



AGENDA FOR REGULAR MEETING VILLAGE OF TINLEY PARK PLAN COMMISSION

**July 21, 2016 – 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 July 7, 2016 Regular Meeting

Item #1

PUBLIC HEARING

THE TRAIN STATION – 16902 OAK PARK AVENUE – SPECIAL USE PERMIT FOR A RECREATIONAL USE AND HOURS OF OPERATION

Consider a proposal from Julianna Grover of The Train Station, for a Special Use Permit to operate a business involving recreational uses (including group personal training, fitness, and nutritional education) and operating between the hours of 5:00am and 10:00pm at 16902 Oak Park Avenue, Unit 3 in the NG (Neighborhood General) Zoning District and Elmore's Oak Park Avenue Estates subdivision.

Close Public Hearing #1

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

JULY 7, 2016

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on July 7, 2016 at 7:30p.m.

ROLL CALL

Plan Commissioners: Kevin Bergthold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

Absent Plan Commissioners: Mark Moylan
Peter Kroner
Anthony Janowski

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

CALL TO ORDER

PLAN COMMISSION CHAIRMAN MATUSHEK called to order the Regular meeting of the Plan Commission for July 7, 2016 at 7:30 p.m.

APPROVAL OF MINUTES

A motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER SHAW to approve the minutes of the June 16, 2016 meeting of the Plan Commission. Vote by voice. PLAN COMMISSION CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER STANTON, to open the Public Hearing on Bailey's Bar & Grill (17731 Oak Park Avenue – Variation for a Ground Sign within the Legacy District) at 7:35 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

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.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE JULY 7, 2016 REGULAR MEETING

**ITEM #1: PUBLIC HEARING
BAILEY'S BAR & GRILL – 17731 OAK PARK AVENUE – VARIATIONS FOR A
GROUND SIGN WITHIN THE LEGACY DISTRICT**

Consider a proposal from Ronald Bailey, on behalf of Bailey's Bar & Grill, for the following Variations concerning ground signage on an existing site located at 17731 Oak Park Avenue, Tinley Park, Illinois:

1. A one foot, six-inch (1'6") Variation from the required setback from the south property line;
2. A one foot, six-inch (1'6") Variation from the required setback from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the required setback from the west property line.

All of which constitute Variations from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance where a "Monument – Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

Present were the following:

Plan Commissioners: Kevin Bergthold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

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

Guest: Tammy Bailey on behalf of Bailey's Bar & Grill

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, gave an overview of the proposed Variations concerning ground signage on an existing site located at Bailey's Bar and Grill at 17731 Oak Park Avenue. She noted that Staff has reviewed the petition for Variations from the required setback for a ground sign and feels this is the most sensible location for new a ground sign on the property. There are many signs on Oak Park Avenue that do not meet the 10' setback, which means that they are considered legal nonconforming signs, and the proposed sign is not out of character with these existing signs.

MS. KISLER proceeded to review the Standards for Granting a Variation and provided Findings of Fact for the record:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
 - There are limited alternate locations for the proposed ground sign that would have adequate visibility from Oak Park Avenue except for the proposed site, which requires a Variation.
2. The plight of the owner is due to unique circumstances.
 - The Applicant planned to erect a freestanding sign within the specified landscaped area when he redesigned the parking lot configuration in 2013. This landscaped island cannot accommodate the proposed ground sign without a Variation.
3. The Variation, if granted will not alter the essential character of the locality.
 - There are other ground signs along Oak Park Avenue that do not meet the 10' setback requirement.

CHAIRMAN MATUSHEK asked if the Applicant had anything to add to the record. TAMMY BAILEY indicated that she did not have any information to add.

CHAIRMAN MATUSHEK inquired about landscaping requirements for the sign. MS. KISLER noted that Section IX of the Zoning Ordinance was recently amended to include more specific landscaping requirements around the base of ground signs and that a condition of approval of a building permit would reflect the required square footage of landscaping. She added that the site's existing landscaping is extensive and well maintained and believes that the Applicant will provide nice landscaping near the proposed sign.

A motion was made by COMMISSIONER SHAW to recommend that the Village Board grant the Applicant, Ronald Bailey on behalf of Bailey's Bar & Grill, Variations concerning a proposed ground sign at 17731 Oak Park Avenue, including:

1. A one foot, six-inch (1'6") Variation from the setback requirement from the south property line;
2. A one foot, six-inch (1'6") Variation from the setback requirement from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the setback requirement from the west property line.

All of these requests are Variations from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a "Monument –Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

These Variations would allow the Applicant to construct a new ground sign that would be located at an eight foot, six-inch (8'6") setback from the south property line, an eight foot, six-inch (8'6") setback from the entry/access drive, and a one foot (1') setback from the west (Oak Park Avenue) property line at 17731 Oak Park Avenue in the NG (Neighborhood General) Zoning District and within O. Rueters and Company's Tinley Park Gardens Subdivision.

The motion was seconded by COMMISSIONER STANTON.

AYE: Plan Commissioners John Domina, Kevin Bergthold, Lori Kappel, Ken Shaw,

Tim Stanton, and Chairman Ed Matushek

NAY: None

ABSENT: Plan Commissioners Anthony Janowski, Peter Kroner, and Mark Moylan

THE MOTION WAS APPROVED UNANIMOUSLY by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER KAPPEL to close the Public Hearing at 7:45 p.m. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

DRAFT

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE JULY 7, 2016 REGULAR MEETING

**ITEM #2: PUBLIC HEARING
THE ATTIC DOOR – 17424 OAK PARK AVENUE – VARIATION FOR A
GROUND SIGN WITHIN THE LEGACY DISTRICT**

Consider a proposal from Wade Randolph of Effective Signs, on behalf of The Attic Door, for the following Variation concerning ground signage on an existing site located at 17424 Oak Park Avenue, Tinley Park, Illinois, including:

1. A nine foot (9') Variation from Section XII.4.E., Table 4.E.1. (Legacy Code Sign Regulations) of the Zoning Ordinance, where a "Monument – Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

This Variation would allow the Applicant to replace an existing ground sign with a new ground sign that would be located at a one foot (1') setback from the east (Oak Park Avenue) property line at 17424 Oak Park Avenue in the DC (Downtown Core) Zoning District.

Present were the following:

Plan Commissioners: Kevin Bergthold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

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

Guest: Wade Randolph of Effective Signs on behalf of The Attic Door

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER KAPPEL, to open the Public Hearing on The Attic Door (17424 Oak Park Avenue – Variation for a Ground Sign within the Legacy District) at 7:46 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

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, gave an overview of the proposed Variation concerning ground signage on an existing site located at The Attic Door at 17424 Oak Park Avenue. She noted that there were no concerns from Staff for the Variation request. The majority of the existing ground signs along Oak Park Avenue do not meet the ten foot (10') setback requirement and are considered legal nonconforming signs since there were erected prior to the adoption of the Legacy Code. In this case, the Applicant is replacing an existing sign which is currently less than one foot (1') from the east property line. The required setback for a ground sign is ten feet (10'); therefore, a Variation is required for the proposed sign's lesser setback of one foot (1') from the property line. There is inadequate area between the front of the building and the property line for the Applicant to meet the required ten foot (10') setback. Additionally, Staff noted that the proposed sign complies with other setback regulations for the entry/access drive and south property line and does not require a Variation for these setbacks.

MS. KISLER proceeded to review the Standards for Granting a Variation and provided Findings of Fact for the record:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
 - If the Applicant installed a sign meeting the ten foot (10') setback requirement, the new sign would not fit between the required setback and the building since the sign is 5'10" wide and the available space between the required setback and the building 5'6".
 - The sign could be reduced in size to fit within that 5'6" wide area; however, a sign meeting the required set back would be 13'6" from the sidewalk, which is substantially further away from the street than the existing sign, which is about 3'11" from the sidewalk, and the ability for potential customers to see the sign is diminished.
2. The plight of the owner is due to unique circumstances.
 - The Applicant's request is unique because they propose to replace an existing sign with a new sign in relatively the same location. The Applicant is not asking to have a sign closer to the property line than the existing sign; in fact, the new sign would be 7" further west from the existing sign in order to meet a 1' setback from the property line.
 - The Applicant's building does not provide much space for a freestanding sign that would meet the setback requirement due to the building setback being closer to Oak Park Avenue. Staff notes that there are many signs within the Legacy District that do not meet the 10' sign setback requirement so the placement of the sign is not unique.
3. The Variation, if granted will not alter the essential character of the locality.
 - The sign will not alter the character of the locality since it will be in roughly the same place as the existing sign. Other freestanding signs within the Legacy District do not meet the current requirement for a 10' setback.

CHAIRMAN MATUSHEK asked if the Applicant had anything to add to the record. WADE RANDOLPH indicated that he did not have any information to add.

CHAIRMAN MATUSHEK inquired about landscaping requirements for the sign. MS. KISLER noted that Section IX of the Zoning Ordinance was recently amended to include more specific landscaping requirements around the base of ground signs and that a condition of approval of a building permit would reflect the required square footage of landscaping. She added that the site's existing landscaping is extensive and well maintained and believes that the Applicant will provide nice landscaping near the proposed sign.

A motion was made by COMMISSIONER BERGTHOLD to recommend that the Village Board grant the Applicant, Wade Randolph of Effective Signs, on behalf of The Attic Door, the following Variation concerning a proposed ground sign at 17424 Oak Park Avenue:

1. A nine foot (9') Variation from Section XII.4.E., Table 4.E.1. (Legacy Code Sign Regulations) of the Zoning Ordinance, where a "Monument – Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

This Variation would allow the Applicant to replace an existing ground sign with a new ground sign that would be located at a one foot (1') setback from the east (Oak Park Avenue) property line at 17424 Oak Park Avenue in the DC (Downtown Core) Zoning District.

The motion was seconded by COMMISSIONER STANTON.

AYE: Plan Commissioners John Domina, Kevin Bergthold, Lori Kappel, Ken Shaw,
Tim Stanton, and Chairman Ed Matushek

NAY: None

ABSENT: Plan Commissioners Anthony Janowski, Peter Kroner, and Mark Moylan

THE MOTION WAS APPROVED UNANIMOUSLY by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER SHAW to close the Public Hearing at 7:55 p.m. 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 JULY 7, 2016 REGULAR MEETING

ITEM #3: THE TRAIN STATION – 16902 OAK PARK AVENUE, UNIT 3 – SPECIAL USE PERMIT

Consider a proposal from the Applicant, Julianna Grover of The Train Station, for a Special Use Permit to operate a business involving recreational uses (including group personal training, fitness, and nutritional education) and operating between the hours of 5:00 a.m. and 10:00 p.m. at 16902 Oak Park Avenue, Unit 3 in the NG (Neighborhood General) Zoning District and Elmore's Oak Park Avenue Estates subdivision.

Present were the following:

Plan Commissioners: Kevin Berghold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

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

Guest: Julianna Grover on behalf of The Train Station

CHAIRMAN MATUSHEK introduced the agenda item and requested that Staff give a report.

STEPHANIE KISLER, Planner I, gave an overview of the request for a Special Use Permit for The Train Station at 16902 Oak Park Avenue, Unit 3. Any business operating between the hours of 2:00 a.m. and 6:00 a.m. requires a Special Use Permit. Due to the proposed 5:00 a.m. start time, a Special Use Permit is required. She noted this location is a mixed-use building. She further stated there are 17 existing parking spaces and she noted 13.46 parking spaces are required for the commercial property and 1.5 parking spaces are required for the residential unit. There is also additional parking on the street. Signage for the business has not been proposed at this time.

MS KISLER also noted, in an effort to be more business-friendly, Staff determined the business is permitted to open now without a Special Use Permit but only operating as a "personal service", meaning one-on-one sessions rather than group sessions. If a Special Use Permit is granted, the Applicant would be allowed to operate the business using the small groups of clients per trainer as proposed. Additionally, the business cannot operate prior to 6:00 a.m. until a Special Use Permit is granted.

MS. KISLER then summarized the Open Items for the Plan Commission's consideration:

1. Consider conditions related to sound
2. Consider conditions related to class sizes.
3. Consider required improvements to landscaping, parking, access drive, and alley.

MS. KISLER then summarized Staff's suggestions for site improvements per the requirements of the Legacy Code:

- Landscaping – Adding parkway trees along Oak Park Avenue and 169th Street
- Parking Lot – Reducing width of driveways/curb cuts and adding green space and sidewalk
- Access Drive – Reducing size and adding landscaping
- Alley – Formalize an alley easement for ingress and egress at the rear of the property

MS. KISLER stated that she had contact with the property owner/property manager and had discussed the suggested site improvements. She asked the Plan Commissioners to provide guidance on which requirements are feasible for the site and which improvements should be prioritized.

MS. KISLER also noted a Public Hearing is required for Special Use Permit and has been scheduled for the regular Plan Commission meeting on Thursday, July 21, 2016.

CHAIRMAN MATUSHEK asked the Applicant if she felt she could operate her business if the Commission made restrictions on the class sizes due to limited parking in the area. Landscaping and parking lot/alleyway improvements will be addressed with the owner of the property.

JULIANNA GROVER, owner of The Train Station, stated that there would be no loud music playing because they have to be able to communicate to the clients and cannot do so with loud music. She noted that there would only be up to eight (8) clients and four (4) trainers in the location at one time. She stated that they do not have large group classes.

COMMISSIONER STANTON inquired about security cameras at the site. MS. GROVER stated they have their own 24-hour security cameras for their tenant space.

COMMISSIONER BERGTHOLD questioned if a fence would be appropriate along the west property line between this property and the adjacent single-family residential property. MS. KISLER stated she would speak with the property owner about this request. She also noted that some existing sites cannot meet the landscape buffer requirement due to the constraints of the existing dimensions on the site. She noted that the property owner could ask permission to complete landscaping on the adjacent single-family residential property, but they would need their permission to do work on another person's property. She further noted that the Village does not require permits for landscaping.

PAULA WALLRICH, Interim Community Development Director, noted that the provision relating to buffer requirements was rescinded along with the other recent Legacy Code Text Amendments.

COMMISSIONER SHAW asked for clarification on the alley dedication. MS. KISLER stated that the Legacy Plan and Legacy Code call for alleyways behind certain properties to aid in redevelopment so that parking would eventually be in the rear of buildings and not in the front of buildings in the Legacy District. The property two parcels south (Liberty Building) has already completed an easement for the alleyway and a plat has already been drawn up for this property and the property one parcel south (Amazing Smiles). She noted that she had also discussed this with the property owner and they are agreeable to formalizing the alley easement at the rear of the property since it would not change the existing parking lot layout.

MS. GROVER continued to discuss her business. She noted they do not have walk-ins; instead, everything is by appointment. She stated that their business currently has 320 clients at their Oak Lawn location. She added that her passion is transforming lives. She noted that The Train Station is the fastest growing training company on the south side of Chicago.

COMMISSIONER SHAW thanked the Applicant for their presentation and welcomed them to Tinley Park.

CHAIRMAN MATUSHEK requested that Staff discuss the proposed improvements with the property owner and have them attend the next meeting.

ADJOURNMENT

There being no further business, a Motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER SHAW to adjourn the Regular Meeting of the Plan Commission of July 7, 2016 at 8:27 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. CHAIRMAN MATUSHEK declared the meeting adjourned.



PLAN COMMISSION STAFF REPORT

July 21, 2016

The Train Station – Special Use Permit

16902 Oak Park Avenue, Unit 3

Applicant

Julianna Grover of The Train Station

Property Location

16902 Oak Park Avenue, Unit 3

PIN

28-30-111-019-0000

Tenant Space

2,100 SF \pm

Building Size

5,773 SF \pm

Parcel Size

0.24 ac \pm

Zoning

NG (Neighborhood General)

Approval Sought

Special Use Permit

Project Planner

Stephanie Kisler, AICP
Planner I



EXECUTIVE SUMMARY

The Applicant, Julianna Grover of The Train Station, is seeking approval for a Special Use Permit to operate a business involving recreational uses (including group personal training, fitness, and nutritional education) and operating between the hours of 5:00am and 10:00pm at 16902 Oak Park Avenue, Unit 3 in the NG (Neighborhood General) Zoning District and Elmore's Oak Park Avenue Estates subdivision.

- Hours of Operation: 5:00am – 10:00pm (Monday – Friday)
7:00am – 1:00pm (Saturday)
7:00am – 12:00pm (Sunday)
- Number of Employees: 4
- Business Functionality: According to the Applicant, they will provide clients with recreation and health services, including:
 - meal planning
 - nutritional counseling
 - teaching clients how to effectively use their body to provide optimal results
 - group fitness training classes

UPDATES FROM THE JULY 7, 2016 STAFF REPORT ARE IN RED

SUMMARY OF OPEN ITEMS

OPEN ITEMS	RESOLUTIONS
1. Consider conditions related to sound.	<p>The Applicant stated that loud music is not used since the trainer is continually communicating with clients throughout the sessions.</p> <p>If the Plan Commission wishes to place a condition on the Special Use Permit related to sound levels, Staff recommends wording similar to “sound levels not heard through the tenant’s walls so as to not cause a nuisance to adjacent tenants of the building or surrounding properties.”</p>
2. Consider conditions related to class sizes.	<p>The Applicant stated that she is ok with the Plan Commission placing conditions on class sizes.</p> <p>If the Plan Commission wishes to place a condition on the Special Use Permit related to class sizes, Staff recommends wording similar to “class sizes must not exceed two (2) clients per trainer; with a maximum of two (2) trainers allowed at any one time.”</p>
3. Consider required improvements to landscaping, parking, access drive, and alley.	<p>The Applicant stated that they will only be working on the interior remodel of the tenant space. The property manager met with Staff to discuss the suggested improvements to the exterior of the building.. The property manager agreed to add one or two trees along the Oak Park Avenue parkway and also agreed to have the property owner sign the Plat of Easement for the alleyway at the rear of the building. The Plan Commission mentioned possible buffer solutions for the west property line, such as landscaping or a fence. The property manager agreed that she could look into this if the Plan Commission wanted to require this improvement but stated that they have not had any issues with the adjacent single-family residential property to-date. The Plan Commission also raised questions about security at the site. The property manager stated that they have not had any security issues since purchasing the property in 2006. The Applicant noted that she would be using her own security cameras for her tenant space.</p> <p>If the Plan Commission wishes to place a condition on the Special Use Permit related to property improvements that the owner has agreed to Staff recommends wording similar to “a Plat of Easement for an alley at the west side of the building must be signed by the property owner by October 1, 2016 and recorded by the Village, and two (2) parkway trees be installed along the Oak Park Avenue frontage by October 1, 2016.”</p> <p>Regarding issues that the property manager has not agreed to, if the Plan Commission wishes to place these as a condition of the Special Use it is important to include statements that indicate the conditions relate to a perceived impact of the proposed Special Use. For example, if the Plan Commission wishes to require a fence or landscaping at the west property line, then Staff recommends the Plan Commission enter into the record that the condition is place to mitigate potential negative impact on adjacent residential uses resulting from the vehicles parking to visit the proposed Special Use. Regarding the additional security cameras, Staff recommends that the Plan Commission ensure that similar conditions have been placed on similar uses and that the condition of the security cameras will mitigate a potential negative impact on the adjacent properties. Staff suggests the hours of business (early morning and late evening hours) have the potential to present security issues to the neighborhood and the presence of security cameras can have a positive impact on this concern. If these two items are recommended as conditions then Staff recommends a deadline of October 1, 2016 for the fence/landscaping and the security cameras.</p>

EXISTING SITE

The property consists of a single parcel 0.24 acres in area with a 5,773 square foot mixed-use building that was constructed in about 1960 that is currently divided into five (5) tenant spaces. The current tenants are Best One Nail & Massage and Imagine Peace Studio (salon) with the remaining two (2) vacant commercial spaces being combined for the proposed Special Use. There is also one (1) three-bedroom apartment that is occupied. The apartment is located on the second floor above the occupied units and not above the proposed tenant space for The Train Station.

The site has frontage on 169th Street to the north and Oak Park Avenue to the east. The site has seventeen (17) parking spaces, eleven (11) of which are located at the rear (west side) of the building (including two (2) enclosed garage spaces) and six (6) which are located at the front (east side) of the building. There is also on-street parking permitted along 169th Street, which is directly adjacent to the north of the site and can accommodate four to six (4-6) vehicles on the south side of the street in front of the building.



Diagram 1: Subject Property with Unit 3 Starred

ZONING & NEARBY LAND USES

The zoning of the site at 16902 Oak Park Avenue is NG (Neighborhood General) and is within the Legacy District. According to Section XII.2.D.1. of the Village of Tinley Park Zoning Ordinance, the NG Zoning District is “intended to help transition existing single-family houses and commercial uses into multi-family uses.” However, this particular property exists as a mixed-use building, which incorporates commercial and residential uses into a single structure.



Because the property owner and tenants are not seeking substantial improvements, the site is looked at as a “Heritage Site” rather than a “Redevelopment Site” – the difference being that “Redevelopment Sites” are classified by improvements exceeding 50% of the property’s market value and “Heritage Sites” being improvements less than 50% of the property’s market value. Since the site is a “Heritage Site”, mixed-use buildings are permitted. See Section XII.2.D. of the Zoning Ordinance for more information on regulations for sites within the Neighborhood General Zoning District.

Nearby land uses include other properties zoned NG within the Legacy District to the north and south (shown in green at the image on the right), single-family residential uses zoned R-2 to the west (shown in pale yellow), and single-family residential uses to the east (shown in orange).

PROPOSED USE

The Applicant proposes to open a business that involves recreational uses, including group personal training, fitness, and nutritional education. The Train Station currently has 325+ clients at the Oak Lawn location and seeks a location in Tinley Park to help promote healthy lifestyles in a new area. The proposed facility is privately operated and appointments are required. The typical business schedule allows for four (4) clients per hour and clients instructed by two (2) trainers. The business proposes to operate from between 5:00am – 10:00pm Monday through Friday with limited hours on weekends.

The Applicant has provided the following list of services that they would like to provide to clients:

- meal planning
- nutritional counseling
- teaching clients how to effectively use their body to provide optimal results
 - TRX for bodyweight functioning
 - resistance bands
 - core stability movements such as Pilates or Bosu
 - stretch bands for leg development

Businesses operating between the hours of 2:00 a.m.-6:00 a.m. require a Special Use Permit (Section XII.3.A.). In addition, it is Staff’s interpretation that the proposed use (group fitness training classes) is ‘similar and compatible’ to a Special Use category and required that the Applicant obtain a Special Use Permit. Per Table 3.A.2. within Section XII.3.A., “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**” is a Special Use. These types of uses are considered as Special Uses because of the possible impacts of such things as parking, loud music playing during training classes, and hours of operation. The Special Use Permit process provides the Plan Commission the opportunity to place certain conditions on the Special Use to mitigate these concerns.

The Applicant plans on operating in a limited capacity pending the approval of the requested Special Use with only those services that are allowed as a Permitted Use in this District (nutrition counseling, meal planning, one-on-one sessions). There will be no group fitness training sessions; only personal service on a one-on-one basis is permitted, such as a salon where one employee would be working with one customer at a time (ex. hairstylist cutting hair or nail technician giving a manicure).

Regarding the Applicant’s request to operate between the hours of 2:00am and 6:00am, the Applicant has stated that the earlier hours of operation accommodate client’s schedules for morning sessions. As stated above, there is a residential unit within the building albeit not above the proposed training facility. The Plan Commission may wish to consider whether the noise levels of music or hours of business impact the residential use and whether certain conditions should be placed to mitigate potential impacts such as times where music is allowed to be played at levels that can be heard outside the tenant space.

Open Item #1: Consider conditions related to sound.

At the 7/7/2016 Plan Commission meeting, the Applicant stated that loud music is not used since the trainer is continually communicating with clients throughout the sessions. Staff notes that if issues arise with sound in the future, the other tenants can make noise complaints to the Police Department and the situation can be handled as a nuisance. The Zoning Ordinance does not have specified Performance Standards related to sound levels for properties in this zoning district.

If the Plan Commission wishes to place a condition on the Special Use Permit related to sound levels, Staff recommends wording similar to “sound levels not heard through the tenant’s walls so as to not cause a nuisance to adjacent tenants of the building or surrounding properties.”

PARKING

The site has seventeen (17) parking spaces, eleven (11) of which are located at the rear (west side) of the building (including two (2) enclosed garage spaces) and six (6) which are located at the front (east side) of the building. There is also on-street parking permitted along 169th Street (except parking on-street is prohibited from 2:00am to 5:00am), which is directly adjacent to the north of the site.

Staff researched the requirements for parking for the site within Section XII.2.D.10.c. of the Zoning Ordinance and found that the regulations call for four (4) parking spaces per 1,000 square feet of tenant space for commercial uses and one and a half (1 ½) parking spaces per dwelling unit. The commercial units comprise 3,366 square feet; therefore, fifteen (13.46) parking spaces are required for the commercial uses and one and a half (1 ½) parking spaces are required for the residential unit for a total parking requirement of fifteen (15) parking stalls. The site exceeds ordinance requirements by two (2) parking spaces.

Despite the proposed use meeting ordinance requirements, Staff has expressed concern if large group training were to occur, it may result in a higher demand for parking. The Applicant has stated that classes will not be greater than two (2) clients at a time with no more than two (2) trainers working at any given time. The Plan Commission may wish to place this as a condition of approval of the Special Use.

Open Item #2: Consider conditions related to class sizes.

At the 7/7/2016 Plan Commission meeting, the Applicant stated that she is ok with the Plan Commission placing conditions on class sizes. The Applicant has specified that there will usually be just two (2) trainers with a maximum of two (2) clients each per hour (2:1 ratio of clients to trainers). If the Applicant were to hire additional trainers, the numbers could increase. Staff recommends that the Plan Commission consider what may be an appropriate occupancy in relation to clients and trainers, keeping in mind that the tenant space is about 2,100 square feet.

If the Plan Commission wishes to place a condition on the Special Use Permit related to class sizes, Staff recommends wording similar to “class sizes must not exceed two (2) clients per trainer, with a maximum of two (2) trainers allowed at any one time.”

REQUIRED SITE IMPROVEMENTS

Per Section XII.2.D.11.d. of the Zoning Ordinance, a Special Use triggers certain required improvements. See the image of Table 2.D.8. below.

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

Staff has identified possible improvements to the landscaping by adding street trees along Oak Park Avenue and potentially another street tree along 169th Street where a new landscape area may be installed. Modifications proposed for the parking and access drives include reducing the width of the driveways and adding green space and sidewalk to help formalize the access drives and parking areas. The current access drives are very wide and do not meet current standards for access drives, which are 12' for a one-lane driveway and 20' for a two-lane driveway. Staff has previously prepared a Plat of Easement for an alley at the rear of the building, so the property owner will need to sign and record the plat to formalize the ingress and egress occurring between the adjacent properties at the rear of the buildings.

Staff has discussed these required improvements with the property manager and has created a rough diagram showing the potential site improvements. It is important to note the Plan Commission is able to grant a waiver that would either postpone the improvements, require cash-in-lieu-of improvements, or waive improvements (in part or in whole) based on feasibility. See Section XII.2.D.11.c. for further explanation on waivers for public and private improvements for Heritage Sites in the NG Zoning District.

Open Item #3: Consider required improvements to landscaping, parking, access drive, and alley.

The Applicant stated that they will be working on the interior remodel of the tenant space. The property manager met with Staff to discuss the suggested improvements to the property. The property manager, Angie Kritikos, agreed to add one or two trees along the Oak Park Avenue parkway. Staff is awaiting a recommendation from the Village's Landscape Architect as to the quantity, location, and species of tree(s) that would be feasible in the Oak Park Avenue parkway.

The property manager also agreed to have the property owner sign the Plat of Easement for the alleyway at the rear of the building. Staff notes that the Plan Commission could require that this plat be signed by a specific date. The plat has been prepared and is ready to be signed at the property owner's convenience.

The Plan Commission mentioned possible buffer solutions for the west property line, such as landscaping or a fence. The property manager agreed that she could look into this if the Plan Commission wanted to require this improvement but stated that they have not had any issues with the adjacent single-family residential property.

The Plan Commission also raised questions about security at the site. The property manager stated that they have not had any security issues since purchasing the property in 2006. She mentioned that she would have to discuss this further with the property owner if the Plan Commission were to require security cameras for the exterior of the site. Additionally, The Applicant noted that she would be using her own security cameras for her tenant space.

If the Plan Commission wishes to place a condition on the Special Use Permit related to property improvements, Staff recommends wording similar to “a Plat of Easement for an alley at the west side of the building must be signed by the property owner by October 1, 2016 and recorded by the Village, two (2) parkway trees be installed along the Oak Park Avenue frontage by October 1, 2016.

Regarding issues that the property manager has not agreed to, if the Plan Commission wishes to place these as a condition of the Special Use it is important to include statements that indicate the conditions relate to a perceived impact of the proposed Special Use. For example, if the Plan Commission wishes to require a fence or landscaping at the west property line, then Staff recommends the Plan Commission enter into the record that the condition is place to mitigate potential negative impact on adjacent residential uses resulting from the vehicles parking to visit the proposed Special Use. Regarding the additional security cameras, Staff recommends that the Plan Commission ensure that similar conditions have been placed on similar uses and that the condition of the security cameras will mitigate a potential negative impact on the adjacent properties. Staff suggests the hours of business (early morning and late evening hours) have the potential to present security issues to the neighborhood and the presence of security cameras can have a positive impact on this concern. If these two items are recommended as conditions then Staff recommends a deadline of October 1, 2016 for the fence/landscaping and the security cameras.



Diagram 2: Showing Potential Required Site Improvements

SIGNAGE

The Applicant has not provided any plans for temporary or permanent signage. Staff notes that the site does not currently have any freestanding signage, so any permanent signage would be installed on the façade of the building.

STANDARDS FOR A SPECIAL USE

Section X.J.5. lists standards that need to be considered by the Plan Commission. Attached please find the standards provided by the Applicant in defense of the requested Special Use. As part of the Public Hearing Process, the Findings of Fact – either as presented by the Applicant or as proposed by Staff (which are subject to revision upon hearing all testimony given during the Public Hearing) – shall be entered as part of the record for the Public Hearing. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. **Staff has prepared draft Findings for each standard below..**

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

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - **The proposed Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because the business operations are wholly enclosed in the building and will provide clients with education and training to lead healthier lifestyles.**
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - **The proposed Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish and impair properties within the neighborhood because the Special Use is compatible with the other tenants of the building and the adjacent properties. The Special Use will allow for the building to be fully occupied for the first time since the property owner purchased the building in 2006. The property owner may increase the property value by making various site improvements as recommended by the Plan Commission and required by the Village Board.**
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - **The proposed Special Use will not impede the normal and orderly development and improvement of surrounding property because the surrounding area is already developed and the Special Use will be located within two (2) formerly vacant tenant spaces in an existing building.**
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - **The site currently exists and adequate utilities, access roads, drainage, etc. have already been provided.**
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
 - **Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets at the existing property. Additionally, the property owner will sign a Plat of Easement to formalize the existence of a rear alley, which will aid in providing adequate ingress and egress between 169th Street and the properties to the south.**
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this

Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.

- The Special Use will conform to all other applicable regulations for the site.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
- The Special Use contributes directly and indirectly to the economic development of the community as a whole because the Applicant will provide training and education to clients that will aid in them developing a healthier lifestyle. This use is also filling vacant tenant spaces in the Legacy District/Downtown Tinley and will provide the community with a new type of service. The Special Use is compatible with the area and has proven to have a successful business model in another community.

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

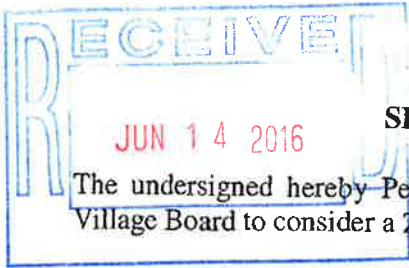
MOTION TO CONSIDER

If the Plan Commission wishes to take action, an appropriate wording of the motion would read:

“...make a motion to recommend that the Village Board grant the Applicant, Julianna Grover of The Train Station, a Special Use Permit for the operation of a business involving recreational uses (including group personal training, fitness, and nutritional education) and operating between the hours of 5:00am and 10:00pm at 16902 Oak Park Avenue, Unit 3 in the NG (Neighborhood General) Zoning District and Elmore’s Oak Park Avenue Estates subdivision, with the following conditions:

1. That sound must not be heard through the tenant’s walls so as to not cause a nuisance to adjacent tenants of the building or surrounding properties;
2. That class sizes must not exceed (2) clients per trainer, with a maximum of two (2) trainers allowed at any one time to ensure that adequate parking is available;
3. That a Plat of Easement for an alley at the west side of the building must be signed by the property owner by October 1, 2016 and recorded by the Village;
4. That two (2) parkway trees be installed along the Oak Park Avenue frontage by October 1, 2016;
5. That the west bufferyard be improved with a fence/landscaping by October 1, 2016; and
6. That security cameras be added on the exterior of the building by October 1, 2016.

... and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff and the Plan Commission at this meeting.”



**VILLAGE OF TINLEY PARK
SPECIAL USE PERMIT APPLICATION**

The undersigned hereby Petitions the Tinley Park Long Range Plan Commission and/or the Village Board to consider a Zoning Map Amendment and/or Special Use Permit as follows:

A. Petitioner Information:

Name: Julianne Graver
Mailing Address: 50816 Wick Dr.
City, State, Zip: Oak Lawn, IL 60453
Phone Numbers: (708) 253-5005 (Day) Fax Number: _____
(Evening) _____
(Cell) _____
Email Address: thetransition45@yahoo.com

The nature of Petitioner's interest in the property and/or relationship to the owner
(Applications submitted on behalf of the owner of record must be accompanied by a signed letter of authorization):

Co Owner of Company

B. Property Information:

The identity of every owner and beneficiary of any land trust must be disclosed.

Property Owner(s): Tony Kutkias
Mailing Address: PO Box #10
City, State, Zip: Mokena, IL 60448

Property Address: 16902 S. Oak Park Ave.
Permanent Index No. (PINs) _____
Existing land use: Vacant
Lot dimensions and area: _____

C. Petition Information:

Present Zoning District : _____
Requested Zoning District: _____

Is a Special Use Permit being requested (including Planned Developments):

Yes ☒ No ☐

If yes, identify the proposed use: The Train Station would like to open at 5am Monday through Friday. We are also requesting a ratio of 2 clients to 1 coach.

Will any variances be required from the terms of the Zoning Ordinance?

Yes ☐ No ☒

If yes, please explain (note that Variation application will be required to be submitted):

The Applicant certifies that all of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.

Julianne Graver
Signature of Applicant

6/16/16
Date

FINDINGS OF FACT
SPECIAL USE PERMIT – (Including Planned Developments)
PURSUANT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE

Section X.J. of the Village of Tinley Park Zoning Ordinance requires that no Special Use be recommended by the Plan Commission unless the Commission finds that all of the following statements, A-G listed below, are true and supported by facts. Petitioners must respond to and confirm each and every one of the following findings by providing the facts supporting such findings. The statements made on this sheet will be made part of the official public record and will be discussed in detail during the Plan Commission meetings and will be provided to any interested party requesting a copy.

Please provide factual evidence that the proposed Special Use meets the statements below and use as much space as needed to provide evidence.

- A. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.**

The Train Station is just the opposite. We provide an atmosphere where people can learn to live a healthy lifestyle through nutritional counseling and body resistance coaching. Clients are encouraged to explore their farmers markets and local gyms to advance their progress.

- B. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The coaching is done inside the facility. No property will be damaged. In fact, we will enhance the community by filling a vacant lot and focusing our efforts on curb appeal. (ie flowers, bright colors) We will focus our attention on bringing more traffic to Oak Park Avenue.

- C. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

We are presently in an existing building. The properties adjacent to us, which are a Nail Salon/Massage Parlor and a Hair Salon are already developed. Therefore, we will be filling a vacant part of the building.

- D. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.**

We presently have 18 parking spots that are our use. If we employ 3 coaches with 2 clients each coach, we will utilize 6 spots. There are 2 bathrooms in our facility which is plenty for our client ratio.

- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

Our parking is behind our building in a large lot. We are on Oak Park Avenue so our minimal traffic will not be in the community. At most we will see 6 vehicles at a time ever. There is no heavy traffic flow coming from our studio.

- F. That the Special Use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.**

The Train Station is in full compliance with any applicable regulations. We will continue to strive to not only meet the communities expectations, but the villages as well through attending board meetings and keeping educated.

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

The Train Station supports the local community directly through referring clients to healthy food options such as local farmers markets or restaurants such as Egg Headz that serve local organic foods. We promote local gyms so that clients can hit cardio numbers. Our sponsor is Capitol Nutrition in Tinley Park. All of our clients shop there. Through the use of referrals for gym attire, accessories, supplements, etc., we support the growth economically of our local communities.

H & N Management
JUNE 20, 2016
TINLEY PARK VILLAGE BOARD

Dear Village Board Members,

My name is Angie Kritikos Liveris and I represent property at 16902 South Oak Park Avenue Tinley Park, IL 60477 in downtown Tinley Park. I have open spaces (units 3 & 4) for a business in the strip mall I represent and the name of the management company is H & N Management. The business I am proposing on this property is a personal training company called The Train Station. This would be the second location for this business, the first being in Oak Lawn. The goal of this business is a private training studio that specializes in nutritional counseling and full body movement to achieve fitness results and overall health.

I believe this is the type of business to bring clientele into Tinley Park concerned about their overall well being and good health. Not fa from the strip mall is Egg Headz, focused on juicing and organic foods. A nice tie in and draw for people concerned about their health and fitness to come to our community.

I would appreciate you attention to this matter at your earliest convenience and am happy to answer any additional questions you may have. You can contact me via email at angie_xios@yahoo.com, or via phone at 1708-557-3914. Thank you in advance for your consideration.

Sincerely,

Angie Kritikos Liveris

LEGAL DESCRIPTION
16902 Oak Park Avenue

LOT 1 (EXCEPT FOR THE SOUTH 40 FEET THEREOF) IN BLOCK 7 IN ELMORE'S OAK PARK AVENUE ESTATES, BEING A SUBDIVISION OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART OF DRAINAGE DITCH CONVEYED BY DOCUMENT 377190) IN COOK COUNTY, ILLINOIS

The Real Property or its address is commonly known as 16902 S. Oak Park, Tinley Park, IL 60477. The Real Property tax identification number is 28-30-111-019-0000

