

**MINUTES**  
**Community Development Committee**  
**May 28, 2019 - 6:30 p.m.**  
**Village Hall of Tinley Park – Council Chambers**  
**16250 S. Oak Park Avenue**  
**Tinley Park, IL 60477**

Members Present: M. Mueller, Chairman  
C. Berg, Village Trustee  
D. Galante, Village Trustee

Members Absent: None

Other Board Members Present: None

Staff Present: D. Niemeyer, Village Manager  
P. Carr, Assistant Village Manager  
B. Bettenhausen, Village Treasurer  
M. Zonsius, Assistant Village Treasurer  
P. Connelly, Village Attorney  
M. Thomas, Information Technology Manager  
D. Framke, Marketing Director  
P. Hoban, Economic Development Manager  
K. Clarke, Planning Manager  
D. Ritter, Senior Planner  
L. Valley, Executive Assistant to the Manager and Trustees  
D. Sanfilippo, Executive Assistant to the Mayor  
L. Godette, Deputy Village Clerk  
L. Carollo, Commission/Committee Secretary

**Item #1** - The meeting of the Community Development Committee was called to order at 6:42 p.m.

**Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE MEETING HELD ON APRIL 9, 2019 AND THE SPECIAL ECONOMIC DEVELOPMENT AND MARKETING COMMITTEE MEETING HELD ON APRIL 10, 2019** – Motion was made by Trustee Berg, seconded by Trustee Galante, to approve the minutes of the Community Development Committee meeting held on April 9, 2019, and the Special Economic Development and Marketing Committee meeting held on April 10, 2019. Chairman Mueller asked the Committee if there was any discussion. No one came forward. Vote by voice call. Chairman Mueller declared the motion carried.

**Item #3 – DISCUSS PANDUIT INCENTIVE AGREEMENT** - Panduit began preparing for residential development on the 36-acre site as outlined in the Legacy (Tax Increment Financing) TIF Redevelopment Plan. Panduit started demolishing the building in June 2018 and completed demolition in December 2018. To continue site preparation, an environmental study is required, which is a TIF eligible expense.

The Legacy TIF Redevelopment Plan:

- Identifies converting a portion of the land currently occupied by Panduit and the ABC Supply Co. from office/restricted industrial to residential use.
- Identifies addressing environmental problems that are or may be associated with properties as the tenth key recommendation for the Redevelopment Project Area.

- Identifies the need to provide cleanup of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law where there is a material impediment to the development or redevelopment of the Redevelopment Project Area as the eighth objective for the Redevelopment Project Area.
- Allocated \$5,500,000 for property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests herein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, and the clearing and grading of land, as provided for by 65 ILCS 5/11-74.4-3(q)(2).

Panduit requested a \$200,000 TIF incentive as increment accrues to perform an environmental study at 17301 S. Ridgeland Avenue. This incentive is for a Phase II study; the Phase I study identified the need to progress to a phase II study. Jeff Jennings from Panduit was present to answer any questions. P. Connelly, Village Attorney stated the agreement is in its final stages and could be completed by the Village Board meeting scheduled for June 4, 2019.

The Economic and Commercial Commission (ECC) recommended approval of a \$200,000 TIF incentive as increment accrues to perform an environmental study at 17301 S. Ridgeland Avenue for Panduit Corporation on April 15, 2019.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

Motion was made by Trustee Berg, seconded by Trustee Galante, to recommend approval of a \$200,000 (Tax Increment Financing) TIF Incentive Agreement for Panduit to perform an environmental study at 17301 S. Ridgeland Avenue be brought forward to the Village Board meeting scheduled June 4, 2019. Vote by voice. Chairman Mueller declared the motion carried.

**Item #4 – RECEIVE REVIEW OF THE OAK PARK AVENUE PLAYBOOK GRANT**

**PROGRAM** - The Oak Park Avenue Playbook Grant Program was created to assist downtown businesses and address vacancies along Oak Park Avenue, which is comprised of five (5) specific grant programs detailed below.

- Façade Grant - Provides funding to assist owners of existing buildings or businesses within them to upgrade building facades. The goal of this program is to improve the appearance of existing buildings, consistent with the Village's Architectural Guidelines. Funding of \$70,000 for matching Façade Improvement Grants, up to \$35,000 each.
- Code Compliance Grant - Provides funding to enhance the pedestrian experience and aesthetic quality of the downtown Legacy Districts. The goal of this program is to provide an incentive for property owners to bring their buildings into conformance with the Village Building and Fire Code by installing fire protection systems and alarms to improve the quality of the building stock. Funding of \$140,000 for matching Code Compliance Grants, up to \$35,000 each.
- Retail Grant - Provides funding to assist owners of existing buildings with retail businesses to upgrade the buildings. The goal of this program is to assist with the startup of small independent retailers with expenses generally associated with a move into new commercial space. Funding of \$70,000 for matching Retail Grants, up to \$35,000 each.
- Sign Grant - Provides funding to enhance the pedestrian experience and aesthetic quality of the downtown Legacy Districts. The goal of this program is to introduce creative and attractive signs to complement the downtown area, consistent with the Village's Sign Design Guidelines

and the removal of nonconforming signs. Funding of \$55,000 for matching Sign Grants, up to \$5,000 each.

- Landscape Grant - Provides funding to assist owners of existing buildings or businesses within them to upgrade landscaping. The goal of this program is to help property owners improve the aesthetics of downtown. Funding of \$15,000 for matching Landscape Grants, up to \$5,000 each.

A property is eligible for a maximum of \$70,000 in matching grants. A property is not eligible for grants if it has received an incentive over the past ten years.

The approved budget provided a total funding level of \$350,000 for the program. To date, the Village has approved 3 Code Compliance, 2 Sign, 1 Façade, 1 Landscape and 1 Retail Grants, totaling \$145,669.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

**Item #5 – DISCUSS OAK PARK AVENUE PLAYBOOK GRANT - CODE COMPLIANCE - RABIH CHAFI, 17451 OAK PARK AVENUE** - The Oak Park Avenue Playbook Grants were created to encourage investment and offset development costs in the older commercial buildings located within downtown Tinley Park's Legacy Districts.

Susan Chafi, owner of 17451 Oak Park Avenue, plans to install a fire alarm system, which is a requirement of the owner's Conditional Certificate of Compliance issued by the Community Development Department. Ms. Chafi requested a \$5,375 Code Compliance Grant for installation of a fire alarm system.

A single business may request matching funds up to \$70,000 per location. The Code Compliance Grant is a matching grant up to \$35,000.

Susan Chafi requested a Code Compliance Grant of \$5,375, to install a fire alarm system at 17451 Oak Park Avenue, which will be presented at the Economic and Commercial Commission (ECC) meeting scheduled May 31, 2019.

Susan Chafi was present. Chairman Mueller asked the Committee if there were any questions or comments. No one came forward.

Motion was made by Trustee Berg, seconded by Trustee Galante, to recommend a \$5,375 Code Compliance Grant to Susan Chafi be placed on the agenda for the Village Board meeting scheduled June 4, 2019, pending ECC recommendation. Vote by voice. Chairman Mueller declared the motion carried.

**Item #6 – DISCUSS OAK PARK AVENUE PLAYBOOK GRANT - SIGNAGE - ED & JOE'S RESTAURANT, 17332 OAK PARK AVENUE** - The Oak Park Avenue Playbook Grants were created to encourage investment and offset development costs in the older commercial buildings located within downtown Tinley Park's Legacy Districts.

Ken Bucyk, applying on behalf of Michael Clark, owner of Ed & Joe's Restaurant and Pizzeria, located at 17332 S. Oak Park Avenue, plans to install new signage. The project will include installation of a new aluminum and acrylic plastic wall sign on the east façade facing Oak Park Avenue, which will meet the Legacy District's Design Guidelines and replace the existing nonconforming sign. Mr. Bucyk requested a \$2,495 Sign Grant for installation of new signage.

A single business may request matching funds up to \$70,000 per location. The Sign Grant is a matching grant up to \$5,000.

The Economic and Commercial Commission (ECC) recommended a Sign Grant to Ed & Joe's Restaurant and Pizzeria of \$2,495, on April 15, 2019.

Chairman Mueller asked the Committee if there were any comments. Trustee Berg was in favor of the new sign, for which there was concurrence from the Committee.

Motion was made by Trustee Galante, seconded by Trustee Berg, to recommend approval of a \$2,495 Sign Grant to Ed & Joe's Restaurant and Pizzeria be placed on the agenda for the Village Board meeting scheduled June 4, 2019. Vote by voice. Chairman Mueller declared the motion carried.

**Item #7 – RECEIVE REVIEW OF COOK COUNTY RECLASSIFICATION PROGRAM** - Cook County assesses commercial properties at a 25% level and residential properties at a 10% level compared to the rest of the state, which assesses all property at a 33.3% level, in accordance with state statute. Cook County utilizes a State Equalizer to move under-assessed properties closer to the 33.3% target. Utilizing the 25% and 10% model, their multiplier is usually higher than the rest of the counties, which leads to higher taxes for commercial properties compared to the surrounding counties. To incentivize nonresidential development, Cook County offers a variety of special assessments known as reclassifications.

- Class 6B - Encourage industrial development throughout Cook County by offering a real estate tax incentive for the development of new industrial facilities, the rehabilitation of existing industrial structures and the industrial reutilization of abandoned buildings.
- Class 7A - Encourage commercial projects in areas determined to be "in need of commercial development." These projects have total development costs, exclusive of land, that do not exceed \$2 million and would not be economically feasible without the incentive.
- Class 7B - Encourage commercial projects in areas determined to be "in need of commercial development." These projects have total development costs, exclusive of land, that exceed \$2 million and would not be economically feasible without the incentive.
- Class 8 - Encourage industrial and commercial development in areas of the county which is experiencing severe economic stagnation.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

**Item #8 – DISCUSS COOK COUNTY CLASS 7B RECLASSIFICATION - MARRIOTT HOTEL, 18300 96TH AVENUE** - The applicant, Haresh Jethani, plans to invest \$32,745,000 to construct a Marriott Courtyard and a Marriott Residence Inn at 18300 96th Avenue in unincorporated Tinley Park.

The Courtyard features 125 rooms and a banquet facility. The Courtyard plans to create 36 jobs and cost \$16,055,000 to develop. The Residence Inn features 118 rooms and plans to create 25 jobs and cost \$16,690,000 to develop. Plans are to break ground before winter.

This site is a greenfield with limited access to required utilities. The Village approved a capital budget to design the utility extensions, as outlined in the Economic Development Strategic Plan, which creates a challenging timeline between 3-12 months based on the yet to be determined scenario.

Discussion of this project began in 2017, originally in competition with the Village of Orland Park. The project emphasized the need to address the imbalanced commercial real estate taxes when compared to

Will County and became the catalyst for the creation of the LaGrange Special Designated Area. A specifically designated area is the first requirement to access the Cook County reclassification program.

Haresh Jethani requested a Class 7b incentive to invest in 18300 96th Avenue and stated "but for..." the Class 7b reclassification they will not invest \$32,745,000 in the subject site. Cook County provides the Class 7b Incentive Program allowance of the reclassification of properties to effectively lower their tax assessment from the commercial rate of 25% to the residential rate of 10%. Class 7b reclassifications provide an assessment of 10% of market value for the first 10 years, 15% in the eleventh year and 20% in the twelfth year.

The Class 7b Incentive Program is intended to spur development in areas determined to be "in need of commercial development," commercial projects with total development costs, exclusive of land, over \$2 million, which would not be economically feasible without the incentive. High property taxes are a primary reason Class 7b incentives and the competition with Will County and Indiana tax rates.

Haresh Jethani requested a Class 7b to develop two hotels at 18300 96th Avenue in unincorporated Tinley Park, which will be presented at the Economic and Commercial Commission (ECC) meeting scheduled May 31, 2019.

K. Clarke, Planning Manager stated a design is in the budget for Robinson Engineering to design the infrastructure, which would provide the cost.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

Motion was made by Trustee Berg, seconded by Trustee Galante, to recommend a Class 7b reclassification to develop two hotels at 18300 96th Avenue in unincorporated Tinley Park be placed on the agenda of the Village Board meeting scheduled June 4, 2019, pending ECC recommendation. Vote by voice. Chairman Mueller declared the motion carried.

**Item #9 – DISCUSS COOK COUNTY CLASS 6B SUSTAINABLE EMERGENCY RELIEF - RG RILEY AND SONS, 17700 DUVAN DRIVE** - RG Riley & Sons, Inc. requested a Class 6b Sustainable Emergency Relief (SER) for 17700 Duvan Drive. The property consists of an approximately 110,000 square foot building on roughly a 7.8 acre site in the Duvan Industrial Park. RG Riley & Sons, Inc. is a bulk clothing supplier and has been in business for over 80 years. The business has been in Tinley Park since 1995 and provides 25 full-time jobs.

RG Riley & Sons, Inc. hopes to remain at this location, however, believes the assistance of a Class 6b SER reclassification is necessary in order to do so.

The Class 6b SER reclassification program provides for industrial uses at a location for 10 years or more. The resolution must expressly state "that the municipality supports and consents to this Class 6b SER Application and that it finds that Special Circumstances make the incentive necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the enterprise would not be economically viable, causing the property to be in imminent risk of becoming vacant and unused." "But for..." the reclassification to a Class 6b SER, which will provide assessment at 10% of market value for the first 10 years, 15% in the eleventh year and 20% in the twelfth year, the applicant will relocate. High property taxes are a primary reason Class 6b incentives are granted along with the inherent competition with Will County and Indiana tax rates.

The Village approved a similar incentive for Airy's, Inc. located adjacent to RG Riley & Sons in June 2018. The Economic and Commercial Commission recommended the Class 6B SER for RG Riley & Sons, Inc. on April 15, 2019.

Mike Riley was present to answer any questions. Chairman Mueller asked Mr. Riley what the plan for the tax savings would be. Mr. Riley stated the tax savings would be for reinvestment in the building, but also to grow the employee base and inventory.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

Motion was made by Trustee Berg, seconded by Trustee Galante, to recommend a Class 6b Sustainable Emergency Relief (SER) for RG Riley & Sons, Inc. located at 17700 Duvan Drive be placed on the agenda for the Village Board meeting scheduled June 4, 2019. Vote by voice. Chairman Mueller declared the motion carried.

**Item #10 – DISCUSS MASTER POLE AGREEMENT - AT &T - .B. 1451**, known as Small Wireless Facilities Deployment Act (the Act) was approved by the Illinois General Assembly and signed by Governor Rauner into law in April 2018. The law established state-wide regulations for collocation of small cell antennas located within the public right-of-way and on private commercial and industrial properties. The goal of the Act was to streamline the approval process for wireless providers providing cellular access to the public. The Village subsequently passed a Small Cell Regulation Ordinance in July 2018, to retain as much control as possible over the siting of small cell antennas in public right-of-ways.

The Master Pole Agreement is based off the Illinois Municipal League's (ML) model agreement, with only minor changes. The agreement with AT&T will permit location of small cell wireless equipment on the Village-owned utility poles. Separate supplements for each pole co-location may be approved by the Village Manager. Each supplement would be approved for the duration of five years. This agreement sets the highest permit fees and annual rent as permitted by the Act. Additionally, bonds will be required for each pole to ensure removal of equipment and restoration of the site if the small cell use is discontinued or any early termination agreement is initiated. The Act requires that this process of adopting a Master Pole/Attachment Agreement is in place to avoid having to complete new agreements for each pole.

In the event the Act is repealed or changed, the Village will have the option to change the Small Cell Ordinance and attachment agreements. Any new or changed provisions would be able to be implemented once the supplement is up for renewal. It is expected there will be similar agreements for other carriers in the future. The Village Board recently had a first reading of the proposed small cell design guidelines, which are in the process of being adopted and will ensure a consistent design for all small cell wireless facility locations in the Village.

Staff requested the Community Development Committee recommend the agreement be adopted by the Village Board on June 4, 2019.

In response to Chairman Mueller's question, D. Ritter, Senior Planner stated the Village would have to create similar agreements with other carriers. Chairman Mueller asked the Committee if there were any other questions. No one came forward.

Motion was made by Trustee Galante, seconded by Trustee Berg, to recommend AT&T Master Pole/Attachment Agreement be forwarded to the next Village Board meeting. Vote by voice. Chairman Mueller declared the motion carried.

**Item #11 – DISCUSS TEXT AMENDMENT - MASONRY** - Staff is currently working with a consultant to update the Village's comprehensive Building Code. As part of the process, certain sections of the Code have been identified as not typically addressed in a building code, such as the regulation of certain building materials for aesthetic purposes. The Village's exterior building material requirements addressed traditionally relate to construction methods rather than aesthetics. The Zoning Ordinance would be the most appropriate location for regulating aesthetics and design, especially when variances, exceptions, or waivers are requested. As building materials are a part of the Building Code, any exception to it is reviewed by the Community Development Committee. Revision of the Village codes to transfer building materials to the Zoning Ordinance would allow for the Plan Commission (PC) or Zoning Board of Appeals (ZBA) to review these requests for variances, with final approval by the Village Board. The PC or ZBA is more accustomed to variance review.

A building material code comparison was performed of Tinley Park and surrounding communities. Community regulations of building materials differ; however, the current trend for buildings large in scale is to be constructed with precast materials. The Village does not have any other standards to regulate the aesthetics other than with the use of face brick. The Village may wish to consider adopting design guidelines to regulate the overall aesthetics to provide more acceptable options for developers. Lockport and Orland Park have adopted guidelines. Design guidelines may address materials as well as other important elements as the orientation of a building, circulation of parking and vehicles and opportunities to break up the scale of a building utilizing projections and vertical elements.

Staff recommended the masonry construction regulations be removed from the Building Code and adopted as an amendment to the Zoning Ordinance to allow for a more streamlined approval and variance process. Additionally, staff recommended the Committee review the building material requirements for industrial uses as there are advantages to modifying the percentage of face brick required for large industrial buildings and adopting minimum design standards to promote attractive, new cost effective development and aid developers in plan preparation for Village review. Staff will present the proposed changes to the Plan Commission on June 6, 2019.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

**Item #12 – DISCUSS TEXT AMENDMENT - LIGHTING** - The Planning staff addressed sections of the code in need of clarification, update or amendment to the ordinance. Lighting regulations for nonresidential zoning districts is currently under review. The Village's Zoning Ordinance Section V lists performance standards regulating noise, vibration, air pollution and glare for all nonresidential zoning districts. Section V provides minimum standards typical in most zoning ordinances to ensure the operations of noncommercial uses do not negatively impact surrounding properties. Many communities have adopted additional design guidelines to further guide photometric plans for new developments. Additionally, professional organizations such as the Illuminating Engineers Society (IES) have published model ordinances for municipalities to reference. Proposed changes to the Zoning Ordinance regulating glare would include additional definitions related to lighting, parking lot pole heights and creation of acceptable average light levels based on the type of use. The ordinance would also address handling nonconforming properties not meeting the new regulations.

Staff recommended a text amendment to the Zoning Ordinance to create more consistent and current industrial lighting standards within the Village's Zoning Code.

Chairman Mueller asked the Committee if there were any questions. No one came forward.

Motion was made by Trustee Berg, seconded by Trustee Galante, to recommend a text amendment to the Zoning Ordinance to create more consistent and current industrial lighting standards within the Village's Zoning Code. Vote by voice. Chairman Mueller declared the motion carried.

**Item #13 – RECEIVE COMMENTS FROM THE PUBLIC** - Ken Shaw suggested advising potential property purchasers of code compliance issues or contacting the Community Development Department prior to purchase if there is not a mechanism currently in place. In relation to the Oak Park Avenue Playbook and Cook County reclassifications, Mr. Shaw asked if any business has ever been rejected and if so, for what reasons? It was explained some businesses have been rejected because of use or the Village was not interested in a particular business. In response to Mr. Shaw's question of who would pay for the infrastructure needed for the development of the Marriott hotels, P. Hoban, Economic Development Manager stated there has not been a discussion to date. If the Village were to pay for the infrastructure, would there be recapture, for which P. Connelly, Village Attorney stated generally recapture is a longstanding policy in the Village. Mr. Shaw also suggested connecting the Mental Health property with Duvan Drive as one property to revitalize Duvan Drive. Clarification on the text amendment for masonry was also provided. Mr. Shaw also asked what the status is for the former Graystone Golf Course. The Village budget and vendor reports are accessible and searchable in the current format; however, in Mr. Shaw's opinion comparative analysis is impossible.

#### **ADJOURNMENT**

Motion was made by Trustee Berg, seconded by Chairman Mueller, to adjourn this meeting of the Community Development Committee. Vote by voice call. Chairman Mueller declared the motion carried and adjourned the meeting at 7:30 p.m.

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