



AGENDA FOR REGULAR MEETING VILLAGE OF TINLEY PARK PLAN COMMISSION

**September 7, 2017 – 7:00 P.M.
Council Chambers
Village Hall – 16250 S. Oak Park Avenue**

Regular Meeting Called to Order

Pledge of Allegiance

Roll Call Taken

Communications

Approval of Minutes: Minutes of the August 17, 2017 Regular Meeting

Item #1

PUBLIC HEARING: TEXT AMENDMENT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE – SECTION III.N.6. – OUTDOOR SALES DISPLAY

Consider recommending that the Village Board approve Text Amendments to Section III.N.6. (Outdoor Display) of the Village of Tinley Park Zoning Ordinance. The proposed Text Amendments include but are not limited to: allowing outdoor sales display areas on non-residential properties.

Item #2

PUBLIC HEARING: TEXT AMENDMENT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE – SECTION V.B. – TRUCK RENTAL IN THE MU-1 (MIXED-USE DUVAN DRIVE) OVERLAY DISTRICT

Consider recommending that the Village Board approve Text Amendments to Section V.B. Schedule I (Schedule of Permitted Uses) of the Village of Tinley Park Zoning Ordinance. The proposed Text Amendments include but are not limited to: allowing truck rental as a Special Use in the MU-1 (Mixed-Use Duvan Drive) Overlay District.

Good of the Order

Receive Comments from the Public

Adjourn Meeting



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

AUGUST 17, 2017

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on August 17, 2017 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Peter Kroner, Acting Chairman
Lucas Engel
Eduardo Mani
Garrett Gray
Angela Gatto
Tim Stanton

Absent Plan Commissioner(s): Ken Shaw, Chairman
John Curran

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

CALL TO ORDER

PLAN COMMISSION ACTING CHAIRMAN KRONER called to order the Regular Meeting of the Plan Commission for August 17, 2017 at 7:00 p.m.

COMMUNICATIONS

There were none.

APPROVAL OF MINUTES

Minutes of the August 3, 2017 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER GRAY, to approve the Minutes. The Motion was approved by voice call. ACTING CHAIRMAN KRONER 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 AUGUST 17, 2017 REGULAR MEETING

ITEM #1 WORKSHOP: TEXT AMENDMENT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE – SECTION III.N.6. – OUTDOOR SALES DISPLAY

Consider recommending that the Village Board approve Text Amendments to Section III.N.6. (Outdoor Display) of the Village of Tinley Park Zoning Ordinance. The proposed Text Amendments include but are not limited to: allowing outdoor sales display areas on non-residential properties.

Present were the following:

Plan Commissioners:	Peter Kroner, Acting Chairman Lucas Engel Eduardo Mani Garrett Gray Angela Gatto Tim Stanton
Absent Plan Commissioner(s):	Ken Shaw, Chairman John Curran
Village Officials and Staff:	Paula Wallrich, Interim Community Development Director Stephanie Kisler, Planner I Barbara Bennett, Commission Secretary
Guests:	Marc Rush, Great Escape Ted Chapman, Great Escape

STEPHANIE KISLER, Planner I, stated in Section III.N.6 of the Zoning Ordinance it currently only allows for outdoor display of seasonal gardening products. The code requires a yearly site plan approval from the Zoning Administrator. These regulations have not been strictly enforced in the past and Staff would like to formalize new regulations that would allow other displays of products. There are only a few displays that are strictly seasonal garden items. Staff noticed that there are other businesses displaying items outdoors that would not be considered seasonal gardening products.

MS. KISLER stated Staff reviewed regulations and has put together text amendments to regulate other outdoor sales displays. Businesses like American Sales and the Great Escape have inquired about displaying their products outside their buildings. Other businesses already have various products displayed outside their stores. Staff drafted a text amendment including three (3) levels of display to address different uses. The first two (2) levels address the types that can be approved administratively and the third level would be the larger items that will need to be brought before the Plan Commission for approval. She added that Staff reviewed outdoor display regulations in other communities for comparison. The descriptions are noted in the Staff Report.

MS. KISLER described the three (3) levels in the draft Text Amendment:

- (1) Description of Level 1 Outdoor Sales Display: Level 1 Outdoor Sales Display includes the display of seasonal goods or special sales. These displays may include, but are not limited to: sale of potted plants, mulch, clothes racks, and small product display racks.
- (2) Description of Level 2 Outdoor Sales Display: Level 2 Outdoor Sales Display includes the display of year-round goods that are subordinate and customarily incidental to the principal use. These displays may include, but are not limited to: propane, ice, and vending machines.
- (3) Description of Level 3 Outdoor Sales Display: Level 3 Outdoor Sales Display includes the display of goods that do not meet the regulations within the Level 1 or Level 2 Outdoor Sales Display Sections. These displays may include, but are not limited to: large products or equipment, appliances, seasonal recreational items (pools, play equipment, etc.), accessory structures (sheds, gazebos, etc.) or display of building materials (fencing, pavers, etc.).

MS. KISLER stated some of the things that need to be considered are the approval methods, the location of the display, the time of the display, and other conditions such as screening, lighting and cleanliness. It is necessary to discuss the amount of time for the displays in level 1. Signage on displays is subject to Section IX of the Zoning Ordinance.

MS. KISLER noted the reason this was brought to Staff's attention was because Great Escape would like to display their products outside their new building. They feel there is an uneven competition with American Sales, which is located north on La Grange Road in Orland Park. They contacted the Village letting them know that they were upset with the amount of business they have due to the fact they are unable to display their products outdoors.

ACTING CHAIRMAN KRONER asked for comments from the commissioners.

COMMISSIONER MANI stated it is important to be pro-business, pro-Tinley and allow the business to request an outdoor display from the Level 1 section with Staff approval rather than having to wait the necessary time to go before the Plan Commission for approval.

COMMISSIONER GATTO noted there are certain items like mulch and potted plant items being able to be displayed for a longer period of time or seasonal and things like clothing racks a shorter period of time or three (3) days.

COMMISSIONER GRAY asked about the pricing of the permits. He feels there should be something to distinguish appropriate pricing for different items. Permits should be distinguished between a one (1) day same and a seasonal item. ACTING CHAIRMAN KRONER asked staff to inquire what the fee structure for permits in other communities are. He suggested \$100.00 per season.

PAULA WALLRICH, Interim Community Development Director, noted there could be "Special Event" permits. She also noted the administration of annual permits and fees would have to be discussed.

ACTING CHAIRMAN KRONER inquired about the size of the percentage of the building frontage allowed for outdoor display. MS. WALLRICH stated the percentages would be measured and tested.

ACTING CHAIRMAN KRONER summarized the meeting.

- Went through Text Amendments.
- Talked about fee structures.
- Talked about Level 1 into seasonal items and quick sale items
- Staff will come back with fee schedules from surrounding towns
- Staff will come back with percentages of how much frontage can have displays
- Display times - Seasonal vs. quick sale items and more permanent structures

MARC RUSH, Great Escape, noted everything they sell at Great Escape is what people want rather than need and it is necessary for them to display the items that they sell. The people need to see what is available to them in their store. Their competitors are able to display their product outside and that brings people into the store. The Tinley Park store is the only store that is limited by codes on the outdoor displays. They are at a big disadvantage because of the inability of the customers to see the products. The Tinley Park store is the lowest volume store out of 20 stores. When the store was located in Orland it was the number 2 store. We are interested in what we can do to bring the sales up. We appreciate the time you are spending in trying to help us.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE AUGUST 17, 2017 REGULAR MEETING

ITEM #2 WORKSHOP: TEXT AMENDMENT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE – SECTION V.B. – TRUCK RENTAL IN THE MU-1 (MIXED-USE DUVAN DRIVE) OVERLAY DISTRICT

Consider recommending that the Village Board approve Text Amendments to Section V.B. Schedule I (Schedule of Permitted Uses) of the Village of Tinley Park Zoning Ordinance. The proposed Text Amendments include but are not limited to: allowing truck rental as a Special Use in the MU-1 (Mixed-Use Duvan Drive) Overlay District.

Present were the following:

Plan Commissioners: Peter Kroner, Acting Chairman
 Lucas Engel
 Eduardo Mani
 Garrett Gray
 Angela Gatto
 Tim Stanton

Absent Plan Commissioner(s): Ken Shaw, Chairman
 John Curran

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

STEPHANIE KISLER, Planner I, stated there is interest in truck rental in the area near 175th Street and Duvan Drive. This Text Amendment was brought up due to inquiries in the area. There is one business on Duvan Drive that currently has a U-Haul rental. Staff spoke to one of the employees at Tinley Auto & Repair who said that there was Village approval about five (5) years ago for the U-Haul business. The business license only indicates “auto repair shop/towing” in the description. There is no Special Use Permit on file and records for approval were not found. She displayed photos of the current U-Haul business and noted that the business needs some attention. The business owner is aware that improvements need to be made to the paving, fencing, and landscaping.

MS. KISLER noted there is a mixture of mixed use, automotive, and industrial in this area. This is an area where we would like to get more businesses. Staff would like to discuss whether this type of use should be allowed and what conditions should be placed on this type of business.

MS. KISLER put together some considerations of what should be permitted or a Special Use and if there are any conditions that should be required for this type of business.

Conditions:

1. The rental vehicles must be parked on a paved surface meeting all applicable Village codes.
2. The rental vehicles cannot be parked within the parking spaces that are required for the business per Section VIII of the Zoning Ordinance.

3. The rental vehicles must be screened from view (by vinyl privacy fencing, landscaping, or a combination of both) or located in such a way that the vehicles cannot be seen from the public right-of-way.
4. The rental vehicles must be parked in a manner that does not block entrances, drive aisles, or other access ways.

MS. KISLER noted Staff proposes to make a small change to make the other use categories more clear. Since “heavy equipment sales/rental” is called out specifically, the category of “equipment rental and leasing services” should be clarified as “light equipment sales/rental” in order to remain consistent. Both “heavy equipment” and “light equipment” are defined in Section II of the Zoning Ordinance.

MS. KISLER stated Staff discussed whether to distinguish between car rental and truck rental. Right now there is a category for the vehicle sales/rental which is something that is not allowed in this area unless it is internally displayed. U-Haul has trailers and cargo vans, so we would need to determine which types of rental vehicles are appropriate for this area.

PAULA WALLRICH, Interim Community Development Director, noted this Text Amendment should encompass all rental vehicles except for passenger cars. ACTING CHAIRMAN KRONER asked what was wrong with passenger cars. MS. KISLER noted there is not typically a lot of parking in this area. This is something we would focus in the B-5 district where there are auto sales.

COMMISSIONER GATTO stated there are so many car repair shops in this area and it would be a great place to have car rental.

MS. WALLRICH stated this is the heaviest industrial area and heavy equipment was already contemplated in this area. Trucks and trailers are more heavy equipment and the average person will not go into this area to rent a car. This area also lacks visibility to major thoroughfares.

ACTING CHAIRMAN KRONER stated the previous State of Illinois Emission Testing location would be a perfect place for a car rental business.

MS. WALLRICH stated a Special Use Permit could be for any type of vehicle leasing.

COMMISSIONER GRAY noted the chart in the Staff Report mentions vehicle sales/rental is prohibited in MU-1. There is not a clear distinction. In Section II, page 34 of the Zoning Ordinance it does say that vehicle sales/rental it is defined as: is the use of any building, structure or lot used for the sale or rental of automobiles, trucks, vans, trailers, recreational vehicles, boats, motorcycles, or other similar motorized vehicles either on-site or via the internet. Such use may include offices, internal parts storage and on-site repair service facility as an accessory of use. He stated this is prohibited and in the past it has been non-negotiable whether that company does not want to do this or not. On the chart it is noted as Vehicle sales/Rental (Internal display only) is not defined in the code but is allowed with a Special Use Permit. He stated that these two use categories conflict.

COMMISSIONER GRAY noted he is aware of the traffic pattern on Duvan Drive and it would not allow for many rentals on a daily basis with the semi truck traffic. Many times it is reduced to one lane where you have to wait for another person to go in order to get around the trucks.

MS. KISLER stated in order to clarify the use table we should change the current “X” under MU-1 to an “S” for Special Use. MS. WALLRICH stated the definitions could also be amended.

COMMISSIONER ENGEL stated trucks and vehicle sales/ rentals should be included as Special Use.

GOOD OF THE ORDER

PAULA WALLRICH, Interim Community Development Director, reminded the Commissioners that the start time for the next meeting will be 7:00 p.m. She also noted the following project updates:

1. COMMISSIONER WILLIAM LEMONNIER has resigned. The Mayor is aware and will make a recommendation for a new member.
2. Staff met with representatives from Brookside Glen and the developer of the Residences project. They are moving toward a plan with four (4) buildings with all the same luxury amenities. This project may come before the Commission in October.
3. The Lakota Group was hired to work on a master plan for the plaza and the downtown area. They will be interviewing stakeholders in the next couple weeks.
4. Former Central Middle School Site – New interest from developers.
5. The Village Board gave approval to move ahead on the study for a new TIF district, which is fairly detailed and involved with the legal aspects. Hired Ehlers.
6. M-Block held a ground breaking for the new 300,000 square foot spec building.
7. Prosperi Verizon Cell Tower was approved at the last Village Board meeting.
8. Innovative Decks – Had First Reading at the Village Board meeting. The Board supported PC recommendations.
9. Paula on vacation next week.
10. Stephanie getting married the following week.
11. Interviewed a temporary part time planner (Ellen Weber) to cover while Paula while she is off for medical leave.
12. There are job ads out for Paula's position (Community Development Director), Building Official, and Business Retention Specialist.
13. Plan Commissioner training at the APA-IL State Conference in September is still available if anyone wants to sign up.
14. COMMISSIONER KRONER thanked Paula for her input at the Village Board Meeting regarding the Prosperi Verizon Cell Tower. She made sure the CTF parents were made aware of and informed of the construction.

RECEIVE COMMENTS FROM THE PUBLIC

There were none.

ADJOURNMENT

There being no further business, a Motion was made by COMMISSIONER GRAY, seconded by COMMISSIONER ENGEL, to adjourn the Regular Meeting of the Plan Commission of August 17, 2017 at 8:12 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION ACTING CHAIRMAN KRONER declared the meeting adjourned.

PLAN COMMISSION STAFF REPORT

September 7, 2017

Public Hearing for Text Amendments to the Zoning Ordinance: Outdoor Sales Display Regulations



WORKSHOP MEMO

In response to the Village's direction to amplify our business-friendly approach, Staff seeks direction for updating the regulations for Outdoor Sales Display areas. The current regulations within Section III.N.6. of the Zoning Ordinance only allow for outdoor display of seasonal gardening products. These regulations have not been strictly enforced in the past and Staff would like to formalize new regulations that would allow other displays of products.

Staff encourages the Plan Commission to drive around the Village (and other communities) and make note of different outdoor sales display areas. Commissioners should consider what the Village's vision for outdoor sales display areas should be going forward and think about how to strengthen the regulations for outdoor sales display areas to accomplish this vision.

UPDATES FROM THE 8/17/2017 STAFF REPORT ARE IN RED

CURRENT OUTDOOR SALES DISPLAY AREAS

Businesses like American Sale and The Great Escape have inquired about displaying their products outside their buildings. Other businesses, such as Five Below, Dick's Sporting Goods, Sear's, and many others already have various products displayed outside their stores. A Text Amendment to the Zoning Ordinance would assist these businesses in legally displaying their products outside the store to attract customers and aid in increasing sales and tax revenue.



RESEARCH & ANALYSIS

Staff reviewed regulations in other communities, both in the Chicagoland area and in other states, to see how other municipalities regulate outdoor sales displays. Staff continues to research other comparable regulations but provides below the following summaries from the research so far:

- Orland Park, IL: Seasonal sales are allowed on large lots with at least 250' of frontage along a road. The display must be set back at least 30'. The display can last for up to six months. Temporary sales (such as sidewalk sales and tent sales) must also be set back 30' but are limited to three days of display once per month. Staff notes that despite these regulations, it appears that some businesses are not consistent with these regulations, i.e. American Sales on Route 45. It is possible they received a variation or special use for their outdoor display. **Staff at Orland Park clarified that the outdoor sales display regulations are administered in the following manner:**
 - **Larger retailers (Darvin, Art Van, American Sale, Jewel, Home Depot, etc.)**
 - **\$90 Event Permit**
 - **Allowed outside for up to six (6) months**
 - **Must be smaller than 1/3 of the total parking lot area**
 - **Smaller retailers**
 - **\$90 Event Permit**
 - **Allowed to have three (3) tent sales per year**
 - **Allowed nine (9) days per occurrence**
 - **Must be less than thirty (30) days per year**
- Naperville, IL: Restricts the outdoor sales display to seasonal items that are normally used within the season of the display. Outlines a specific area where products can be displayed. Notes that any sales area not meeting the regulations must be approved by the City Council. **The fee is \$121 per application no matter how long the display is up.**
- Richmond, IN: Does not restrict the type of merchandise that can be displayed. Gives specific standards for location, size, and screening. **A \$15 zoning permit fee is required.**
- Glenview, IL: Allows seasonal goods to be displayed under plastic or canvas coverings. The maximum size for this display is 20' x 40' and 15' tall. The display has to be approved by the Appearance Commission. Christmas trees, pumpkins, and plants are allowed to be displayed without a covering for certain numbers of days but cannot be within a required setback. **There is no fee required.**
- Evanston, IL: Allows the following in non-residential districts.
 - Indoor And Outdoor Festivals, Sidewalk Sales, Art, Craft And Plant Shows, Exhibits And Sales: Indoor and outdoor festivals, sidewalk sales, art, craft and plant shows, exhibits and sales shall be limited to three (3) consecutive days in length, and limited to six (6) special sales per year. Displays shall not encroach into required parking or yards.
 - Christmas Tree, Pumpkin And Garden Material Sales: Christmas tree, pumpkin and garden material sales shall be limited to nonresidential districts and shall be limited to a duration of forty-five (45) days.

CONSIDERATIONS

Staff took notes from the current Section III.N.6. and regulations in other communities and derived the following Important factors for consideration:

1. Approval Methods
 - a. Can outdoor sales display be approved administratively or should the Plan Commission and/or Village Board be the final authority?
 - b. Is there an opportunity for Staff to approve smaller-scale displays within specified parameters while the Plan Commission and/or Village Board could approve larger or more unique displays on a case-by-case basis?
2. Location of the Display
 - a. What zoning districts are appropriate for outdoor sales displays?
 - b. Need for proper accessibility around the displays
 - c. Are there certain areas that we do or do not want to see displays?
 - i. Should they be close to the building?
 - ii. Should they be directly adjacent to the street?
 - iii. Can they be off-site?
3. Size of the Display
 - a. Should there be a maximum area for the display?
 - i. Is it different for a business in a multi-tenant building versus a standalone building?
 - b. Should there a maximum height for the display?
4. Time of Display
 - a. Should there be a limit on how long outdoor displays should occur? Seasonal only? During open hours only?
5. Other Considerations
 - a. Screening from residential properties
 - b. Lighting
 - c. Cleanliness/orderliness of the display

COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

The Community Development Committee discussed the proposed Text Amendments at their August 8, 2017 meeting and concurred with Staff's recommendation to provide increased opportunity for outdoor display and level the 'play field' with retailers in adjacent communities.

STAFF RECOMMENDATION

Staff recommends a **three**-tiered approach to outdoor sales displays:

1. The first tier includes the display of seasonal gardening goods or special sales. These displays may include, but are not limited to: sale of potted plants, mulch, clothes racks, and small product display racks
2. The second tier includes the display of year-round goods that are subordinate and customarily incidental to the principal use. These displays may include, but are not limited to: propane, ice, and vending machines.

3. The third tier includes the display of goods that do not meet the regulations within the Level 1 or Level 2 Outdoor Sales Display and are subject to Staff review and Plan Commission review on a case-by-case basis. These displays may include, but are not limited to: large products or equipment, appliances, seasonal recreational items (pools, play equipment, etc.), accessory structures (sheds, gazebos, etc.) or display of building materials (fencing, pavers, etc.).

The first and second tiers of outdoor sales display would be subject to regulations for location, size, and time of display and could be approved administratively. Any proposals for outdoor sales displays that would not meet the regulations within the first and second tiers would be required to be reviewed and approved by the Plan Commission

These amendments to the Zoning Ordinance would allow for more typical, smaller scale outdoor displays (with products other than just garden items) to be approved administratively and would give the Plan Commission and/or Village Board the authority to approve the larger displays. Staff would like to get the Commission's direction and input on the appropriate regulations for outdoor sales displays within the Village of Tinley Park.

A draft of a proposed Text Amendment for outdoor sales display regulations is included in the Plan Commission meeting packet for review. The draft is updated to reflect recommendations from the 8/17/2017 workshop.

PLAN COMMISSION WORKSHOP NOTES

At the Plan Commission workshop on August 17, 2017, the Commissioners made the following recommendations:

- For Level 1: Provide less display time for special sales than the seasonal garden items, which is allowed 6 months of display.
 - Staff changed the timing regulations in the attached Draft Text Amendment dated 08/28/2017.
- For Level 1: Lower the cost for special sales since they would have a shorter duration
 - The Draft Text Amendment reflects a reduced cost.
- For Level 1: Consider increasing the cost for seasonal garden goods
 - The Draft Text Amendment reflects an increased cost.
- For Level 2 & 3: Consider increasing the cost and requiring an annual fee or annual license
 - The Draft Text Amendment reflects an increased cost.
- Research what other comparable communities are charging for their outdoor display permits
 - See red edits to the Research & Analysis section of this report on page 3.
- Test the subject sites to see if they are in compliance with our draft regulations
 - Walt Smart, Zoning Administrator, went to several sites around the Village and measured the tenant frontage and the length of the display areas. His findings are included in the attached document.
- Change the required submittal items to include a "Plat of Survey or dimensioned Site Plan" since not everyone will have the Plat of Survey
 - This has been changed on the Draft Text Amendment.

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 approve Text Amendments to Section III.N.6. (Outdoor Display Standards) of the Village of Tinley Park Zoning Ordinance as indicated in Staff's most recent draft of the comprehensive Outdoor Sales Display Standards Text Amendments, dated 08/28/2017. The proposed Text Amendments would replace the current Section III.N.6. in its entirety and provide new regulations for outdoor sales display areas."

Michael's
7310 W. 191st Street
Frontage: 115'
Display Size: 21' (18%)
Level 1



Dick's
7370 W. 191st Street
Frontage: 266'
Display Size: 20' (7.5%)
Level 3



Five Below
7400 W. 191st Street
Frontage: 55'
Display Size: 29' (52.7%)
Level 1



Sears Outlet
16040 S. Harlem Avenue
Frontage: 153'
Display Size: 21' (13.7%)
Level 3



Sam's Club
16100 S. Harlem Avenue
Frontage: 325'
Display Size: 25' (7.7%)
Level 3



CVS

16701 S. Harlem Avenue

Frontage: 140'

Display Size: 14' (10%)

Level 2



Ace Hardware
16725 S. Oak Park Avenue
Frontage: 173'
Display Size: 78' (45%)
Level 1 & Level 2



Walgreen's
16675 S. Oak Park Avenue
Frontage: 123'
Display Size: 20' (16%)
Level 2



Shell Gas
17100 S. Harlem Avenue
Frontage: 67'
Display Size: 12' (18%)
Level 1 & Level 2



7-Eleven

7601 W. 159th Street

Frontage: 55'

Display Size: 26' (47%)

Level 1 & Level 2



Shell Gas

8401 W. 159th Street

Frontage: 48'

Display Size: 40' (83%)

Level 1 & Level 2



7-Eleven

17055 Oak Park Avenue

Frontage: 60'

Display Size: 15' (25%)

Level 1 & Level 2



TEXT AMENDMENT: OUTDOOR SALES DISPLAYS

Draft 8/28/2017

Replacing the Current Section III.N.6. of the Zoning Ordinance

6. Outdoor Sales Display Standards:

a. Intent: The intent of the Outdoor Sales Display Standards is to permit the use of outdoor areas for display and sales of merchandise, but to ensure that such displays are sensitive to the character of the Village and do not jeopardize the health, safety, and welfare of the people within the Village of Tinley Park. Outdoor sales display areas shall be categorized as Level 1, Level 2, or Level 3 in accordance with the regulations within this Section.

b. Applicability:

- (1) Outdoor areas that a business or organization wants to use on a regular or seasonal basis for outdoor sales displays shall meet the regulations within this Section.
- (2) This Section does not include outdoor sales display related to automotive dealerships.

c. Requirements for Level 1 Outdoor Sales Display:

(1) Description of Level 1 Outdoor Sales Display: Level 1 Outdoor Sales Display includes the display of seasonal gardening goods or special sales. These displays may include, but are not limited to: sale of potted plants, mulch, clothes racks, and small product display racks.

(2) Approval:

(A) A permit application (including plans for the display) must be submitted to the Community Development Department prior to displaying products outside. The submittal shall include the following:

- (i) Application form
- (ii) Plat of Survey or dimensioned Site Plan
- (iii) Dimensioned plans showing the display area
- (iv) Information about what types of products will be displayed
- (v) Display time plan outlining when the outdoor display period will occur

(B) The Zoning Administrator or their designee shall review the application and determine if the criteria within this Section have been met.

(C) Fees:

- (i) Seasonal Gardening Goods: The Applicant shall pay an annual fee of \$100.00.
- (ii) Special Sales: The Applicant shall pay a fee of \$15.00 per special sale outdoor display period.

(3) Location:

(A) Zoning:

- (i) Outdoor sales displays are limited to non-residential properties and mixed-use properties.

(B) Accessibility:

- (i) An outdoor sales display area shall not block any accessibility ramp, parking space, door, fire hydrant, drive aisle, or driveway.
- (ii) A minimum of thirty-six inches (36") shall be maintained for sidewalks and pedestrian ways in front of the outdoor sales display area.

(C) Setbacks:

- (i) Front Yard: An outdoor display area can encroach up to five feet (5') into the required front yard setback standard identified in the applicable Zoning District in Section V. of the Zoning Ordinance.
- (ii) Side and Rear Yards: An outdoor display area shall meet the accessory structure side yard and rear yard setback standard identified in the applicable Zoning District in Section V. of the Zoning Ordinance.

TEXT AMENDMENT: OUTDOOR SALES DISPLAYS

Draft 8/28/2017

(D) Proximity to Primary Structure:

- (i) An outdoor sales display area shall be fifteen feet (15') or less from the façade of the primary structure.

(E) Placement:

- (i) An outdoor sales display area shall be located at grade level and shall not be allowed on top of the roof.
- (ii) An outdoor sales display shall not create any visibility hazard or obstruction to vehicles or pedestrians.
- (iii) An outdoor sales display area shall be located on the same parcel as the principal structure.

(4) Size:

(A) Maximum Area:

- (i) The cumulative area of all Level 1 outdoor displays shall not exceed twenty-five percent (25%) of the tenant frontage of the tenant space to which the outdoor display area is associated.
- (ii) If the tenant has both Level 1 and Level 2 displays: The total combined area of all Level 1 and Level 2 outdoor display areas shall not exceed twenty-five percent (25%) of the tenant frontage of the tenant space to which the outdoor display area is associated.

(B) Maximum Height:

- (i) Products displayed outside the principal structure shall not exceed ten feet (10') in height.

(5) Time for Display:

- (A) Outdoor sales displays for seasonal garden items shall occur only between April 15th and October 15th of each year, unless otherwise approved in writing by the Zoning Administrator or their designee.
- (B) Outdoor sales displays for special sales may be displayed for up to seven (7) days at a time and shall be allowed up to six (6) times per year; however, there must be at least three (3) weeks between special sale displays.
- (C) Outdoor sales displays shall only be displayed outside the tenant space during the business or organization's hours of operation, unless otherwise approved in writing by the Zoning Administrator or their designee.

d. Requirements for Level 2 Outdoor Sales Display:

- (1) Description of Level 2 Outdoor Sales Display: Level 2 Outdoor Sales Display includes the display of year-round goods that are subordinate and customarily incidental to the principal use. These displays may include, but are not limited to: propane, ice, and vending machines.

(2) Approval:

- (A) A permit application (including plans for the display) must be submitted to the Community Development Department prior to displaying products outside. The submittal shall include the following:
 - (i) Application form
 - (ii) Plat of Survey or dimensioned Site Plan
 - (iii) Dimensioned plans showing the display area
 - (iv) Information about what types of products will be displayed
 - (v) Display time plan outlining when the outdoor display period will occur
- (B) The Zoning Administrator or their designee shall review the application and determine if the criteria within this Section have been met.
- (C) The Applicant shall pay an annual fee of \$100.00.

TEXT AMENDMENT: OUTDOOR SALES DISPLAYS

Draft 8/28/2017

(3) Location:

(A) Zoning:

- (i) Outdoor sales displays are limited to non-residential properties and mixed-use properties.

(B) Accessibility:

- (i) An outdoor sales display area shall not block any accessibility ramp, parking space, door, fire hydrant, drive aisle, or driveway.
- (ii) A minimum of thirty-six inches (36") shall be maintained for sidewalks and pedestrian ways in front of the outdoor sales display area.

(C) Setbacks:

- (i) Front Yard: An outdoor display area can encroach up to five feet (5') into the required front yard setback standard identified in the applicable Zoning District in Section V. of the Zoning Ordinance.
- (ii) Side and Rear Yards: An outdoor display area shall meet the accessory structure side yard and rear yard setback standard identified in the applicable Zoning District in Section V. of the Zoning Ordinance.

(D) Proximity to Primary Structure:

- (i) An outdoor sales display area shall be fifteen feet (15') or less from the façade of the primary structure.

(E) Placement:

- (i) An outdoor sales display area shall be located at grade level and shall not be allowed on top of the roof.
- (ii) An outdoor sales display shall not create any visibility hazard or obstruction to vehicles or pedestrians.
- (iii) An outdoor sales display area shall be located on the same parcel as the principal structure.

(4) Size:

(A) Maximum Area:

- (i) The cumulative area of all Level 2 outdoor displays shall not exceed twenty percent (20%) of the tenant frontage of the tenant space to which the outdoor display area is associated.
- (ii) If the tenant has both Level 1 and Level 2 displays: The total combined area of all Level 1 and Level 2 outdoor display areas shall not exceed twenty-five percent (25%) of the tenant frontage of the tenant space to which the outdoor display area is associated.

(B) Maximum Height:

- (i) Products displayed outside the principal structure shall not exceed ten feet (10') in height.

(5) Time for Display:

- (A) Due to the nature of these types of goods, the display shall be permitted permanently unless otherwise noted in writing by the Zoning Administrator or their designee.

e. Requirements for Level 3 Outdoor Sales Display:

- (1) Description of Level 3 Outdoor Sales Display: Level 3 Outdoor Sales Display includes the display of goods that do not meet the regulations within the Level 1 or Level 2 Outdoor Sales Display herein and are subject to Staff review and Plan Commission review on a case-by-case basis. These displays may include, but are not limited to: large products or equipment, appliances, seasonal recreational items (pools, play equipment, etc.), accessory structures (sheds, gazebos, etc.) or display of building materials (fencing, pavers, etc.).

(2) Approval:

TEXT AMENDMENT: OUTDOOR SALES DISPLAYS

Draft 8/28/2017

- (A) A permit application (including plans for the display) must be submitted to the Community Development Department prior to displaying products outside. The submittal shall include the following:
 - (i) Application form
 - (ii) Plat of Survey or dimensioned Site Plan
 - (iii) Dimensioned plans showing the display area
 - (iv) Information about what types of products will be displayed
 - (v) Display time plan outlining when the outdoor display period will occur
- (B) The Village Planner or their designee shall review the application and present the information to the Plan Commission for approval.
- (C) The Applicant shall pay an annual fee of \$150.00.

(3) **Location:**

- (A) To be determined on a case-by-case basis by the Plan Commission.

(4) **Size:**

- (A) To be determined on a case-by-case basis by the Plan Commission.

(5) **Time for Display:**

- (A) To be determined on a case-by-case basis by the Plan Commission.

f. Signage:

- (1) Any signage affiliated with an Outdoor Sales Display is subject to the regulations within Section IX of the Zoning Ordinance, as amended from time to time.

g. Appeals:

- (1) Outdoor Sales Displays not meeting the regulations herein for Level 1 or Level 2 shall be automatically considered Level 3 and subject to Staff Review and Plan Commission Review.
- (2) If the Plan Commission denies the Level 3 Outdoor Sales Display request, then the Applicant may appeal the Commission's decision to the Village Board.

h. Penalty:

- (1) Outdoor sales displays without permits must be removed immediately upon notice of the violation.
- (2) If an outdoor sales display is exhibited without a permit, then the business owner is subject to a fine equal to double the permit fee and a permit still must be obtained.



Project Planner

Stephanie Kisler, AICP
Planner I

PLAN COMMISSION STAFF REPORT

September 7, 2017

Public Hearing for Text Amendments to the Zoning Ordinance: Vehicle Rental in MU-1

WORKSHOP MEMO

There is interest in truck rental in the area near 175th Street and Duvan Drive. This area is zoned ORI (Office and Restricted Industrial) and is part of the Mixed-Use Duvan Drive (MU-1) Overlay District. Similar types of businesses are permitted or allowed as a Special Use in this district, but this specific type of business is not distinguished within the current Schedule of Permitted Uses in Section V.B. of the Zoning Ordinance.

Staff seeks input from the Plan Commission as to whether this type of use should be allowed and whether certain conditions should apply. Staff will prepare a Text Amendment to the Zoning Ordinance in accordance with direction from the Community Development Committee, the Plan Commission, and the Village Board.

UPDATES FROM THE 8/17/2017 STAFF REPORT ARE IN RED

CURRENT TRUCK RENTAL IN MU-1

Staff notes that one business, Tinley Auto Repair at 17600 Duvan Drive, already operates a U-Haul rental service in addition to their auto repair business. Staff spoke to the business owner to discuss the U-Haul component of the business and they indicated that former Village staff members granted approval for the U-Haul rentals. The business owner understands that improvements must be made to the pavement, landscaping, and fencing; however, they are currently leasing the property and do not have permission to make the required improvements.

B&B Warehousing was inquiring about renting Budget trucks from their location at 7351 Duvan Drive but has decided to hold off on their request.



Current Photo of U-Haul Rentals at Tinley Auto Repair (17601 Duvan Drive)



Google Street View Images of U-Hauls at Tinley Auto Repair (17601 Duvan Drive)

ANALYSIS OF CURRENT CODE

Currently, Section V of the Zoning Ordinance lists the following uses that are similar to a truck rental business and whether they are permitted, Special Uses, or prohibited.

USE	Allowed in MU-1?
Equipment rental and leasing services	Permitted
Heavy equipment sales/rental	Special Use Permit Required
Vehicle sales/rental	Prohibited
Vehicle sales/rental (internal display only)	Special Use Permit Required

Summary from Section V.B. Schedule I of the Zoning Ordinance

There isn't a clear distinction for truck rental within this Section, so Staff is seeking direction from the Commission on whether we should add a category specific to truck rental, make it a permitted or a Special Use, and if there are any conditions that should be required for this type of business. Here is a draft of what a new regulation might look like:

USE	Allowed in MU-1
Truck rental*	Special Use Permit Required

* Conditions:

1. The rental vehicles must be parked on a paved surface meeting all applicable Village codes.
2. The rental vehicles cannot be parked within the parking spaces that are required for the business per Section VIII of the Zoning Ordinance.
3. The rental vehicles must be screened from view (by vinyl privacy fencing, landscaping, or a combination of both) or located in such a way that the vehicles cannot be seen from the public right-of-way.
4. The rental vehicles must be parked in a manner that does not block entrances, drive aisles, or other access ways.

Staff notes that these types of conditions could greatly improve the aesthetics associated with this type of outdoor use. The conditions would also ensure that the trucks do not occupy required parking spaces for other needs within the site nor would they block access throughout the site.

In addition to adding the new category, Staff proposes to make a small change to make the other categories more clear. Since "heavy equipment sales/rental" is called out specifically, the category of "equipment rental and leasing services" should be clarified as "light equipment sales/rental" in order to remain consistent. Both "heavy equipment" and "light equipment" are defined in Section II of the Zoning Ordinance.

A sample of what the changes to the table would look like is displayed below (amendments in red):

USE (continued)	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5*	ORI	M-1	MU-1
AUTOMOTIVE, BOAT, RECREATIONAL VEHICLE, AND GENERAL EQUIPMENT USES															
Equipment rental and leasing services												P			P
Light equipment sales/rental												P			P
Heavy equipment sales/rental												S			S
Towing services															P
Towing services (excluding vehicle storage)												S			
Truck rental *															S
Vehicle sales/rental												P	X	X	X
Vehicle sales/rental, internal display only															S
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board												S			

* Conditions:

1. The rental vehicles must be parked on a paved surface meeting all applicable Village codes.
2. The rental vehicles cannot be parked within the parking spaces that are required for the business per Section VIII of the Zoning Ordinance.
3. The rental vehicles must be screened from view (by vinyl privacy fencing, landscaping, or a combination of both) or located in such a way that the vehicles cannot be seen from the public right-of-way.
4. The rental vehicles must be parked in a manner that does not block entrances, drive aisles, or other access ways.

COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

The Community Development Committee discussed the proposed Text Amendments at their August 8, 2017 meeting and concurred with Staff's recommendation to allow truck rental as a Special Use.

STAFF RECOMMENDATION

Staff recommends allowing truck rental as a Special Use with certain conditions that encompass where the trucks can be parked and proper screening of the trucks.

A draft of a proposed Text Amendment for truck rental regulations is included in the Plan Commission meeting packet for review. **The draft is updated to reflect recommendations from the 8/17/2017 workshop.**

In addition to the changes discussed at the workshop (see next Section of this report), Staff noted that the use category of "vehicle sales/rental (internal display only)" could be removed from the table and consolidated into "vehicle sales/rental". The condition of being "internal display only" could instead become a condition within the new footnote "k".

In summary, the proposed Text Amendment would make the following changes:

- 1. Add "This definition shall include standard passenger vehicles and trucks weighing eight thousand (8,000) pounds or less" to the end of the definition for "vehicle sales/rentals" in Section II of the Zoning Ordinance. The definition for "equipment, light" excludes these types of vehicles.**
- 2. In Section V.B. Schedule I change the use category "equipment rental and leasing services" to "light equipment sales/rental". There is already a category for "heavy equipment sales/rental" and this change would make the table more consistent.**
- 3. In Section V.B. Schedule I add a footnote "k" after "vehicle sales/rental" and allow this use as a Special Use in MU-1. Footnote "k" includes the following notes and conditions:**
 - k Vehicle sales in the MU-1 (Mixed-Use Duvan Drive) Overlay District are limited to internal display only. Vehicle rental is subject to the following conditions in the both the MU-1 (Mixed-Use Duvan Drive) Overlay District and the B-5 (Automotive Service) Zoning District.**
 - 1. The rental vehicles must be parked on a paved surface meeting all applicable Village codes.**
 - 2. The rental vehicles cannot be parked within the parking spaces that are required for the business per Section VIII of the Zoning Ordinance.**
 - 3. The rental vehicles must be screened from view (by vinyl privacy fencing, landscaping, or a combination of both) or located in such a way that the vehicles cannot be seen from the public right-of-way.**
 - 4. The rental vehicles must be parked in a manner that does not block entrances, drive aisles, or other access ways.**
- 4. Re-alphabetize footnote lettering accordingly throughout the table.**

PLAN COMMISSION WORKSHOP NOTES

At the Plan Commission workshop on August 17, 2017, the Commissioners made the following recommendations:

- Discussed allowing rental for passenger and non-passenger vehicles as a Special Use in MU-1.
- Discussed using the existing category of “vehicle sales/rental” rather than creating a new category for “truck rental”.
- Add “This definition shall include standard passenger vehicles and trucks weighing eight thousand (8,000) pounds or less” to the end of the definition for “vehicle sales/rentals”.

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 approve Text Amendments to Section II (Definitions) and Section V.B. Schedule I (Schedule of Permitted Uses) of the Village of Tinley Park Zoning Ordinance as indicated in Staff’s most recent draft of the comprehensive Vehicle Rental Text Amendments, dated 08/28/2017. The proposed Text Amendments would amend the definition for “vehicle sales/rentals” in Section II (Definitions) and amend portions of Section V.B. Schedule I to allow “vehicle sales/rental” as a Special Use in the MU-1 Overlay District subject to certain conditions listed in a new footnote “k”. The proposed Text Amendment would further clarify Section V.B. Schedule I by changing “equipment rental and leasing services” to read “light equipment sales/rental”. Additionally, the proposed Text Amendment will remove “vehicle sales/rental, internal display only” as a category and list the “internal display only” caveat within the new footnote “k”. The subsequent footnotes will be re-alphabetized accordingly.”

TEXT AMENDMENT: VEHICLE RENTAL
Draft 8/28/2017 – Amendments are in Red

Amendments to Section V.B. Schedule I (Schedule of Permitted Uses) of the Zoning Ordinance:

USE (continued)	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5 ^a	ORI	M-1	MU-1
AUTOMOTIVE, BOAT, RECREATIONAL VEHICLE, AND GENERAL EQUIPMENT USES															
Equipment rental and leasing services												P			P
Light equipment sales/rental												P			P
Vehicle sales/rental ^k												P	X	X	S
Vehicle sales/rental, internal display only															S

MU-1 MIXED-USE DUVAN DRIVE OVERLAY DISTRICT															
Equipment rental and leasing services														P	
Light equipment sales/rental														P	
Vehicle sales/rental ^k														S	
Vehicle sales/rental, internal display only														S	

B-5 AUTOMOTIVE SERVICE DISTRICT															
Equipment rental and leasing services														P	
Light equipment sales/rental														P	
Vehicle sales/rental ^k														P	

^k Vehicle sales in the MU-1 (Mixed-Use Duvan Drive) Overlay District are limited to internal display only. Vehicle rental is subject to the following conditions in both the MU-1 (Mixed-Use Duvan Drive) Overlay District and the B-5 (Automotive Service) Zoning District.

1. The rental vehicles must be parked on a paved surface meeting all applicable Village codes.
2. The rental vehicles cannot be parked within the parking spaces that are required for the business per Section VIII of the Zoning Ordinance.
3. The rental vehicles must be screened from view (by vinyl privacy fencing, landscaping, or a combination of both) or located in such a way that the vehicles cannot be seen from the public right-of-way.
4. The rental vehicles must be parked in a manner that does not block entrances, drive aisles, or other access ways.

Note: Staff will revise the footnote lettering in alphabetical order within the table for “k” through “n” to become “l” through “o” so that the footnote for “Vehicle sales/rental” is associated with “k”.

Amendment to Section II (Definitions) of the Zoning Ordinance:

VEHICLE SALES/RENTALS: Vehicle Sales/Rentals is the use of any building, structure, or lot used for the sales or rentals of automobiles, trucks, vans, trailers, recreational vehicles, boats, motorcycles, or other similar motorized vehicles, either on-site and/or via the internet. Such use may include offices, internal parts storage, and an on-site repair and service facility as an Accessory Use. **This definition shall include standard passenger vehicles and trucks weighing eight thousand (8,000) pounds or less.**