



## **AGENDA FOR REGULAR MEETING VILLAGE OF TINLEY PARK PLAN COMMISSION**

**February 16, 2017 – 7:30 P.M.  
Council Chambers  
Village Hall – 16250 S. Oak Park Avenue**

**Regular Meeting Called to Order**

**Roll Call Taken**

**Communications**

**Approval of Minutes:** Minutes of the February 2, 2017 Regular Meeting

**Item #1**

**WORKSHOP: TEXT AMENDMENTS TO THE VILLAGE OF TINLEY PARK  
ZONING ORDINANCE (SECTION XII: LEGACY CODE) & MAP  
AMENDMENTS FOR CORRECTIONS TO SCRIVENER'S ERRORS**

Continued discussion per direction of the Village Board and the Plan Commission regarding the Legacy Plan and Legacy Code, including the following topics:

- Street Level Commercial Requirements
- Permitted, Special, and Prohibited Land Uses
- Landscape buffers
- Scrivener's errors related to legal descriptions and District boundaries

**NO ACTION WILL BE TAKEN ON THE PROPOSED TEXT AMENDMENTS  
DURING THIS MEETING.**

**Item #2**

**PUBLIC HEARING: TEXT AMENDMENT TO THE VILLAGE OF TINLEY  
PARK ZONING ORDINANCE (SECTION II AND SECTION IX) RELATED TO  
SIGN REGULATIONS**

Consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section IX (Sign Regulations) of the Village of Tinley Park Zoning Ordinance. The proposed Text Amendments include but are not limited to: regulations for sign face area, sign height, quantity of signs, location of signs, sign materials, regulations for signage in the B-5 Zoning District, sign regulations for special areas and particular uses, temporary signs, nonconforming signs, and definitions for terms related to signage.

**Good of the Order**

**Receive Comments from the Public**

**Adjourn Meeting**



## **MINUTES OF THE PLAN COMMISSION**

### **VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS**

**FEBRUARY 2, 2017**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on February 2, 2017 at 7:30p.m.

#### **ROLL CALL**

Plan Commission: Kevin Bergthold  
John Domina  
Peter Kroner  
Lori Kappel  
Mark Moylan  
Ken Shaw  
Ed Matushek III, Chairman

Absent Plan Commissioner(s): Tim Stanton

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Kisler, Planner I  
Patrick Connolly, Village Attorney  
Barbara Bennett, Commission Secretary

#### **CALL TO ORDER**

PLAN COMMISSION CHAIRMAN MATUSHEK called to order the Regular meeting of the Plan Commission for February 2, 2017 at 7:30 p.m.

#### **COMMUNICATIONS**

There were none.

#### **APPROVAL OF MINUTES**

Minutes of the January 19, 2017 regular meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER SHAW, to approve the Minutes as presented. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the motion approved.

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

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

**SUBJECT: MINUTES OF THE FEBRUARY 2, 2017 REGULAR MEETING**

**ITEM #1: PUBLIC HEARING: MOBILITIE – 19100 RIDGELAND AVENUE – SPECIAL USE PERMIT & SITE PLAN APPROVAL FOR NEW GROUND EQUIPMENT FOR DISTRIBUTED ANTENNA SYSTEM (DAS)**

Consider a request for a Special Use Permit and Site Plan approval from the Applicant, Carrie Lindenberg of Mobilitie, LLC, for new ground equipment accessory to a distributed antenna system (DAS) at 19100 Ridgeland Avenue within the ORI PD (Office and Restricted Industrial, Planned Unit Development) Zoning District. The proposed DAS includes antennas that will be mounted on the existing structures, related ground equipment, and a privacy fence and landscaping that surrounds the ground lease area. The proposed DAS will provide improvements to cellular service within the vicinity.

Present were the following:

Plan Commissioners:

Kevin Bergthold  
John Domina  
Peter Kroner  
Lori Kappel  
Mark Moylan  
Ken Shaw  
Ed Matushek III, Chairman

Village Officials and Staff:

Paula Wallrich, Interim Community Development Director  
Stephanie Kisler, Planner I  
Patrick Connelly, Village Attorney  
Barbara Bennett, Commission Secretary

Guest(s):

Carrie Lindenberg, Mobilitie, LLC  
Sekhar Kota, Mobilitie, LLC  
Dominic Kowalczyk, Construction Concepts of Illinois

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER JANOWSKI, to open the Public Hearing on MOBILITIE – 19100 RIDGELAND AVENUE – SPECIAL USE PERMIT & SITE PLAN APPROVAL FOR NEW GROUND EQUIPMENT FOR DISTRIBUTED ANTENNA SYSTEM (DAS) at 7:35 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

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

CHAIRMAN MATUSHEK requested anyone present in the audience who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

STEPHANIE KISLER, Planner I, presented the Staff Report and gave an overview of the request for a Special Use Permit and Site Plan approval for new ground equipment accessory to a distributed antenna System (DAS) at 19100 Ridgeland Avenue within the ORI PD (Office and Restricted Industrial, Planned Unit Development) Zoning District. She noted that the proposed DAS includes antennas that would be mounted on the existing structures, related ground equipment, and a privacy fence and landscaping that surrounds the ground equipment lease area. The proposed DAS will provide improvements to cellular service within the vicinity. She added that the proposed DAS antennas will be mounted on the existing structure and existing light poles, which is allowed as a Special Use per Section III.V.1.b.(4). of the Zoning Ordinance. Site Plan Approval is required for the proposed ground equipment accessory to the DAS.

MS. KISLER continued by noting that the site is currently home to the Hollywood Casino Amphitheatre. She added that a personal wireless service facility (cellular tower) does not exist as the site currently; however, the Amphitheatre typically brings in a Cell on Wheels (COW) to the site during concert season (May through September) to provide improved cellular service for concert-goers. A Special Use Permit was granted for this purpose in June of 2016 (Ordinance 2016-O-037), which approved the COW and the use of a permanently affixed antenna on the Amphitheatre structure. She noted that the proposed DAS will offer better cellular service than the COW and increase the number of cellular service providers at the site.

MS. KISLER noted the zoning for the subject parcel is ORI PD (Office and Restricted Industrial, Planned Unit Development). The site is surrounded by commercial/industrial uses to the west and north, residential uses (golf course) to the south, and unincorporated Forest Preserve to the east (Bartel Grassland). She added that the nearest residential dwelling is over 1,600 ft. away.

MS. KISLER continued by discussing that the Applicant provided an updated diagram showing the location of the light poles where antennas are proposed to be mounted. She noted that the antennas proposed for five (5) of the existing light poles would be attached at a height of twenty to twenty-five feet (20-25'). The base of the light pole would have a power source, which would be enclosed by a fence. She noted that the proposed fencing at the base of the light poles is of wood material, which is more likely to show weathering. She noted that the Plan Commission should review the new 'photosims' from the Applicant in their packet and on the screen to determine if wood fencing or PVC fencing should be utilized. She noted that in addition to fencing, the Applicant will install landscape screening around the ground equipment area's fencing.

SEKHAR KOTA, Mobilitie, LLC made a presentation showing additional DAS projects that they have built. He noted that the property owner, Live Nation, asked them to use a wood fence rather than a PVC fence as it would match other fencing currently at the location.

COMMISSIONER MOYLAN and COMMISSIONER KRONER stated they were leaning towards PVC fencing. CHAIRMAN MATUSHEK stated he agreed and preferred the PVC fencing as previously stated because it is more durable and aesthetically pleasing.

PAULA WALLRICH, Interim Community Development Director, noted that during the Applicant's presentation an email was received by MS. KISLER from BRIAN RUTKOWSKI, General Manager, Live Nation (Manager and Owner of Hollywood Casino Amphitheatre). He noted he has been working with Mobilitie and has requested wood fencing to match the fencing on the property and to minimize the difference in fencing materials on the property and surrounding property. He said that by bringing in the PVC fencing it would add an additional fence material to the property and would not appear uniform with the other existing fencing.

CHAIRMAN MATUSHEK restated he prefers the PVC fencing. He noted this email would not necessarily alter the opinions of the Commission. He said that as long as the color and the tone of the vinyl panels are similar to the wood in tone, it would match and the wood would not be as durable. He respectfully disagrees with this request from Live Nation.

COMMISSIONER SHAW understands the intent to match the existing fencing and has no objection to wood to be consistent but also recognizes the durability of the PVC versus wood. He said that he would not reject the petition solely on that point.

MR. KOTA stated that as an option Mobilitie would be willing to do a maintenance plan at their expense in order to use the wood fence. A subcontractor would inspect and maintain the fence if the Commission would consider this.

MS. WALLRICH stated that the Commission has deviated in terms of the shelter as the Village has required brick shelters in the past and this is probably a cost issue. She suggested that they are saving money on the shelter and so that savings should go into the PVC fencing.

MR. KOTA stated that they would use a vinyl fence instead of a wood fence.



COMMISSIONER MOYLAN thanked MR. KOTA for his comments and said that this project would create a lot of value to the Village.

CHAIRMAN MATUSHEK advised this is a Public Hearing and asked if there were any objections on the part of the Commissioners or the audience. No one offered any comments.

COMMISSIONER KRONER made a motion, seconded by COMMISSIONER DOMINA, to close the Public Hearing. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

CHAIRMAN MATUSHEK asked MS. KISLER to review the Standards for Site Plan Approval and the Findings of Fact for the Special Use Permit.

MS. KISLER noted that this project requires both a Site Plan Approval from the Plan Commission and a recommendation for approval of a Special Use Permit from the Plan Commission, which would then be final approved by the Village Board. She presented the Findings of the Fact for the Special Use Permit and noted that the Applicant met the conditions for Site Plan Approval.

**Standards for Site Plan Approval:**

- It is a Permitted Use in the district in which the property is located.
- The existing site has adequate parking, access, and lighting.
- Adequate ingress and egress exists for the different Cellular carriers to get to it.
- They don't have any outdoor trash enclosures associated with this project.
- There is no issue with the location of any of the site plan components such as the antennas or the ground equipment. It is all placed in an appropriate area based on the site.

**Findings of Fact for the Special Use Permit:**

- The project will bring better cell service to the amphitheater area.
- It will not impair the property values because there are no dwelling units within 1,600 ft. from the ground equipment shelter area.
- The antennas will not impede development.
- This will contribute to Tinley Park as a whole by increasing the cellular coverage at the Amphitheatre. Music is our brand and we want people to use the venue.

A motion was made by COMMISSIONER DOMINA, seconded by COMMISSIONER JANOWSKI, to grant the Petitioner, Carrie Lindenberg of Mobilitie, LLC, of behalf of Live Nation, Site Plan Approval for ground equipment accessory to a Distributed Antenna System (DAS) at 19100 Ridgeland Avenue (Hollywood Casino Amphitheatre) within the ORI PD (Office and Restricted Industrial, Planned Unit Development) Zoning District. The proposed DAS includes antennas that will be mounted on the existing amphitheater structures, antennas mounted on up to five (5) existing light poles at a height no greater than twenty-five (25) feet, related ground equipment, and an eight (8) foot tall PVC privacy fence and landscaping that surrounds the ground equipment lease area, in accordance with plans (included in the meeting packet) prepared by Terra Consulting Group, LTD. with revision dates of 12/20/2016 and 1/18/2017.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: PLAN COMMISSIONER TIM STANTON

The motion was approved unanimously by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER JANOWSKI, seconded by COMMISSIONER KRONER, to recommend that the Village Board grant a Special Use Permit to the Petitioner, Carrie Lindenberg of Mobilitie, LLC, of behalf of Live Nation, for new antennas and ground equipment accessory to a Distributed Antenna System (DAS) at 19100 Ridgeland Avenue (Hollywood Casino Amphitheatre) within the ORI PD (Office and Restricted Industrial, Planned Unit Development) zoning District. The proposed DAS includes antennas that will be mounted on the existing amphitheater structures, antennas mounted on up to five (5) existing light poles at a height no greater than twenty-five (25) feet. The Plan Commission conditions this recommendation on the requirement that all equipment areas around the light poles and the ground equipment lease area must be surrounded by PVC fencing.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: PLAN COMMISSIONER TIM STANTON

The motion was approved unanimously by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

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

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

**SUBJECT: MINUTES OF THE FEBRUARY 2, 2017 REGULAR MEETING**

**ITEM #2: WORKSHOP: TEXT AMENDMENTS TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE (SECTION XII: LEGACY CODE)**

Continued discussion per direction of the Village Board and the Plan Commission regarding the Legacy Plan and Legacy Code, including the following topics:

- Street Level Commercial Requirements;
- Permitted, Special, and Prohibited Land Uses;
- Landscape bufferyards; and
- Scrivener's errors related to legal descriptions and District boundaries.

Present were the following:

Plan Commissioners:

Kevin Bergthold  
John Domina  
Peter Kroner  
Lori Kappel  
Mark Moylan  
Ken Shaw  
Ed Matushek III, Chairman

Village Officials and Staff:

Paula Wallrich, Interim Community Development Director  
Stephanie Kisler, Planner I  
Patrick Connelly, Village Attorney  
Barbara Bennett, Commission Secretary

CHAIRMAN MATUSHEK stated no action will be taken on the proposed text amendments during the workshop meeting.

PAULA WALLRICH, Interim Community Development Director gave a presentation giving background information regarding the Text Amendments. Back in October of 2015 the Board adopted Text Amendments to the Legacy Code (Ordinance 2015-O-045) adopted in 2011. Subsequently the Citizens Advisory Committee (CAC) was created to discuss the Legacy Code and more specifically the adopted Text Amendments. In May of 2016 the Village Board rescinded those same amendments (Ordinance 2016-O-025) returning the Legacy Code to its original state. Community Development Staff was directed to review the rescinded Legacy Code Text Amendments referenced in Ordinance 2016-0-025 and make recommendations regarding any future Text Amendments to the Legacy Code.

MS. WALLRICH noted that a Public Hearing was held in June of 2016 and subsequent meetings with the Citizen Advisory Committee (CAC) and the Plan Commission provided additional input related to these amendments and resident concerns expressed at the Public Hearing. In November of 2016, the Plan Commission held a workshop at the Central Middle School to address the Legacy Code and the Text Amendments that were rescinded as part of Ordinance 2016-0-025. This was the first workshop since the Public Hearing held in June of 2016 which provided public input on these same amendments. At the workshop Staff provided a general background of the Legacy Plan and Legacy Code along with their research on how other communities address "Street Level Commercial": In addition Brad Bettenhausen, Village Treasurer presented information regarding the fiscal impact of commercial uses in the Legacy District.

The discussions at the first workshop and subsequent meetings with the CAC have provided Staff with direction regarding a comprehensive review of the Legacy District. Staff recommended the Commission conclude their review of the Text

Amendments rescinded with Ordinance 2016-0-025 as that time and continue discussions for future amendments as a subsequent phase of the review of the Legacy Code.

MS. WALLRICH continued her presentation noting that the amendments encompassed five categories. She noted that another workshop will be held on February 16<sup>th</sup> and a Public Hearing is tentatively scheduled for March 2<sup>nd</sup> to consider if there are any Text Amendments the Plan Commission would like to recommend to the Village Board.

MS. WALLRICH then outlined the five categories:

1. Street Level Commercial “Required” versus Street Level Commercial “Permitted” in the Downtown Core and Neighborhood Flex Districts.
2. Modifications of the list of Permitted, Special and Prohibited Uses within the Legacy District
3. Landscape bufferyard requirements
4. Correction of various Scriveners’ errors related legal descriptions for District boundaries.
5. Correction of errors on various figures based on corrections to legal descriptions with the Legacy Code.

COMMISSIONER MATUSHEK noted Street Level Commercial is required and he stated he does not understand why it was changed in the first place. We will give it a full hearing and see if there is any rationale to determine why it was originally changed. The consensus of the Commission to this point is that it fulfills one of the objectives of the Legacy Plan which was to maximize the economic future of the downtown area.

#### **Street Level Commercial in the Downtown Core and Neighborhood Flex Districts**

MS. WALLRICH noted staff researched street level/ground floor commercial regulations in successful downtown areas in other nearby communities. The analysis overwhelmingly indicated the encouragement of commercial uses on the first floor by prohibiting dwelling units on the street level/ground floor in downtown areas. It was noted that rather than state what was “required” most of the communities said what was “prohibited” in mixed-use buildings. This meant prohibiting first floor dwelling units.

MS. WALLRICH showed a diagram of the Legacy Plan and the Legacy Code. The Legacy District currently prohibits dwelling units at the front of a building at street level in mixed-use buildings according to Section 3.B.3.a of the Legacy Code. The diagram showed orange dots along Oak Park Avenue and North and South Streets in the Downtown Core prohibiting residential single-use structures in these areas, yet allowing them in other areas of the Downtown Core District – thus, the need to identify where “street level commercial” is required. She noted that this was a clear indication that the placement of the orange dots was purposeful.

MS. WALLRICH noted that during discussions with the CAC, it became obvious that further explanation was needed. Staff provides the following for discussion as an amendment to the Legacy Code:

- **Street Level Commercial:** Commercial space which fronts a public right-of-way and is above or on the same plane as the sidewalk or street fronting the building. Commercial space shall include office or retail uses as permitted in the Legacy District but does not include dwelling units. Accessory Residential Uses may occupy a portion of the Street Level Commercial Space in accordance with the limitations.

MS. WALLRICH noted that the amount of Accessory Residential Uses that could be allowed should relate to the building size and that it is possible to address this as a Special Use.

- **Accessory Residential Uses:** A use that is subordinate to residential dwelling units in a mixed-use structure which contribute to the comfort and convenience of the dwelling units. An Accessory Residential Use may include, but not be limited to: recreational space, laundry facilities, sales/rental offices, and/or parking for the private use of those residents of the dwelling units in a mixed-use structure. Accessory Residential Uses must maintain the same commercial architectural character or appearance as the street level commercial space in a mixed-use structure.

MS. WALLRICH noted the code as written now is consistent with what the plan is telling us to do. What we are trying to do is make sure it is clear as to what Street Level Commercial means.

COMMISSIONER MOYLAN asked for clarification regarding 50% of a 350' building for Accessory Residential Uses. MS. WALLRICH explained the term and responded it could also be Special Use rather than having a certain percentage as permitted.

CHAIRMAN MATUSHEK stated he would feel more comfortable when there is 50% range that the Village Board be involved and it should be Special Use with more scrutiny.

COMMISSIONER KRONER noted no building should have 50% Accessory Residential Uses on the street level. He noted that he understood the need for a leasing office, but street level parking should not be allowed. It should be above the commercial space. He also stated that the 50% allowance directly affects the downtown and goes against the spirit of the Legacy Plan. Also, a fitness area only for the residents on the first floor takes away from the commercial space. A leasing office may be necessary, but should be right off the entry way of the building.

COMMISSIONER JANOWSKI noted the Accessory Residential Uses should be reviewed on a case-by-case basis. A leasing office should not be in view of the street.

CHAIRMAN MATUSHEK stated it sounds like the general consensus is for requiring Special Use.

COMMISSIONER KAPPEL is working on a building in Portage, Indiana. She noted that amenities for these buildings, such as fitness centers, cyber cafes, and clubhouses, are all things that are now being included in multi-family developments.

COMMISSIONER SHAW stated he agrees with the consensus regarding the amount of non-commercial use on the first floor. It is reasonable to have Accessory Residential Uses to some extent, but 50% is too much. He agreed with the approach that above a certain percentage would require a Special Use Permit. He did not feel a strict 0% Accessory Residential Use allowed on the first floor but put a total cap on requiring certain amounts needing a Special Use. COMMISSIONER SHAW questioned if any parcels have a frontage of 350' and expressed concern about losing too much valuable commercial space in the downtown, especially to something that will not be generating revenue for the community. He felt further study was needed and recommended Staff look at a few parcels we have in town and see what percentage of the building was occupied by Accessory Residential Uses.

MS. WALLRICH stated there could be criteria for Special Uses. She questioned what percentage the Commissioners would suggest as a guide to an applicant. She noted North and South Street could possibly have larger parcels for this type of development. She questioned whether 25% for Accessory Residential Uses would work for larger buildings or the Commission could require all Accessory Residential Uses to obtain a Special Use Permit. She also noted that the height of the buildings impacts the amount of Accessory Residential Uses. The downtown allows seven stories, which may make a difference on the amount of amenities.

COMMISSIONER KRONER stated all Accessory Residential Uses should be reviewed on a case-by-case basis.

CHAIRMAN MATRUSHEK stated he preferred that everything in these areas should be Special Use and the Board should have to sign off on it. It should require a full Public Hearing for anything involved in Accessory Residential Use.

MS. WALLRICH stated it is important to provide definitions.

PATRICK CONNELLY, Village Attorney, stated the discussion was excellent and noted that the Commissioners want to protect the commercial nature of the Legacy Code. He recommended the Commission lean toward being stricter and if someone has a different idea let them come before the Commission.

COMMISSIONER SHAW noted the Tinley Pointe Centre building on 183<sup>rd</sup> is a perfect example of what we should have.

MR. CONNELLY noted the depth of the commercial on the first floor should also be defined. He mentioned that a minimum depth requirement may be something to consider.

COMMISSIONER KRONER stated he did not want a Laundry Facility as an allowable use on the first floor.

COMMISSIONER SHAW asked about clarifying above grade/below grade. MS. WALLRICH stated 6' is the cut off. 6' about grade is street level. She stated that Staff would provide a definition for Street Level.

**Modification of the list of Permitted, Special, and Prohibited Uses within the Legacy District**

STEPHANIE KISLER, Planner I, explained also included in the Text Amendment was a change to the Prohibited Uses. With the adoption of Ordinance 2015-0-045, there were two additions to the Prohibited Use List.

- Medical marijuana dispensing facility
- Tobacco, hookah, cigarette, cigar, e-cigarette, and vapor sales establishments and any related on-site consumption, as a primary use.

She noted that Staff is recommending the Commission consider re-adopting these Text Amendments. As discussions continue with the CAC, there may be additional changes to this table that can be incorporated in future Legacy Code Text Amendments.

COMMISSIONER KRONER stated if we get a distillery or a microbrewery a lot of men and women like to go to a cigar shop for a cigar afterwards. He felt a good cigar shop should not be prohibited.

MS. WALLRICH noted the possibility of taking the cigar lounge out of Prohibited Uses and put it in the Special Use category.

MR. CONNELLY noted all these smoking facilities need to be in a stand-alone building per the Illinois Smoke Free Act.

COMMISSIONER SHAW agrees that the cigar lounge should be considered as a Special Use.

COMMISSIONER JANOWSKI stated we should not limit hookah lounges and also put this under the Special Use category. Some people have a preference for that and we want to keep people in the downtown.

CHAIRMAN MATUSHEK stated we should prohibit stand-alone tobacco retail stores. Lounges would be okay, but retail would not be okay. Medical marijuana should be kept as a prohibited use.

**Landscape Bufferyard Clarification**

MS. WALLRICH noted during the review of some of the more recent developments in the Legacy District, Staff discovered an issue related to required landscape bufferyards that had not been adequately addressed previously in the Legacy Code. Specifically, there was concern regarding the treatment of bufferyards for properties adjacent to Non-Legacy Code Areas. Staff proposed the following change to the regulation:

**Properties Adjacent to Non-Legacy Code Area**

A bufferyard is required between an alley and a parcel located outside of the Legacy Code Area and/or between the rear of any property that has a surface parking lot and a parcel outside of the Legacy Code Area. The minimum standard shall be a minimum bufferyard of 5'.

The Commissioners did not voice any issues with the proposed changes.

**Correction of Various Scrivener's Errors Related to Legal Descriptions for District Boundaries**

MS. KISLER noted that Staff has researched the various Scrivener's errors that were included in the previously approved Text Amendments in Ordinance 2015-0-045 and found them to be legitimate. Staff recommends the Commission include these corrections in any proposed amendments. She noted that the Staff Report shows a table of the affected properties. She mentioned that all affected property owners will be identified and notified of these corrections.

The Commissioners did not voice any issues with the proposed changes.

**Correction of Errors in Various Figures Based on Corrections to Legal Descriptions**

MS. KISLER noted that, correlating to the correction of the Scriveners' errors, Staff is recommending revisions to nineteen affected Figures within the Legacy Code. This Text Amendment would visually codify the verbiage from the corrected legal descriptions. She noted that one other figure must be corrected since it was labeled incorrectly.

The Commissioners did not voice any issues with the proposed changes.

MS. WALLRICH noted that all comments from tonight will be addressed and put into Text and discussed at the next Workshop on February 16, 2017. The CAC is meeting on Monday, February 6<sup>th</sup> and will discuss the same topics and also review the Plan Commission's comments from this meeting.

DRAFT

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

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

**SUBJECT: MINUTES OF THE FEBRUARY 2, 2017 REGULAR MEETING**

**ITEM #3: WORKSHOP: TEXT AMENDMENTS TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE (SECTION II: AND SECTION IX) RELATED TO SIGN REGULATIONS**

Continued discussion regarding proposed Text Amendments to the Village's Sign Regulations.

Present were the following:

Plan Commissioners: Kevin Bergthold  
John Domina  
Peter Kroner  
Lori Kappel  
Mark Moylan  
Ken Shaw  
Ed Matushek III, Chairman

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Kisler, Planner I  
Patrick Connelly, Village Attorney  
Barbara Bennett, Commission Secretary

PAULA WALLRICH, Interim Community Development Director, asked the Commissioners to look through their packets and review the draft of Section IX. The proposed amendments will be further discussed at the next meeting.



**RECEIVE COMMENTS FROM THE PUBLIC**

Resident #1: Expressed concern regarding the discussion of the Accessory Residential Uses. He noted Street Level Commercial should be required.

Resident #2: I am in favor of cigar and hookah lounges to be considered as Special Use.

PAULA WALLRICH, Interim Community Development Director, asked the Village Attorney to clarify that Staff was directed to look at the Text Amendments.

PATRICK CONNELLY, Village Attorney, responded that is correct.

**ADJOURNMENT**

There being no further business, a Motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER DOMINA, to adjourn the Regular Meeting of the Plan Commission of February 2, 2017 at 9:58 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. PLAN COMMISSION CHAIRMAN MATUSHEK declared the meeting adjourned.



# PLAN COMMISSION STAFF REPORT

February 16, 2017

## Text Amendments to Section XII (Legacy Code) of the Zoning Ordinance and Rezoning (Map Amendment)

### Applicant

Village of Tinley Park

### Property Location

Legacy District (167<sup>th</sup> Street to 183<sup>rd</sup> Street near Oak Park Avenue)

### Zoning

All Legacy Code Zoning Districts are impacted (DC, DF, DG, NG, NF, CV)

### Approval Sought

Text Amendments to Village of Tinley Park Zoning Ordinance, Section XII (Legacy Code)

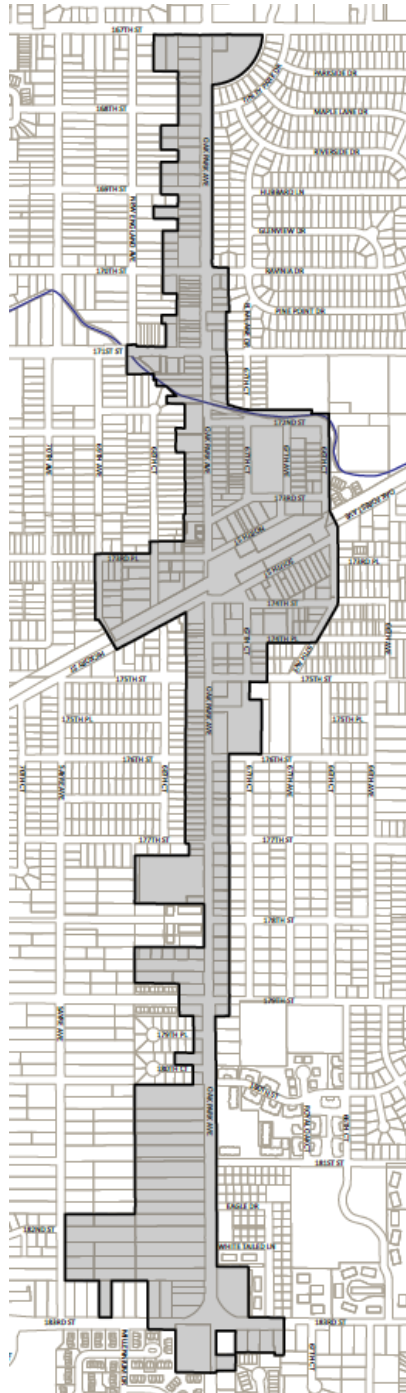
### Requested Action

Conduct a workshop to discuss the Proposed Legacy Code Amendments

### Project Planner

Paula J. Wallrich, AICP  
Interim Community Development Director

Stephanie Kisler, AICP  
Planner I



### EXECUTIVE SUMMARY

Community Development Staff has been directed to review the rescinded Legacy Code Text Amendments referenced in Ordinance 2016-O-025 (attached) and make recommendations regarding any future Text Amendments to the Legacy Code.

A Public Hearing was held on June 16, 2016 and subsequent meetings with the Citizen Advisory Committee and the Plan Commission provided additional input related to these amendments and resident concerns expressed at the Public Hearing. **A workshop was held on February 2, 2017 where additional input was given from the Commission, which has been incorporated into this Staff Report. Also, the Citizen Advisory Committee met on February 6, 2017 and also reviewed these amendments.**

A Public Hearing for consideration of Text Amendments to the Legacy Code has been tentatively scheduled for March 2, 2017.

**Updates from the 2/2/2017 Staff Report are identified in red.**

## BACKGROUND

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On November 3, 2016, the Plan Commission held a workshop at the Central Middle School to address the Legacy Code and the Text Amendments that were rescinded as part of Ordinance 2016-O-025 (attached). Minutes of the November 3<sup>rd</sup> meeting are also attached. The rescission of these Text Amendments returned the Legacy Code to its original state as adopted in 2011. The November 3<sup>rd</sup> meeting was the first workshop following the Public Hearing the Plan Commission held on June 16, 2016, at the Odyssey Country Club, which provided public input on these same amendments.

At the November 3<sup>rd</sup> workshop Staff provided a general background of the Legacy Plan and Legacy Code along with their research on how other communities address “Street Level Commercial”. In addition, Brad Bettenhausen, Village Treasurer, presented information regarding the fiscal impact of commercial uses in the Legacy District. At the conclusion of the workshop, Staff was directed to expand their research on “Street Level Commercial” to additional communities, continue their review of the Legacy Code Text Amendments that had been rescinded, and address resident concerns as expressed at the June 16<sup>th</sup> Public Hearing. To that end, Staff has been working with the Citizen Advisory Committee (CAC) on proposed changes to the Permitted, Special, and Prohibited Uses within the Legacy District, Street Level uses in the various Legacy Districts, District boundaries and economic impacts of various land use decisions in the Legacy District. Minutes of the CAC meetings since the November 3<sup>rd</sup> Plan Commission meeting are attached for Commission review.

The discussions at the first workshop and subsequent meetings with the CAC have provided Staff with direction regarding a comprehensive review of the Legacy District. Some of this discussion has gone beyond the subject of the original Text Amendments that were approved and later rescinded. Staff is recommending the Commission conclude their review of these Text Amendments at this time and continue discussions for future amendments as a subsequent phase of the review of the Legacy Code. The Text Amendments that were adopted as part of Ordinance 2015-O-045 and subsequently rescinded as part of Ordinance 2016-O-025 are summarized as follows:

1. Street Level Commercial “Required” versus Street Level Commercial “Permitted” in the Downtown Core and Neighborhood Flex Districts;
2. Modification of the list of Permitted, Special, and Prohibited Uses within the Legacy District;
3. Landscape bufferyard requirements;
4. Correction of various Scrivener’s errors related to legal descriptions for District boundaries; and
5. Correction of errors on various figures based on corrections to legal descriptions within the Legacy Code.

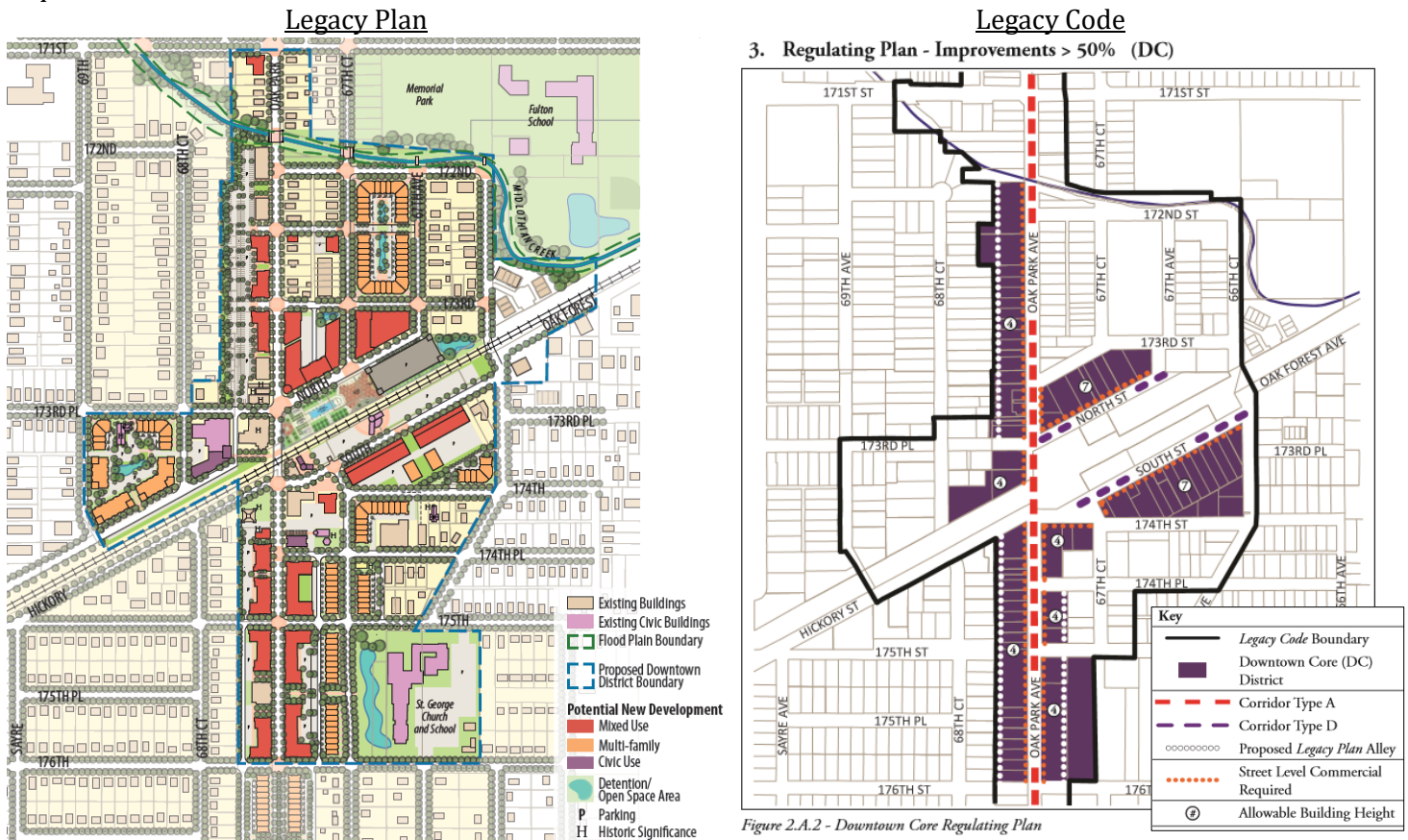
The following sections address each of these amendments individually.

## 1. Street Level Commercial in the Downtown Core and Neighborhood Flex Districts

Staff has researched street level/ground floor commercial regulations in successful downtown areas in other nearby communities. At the November 3<sup>rd</sup> workshop Staff presented Exhibit A: “Comparison of First Floor Downtown Regulation from Other Communities” (attached). The analysis overwhelmingly indicated the encouragement of commercial uses on the first floor by prohibiting dwelling units on the street level/ground floor in downtown areas. Per the direction of the Commission, Staff researched four additional communities and found similar regulations (attached).

This research supports the 2009 Legacy Plan for both the Downtown Core (DC) and the Neighborhood Flex (NF) Districts. The Downtown Core District envisions “retail and taller mixed-use buildings concentrated around the train station”. The buildings fronting Oak Park Avenue, North Street, and South Street are shown as mixed-use, which is consistent with the current “Street Level Commercial Required” regulation in the Legacy Code. The intent of the Legacy Plan is not to have solely residential uses along Oak Park Avenue or the streets that front the Metra station, but instead to have mixed-use buildings and maximize the number of people living within walking distance of the Metra station. While residential uses are highly encouraged within the Legacy Plan in order to bring population density to the downtown, the downtown must also have commercial uses and ‘active storefronts’ to spur economic activity in the downtown and build a strong economic future for the downtown.

The Legacy District currently prohibits dwelling units at the front of a building at street level in mixed-use buildings according to Section 3.B.3.a. of the Legacy Code, which states the definition of a mixed-use building type as “a mixed-use building that contains residential dwelling units above or behind ground floor commercial, group assembly, and/or civic uses, and may be designed as to accommodate office and/or group assembly space on the second level.” Therefore, the assignment of the orange dots along Oak Park Avenue and North and South Streets in the Downtown Core is purposeful by prohibiting residential single-use structures in these areas, yet allowing them in other areas of the Downtown Core District – thus, the need to identify where “street level commercial” is required.





Similarly, in the Neighborhood Flex District the placement of the orange dots is purposeful. While the NF District is intended to be more flexible with land use designations, the Legacy Plan shows the area near 167<sup>th</sup> Street and Oak Park Avenue as a “North Gateway” to the downtown or “North Oak Park Avenue” and envisions neighborhood commercial with mixed-use buildings constructed near the street. Similarly, the Legacy Plan defines the area near 183<sup>rd</sup> Street and Oak Park Avenue as a “South Gateway” to the downtown and envisions civic, institutional, office, or multi-family oriented around a roundabout intersection. The street level commercial requirement is necessary for portions of NF in order to maintain the neighborhood commercial area that was envisioned by the Legacy Plan.

### Legacy Plan



### Legacy Code

#### 3. Regulating Plan - Improvements > 50% (NF)

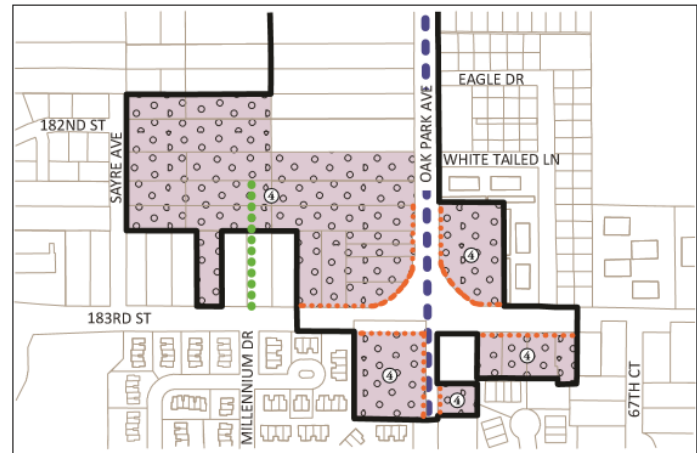
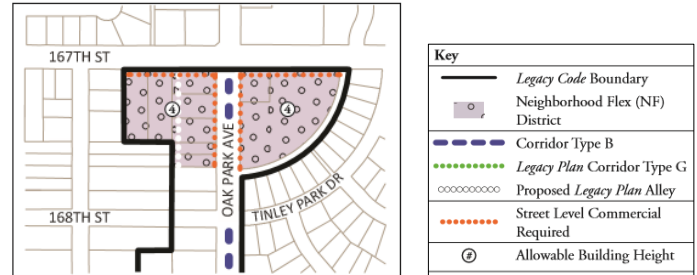


Figure 2.E.2 - Neighborhood General Regulating Plans

Consistent in the Legacy Plan, both the Downtown Core and the Neighborhood Flex outline desired land uses in the General Standards (Table 2.A.1. and Table 2.E.1.). The orange dots identify those areas that require commercial uses. What has led to some confusion is what is meant by “street level commercial”.

#### 4. General Standards (DC)

Permitted Building Functionality					On-Site Vehicle Parking	On-Site Bike Parking
Street Level Commercial	●				<i>not required</i>	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●				2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	○				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●				<i>not required</i>	0.2 per 1,000 s.f. (2 minimum)
Residential	●	●	●		1 space per dwelling unit	1 per dwelling unit
					<i>guest parking not required</i>	
A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55					Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59	
<div> <div>Mixed-Use</div> <div>Stand-Alone Commercial</div> <div>Multi-Family</div> <div>Single-Family Attached</div> <div>Single-Family Detached</div> </div>						
					●	
					●	●
					Permitted Building Type	

○ Can not occupy, individually or in aggregate, greater than 50% of a building's street level commercial space.

Table 2.A.1

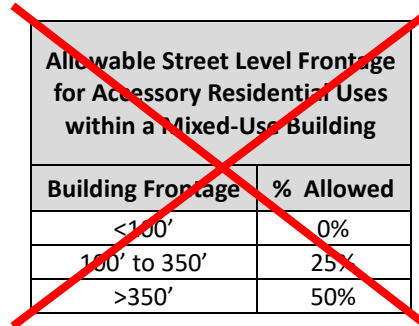
#### 4. General Standards (NF)

Permitted Building Functionality					On-Site Vehicle Parking	On-Site Bike Parking
Street Level Commercial	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●			<i>not required</i>	0.2 per 1,000 s.f. (2 minimum)
Residential	●		●	●	1 space per dwelling unit	1 per dwelling unit
					.5 guest spaces per dwelling unit	
<i>A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55</i>					<i>Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59</i>	
<div> <div>Mixed-Use</div> <div>Stand-Alone Commercial</div> <div>Multi-Family</div> <div>Single-Family Attached</div> <div>Single-Family Detached</div> </div>						
					●	●
Permitted Building Type					●	●

Table 2.E.1

During discussions with the CAC, it became obvious that further explanation was needed. The following reflects discussion from the 2/2/2017 workshop and 2/6/2017 CAC meeting.

**Street Level Commercial:** Commercial space located on the street level which fronts a public right-of-way ~~and is above or on the same plane as the sidewalk or street fronting the building.~~ Commercial space shall include retail, service, and office uses as permitted by right or by Special Use Permit ~~in the Legacy District (p. 55), but according to Section 3.A. of the Legacy Code.~~ Street Level Commercial does not include dwelling units. ~~Accessory Residential Uses may occupy a portion of the Street Level Commercial Space in accordance with the limitations outlined in the following table:~~



Allowable Street Level Frontage for Accessory Residential Uses within a Mixed-Use Building	
Building Frontage	% Allowed
<100'	0%
100' to 350'	25%
>350'	50%

Staff recommends requiring a minimum depth of fifty feet (50') for commercial spaces to avoid shallow commercial units along the street frontage. Another community that has implemented this regulation in their downtown area is Glenview, Illinois.

**Accessory Residential Uses:** A use that is subordinate to residential dwelling units ~~in a mixed-use structure~~ which contribute to the comfort and convenience of the dwelling units. An Accessory Residential Use may include, but not be limited to: recreational space, laundry facilities, sales/rental offices, and/or parking for the private use of those residents of the dwelling units ~~in a mixed-use structure~~. When located within a mixed-use structure, Accessory Residential Uses must maintain the same commercial architectural character or appearance as the street level commercial space ~~in a mixed-use structure~~.

These definitions address various possible development scenarios for mixed-use development in areas where "Street Level Commercial" is required. Depending on the length of frontage of the building it is possible that there is a need for Accessory Residential Uses at the street level. While dwelling units are prohibited, some of the common areas (health clubs, laundries, leasing offices and parking) may need to be located at the street level. The critical issue here is that the façade maintains a commercial presence. Per the Plan Commission and Citizen Advisory Committee's recommendation, Accessory Residential Uses should be added to the list of Special Uses in Table 3.A.1. on page 55 of the Legacy Code.

**Commercial:** Retail, service, or office uses as noted in Table 3.A.1. and Table 3.A.2. of the Legacy Code.

**Residential:** Dwelling units located within single-family detached, single-family attached, multi-family, and/or mixed-use structures. When located within a mixed-use structure, the dwelling unit(s) must be located above the street level or behind the street level commercial space.

**Street Level:** The first floor or floor level of any building or structure on the same plane or within six feet (6') above the surface of the sidewalk or street fronting the building.

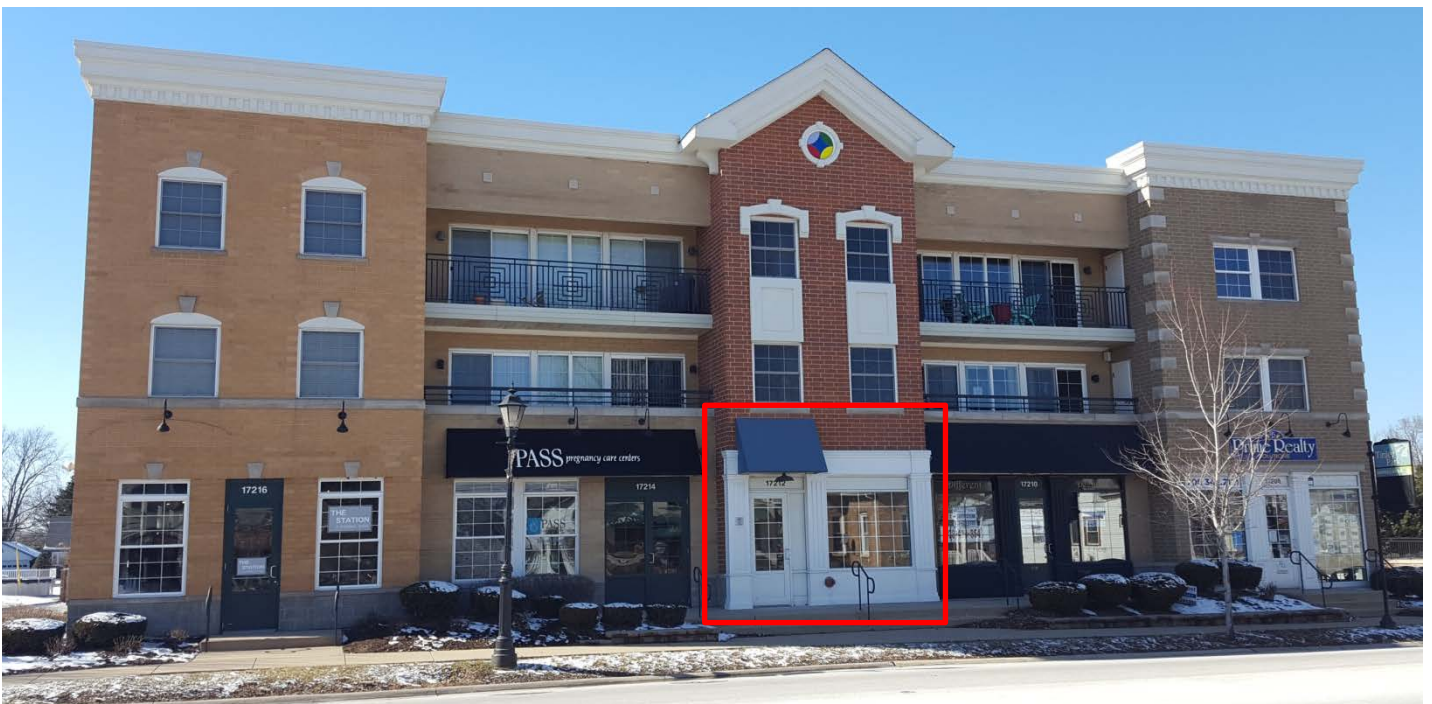
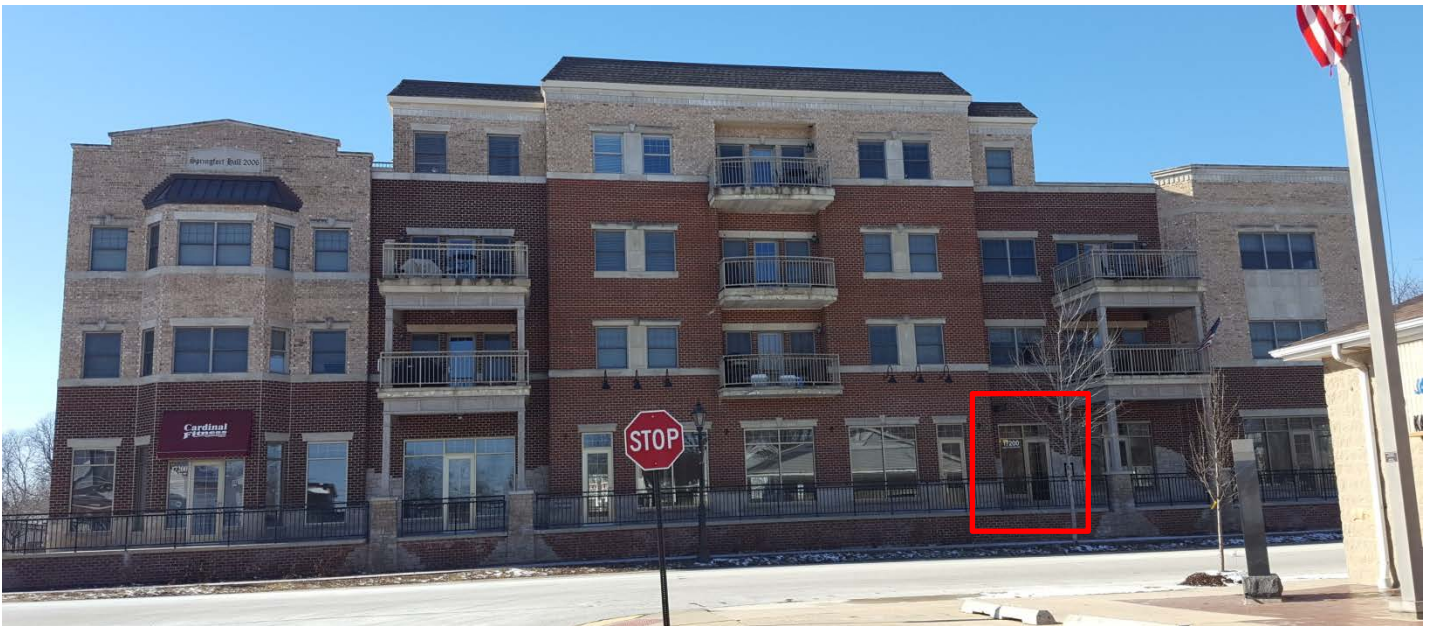
**Residential Lobby:** An entrance for access to residential dwellings which may contain stairs, elevators, and mailboxes.



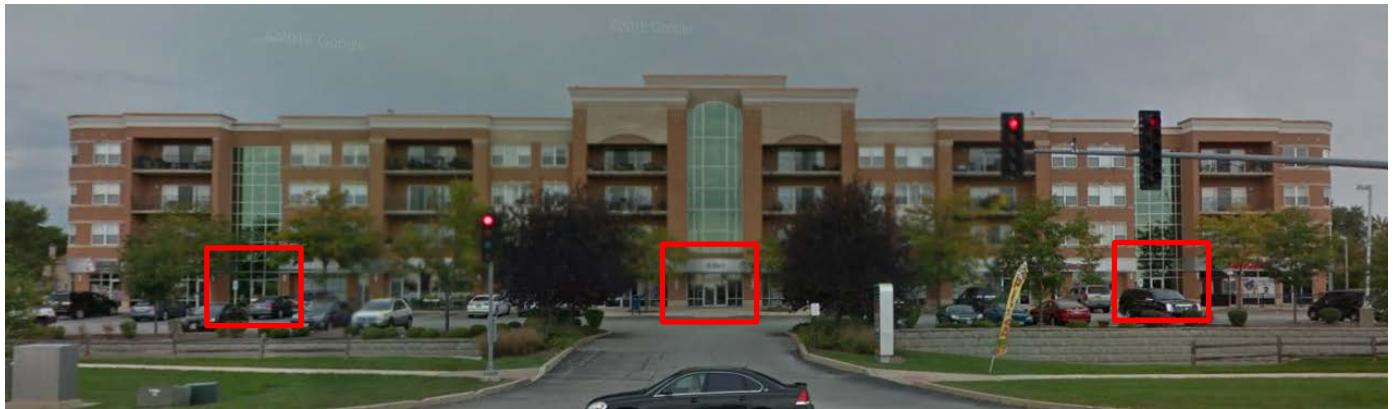
Staff noted the following approximate information about residential lobbies within existing mixed-use buildings in Tinley Park:

Building Name	Building Address	Total Building Frontage (feet)	Residential Lobby Frontage (feet)	Residential Lobby Frontage (as a percentage of the Building Frontage)
Springfort Hall	17200 Oak Park Avenue	148'8"	9'8"	6.5%
PASS Crockett	17208-17216 Oak Park Avenue	98'	14'4"	14.6%
Tinley Park Place	17314-17324 Oak Park Avenue	100'	15'	15%
Tinley Pointe Centre	7014-7086 183 <sup>rd</sup> Street	330'	35' (per lobby; 3 lobbies)	31.8%

The Plan Commission may wish to consider if there is an appropriate percentage or maximum width that a residential lobby could be permitted on the street level. Staff recommends adding a requirement that the lobby frontage appear commercial in character when located adjacent to commercial spaces.







## 2. Modification of the List of Permitted, Special, and Prohibited Uses within the Legacy District

Staff has discussed the Permitted, Special Use and Prohibited Use table (p. 55) with the CAC. While there have been several recommended amendments, the discussion continues regarding these uses. With the adoption of Ordinance 2015-O-045, there were two additions to the Prohibited Use List. The CAC and Staff support these amendments. With the adoption of Ordinance 2016-O-025, these amendments were rescinded. Staff is recommending the Commission consider re-adopting these Text Amendments. As discussions continue with the CAC, there may be additional changes to this table that can be incorporated in future Legacy Code Text Amendments.

A revised version Table 3.A.2 (p. 55 of the Legacy Code) with the proposed additions (highlighted) to the list of Prohibited Uses is provided below.

<i>Special Uses</i>	<i>Prohibited Uses</i>
<ul style="list-style-type: none"> <li>- Amusement and recreation establishments including bowling alleys, billiard parlors, coin-operated amusement devices, gymnasiums, swimming pools, dance halls, health clubs, skating rinks and other similar places of recreation</li> <li>- Any establishment with operating hours between 2:00 AM and 6:00 AM</li> <li>- Automobile and custom van sales (new and used)</li> <li>- Creation of a mixed-use building on a Heritage Site in the Neighborhood General or Neighborhood Flex Districts.</li> <li>- Day or child care centers, including home occupation daycare</li> <li>- Farmer's market</li> <li>- Fruit and vegetable stands</li> <li>- Other similar or compatible uses</li> <li>- Package liquor stores</li> <li>- Private surface parking lots located on a lot with no structures or other uses.</li> <li>- Taverns</li> <li>- Teen recreation and dance facilities</li> <li>- Winery, distillery, or brewery, including sales and tasting</li> </ul>	<ul style="list-style-type: none"> <li>- Adult regulated uses</li> <li>- Advertising signs and billboards</li> <li>- Agricultural uses (except for farmer's markets and private gardens)</li> <li>- Archery / bow range</li> <li>- Automobile car wash (either manual or automatic)</li> <li>- Automobile / gasoline service stations</li> <li>- Automobile repair shops (including bodywork)</li> <li>- Boarding / rooming house</li> <li>- Building material sales</li> <li>- Drive-in theaters</li> <li>- Drive-through establishments (accessory to restaurants, banks, pharmacies and all other uses)</li> <li>- Frozen food lockers</li> <li>- Funeral homes, mortuaries, and cremation facilities</li> <li>- Greenhouses, garden centers, and landscape nurseries</li> <li>- Gun dealer / shooting range</li> <li>- Industrial facility (heavy or light)</li> <li>- Kennel / pound</li> <li>- Machinery and equipment sales</li> <li>- Medical marijuana dispensing facility</li> <li>- Model garage display and sales</li> <li>- Motel or motor inn</li> <li>- Open storage</li> <li>- Other similar or compatible uses</li> <li>- Plumbing, heating, air conditioning sales and service</li> <li>- Second hand stores, flea markets, pawn shops</li> <li>- Tattoo parlor</li> <li>- Tobacco, hookah, cigarette, cigar, e-cigarette, and vapor sales establishments, and any related on-site consumption, as a primary use</li> <li>- Truck depot / truck stop</li> <li>- Vehicle rental</li> <li>- Warehouse and storage (including mini-storage)</li> <li>- Wireless communications facilities</li> </ul>

Table 3.A.2

At the 2/2 Plan Commission meeting, the commissioners discussed separating a smoking lounge use from a smoking product retail sales use. This was also discussed with the Citizen Advisory Committee at their 2/6 meeting and they concurred. Per this recommendation, Staff has updated Table 3.A.2. accordingly and it can be viewed on the attached draft revision of page 55 of the Legacy Code.

### 3. Landscape Bufferyard Clarification

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During the review of some of the more recent developments in the Legacy District, Staff discovered an issue related to required landscape bufferyards that had not been adequately addressed previously in the Legacy Code. Specifically, there was concern regarding the treatment of bufferyards for properties adjacent to Non-Legacy Code Areas. The current regulation reads:

“d. Properties Adjacent to Non-Legacy Code Area: A bufferyard is required between an alley and a parcel located outside of the Legacy Code Area. The minimum standard shall be a minimum bufferyard of 5'”

The code does not address those situations where there is no alley. The proposed Text Amendment in Ordinance 2015-O-045 added the text “and/or between the rear of any property that has a surface parking lot and a parcel outside of the Legacy Code Area.” This means that a 5' wide landscape bufferyard would be required between a parking lot and a parcel outside of the Legacy Code Area. At the February 2<sup>nd</sup> Workshop there was further discussion regarding the screening of auto-related uses. After additional review by Staff it was determined that Section F (10) *Bufferyards*, of the Legacy Code could be simplified as follows:

#### 10. Bufferyards

A 5' minimum Bufferyard in accordance with Table 3.F.1 is required in the following circumstances:

- a. *Adjacent to Non-Legacy Code Areas* – A bufferyard is required between any property within the Legacy District (except for Single-Family Detached structures) and any property outside of the Legacy District.
- b. *Between Commercial and Non-Commercial Uses* – A bufferyard is required between commercial and non-commercial uses. In order to promote shared parking facilities, properties with a commercial component are not required to provide bufferyards when adjacent to property that also includes a commercial component. (Consideration will be given to waive the bufferyard requirement if the adjacent property is not within the Legacy District but also includes a commercial component.)
- c. *Between Residential Uses* – A bufferyard is required between a Single-Family Detached structure and any other residential use.
- d. *Auto-related Uses* – A bufferyard is required adjacent to a surface parking lot or parking area (including driveways) that abuts a use outside of the Legacy Code Area except as provided in “b. *Between Commercial and Non-Commercial Uses*.” above.
- e. *Alley Buffer* – A bufferyard is not required between a parcel within the Legacy Code Area and an alley; however, a bufferyard is required between an alley and a parcel located outside of the Legacy Code Area.

#### 4. Correction of Various Scrivener's Errors Related to Legal Descriptions for District boundaries

Staff has researched the various Scrivener's errors that were included in the previously approved Text Amendments in Ordinance 2015-O-045 and found them to be legitimate. Staff recommends the Commission include these corrections in any proposed amendments.

These errors were discovered when Staff requested that the Village Engineer review all of the legal descriptions for each zoning district within the Legacy Code and check for accuracy. Several errors were identified, which are known as Scrivener's errors. In order to make the written legal descriptions consistent with the intent of the boundaries and zoning districts within the Legacy Code, the Village Engineer drafted a corrected version of all of the legal descriptions for each zoning district. The property located at 17533 Oak Park Avenue (PIN 28-31-200-013-0000) is included within the Scrivener's errors.

Staff notes that the following Zoning Map changes are necessary based on the corrections to the legal descriptions:

#	PIN	Address	Current Zoning (Based on Legal Description)	Correction to Zoning Map (by Legal Description)	Requires Visual Change to Figures in Legacy Code	Notes
1	28-31-200-013-0000	17533 Oak Park Avenue	DG & B-4	DC	YES	Struck out of DG; Full parcel added to DC
2	28-31-200-014-0000	17514 Oak Park Avenue	DG	DC	NO	Struck out of DG; Added to DC
3	28-30-308-007-0000	6822 173 <sup>rd</sup> Place	R-4	DF	YES	Previously R-4; Added to DF
4	28-30-308-006-0000	6824 173 <sup>rd</sup> Place	R-4	DF	NO	Previously R-4; Added to DF
5	28-30-308-005-0000	6832 173 <sup>rd</sup> Place	R-4	DF	NO	Previously R-4; Added to DF
6	28-30-405-035-0000	17234 66 <sup>th</sup> Court	R-5	DG	YES	Previously R-5; Added to DG
7	28-30-405-036-0000	17232 66 <sup>th</sup> Court	R-5	DG	YES	Previously R-5; Added to DG
8	28-30-405-016-0000	17224 66 <sup>th</sup> Court	R-5	DG	YES	Previously R-5; Added to DG
9	28-30-115-037-0000	17048 Oak Park Avenue	B-1	NG	NO	Previously B-1; Added to NG
10	28-30-302-055-0000	6853 172 <sup>nd</sup> Street	NF	R-4	NO	Excepted out of NF; Reverts back to R-4
11	28-30-302-056-0000	6847 172 <sup>nd</sup> Street	NF	R-4	NO	Excepted out of NF; Reverts back to R-4
12	28-30-302-057-0000	6841 172 <sup>nd</sup> Street	NF	R-4	NO	Excepted out of NF; Reverts back to R-4
13	28-30-301-049-0000	17201 68 <sup>th</sup> Court	NF	R-4	NO	Excepted out of NF; Reverts back to R-4
14	28-30-301-050-0000	17205 68 <sup>th</sup> Court	NF	R-4	NO	Excepted out of NF; Reverts back to R-4

## 5. Correction of Errors on Various Figures Based on Corrections to Legal Descriptions

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Correlating to the correction of the Scrivener's errors, Staff is recommending the following revisions to the affected Figures within the Legacy Code. This Text Amendment visually codifies the verbiage from the corrected legal descriptions. Staff proposes to simplify the language of this Text Amendment by stating that all figures affected by the amendments be updated accordingly.

The following figures within Section XII (Legacy Code) of the Zoning Ordinance must be updated **to reflect map amendments associated with the correction of the Scrivener's errors in the legal descriptions:**

1. Page 3 - Figure 1.C.1 – Code Area Map
2. Page 6-7 - Figure 1.G.1 – Regulating Plan
3. Page 11 - Figure 2.A.1 – Downtown Core Location Map
4. Page 12 - Figure 2.A.2 – Downtown Core Regulating Plan
5. Page 16 - Figure 2.A.6 – Unnamed
6. Page 19 - Figure 2.B.1 – Downtown Flex Location Map
7. Page 20 - Figure 2.B.2 – Downtown Flex Regulating Plan
8. Page 24 - Figure 2.B.6 – Unnamed
9. Page 27 - Figure 2.C.1 – Downtown General Location Map
10. Page 28 - Figure 2.C.2 – Downtown General Regulating Plan
11. Page 32 - Figure 2.C.6 – Unnamed
12. Page 35 - Figure 2.D.1 – Neighborhood General Location Map
13. Page 36 - Figure 2.D.2 – Neighborhood General Regulating Plan
14. Page 40 - Figure 2.D.6 – Unnamed
15. Page 43 - Figure 2.E.1 – Neighborhood Flex Location Map
16. Page 51 - Figure 2.F.1 – Civic Regulating Plan
17. Page 99 - Figure Appendix.D.1 – Unnamed
18. Page 100 - Figure Appendix.E.1 – Unnamed
19. Page 101 - Figure Appendix.F.1 – Unnamed

Additionally, while Staff does not propose to change “Street Level Commercial Required”, it is necessary to correct the label for Figure 2.E.2 to read “Neighborhood Flex Regulating Plans” since it is incorrectly labeled as “Neighborhood General Regulating Plans”. Staff proposes to incorporate this correction into a Text Amendment.

**Also, Staff noted that there is an error with the page numbers cited on the right hand column of page 43. Staff proposes to correct the numbering to match the corresponding pages in the NF section.**

## **Recap of Citizen Advisory Committee Meeting 2/6/2017**

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Overall, the Citizen Advisory Committee (CAC) agreed with the Plan Commission's comments from their 2/2/2017 meeting. The CAC asked for Staff to work on the definitions for Street Level Commercial, Accessory Residential Uses, and Residential Lobby. They requested that Staff investigate allowable sizes for lobbies that could be on the street frontage. Staff also noted that a minimum depth requirement for commercial units would be discussed. The draft meeting minutes from this meeting have been included in the Plan Commission packet.



## Staff's Current Recommendations

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While Staff is continuing to work with the Citizen Advisory Committee (CAC) and the Plan Commission (PC) to develop new Text Amendments that will add improvements and clarity to the Legacy Code, the amendments for discussion at this time are limited to the original 2015 Text Amendments adopted with Ordinance 2015-O-045 and rescinded in Ordinance 2016-O-025.

Staff has reviewed the original Text Amendments, conducted a Public Hearing (6/16/2016) and workshops (11/3/2016 and 2/2/2017) with the Plan Commission, and held numerous workshops with the Citizen Advisory Committee. Staff has incorporated research and feedback into the proposed Text Amendments and Map Amendments to correct the Scrivener's errors and related mapping diagrammatic errors as discussed above.

A summary of the current recommendations are:

1. Keep "Street Level Commercial Required" in DC and NF as originally noted in the Legacy Code.
2. Add a definition for "Street Level Commercial".
3. Add a definition for "Accessory Residential Uses".
4. Add a definition for "Residential Lobby".
5. Add "Accessory Residential Uses" to the list of Special Uses in Table 3.A.2. on page 55 of the Legacy Code.
6. Add criteria for "Accessory Residential Uses" as a Special Use.
7. Consider if there is an allowable size for a Residential Lobby along the street frontage. If so, add a notation after "Street Level Commercial Required" that states the allowable size.
8. Add a notation after "Street Level Commercial Required" on page 12 and page 44 of the Legacy Code that indicates a minimum depth for the commercial uses.
9. Clarify Table 2.A.1. on page 12 of the Legacy Code by replacing "Second Floor Office" with "Upper Level Commercial".
10. Clarify Table 2.A.1. on page 12 of the Legacy Code by replacing "Second Flood Group Assembly" with "Upper Level Group Assembly".
11. Clarify Table 2.A.1. on page 12 of the Legacy Code by separating residential and making two categories: "Street Level Residential" and "Upper Level Residential" and adding that Street Level Residential is not allowed when Street Level Commercial is required per the orange dot overlay in Figure 2.A.2.
12. Clarify Table 2.E.1. on page 44 of the Legacy Code by replacing "Second Floor Office" with "Upper Level Commercial".
13. Clarify Table 2.E.1. on page 44 of the Legacy Code by replacing "Second Flood Group Assembly" with "Upper Level Group Assembly".
14. Clarify Table 2.E.1. on page 44 of the Legacy Code by separating residential and making two categories: "Street Level Residential" and "Upper Level Residential" and adding that Street Level Residential is not allowed when Street Level Commercial is required per the orange dot overlay in Figure 2.E.2.
15. For consistency, clarify Table 2.A.7., 2.B.1., 2.B.7., 2.C.1., 2.C.7., 2.D.1., 2.D.7, and 2.E.7., within the Legacy Code to match the new Table 2.A.1. and 2.E.1. by replacing "Second Floor Office" with "Upper Level Commercial", replacing "Second Flood Group Assembly" with "Upper Level Group Assembly" and by

separating “Residential” and making two categories: “Street Level Residential” and “Upper Level Residential”.

16. Add “Medical marijuana dispensing facility” to the list of Prohibited Uses on page 55 of the Legacy Code.
17. Add “Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, or vapor products as a primary use” to the list of Prohibited Uses on page 55 of the Legacy Code.
18. Add “Cigar or hookah lounge as a primary use (with or without retail sales as an accessory use) ” to the list of Special Uses on page 55 of the Legacy Code.
19. Edit Section XII.3.F.10. on page 63 of the Legacy Code to read:

**“10. Bufferyards**

A 5’ minimum Bufferyard in accordance with Table 3.F.1 is required in the following circumstances:

- a. *Adjacent to Non-Legacy Code Areas* – A bufferyard is required between any property within the Legacy District (except for Single-Family Detached structures) and any property outside of the Legacy District.
  - b. *Between Commercial and Non-Commercial Uses* – A bufferyard is required between commercial and non-commercial uses. In order to promote shared parking facilities, properties with a commercial component are not required to provide bufferyards when adjacent to property that also includes a commercial component. (Consideration will be given to waive the bufferyard requirement if the adjacent property is not within the Legacy District but also includes a commercial component.)
  - c. *Between Residential Uses* – A bufferyard is required between a Single-Family Detached structure and any other residential use.
  - d. *Auto-related Uses* – A bufferyard is required adjacent to a surface parking lot or parking area (including driveways) that abuts a use outside of the Legacy Code Area except as provided in “b. *Between Commercial and Non-Commercial Uses*.” above.
  - e. *Alley Buffer* – A bufferyard is not required between a parcel within the Legacy Code Area and an alley; however, a bufferyard is required between an alley and a parcel located outside of the Legacy Code Area.”
20. Correct the Scrivener’s errors in the legal descriptions for the districts (DC, DG, DF, NG, NF, CV). This involves a Map Amendment (Rezoning) for fourteen (14) properties as noted in Section 4 of this Staff Report.
  21. Correct figures within the Legacy Code to reflect the corrections to the legal descriptions. This involves correcting nineteen (19) figures as noted in Section 5 of this Staff Report.
  22. Correct Figure 2.E.2. to read “Neighborhood Flex Regulating Plans”.
  23. Correct the page number references on the right hand column of page 43 of the Legacy Code to relate to the NF section pages rather than the NG section pages. The correct page numbers for “Redevelopment (Improvements > 50%)” are 44, 44, 45, 46, 46, 46, and 47. The correct page numbers for “Heritage Sites (Improvements < 50%)” are 48, 48, 49, and 49.



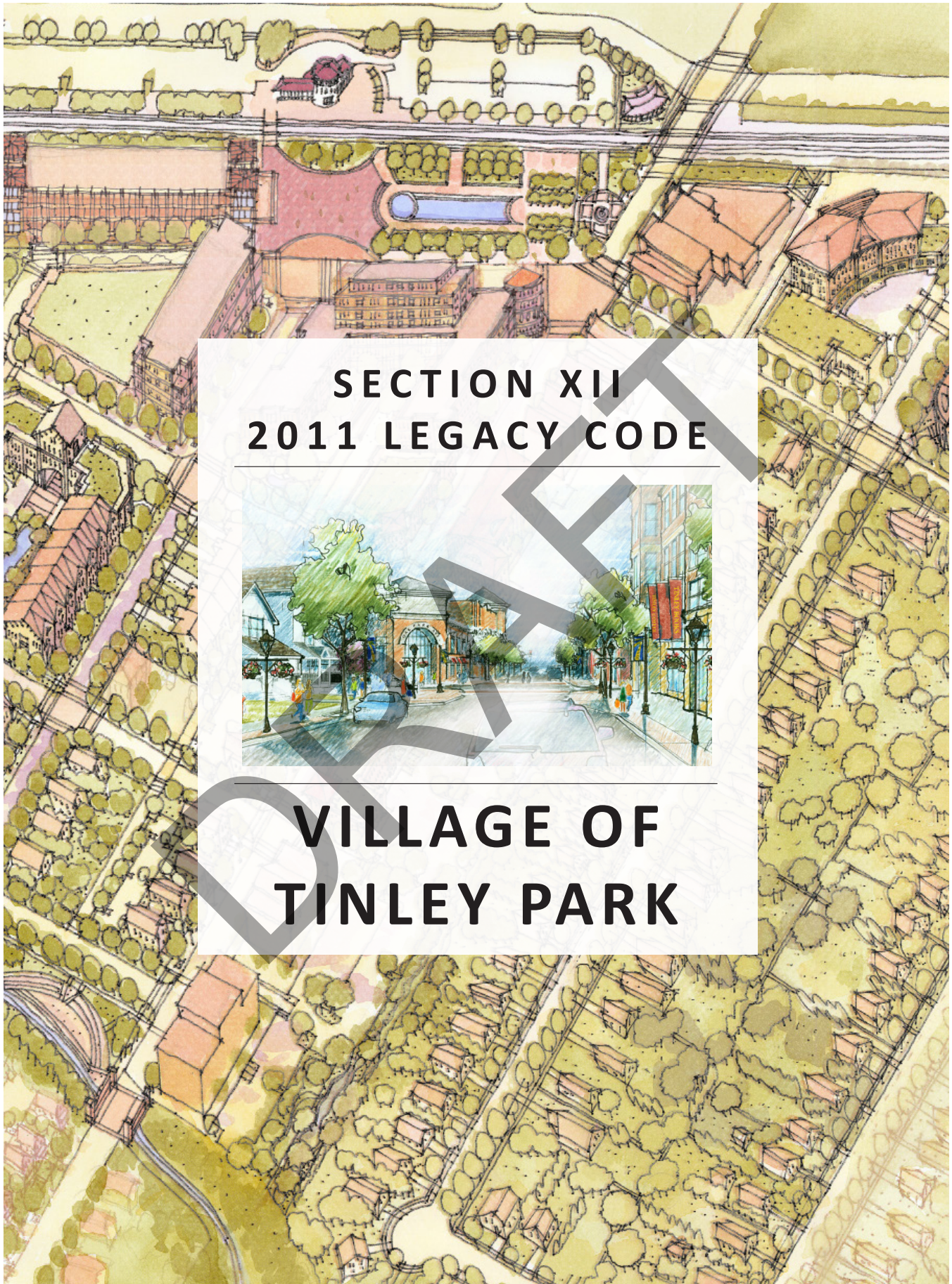
## **Future Legacy Code Text Amendment Topics**

---

Staff will continue to work with the CAC regarding improvements to the Legacy Code, including:

- Heritage Sites
- Public Infrastructure Improvements
- Design Guidelines
- Sign Regulations
- Incentives for Blade Signs
- Boutique Liquor Uses
- Communication/Public Notification





**SECTION XII**  
**2011 LEGACY CODE**



**VILLAGE OF**  
**TINLEY PARK**



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# Table of Contents

## 1. Introduction

A. Purpose .....	1
B. Intent .....	2
C. Applicability .....	3
D. Severability .....	3
E. How to Use the Code .....	4
F. Process Overview .....	5
G. Regulating Plan .....	6
H. Character Districts .....	6

## 2. Specific District Regulations

A. Downtown Core .....	11
B. Downtown Flex .....	19
C. Downtown General .....	27
D. Neighborhood General .....	35
E. Neighborhood Flex .....	43
F. Civic .....	51

## 3. General Provisions

A. Uses .....	54
B. Building Types & Standards .....	56
C. Parking .....	58
D. Alleys .....	60
E. Vehicle Access .....	61
F. Landscaping .....	62
G. Fencing .....	64
H. Stormwater Management .....	65
I. Lighting .....	66
J. Encroachments .....	68

## 4. Signage

A. Intent .....	71
B. Applicability .....	71
C. General Provisions .....	72
D. Sign Types .....	74
E. Sign Regulations .....	76
F. Sign Measurements .....	78
G. Temporary Signs .....	79
H. Sign Exemptions .....	79
I. Non-Conforming Signs .....	80

**5. Administration & Procedures**

A. How to Obtain Project Approval .....	82
B. Public Meetings Required .....	85
C. Required Submittal Information .....	86
D. Approval Standards .....	87
E. Map Amendment (Rezoning) .....	87
F. Appeals .....	87
G. Special Uses .....	87
H. Variances .....	88
I. Parking Agreement Standards & Waivers .....	89

**Appendix**

A. General Thoroughfare Standards .....	92
B. Potential Right-of-Way Transitions .....	97
C. Stormwater Management Analysis .....	98
D. Historic Properties & Special Uses .....	99
E. Zoning Prior to Adoption .....	100
F. Main Street Commission Boundary .....	101

<b>Definitions</b> .....	104
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# 2011 LEGACY CODE

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## SECTION 1 INTRODUCTION

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## A. Purpose

The *Legacy Code* is intended to be used in conjunction with the *Legacy Plan*. The Tinley Park community set forth the *Legacy Plan* with a clear vision and preferred urban design arrangements for the downtown and beyond. The *Legacy Code* implements the *Legacy Plan* by codifying Tinley Park's vision with a purposefully specific and precise form-based approach.

This *Legacy Code* was created to strengthen the aesthetics and economics of the downtown by implementing the following principles, set forth in the *Legacy Plan*:

- 
1. Preserve Tinley Park's unique historic heritage.
  2. Ensure that new development respects the historic scale and character of downtown.
  3. Building a strong economic future for Downtown Tinley Park.
  4. Maximize the number of people living within walking distance of the train station.
  5. Encourage building mass to peak at the downtown core.
  6. Create a walkable downtown where pedestrians come first.
  7. Create a connected roadway framework with small walkable blocks.
  8. Promote a green downtown showcasing leadership in the preservation of natural resources and sustainable practices.
  9. Position downtown as a focal point of the regional bike path system.
-

## B. Intent

The *Legacy Code* is intended to allow for the continued function of contemporary land uses, while creating standards and design criteria for infill and redevelopment projects. The *Legacy Code* regulations have been developed to accomplish the goals of the *Legacy Plan* by:

- 
1. Regulating building form to create a street wall of appropriately scaled buildings that address the street and create a pedestrian-oriented setting.
  2. Prohibiting the placement of off-street parking in front yards in order to maintain the continuity of buildings along the street, minimize the views of parked cars, and provide adequate sidewalks and amenities for pedestrians and bicyclists.
  3. Prohibiting drive-through facilities and other automobile related uses to encourage an environment where pedestrian comfort and safety comes first, residential homes can be established near the street, and curb cuts are minimized.
  4. Regulating streets and rights-of-way to encourage landscaped streetscapes and complete streets that accommodate multiple modes of travel.
  5. Concentrating commercial development in a walkable downtown core and transition areas outside the core to residential development to create a supportive neighborhood market.
  6. Creating architectural standards to ensure that new buildings comply with the community's shared vision.
  7. Create a review process that rewards compliance with the *Legacy Code* and *Legacy Plan* with a shortened review process.
-

Should this section of the Zoning Ordinance be found by Village staff to be silent on any matter that is otherwise provided for in any other section of the Zoning Ordinance, Subdivision Regulations, or Building Code, the applicable provisions of those sections shall apply.

## D. Severability

Should any section or provision of this section of the Zoning Ordinance be declared to be unconstitutional or invalid, such decision shall not affect the validity of any other part of this section or Zoning Ordinance, as a whole.

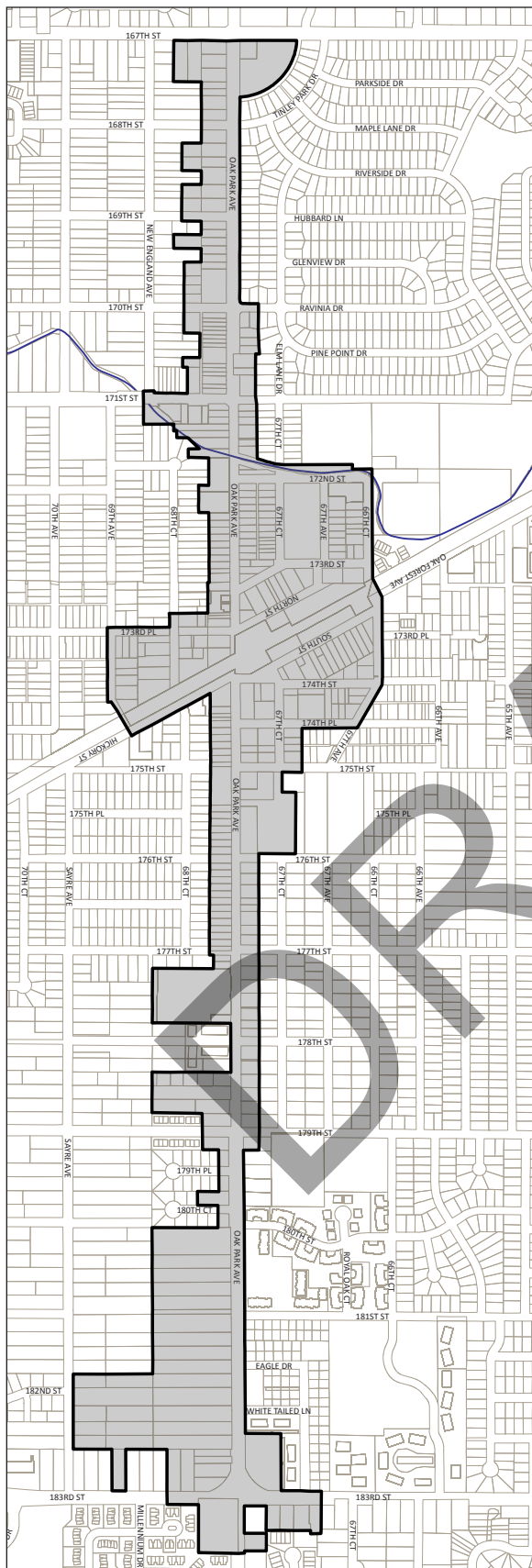


Figure 1.C.1 - Code Area Map

## E. How to Use the Code

1. Go to pages 6-7 to determine the zoning of the property

2. Refer to character district inset to determine what page to start at

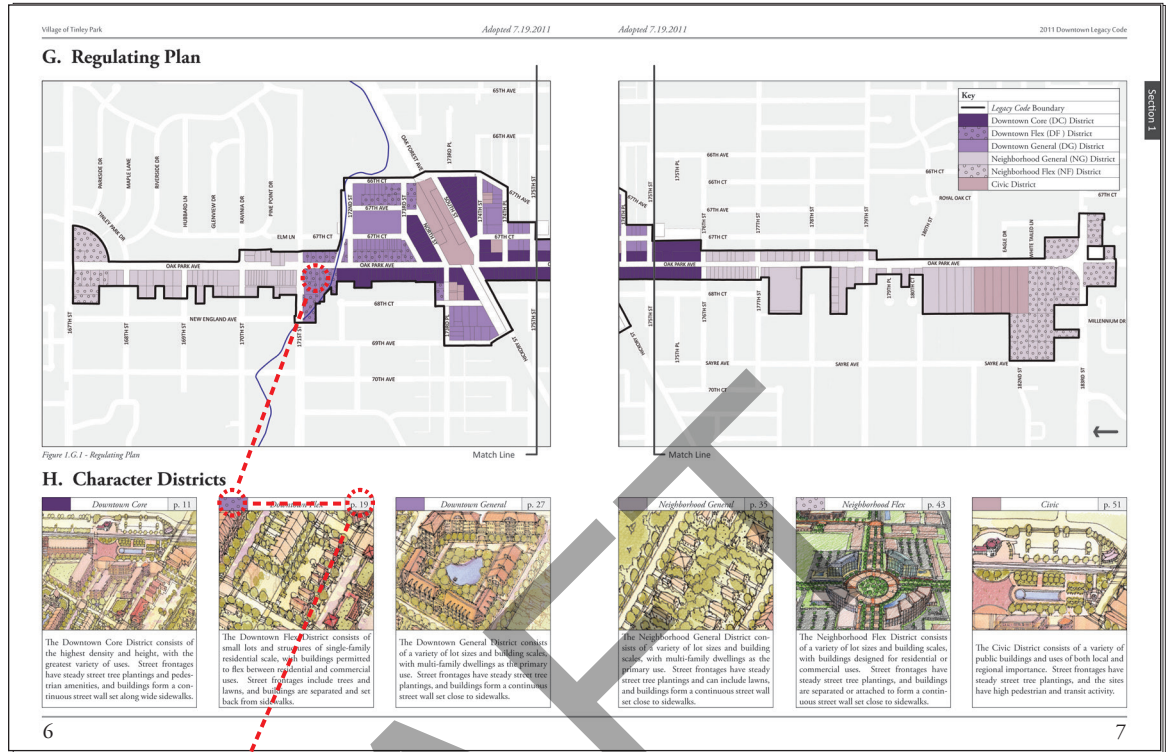


Figure 1.E.1

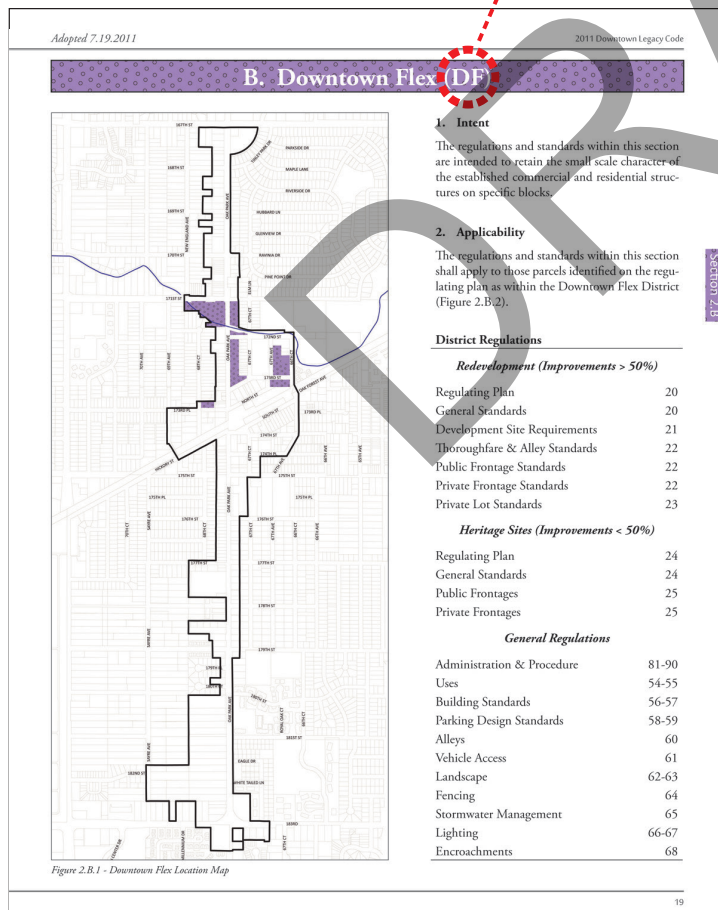


Figure 1.E.3

3. Each district is divided into two sections based upon the degree of improvements proposed:

### Redevelopment

Those projects involving improvements **greater than 50%** of the property's market value.

### Heritage Site

Those projects involving improvements **less than 50%** of the property's market value.

### Improvement Standards Within Each District

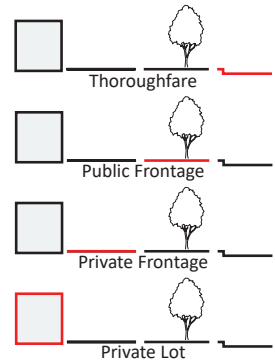


Figure 1.E.2

4. General Regulations apply to all districts:

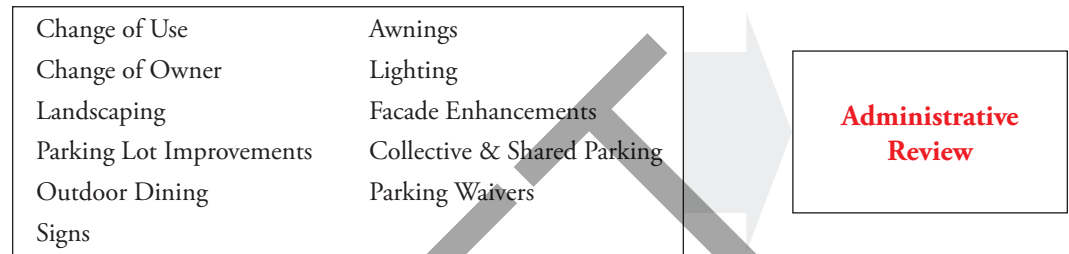
Administration  
Uses  
Building Standards  
Parking  
Alleys  
Vehicle Access

Landscaping  
Fencing  
Stormwater  
Lighting  
Signage

## F. Process Overview

The following provides a concise overview of the general review process. The intent of this code is to reward those who strive to meet its standards and regulations. Therefore, the length of review time and number of meetings required to obtain project approval shall be based upon the degree of conformance to this code. Those changes involving existing structures will typically not require public meetings unless determined by Village staff that the nature of the modifications warrant review by Village Commissions and/or the Village Board. A complete description of the process and submission requirements is located on pages 81-90.

### 1. Existing Structures



### 2. New Development, Redevelopment & Special Approvals

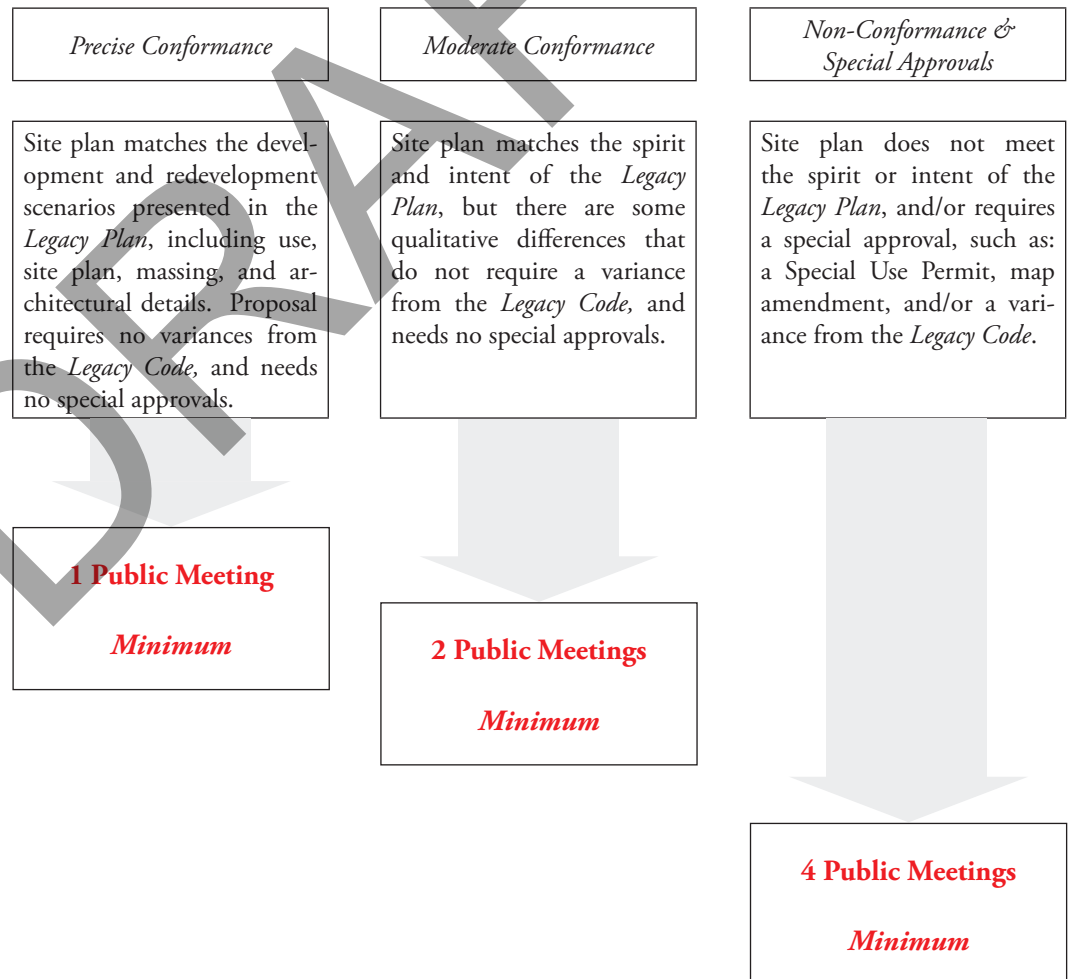


Figure 1.F.1



## G. Regulating Plan

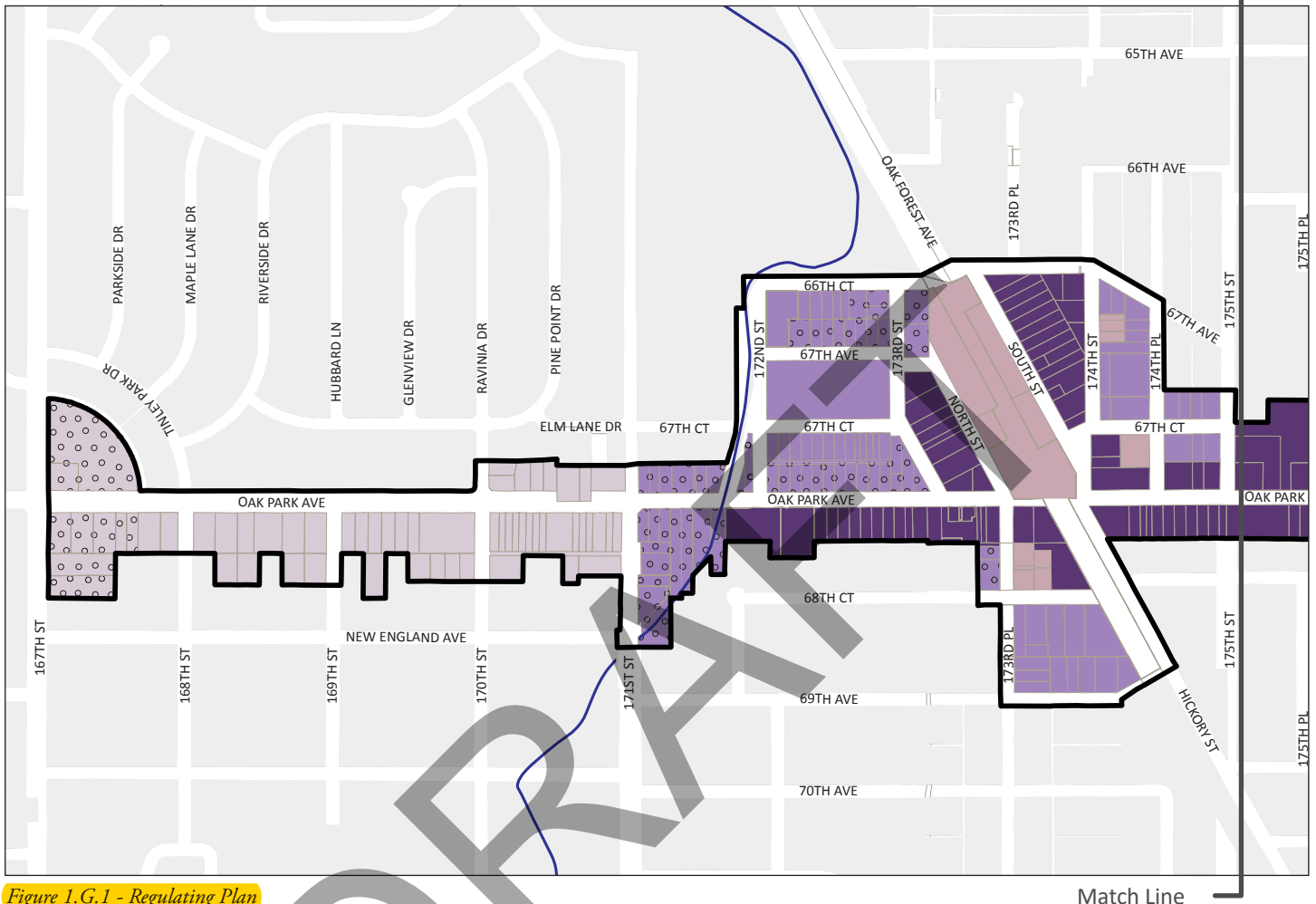


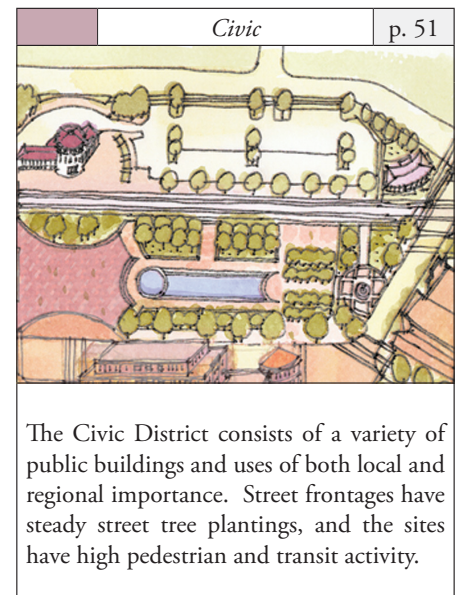
Figure 1.G.1 - Regulating Plan

## H. Character Districts

Downtown Core	p. 11
<p>The Downtown Core District consists of the highest density and height, with the greatest variety of uses. Street frontages have steady street tree plantings and pedestrian amenities, and buildings form a continuous street wall set along wide sidewalks.</p>	

Downtown Flex	p. 19
<p>The Downtown Flex District consists of small lots and structures of single-family residential scale, with buildings permitted to flex between residential and commercial uses. Street frontages include trees and lawns, and buildings are separated and set back from sidewalks.</p>	

Downtown General	p. 27
<p>The Downtown General District consists of a variety of lot sizes and building scales, with multi-family dwellings as the primary use. Street frontages have steady street tree plantings, and buildings form a continuous street wall set close to sidewalks.</p>	



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## 2011 LEGACY CODE

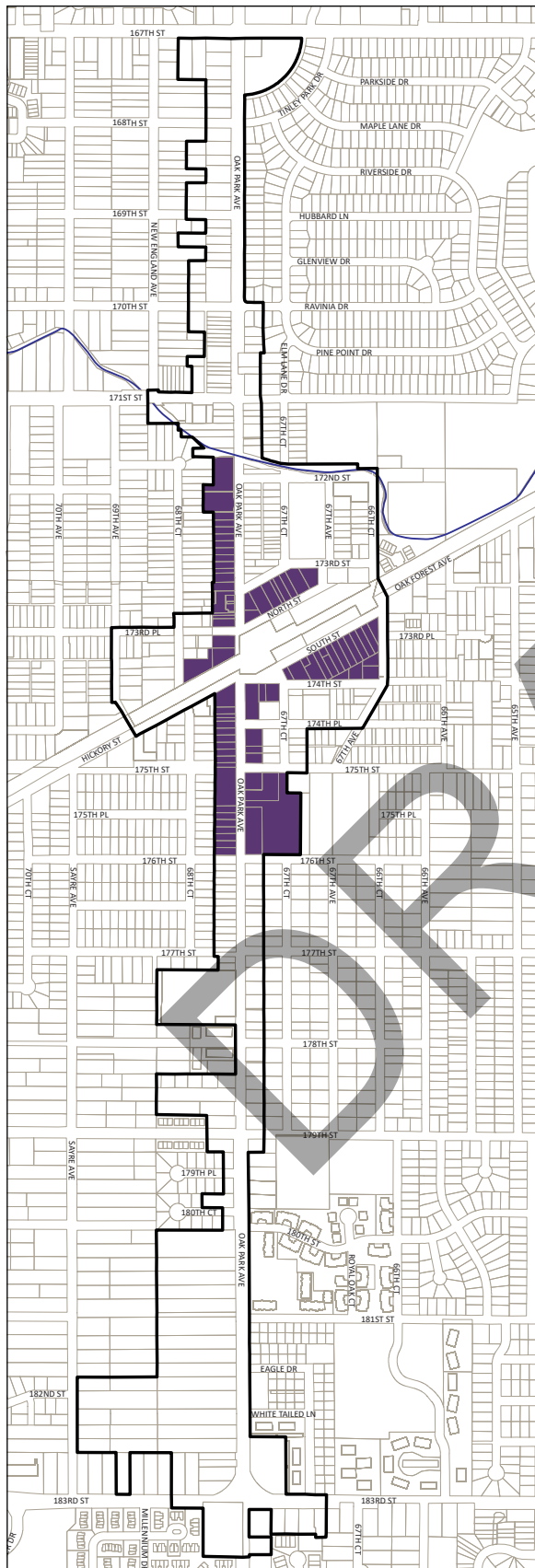
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## SECTION 2 DISTRICT REGULATIONS

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## A. Downtown Core (DC)



### 1. Intent

The regulations and standards within this section are intended to promote taller, mixed-use development in the vicinity of the Oak Park Avenue train station.

### 2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Downtown Core District (Figure 2.A.2).

### District Regulations

#### *Redevelopment (Improvements > 50%)*

Regulating Plan	12
General Standards	12
Development Site Requirements	13
Thoroughfare & Alley Standards	14
Public Frontage Standards	14
Private Frontage Standards	14
Private Lot Standards	15

#### *Heritage Sites (Improvements < 50%)*

Regulating Plan	16
General Standards	16
Public Frontages	17
Private Frontages	17

#### *General Regulations*

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

Figure 2.A.1 - Downtown Core Location Map

### 3. Regulating Plan - Improvements > 50% (DC)

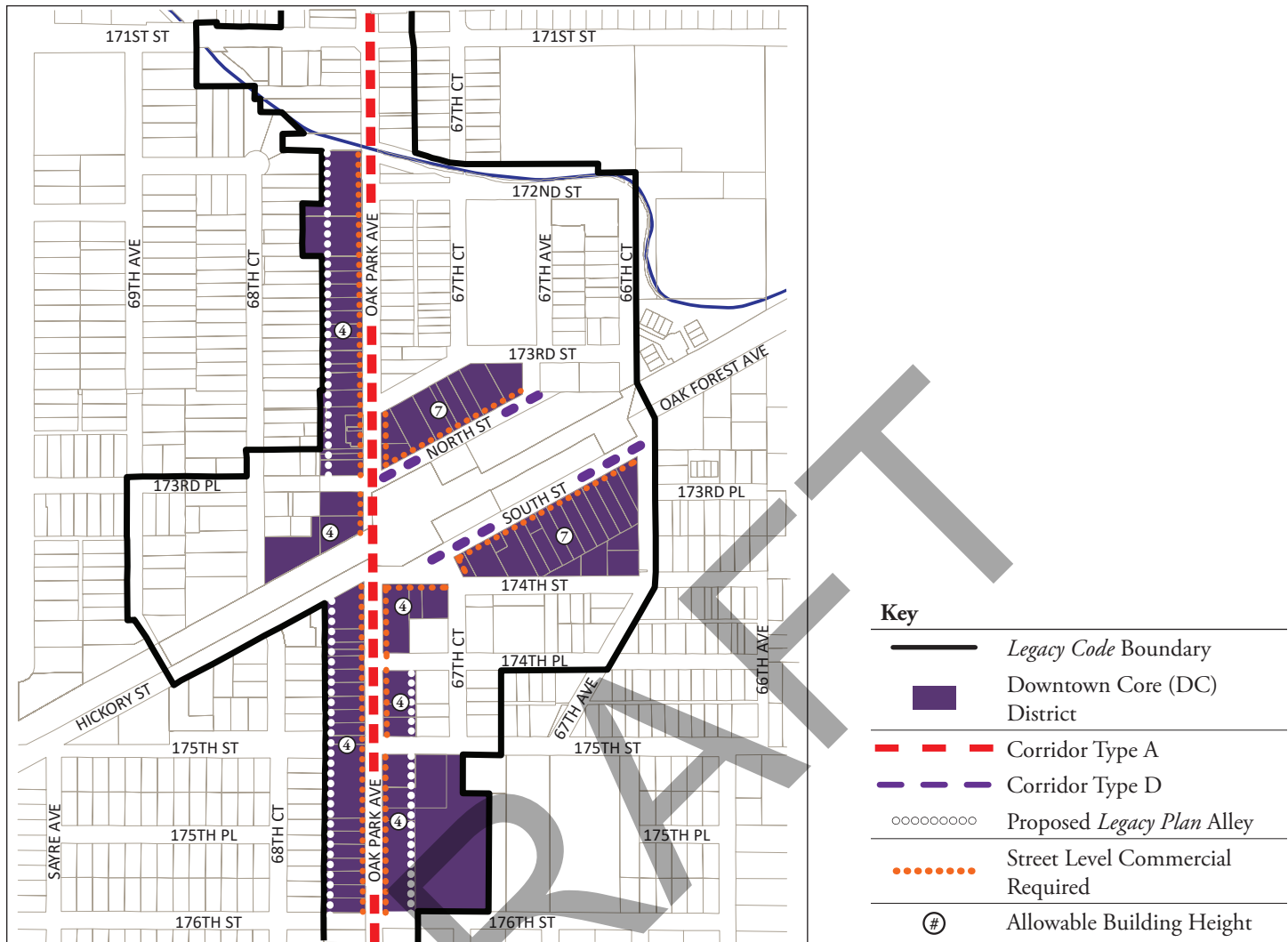


Figure 2.A.2 - Downtown Core Regulating Plan

### 4. General Standards (DC)

Permitted Building Functionality					On-Site Vehicle Parking		On-Site Bike Parking		
Street Level Commercial	△				not required		0.2 per 1,000 s.f. (2 minimum)		
Upper Level Commercial	●				2 spaces per 1,000 s.f.		0.2 per 1,000 s.f. (2 minimum)		
Street Level Group Assembly	○				4 spaces per 1,000 s.f.		0.2 per 1,000 s.f. (2 minimum)		
Upper Level Group Assembly	●				4 spaces per 1,000 s.f.		0.2 per 1,000 s.f. (2 minimum)		
Civic	●				not required		0.2 per 1,000 s.f. (2 minimum)		
Street Level Residential	□		□	□	1 space per dwelling unit		1 per dwelling unit		
Upper Level Residential	●		●	●	1 space per dwelling unit		1 per dwelling unit		
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55					Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59				
					Mixed-Use	Stand-Alone Commercial	Multi-Family	Single-Family Attached	Single-Family Detached
					●		●	●	
					Permitted Building Type				

△ The commercial space must be a minimum depth of fifty feet (50').

○ Can not occupy, individually or in aggregate, greater than 50% of a building's street level commercial space.

□ If Street Level Commercial is not required in Figure 2.A.2., then Street Level Residential is permitted.

Table 2.A.1

Table 2.A.1

## 5. Corridor & Alley Requirements (DC)

### a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.A.2).

### b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 16 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Site Type	Corridor			Alley		
	Thoroughfare	Public Frontage	Private Frontage	Dedication to Village	Construct On-Site	Connect to Thoroughfare
> 75% of Block	•	•	•	•	•	•
Lot Assemblage > 40% of Block		•	•	•	•	•
Lot Assemblage < 40% of Block		•	•	•	•	
Single Lot > 10% of Block		•	•	•	•	
Single Lot < 10% of Block		•	•	•		
Block End (any %)		•	•	•	•	•

Table 2.A.2

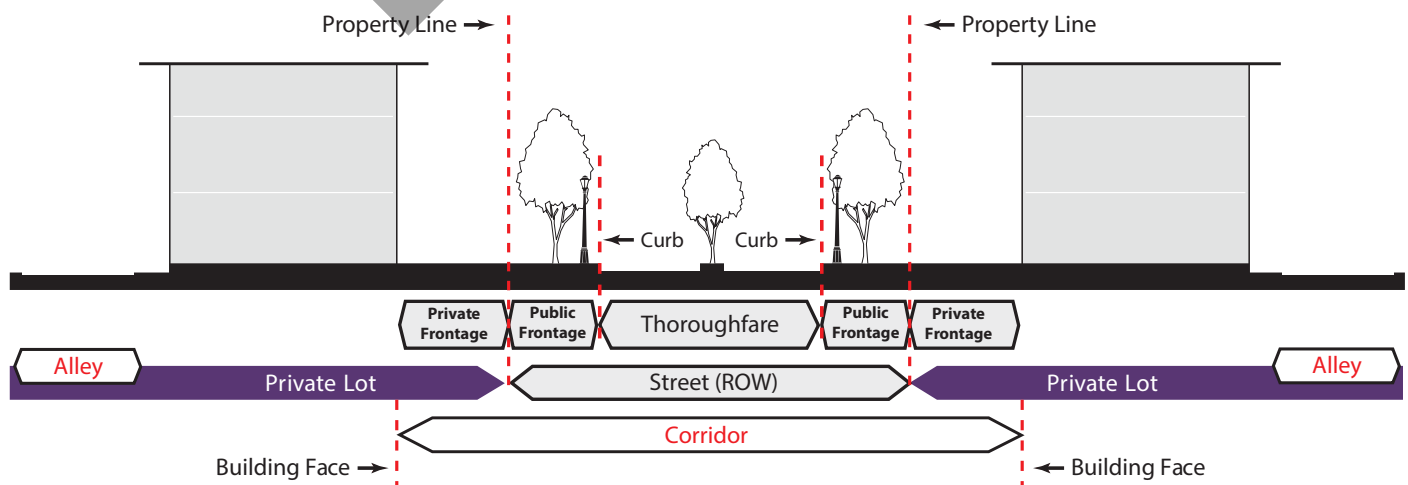


Figure 2.A.3 - Illustration of Terms

## 6. Thoroughfare & Alley Standards (DC)

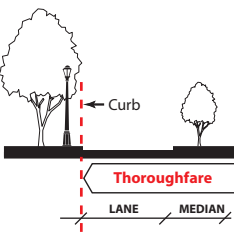
	Thoroughfare	Landscape Median	On-Street Parking	Thoroughfare Width (Curb to Curb)	Design Details
	Standard Corridor		●	30'	see pages 92-95
	Corridor Type A		●	41'	
	Corridor Type D		●	30'	
	Alley			20'	

Table 2.A.3

## 7. Public Frontage Standards (DC)

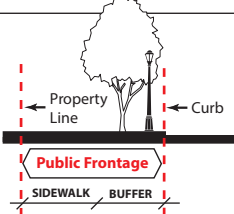
	Thoroughfare	Minimum Side-walk Width	Minimum Buffer Width	Landscaping Details	Lighting Details
	Standard Corridor	6'	12'	see pages 62-63	see pages 66-67
	Corridor Type A	5'	6'		
	Corridor Type D	7'	6'		

Table 2.A.4

## 8. Private Frontage Standards (DC)

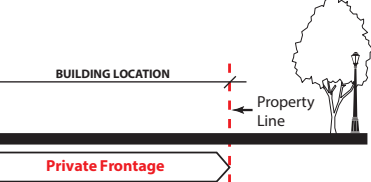

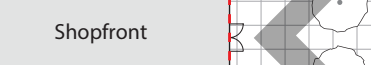
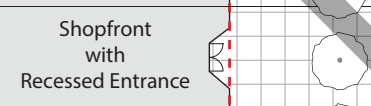


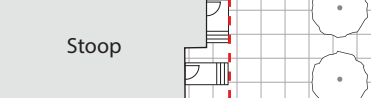
	Permitted Private Frontages	
	Description	Standards
 Corner	A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
 Shopfront	A building treatment for ground-level commercial uses with transparent display windows and entrances oriented to align with and allow direct access from the public frontage.	Entrance at sidewalk grade.
 Shopfront with Recessed Entrance	A shopfront treatment for ground-level commercial uses in which the entrance is recessed into the façade.	Entrance at sidewalk grade. Maximum Depth - 5'
 Shopfront with Dining Alcove	A shopfront treatment for ground-level commercial uses where a portion of the façade is stepped back in order to accommodate dedicated outdoor seating areas.	Entrance at sidewalk grade. Maximum Alcove Width - 50% of Lot Maximum Depth - 15'
 Grand Entry	An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5' max. Stairs may encroach into front yard setback.
 Stoop	An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.

Table 2.A.5



# 9. Private Lot Standards (DC)

General		
Minimum Lot Width	50'	
Maximum Lot Width	n/a	
Minimum Building Height	3 stories	
Building Setbacks		
Front Yard (primary street)	5' max.	(A)
Front Yard (secondary street)	7.5' max.	(A)
Side Yard (interior)	5' max.	(B)
Side Yard (along access drive)	5' min.	(C)
Rear Yard (existing alley)	5' min.	(D)
Rear Yard (no alley required)	5' min.	(D)
Rear Yard (future alley)	30' min.	(E)
Parking Setbacks		
Front Yard (primary street)	20' min.	(F)
Front Yard (secondary street)	10' min.	(G)
Side Yard (interior)	0'	(H)
Side Yard (along access drive)	5' min.	(I)
Rear Yard (existing alley)	5' min.	(J)
Rear Yard (no alley required)	5' min.	(J)
Rear Yard (future alley)	30' min.	(K)
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5' min.	(L)
Alley Location	see page 60	(M)
Access Road Location	see page 61	(N)
Outdoor Dining Setbacks		
Front Yards	0'	
Other Yards	5' min.	
Accessory Structures		
Permitted Location	Parking Zone	

Table 2.A.6

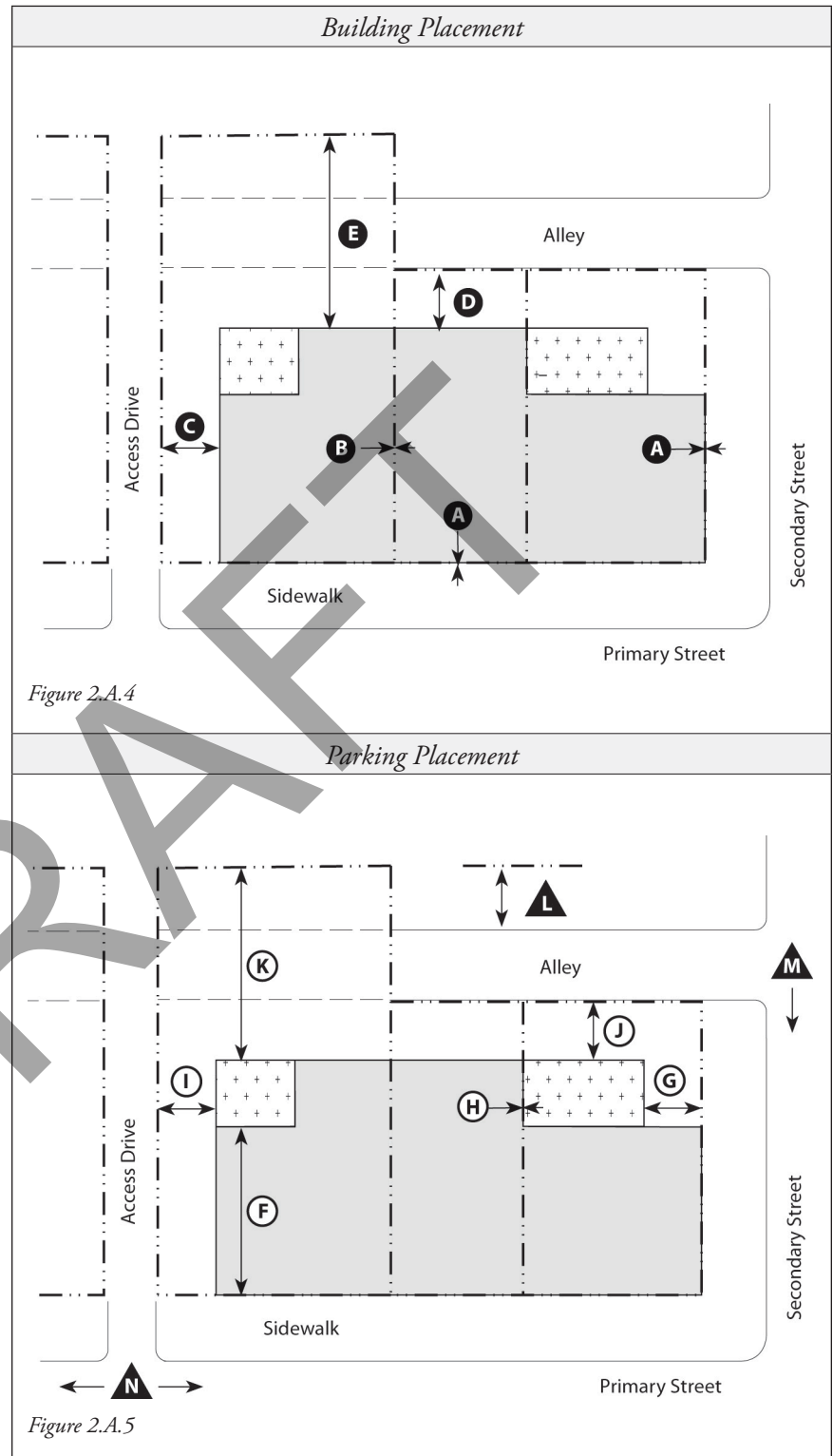
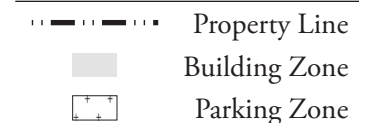


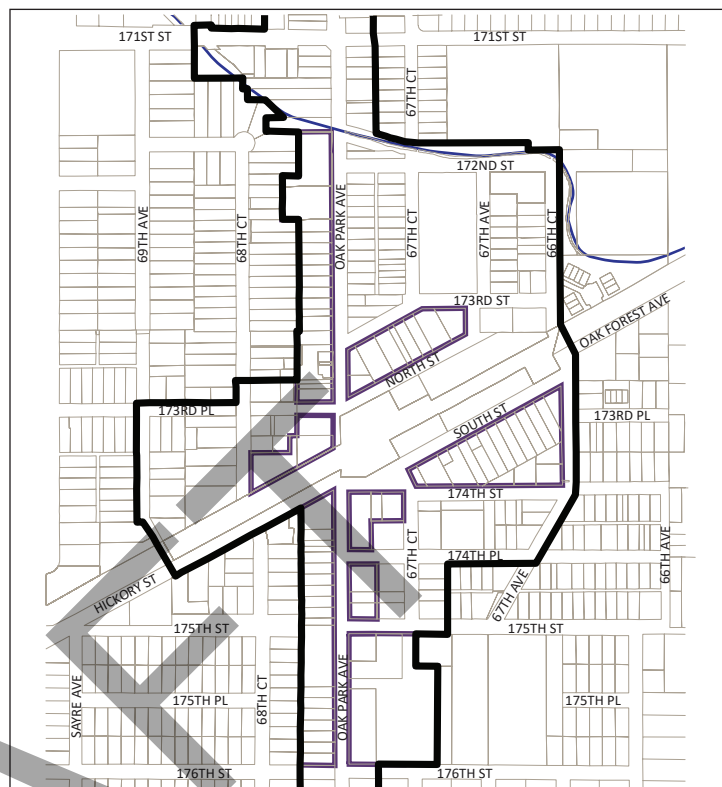
Figure 2.A.5



## 10. Heritage Sites (DC)

*a. Intent*

### *b. Applicability*



### c. General Standards

Table 2.A.7

## 11. Heritage Sites - Public & Private Improvements (DC)

### a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.A.8).

### b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Action	Landscaping		Front Yard Parking		Access Drive	Alley
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	•	•		•	•	•
Change of Use > 50% of Building		•	•			
Structure Expansion	•	•	•		•	•
Special Use		•	•		•	•
Map Amendment (Rezoning)		•	•		•	•
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.A.8

## 12. Heritage Sites - Public & Private Improvements (DC)

### a. Private Frontages

Permitted private frontages for this district shall follow Section 2.A.8 on page 14.

### b. Building & Parking Placement

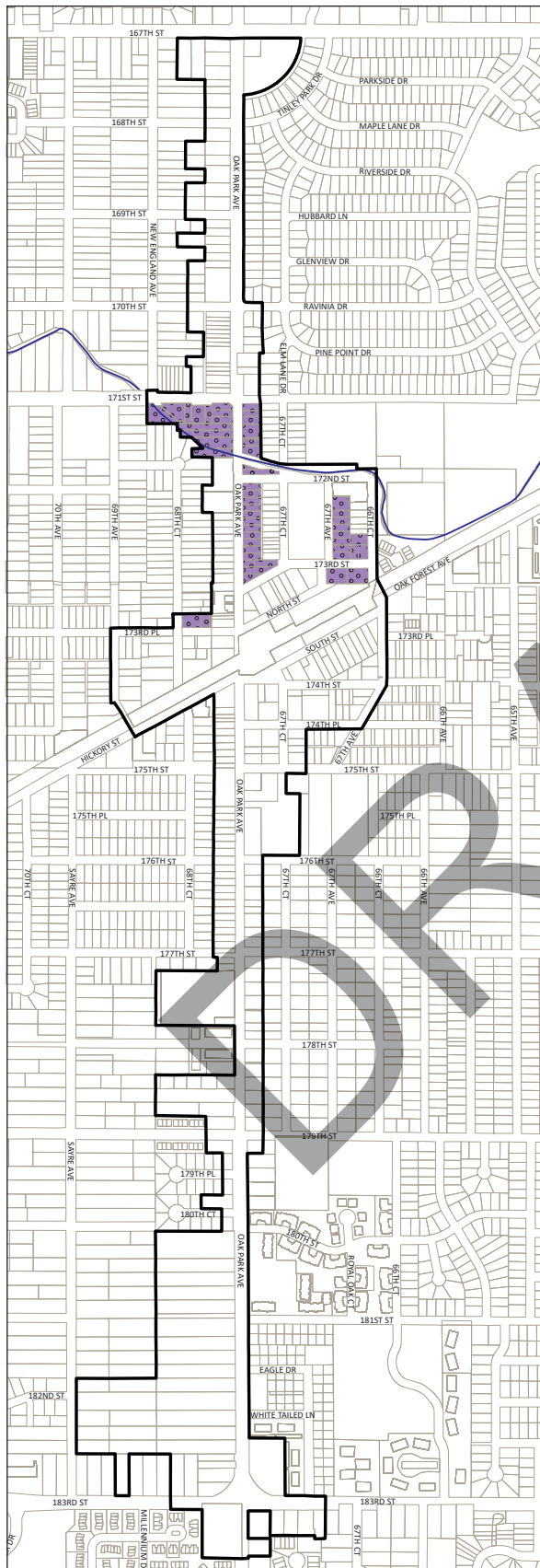
Building and parking placement for this district shall follow Section 2.A.9 on page 15

### c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

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## B. Downtown Flex (DF)



### 1. Intent

The regulations and standards within this section are intended to retain the small scale character of the established commercial and residential structures on specific blocks.

### 2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Downtown Flex District (Figure 2.B.2).

### District Regulations

#### *Redevelopment (Improvements > 50%)*

Regulating Plan	20
General Standards	20
Development Site Requirements	21
Thoroughfare & Alley Standards	22
Public Frontage Standards	22
Private Frontage Standards	22
Private Lot Standards	23

#### *Heritage Sites (Improvements < 50%)*








Regulating Plan	24
General Standards	24
Public Frontages	25
Private Frontages	25

#### *General Regulations*

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

Figure 2.B.1 - Downtown Flex Location Map

[illegible]

Key	
	Legacy Code Boundary
	Downtown Flex (DF) District
	Corridor Type A
	Legacy Plan Corridor Type E
	Proposed Legacy Plan Alley
	Street Level Commercial Permitted
	Allowable Building Height

Permitted Building Functionality						On-Site Vehicle Parking	On-Site Bike Parking
Street Level Commercial	●					not required	0.2 per 1,000 s.f. (2 minimum)
Upper Level Commercial	●					2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●					4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Upper Level Group Assembly	●					4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●					not required	0.2 per 1,000 s.f. (2 minimum)
Street Level Residential	●			●	●	1 space per dwelling unit	1 per dwelling unit
Upper Level Residential	●			●	●	1 space per dwelling unit	1 per dwelling unit
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55						Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59	
<div> <div>Mixed-Use</div> <div>Stand-Alone Commercial</div> <div>Multi-Family</div> <div>Single-Family Attached</div> <div>Single-Family Detached</div> </div>						●	
						Permitted Building Type	

20



## 5. Corridor & Alley Requirements (DF)

### a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.B.2).

### b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 24 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Site Type	Corridor			Alley		
	Thoroughfare	Public Frontage	Private Frontage	Dedication to Village	Construct On-Site	Connect to Thoroughfare
> 75% of Block	•	•	•	•	•	•
Lot Assemblage > 40% of Block		•	•	•	•	•
Lot Assemblage < 40% of Block		•	•	•	•	
Single Lot > 10% of Block		•	•	•	•	
Single Lot < 10% of Block		•	•	•		
Block End (any %)		•	•	•	•	•

Table 2.B.2

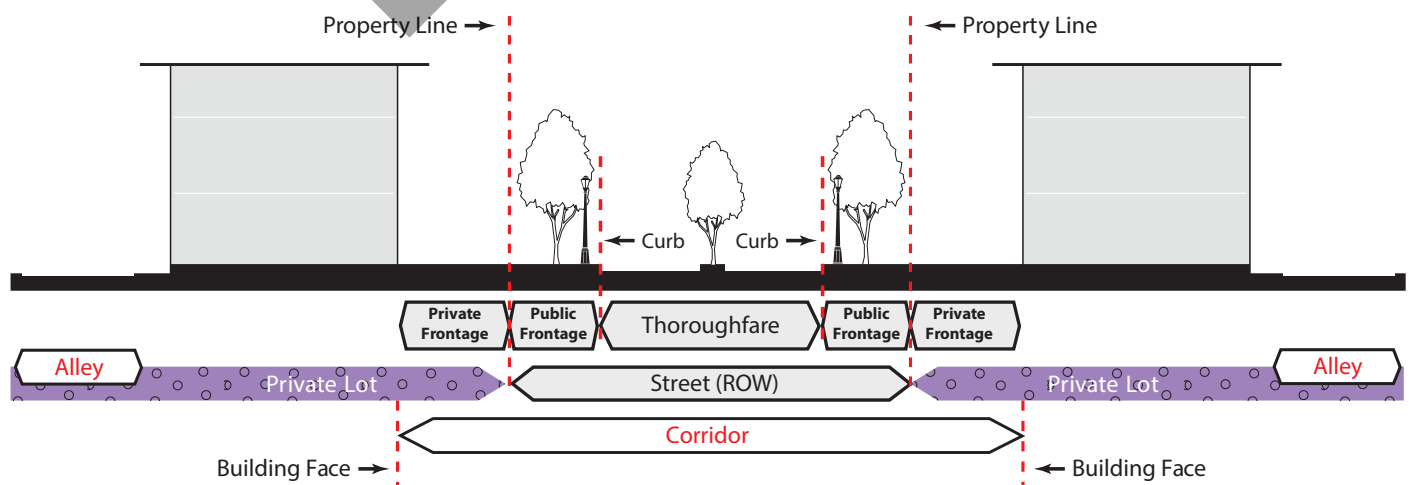


Figure 2.B.3 - Illustration of Terms

**6. Thoroughfare & Alley Standards (DF)**

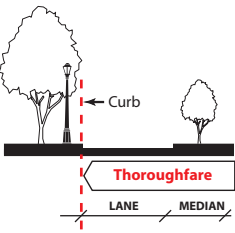
	<i>Thoroughfare</i>	<i>Landscape Median</i>	<i>On-Street Parking</i>	<i>Thoroughfare Width (Curb to Curb)</i>	<i>Design Details</i>
	Standard Corridor		●	30'	see pages 92-95
	Corridor Type A		●	41'	
	Corridor Type E		●	41'	
	Alley			20'	

Table 2.B.3

**7. Public Frontage Standards (DF)**

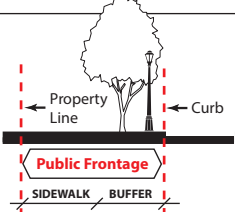
	<i>Thoroughfare</i>	<i>Minimum Side-walk Width</i>	<i>Minimum Buffer Width</i>	<i>Landscaping Details</i>	<i>Lighting Details</i>
	Standard Corridor	6'	12'	see pages 62-63	see pages 66-67
	Corridor Type A	5'	6'		
	Corridor Type E	5'	6'		

Table 2.B.4

**8. Private Frontage Standards (DF)**

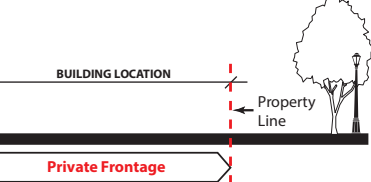
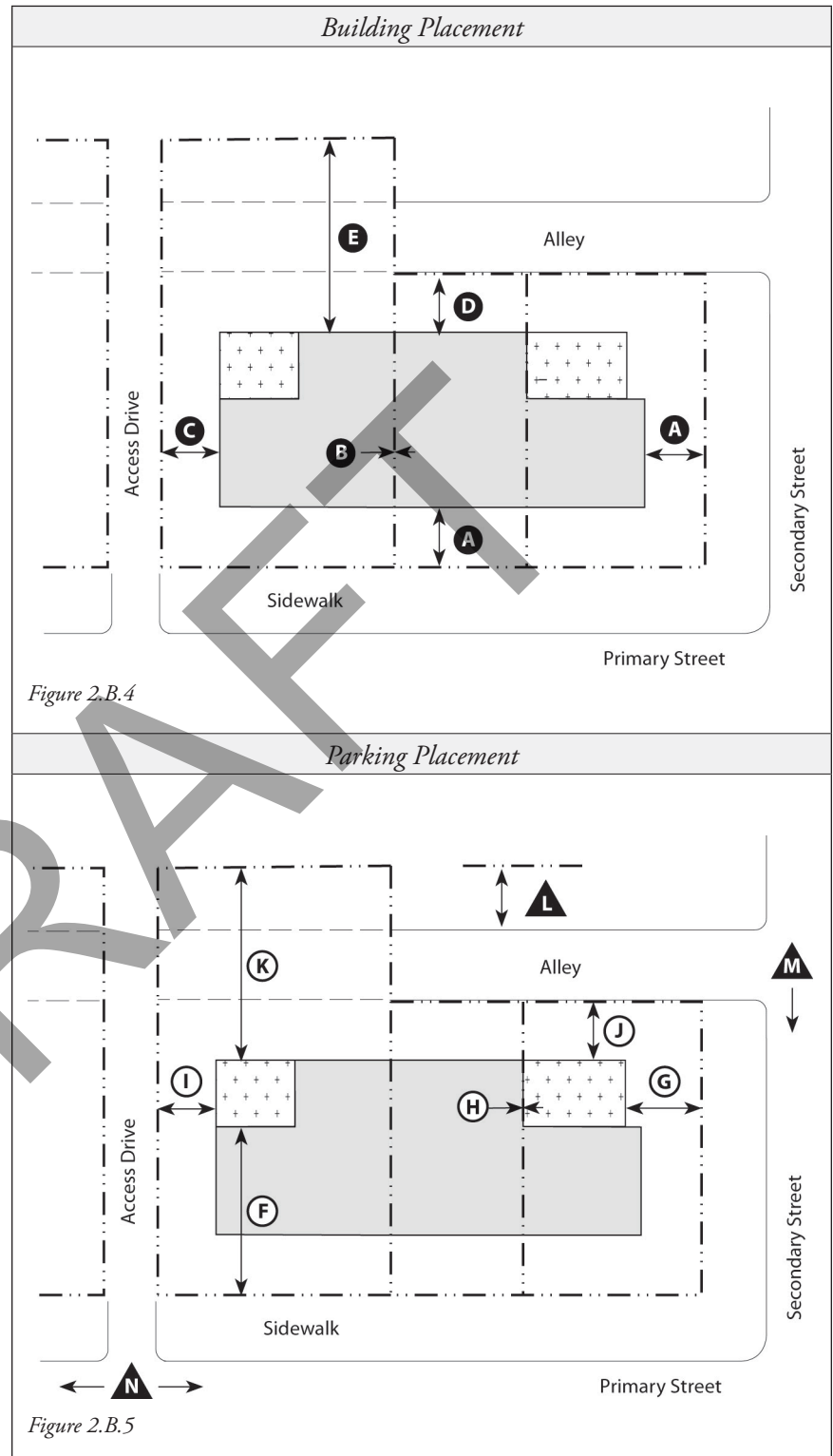
	<b>Permitted Private Frontages</b>	
	<i>Description</i>	<i>Standards</i>
Corner	A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
Shopfront	A building treatment for ground-level commercial uses with transparent display windows and entrances oriented to align with and allow direct access from the public frontage.	Entrance at sidewalk grade.
Shopfront with Dining Alcove	A shopfront treatment for ground-level commercial uses where a portion of the façade is stepped back in order to accommodate dedicated outdoor seating areas.	Entrance at sidewalk grade. Seating Area Setback - 5'
Stoop	An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
Flush	An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None
Porch	A building treatment that is a roofed space, open along two or more sides, and attached to a private residential dwelling.	Permitted encroachment into front yard - 8' Minimum distance from property lines - 5' Knee-wall height - 40" max.

Table 2.B.5

## 9. Private Lot Standards (DF)

General		
Minimum Lot Width	30'	
Maximum Lot Width	100'	
Minimum Building Height	2 stories	
Building Setbacks		
Front Yard (primary street)	10-25'	(A)
Front Yard (secondary street)	10-25'	(A)
Side Yard (interior)	5' max.	(B)
Side Yard (along access drive)	5' min.	(C)
Rear Yard (existing alley)	5' min.	(D)
Rear Yard (no alley required)	5' min.	(D)
Rear Yard (future alley)	30' min.	(E)
Parking Setbacks		
Front Yard (primary street)	20' min.	(F)
Front Yard (secondary street)	10' min.	(G)
Side Yard (interior)	0'	(H)
Side Yard (along access drive)	5' min.	(I)
Rear Yard (existing alley)	5' min.	(J)
Rear Yard (no alley required)	5' min.	(J)
Rear Yard (future alley)	30' min.	(K)
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5' min.	(L)
Alley Location	see page 60	(M)
Access Road Location	see page 61	(N)
Outdoor Dining Setbacks		
Front Yards	5'	
Other Yards	5' min.	
Accessory Structures		
Permitted Location	Parking Zone	

Table 2.B.6



## 10. Heritage Sites (DF)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

### a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting the interests of Heritage Site owners and tenants.

### b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Downtown Flex District only (see Figure 2.B.6).

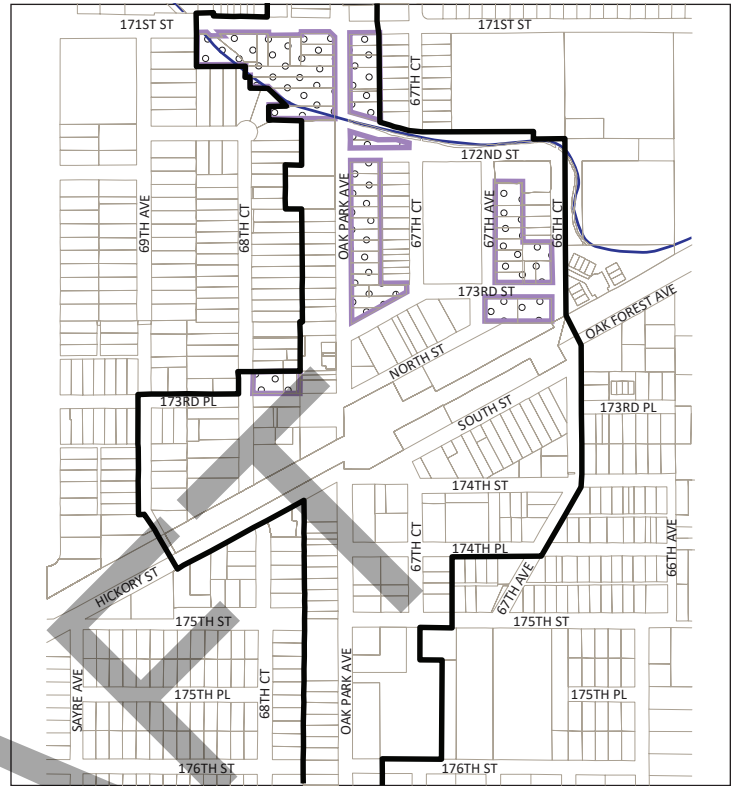


Figure 2.B.6

#### Key

- Legacy Code Boundary
- DF Heritage Site Blocks

### c. General Standards

Permitted Building Functionality					On-Site Vehicle Parking	On-Site Bike Parking
Street Level Commercial	●	●			not required	0.2 per 1,000 s.f. (2 minimum)
Upper Level Commercial	●	●			2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Upper Level Group Assembly	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●			not required	0.2 per 1,000 s.f. (2 minimum)
Street Level Residential	●		●	●	1 space per dwelling unit	1 per dwelling unit
Upper Level Residential	●		●	●	1 space per dwelling unit	1 per dwelling unit
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55					Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59	
					Mixed-Use	Stand-Alone Commercial
					Multi-Family	Single-Family Attached
					Single-Family Detached	
					□	◇
					△	△
					Existing Building Type	

Table 2.B.7

- △ Can be converted, where permitted on the district's plan, to a mixed-use or stand-alone commercial building.
- Can be converted to a stand-alone commercial, multi-family, or single-family detached building.
- ◇ Can be converted to a mixed-use, multi-family, or single-family detached building.

## 11. Heritage Sites - Public & Private Improvements (DF)

### a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.B.8).

### b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Action	Landscaping		Front Yard Parking		Access Drive	Alley
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	•	•		•	•	•
Change of Use > 50% of Building		•	•			
Structure Expansion	•	•	•		•	•
Special Use		•	•		•	•
Map Amendment (Rezoning)		•	•		•	•
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.B.8

## 13. Heritage Sites - Private Sites Standards (DF)

### a. Private Frontages

Permitted private frontages for this district shall follow Section 2.B.8 on page 22.

### b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.B.9 on page 23.

### c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

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The map displays the Downtown General (DG) District, outlined in black. The district is bounded by 171st St to the north, 176th St to the south, 66th Ave to the east, and 68th Ct to the west. The map shows several streets including 171st St, 172nd St, 173rd St, 174th St, 175th St, 176th St, 66th Ave, 67th Ave, 68th Ave, 69th Ave, 67th Ct, 68th Ct, 66th Ct, 65th Ct, 64th Ct, 63rd Ct, 62nd Ct, 61st Ct, 60th Ct, 59th Ct, 58th Ct, 57th Ct, 56th Ct, 55th Ct, 54th Ct, 53rd Ct, 52nd Ct, 51st Ct, 50th Ct, 49th Ct, 48th Ct, 47th Ct, 46th Ct, 45th Ct, 44th Ct, 43rd Ct, 42nd Ct, 41st Ct, 40th Ct, 39th Ct, 38th Ct, 37th Ct, 36th Ct, 35th Ct, 34th Ct, 33rd Ct, 32nd Ct, 31st Ct, 30th Ct, 29th Ct, 28th Ct, 27th Ct, 26th Ct, 25th Ct, 24th Ct, 23rd Ct, 22nd Ct, 21st Ct, 20th Ct, 19th Ct, 18th Ct, 17th Ct, 16th Ct, 15th Ct, 14th Ct, 13th Ct, 12th Ct, 11th Ct, 10th Ct, 9th Ct, 8th Ct, 7th Ct, 6th Ct, 5th Ct, 4th Ct, 3rd Ct, 2nd Ct, 1st Ct. The map also shows several proposed Legacy Plan Alleys, indicated by dashed lines. The map includes a key for Legacy Code Boundary, Downtown General (DG) District, Legacy Plan Corridor Type E, Legacy Plan Corridor Type F, Proposed Legacy Plan Alley, and Allowable Building Height.

Key	
	Legacy Code Boundary
	Downtown General (DG) District
	Legacy Plan Corridor Type E
	Legacy Plan Corridor Type F
	Proposed Legacy Plan Alley
	Allowable Building Height

*Figure 2.C.2 - Downtown General Regulating Plan*

[illegible]

Table 2.C.1

## 5. Corridor & Alley Requirements (DG)

### a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.C.2).

### b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 32 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Site Type	Corridor			Alley		
	Thoroughfare	Public Frontage	Private Frontage	Dedication to Village	Construct On-Site	Connect to Thoroughfare
> 75% of Block	•	•	•	•	•	•
Lot Assemblage > 40% of Block		•	•	•	•	•
Lot Assemblage < 40% of Block		•	•	•	•	
Single Lot > 10% of Block		•	•	•	•	
Single Lot < 10% of Block		•	•	•		
Block End (any %)		•	•	•	•	•

Table 2.C.2

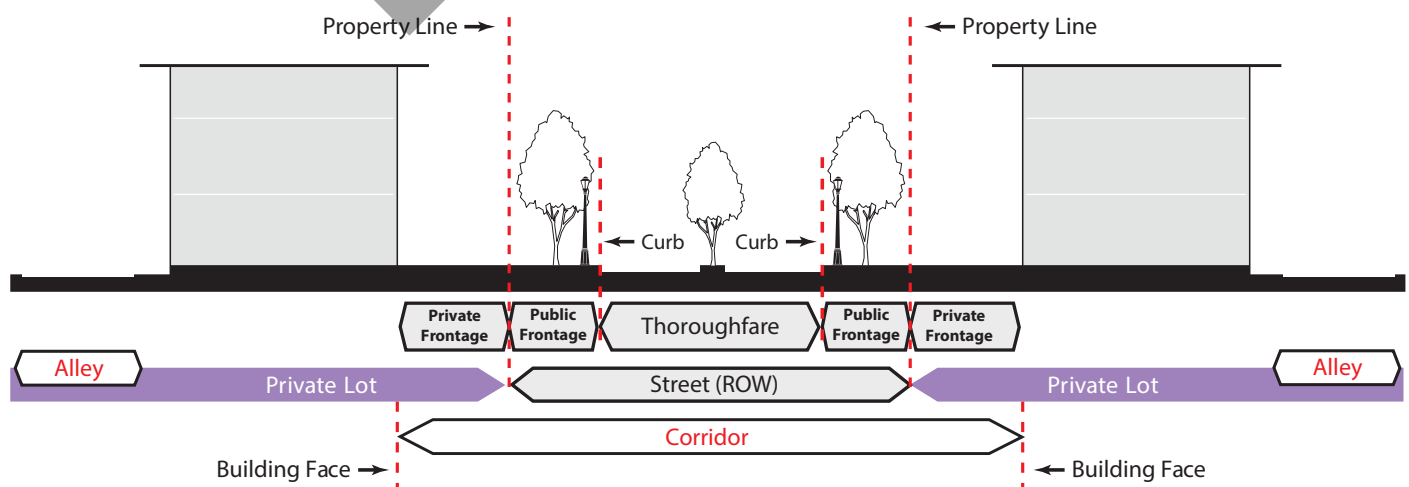


Figure 2.C.3 - Illustration of Terms

**6. Thoroughfare & Alley Standards (DG)**

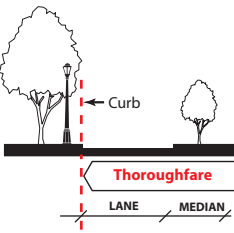
	Thoroughfare	Landscape Median	On-Street Parking	Thoroughfare Width (Curb to Curb)	Design Details
	Standard Corridor		●	30'	see pages 92-95
	Corridor Type E		●	41'	
	Corridor Type F		●	58'	
	Alley			20'	

Table 2.C.3

**7. Public Frontage Standards (DG)**

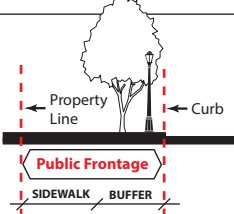
	Thoroughfare	Minimum Side- walk Width	Minimum Buffer Width	Landscaping Details	Lighting Details
	Standard Corridor	5'	12'	see pages 62-63	see pages 66-67
	Corridor Type E	5'	6'		
	Corridor Type F	5'	8'		

Table 2.C.4

**8. Private Frontage Standards (DG)**

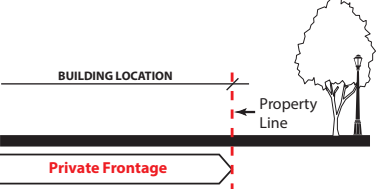
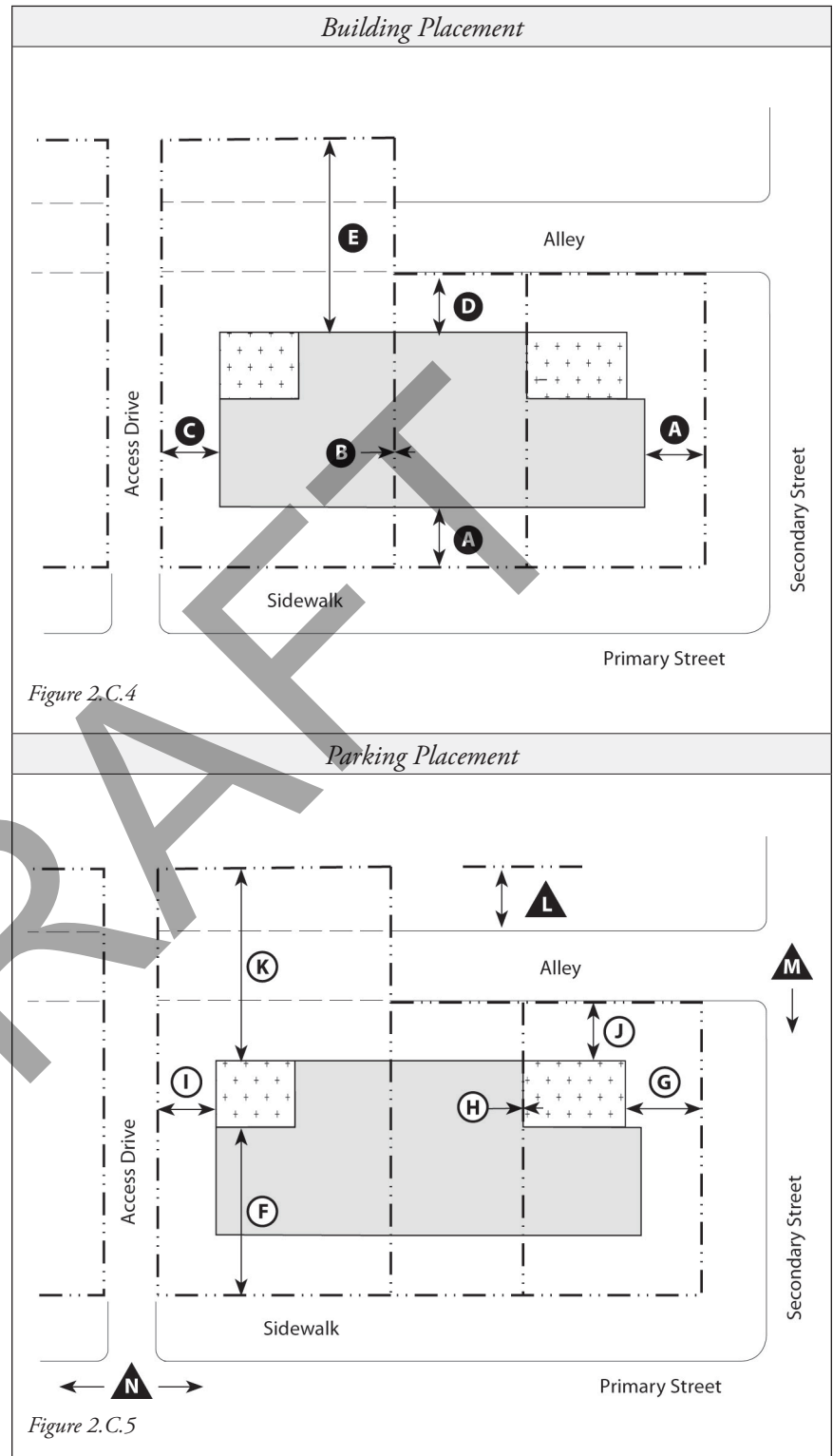
	Permitted Private Frontages	
	Description	Standards
Corner	A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
Grand Entry	An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5' max. Stairs may encroach into front yard setback.
Stoop	An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
Flush	An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None

Table 2.C.5

## 9. Private Lot Standards (DG)

<i>General</i>		
Minimum Lot Width	20'	
Maximum Lot Width	n/a	
Minimum Building Height	2 stories	
<i>Building Setbacks</i>		
Front Yard ( <i>primary street</i> )	5-15'	(A)
Front Yard ( <i>secondary street</i> )	5-15'	(A)
Side Yard ( <i>interior</i> )	5' max.	(B)
Side Yard ( <i>along access drive</i> )	5' min.	(C)
Rear Yard ( <i>existing alley</i> )	5' min.	(D)
Rear Yard ( <i>no alley required</i> )	5' min.	(D)
Rear Yard ( <i>future alley</i> )	30' min.	(E)
<i>Parking Setbacks</i>		
Front Yard ( <i>primary street</i> )	25' min.	(F)
Front Yard ( <i>secondary street</i> )	10' min.	(G)
Side Yard ( <i>interior</i> )	0'	(H)
Side Yard ( <i>along access drive</i> )	5' min.	(I)
Rear Yard ( <i>existing alley</i> )	5' min.	(J)
Rear Yard ( <i>no alley required</i> )	5' min.	(J)
Rear Yard ( <i>future alley</i> )	30' min.	(K)
<i>Alley &amp; Access Road Setbacks</i>		
Alley Rear Yard Setback	5' min.	(L)
Alley Location	see page 60	(M)
Access Road Location	see page 61	(N)
<i>Accessory Structures</i>		
Permitted Location	<i>Parking Zone</i>	

Table 2.C.6







## 11. Heritage Sites - Public & Private Improvements (DG)

### a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.C.8).

### b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Action	Landscaping		Front Yard Parking		Access Drive	Alley
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner						•
Change of Use > 50% of Building						
Structure Expansion	•	•	•		•	•
Special Use		•	•		•	•
Map Amendment (Rezoning)		•	•		•	•
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.C.8

## 12. Heritage Sites - Private Sites Standards (DG)

### a. Private Frontages

Permitted private frontages for this district shall follow Section 2.C.8 on page 30.

### b. Building & Parking Placement

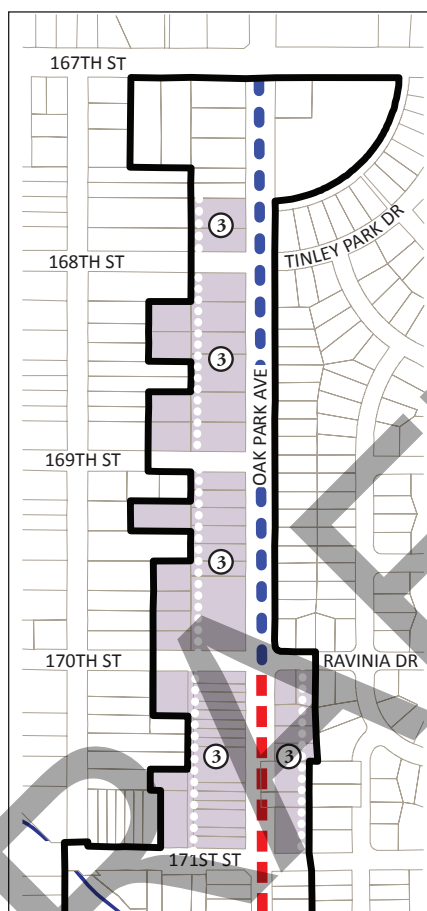
Building and parking placement for this district shall follow Section 2.C.9 on page 31.









### c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

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[illegible]

	<i>Legacy Code Boundary</i>
	Neighborhood General (NG) District
	<i>Legacy Plan Corridor Type A</i>
	<i>Legacy Plan Corridor Type B</i>
	<i>Legacy Plan Corridor Type C</i>
	<i>Legacy Plan Corridor Type T</i>
	Proposed <i>Legacy Plan</i> Alley
	Allowable Building Height

*Figure 2.D.2 - Neighborhood General Regulating Plan*

Permitted Building Functionality						On-Site Vehicle Parking	On-Site Bike Parking			
Street Level Commercial						n/a	0.2 per 1,000 s.f. (2 minimum)			
Upper Level Commercial						n/a	0.2 per 1,000 s.f. (2 minimum)			
Street Level Group Assembly						4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)			
Upper Level Group Assembly						4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)			
Civic						not required	0.2 per 1,000 s.f. (2 minimum)			
Street Level Residential			●	●	●	1.5 spaces per dwelling unit	1 per dwelling unit			
Upper Level Residential			●	●	●	1.5 spaces per dwelling unit	1 per dwelling unit			
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55						Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59				
<div> <div>Mixed-Use</div> <div>Stand-Alone Commercial</div> <div>Multi-Family</div> <div>Single-Family Attached</div> <div>Single-Family Detached</div> </div>								●	●	●
						Permitted Building Type				

Table 2.D.1

## 5. Corridor & Alley Requirements (NG)

### a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.D.2).

### b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 40 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Site Type	Corridor			Alley		
	Thoroughfare	Public Frontage	Private Frontage	Dedication to Village	Construct On-Site	Connect to Thoroughfare
> 75% of Block	•	•	•	•	•	•
Lot Assemblage > 40% of Block		•	•	•	•	•
Lot Assemblage < 40% of Block		•	•	•	•	
Single Lot > 10% of Block		•	•	•	•	
Single Lot < 10% of Block		•	•	•		
Block End (any %)		•	•	•	•	•

Table 2.D.2

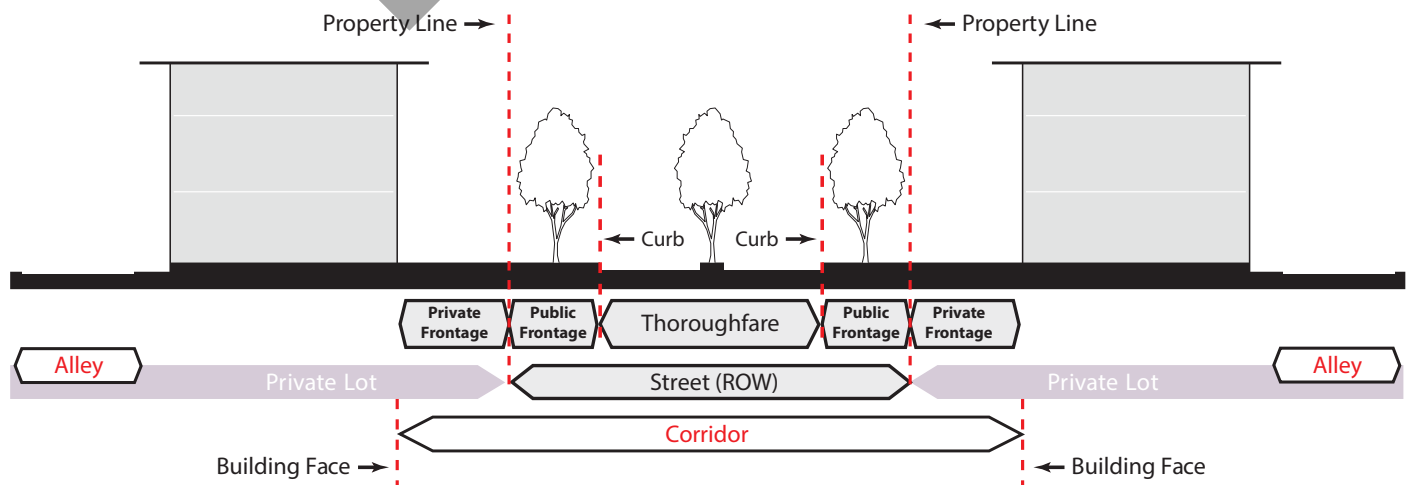


Figure 2.D.3 - Illustration of Terms

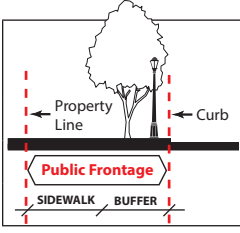
## 6. Thoroughfare & Alley Standards (NG)



<i>Thoroughfare</i>	<i>Landscape Median</i>	<i>On-Street Parking</i>	<i>Thoroughfare Width (Curb to Curb)</i>	<i>Design Details</i>
Standard Corridor		●	30'	see pages 92-95
Corridor Type A		●	41'	
Corridor Type B	16'		50'	
Corridor Type C	13'		47'	
Corridor Type T	13'		47'	
Alley			20'	

Table 2.D.3

## 7. Public Frontage Standards (NG)



<i>Thoroughfare</i>	<i>Minimum Side-walk Width</i>	<i>Minimum Buffer Width</i>	<i>Landscaping Details</i>	<i>Lighting Details</i>
Standard Corridor	5'	6'	see pages 62-63	see pages 66-67
Corridor Type A	5'	6'		
Corridor Type B	6'	17'		
Corridor Type C	6'	6'		
Corridor Type T	6'	6'		

Table 2.D.4

## 8. Private Frontage Standards (NG)

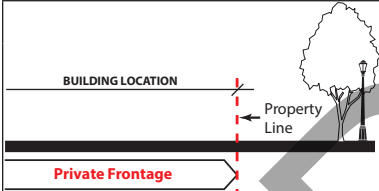
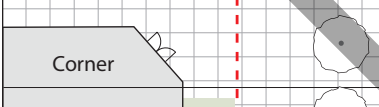
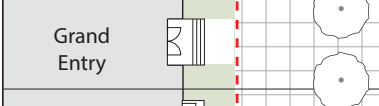
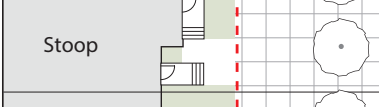
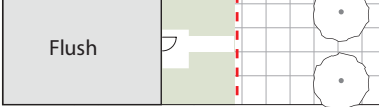
Permitted Private Frontages		
<i>Description</i>	<i>Standards</i>	
		
Corner 	A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
Grand Entry 	An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5' max. Stairs may encroach into front yard setback.
Stoop 	An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
Flush 	An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None

Table 2.D.5





## 10. Heritage Sites (NG)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

### a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting that the interests of Heritage Site owners and tenants.

### b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Neighborhood General District only (see Figure 2.D.6).

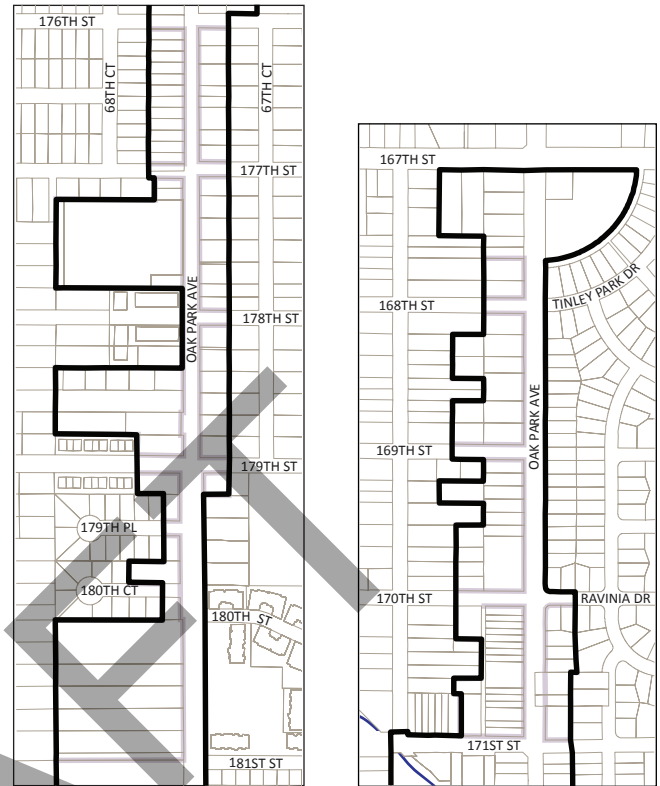


Figure 2.D.6

### Key

- Legacy Code Boundary
- NG Heritage Site Blocks

### c. General Standards

Permitted Building Functionality						On-Site Vehicle Parking	On-Site Bike Parking
Street Level Commercial	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Upper Level Commercial	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Upper Level Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●				not required	0.2 per 1,000 s.f. (2 minimum)
Street Level Residential	●		●	●	●	1.5 spaces per dwelling unit	1 per dwelling unit
Upper Level Residential	●		●	●	●	1.5 spaces per dwelling unit	1 per dwelling unit
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55						Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59	
<div>Mixed-Use</div> <div>Stand-Alone Commercial</div> <div>Multi-Family</div> <div>Single-Family Attached</div> <div>Single-Family Detached</div>							
						●	△
Existing Building Type						●	●

△ Can be converted, with Special Use approval, to a mixed-use building.

Table 2.D.7

## 11. Heritage Sites - Public & Private Improvements (NG)

### a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.D.8).

### b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Action	Landscaping		Front Yard Parking		Access Drive	Alley
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	•	•	•		•	•
Change of Use > 50% of Building		•				
Structure Expansion		•	•		•	•
Special Use	•	•	•		•	•
Map Amendment (Rezoning)	•	•	•		•	•
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.D.8

## 12. Heritage Sites - Private Sites Standards (NG)

### a. Private Frontages

Permitted private frontages for this district shall follow Section 2.D.8 on page 38.

### b. Building & Parking Placement

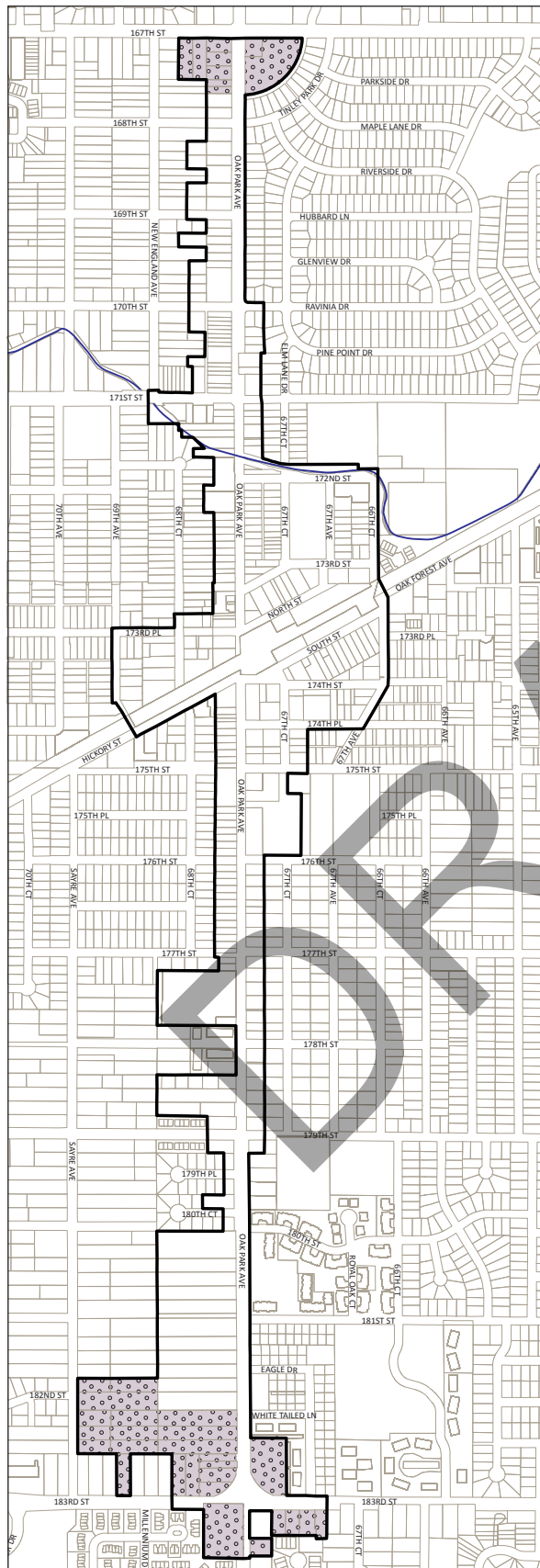
Building and parking placement for this district shall follow Section 2.D.9 on page 39.

### c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

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## E. Neighborhood Flex (NF)



### 1. Intent

The regulations and standards within this section are intended to help create a mixed of commercial and multi-family uses to anchor the north and south ends of the Legacy Code Area.

### 2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Neighborhood Flex District (Figure 2.E.2).

### District Regulations

#### *Redevelopment (Improvements > 50%)*

Regulating Plan	44
General Standards	44
Development Site Requirements	45
Thoroughfare & Alley Standards	46
Public Frontage Standards	46
Private Frontage Standards	46
Private Lot Standards	47

#### *Heritage Sites (Improvements < 50%)*

Regulating Plan	48
General Standards	48
Public Frontages	49
Private Frontages	49

#### *General Regulations*

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

Figure 2.E.1 - Neighborhood Flex Location Map





## 5. Corridor & Alley Requirements (NF)

### a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.E.2).

### b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 48 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Site Type	Corridor			Alley		
	Thoroughfare	Public Frontage	Private Frontage	Dedication to Village	Construct On-Site	Connect to Thoroughfare
> 75% of Block	•	•	•	•	•	•
Lot Assemblage > 40% of Block		•	•	•	•	•
Lot Assemblage < 40% of Block		•	•	•	•	
Single Lot > 10% of Block		•	•	•	•	
Single Lot < 10% of Block		•	•	•		
Block End (any %)		•	•	•	•	•

Table 2.E.2

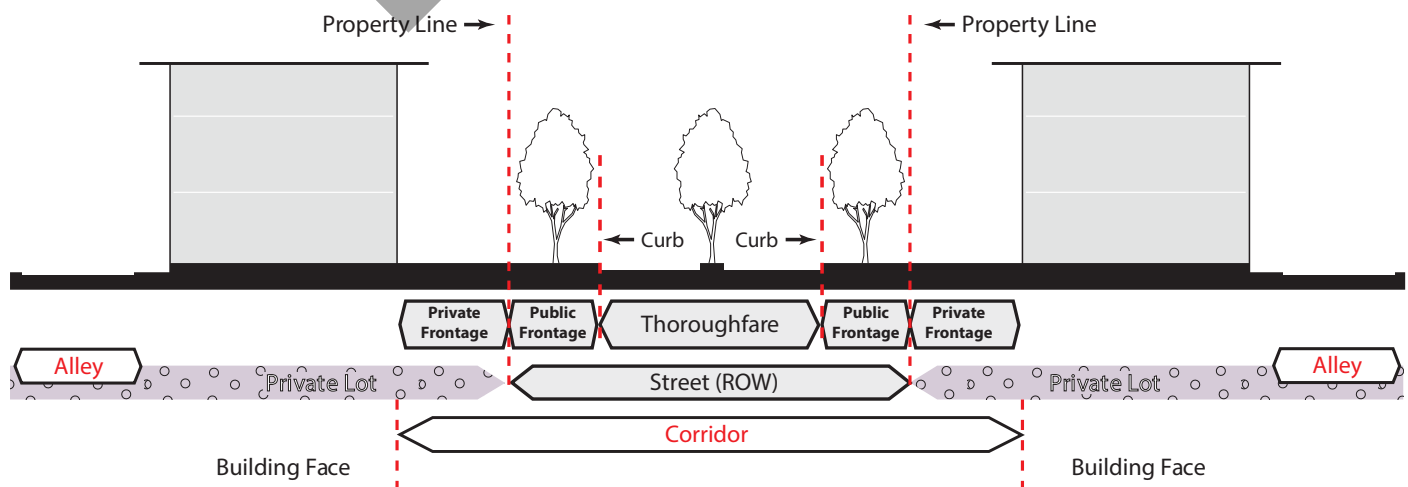


Figure 2.E.3 - Illustration of Terms

## 6. Thoroughfare & Alley Standards (NF)

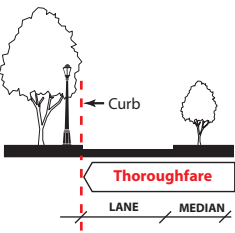
	Thoroughfare	Landscape Median	On-Street Parking	Thoroughfare Width (Curb to Curb)	Design Details
	Standard Corridor		●	30'	see pages 92-95
	Corridor Type B	16'		50'	
	Corridor Type G	16'		50'	
	Alley			20'	

Table 2.E.3

## 7. Public Frontage Standards (NF)

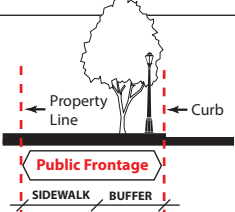
	Thoroughfare	Minimum Side-walk Width	Minimum Buffer Width	Landscaping Details	Lighting Details
	Standard Corridor	5'	6'	see pages 62-63	see pages 66-67
	Corridor Type B	6'	17'		
	Corridor Type G	6'	7'		

Table 2.E.4

## 8. Private Frontage Standards (NF)

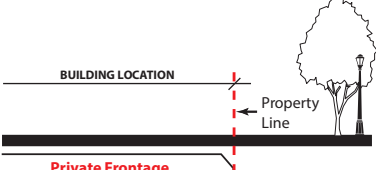
	Permitted Private Frontages	
	Description	Standards
Corner	A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
Storefront	A building treatment for ground-level commercial uses with transparent display windows and entrances oriented to align with and allow direct access from the public frontage.	Entrance at sidewalk grade.
Grand Entry	An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5' max. Stairs may encroach into front yard setback.
Stoop	An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
Flush	An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None
Special	A curved building treatment oriented to address the future roundabout at 183rd St. and Oak Park Avenue.	None

Table 2.E.5



## 10. Heritage Sites (NF)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

### a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting the interests of Heritage Site owners and tenants.

### b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Neighborhood Flex District only (see Figure 2.E.6).

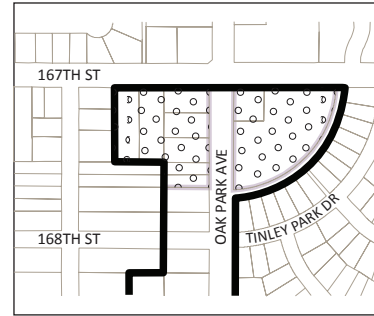


Figure 2.E.6

#### Key

- Legacy Code Boundary
- ◻ NF Heritage Site Blocks

### c. General Standards

Permitted Building Functionality					On-Site Vehicle Parking		On-Site Bike Parking	
Street Level Commercial	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)		
Upper Level Commercial	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)		
Street Level Group Assembly	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)		
Upper Level Group Assembly	●	●			4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)		
Civic	●	●			not required	0.2 per 1,000 s.f. (2 minimum)		
Street Level Residential	●			●	1.5 spaces per dwelling unit	1 per dwelling unit		
Upper Level Residential	●			●	1.5 spaces per dwelling unit	1 per dwelling unit		
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55					Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59			

## 11. Heritage Sites - Public & Private Improvements (NF)

### a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.E.8).

### b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

### c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

### d. Required Improvements

Action	Landscaping		Front Yard Parking		Access Drive	Alley
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	•	•	•		•	•
Change of Use > 50% of Building		•				
Structure Expansion		•	•		•	•
Special Use	•	•	•		•	•
Map Amendment (Rezoning)	•	•	•		•	•
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.E.8

## 12. Heritage Sites - Private Sites Standards (NF)

### a. Private Frontages

Permitted private frontages for this district shall follow Section 2.E.8 on page 46.

### b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.E.9 on page 47.

### c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

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## F. Civic

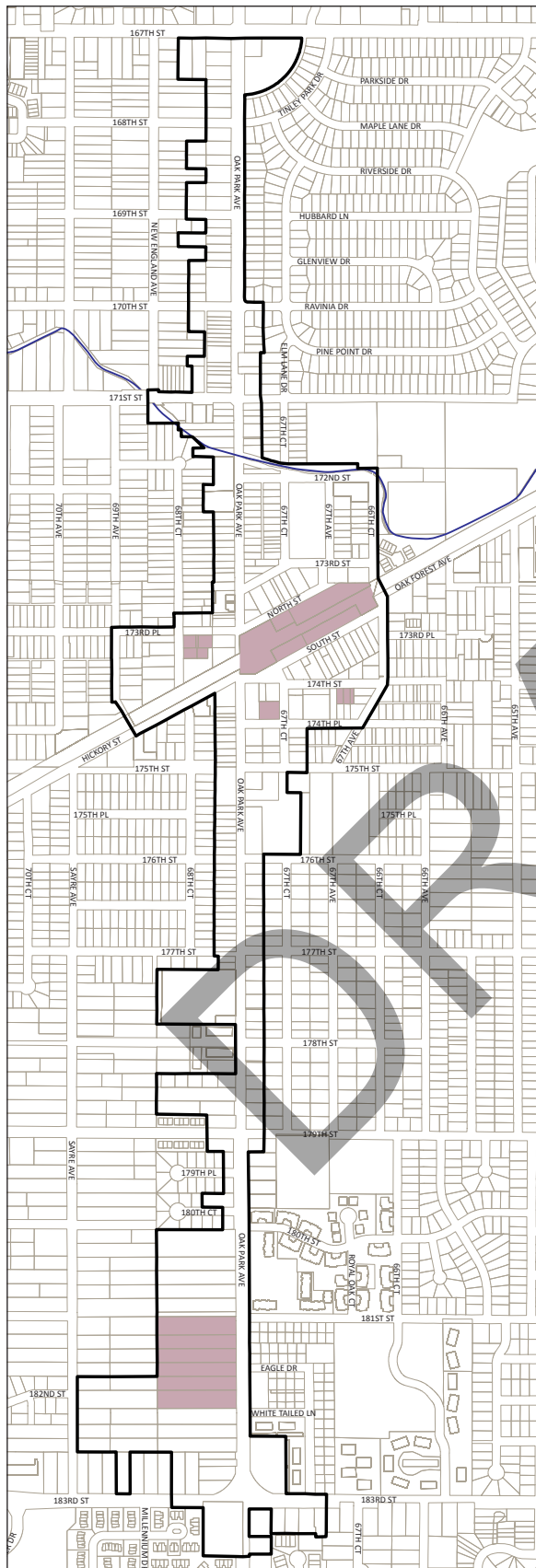


Figure 2.F.1 - Civic Location Map

### 1. Intent

The regulations and standards within this section are intended to allow for flexibility and creativity in the establishment of civic amenities for Village residents. For the purpose of this code, the word civic shall only apply to the Village and other local government and civic bodies such as school or park districts.

### 2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Civic District (Figure 1.G.1).

### 3. Permitted Building Types (Civic)

Mixed-Use	●
Stand-Alone Commercial	●
Multi-Family	
Single-Family Attached	
Single-Family Detached	
<i>Definitions for Building Types located on page 56.</i>	
<i>A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55.</i>	

Table 2.F.1

### 4. Lot Standards (Civic)

<i>General</i>	
Allowable Lot Coverage	100%
Maximum Building Height	7 stories
<i>Building Setbacks</i>	
All Yards	0' permitted
<i>Parking Setbacks</i>	
All Yards	0' permitted
<i>Accessory Structures</i>	
	permitted
<i>On-Site Vehicle Parking</i>	
	n/a
<i>On-Site Bike Parking</i>	
	0.2 spaces per 1,000 sq. ft. (2 minimum)

Table 2.F.2

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## 2011 LEGACY CODE

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## SECTION 3 GENERAL PROVISIONS

## A. Uses

### 1. Permitted Uses

Permitted uses of structures and land as set forth in Table 3.A.1 shall be allowed according to the regulations set forth for each district and each building form. Permitted uses may be approved by either administrative review or by site plan review by the Plan Commission, depending on the nature of the improvement. Only those uses listed in Table 3.A.1 shall be considered permitted uses and no structure or land shall be devoted to any other use other than a use that is permitted here, with the exception of uses that were lawfully established prior to the effective date of this ordinance; and accessory uses, in compliance with this ordinance.

### 2. Special Uses

Special Uses of structures and land are set forth in Table 3.A.2. The special uses existing as of the date of adoption of this *Legacy Code* are listed in Appendix D. Such special uses shall be deemed to be and shall be treated as Heritage Sites hereunder and shall be governed by the applicable regulations relating to Heritage Sites. These uses create off-site impacts or design issues that require special consideration by the Plan Commission and approval by the Village Board. Petitions for uses that are listed as Special Uses shall be reviewed at a Public Hearing according to the procedures set forth in Section X.J (Special Uses) of the Zoning Ordinance. Any findings of fact by the Plan Commission shall incorporate review and recommendations by the Main Street Commission and Historic Preservation Commission. The Village Board may impose conditions and restrictions upon the premises benefitted by a Special Use as may be necessary to assure compliance with any standards, to reduce or minimize the effect of such a use on the other properties in the neighborhood, and to better carry out the general intent of this ordinance. Failure to comply with conditions of a Special Use shall constitute a violation of this ordinance and may result in a revocation of the Special Use.

### 3. Prohibited Uses

Some uses that would otherwise be allowed in other areas of the Village shall not be allowed in all *Legacy Code* districts. This is because the nature of these uses is inconsistent with the intent and purpose of this code and the adopted *Legacy Plan*. Any existing prohibited use may change owner as long as no new prohibited use is created. Prohibited uses of land and structures are listed in Table 3.A.2.

### 4. Non-Conformities

This section of the Ordinance's significant departure from traditional zoning and the previous H-1 Historic District Overlay has increased the number of existing non-conformities within the districts created. Typically non-conformities are encouraged to discontinue or are required to be removed over a time period. However, the unique characteristics of the Legacy Code Area and this code demand a more flexible approach to non-conformities. The significant contributions many existing uses and structures have made towards establishing the Legacy Code Area's identity require that they be treated in a manner that respects their existing characteristics, but also aims to update these uses and structures in a manner that also fulfills the vision of the *Legacy Plan*. Therefore, existing sites have been identified as "Heritage Sites" within this code. As these sites seek to redevelop, change ownership, and/or expand (under 50% of market value) a series of criteria has been established that build upon the vision of the *Legacy Plan*, without being overly burdensome to those that established the Village's heritage.

<i>Permitted Uses</i>	
<i>Commercial</i>	<i>Retail / Service</i> An enterprise that provides goods and/or services directly to the customer, including but not limited to merchandise shops, eating & drinking establishments, specialty goods/foods stores, financial institutions, personal services, convenience uses, entertainment, and hotels.
	<i>Office</i> A workplace that conducts business and/or professional services in which goods, wares, or merchandise are not displayed or sold on the premises, including but not limited to general offices, medical services, and for-profit educational uses.
<i>Group Assembly</i>	A building, together with its accessory buildings and uses, where persons regularly assemble for meetings or religious functions and related social events, and which building is operated by a religious institution or a private association. Such entities typically restrict access to the general public and own, lease, or hold the building in common for the benefit of its members.
<i>Civic</i>	A use that provides institutional, governmental, and/or public services, including but not limited to publicly owned parking garages, transit facilities, public open space, cultural institutions, libraries, and government offices, and excluding uses/services of public utilities.
<i>Residential</i>	Owner- and renter-occupied dwelling units located within single-family detached, single-family attached, multi-family, and/or mixed-use structures, and including but not limited to senior housing. Accessory Residential Uses are permitted in multi-family structures and on upper floors of mixed-use structures.

Table 3.A.1

<i>Special Uses</i>	<i>Prohibited Uses</i>
<ul style="list-style-type: none"> <li>- Amusement and recreation establishments including bowling alleys, billiard parlors, coin-operated amusement devices, gymnasiums, swimming pools, dance halls, health clubs, skating rinks and other similar places of recreation</li> <li>- Any establishment with operating hours between 2:00 AM and 6:00 AM</li> <li>- Accessory Residential Uses* on the Street Level in a mixed-use building</li> <li>- Automobile and custom van sales (new and used)</li> <li>- Cigar or hookah lounge as a primary use (with or without retail sales as an accessory use)</li> <li>- Creation of a mixed-use building on a Heritage Site in the Neighborhood General or Neighborhood Flex Districts.</li> <li>- Day or child care centers, including home occupation daycare</li> <li>- Farmer's market</li> <li>- Fruit and vegetable stands</li> <li>- Other similar or compatible uses</li> <li>- Package liquor stores</li> <li>- Private surface parking lots located on a lot with no structures or other uses.</li> <li>- Taverns</li> <li>- Teen recreation and dance facilities</li> <li>- Winery, distillery, or brewery, including sales and tasting</li> </ul>	<ul style="list-style-type: none"> <li>- Adult regulated uses</li> <li>- Advertising signs and billboards</li> <li>- Agricultural uses (except for farmer's markets and private gardens)</li> <li>- Archery / bow range</li> <li>- Automobile car wash (either manual or automatic)</li> <li>- Automobile / gasoline service stations</li> <li>- Automobile repair shops (including bodywork)</li> <li>- Boarding / rooming house</li> <li>- Building material sales</li> <li>- Drive-in theaters</li> <li>- Drive-through establishments (accessory to restaurants, banks, pharmacies and all other uses)</li> <li>- Frozen food lockers</li> <li>- Funeral homes, mortuaries, and cremation facilities</li> <li>- Greenhouses, garden centers, and landscape nurseries</li> <li>- Gun dealer / shooting range</li> <li>- Industrial facility (heavy or light)</li> <li>- Kennel / pound</li> <li>- Machinery and equipment sales</li> <li>- Medical marijuana dispensing facility</li> <li>- Model garage display and sales</li> <li>- Motel or motor inn</li> <li>- Open storage</li> <li>- Other similar or compatible uses</li> <li>- Plumbing, heating, air conditioning sales and service</li> <li>- Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a primary use</li> <li>- Second hand stores, flea markets, pawn shops</li> <li>- Tattoo parlor</li> <li>- Truck depot / truck stop</li> <li>- Vehicle rental</li> <li>- Warehouse and storage (including mini-storage)</li> <li>- Wireless communications facilities</li> </ul>

Table 3.A.2

\*Must maintain the same commercial architectural character or appearance as the street level commercial space.

## B. Building Standards

### 1. Intent

The intent of these building regulations is to establish architectural standards for new construction projects as well as building expansions.

### 2. Applicability

The building standards herein shall apply to all districts and all development types within the Legacy Code Area.

### 3. Building Types

#### a. *Mixed-Use*

A mixed-use building contains residential dwelling units above or behind ground floor commercial, group assembly, and/or civic uses, and may be designed to accommodate office and/or group assembly space on the second level.

#### b. *Stand-Alone Commercial*

A stand-alone commercial building contains retail, office, group assembly, and/or civic uses on all levels of the structure.

#### c. *Multi-Family*

A multi-family structure is a residence for multiple households where dwelling units are located above or below one another and share a common lobby (Syn: condominium; apartment).

#### d. *Single-Family Attached*

A single-family attached structure is a residence designed to house a single-family unit from lowest level to roof, with a private outside entrance and a shared common wall with an adjoining dwelling unit (Syn: rowhouse; townhouse).

#### e. *Single-Family Detached*

A single-family detached structure is a residence designed to house a single-family unit only, and is separated from other dwelling units by open space.

### 4. Mechanical Equipment

All vents, air conditioning units, mechanical, electrical and other equipment located on the roof of any structure shall be screened from surrounding public and private property.

### 5. Accessory Structures

The size, height and location of accessory structures shall follow Section III.I. of the Zoning Ordinance.

### 6. Storefront Standards

Buildings with ground floor commercial uses shall conform to the following:

#### a. *Transparency*

A minimum of 60% of the street-level facade shall be glazed. Windows shall not be opaque or mirrored.

#### b. *Sills*

The maximum height of the top of window sills shall be 30" above the adjacent sidewalk.

### 7. Materials

The following material lists shall apply to new construction projects, the new portion of building expansions, and all new accessory structures. Materials on existing structures are permitted to remain, and can be replaced with an equivalent, but in no event shall an existing primary material be replaced with an accent or prohibited material.

#### a. *Primary Materials*

A minimum of 75% of all facades and roofs exclusive of glazing shall be comprised of the following:

- Brick, Stone & Fiber Cement Siding
- Cedar, Slate & Asphalt Shingles (roof only)
- Copper & Stainless Steel
- Vinyl & Wood Siding (single-family detached accessory structures only)

#### b. *Accent Materials*

A maximum of 25% of all facades and roofs exclusive of glazing may be comprised of the following:

- Concrete Panels & Decorative Block
- EIFS & Stucco
- Wood
- Standing Seam Roofs

#### c. *Prohibited Materials*

- Vinyl & Wood Siding
- Smoothface Cinder Block
- Mirrored & Reflective Glass
- Plywood



## 8. Architectural Guidelines

The following guidelines present the architectural qualities and details deemed desirable by the Village for projects within the Legacy Code Area:

<i>General</i>	A consistent style of architectural composition should be applied throughout a structure. A mix of styles is discouraged.
<i>Articulated Base</i>	The distinction between ground floors and upper floors should be articulated through changes in architectural treatments and/or materials.
<i>Articulated Corner</i>	Buildings located at intersections should feature articulated corners in the form of architectural treatments and/or unique private frontages.
<i>Windows</i>	Wherever practical, ground floor windows should remain free of internal obstructions in order to allow for views into and out of the building. Windows on the upper floors should be smaller in size than storefront windows on the ground floor.
<i>Awnings</i>	Awnings should only be located within the established width of a functional window or door frame.
<i>Sign Band</i>	A sign band should be provided above storefront windows to accommodate both tenant signage and decorative lighting.
<i>Cornice</i>	Structures should be capped with a cornice, which is a horizontal projection that can include elements such as decorative brick and stone work, and ornamental brackets.

## 9. Heritage Site Guidelines

The following guidelines present the preferred architectural approach to modifying a structure on a Heritage Site.

<i>Exterior Materials</i>	When replacing exterior materials, consideration should be given to using only primary materials. Note that any building expansion is required to conform to the material standards found in Section 3.B.4.
<i>Building Expansion</i>	Wherever practical and appropriate, building expansions should be located at the front of a structure in order to bring the building into closer conformance with a district's front yard setback and re-image the structure to better reflect the above architectural guidelines.

## C. Parking

### 1. Intent

The intent of these parking regulations is to define the minimum design standards for such facilities, both existing and proposed.

### 2. Applicability

The parking standards herein shall apply to all districts within the Legacy Code Area.

### 3. Vehicle Parking - General

The intent of these parking regulations is to define the minimum design standards for such facilities, both existing and proposed.

#### a. Required Spaces:

The required vehicular parking shall be provided as indicated in the parking chart for each district. See pages 87-90 for parking waiver and variance standards.

#### b. Accessible Spaces:

The required number and size of accessible spaces shall be based upon the Illinois Accessibility Code.

#### c. Shared Parking:

Shared parking is permitted and encouraged. See pages 87-90 for specific requirements.

#### d. Residential Parking:

Required parking for residential uses shall not be open to the sky and must be located either within or below the building envelope or within an attached parking structure. Detached single-family residential units are exempt from this requirement.

#### e. Parking Location:

Parking lots shall meet the setback standards established for each district.

#### f. Parking Access:

Access to parking facilities shall be provided from alleys or adjacent parking lots wherever existing or proposed. If neither alleys nor adjacent parking lots are available, access to parking facilities and loading areas may be provided from thoroughfares via an access drive per the requirements on page 61.

### 4. Vehicle Parking Design Standards

The following minimum dimensions for parking facilities, both enclosed and open to the sky, shall apply to all districts and development types. The Village may require greater dimensions in order to accommodate engineering and/or public safety requirements.

Angle	Aisle Width		Stall Size
	2-Way	1-Way	Length x Width
90°	24'	22'	18' x 9'
60°	24'	19'	18' x 9'
45°	24'	14'	18' x 9'
30°	24'	12'	18' x 9'
0°	12'	12'	22' x 8'

Table 3.C.1

### 5. Guest Parking

In those areas that require guest parking, such facilities may be provided on the same lot as the principal use or, if approved by Village staff, accounted for off-site where adequate street parking or public parking facilities exist in the vicinity.

### 6. Bicycle Parking

#### a. Required Spaces:

The required bicycle parking shall be provided as indicated in the parking chart for each district.

#### b. Parking Location:

Bicycle parking shall be provided within a lot's parking zone or at the front of a building no more than 50 feet from an entrance. Installation within the private frontage is permitted with Village approval.

#### c. Parking Shelter:

Bicycle parking shelters are permitted within a lot's parking zone but must be located no closer than 5' to any property line.

#### d. Rack Type:

Inverted "U" style racks or functionally similar racks are required.

## 7. Additional Parking Standards

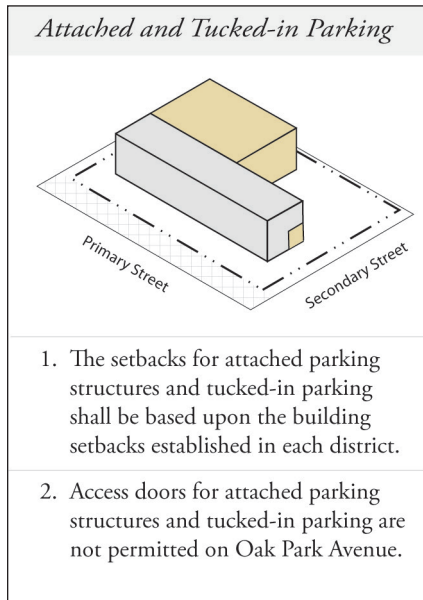


Figure 3.C.1

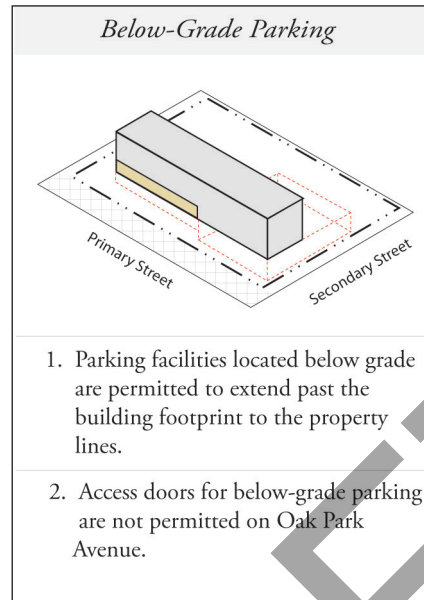


Figure 3.C.2

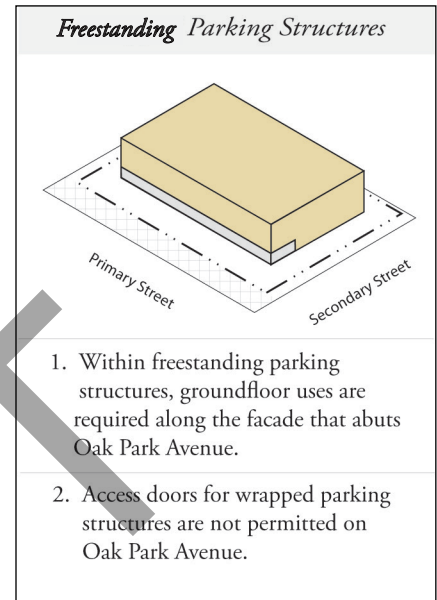


Figure 3.C.3

## 8. Special Parking Standards - Heritage Sites

### a. Front Yard Parking:

Front yard parking on Heritage Sites in existence at the time of adoption of this code shall be permitted to continue, but shall not be expanded in order to accommodate more parking spaces. Heritage Sites currently without front yard parking are prohibited from adding such facilities.

### b. Modification:

As noted in each district's Heritage Site section, in some instances a property owner is required to modify their front yard parking in order to improve the safety of the thoroughfares. When required, the following modifications shall be completed to the fullest extent possible:

1. Parking located within 25' of an intersection shall be removed and replaced with the corridor's public frontage requirements. (A)
2. Parking along the primary street shall be relocated to a secondary street. (B)

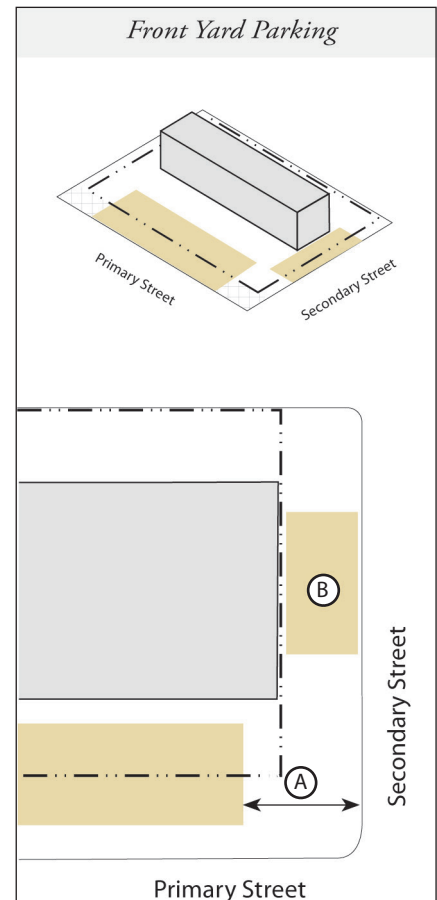


Figure 3.C.4

## D. Alleys

### 1. Intent

The intent of these alley regulations is to define the minimum design standards for such facilities, both existing and proposed, for the primary purpose of providing vehicular and pedestrian access to parking and other facilities located at the rear of a property.

### 2. Applicability

The alley standards herein shall apply to all districts within the Legacy Code Area and their applicability are based upon the type of activity proposed on a parcel as denoted within the specific district regulations.

### 3. Dedication

Based upon the type of activity proposed on a parcel, the Village may require a property owner to dedicate to the Village an alley right-of-way. Refer to the parcel's specific district regulations to determine the applicability. All dedications are subject to the following provisions:

- a. The physical location of the alley right-of-way on a parcel shall be determined by the Village based upon the nature of the block's development, both existing and proposed.
- b. The Village is not required to accept a dedication, nor does acceptance of a dedication obligate the Village to make any physical improvements within the alley right-of-way or guarantee public access to facilities located at the rear of a property. Furthermore, a dedication does not preclude the Village from requiring or allowing other parties to construct the physical alley, either in whole or in part. An alley may public or private at the option of the Village.
- c. The adjacent property owner(s), not the Village, shall maintain the unimproved alley right-of-way, including sodding, routine landscape maintenance, and keeping the area clear of debris and vehicles.
- d. No structure shall be permitted to be built within 5' of the alley right-of-way.

### 4. Construction

Based upon the type of activity proposed on a parcel, the Village may require a property owner to construct an alley. Refer to the parcel's specific district regulations to determine the applicability. The construction of an alley is subject to the following provisions:

- a. The standards in Section 3.D.3.c shall apply.
- b. An alley may be public or private, and can operate as a dedicated throughway or a drive aisle for the primary purpose of providing vehicular and pedestrian access to rear parking facilities.
- c. Alleys shall be paved in accordance with Village Codes and Ordinances.
- d. The Village may require greater dimensions in order to accommodate engineering and/or public safety requirements.

### 5. Right-of-Way Standards

The width of the required alley right-of-way shall be determined by the Village based on the following:

- a. *25' Alley Right-of-Way*  
Required on those properties in which the alley right-of-way will abut a parcel located outside of the Legacy Code Area in order to accommodate a 5' landscape buffer between the uses.
- b. *20' Alley Right-of-Way*  
Required on those properties in which the alley right-of-way is bounded on both sides by property located within the Legacy Code Area. In such instances, the Village may require dedication of only one-half the width of the required right-of-way from each of the abutting properties.

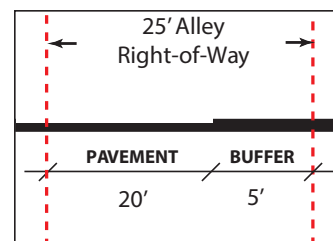


Figure 3.D.1

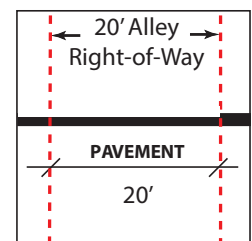


Figure 3.D.2

## E. Vehicle Access

### 1. Intent

The intent of these vehicle access regulations is to minimize the width and number of curb cuts along the corridors.

### 2. Applicability

The vehicle access standards herein shall apply to all districts within the Legacy Code Area and their applicability is based upon the type of activity proposed on a parcel as denoted within the specific district regulations.

### 3. Hierarchy of Access Points

- a. Access to parking facilities shall be provided from alleys or adjacent parking lots wherever available.
- b. Where alleys or adjacent parking lots are not available, access to parking facilities shall be provided from secondary streets wherever available.
- c. Access to rear parking facilities from primary streets via a private driveway may be permitted only when alleys, adjacent parking, or secondary streets are not available.

### 4. Permanent Curb Cuts & Driveways

Each block shall be permitted one (1) mid-block curb cut on the primary street, and one (1) curb cut on each of the bounding secondary streets with the following provisions:

- a. The Village shall determine the location of mid-block curb cuts and secondary street access points serving alleys and/or parking facilities.
- b. Access drives shall remain private property, with the property owner required to grant cross access rights to adjoining properties.
- c. The maximum width of driveways/curb cuts shall be 12 feet for a one-lane and 20 feet for a two-lane driveway.
- d. Sidewalks shall be constructed continuously across driveways without a change in grade.

### 5. Temporary Curb Cuts & Driveways

When access to parking facilities must be provided from a primary street, a temporary curb cut shall be permitted subject to the following:

- a. The maximum number of temporary curb cuts associated with a single development shall be one (1).
- b. The maximum width of temporary driveways/curb cuts shall be 12 feet for a one-lane and 20 feet for a two-lane driveway, and will not be permitted closer than 75 feet to an intersection.
- c. The granting of a temporary curb cut by the Village shall require the grantee to enter into cross-access agreements with adjoining properties to allow for shared use of the access.
- d. At the Village's discretion, temporary curb cuts shall be eliminated when alleys or adjacent parking lots provide a physical connection via neighboring properties to a permanent curb cut or alley.
- e. A restrictive covenant shall be recorded against the property for which a temporary curb cut is provided, which covenant will require the elimination of the curb cut, the demolition of the portion of the driveway located on Village property, and the construction of the corridor's required public frontage. Financial security in a form and amount acceptable to the Village shall be provided at the time of the covenant to insure that all required work is completed when the temporary curb cut is eliminated.

### 6. Modifications

When Heritage Site property owners are required to modify their existing curb cuts, the following actions shall be undertaken to the fullest extent possible:

- a. On interior lots, reduction of the number of curb cuts to one (1);
- b. On corner lots, removal of primary street curb cuts and utilization of the secondary street for access;
- c. Reduction of the width of the curb cut to meet the standards herein.



## F. Landscaping

### 1. Intent

The intent of these landscaping regulations is to define the minimum requirements deemed necessary to achieve adequate buffering, provide visual interest and add pervious surfaces on a site.

### 2. Applicability

The landscaping standards herein shall apply to all districts within the Legacy Code Area and be executed to the extent required based upon specific district standards relating to the following:

- a. New Construction
- b. Structure Expansion
- c. Special Use
- d. Rezoning
- e. Change of Owner
- f. Change of Use

### 3. General Standards

#### a. *Plan Conformance*

All landscaping, including mulch and seeding, shall be completed in accordance with the approved landscape plan, and nothing shall be planted or installed within an underground or overhead utility easement or drainage easement without the consent of the Village.

#### b. *Private Lot Phasing*

For those projects built in stages, the landscaping on the private lot may be phased to coincide with stage completions. A plan schedule must be approved by the Village.

#### c. *Public Property Requirements*

Median landscaping and alley buffering, when required, and public frontage landscaping shall be completed in their entirety prior to the issuance of an occupancy permit for any component of a project.

#### d. *Water Collection Areas*

Water collections areas (i.e. bioswales) may be utilized in private lot and bufferyard areas with approval by the Village and provided that the required number of trees are installed.

### 4. Waivers

In those instances in which the Village determines that it is impractical or impossible to complete all or a portion of the required landscaping improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission when applicable one or a combination of the following options:

- a. Allow phasing of a portion of such improvements and grant a temporary occupancy permit provided that the developer or property owner submit, and the Village approves, financial security in a form and amount acceptable to the Village ensuring the installation of the remaining landscape material by a date certain.
- b. Require the developer to provide cash in-lieu-of in an amount determined by the Village; or
- c. Waive such requirements in whole or in part based upon the unique nature of the site and/or block development, either existing or proposed.

### 5. Installation & Maintenance Standards

- a. Installation standards shall be per Section 158.20.C of the Tinley Park Municipal Code with the following exceptions:
  - 1. *Tree Selection*  
An approved tree planting palette for the entire Code area shall be kept on file with the Village.
  - 2. *Plant Material*  
Plant materials that are native to the area should be selected wherever feasible.
  - 3. *Prohibited Materials*  
The use of loose stone, rock or gravel is prohibited within public frontages.
- b. Maintenance standards shall be per Section 158.20.D of the Tinley Park Municipal Code.



## 6. Thoroughfare

### a. Medians

When appropriate, standards will be established by the Village and provided to a developer for implementation.

## 7. Public Frontage

Specific approved public frontage standards for the entire Code area shall be kept on file with the Village. General public frontage standards are listed below:

### a. Downtown Core District

Shade trees spaced no greater than 25' apart shall be located within the buffer zone and placed within (1) tree grates; (2) raised beds; or (3) integrated seating.

### b. Other Districts

Shade trees spaced no greater than 25' apart shall be located within the buffer zone and placed within (1) tree grates; or (2) turf parkways.

### c. Street Furniture & Planters

Street furniture and planters containing annuals and perennials shall be permitted within the buffer zone provided that such objects do not impede pedestrian movement within the sidewalk zone or inhibit the use of on-street parking spaces.

## 8. Private Frontage

### a. Foundation Plantings

Foundation plantings are permitted provided that the mature size of such plantings will not impede pedestrian movement within the sidewalk zone or at building entrances.

### b. Street Furniture & Plantings

Street furniture and planters containing annuals and perennials are permitted provided that such objects do not impede pedestrian movement within the sidewalk zone or inhibit the use of building entrances.

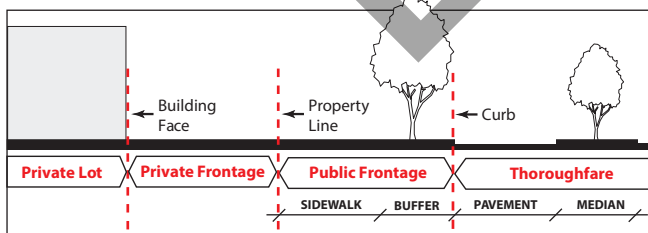


Figure 3.F.1

## 9. Private Lot

### a. Interior Landscaping

Interior landscaping standards shall be per Section 158.14 of the Tinley Park Municipal Code with the following exception:

1. Such standards shall also apply to single-family detached residential developments of two (2) or more units.

### b. Parking Lot Landscaping

Parking lot landscaping standards shall be per Section 158.20 of the Tinley Park Municipal Code.

## 10. Bufferyards

A 5' minimum Bufferyard in accordance with Table 3.F.1. is required in the following circumstances:

### a. Adjacent to Non-Legacy Code Areas

A bufferyard is required between any property within the Legacy District (except for Single-Family Detached structures) and any property outside of the Legacy District.

### b. Between Commercial and Non-Commercial Uses

A bufferyard is required between commercial and non-commercial uses. In order to promote shared parking facilities, properties with a commercial component are not required to provide bufferyards when adjacent to property that also includes a commercial component. (Consideration will be given to waive the bufferyard requirement if the adjacent property is not within the Legacy District but also includes a commercial component.)

### c. Between Residential Uses

A bufferyard is required between a Single-Family Detached structure and any other residential use.

### d. Auto-related Uses

A bufferyard is required adjacent to a surface parking lot or parking area (including driveways) that abuts a use outside of the Legacy Code Area except as provided in Section 3.F.10.b. above.

### e. Alley Buffer

A bufferyard is not required between a parcel within the Legacy Code Area and an alley; however, a bufferyard is required between an alley and a parcel located outside of the Legacy Code Area.

Bufferyard Width	Minimum Plant Materials (per 50')		
	Shade Trees	Ornamental Trees	Shrubs
5'	2	1	20
10'	2	2	30
15'	2	4	40

Table 3.F.1

## G. Fencing

### 1. Intent

The intent of these fencing regulations is to define the minimum and maximum screening standards required or permitted on a parcel.

### 2. Applicability

The fencing standards herein shall apply to all districts within the Legacy Code Area.

### 3. General

#### a. Plan Conformance

All fencing shall be completed in accordance with the approved site plan, and nothing shall be installed within an underground or overhead utility easement or drainage easement without the consent of the Village.

### 4. Materials

#### a. Permitted

Wrought iron, cast iron, and welded steel ornamental fences; solid and open wood fences; solid and open PVC fences; masonry and brick walls and/or pillars.

#### b. Prohibited

Chain link (except for temporary construction fences); barbed wire and razor ribbon.

### 5. Public Frontage

Fences in the public frontage are limited to decorative, open-style types (i.e. wrought iron) within the buffer zone either incorporated into raised planter beds or utilized as surrounds for trees. Fences are not permitted to encroach into the sidewalk zone.

### 6. Private Frontages

Fences and gates in the private frontage are permitted to extend to the property line and are limited to decorative, open-style types (i.e. wrought iron) with a minimum height of 3' and a maximum height of 4' with the following exceptions.

#### a. Corner Lots - All

The visibility requirements at intersections shall be per Section III.G of the Zoning Ordinance.

#### b. Corner Lots - Detached Single-Family Residential

Such lots shall be permitted to erect an open or solid fence with a maximum height of 6' along their secondary frontage provided that the fence is located no closer than 15' to the property line, and does not extend past the front facade of the primary structure.

### 7. Private Lots

Solid fences with a maximum height of 6' shall be permitted in side and rear yards with the following exceptions:

#### a. Rear Yard Requirements

A solid 6' fence shall be provided at the rear of any property that has a surface parking lot that abuts a use outside of its district.

#### b. Alley Buffering

A solid 6' fence shall be provided between an alley and a parcel outside the Legacy Code Area. Fences are prohibited between a surface parking lot and an alley.

#### c. Parking Lot Screening

Fences and gates utilized to screen parking lots from secondary streets shall be located along the parking setback and are limited to decorative, open-style types (i.e. wrought iron) with a minimum height of 3' and a maximum height of 4'.

## H. Stormwater Management

### 1. Intent

The intent of these stormwater regulations is to establish minimum on-site standards, discourage impervious surfaces, and promote shared stormwater facilities.

### 2. Applicability

Requirements for stormwater management shall apply to all districts and development types within the Legacy Code Area.

### 3. Jurisdiction

Stormwater management systems shall be designed and constructed in accordance with Village of Tinley Park Ordinances and the standards approved by the Metropolitan Water Reclamation District of Greater Chicago, whichever is more restrictive.

### 4. General

- a. A stormwater strategy for the entire site and the adjacent properties, if required by the Village, shall be defined prior to the first meeting with the Village's Plan Commission and approved by the Village prior to the issuance of any building permits or granting of any final occupancy permit.
- b. Where practical, stormwater management requirements shall be addressed through green technology best management practices such as permeable surfaces, bio-swales, and on-site retention and filtration.
- c. Rooftop gardens or other rainwater capture and recycling systems are permitted provided that such features meet Village Codes and Ordinances.

### 5. Analysis

A general, non-binding analysis of stormwater needs for sites within the Legacy Code Area was completed as part of the *Legacy Plan*. See page 98 for details.

# I. Lighting

## 1. Intent

The intent of these lighting standards is to increase safety and provide clear views both to and within a site while preventing unnecessary light pollution and promoting pedestrian-scaled fixtures.

## 2. Applicability

The lighting standards herein shall apply to all districts and developments within the Legacy Code Area.

## 3. Location

Figure 3.I.1 and Table 3.I.1 show the permitted location on the lot of light sources based upon the height and style of the fixture. Minimum and maximum lighting standards shall be determined by the Village as based upon a submitted photometric plan. The following standards also apply to each of the lighting zones identified:

### a. Alley Lighting Zone:

All lots with alleys shall have lighting fixtures within 7 feet of the alley's edge of pavement. When a structure in the lot is within 7 feet of the alley's edge, the lighting fixture shall be attached to the structure and not to a freestanding pole.

### b. Parking Lot Lighting Zone:

All lots with surface parking facilities shall have free standing lighting fixtures located no closer than 3 feet to any property line or alley. When a parking lot abuts a structure in the lot, the lighting fixture shall be attached to the structure and not to a freestanding pole.

### c. Public Frontage Lighting Zone:

Pedestrian street lights must be placed 2 feet from the back of curb on each side of the street with a maximum average spacing (per block face) of 60 feet on center.

### d. Building Lighting Zone:

Exterior lights shall be mounted between 6 feet and 14 feet above adjacent grade.

## 4. Lighting Elements

Lighting elements shall be compact fluorescent, metal halide, LED, or halogen only.

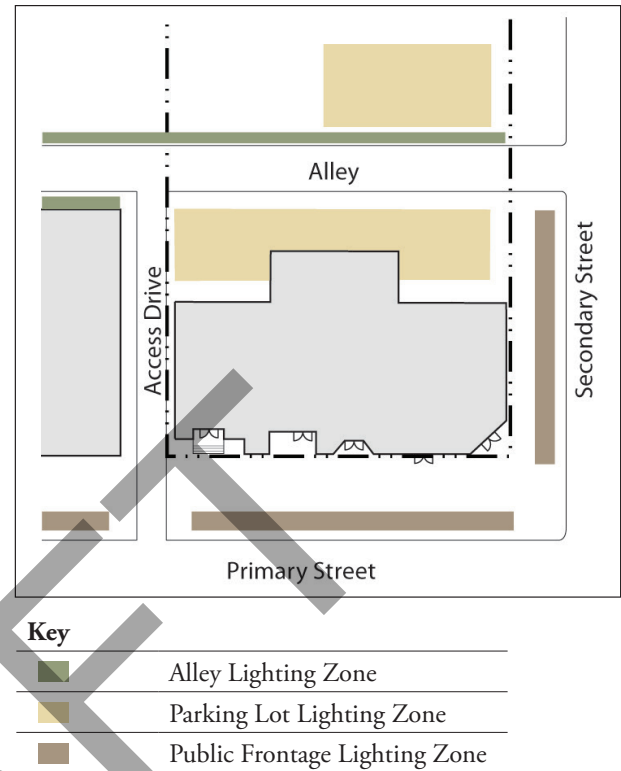


Figure 3.I.1

## 5. Glare

Fixtures where light is visible to the public in a clear or frosted lamp shall be equipped with refractors to direct light downward and prevent glare.

## 6. Spillage

All fixtures shall include refractors to direct light away from property lines. The maximum allowable footcandles at any property line shall be 0.5 footcandles, unless it can be demonstrated to the satisfaction of the Village that:

- a. Additional illumination is required for security, outdoor dining, or other use.
- b. Such illumination can be provided without negative impacts on adjacent properties.

## 7. Standards

The Village shall keep on file, and provide to property owners, the specifications for all lighting fixtures and components located on public property and/or maintained by the Village.






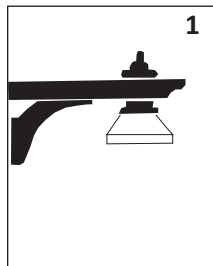
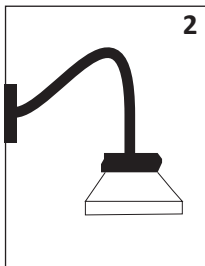
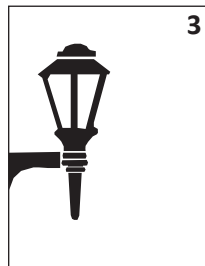
Light Type	Permitted Location				Standards
	Alley	Parking Lot	Public Frontage	Building	
 Cobra Head	●				Height: 20' max. Color: No restrictions
 Pipe	●	●			Height: 20' max. Color: Black or copper
 Post		●			Height: 15' max. Color: Black or copper
 Column		●	●		Height: 12' max. Color: Black or copper
 Bollard		●			Height: 4' max. Color: no restrictions
Building Mounted Examples				●	1. Structure mounted alley or parking lot light. 2. Commercial Structure mounted accent light. 3. Residential Structure mounted accent light
 <b>1</b>	 <b>2</b>	 <b>3</b>			

Table 3.1.1

## J. Encroachments

### 1. Intent

The intent of these encroachment regulations is to allow flexibility in the design of a private lot without infringing upon the functionality of the public frontage.

### 2. Applicability

The encroachment standards herein shall apply to all districts and is based upon the type of activity proposed on a parcel as denoted within the specific district regulations.

	Front Yard ( Primary or Secondary Street)		
	DC	DF	DG/NG/NF
Accessory Structures	---	---	---
Architectural Features	50% of setback	5'	50% of setback or 5' <sup>1</sup>
Awnings, Canopies, and Marquees	5' into right-of-way <sup>2</sup>	5'	50% of setback or 5' <sup>1</sup>
Balconies	50% of setback	5'	50% of setback or 5' <sup>1</sup>
Fire Escapes	---	---	---
Flag Poles	50% of setback	5'	50% of setback or 5' <sup>1</sup>
Landscape Features	50% of setback	5'	50% of setback or 5' <sup>1</sup>
Mechanical Equipment	---	---	---
Porticos	5' into right-of-way <sup>2</sup>	5'	50% of setback or 5' <sup>1</sup>
Public Art	50% of setback	5'	50% of setback or 5' <sup>1</sup>
Stairs / Stoop	100% of setback	5'	50% of setback or 5' <sup>1</sup>
Water Collection	50% of setback	5'	50% of setback or 5' <sup>1</sup>
	Side Yard (Interior or Along Access Drive) <sup>3</sup>	Rear Yard (Existing Alley or No Alley Required)	Rear Yard (Future Alley) <sup>4</sup>
	All Character Districts		
Accessory Structures	---	---	5'
Architectural Features	2.5'	2.5'	2.5'
Awnings, Canopies, and Marquees	---	---	5'
Balconies	---	---	5'
Fire Escapes	2.5'	---	5'
Flag Poles	---	---	---
Landscape Features	---	2.5'	5'
Mechanical Equipment	2.5'	---	---
Porticos	---	---	---
Public Art	---	2.5'	5'
Stairs / Stoop	2.5'	2.5'	5'
Water Collection	---	2.5'	5'

Table 3.J.1 - Sign Regulations

1. Whichever is less.
2. Provided there is a minimum vertical clearance of 8'. May encroach up to 100% of setback on a secondary street within the Downtown Core.
3. Encroachments shall not interfere with any line-of-sight triangles.
4. In certain areas a future alley may be 25' in width. In such instances, no encroachments shall be permitted.



## 2011 LEGACY CODE

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## SECTION 4 SIGNAGE

DRAFT

## A. Intent

The *Legacy Code* sign provisions that follow are intended to provide for the establishment of sign criteria related to sign bulk, area, number and architectural design. The purpose of these regulations is to:

- 
1. Authorize the use of signs that are:
    - a. Compatible with their surroundings.
    - b. Appropriate to the activity to which they refer.
    - c. Expressive of the identity of individual proprietors.
    - d. Legible in the circumstances in which they are seen.
  2. Preserve, protect and promote the public health, safety, and welfare.
  3. Enhance the economy, business and industry of the historic downtown by promoting the reasonable, orderly and effective display of signs.
  4. Preserve the aesthetic value and historic authenticity of the downtown.
  5. Protect the general public from damage and injury that may be caused by faulty, uncontrolled construction or use of signs in the downtown.
  6. Protect pedestrians and motorists from damage or injury caused by distractions, obstructions or hazards created by such signs.
- 

## B. Applicability

The *Legacy Code* sign provisions that follow shall be applied to the Legacy Code Area as designated in Section 1.C and as seen in Figure 1.C.1 - Code Area Map.

Where conflicts occur between the development standards or requirements in the Village's Zoning Ordinance, Subdivision Regulations, or Building Code and this section of the Zoning Ordinance, the regulations of this section of the Zoning Ordinance shall control.

Should this section of the Zoning Ordinance be found by Village staff to be silent on any matter that is otherwise provided for in any other section of the Zoning Ordinance, Subdivision Regulations, or Building Code, the applicable provisions of those sections shall control.

## C. General Provisions

### 1. Number of Signs

Each commercially used building in the Legacy Code Area shall be allowed signs according to the following:

- a. Freestanding and/or Monument: One freestanding or monument sign shall be allowed per lot. Sandwich boards shall not constitute a freestanding or monument sign.
- b. Wall and/or Projecting
  1. Primary and Secondary Facades: Two wall signs shall be allowed per primary facade. Of the two signs, only one may be projecting.
  2. Rear Facade: One sign shall be allowed per rear facade, provided there is an operable customer entrance.
- c. Window: Multiple window signs are classified as one aggregate sign, provided they do not collectively exceed the maximum sign face area established in Table 4.E.1.

### 2. Materials

The following architectural elements shall be followed for all signs in the Legacy Code Area:

- a. Materials shall be in keeping with the architecture of the building, and shall conform to all applicable buildings codes.
- b. The following materials shall be prohibited:
  1. Fluorescent materials (excluding lighting) and paints.
  2. Paper products as a permanent sign (paper, cardboard, poster board, and construction paper).
- c. Only canvas or cloth awnings shall be allowed.

### 3. Illumination

- a. Signs may be backlit, or illuminated by spotlights, subject to item 3.c. below.
- b. The use of exposed neon tubing shall be limited to interior hanging window signs, provided however, that window signs that include exposed neon tubing do not exceed 10% of the total glass area of the window on which they are placed. Neon "Open" signs that are two (2) square feet or smaller shall be excluded from this area limitation.
- c. All light sources shall be located or shielded to ensure that the light source is not visible to the public from the sidewalk, street or adjacent property to prevent glare.

### 4. Encroachment into Public Right-of-Way

- a. The copy for awning, canopy, or projecting signs that encroach in the public right-of-way, pursuant to this Ordinance, shall be limited to the display of the name and/or address of the establishment located on the premises.
- b. If building has a zero (0) foot setback, awning, canopy, or projecting signs may extend up to, but not more than one half (1/2) the width of the sidewalk.

## 5. General Provisions - Universal

The following items related to the regulation of signs are universal throughout the Village and can be reviewed in detail in Section IX.C of the Village's Zoning Ordinance:

- a. Conformance with the Village Electrical Code
- b. Wind Pressure and Dead Load Requirements
- c. Signs Conflicting with Traffic Signs
- d. Flashing Light
- e. Illumination
- f. Glass Limitation
- g. Obstructions to Doors, Windows, or Fire Escapes
- h. Unsafe or Unlawful Signs
- i. Maintenance Required
- j. Removal of Obsolete Signs
- k. Exemption

## 6. Guidelines for the Preservation of Architectural Details, Character & Scale

The following guidelines for signs will be reviewed administratively. If staff determines that a sign does not meet any one of the guidelines, the sign may be referred for review to the Main Street Commission and/or Historic Preservation Commission. If a sign is referred for review to the Main Street Commission and/or Historic Preservation Commission, the Commission chair must approve the sign prior to the issuance of any building permit.

1. Signs installed in this district ought to be in scale with existing buildings and adjacent structures.
2. Signs installed in this district ought not cover or obscure a structure's architectural details.
3. Signs installed ought to be in keeping with the architectural character of a structure.

## D. Sign Types

### Key

	Prohibited
	Permitted
*	Permitted with Conditions

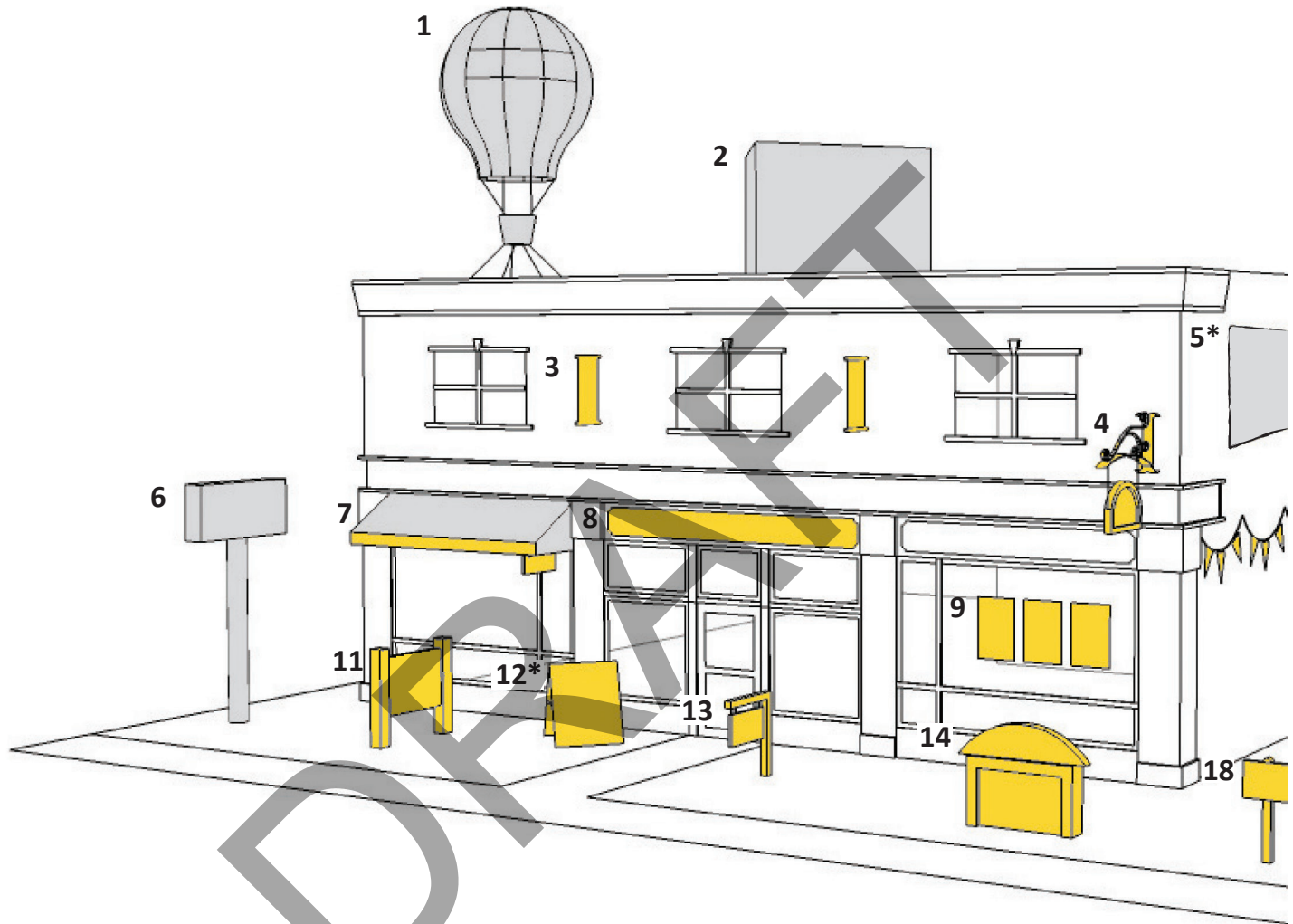


Figure 4.D.1 - Sign Types

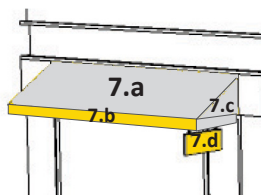


Figure 4.D.2

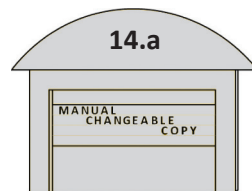


Figure 4.D.3

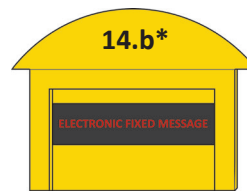


Figure 4.D.4

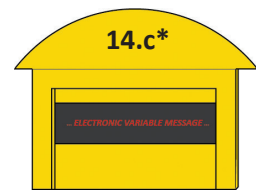
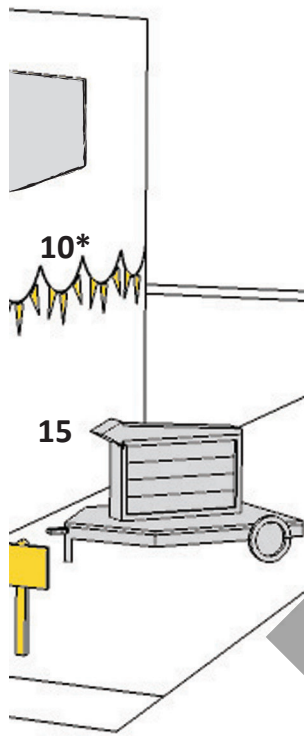


Figure 4.D.5





- 1 Inflatable - Temporary
- 2 Roof
- 3 Banner
- 4 Projecting
- 5 Mural
- 6 Pole - Freestanding
- 7 Awning
- 7.a Awning - Writing or Logo on Top Panel
- 7.b Awning - Valance
- 7.c Awning - Writing or Logo on Side Panel
- 7.d Hanging - Awning
- 8 Wall
- 9 Window
- 10 Pennant (or Festoon Lighting)
- 11 Frame - Freestanding
- 12 Sandwich Board - Temporary
- 13 Hanging - Freestanding
- 14 Ground - Monument
- 14.a Manual Changeable Copy
- 14.b Electronic Changeable Copy - Fixed
- 14.c Electronic Changeable Copy - Variable
- 15 Portable
- 16 Address
- 17 Integral
- 18 Memorial



Figure 4.D.6

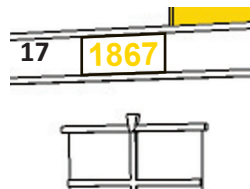


Figure 4.D.7



Figure 4.D.8

## E. Sign Regulations

#	Type	Permitted	Maximum Sign Face Area (per sign face)	Maximum Height
1	Inflatable - Temporary	No	---	---
2	Roof	No	---	---
3	Banner	Yes	8 sq. ft.	4'
4	Projecting <sup>1</sup>	Yes	< 30' of lineal feet of front wall = 8 sq. ft. 30'-50' of lineal frontage = 16 sq. ft. > 50' of lineal footage = 32 sq. ft.	Shall not extend past second floor windows or the bottom of any architectural cornice. Minimum vertical clearance of 8' required.
5	Mural <sup>2</sup>	No	---	---
6	Pole - Freestanding	No	---	---
7	Awning <sup>3</sup>	Yes	See below.	Minimum vertical clearance of 8' required.
7.a	Awning - Top Panel	No	---	---
7.b	Awning - Valance	Yes	30% of the valance area	N/A
7.c	Awning - Side Panel	No	---	---
7.d	Hanging - Awning	Yes	8 sq. ft.	N/A
8	Wall <sup>4</sup>	Yes	1 sq. ft. of sign area for each lineal foot of primary or entry side building width.	Shall not project higher than the bottom of the window sills of the second floor or other second floor architectural features of a building, whichever is lower.
9	Window	Yes	25% of total glass area on which they are placed.	N/A
10	Pennant (or Festoon Lighting)	Temporary	Individual pennant shall not exceed 18" in width.	12'
11	Frame - Freestanding	Yes	16 sq. ft.	4'
12	Sandwich Board - Temporary <sup>5</sup>	Temporary	7 sq. ft.	3' 6"
13	Hanging - Freestanding	Yes	3 sq. ft.	4'
14	Monument - Ground	Yes	1 sq. ft. for each lineal foot of frontage along a front lot line but a maximum area of 32 sq. ft.	8' in Downtown Core, Downtown Flex, and Downtown Neighborhood. 10' in all other areas.
14.a	Manual Changeable Copy	No	---	---
14.b	Electronic Changeable Copy - Fixed <sup>6</sup>	Yes	Message area shall comprise no more than 20% of the total elevation area of the monument sign.	Shall comply with the height regulations of a monument sign.
14.c	Electronic Changeable Copy - Variable <sup>7</sup>	Yes	Message area shall comprise no more than 20% of the total elevation area of the monument sign.	Shall comply with the height regulations of a monument sign.
15	Portable	No	---	---
16	Address / Identification	Yes	1 sq. ft. for single-family residence. 5 sq. ft. for multi-family residence or commercial	1' (address numerals) 2' (identification sign)
17	Integral	Yes	8 sq. ft.	2'
18	Memorial <sup>8</sup>	Yes	4 sq. ft.	4'

Table 4.E.1 - Sign Regulations

### Special Conditions

- Figurative signs which advertise the business through the use of symbolic, graphic or crafted three-dimensional objects are encouraged.
- Existing murals shall be grand-fathered with no amortization period, provided property owner performs regular maintenance and upkeep.
- Shall not be translucent. Only canvas and cloth awnings shall be allowed.
- On secondary, side streets, or alley frontage may be allowed but shall not exceed the size of the wall signs on the primary or entry-side frontage. Shall not project above or below the story of the business that it is intended to identify.
- Shall not be counted toward the total number of signs permitted. Shall be displayed only during business hours.

Special Lighting Requirements	Location
---	---
---	---
Shall not be illuminated.	Shall be located only on second story and project from the exterior wall. Shall not project more than 2' from wall and shall have a minimum vertical clearance of 8'.
Illumination shall be from the top down. Lights shall be focused downward and so designed to avoid glare.	If building has 0' setback, may extend up to, but no more than one half the width of the sidewalk. If building is setback from a property line, may extend up to 8' from the wall, but in no case shall it extend more than one half the width of the sidewalk.
---	---
---	---
Illumination shall be from the top down and lights shall be focused downward and so designed to avoid glare. Shall not be lighted from the under-side or interior such that the fabric or structure is illuminated.	In no case shall extend more than one half the width of the sidewalk
---	---
N/A	Shall be allowed when painted or applied flat against the awning or canopy surface.
---	---
Shall not be illuminated.	Shall not extend beyond the awning or canopy projection.
See Section 4.C.3 on page 72.	Shall not project more than 8" from wall and shall not extend within 2' of the edge of a wall. Murals shall be prohibited on front facades.
Shall not be illuminated by an external source.	First floor windows only.
Pennants shall not be illuminated by an external source.	Shall not be suspended from above the first story.
See Section 4.C.3 on page 72.	Shall be 10' off of property line and setback 10' from an access or entry drive.
Shall not be illuminated by an external source.	Shall be allowed only within 10' of building entrance.
Shall not be illuminated by an external source.	Shall be 10' off of property line and setback 10' from an access or entry drive. One sign per building. Wood or wood composite material only.
See Section 4.C.3 on page 72.	Shall be 10' off of property line and setback 10' from an access or entry drive so that it shall not interfere with any line-of-sight triangles.
---	---
Shall not encroach onto or create a visual nuisance to residential properties.	Shall be located on a monument sign only.
Shall not encroach onto or create a visual nuisance to residential properties.	Shall be located on a monument sign only.
---	---
See Section 4.C.3 on page 72.	N/A
See Section 4.C.3 on page 72.	Names of buildings, dates of erection, monumental citations, commemorative tablets, and the like, when carved into stone, concrete or similar material, or made an integral part of the structure.
See Section 4.C.3 on page 72.	Shall not be placed within 5' of the public right of way or any property line.

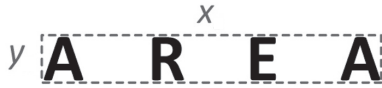
6. Electronic Changeable Copy signs shall be permitted only within the Neighborhood Flex and Civic Districts.
7. In addition to Item 6 above, as recommended by the Federal Highway Administration, there shall be an interval of 4-10 seconds between message changes.
8. Shall be permitted only when cut into any masonry surface or when constructed of bronze or other similar noncombustible materials which are compatible with the architectural style of the building.

## F. Sign Measurements

### 1. Calculating Maximum Sign Face Area

Per Section II of the Village's Zoning Ordinance, sign area shall be calculated in the following manner:

#### a. Individual Channel Letters



#### b. Box Sign

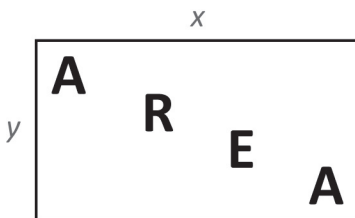


Figure 4.F.1

### 2. Calculating Maximum Sign Height

Per Section II of the Village's Zoning Ordinance, sign height shall be calculated in the following manner:

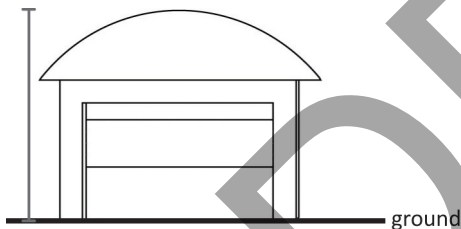


Figure 4.F.2

## G. Temporary Signs

Temporary signs and attention-getting devices, such as banners, pennants, valances, decorative lighting, or advertising display constructed of cloth, canvas, light, fabric, cardboard, wall board or other light material may be permitted in the Legacy Code Area for promoting special community activities, special promotional sales, special events, or activities subject to the following provisions:

### 1. Seasonal (Holiday) Signs and Decorative Lighting

- a. Winter holiday signs and decorative lighting shall be allowed from November 1<sup>st</sup> to January 15<sup>th</sup>.
- b. All other seasonal (holiday) signs are allowed 30 days before and 10 days after the holidays.

### 2. Special Sale Signs

- a. Special sale signs may be displayed for 30 days.
- b. After 30 days, a different temporary sales sign may be displayed, provided at least 30 days intervenes between the displays of such temporary signs for differing special sales.

### 3. Special Event Signs

- a. Regulations for special sales signs shall be applied to special event signs. However, if such signs are located in the public right-of-way, then a permit for such sign shall be obtained from the Village of Tinley Park.

Other temporary signs, such as real estate and construction signs, shall be allowed in accordance with Section IX.D.7 of the Zoning Ordinance.

## H. Sign Exemptions

The following exemptions shall be permitted within the Legacy Code Area:

1. Traffic or other municipal street signs, such as railroad crossing signs, legal notices, and such temporary emergency signs that may be authorized by the Village of Tinley Park.
2. Directional, information, or public service signs not pertaining to private enterprise (excluding public utilities) erected for the convenience of the public, such as signs identifying entrances, exits, parking areas, no parking areas, restrooms, walkways and similar features or public facilities.
3. Public signs and other signs incidental thereto for identification, information, or directional purpose erected or required by governmental bodies, or authorized for a public purpose by any law, statute, or ordinance.

# I. Non-Conforming Signs

All non-conforming signs shall be replaced when:

1. There is a change in use.
2. There is a change in the name of the business.
3. The sign is replaced for any reason whatsoever.
4. Repair of the sign exceeds 50% or more the value of the sign.

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## **2011 LEGACY CODE**

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## **SECTION 5 ADMINISTRATION & PROCEDURES**

## A. How to Obtain Project Approval

### 1. Pre-Application Conference

Prior to the official submission of any application for improvements within the Legacy Code Area, the applicant shall meet with Village staff for a preliminary discussion as to:

- a. The scope and nature of the proposed improvement;
- b. The types of building forms and uses proposed; and
- c. Any site or façade improvements proposed.

The applicant shall be prepared to present conceptual plans, sketches or any other information necessary to explain the proposed improvements, including any specific requests to deviate from the standards of this code. Village staff will provide general information and direction relative to the long-range goals of the *Legacy Plan* and the Village of Tinley Park, as a whole. Village staff will also provide direction on the applications, reviews, and meetings that will be required to obtain approval.

<i>Type of Development</i>	<i>Administrative Review</i>	<i>Main Street Commission</i>	<i>Historic Preservation Commission</i>	<i>Plan Commission</i>	<i>Village Board</i>
Redevelopment > 50%	R	R	R	D	\$D
New Development > 50%	R	R	R	D	\$D
Variances	R	R	R	<R>	D
Special Use	R	R	R	<R>	D
Map Amendment (Rezoning)	R	R	R	<R>	D
Plats & Annexations	R	R	R	<R>	D
Appeals				D (Admin.)	D (Plan Comm.)
Exterior Alteration in Footprint < 50%	R	R	R	D	
Change of Owner	D	R	R		
Change of Use	D	R	R		
Signs	D	R	R		
Facade Improvements	D	\$D			
Outdoor Dining	R/D				D*
Lot Improvements (e.g. Parking Lots)	D				
Awnings & Canopies	D				
Outdoor Storage	D				
Collective and Shared Parking	D				
Parking Waiver	D				
Planned Unit Development	Not Allowed				
Maintenance	Exempt				

Table 5.A.1

R: Review & Recommendation

D: Final Approval

\$: Incentive Decisions Only, not Land Use

< >: Public Hearing

\* Outdoor Dining with alcohol sales must be approved by the Liquor Commissioner

## 2. Types of Review & Approvals

- a. Administrative Review and Approval – Certain improvements require administrative review and approval because of their minimal size and scope. Administrative approvals may consist of reviews from Village staff, including Planning Department, Building Department, Public Works, Engineering, Fire Department, Police Department, and the Village's landscape consultants. All administrative reviews and approvals will require an application and must be documented. Village staff may require an improvement that qualifies for administrative review to go through site plan review by the Plan Commission if the application does not comply with the standards herein or if Village staff determines that the scope of the project exceeds his/her administrative authority.
- b. Main Street Commission and Historic Preservation Commission – Review and input from the Main Street Commission and Historic Preservation Commission on any application that requires site plan review before the Plan Commission or any application that requires consideration by the Village Board is critical to ensure that the principles and goals established by the *Legacy Plan* and this code are fully met.
  1. Main Street Commission and Historic Preservation Commission may review the application, plans, and related data submitted to the Village before the meeting or Public Hearing on the application. This review should be concurrent with the review of the Plan Commission. However, review by the Plan Commission should not be contingent upon Main Street Commission and Historic Preservation Commission review, in the event that the Main Street Commission and Historic Preservation Commission cannot meet to review an application before the scheduled meeting or hearing of the Plan Commission.
  2. Review comments shall be prepared in a written document that can be distributed to the Plan Commission and petitioner before or during the meeting or hearing that has been scheduled to review the application. Such review comments are advisory and shall be processed as recommendations to the Plan Commission.
  3. The Main Street Commission and Historic Preservation Commission may send a representative to the scheduled meeting of the Plan Commission.
  4. The Main Street Commission and Historic Preservation Commission may be invited to participate in any work session of the Plan Commission for any application.
  5. Drawings and support documentation that are revised to respond to comments by Village staff, the Plan Commission, and the Main Street Commission and Historic Preservation Commission shall be transmitted to the Main Street Commission and Historic Preservation Commission for subsequent review and comment until such time as a final vote is taken by the Plan Commission or a recommendation is made and forwarded by the Plan Commission to the Village Board.

6. Representatives of the Main Street Commission and Historic Preservation Commission may prepare formal recommendation for Village Board consideration on any application proposed in any district in this code that was recommended for approval by the Plan Commission and which does not address the requested changes or conditions of approval proposed by the Main Street Commission and Historic Preservation Commission or in the event that the Plan Commission recommendation for approval is contrary to the recommendations proposed by the Main Street Commission and Historic Preservation Commission.
- c. Site Plan Review by Plan Commission – Certain improvements require site plan approval because of the proposed changes to the site or building and the scope of the project. Site plan review by the Plan Commission typically involves two public meetings for review by the Plan Commission and one workshop with assigned Plan Commission members.
  - d. Site Plan Review by Plan Commission and Village Board – Certain improvements require site plan review and approval by the Plan Commission and Village Board because the application requires that an ordinance be considered. Any Public Hearing required for approvals granted by the Village Board will be held by the Plan Commission. Site Plan Review by the Village Board typically involves two public meetings.
  - e. Exempt - Regular maintenance and repair are exempt from any reviews and approvals.

## B. Public Meetings Required

### 1. Process Determination

The process for meetings and approvals for projects requiring site plan review will be determined by Village staff, based upon the relative conformity to the *Legacy Plan* and this code, and also based upon whether or not a Special Use, variance(s), and/or rezoning are required.

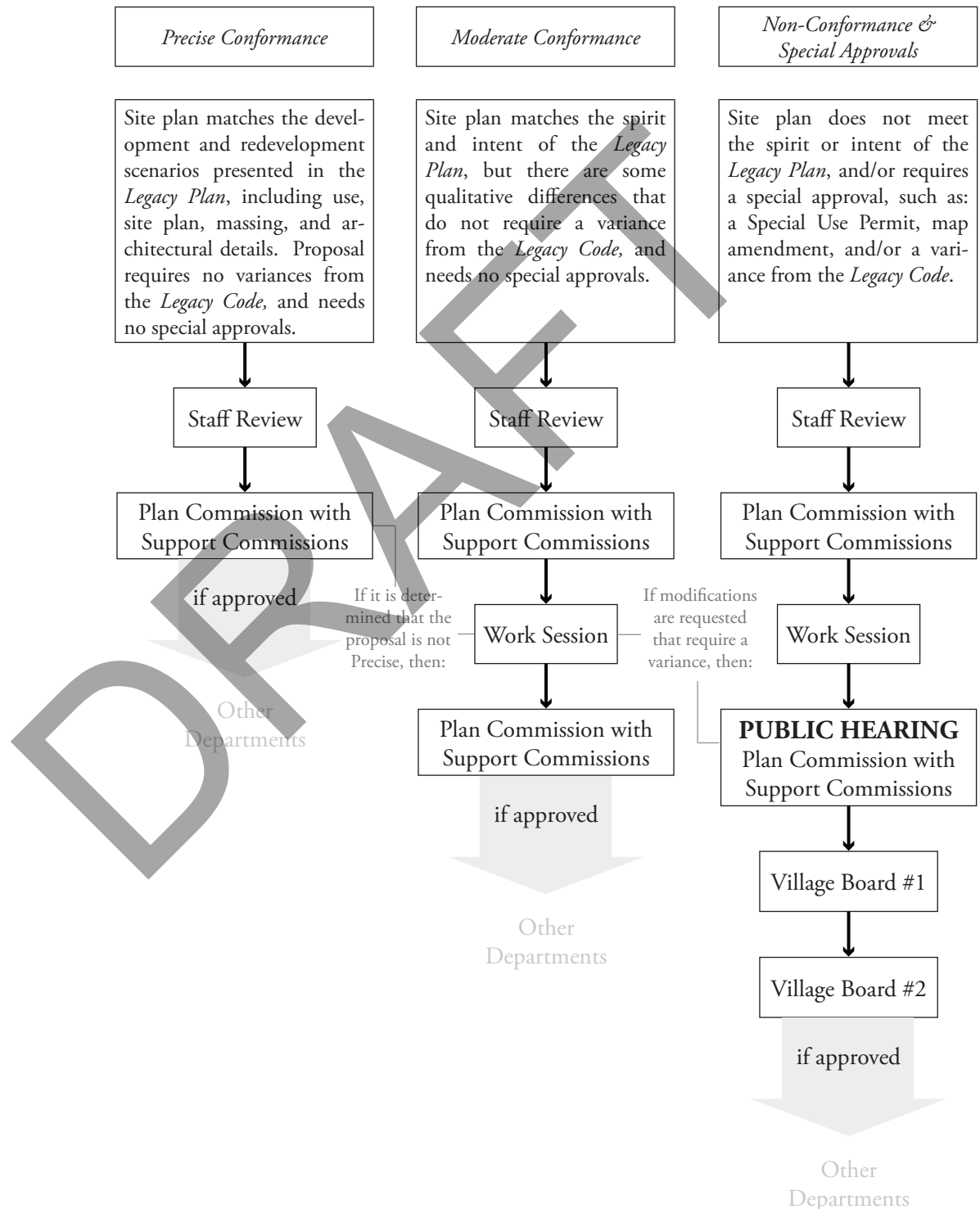


Figure 5.B.1

## C. Required Submittal Information

### 1. Administrative Review

For those projects requiring administrative review, the following information is required to be submitted:

- a. Application
- b. Concept Plan
- c. Plat of Survey with Legal Description
- d. Any other items requested by Village staff

The Village will keep on file an application and a list of elements required on each of the above listed items.

### 2. Site Plan Review

For those projects requiring site plan review, the following information is required to be submitted:

- a. Application
- b. Site Plan
- c. New Plat of Survey with Legal Description
- d. Landscape Plan
- e. Engineering Plans, with existing and proposed utilities
- f. Topographic Plan
- g. Stormwater Plan
- h. Photometric and Lighting Plan
- i. Elevation Drawings, indicating materials
- j. Color Renderings
- k. Signage Plans
- l. Any other items requested by Village Staff

The Village will keep on file an application and a list of elements required on each of the above listed items.

### 3. Special Use, Variance, Map Amendment

For projects requiring a Public Hearing and review by the Village Board, the following information is required to be submitted:

- a. All site plan review requirements listed above in Section 5.C.2
- b. Petition for Special Use, variance, map amendment, or Plat of Subdivision
- c. Proposed Findings of Fact

### 4. Plat of Subdivision

For projects requiring a Plat of Subdivision (includes a Public Hearing and review by the Village Board), the following information is required to be submitted:

- a. Petition for Plat of Subdivision
- b. Plat of Subdivision prepared by a registered Illinois surveyor or engineer

## D. Approval Standards

### 1. General Standards

In addition to any other specific standards set forth herein the Plan Commission shall not recommend a Special Use, variance, appeal, or map amendment from the regulations of this ordinance unless it shall have made findings of fact, based upon evidence presented to it, in each specific case that:

- a. The proposed improvement meets the *Legacy Plan* and its Principles, as presented in Section 1.A-B: Purpose and Intent, of this ordinance;
- b. The new improvement is compatible with uses already developed or planned in this district and will not exercise undue detrimental influences upon surrounding properties;
- c. Any improvement meets the architectural standards set forth in the *Legacy Code*.
- d. The improvement will have the effect of protecting and enhancing the economic development of the *Legacy Plan* area.

## E. Map Amendment (Rezoning)

An application to amend the Legacy Code Regulating Plan particular to one or more parcels of land may be made to the Plan Commission by any person, firm, or corporation having a free-hold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable. The process for deciding map amendments will follow the process set forth in Section X.H (Amendments) in the Village Zoning Ordinance.

## F. Appeals

Appeals shall be considered by the Plan Commission according to the procedures set forth in Section X.F of the Zoning Ordinance.

## G. Special Uses

Special Uses shall be considered by the Plan Commission according to the procedures set forth in Section X.J of the Zoning Ordinance.

### 1. Additional Standards for Special Uses

The Plan Commission shall not recommend a Special Use unless it shall have made findings of fact, based upon evidence presented to it, in each specific case that:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- c. That the establishment of the Special Use will not impede the normal and orderly development of surrounding property for uses permitted in the district.



- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.
- e. That adequate measures have been or will be taken to provide ingress or egress so designated as to minimize traffic congestion in the public streets.
- f. That the Special Use shall in other respects conform to the applicable regulations of the district in which it is located, except as such regulations may be in each instance be modified by the Village Board pursuant to recommendation of the Plan Commission.
- g. That the Special Use contributes directly or indirectly to the economic development of the community as a whole.

## H. Variances

An application for a variance from this code may be made to the Plan Commission by any person, firm, or corporation intending to request an application for a building permit or occupancy certificate. The process for deciding a variance will follow the process set forth in Section X.X.G (Variances) in the Village Zoning Ordinance.

### 1. Additional Standards Specific to a Variance

The Plan Commission shall not recommend a variance from the regulations of the *Legacy Code* unless it shall have made findings of fact, based upon evidence presented to it, in each specific case that:

- a. Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district in which it is located.
- b. The plight of the owner is due to unique circumstances.
- c. The variance, if granted, will not alter the essential character of the locality.
- d. There are practical difficulties or particular hardships that are unique to the property such as:
  - 1. The particular physical surroundings, shape, or topographical condition of the property creates a hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
  - 2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same zoning classification;
  - 3. The purpose of the variance is not based exclusively upon a desire to make more money out of the property;
  - 4. The granting of the variance would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood; and
  - 5. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values in the neighborhood.

### 2. Additional Standards Specific to a Parking Variance

The number of off-street automobile and/or bicycle parking spaces required in all districts may be reduced by a variance reviewed by the Plan Commission and approved by the Village Board following the variance standards in Section 3.C and when all of the following standards are met:

- a. The development does not have the benefit of shared or collective parking;
- b. The applicant proves that adequate parking exists for such use, based on the unique number, type and use characteristics (i.e., peak hour or day) of those businesses or residences that currently use such a lot;
- c. A municipal or commuter parking lot exists within 300 feet of the development that has adequate parking to accommodate all or a portion of the number of required spaces for the use;
- d. The owner of the building makes a payment equal to \$1,000 per required automobile and bicycle parking space that cannot be provided on the subject lot. The fees collected for the payment in lieu of parking will be used only for the acquisition of land or construction of municipally owned or leased off street parking facilities for automobiles or bicycles; landscape or streetscape; bike trails, lanes, or paths; or maintenance or illumination of off-street parking facilities.

## I. Parking Agreement Standards and Waivers

### 1. Additional Standards for Cross Parking & Cross Access Agreements

Off street parking facilities for automobiles are encouraged to be provided for collectively or shared. The Plan Commission must approve a shared parking arrangement through site plan review and under the following conditions:

- a. A shared parking analysis is conducted, following the standards of the Urban Land Institute, and indicates that reduced parking standards between uses can be supported because of the hourly parking demand associated with each business is different; and
- b. There is adequate parking proposed to serve each business sharing the parking during the peak hour associated with each use; and
- c. There is a written acknowledgement from all property owners that are party to the collective or shared parking that the shared parking approval will only be recognized by the Village if the current arrangements of commercial and residential square footages on the property remain the same. If these arrangements change by change of use or change of owner, expansion or redevelopment, new parking improvements may be required; and
- d. The arrangement is formalized through officially recorded cross access and cross parking agreements.

### 2. Additional Standards Specific to a Parking Waiver

The number of off-street automobile or bicycle parking spaces required in the Downtown Core District (only) may be reduced by an administratively granted Parking Waiver approved by Village staff under the following conditions:

- a. The waiver requested is for 50% or less of the total required parking for the site to meet commercial automobile and/or bicycle parking requirements.
- b. The waiver is not for residential parking requirements. Residential parking requirements cannot be waived.
- c. A municipal lot exists within 300 feet of the business that has adequate parking to accommodate all or a portion of the number of required spaces for a new tenant or use or a public commuter parking lot exists within 300 feet of the business and can be used on weekends and weekdays (after 11:30 a.m.);
- d. The development does not have the benefit of shared or collective parking;

- e.* It is determined that the waiver of parking requirements will not detrimentally impact surrounding single family residential neighborhoods with overflow parking and traffic.
- f.* The owner of the building makes a payment equal to \$1,000 per required automobile and bicycle parking space that cannot be provided on the subject lot. The fees collected for the payment in lieu of parking will be used only for the acquisition of land or construction of municipally owned or leased off street parking facilities for automobiles or bicycles; landscape or streetscape; bike trails, lanes, or paths; or maintenance or illumination of off-street parking facilities.

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## 2011 LEGACY CODE

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## APPENDIX

# A. General Thoroughfare Standards

## 1. Standard Corridor

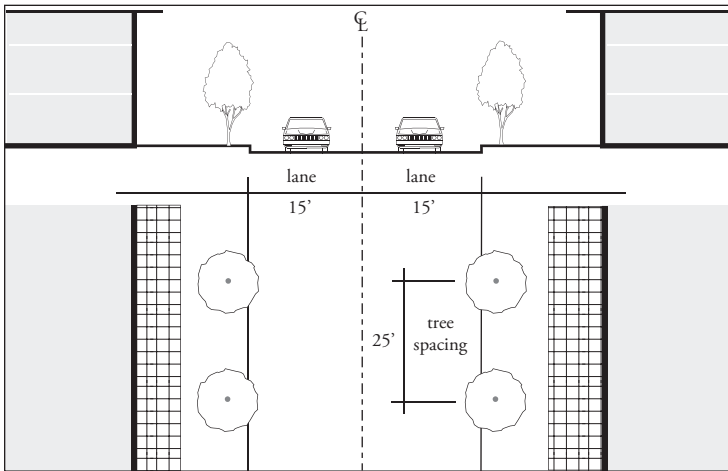


Figure Appendix.A.1

## 2. Corridor Type A

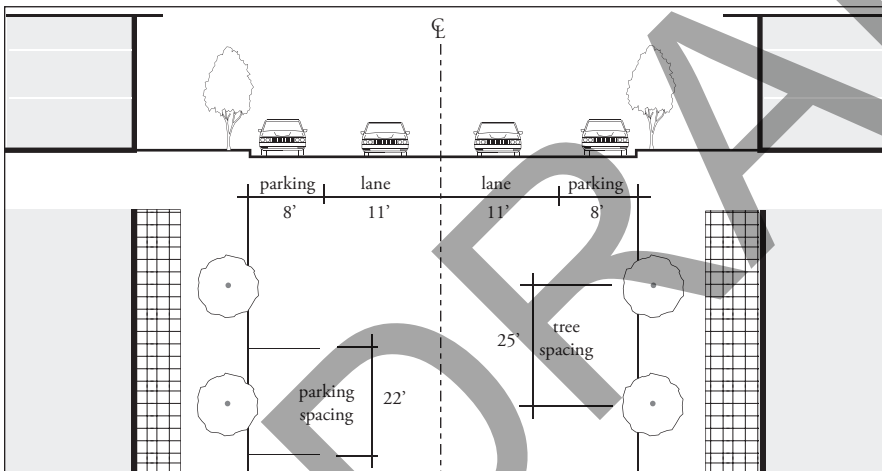


Figure Appendix.A.2

### 3. Corridor Type B

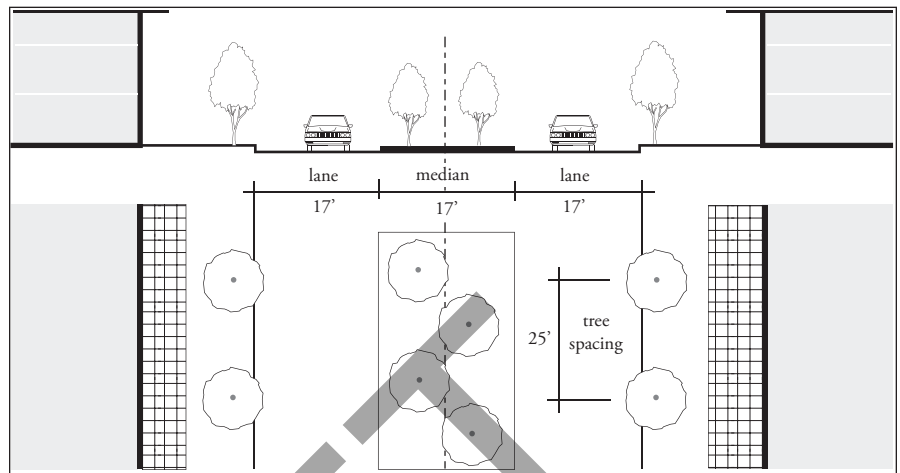


Figure Appendix.A.3

### 4. Corridor Type C

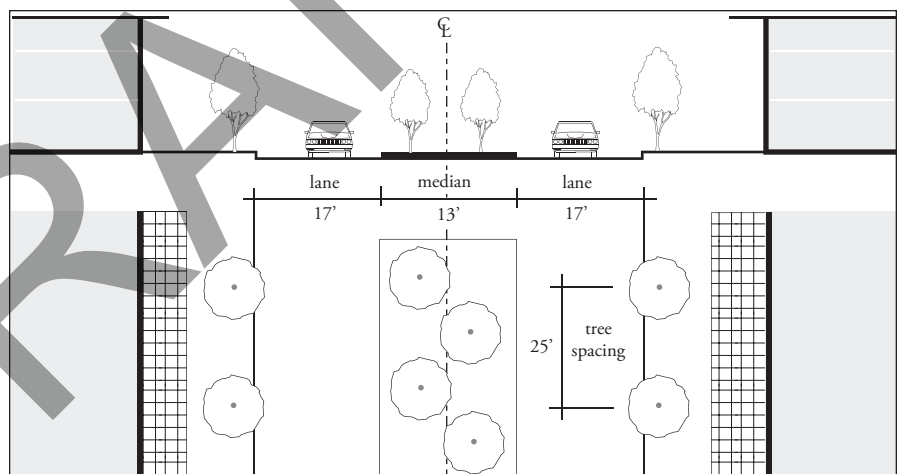


Figure Appendix.A.4

## 5. Corridor Type D

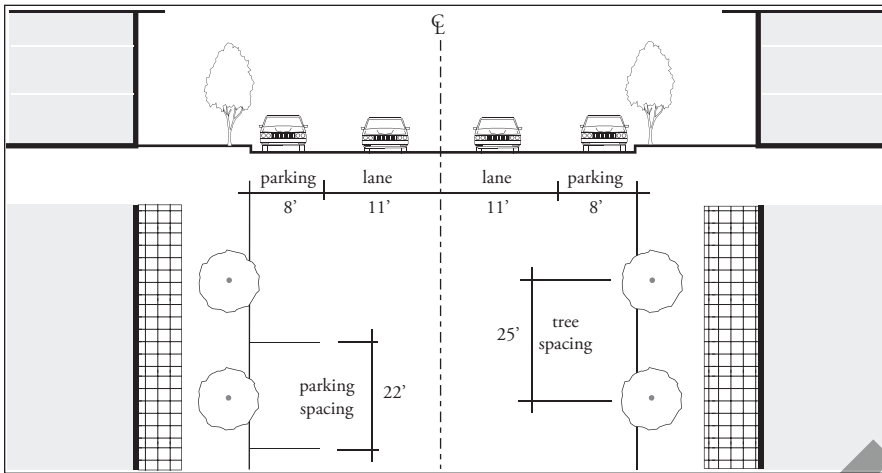


Figure Appendix.A.5

## 6. Corridor Type E

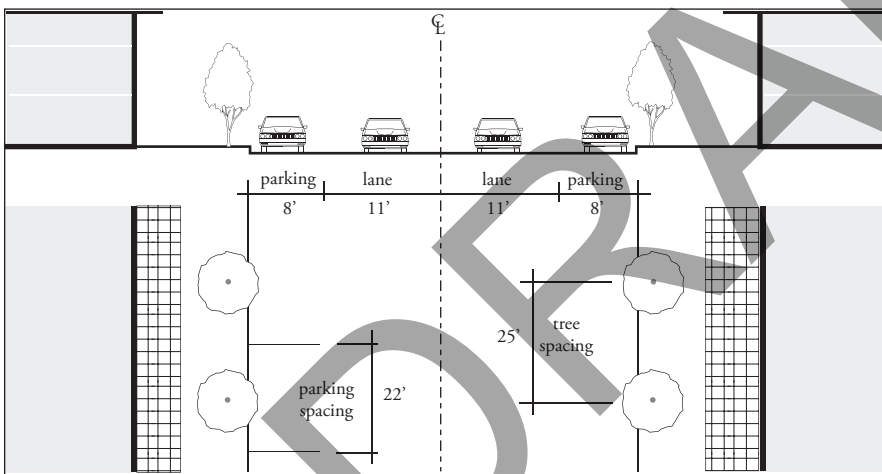


Figure Appendix.A.6



## 7. Corridor Type F

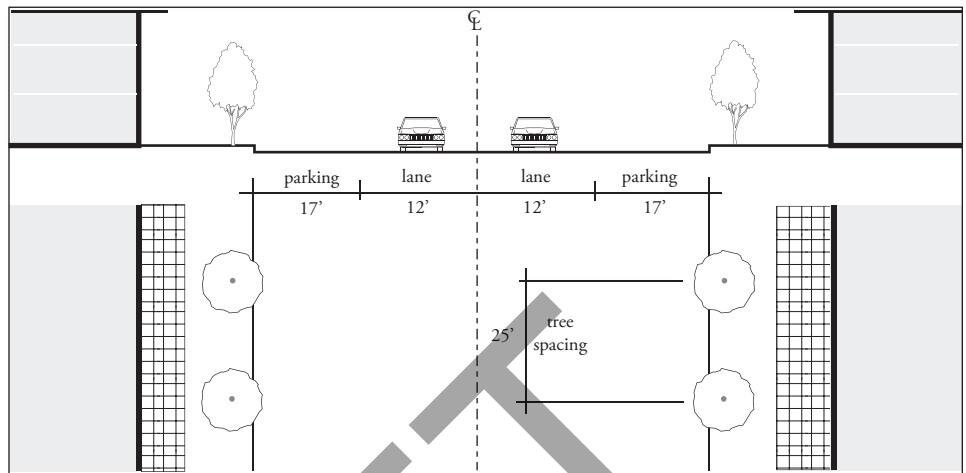


Figure Appendix.A.7

## 8. Corridor Type G

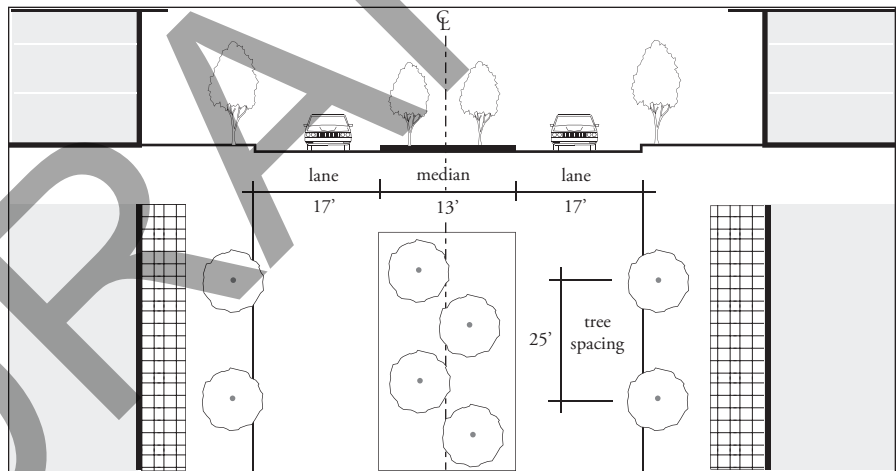


Figure Appendix.A.8

## 9. Corridor Type T

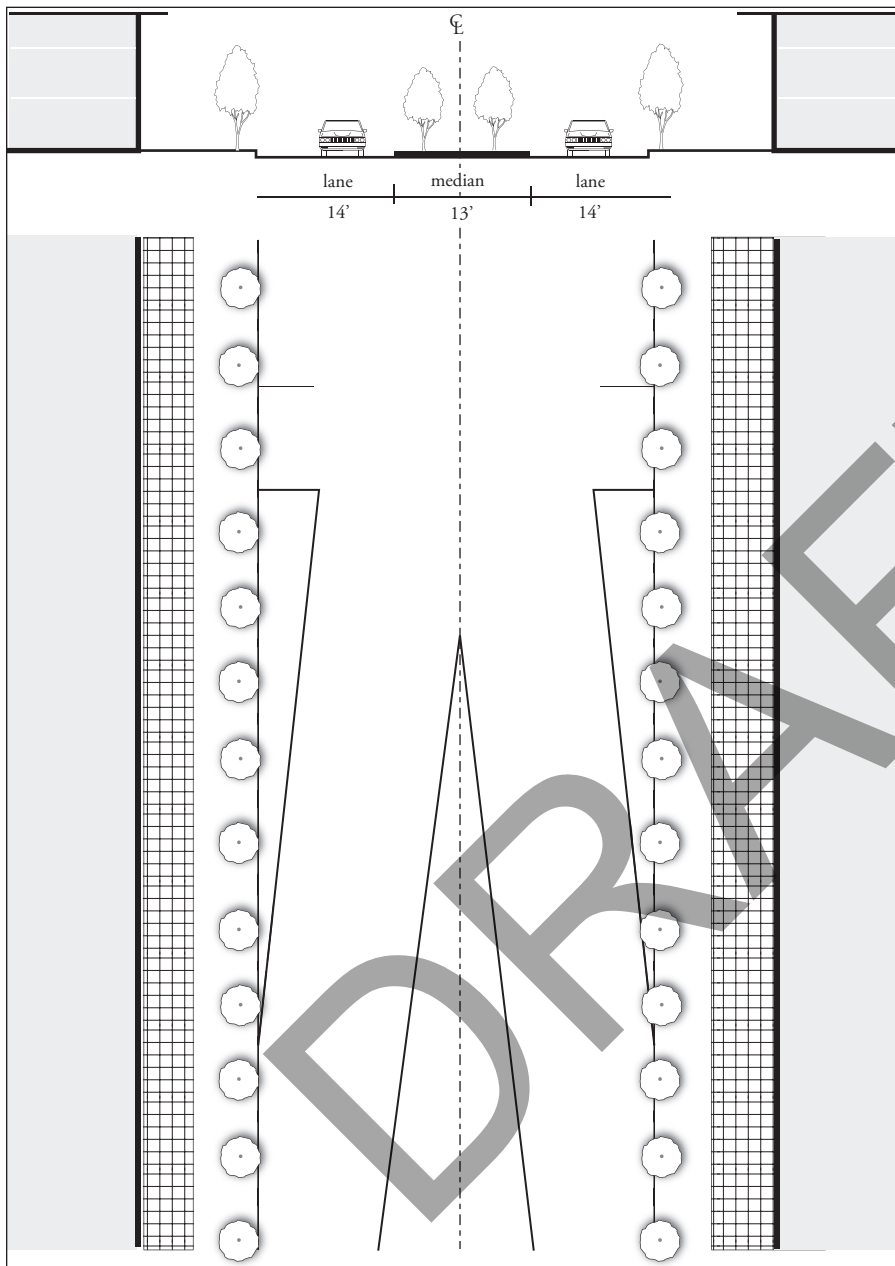


Figure Appendix.A.9

## B. Potential Right-of-Way Transitions

Oak Park Avenue consists of the following dimensions:

<i>Street Segment (moving from north to south)</i>	<i>Right-of-Way Width</i>
159 <sup>th</sup> Street to Ravinia Drive / 170 <sup>th</sup> Street	100'
Ravinia Drive / 170 <sup>th</sup> Street to 175 <sup>th</sup> Street	66'
175 <sup>th</sup> Street to 179 <sup>th</sup> Street	80'
179 <sup>th</sup> Street continuing south	100'

Table Appendix.B.1

The *Legacy Plan* recommends that the 80 foot and 100 foot sections of Oak Park Avenue transition in the long term to a boulevard with a landscaped median at the center. The diagrams below show options for how sidewalks, medians, bike lanes and traffic lanes can transition between the narrower 66 foot section and the future boulevard sections.

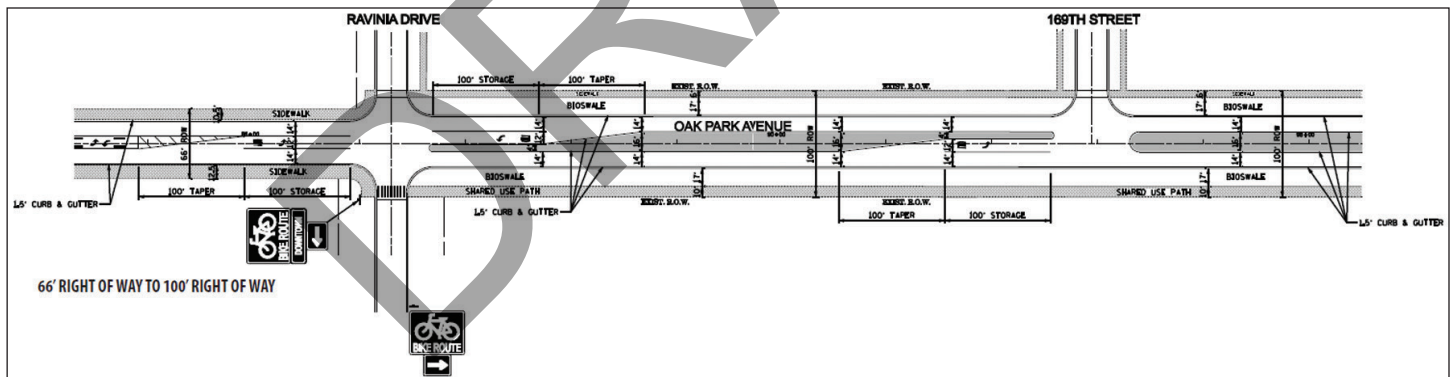


Figure Appendix.B.1

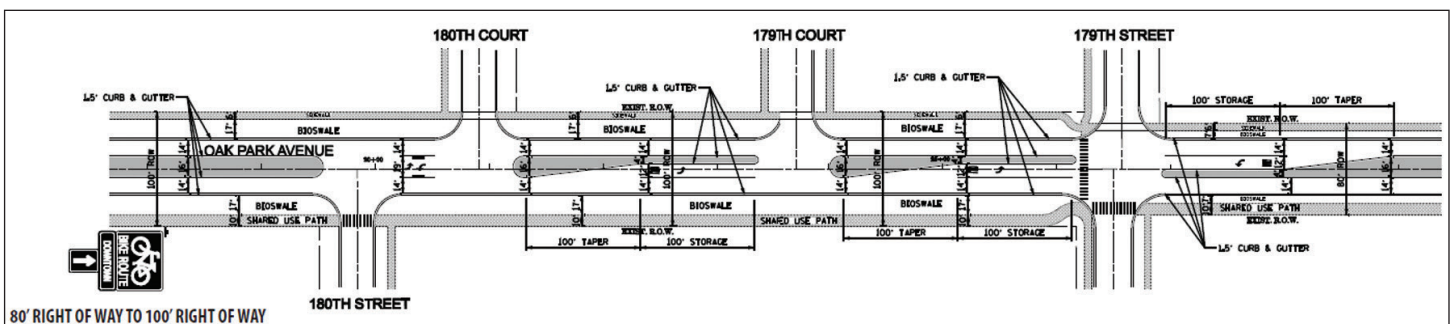


Figure Appendix.B.2

## C. Stormwater Management Analysis

All detention volumes are approximation and based on the following criteria:

1. All required detention volumes are based on Bulletin 70 rainfall data
2. Detention required assumes 0.00 CFS release rate for worst case scenario
3. Detention volumes provided are based on a 5' deep basin with 4:1 slopes
4. Permeable paver base is assumed to be of 14" overall thickness which provides 0.47 ac.-ft. of detention per acre of surface.  
Assumes zero run-off on permeable pavers.
5. C-Values are approximated based on current redevelopment plan.

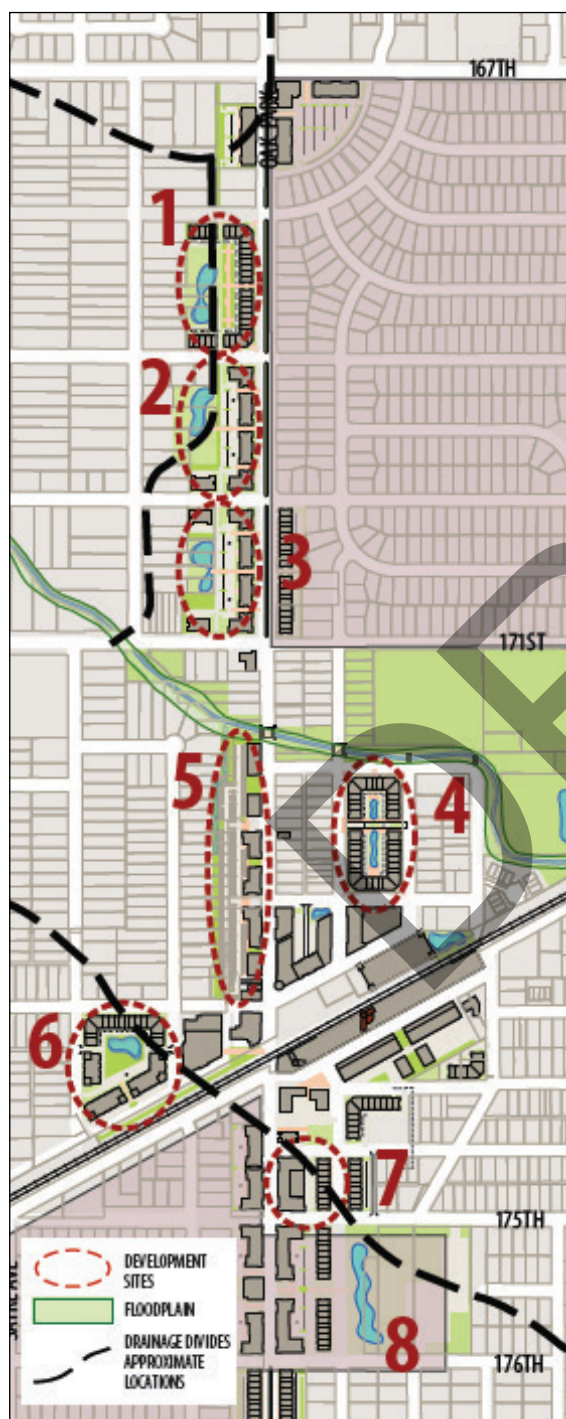


Figure Appendix.C.1

### Block 1

Area	4.46 ac. C-Value = 0.68
Detention Required	2.06 ac.-ft.
Detention Available	4.30 ac.-ft. (max.)

### Block 2

Area	4.61 ac. C-Value = 0.67
Detention Required	2.10 ac.-ft.
Detention Available	6.00 ac.-ft. (max.)

### Block 3

Area	4.34 ac. C-Value = 0.71
Detention Required	2.06 ac.-ft.
Detention Available	2.16 ac.-ft. (max.)

### Block 4

Area	3.30 ac. C-Value = 0.73
Detention Required	1.63 ac.-ft.
Detention Available	1.10 ac.-ft.
Required Off-Site	0.53 ac.-ft.

### Block 5 (using permeable pavement)

Area	6.48 ac. C-Value = 0.37
Detention Required	1.63 ac.-ft.
Detention Available	1.29 ac.-ft. (provided in paver base)
Required Off-Site	0.34 ac.-ft.

### Block 6

Area	3.75 ac. C-Value = 0.70
Detention Required	1.79 ac.-ft.
Detention Available	2.40 ac.-ft.

### Block 7


Area	1.42 ac. C-Value = 0.71
Detention Required	0.71 ac.-ft.
Detention Available	Detention to be provided off-site
Required Off-Site	0.71 ac.-ft.

### Block 8

Area	1.42 ac. C-Value = 0.75
Detention Required	2.78 ac.-ft.
Detention Available	6.80 ac.-ft.

Table Appendix.C.1

## D. Historic Properties & Special Uses

Key		
	Legacy Code Boundary	
Special Uses (post-Legacy Code adoption)		
Mixed Use	16910 S. Oak Park Ave.	2013-O-056
Package Liquor Store/Mixed Use	16948 S. Oak Park Ave.	2015-O-016
Mixed Use	18250 S. Oak Park Ave.	2013-O-058
Existing Special Uses (prior to Legacy Code adoption)		
Gas Station	16701 S. Oak Park Ave.	99-O-067
Day Care Center	17007 S. Oak Park Ave.	2007-O-069
Temporary Parking Lot	17248 S. 67 <sup>th</sup> Ct.	2008-O-036
Mixed Use	17211 S. Oak Park Ave.	96-O-046
Mixed Use	17217 S. Oak Park Ave.	2001-O-006
Adult Day Care	17255 S. Oak Park Ave.	2005-O-047
Planned Unit Development	6760 North Street	2006-O-035
Parking Deck	6715 North Street	2008-O-037
Drive-thru Facility	17432 S. Oak Park Ave.	2002-O-035
Trailer Hitch Business	17501 S. Oak Park Ave.	83-O-051, 94-O-056
Car Dealership	17514 S. Oak Park Ave.	96-O-078
Mixed Use	17601 S. Oak Park Ave.	2008-O-042
Used Car Dealership	17651 S. Oak Park Ave.	88-O-004, 92-O-075
Mixed Use	17659 S. Oak Park Ave.	2000-O-072
Veterinary Tech School	18020 S. Oak Park Ave.	2006-O-081, 2011-O-044
Auto Repair	18040 S. Oak Park Ave.	88-O-019
Mixed Use	6926 W. 183 <sup>rd</sup> St.	98-O-091
Historically Significant Properties		
Fulton Home	16800 S. Oak Park Ave.	
Rose Brown House	16820 S. Oak Park Ave.	
Henry Hopman House	17207 S. Oak Park Ave.	
Stoeckmann Home	17237 S. Oak Park Ave.	
Funk/Hirsch Funeral Home	17250 S. Oak Park Ave.	
Hick & Messenbrink's Meat Market	17302 S. Oak Park Ave.	
Schreiber's Cobbler	17342 S. Oak Park Ave.	
Columbia Hotel	17332 S. Oak Park Ave.	
Andres Block	17344 S. Oak Park Ave.	
JW Hollstein	17358 S. Oak Park Ave.	
Dini Home	17424 S. Oak Park Ave.	
Poorman Residence	17301 S. 66 <sup>th</sup> Ct.	

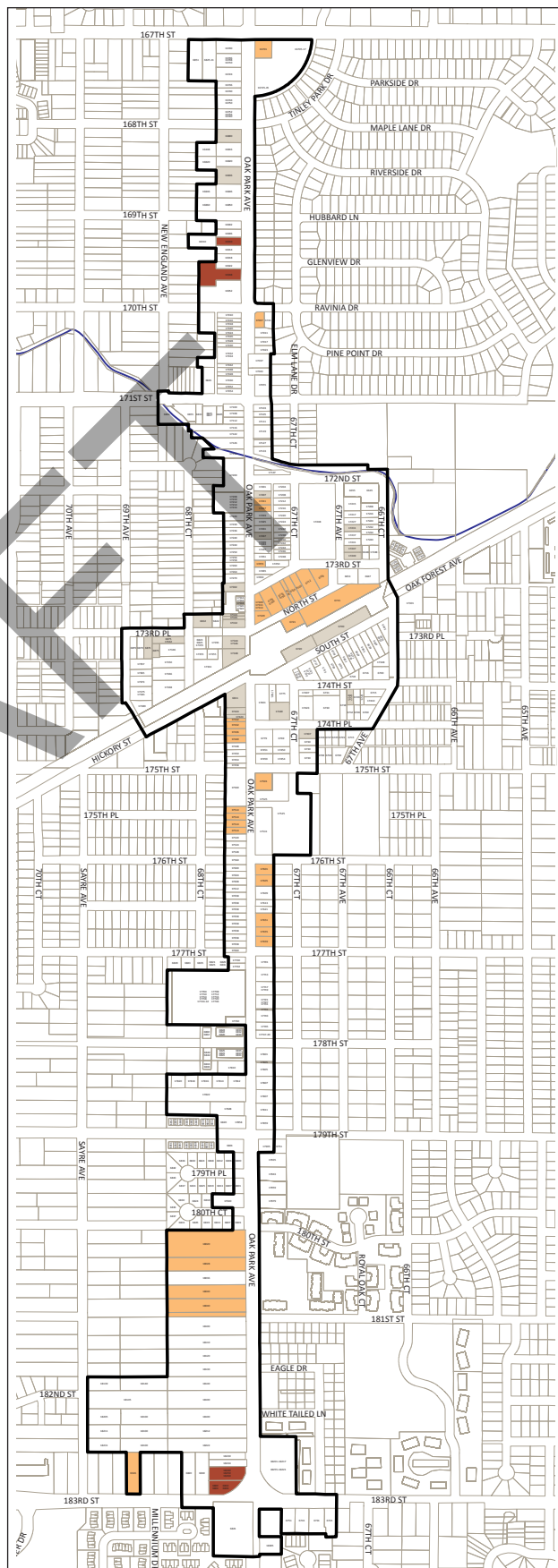


Figure Appendix.D.1



## E. Zoning Prior to Adoption

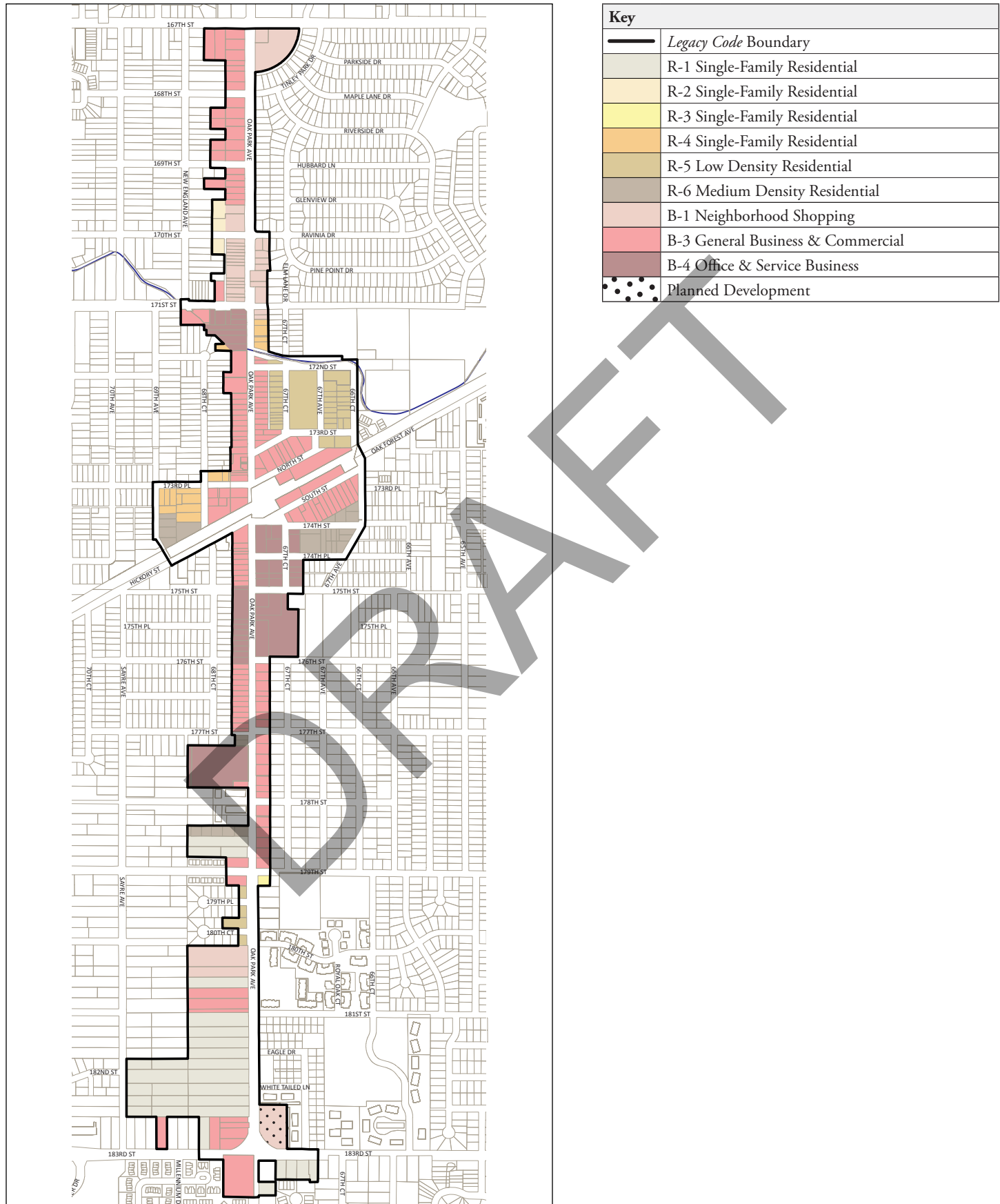


Figure Appendix.E.1

## F. Main Street Commission Boundary

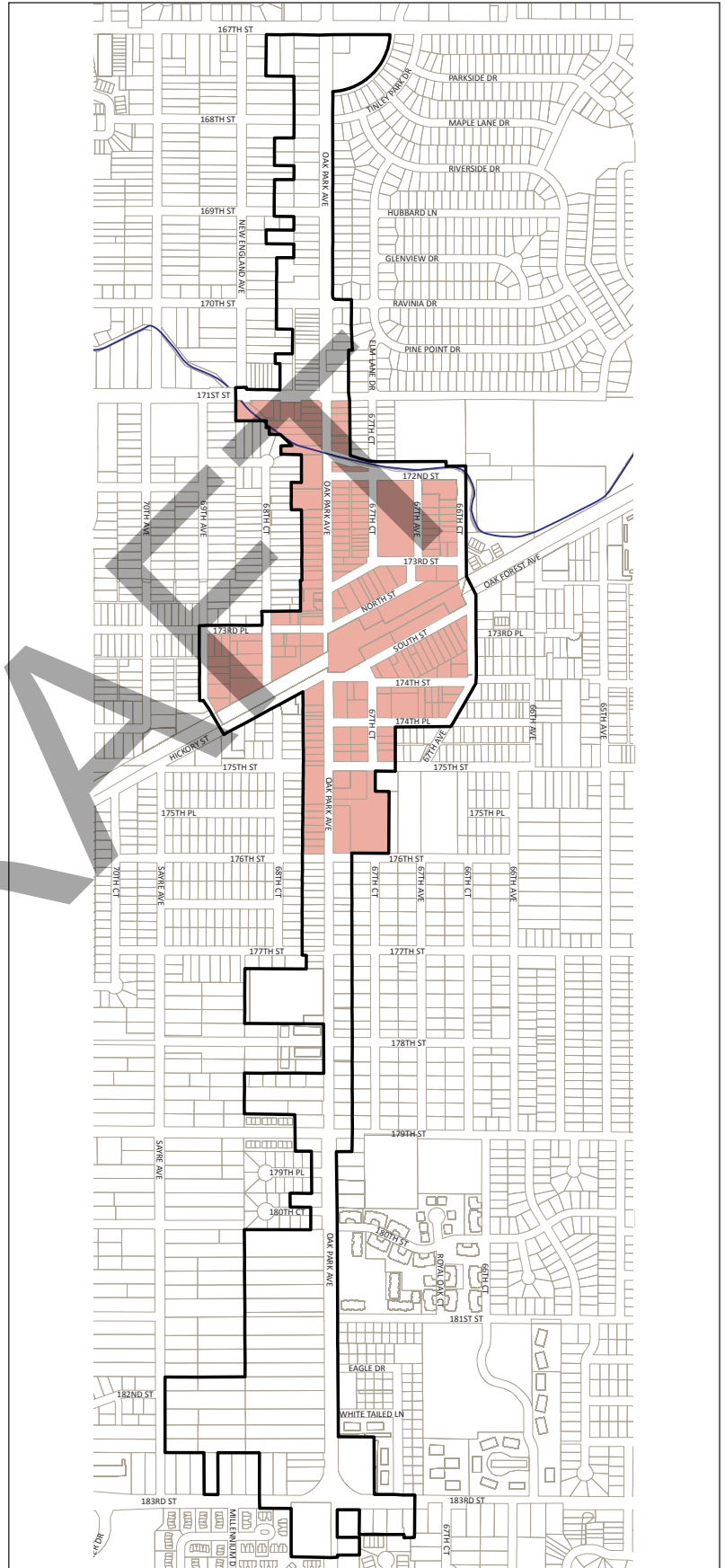


Figure Appendix.F.1



DRAFT

## 2011 LEGACY CODE

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## DEFINITIONS

## 1. Applicability

Where conflicts occur between these definitions and those found in other sections of the Village's Zoning Ordinance and this section of the Zoning Ordinance, the regulations of this section supersede.

### Access Drive

A private driveway that links parking facilities to an abutting public street.

### Accessory Residential Uses

A use that is subordinate to residential dwelling units which contribute to the comfort and convenience of the dwelling units. An Accessory Residential Use may include, but not be limited to: recreational space, laundry facilities, sales/rental offices, and/or parking for the private use of those residents of the dwelling units. When located within a mixed-use structure, Accessory Residential Uses must maintain the same commercial architectural character or appearance as the street level commercial space.

### Attached Parking

A parking structure of one or more levels that is connected to a building but that is situated either in whole or in part outside the footprint of the building.

### Below Grade Parking

Parking facilities located either in whole or in part below grade.

### Block End

A lot having at least two (2) adjacent sides abut for their full length upon a street.

### Building Height

The number of stories between the floor of the first story (exclusive of basements or cellars) and the roof, and shall include both habitable and mechanical space.

### Commercial

Retail, service, or office uses as noted in Table 3.A.1. and Table 3.A.2. of the Legacy Code.

### Corridor

That area comprised of the thoroughfare, public frontage, and private frontage, and extending across a street from building façade to building façade.

### Front Yard Parking

Surface parking facilities located between the building façade and the curb of the thoroughfare, and accessed directly from the thoroughfare without the use of a drive aisle.

**Heritage Sites**

Those lots with structures or uses that lawfully existed prior to the adoption of the Legacy Code. Heritage Sites are generally classified as such until they incur voluntary, private-owner initiated site improvements that exceed 50% of the property's market value, at which time they shall be reclassified as redevelopment sites and subject to the pertinent provisions within its district. Absent such voluntary, private-owner initiated site improvements, Heritage Sites may retain their Heritage Site status in perpetuity, and can change owner and/or use, be maintained and repaired as part of normal upkeep, undergo site improvements that do not exceed 50% of the property's market value, and be rebuilt following an Act of God, all without altering this status. In those instances involving an Act of God (i.e. natural disaster, fire, etc.), nonconforming uses and building types lawfully established at the time of the event may be reestablished, provided that no new nonconformities are created and that the existing degree of nonconformity is not increased, and with the condition that the property be reconstructed to meet the private lot, corridor and alley standards of its district. In order to reestablish previous nonconforming uses and building types following an Act of God, a building permit relative to such reestablishment must be obtained within one (1) year of the date of the damage or destruction by an Act of God, and construction must be completed within one year of issuance of the building permit. In the event that the permit is not obtained within one (1) year from the date of damage or destruction by an Act of God, or construction is not completed within one (1) year of the issuance of the building permit, the Heritage Site status shall be lost, and the building or use must thereafter conform to those allowed in the District.

**Lineal Frontage (Block)**

The distance as measured along the front lot line of one or more properties abutting one (1) side of a thoroughfare and lying between the two nearest intersecting streets as determined by staff.

**Lot Assemblage**

The assemblage of two (2) or more contiguous parcels to form a single lot.

**Market Value**

Shall mean and be determined, within the Legacy Code Area, by dividing the assessed valuation of the property as determined by the Cook or Will County Assessor, and as shown on the most recent tax bill for the property, by the level of assessment used by the Assessor for the type of property (i.e. vacant, single-family, commercial, etc.). For example, a property with an assessed valuation of \$40,000, and a level of assessment of 16%, shall have a Market Value of \$250,000 ( $40,000/.16$ ).

**Mixed-Use**

A mixed-use building contains residential dwelling units above or behind ground floor commercial, group assembly, and/or civic uses, and may be designed to accommodate office and/or group assembly space on the second level.

**Moderate Conformance**

Project proposals shall be considered in Moderate Conformance with the Legacy Code when Village staff determines that the plans match the spirit and intent of the Legacy Plan, but there are qualitative differences (i.e. site layout) that do not require a variance from the Legacy Code, or need special approval.

**Multi-Family**

A multi-family structure is a residence for multiple households where dwelling units are located above or below one another and share a common lobby (Syn: condominium; apartment).

**Precise Conformance**

Project proposals shall be considered in Precise Conformance with the Legacy Code when Village staff determines that the plans match the development or redevelopment scenario presented in the Legacy Plan, including use, site plan, massing, and architectural details. In addition, the proposal requires no variances or other special approvals.

**Primary Façade**

The primary façade of a building is the entire linear exposed exterior surface that fronts a thoroughfare and extends from exterior grade to the roofline. On interior and corner lots, the primary façade shall be face of the building used for its primary mailing address, as determined by Village staff.

**Private Frontage**

The privately owned area between the front lot line of a parcel and the building façade.

**Public Frontage**

The publicly held area between the curb of the thoroughfare and the front lot line of a parcel.

**Redevelopment Sites**

Those lots, structures, and uses that are subject to the redevelopment requirements of a Legacy Code zoning district. Property shall be classified as a Redevelopment Site when it is part of a lot assemblage and/or when voluntary, private-owner initiated site improvements exceed 50% of the property's market value. Redevelopment Sites include those lots, structures, and uses that did not lawfully exist prior to the adoption of the Legacy Code, those lots that are, at present, undeveloped, and those lots that lose their status as Heritage Sites by operation of a provision of the Legacy Code.

**Residential**

Dwelling units located within single-family detached, single-family attached, multi-family, and/or mixed-use structures. When located within a mixed-use structure, the dwelling unit(s) must be located above the street level or behind the street level commercial space.

**Residential Lobby**

An entrance for access to residential dwellings which may contain stairs, elevators, and mailboxes.

**Secondary Façade**

On corner lots, the secondary façade is the entire linear exposed exterior surface that fronts a thoroughfare and extends from exterior grade to the roofline, and is the face of the building not used as the primary mailing address, as determined by Village staff.

**Single-Family Attached**

A single-family attached structure is a residence designed to house a single-family unit from lowest level to roof, with a private outside entrance and a shared common wall with an adjoining dwelling unit (Syn: rowhouse; townhouse).

**Single-Family Detached**

A single-family detached structure is a residence designed to house a single-family unit only, and is separated from other dwelling units by open space.

**Site Improvements**

Voluntary, private-owner initiated modifications to a property, including structures, that require a building permit. In determining the value of such Site Improvements in relation to Heritage Site status, the final costs shall exclude the costs of underground Public & Private Improvements required by the Heritage Sites section of the property's district.

**Stand-Alone Commercial**

A stand-alone commercial building contains retail, office, group assembly, and/or civic uses on all levels of the structure.

**Street Level**

The first floor or floor level of any building or structure on the same plane or within six feet (6') above the surface of the sidewalk or street fronting the building.

**Street Level Commercial**

Commercial space located on the street level which fronts a public right-of-way. Commercial space shall include retail, service, and office uses as permitted by right or by Special Use Permit according to Section 3.A. of the Legacy Code. Street Level Commercial does not include dwelling units.

**Structure Expansion**

A modification that results in an increase in the floor area and/or volume of a structure.

**Thoroughfare**

That portion of a corridor consisting of the pavement upon which vehicle and bicycle movement occurs.

**Tucked-in Parking**

Parking facilities located in their entirety within the envelope of a building.

**Undeveloped Sites**

Those vacant sites upon which there were no structures or uses lawfully established at the time of adoption of the Legacy Code.

**Water Collection Area**

An area where rain water is harvested and stored above ground and open to the sky. (Syn. bioswales, rain gardens)



**MINUTES OF THE ZONING ORDINANCE  
CITIZEN ADVISORY COMMITTEE**

**VILLAGE OF TINLEY PARK,  
COOK AND WILL COUNTIES, ILLINOIS**

**Village Hall – 16250 S. Oak Park Avenue**

**February 6, 2017 – 6:00 P.M.**

**Roll Call**

Present: Roxane DeVos Tyssen  
Beth McKernan  
Eduardo Mani  
Charley Smith

Absent: Matt Coughlin  
Trent Ridgway

Village Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Kisler, Planner I

**Regular Meeting Called to Order**

PAULA WALLRICH, Interim Community Development Director, called the meeting to order at 6:06pm.

**Approval of Minutes**

Minutes of the January 9, 2017 Regular Meeting  
Minutes of the December 5, 2016 Regular Meeting  
Minutes of the November 7, 2016 Regular Meeting  
Minutes of the October 3, 2016 Regular Meeting  
Minutes of the September 12, 2016 Regular Meeting

EDUARDO MANI asked to postpone the approval of the minutes until the next meeting.

**Item #1**

**RECAP PLAN COMMISSION WORKSHOP FROM 2/2/2017**

Discuss the Plan Commission's workshop held on February 2, 2017 regarding the rescinded Legacy Code Text Amendments, including the following topics:

- Street Level Commercial Requirements
- Permitted, Special, and Prohibited Land Uses
- Landscape buffers
- Scrivener's errors related to legal descriptions and District boundaries

MS. WALLRICH began by noting that the Citizen Advisory Committee (CAC) had met nine (9) times since beginning in the spring of 2016. She said that the group has done a great job in reviewing the Legacy Code and addressed many issues beyond the text amendments rescinded with Ordinance 2016-O-25. She noted that while they have been more comprehensive in their discussion and analysis, the review before the Plan Commission is just related to the rescinded



text amendments at this time and that the CAC will continue to review further issues related to the Legacy Code

MS. WALLRICH announced that the Village's new Economic Development Manager, PATRICK HOBAN, started his employment on February 6<sup>th</sup>..

MS. WALLRICH began presenting from the PowerPoint slides and noted the chronology of the Text Amendments (Ordinance 2015-O-045) from adoption in October 2015 until today. She briefly discussed each meeting on the chronology. She added that the Text Amendments included several topics: street level commercial, landscape buffers, land uses, and various scrivener's errors and mapping/diagram errors. She noted how the CAC previously discussed how the Legacy Plan and the Legacy Code relate. She said that we need to ensure that the Legacy Code does what the Legacy Plan envisioned.

MS. WALLRICH noted that at the 2/2/2017 Plan Commission meeting one of the most discussed topics was the definition and allowance for "Accessory Residential Uses", such as lobbies, fitness centers, doormen, laundry, etc. for the residential dwelling units. She noted that there are upcoming tentative meetings at the Plan Commission including a workshop on 2/16/2017 and a Public Hearing on 3/2/2017.

MS. WALLRICH reviewed Staff's research for other communities' codes related to street level commercial and first floor uses. She read through the new information for Blue Island, Aurora, Oak Park, and Evanston. These codes echoed that residential uses were not permitted on the ground floor.

MS. WALLRICH discussed the next slide on the presentation, which displayed the Downtown Core (DC) area in the Legacy Plan and the Legacy Code. She noted that the most important part is the definition of "mixed-use building" on page 56 of the Legacy Code. She noted that this means that a mixed-use building cannot have residential on the street face; instead, it must be above the street level commercial or behind the street level commercial. She further clarified that the orange dots that represent "Street Level Commercial Required" are purposeful since they clearly direct commercial to certain blocks where purely residential uses could be allowed without the orange dot overlay. She noted that the rescinded Text Amendment that changed it to "Street Level Commercial Permitted" rather than "Street Level Commercial Required" did not really make sense since the dots would no longer be necessary. She stated that it was critical that it says "Required" so that commercial uses will locate at the street face. She added that the Legacy Code needs to follow what the Legacy Plan envisioned.

MS. WALLRICH also discussed Neighborhood Flex (NF). She noted that NF is both in the south part of the Legacy District (183<sup>rd</sup> Street) and the north part of the Legacy District (167<sup>th</sup> Street) at each gateway area. She noted that NF allows standalone commercial, which DC does not. She asked the CAC why that might have been. ROXANE DEVOS TYSSSEN stated that it was because they wanted to increase the number of people living in the downtown core. MS. WALLRICH agreed and stated that the Legacy Plan called for increased residential density in the downtown. CHARLEY SMITH asked why we want commercial on the street level in the areas with the orange dots. MS. WALLRICH noted that they are major intersections and typically have commercial uses. She added that the intent may have been to keep the intersections 'feeling alive' by having active storefronts rather than quiet residences. MS. DEVOS TYSSSEN noted that a gateway without commercial would not draw people into the downtown. MS. WALLRICH noted that the major difference between DC and NF is that NF can have standalone commercial and DC cannot.

MS. WALLRICH noted that the downtown area is different than other areas in the Village, such as the Mental Health Center or the former K-Mart site since those properties are under common ownership. The Legacy District is full of many different property owners making redevelopment difficult. She noted that some property owners may be building rich but cash poor, which makes for difficulties in redeveloping and improving the properties.

MS. WALLRICH began discussing the proposed definition for "Street Level Commercial". She also discussed "Accessory Residential Uses", which would be a subordinate use to a residential dwelling unit in that it is meant for the comfort and convenience of person occupying a dwelling unit. She noted that Staff drafted some percentages for allowable accessory residential uses based on frontages. She noted that the Plan Commission felt strongly about limiting these accessory residential uses and having them be considered only as Special Uses rather than allowing any percentages by right. She added that the Plan Commission asked Staff to consider defining just the lobby/mailboxes for the residential

units and offer a suggestion about an appropriate area for this type of space. She noted that regardless of the size of a residential accessory use, we want the building façade to look commercial. MS. DEVOS TYSEN noted that it is hard to put a percentage on what should be allowed. MS. WALLRICH noted that these percentages were shown to the Plan Commission to elicit discussion.

MS. WALLRICH asked for suggestions on accessory residential uses. MR. SMITH asked if the Code mentions parking for the dwellings. STEPHANIE KISLER, Planner I, noted that it was not specifically discussed as a land use in the land use tables and MS. WALLRICH said that the parking for the dwellings is required to be within the building or sometimes is positioned behind the building.

MS. WALLRICH discussed that while Special Use Permits and Planned Unit Developments (PUDs) are good for specific developments, it often turns off developers because it is more cumbersome and time consuming. She discussed approval processes briefly. She noted that part of the intent of the Code is to streamline the approval process to encourage new development in the Legacy District. BETH MCKERNAN asked why it's easier to get a large development project approved rather than a fence. MS. WALLRICH said that if you do everything according to the codes, only Site Plan Approval by the Plan Commission is required. She noted that some higher-end communities are now using Design Guidelines/Design Review processes to supplement development review. State regulations have now allowed more authority for communities to regulate development through design review. MS. WALLRICH noted concerns in that Tinley Park does not have strong design regulations. She mentioned that the pendulum may be swinging away from streamlined approvals and toward additional layers of review. MS. MCKERNAN mentioned that the public should know about all of the uses going into the downtown. MS. WALLRICH directed her to look at page 55 of the Legacy Code where the uses are outlined. She added that we still need to discuss communication/notification protocol, which has been on the agenda for a while. MS. MCKERNAN asked who is responsible for determining if a project is in conformance. MS. WALLRICH noted that Planning Staff is responsible for reviews. MR. SMITH asked about the preferred timeline from developers and stated that developers would never get anything done if the process took too long. MS. WALLRICH said that developers prefer quick turnarounds and noted that currently the Village's approval processes that involve Public Hearings can take 3-4 months, depending on receiving the necessary materials from the Petitioner. She noted that some communities have received complaints for having the process take too long when there is both a Design Review Committee and a Plan Commission.

MS. WALLRICH redirected back to accessory residential uses. MS. DEVOS TYSEN asked if residential accessory uses have been fully defined and if we could add more potential uses to the definition. MS. MCKERNAN said that she preferred a Special Use process. She noted that amenities could be attractive but she is worried that too many residential units are being built and may end up with high vacancies. She questioned whether Oak Park Avenue was appropriate for housing. MS. WALLRICH noted that there is a good market for multi-family and that the developer from Union Square bought the old Carm's Beef site and is going to build more townhomes. She also noted that boulevards were planned in some of the more residential sections of Oak Park Avenue, which would calm traffic and add beautification in these areas. She felt that if the boulevards had been constructed it make be more attractive for housing. MS. MCKERNAN noted concerns with going heavy on residential before having more commercial. MS. WALLRICH said that developers want to see dwellings and expendable money in order to locate in Tinley Park. She added that it is a "chicken or the egg" dilemma with commercial and residential, but felt that there needed to be more housing in the District to encourage more commercial. She said that we also need some quality commercial spaces to attract new commercial tenants. MS. DEVOS TYSEN stated that we don't have the population density for certain businesses to locate here. MS. WALLRICH noted that some developers look to income levels, education levels, and density before determining their next viable location. MS. MCKERNAN asked how we get those new restaurants to come here. MS. WALLRICH noted that many prospects want new vanilla boxes that they don't have to retrofit, so having new tenant spaces is important.

MS. WALLRICH redirected back to accessory residential uses again. MS. DEVOS TYSEN asked for more possible uses to be identified. MS. WALLRICH noted that it could be possible to say a certain size "but not to exceed" for a lobby. She also asked about parking. MS. DEVOS TYSEN and MR. SMITH noted the importance of the architectural character of the building if it were to be used for accessory residential uses. MS. MCKERNAN noted that parking along the street face should be a Special Use. MR. SMITH discussed his experience on the Plan Commission and how making a long approval process can really deter developers. MS. MCKERNAN noted that the college age group needs more places to go. MS. WALLRICH summarized that we may redefine the terminology. MS. KISLER added that we could make the

accessory residential uses a Special Use and a residential lobby a permitted use, but we would need to thoroughly define them.

Moving on to the next topic, MS. KISLER discussed the changes to the use tables, including medical marijuana dispensing and tobacco/cigar/hookah/vapor sales and consumption. She summarized that the Plan Commission felt that hookah/cigar/etc. lounges should be Special Uses rather than Prohibited Uses but the sales of tobacco/cigar/hookah/vapor as a primary use should be Prohibited Uses in the Legacy District. The CAC concurred with the Plan Commission's ideas.

MS. WALLRICH discussed the landscape buffer Text Amendment. She clarified how the change in the wording will benefit the properties by making sure that there are five-foot (5') wide landscape buffers between both buildings and parking areas bordering the boundary of the Legacy District. She asked if the CAC concurred with the recommended changes and they agreed.

MS. KISLER described what a Scrivener's error is and showed an example. She stated that it is basically a typographical error in a property's legal description. She and MS. WALLRICH noted a parcel (former location of the First Midwest Bank ATM/drive-up) that was half zoned in error and needs to be corrected. This zoning error also affects the boundary of the Legacy District. MS. WALLRICH noted that the Village's Zoning Map will be adopted with the error; however, Staff will incorporate fixing this error in a future Text Amendment. The CAC concurred with the need to fix these errors.

MS. KISLER noted the changes necessary to the figures that show the properties within the Legacy Code. These figures must be updated due to the boundary change on the previously discussed First Midwest Bank parcel that would be corrected. She also noted the error in the label for Figure 2.E.2. where it reads "Neighborhood General Regulating Plans" instead of "Neighborhood Flex Regulating Plans", which is the correct label since it is part of the NF district. The CAC concurred with fixing these errors in the figures.

MS. WALLRICH also brought up that a required depth for the Street Level Commercial spaces may be necessary to prevent shallow unmarketable tenant spaces. A tenant space depth of 50' was recommended. MR. SMITH asked about required setbacks and sidewalks. MS. WALLRICH noted that setbacks are minimal in order to encourage the buildings to front the street and sidewalks are within the public right-of-way. She cited the Village Attorney's analogy where "you can't rake every leaf" because we can't anticipate every zoning scenario and write code to every possibility.

MS. DEVOS TYSEN asked for the PowerPoint to be sent to the CAC as a PDF. MS. KISLER said that she can do that.

## **Item #2 LAND USE DISCUSSION & MAPPING EXERCISE**

Discussion on where different land uses should be located within the Legacy District. Create a map together to show where different land uses should be focused.

1. Residential Only
2. Commercial Only
3. Mixed-Use

*Staff encourages the Committee to visit the properties within the Legacy District and consider current land uses versus potential land use changes transitions in the future.*

MS. DEVOS TYSEN moved to table Item #2 to the next meeting. MR. SMITH seconded. All were in favor. Motion carried.

## **Item #3 ENTITLEMENT PROCESSES**

1. Overview of Processes
2. Timeline Chart

MS. KISLER discussed the differences between the different approval processes, including Variances, Site Plan Approval, Special Use Permits, Rezoning (Map Amendment), Annexation, and Plats. She noted that Site Plan Approval without other processes can be approved in one or two meetings by the Plan Commission and does not require Village

Board approval, even when the property is not within the Legacy District. She noted that ordinances are required for Variances, Special Use Permits, Rezoning (Map Amendment), and Annexation, so Village Board approval is required. She added that conditions can be placed upon all of these types of approvals to ensure that the project does not have negative impacts. MS. WALLRICH noted the need for a nexus between conditions and a land use.. She stated that there is a nexus between “looking commercial” for accessory residential uses since the intent of the Legacy Plan and Legacy Code is to have commercial storefronts in specific locations.

MR. SMITH asked what the fastest that someone could get approved. MS. KISLER mentioned that it depends on the project, but if it only needs Site Plan Approval and it is a small project then it could be just one meeting with the Plan Commission. MS. WALLRICH said that if you are confident in your code then you should be confident with fast approval processes.

**Item #4                      COMMUNICATION/NOTIFICATION PROTOCOLS**  
Recommendations for Improved Transparency

1. Overview of Current Communications
2. Recommendations for Improved Transparency

MS. KISLER noted the current communication practices in the Village. She noted that her slide was outdated and the Village has actually already added a Facebook page and started live streaming Village Board meetings. She said that this shows how the Village is already making progress with better communication. She then showed examples of signs used on properties in other communities to notify the public of development projects. MS. WALLRICH suggested that we could require this type of sign on a property for Site Plan Approval and Public Hearing. MS. DEVOS TYSSSEN suggested using metal signs with a laminated changeable information panel.

**Good of the Order**

MS. WALLRICH noted that we need to continue talking about Land Uses/Mapping in our next meeting. The CAC concurred.

To conclude their discussion about Item #1 earlier in the evening, MR. SMITH moved to recommend the changes to the original Text Amendments. The motion was seconded by MS. MCKERNAN. Roll call; all were in favor. Motion carried.

MS. WALLRICH said that she will not be available on Monday, March 6<sup>th</sup> for the next regular meeting. She proposed moving the next meeting to Monday, March 20, 2017 at 6pm. The CAC said that this change may work for them and they would let Staff know if there was a conflict.

**Receive Comments from the Public**

MIKE PAUS, Resident, noted that improving communication is important. He stated that we should record all meetings. He requested an analysis of how a Text Amendment can impact a potential development.

**Adjourn Meeting**

MS. DEVOS TYSSSEN moved to adjourn the Regular Meeting of the Citizen Advisory Committee at 8:30pm. MS. MCKERNAN seconded. Voice vote; all were in favor. Motion carried.

DRAFT



**Project Planner**

Stephanie Kisler, AICP  
Planner I

# PLAN COMMISSION STAFF REPORT

February 16, 2017

## Text Amendments to the Zoning Ordinance: Sign Regulations



### WORKSHOP MEMO

Staff has provided a draft of the revised Section IX (Sign Regulations) of the Zoning Ordinance for the Plan Commission's review. The draft includes the Plan Commission's comments from the previous workshops.

Staff hoped to have the final version of the draft Text Amendments for Sign Regulations ready for discussion at a Public Hearing on February 16, 2017. Since the last version of the draft Text Amendments was not discussed with the Plan Commission at the February 2, 2017 meeting, Staff hopes to instead continue a workshop discussion and receive feedback from the Commissioners during this meeting. All feedback will be incorporated into the next draft of the Text Amendments for the Sign Regulations for the Commission's review.