUD Phase 2
February 4, 2021	PC #2 Public Hearing - Pete's PUD Phase 2
February 15, 2021	VB First Reading, Pete's PUD Phase 2
March 1, 2021	VB Adoption, Pete's PUD Phase 2
April 1, 2021	PFM submit for building permit
May 15, 2021	Village issue building permit
June 1, 2021	Groundbreaking
September 1, 2022	Grand opening of Pete's Fresh Market

ZONING & NEARBY LAND USES

The subject parcel is located in the Park Place PUD with the underlying zoning of B-3. It is located along Harlem Avenue, one of the Village's major commercial corridors.

The property to the north is also zoned B-3 PUD (Park Center Plaza PUD) and is developed with commercial uses. The property to the west is developed with two-family duplexes, zoned R-6. To the east, across Harlem Avenue, the property is zoned B-4 (Office and Service Business District) and is occupied by a medical office building. Just north of the medical office building is the Tinley Park Plaza retail center and is zoned B-2 PUD. South of the subject property is an unincorporated and undeveloped parcel that has been used for various recreational uses (frisbee golf and dog park) that is operated by the Tinley Park-Park District.



Pete's Fresh Market is seeking several approvals. They are requesting approval of the overall conceptual site plan and final approval of the Special Use for the Substantial Deviation that will provide for the warehouse/distribution use in Phase 1 and the construction of $\pm 119,000$ Sq. Ft. of retail use and the renovation of $\pm 38,000$ Sq. Ft. in the former K-Mart Store for retail uses in Phase 2. As part of the Substantial Deviation they are requesting several exceptions to the Village Code as noted below in "Open Items".

SUBSTANTIAL DEVIATION

Warehouse/Distribution Use:

Warehouse/distribution uses are permitted in the M1 (General Manufacturing) and MU-1 (Mixed Use Duval Drive) zoning districts. They are not a Permitted or Special Use in the B-3 district, which is the zoning of the subject parcel. Any consideration of permanent, non-permitted uses on this site requires a Special Use for a Substantial Deviation of the PUD. Earlier this year the Village adopted an amendment to the Zoning Ordinance to allow warehouse/distribution uses as a temporary use in a B-3 district with conditions. The Village Board approved a 6-month temporary use permit for a warehouse/distribution use for PFM on May 19, 2020. However, after discussions with staff it was recommended they follow the more permanent solution that aligns with their long-term goal of developing the site for a new grocery store with associated warehouse/distribution uses. They are requesting the use of the former K-Mart store for the storage of dry goods and equipment. They plan to occupy $\pm 138,000$ sq. ft. of the existing structure and will not be installing any racking or other permanent improvements as part of Phase 1. They are not planning on making any improvements to the exterior of the building as part of Phase 1; however, with Phase 2 there will be erecting demising walls to provide for the new retail space that will anchor the northeast corner of the building. There will also be façade and site improvements to the existing building with Phase 2.

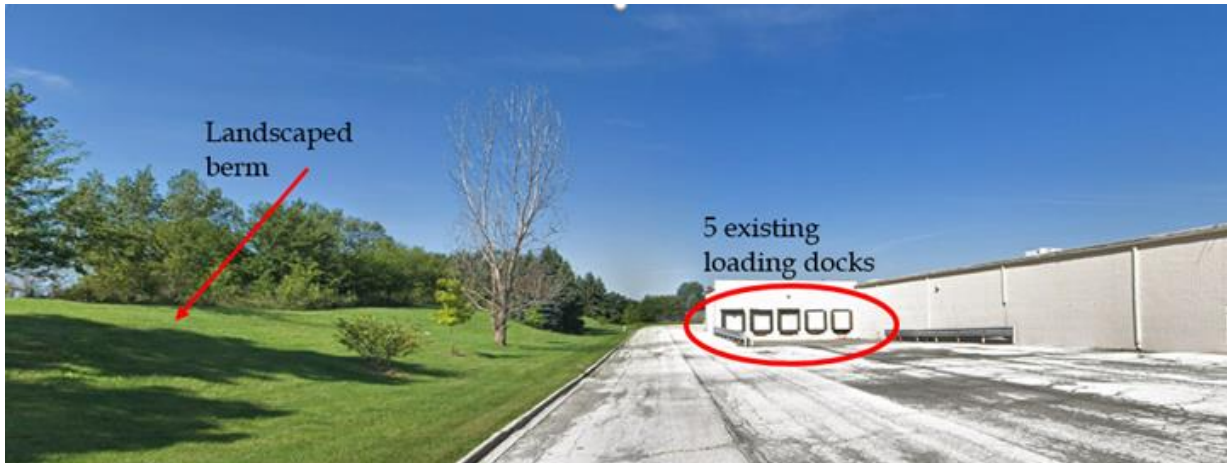
Warehouse/distribution uses are defined as “Warehouse, Distribution Plants and Wholesale Establishments (are) engaged in the storage, wholesale, or distribution of manufactured products, supplies and equipment, excluding bulk storage of material that are flammable or explosive.” The consideration of a warehouse/distribution use in the B-3 district necessarily requires an analysis of potential negative impacts resulting from the use. Traffic volume and pattern, screening, hours of operation, noise, overnight storage of delivery vehicles, and outdoor storage are all issues that require thorough consideration and mitigation tactics. Each issue is addressed below:

Traffic volume/pattern: Currently there are 5 docks on the east side of the dock area at the south side of the store. In Phase 1, PFM will continue to use these docks. In Phase 2 they will construct 5 additional docks on the opposite (west) side of the dock area. PFM anticipates no greater than 15 trips per day in Phase 1. As a point of comparison, deliveries are made at the Aldi and Sam’s Club as well as for the former K-Mart store. The number of trips for Phase 2 will be reviewed upon that submittal; staff will recommend a traffic study at that time.

In Phase 1 the proposed route for delivery truck traffic is as depicted in a counter clockwise fashion around the building. Routing will be reassessed with Phase 2 that will eliminate trucks traversing along the front (north) side of the former K-Mart store.



Open Item #1: Discuss the impact of anticipated delivery truck traffic volume and truck routing. The Commission did not express concern for delivery truck volume and routing for Phase 1. Concern was expressed for Phase 2 and it was noted that a traffic study will be required with Phase 2 with attention given to separating truck traffic from customer traffic.



Screening of dock area: There is a berm just south of this area with mature landscaping that provides screening for northbound traffic on Harlem Avenue. There is also existing landscaping along Harlem Avenue that provides screening from the public ROW, except for the opening at the right-in/right-out access. (See below). There is a solid



wood fence along the west property line. It is important to note that the residential area does not abut the former K-Mart store.



The docks are screened from Harlem Avenue view except for the narrow opening for the right-in/right-out access.

Open Item #2: Discuss the ability to screen the loading docks from public view. The Commission recognized the merits of existing berm and landscaping but felt that the parkway trees along Oak Park Avenue could be planted in Phase 1.

Hours of operation: PFM is requesting deliveries be allowed between the hours of 5:00 a.m. and 5:00 p.m. These hours conform to their operations and deliveries/receiving of product. In a review of deliveries for the Sam's Club and Aldi's the following information was provided:

Sam's Club	7:00 a.m.- 10:00 p.m.
Aldi	Liquor: 9:00 a.m. Milk: 6:00 a.m. Food: anytime after store closes (drivers have keys)

It is important to note that Aldi and Sam's Club border residential uses; the loading dock for PFM is on the south side of the former K-Mart store with a distance of over 500' from the dock to the back of the nearest home. To allow for deliveries between the hours of 5:00 a.m. and 5:00 p.m. will require an exception to the PUD ordinance.

Staff noted 2 municipal ordinances that regulate loading operations between the hours of 10:00 a.m. and 7:00 p.m. within 300 feet of residential uses. The docks in Phase 1 are 500' from residential uses and therefore will not require an exception as part of Phase 1.

Open Item #3: Discuss the impact of requested hours of operation for warehouse/distribution use of 5:00 a.m. to 5:00 p.m. The Commission did not express concern for the requested operational hours as part of Phase 1; however it was noted that it will become an issue that will need to be addressed in Phase 2 when 5 additional docks will be constructed and the new Pete's Fresh Market will have loading areas within 300' of residential areas. Pete's representative noted that the docks for the grocery store will be interior and that loading will be conducted in an enclosed area.



Noise: Per Section V.9.A. of the Village Zoning Ordinance there are maximum permitted sound levels at property boundaries abutting residential districts. For commercial uses the maximum is level 55 dBA during the hours of 7:00 a.m. and a maximum of 45 dBA during the hours of 10:00 p.m. to 7:00 a.m. These standards will be enforced; however, until the facility is operational the levels cannot be defined.

Open Item #4: Discuss the potential for noise impact from the loading area. This will be monitored after occupancy.

Overnight Storage of Delivery Vehicles: PFM is requesting the storage of delivery trucks overnight. These will be parked only at the docks; therefore, there would be a maximum of 5 trucks parked overnight on the south side of the structure as part of Phase 1.

There are two code requirements governing the overnight storage of delivery vehicle: Per Section V.C.7.e.: "Parking of trucks, when accessory to the conduct of a permitted use, shall be limited to vehicles having not more than 1 ½ tons capacity - except for pick-up or delivery service during normal business hours. Any truck exceeding 1 ½ tons capacity shall be adequately screened from public view when parked." Per the section discussed above regarding the screening of the dock area, it is staff's opinion that the dock area is adequately screen from public view.

In addition, per Section III.O., overnight parking of delivery vehicles defined as "Open Storage- Level 1, and over 8,000 pounds in weight" is prohibited in the B-3. PFM is requesting an exception to this requirement and will commit to limiting the overnight storage of delivery vehicles to five (5) parked in the existing dock area. The approval of overnight storage of delivery vehicles will require an exception to the PUD ordinance.

Open Item #5: Discuss the impact of overnight storage of five (5) delivery vehicles at the loading dock. Approval will require an exception to the PUD ordinance. The Commission did not express concern regarding this request that will be noted as an exception.

Outdoor storage: Per Section V. of the Zoning Ordinance “All business, service, storage, merchandise display and where permitted, repair and processing, shall be conducted wholly within an enclosed building”. The outdoor storage of “goods, products, materials or light equipment” is defined as “Open Storage- Level 2”, which is prohibited in the B-3 district. Staff has discussed this concern with the PFM and they have stated there will be no outdoor storage related to the warehouse/distribution use. All materials and equipment will be stored inside. Staff recommends making this a condition of approval for the Substantial Deviation.

Open Item #6 Discuss outdoor storage; conditioned approval on the prohibition of outdoor storage. The Commission agreed with staff's recommendation to prohibit outdoor storage as a condition of approval.

Approval of the Special Use for a Substantial Deviation of the Park Place PUD: The Petitioner is requesting approval of a non-permitted use (warehouse/distribution) in the Park Place PUD. Per Section VII.C. 3.b. “Uses permitted in a Commercial Planned Unit Development shall be as prescribed by the Plan Commission and **may include uses not permitted by the use regulations of the district in which said development is located**; however, the Plan Commission shall find that the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the development.” The primary purpose of the Park Place PUD is for commercial uses and the proposed construction and renovation of retail space is consistent with that purpose. The proposed warehouse/distribution use is considered a subordinate or accessory use to the retail uses. The warehousing of project will support the operations of the grocery store. As such it is important that any approval of a warehouse/distribution use be conditioned upon the construction and operation of a grocery store. This will eliminate the possibility of the warehouse/distribution use operating independent of a grocery store. Due to the timing proposed by PFM there will be a period of time (2 years) that the warehouse/distribution use is operating independently of the primary use (grocery store). Staff recommends any approval of the warehouse/distribution use be conditioned upon the occupancy of a grocery store no later than September 1, 2022.

Open Item # 7: Discuss recommending for approval the warehouse/distribution use conditioned upon occupancy of a grocery store no later than September 1, 2022. The Commission agreed that the warehouse/distribution use should be accessory to the grocery store and recommended that approval be conditioned upon occupancy of the grocery store by September 1, 2022.

CONCEPT SITE PLAN

The Petitioner is requesting approval of the conceptual site plan as presented in the adjacent graphic. Final landscaping, lighting and parking ratios will be reviewed with Phase 2, along with architectural plans. The applicant is not proposing any signage with Phase 1 however there currently exists a non-conforming sign at the 163rd entrance that staff is recommending be removed as part of Phase 1. A complete sign package proposal will be required with the submittal for Phase 2 which will allow for a conforming ground sign.

The plan provides for the redesign of the parking field so that the drive aisles are perpendicular to the main retail tenant (Pete's Fresh Market.) Staff supports the reconfiguration of the parking lot; however, the south aisle will need a landscape buffer to avoid conflicts from cars backing into the main drive aisle that runs along the north side of the K-Mart building. (See diagram below.)

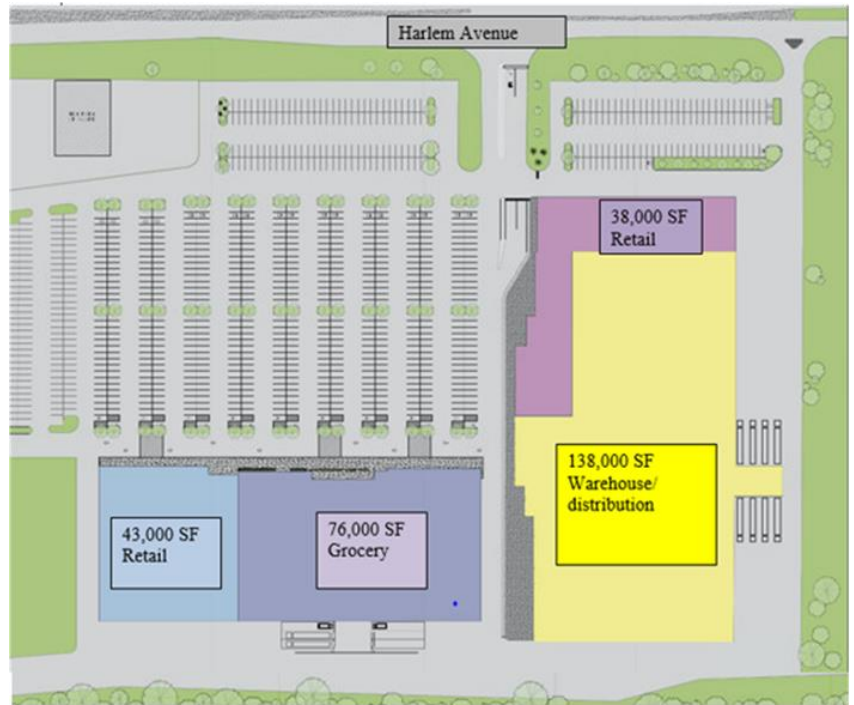
A 6' public sidewalk will need to be extended from the 163rd Street access to the south property line. Staff discussed the 6' sidewalk and the possibility of installing it with Phase 1. Subsequent to the meeting staff discuss the timing of improvements with the applicant who requested the sidewalk be constructed with Phase 2 along with other concrete work. It was noted that there will be no pedestrian traffic generated with Phase 1 and therefore the importance of the sidewalk is more associated with Phase 2.

Private sidewalks (6') will need to be installed from the public walk east to connect with the internal walkway system. (see diagram below). Crosswalks will need to be installed where pedestrian access crosses drive aisles.

Open Item # 8: Discuss recommending for approval the Site Plan Concept with recommendations as noted by staff and conditioned upon the removal of the non-conforming ground sign and the installation of a sidewalk along Oak Park Avenue south of 163rd Street as part of Phase 2 improvements.

MAINTENANCE OF SITE

As stated above, the warehouse will be operating approximately 2 years prior to opening of the new grocery store. (Construction will commence in June 2021). The site has been vacant since 2017 and continues to deteriorate. Code enforcement has been working with the property owner to ensure that the grass and weeds are maintained. There continues to be some issues related to left over sign posts, litter, condition of the fence and areas of the building that require maintenance and, in some areas, painting, and repair. Since these issues are fluid and will change over time, staff recommends these issues remain under Code Enforcement jurisdiction.



Open Item #9: Discuss on-going maintenance issues on the site. The Commission concurred with Staff's recommendation to allow Code Enforcement personnel to monitor site maintenance.

RECOMMENDATION

The following open items are recommended for discussion at the workshop:

Open Item	Recommended Action
#1	Discuss the impact of anticipated delivery truck traffic volume and truck routing. The Commission did not express concern for delivery truck volume and routing for Phase 1. Concern was expressed for Phase 2 and it was noted that a traffic study will be required with Phase 2 with attention given to separating truck traffic from customer traffic.
#2	Discuss the ability to screen the loading docks from public view. The Commission recognized the merits of existing berm and landscaping but felt that the parkway trees along Oak Park Avenue could be planted in Phase 1.
#3	Discuss the impact of requested hours of operation for warehouse/distribution use of 5:00 a.m. to 5:00 p.m.; approval will require an exception to the PUD ordinance. The Commission did not express concern for the requested operational hours as part of Phase 1; however, it was noted that it will become an issue that will need to be addressed in Phase 2 when 5 additional docks will be constructed and the new Pete's Fresh Market will have loading areas within 300' of residential areas. Pete's representative noted that the docks for the grocery store will be interior and that loading will be conducted in an enclosed area.
#4	Discuss the potential for noise impact from the loading area. This will be monitored after occupancy.
#5	Discuss the impact of overnight storage of five (5) delivery vehicles at the loading dock. Approval will require an <u>exception</u> to the PUD ordinance. The Commission did not express concern regarding this request that will be noted as an <u>exception</u> .
#6	Discuss outdoor storage; condition approval on the prohibition of outdoor storage. The Commission agreed with staff's recommendation to prohibit outdoor storage as a <u>condition</u> of approval.
#7	Discuss recommending for approval the warehouse/distribution use conditioned upon occupancy of a grocery store no later than September 1, 2022. The Commission agreed that the warehouse/distribution use should be accessory to the grocery store and recommended that approval be conditioned upon occupancy of the grocery store by September 1, 2022. The warehouse/distribution use is considered to be accessory to the grocery store and therefore will not be allowed to operate independent of the grocery store.
#8	Discuss recommending for approval the Site Plan Concept with recommendations as noted by staff and conditioned upon the removal of the non-conforming ground sign and the planting of street trees as part of Phase 1. The installation of a sidewalk along Oak Park Avenue south of 163 rd Street will be required as part of Phase 2 improvements.
#9	Discuss on-going maintenance issues on the site. The Commission concurred with Staff's recommendation to allow Code Enforcement personnel to monitor site maintenance.

STANDARDS FOR A SPECIAL USE

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. **The Special Use request is for the Substantial Deviation that includes the warehouse/distribution use as Phase 1 with exceptions and conditions and the construction of approximately 157,000 Sq. Ft. of retail in Phase 2 in general conformance with the Concept Plan.**

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

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; **The Special Use for the warehouse/distribution use is conditioned upon occupancy of the grocery store by September 1, 2022. The warehouse/distribution use is considered to be accessory to the grocery store and therefore will not be allowed to operate independent of the grocery store. The approval of the warehouse/distribution use is conditioned upon additional screening, monitoring of noise levels and on-going property maintenance. The proposed retail uses proposed for Phase 2 are consistent with the original planning for commercial uses in the Park Place PUD.**
- 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; **There currently exists, landscaping and a wood fence that provides screening of the property. The site has previously functioned as a large commercial use with loading activities. There are performance standards to monitor noise levels resulting from loading activities.**
- 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 majority of adjacent property is developed in accordance with current zoning and the Comprehensive Plan. Existing access will direct future development in the area.**
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided; **The subject parcel previously operated as a large retail discount store with deliveries. Site engineering for drainage and access exists and will support the proposed improvements.**
- 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 subject parcel previously operated as a large retail discount store with deliveries with existing access points from Harlem Avenue. No other points of ingress/egress are planned as part of Phase 1.**
- 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. **As part of the Substantial Deviation the applicant is requesting the warehouse/distribution use which is not a permitted use in the B-3 district. Possible impacts have been reviewed and found not to be a negative impact on surrounding uses. The approval of the prohibited use is conditioned upon occupancy of the grocery store by September 1, 2022, removal of the existing non-conforming sign, no outdoor storage, and the planting of the required street trees along Harlem Avenue as part of Phase 1. There will also be the construction of a 6' sidewalk along Harlem Avenue as part of Phase 2. Exceptions to Village Code include the overnight storage of 5 delivery vehicles parked at the loading dock.**

- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole. **The property tax resulting from the project and the proposed 157,000 Sq. Ft. of retail will contribute to the Village's property and real estate tax revenue.**

It is also important to recognize that a Special Use Permit does not run with the land and instead the Special Use Permit is tied to the Petitioner. This is different from a process such as a variance, since a variance will forever apply to the property to which it is granted. Staff encourages the Plan Commission to refer to Section X.J.6. to examine the conditions where a Special Use Permit will expire.

STANDARDS FOR SITE PLAN APPROVAL

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

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. **The parking field currently exists (as part of the former K-Mart Store) which is on the side of the K-Mart building. There is little opportunity to design it differently and maintain delivery access.**
- 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. **Phase 1 loading is on the south side (rear) of former K-Mart building; Phase 2 will include loading at the rear of the new grocery store which will be enclosed inside the store.**
- 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. **Outdoor storage is not permitted.**
- 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. **Shared access is provided; safe pedestrian access if designed as part of Phase 2.**
- 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. **This will be designed as part of Phase 2.**

MOTIONS FOR CONSIDERATION

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

Motion 1 (Site Plan):

"...make a motion to grant the Petitioner, Petros Drimonas, Pete's Fresh Market, on behalf of 163rd & Harlem LLC (property owner), Concept 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 16300 Harlem Avenue."

Motion 2 (Special Use for a Substantial Deviation of the Park Place PUD with Exceptions and Conditions):

"...make a motion to recommend that the Village Board approve a Special Use for a Substantial Deviation of the Park Place PUD to allow warehouse/distribution uses as part of Phase 1 as an accessory use to a grocery store to be occupied by September 1, 2022, and thereafter the warehouse/distribution use is prohibited as a use independent from the grocery store use, 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 Special Use as outlined in the staff report for Phase I of property located at 16300 Harlem Avenue with an exception to allow the overnight storage of five (5) delivery vehicles parked at the loading dock, conditioned upon occupancy of the grocery store by September 1, 2022, prohibition of outdoor storage, removal of the non-conforming pole sign and the planting of street trees prior to Phase 1 occupancy.

LIST OF REVIEWED PLANS

Submitted Sheet Name		Prepared By	Date On Sheet
1	Color Site plan	CT	3.30.20
2	Color Site plan- Staff recommendations	CT	3.30.20

CT: Camburas & Theodore, Ltd



Petitioner

Daniel Abdo, on behalf of
Glazier Development
Group (Contract
Purchaser)

Property Location

7228 W. 191st Street

PIN

19-09-01-401-017-0000

Zoning

B3 PD (General Business
& Commercial, Brookside
Marketplace PUD)

Urban Design Overlay
District

Approvals Sought

Site Plan Approval

Project Planner

Daniel Ritter, AICP
Senior Planner

PLAN COMMISSION STAFF REPORT

September 17, 2020 – Workshop/Approval

Chipotle Commercial Building (Formally Bank of America)

7228 W. 191st Street



EXECUTIVE SUMMARY

The Petitioner, Daniel Abdo on behalf of Glazier Development Group (Contract Purchaser), is seeking a Site Plan Amendment to make site and façade changes for a two-tenant commercial building at 7228 W 191st Street in the B3 PD (General Business and Commercial, Brookside Marketplace PUD) Zoning District.

The proposed Site Plan Amendment allows for the previous Bank of America building to be converted to a multi-tenant commercial building that includes a Chipotle restaurant. In 2019, a Substantial Deviation from the PUD and a Site Plan Amendment were approved to allow Jimmy John's to complete a building addition, façade changes, and to have a drive-thru. The current Chipotle proposal will be similar to that approval, but will not include the building addition. Additionally, the site will have outdoor patios, landscaping additions, and more parking than the previously approved site plan. A drive-up pre-order pick-up window is proposed instead of the typical drive-thru operation. The proposed pick-up window will have a lower traffic demand and quicker wait times than approved with the Jimmy John's proposal and thus no additional approvals are required for the pick-up window.

The adaptive reuse of an existing vacant bank building is likely to create a more economically productive site than another bank. The second tenant has not been identified yet, but the space is being designed and marketed to allow for a second food-service tenant. The proposed site changes are an upgrade to the property by allowing for more successful site circulation and drive-up operations than the previous approval. The landscaping, pedestrian connectivity, and the exterior appearance of the site are also expected to improve with the redevelopment.

EXISTING SITE & HISTORY

The subject property is located in the Brookside Marketplace shopping center. Brookside Marketplace has a large number of national commercial retail stores (Target, Best Buy, Dick's Sporting Goods, and Kohl's, among others). Additionally, there are a number of commercial out lot buildings throughout the center, which house a mix of smaller retail and service uses. The majority of the shopping center was constructed between 2004 and 2010. The most recent buildings, Panera Bread restaurant and the Pier 1 Imports multi-tenant building, were completed in 2015. The subject property was originally designed for Bank of America, who occupied the building from 2006 until 2015 and has been vacant since that time. The bank site was designed to be easily converted to a restaurant or another commercial use, including requiring increased parking numbers and completion of a larger trash enclosure. However, it was the only outlot with an exterior orientation for its architecture; the rear of the building faces the interior ring road and the front faces Harlem Ave.





2019 Approval

In 2019, the property owner (C82 Commercial LLC) proposed changes that allowed for a building addition and Jimmy John's to have a drive-thru restaurant. The second tenant had not been identified at that time. That approval included a Special use for a Substantial Deviation that allowed for an additional drive-thru to be permitted in the Brookside Marketplace PUD. The site changes were made to allow for proper site circulation and drive-thru operations. Since that time, the Jimmy John's franchise group was sold and the new owner was no longer interested in opening at the subject property. The site plan and façade approvals from 2019 are shown below and even though the work was not completed, they are the approved plans being amended by the Petitioner's request.





ZONING & NEARBY LAND USES

The subject property (see the yellow star on the graphic below) is zoned B-3 PD (General Business and Commercial, Brookside Marketplace Planned Unit Development). The Brookside Marketplace shopping center includes many notable businesses such as: Target, Best Buy, Kohl's, Dick's Sporting Goods, Michaels, TGI Fridays, Panera Bread, Taco Bell and Arby's. The property is also located in the Urban Design Overlay District which promotes, among other things, appropriately designed and scaled developments that are friendly to different types of transportation including walking and biking.

The land surrounding Brookside Marketplace is primarily undeveloped land. To the east it is zoned B3 (General Business and Commercial), to the west (former Graystone Golf Course) is zoned ORI (Office and Restricted Industrial) and to the south is a mix of unincorporated farmland zoned R1 (Single-Family Residential) and B3 (General Business and Commercial). The overall area is envisioned to develop with commercial and entertainment-type uses.

Brookside Marketplace shopping center has had new buildings, additions, and façade changes since its original conception. However, changes have continued to stay true to keep the original vision of high-quality design and uniform building architecture with heavy use of masonry and natural color tones. The original vision of the shopping center included a heavy reliance on quality retail and for standalone sit-down restaurants with limited fast food and drive-thru restaurants. The original PUD limited the overall center to two drive-thru restaurants and only allowed additional drive-thru restaurants if the number of standalone sit-down restaurants exceeded a total of three. Currently, there are: Two fast food/drive-thru restaurants: Arby's and Taco Bell and Three standalone sit-down dining restaurants: TGI Fridays, Hot n' Juicy Crab (previously Boston's) and Panera (standalone restaurants are permitted to have an "ancillary drive-thru"). The PUD was amended to allow for a third drive-thru for Jimmy John's in 2019, as outlined in the above section.



PROPOSED USE

The proposed building is expected to include a Chipotle Mexican Grill with a pre-order pick-up window that uses approximately 2,400 sq. ft. of floor space. They have a high reliance on carryout business but will also offer dine-in and patio seating. The pick-up window and patio seating were always strong preferences of new Chipotle locations; however, the COVID-19 pandemic has made these more of a necessity in any new locations. The pick-up concept is relatively new for Chipotle, but has been successful in other locations due to the added convenience for customers and employees. Chipotle's concept is built on customization of their entrees and thus a traditional drive-thru concept is not appropriate for them due to longer ordering and preparation times. The remaining 2,060 sq. ft. of the building is expected to be a single-tenant space. There is not a contract on that tenant space, but it is being marketed to other food-related tenants, which is why an outdoor patio has been provided there as well. However, a number of different commercial tenants permitted in the B3 zoning district can occupy the space in the future.



SITE PLAN

The existing site has three points of access. The proposed site plan eliminates one of these which provides a more successful traffic flow through the site and avoids traffic conflicts due to vehicle stacking in the pick-up lane. The new layout provides a more traditional flow around the building and avoids a conflict point near to the pick-up lane.

The previous bank had a drive-up canopy on the south side of the building which will be removed with the Chipotle proposal and replaced with a drive-up window. The result is a site that can function with a traditional two-way access around the entire building, compared to the one-way access previously approved for Jimmy John's that resulted in some concerns with site circulation. The additional space on the south side due to the canopy removal also provides space for additional parking stalls, an expanded dumpster enclosure, and a buffer that separates the pick-up and main drive aisles.



The patio seating is provided at the east side of the building near the entrances. The two patios are proposed in areas that are currently landscaped end islands that have light poles located in them as well. The new patios will require removal of two trees and minor changes to the site lighting. Staff recommends the patio fencing be the same design for both tenants to provide a uniform aesthetic to the building with a maximum height of four feet and open design. The Commission may elect to make this a condition of approval.

Preliminary and final engineering was not supplied with the plans because they are changes to an existing site. However, final engineering approval is required with the building permit to ensure grades and slopes on the site will keep a positive stormwater flow that prevents ponding and also that accessibility requirements are met. Staff recommends approval be conditioned upon final engineering.

Open Item #1: Review the overall site plan changes, proposed traffic circulation, and proposed patios additions with consistent fence design and final engineering a condition of approval



PARKING & DRIVE-THRU STACKING

Parking

The existing site has 33 parking stalls. The proposed site plan indicates a total of 50 parking stalls for a total increase of 17 stalls on the site. The Petitioner has indicated that each tenant space will have up to 60 seats and five employees working. The Zoning Ordinance requires that there be one stall for every three seats and one stall for

each employee. This requires a total of 50 parking stalls, which they have provided on the site to meet the requirements. If the second commercial space is a “retail store and personal service establishment,” the required parking minimum is lower than the restaurant use with a required minimum of 13 stalls (6.5 stalls per 1,000 sq. ft. of floor space).

Typically, there is some concerns that the existing parking supply is tight compared to demand and does not allow for much flexibility. However, due to the ability for different uses and parking demand to change over time in a shopping center and the desire to avoid overbuilding surface parking on every site, there are existing cross-parking and cross-access easements placed over most of the shopping center. This is further promoted by the Urban Design Overlay District’s design standards for large-scale developments like Brookside Marketplace, which requires cross-parking whenever possible to avoid excess asphalt and parking areas typical of shopping areas developed in the 70s, 80s, and 90s. If there is an occasional increase in parking demand, it is expected that the overall shopping center parking field will more than accommodate the increase.

SITE PARKING ANALYSIS:		
TENANTS	SEATS / EMPLOYEES	PARKING REQUIRED / PARKING PROVIDED
CHIPOTLE	ASSUMED 60 SEATS	60 SEATS / 3 = 20 STALLS 5 EMPLOYEES = 5 STALLS
	ASSUMED 5 EMPLOYEES	20 + 5 = 25 REQUIRED STALLS
TENANT B	ASSUMED 60 SEATS	60 SEATS / 3 = 20 STALLS 5 EMPLOYEES = 5 STALLS
	ASSUMED 5 EMPLOYEES	20 + 5 = 25 REQUIRED STALLS
TOTAL	ASSUMED 120 SEATS	REQUIRED PARKING 25 + 25 = 50 REQUIRED STALLS
	ASSUMED 10 EMPLOYEES	PARKING PROVIDED 50 STALLS PROVIDED

Pick-up Lane

The proposed pick-up lane will be used by customers who have placed pre-orders via the Chipotle phone app or website. The order will give them a pick-up time and notify them when the order is ready. Chipotle has custom ordering of their food, that is prepared made-to-order. That model does not work well for drive-thru ordering because of the longer ordering and preparation times that lead to more stacking demand and longer wait times. For that reason, Chipotle is not proposing that any orders be placed at the window or in line. Staff recommends this protocol be placed as a condition of approval. Additionally, any change in this protocol will require a traffic analysis. The concept has been marketed as a “Chipotlane” and has been constructed in new locations since 2018. The pre-order pick-up lanes have been successful at increasing customer convenience and total sales. Nearby “Chipotlane” concept locations are in New Lenox, Lockport, Aurora, Elgin, and Peru.

While the lane will not function as a typical drive-thru, there still may be some stacking space needed if multiple vehicles show up at one time. A total stacking of six vehicles with appropriate spacing is provided on the site. The stacking proposed is more than adequate based on their experiences at other similar locations. Total time for the pick-up is usually very short since the food is already made and paid for ahead of time before entering the lane. The total stacking might not be appropriate for many other concepts drive-thru demand, but was deemed appropriate for Jimmy John’s in 2019 based on their traffic and drive-thru analysis completed by Kimley-Horn. The “Chipotlane” concept will have even quicker wait times and lower demand than the Jimmy John proposal, so a new study was not recommended with this proposal. However, conditioning the approval of the special use for the drive-thru will help to ensure any future users of the drive-thru/pick-up lane have appropriate stacking and traffic studies to ensure there are no problems.

Open Item #2: Include a condition of approval that any changes in drive up window protocol or future tenants requiring a drive-up window, will require a new traffic/drive-thru analysis to ensure the drive-thru stacking is sufficient prior to issuance of any permits or occupancy.

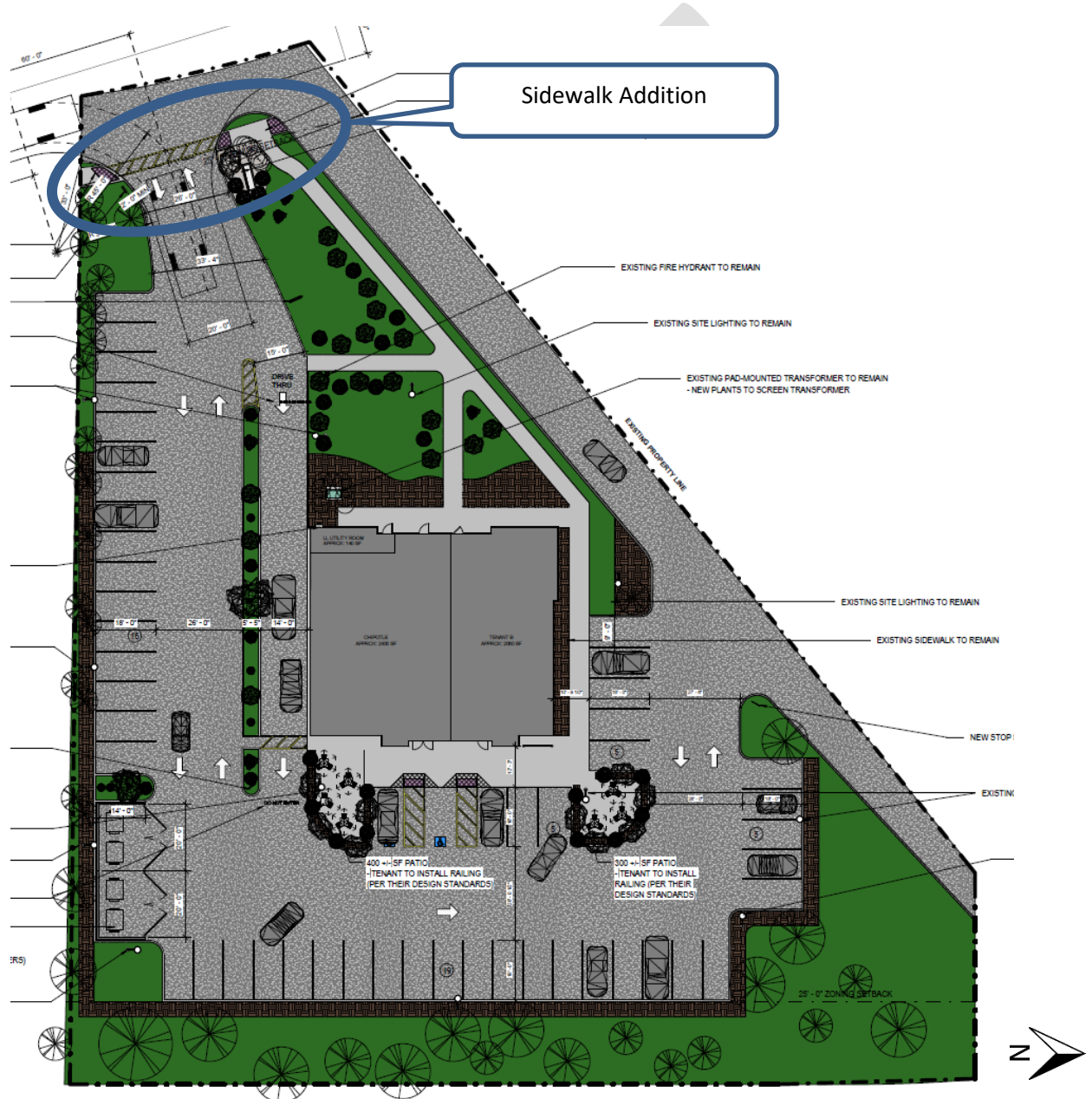
LANDSCAPING, WALKWAYS, AND LIGHTING

Landscaping will generally be maintained per the original 2006 landscape approval for Bank of America and that any dead or missing landscaping from that plan is replaced. Additional landscaping is being added where the landscape islands are being expanded and to better screen the “back of house” area that faces the interior ring road. Landscaping is also proposed in the buffer between the Chipotle pick-up lane and the main access aisle. The additional landscaping will make the site more appealing to customers entering the site from the west. The proposed

landscaping will utilize the same species types that currently exist on the site and used elsewhere in the shopping center. The additional landscaping and curbing will help direct traffic through the site and create a more inviting site.

Landscaping is being removed from the two end islands at the front of the building where the outdoor patios are proposed. The end islands are required per the Landscape Ordinance and thus a Landscape Waiver must be approved with the Site Plan to allow for the change. While this will remove the two parking lot trees, the overall site will have a substantial increase in the total landscaped area.

Open Item #3: Discuss landscape waiver for end islands to be converted to patios areas and overall proposed Landscape Plan.



The ring road sidewalk will be completed to the drive aisle (currently ends at Taco Bell lot line). While this sidewalk does not connect to another interior sidewalk it will connect to the drive aisle and avoid the trip hazard created by the unfinished sidewalk. The sidewalk allows for a connection to the rest of the shopping center.

The site lighting requires some minor changes due to the parking lot layout and patio additions. The overall changes are minor movements of existing poles. The lighting levels and proposed fixtures comply with the Village's lighting standards and the PUDs approved pole specifications.

ARCHITECTURE

The proposal includes the removal of the bank drive-up canopy. Windows are added where possible along the north, south, and east elevations to give the building a more open/commercial look. The building was designed with reuse of the building for purposes other than a bank in mind, which makes the conversion simpler. The building will keep the existing masonry materials and natural tone colors that are carried throughout the Brookside Marketplace shopping center.

Staff recommended the Petitioner look into changes to the south and west elevations since they are becoming more visible with the change from a bank use to a multi-tenant commercial building. Staff initially recommended placing a canopy along the rear, adding a tower-element on the southwest corner matching the northwest corner, and adding additional windows. However, the Petitioner has noted that changes to the exterior have been minimized to keep the project technically and financially feasible. The current design avoids lengthy and costly construction and approval processes. Additionally, they note that the design of the building is attractive and that it was designed so that it was easily converted to a non-bank use such as their proposal.

Unlike other buildings in the shopping center, the building on the subject property is oriented towards Harlem Avenue and not the interior shopping center ring road. This was done by Bank of America to provide more visibility along Harlem Avenue, but provides a challenge for a commercial building and commercial tenants. Due to this orientation towards Harlem Avenue, the back of the building (west façade) is actually the most visible to customers already in the shopping center. The Petitioner has proposed signage and increased landscaping on the back (west) façade to create a more appealing and inviting site. Directional signage is proposed at decision points to further avoid confusion on the site due to the building orientation.

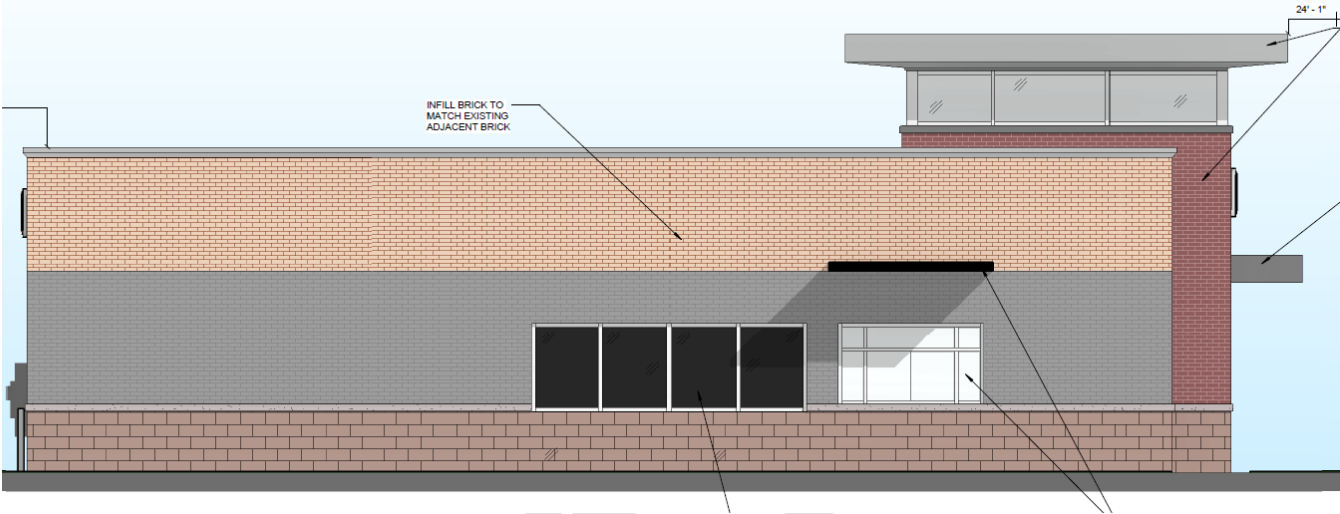
Note that the coloring of the renderings below shows slightly different than what is proposed. The new awning/canopy will be black. The brick color on the building will remain as it exists now and the enclosure will match that color; there will not be grey brick as it appears horizontally in the middle of the building).

Open Item #4: Discuss the proposed architecture of the building.

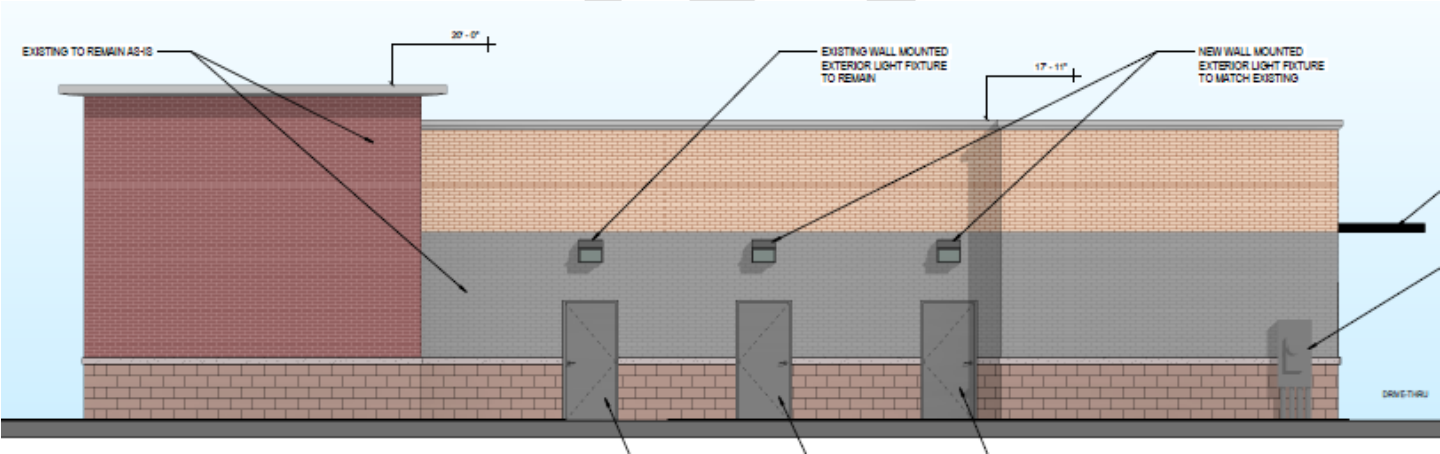
East/Front Elevation:



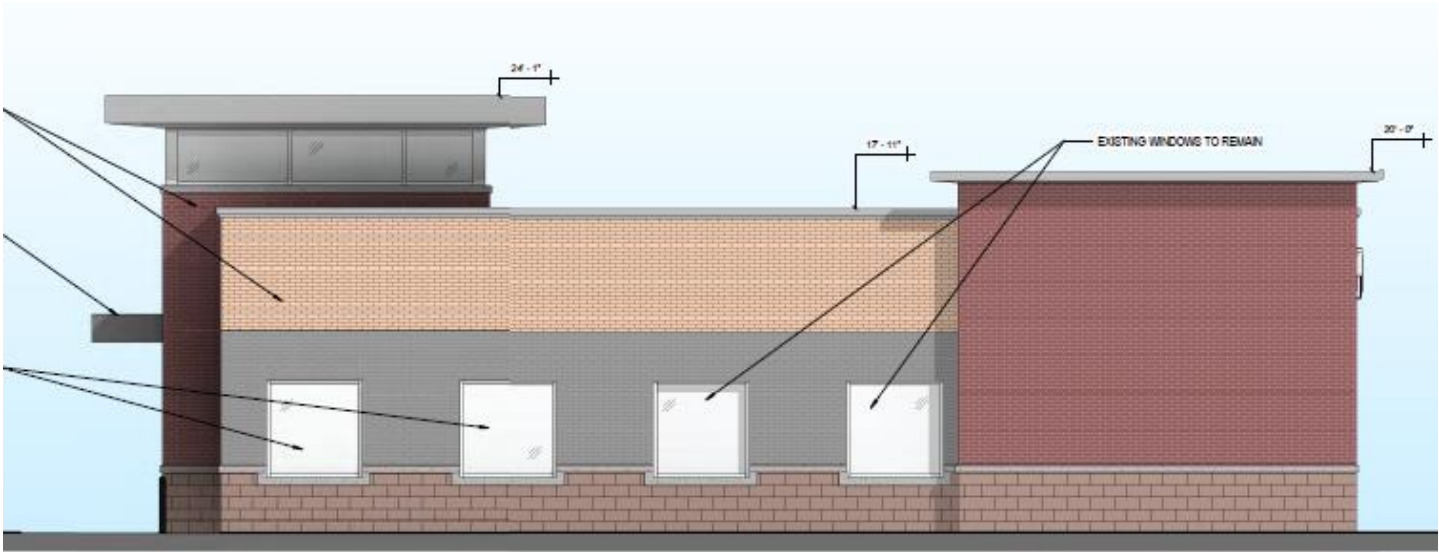
South/Pick-Up Lane Elevation:



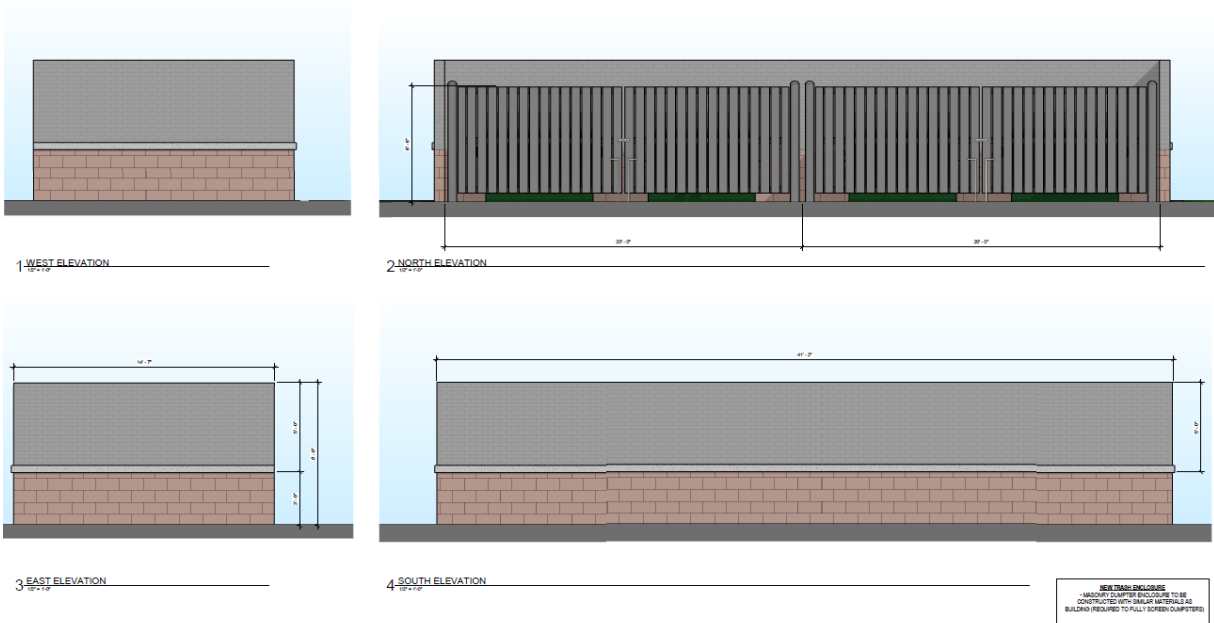
West/Rear Elevation:



North Elevation:



Dumpster Enclosure:



3D Rendering (Looking Southwest):

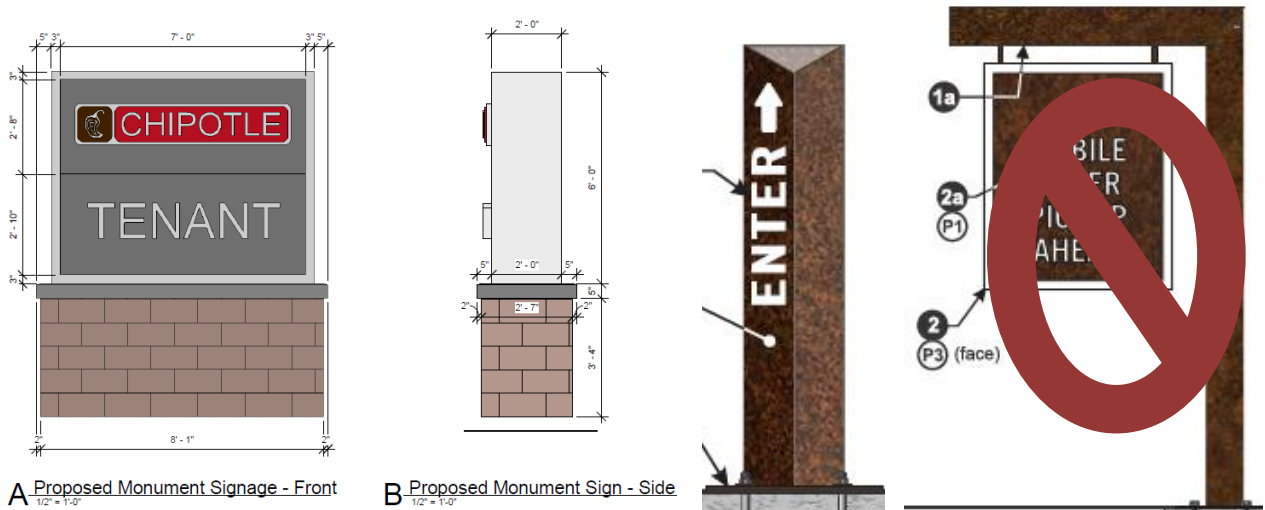


SIGNAGE

The proposed wall signage locations comply with the Brookside Marketplace PUD sign standards. However, the full dimensions of the wall signs are not indicated on the plans and will be the responsibility of the individual tenants. The proposed ground sign has been provided and complies with the standards as well.

Directional signage locations and designs have been provided and comply with the code requirements, with the exception of the “Mobile Order Pickup Ahead” hanging directional sign which is too tall and large for a directional sign. Staff has recommended that this be revised to meet the requirements of a maximum of four feet in height and six sq. ft. in size. These requirements have been met at all other drive-thru locations in Brookside Marketplace. Staff has suggested a sign similar in style to the “enter” sign with the wording reduced to “Order Pickup”.

Open Item #5: Discuss “order pick up window’ sign and required revision.



SUMMARY OF OPEN ITEMS

Staff identified the following open items for discussion at the workshop:

1. Review the overall site plan changes, proposed traffic circulation, and proposed patios additions with consistent fence design and final engineering a condition of approval.
2. Include a condition of approval that any changes in drive up window protocol or future tenants requiring a drive-up window, will require a new traffic/drive-thru analysis to ensure the drive-thru stacking is sufficient prior to issuance of any permits or occupancy.
3. Discuss landscape waiver for end islands to be converted to patios areas and overall proposed Landscape Plan.
4. Discuss the proposed architecture of the building.
5. Discuss “order pick up window’ sign and required revision.

STANDARDS FOR SITE PLAN AND ARCHITECTURAL APPROVALS

Section III.T.2. of the Zoning Ordinance requires that the conditions listed below must be met and reviewed for Site Plan approval. Specific responses are not required but each shall be met and considered for approval.

Architectural

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

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

Site Design

- f. 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.
- g. 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.
- h. 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.
- i. 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.
- j. Pedestrian Access: Public and interior sidewalks shall be provided to encourage pedestrian traffic. Bicycle use shall be encouraged by providing dedicated bikeways and parking. Where pedestrians or bicycles must cross vehicle pathways a cross walk shall be provided that is distinguished by a different pavement material or color.

MOTION TO CONSIDER

Due to the limited number of open items and the request being a Site Plan Amendment to an existing site, without a public hearing required, staff has drafted the following motion. If the Plan Commission has any concerns with the

approval or plans, direction can be given to the Petitioner and the approval would occur at the October 1, 2020 meeting. If the Plan Commission wishes to make a motion, the following draft motions are written in the affirmative for the Commission's consideration:

"...make a motion to grant the Petitioner, Daniel Abdo, on behalf of Glazier Development Group (Contract Purchaser), Site Plan Approval for the property located at 7228 W. 191st Street in accordance with the plans submitted and listed herein, subject to the following conditions:

- 5. If the drive-up aisle is not utilized in the future, a new site plan approval is required prior to occupancy of the space or immediately upon the decommissioning of the drive-up operations.***
- 6. Any changes in drive-up window or parking demand from what was presented requires a new traffic/drive-thru analysis and prior approval to ensure the on-site drive-thru stacking and parking is sufficient.***
- 7. Site Plan Approval is subject to final engineering plan review and approval by the Village Engineer.***
- 8. The pick-up window directional sign shall be revised to comply with the Zoning Code and PUD requirements."***

[any other conditions the Plan Commission would like to add]

LIST OF REVIEWED PLANS

Submitted Sheet Name	Prepared By	Date On Sheet
Proposed Site Plan (Revised)	Oculus	9/4/20
Landscape Site Plan (Revised)	Oculus	9/4/20
Proposed Floor Plan	Oculus	9/4/20
Proposed Roof Plan	Oculus	9/4/20
Proposed Elevations (East & South)	Oculus	9/4/20
Proposed Elevation (West & North)	Oculus	9/4/20
Rendering - From Northeast Corner (Revised)	Oculus	9/4/20
Rendering - From Southeast Corner (Revised)	Oculus	9/4/20
Site Lighting Photometric Plan	Case	None
Chipotle Direction/Drive-up Signage	Adcon	5/11/20
Patio Railing and Furniture	N/A	N/A
Bank of America 2006 Landscape Plan Approval	Oculus	2006
Project Summary/Description	Petitioner	9/4/20

Oculus = Oculus Inc. (Architect)

Case = Case Engineering, Inc.



PLAN COMMISSION STAFF REPORT

September 17, 2020 – WORKSHOP/PUBLIC HEARING

Special Use for a Vocational Educational Facility

18440 Thompson Court

EXECUTIVE SUMMARY

Petitioner

Marilyn Monaco, on
behalf of Steve Vernon,
SAVI Properties LLC
(property owner)

Property Location

18440 Thompson Ct.
STE 10

PIN

19-09-01-101-012-0000

Zoning

ORI, Hickory Creek PUD

Approvals Sought

Special Use for a
Vocational Educational
Facility

Project Planner

Paula J. Wallrich, AICP
Planning Manager



Marilyn Monaco, Project Manager, has applied for a Special Use on behalf of Steve Vernon, SAVI Properties, LLC, for a Vocational Educational Facility to be located at 18440 Thompson Ct., Suite 10, in the Hickory Creek Planned Unit Development (PUD). The future tenant of this office building will be a new educational center for the [New School for Massage](http://www.newschoollmassage.com) (www.newschoollmassage.com) which is headquartered at 747 N. LaSalle Street, Chicago. The [New School for Massage](http://www.newschoollmassage.com) is a private, post-secondary, vocational school authorized by the Illinois Board of Higher Education to train students in massage therapy.

The subject property is located in the Hickory Creek PUD with an underlying zoning district of Office and Restricted Industrial (ORI). The proposed use meets the definition of a Vocational Educational Facility which requires a Special Use in the ORI District.

HISTORY/ PROPOSED USE

The subject parcel is located in the Hickory Creek PUD, approved in 2006 (2006-O-028). The PUD provided for a mix of permitted ORI uses and certain B-3 permitted uses, yet specifically prohibited heavy industrial uses. The PUD comprises 99 acres; the buildings on Thompson Court developed with office and light industrial uses with modern attractive architecture. The 18440 Thompson Ct. building is a two-story building with 8 tenants and 5 vacancies.



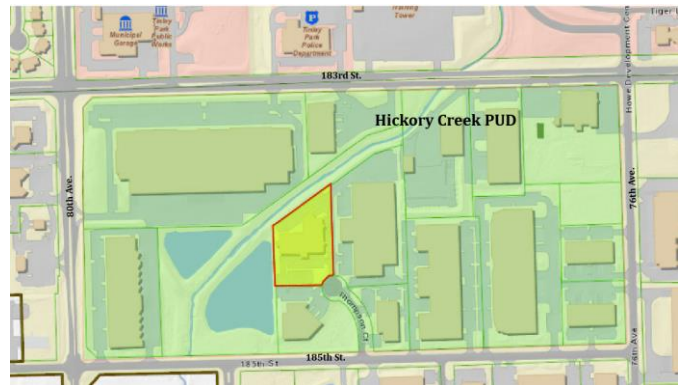
The proposed use, the New School for Massage, is part of a campus expansion planned for the school currently operating out of Chicago. The school was founded in 2002 by Emmanuel Bistas, a licensed Massage Therapist, who founded the school “to create the proper learning environment for developing exceptional, compassionate massage therapists with a solid understanding of basic and advanced techniques of massage and bodywork, professional ethics, and with the necessary business and entrepreneurial training to assist in the development of a successful career”. In an effort to address a market need in the Tinley Park area, Mr. Bistas, chose the Thompson Court site due to the quality of surrounding development and ready access to future students. The tenant space is 2,461 Sq. Ft. in area. The open design classroom will accommodate up to 18 students, however the average class size he has

experienced since 2006 is 6-10 students. There will be an office area that will accommodate 2 staff members. Hours have not been established but currently he operates weekday morning classes and evening classes. There is potential for weekend classes however this has not yet been finalized. Mr. Bistas anticipates most classes will be held in the evening. At the Chicago office there is a clinic for students to practice their lessons. There are no plans for a clinic at this location; the zoning also prohibits this use. Mr. Bistas and the property owner have been informed of this.

ZONING & NEARBY LAND USES

The subject parcel is part of the Tinley Park PUD which comprises ~99 acres. The underlying zoning district is Office and Restricted Industrial (ORI). The 18840 Thompson Court building includes several health care related offices and other professional offices. The other buildings on the cul-de-sac include Schaff Windows (Showroom at 18445), Eat Enterprises (Vended Meal contactor at 18470 Thompson Ct.) and a multi-tenant building at 18475 Thompson Ct. that includes a youth gymnastics facility.

The subject property is completely surrounded by ORI zoning. The Hickory Creek PUD is bordered on the south by another ORI PUD (Vernon/Tracy); on the west by The Tinley Crossings PUD (ORI); on the east by the NorthCreek PUD (ORI); and on the north by the Tinley Park Police Department and Fire Training Center along with the former Tinley Park Mental Health Center (unincorporated). There are residential uses (R-3) northwest of the Hickory Creek PUD.



SPECIAL USE

Vocational Educational Facilities are defined as “schools established to provide for the teaching of clerical, managerial, computer, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g. beauty school, modeling school, educational tutoring, and testing centers). Such a facility has a very low impact land use and is similar to an office use.” The proposed New School for Massage most closely fits this definition. Vocational Educational Facilities are allowed in the ORI as a Special Use.

Special Uses, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and uses. There are standards for Special Uses that must be recommended by the Plan Commission (outlined below). In review of these standards Staff provides the following information:

Site Plan: The subject parcel is located on a cul-de-sac that is fully developed with three other buildings. Two of the buildings have a single user (Schaff Windows and Eat Enterprises) with two of the buildings comprise multiple tenants that come and go.

Parking: Previously there has been parking issues with one of the tenants in the cul-de-sac, however a shared parking lease has remedied the situation and the area no longer experiences parking issues. There are 130 parking spaces available for the 18440 Thompson Ct. building. The property owner, who controls the leasing of the building, provided the following breakdown of parking for the tenants in the building. The chart indicates that 12-18 spaces have been allotted to the school. If the school were to function at maximum capacity there could potentially be a need for 20 parking spaces, assuming each student drove separately. Using a total of 20 spaces for the proposed use, the total parking need for the building would be 137, with a deficit of 7 parking spaces. In discussions with the property owner and leasing manager it was noted that PSA Healthcare only utilizes 10 spaces and CLEAResult works remotely (outside of COVID), resulting in a surplus of 19 parking spaces. Mr. Bistas believes his classes will operate similarly to his Chicago office which averages 6-10 students. He also plans to hold most classes in the evening which will not interfere with the daytime parking demand of the other tenants. The site is self-monitoring and the property owner understands that future leasing will need to be cognizant of the availability of parking to attract and retain tenants.

Tenant	Suite	Number of spaces
Segal McCambridge & Singer	100	25
PROPOSED – New School Massage	102	12-18
VACANT	103	7
VACANT	104	8
PSA Healthcare	105	15
Veritas Administrators	108	12
CLEAResult	109	14 (Currently 0)
World Data	201	5
Software Tech Enterprises	203	8
VACANT	204	9
VACANT	205	7
George Perry & Associates	206	4
Chiariello Behavioral Health	207	3
	Current total	117 not including Suite 102
	Total for Building:	130

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request.

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

- 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 use is similar to other uses in the established area.**
- 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 area is developed with similar uses. Parking and hours of operation do not pose a negative impact to surrounding uses.**

- 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 immediate area is fully developed.**
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided; **this is a developed site with existing utilities, access roads and drainage. The proposed use does not alter current conditions or needs.**
- 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 **there is minimal traffic generation anticipated for the proposed use.**
- 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. **There are no exceptions associated with the proposed use.**
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole. **The proposed use eliminates a vacancy in the building.**

It is also important to recognize that a Special Use Permit does not run with the land and instead the Special Use Permit is tied to the Petitioner. This is different from a process such as a variance, since a variance will forever apply to the property to which it is granted. Staff encourages the Plan Commission to refer to Section X.J.6. to examine the conditions where a Special Use Permit will expire.

RECOMMENDATION

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

Motion (Special Use):

"...make a motion to recommend that the Village Board grant a Special Use Permit to the Petitioner, Marilyn Monaco, Project Manager, for a Special Use on behalf of Steve Vernon, SAVI Properties, LLC, for a Vocational Educational Facility to be located at 18440 Thompson Ct., Suite 10, in the Hickory Creek Planned Unit Development (PUD) and adopt Findings of Fact as proposed by Village Staff in the Staff Report.