



AGENDA FOR REGULAR MEETING VILLAGE OF TINLEY PARK PLAN COMMISSION

**April 5, 2018 – 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 March 15, 2018 Regular Meeting

Item #1

**LENNY'S FOOD AND FUEL- 19420 HARLEM AVENUE
PUBLIC HEARING:**

Consider granting the Petitioner, Leonard McEnery, a map amendment rezoning the subject parcel to B-3 (General Business and Commercial District) with Special Uses to allow the continuation of the existing Automobile Service Station and Automobile Car Wash.

Item #2

**PUBLIC HEARING: LANKFORD-PAINTING DIVISION- 18521 SPRING CREEK
DRIVE-SPECIAL USE PERMIT FOR A CONTRACTOR OFFICE & SHOP IN
THE ORI DISTRICT**

Consider a request for a Special Use Permit from the Petitioner, Mark Zamiar of Lankford-Painting Division, to operate a contractor shop and office at 18521 Spring Creek Drive within the ORI (Office and Restricted Industrial) Zoning District. The Special Use will allow the applicant to move their business operations from their current location to the Village of Tinley Park.

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**

MARCH 15, 2018

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on March 15, 2018 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Tim Stanton
John Curran
Angela Gatto
Lucas Engel

Absent Plan Commissioner(s): Eduardo Mani
Garrett Gray
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Community Development Director
Kimberly Clark, Planning Manager
Barbara Bennett, Commission Secretary

Guest(s): Henry Doorn, Rich DeBoer, Lyman Tieman, Scott Pritzheit

CALL TO ORDER

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for March 15, 2018 at 7:03 p.m.

COMMUNICATIONS

PAULA WALLRICH, Community Development Director introduced the new PLANNING MANAGER, Kimberly Clarke.

MS. WALLRICH noted that a resident dropped off a packet regarding the Lenny's Workshop for each of the Commissioners. The packets will be passed out to the Commissioners and will be addressed at the Public Hearing on April 5, 2018.

APPROVAL OF MINUTES

Minutes of the March 1, 2018 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER KRONER, to approve the Minutes as presented. The Motion was approved by voice call. CHAIRMAN SHAW 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 MARCH 15, 2018 REGULAR MEETING

**Item #1 SOUTHWEST CHICAGO CHRISTIAN SCHOOL – 17171 84TH
AVENUE
PUBLIC HEARING: VARIATIONS AND SITE PLAN APPROVAL**

Consider granting the Petitioner, Henry Doorn, Jr., on behalf of Southwest Chicago Christian School, the following Variations from the Zoning Ordinance:

1. A 1,680 SF Variation from Section III.I.2.b. (Accessory Structures and Uses) of the Zoning Ordinance which limits the maximum floor area of an accessory structure to 720 SF;
2. A three (3) foot Variation from Section III.I.2.c. (Accessory Structures and Uses) of the Zoning Ordinance which limits the maximum height of the accessory structure to eighteen (18) feet at the peak of the structure;
3. A Variation from Section III.I.2.g. (Accessory Structures and Uses) of the Zoning Ordinance which prohibits accessory structures to be serviced by water, sanitary sewer, or natural gas; and
4. A Variation from Section III.R.d. (Parking of Vehicles in Residential Zoning Districts) which requires commercial vehicles to be stored in a garage or fully enclosed structure.
5. A two (2) foot Variation from Section III.J.2.c. (Fence Regulations) where a fence is limited in height to 6' in all zoning districts.

These Variations will allow the Petitioner to construct an accessory structure adjacent to the Southwest Chicago Christian School for purposes of a 2,400 SF Transportation Building with a mean height of 17' 5" and a ridge height of 21', to be serviced with water, sanitary sewer and natural gas. The requested Variations will also allow for off-street surface parking for 11 school buses that will be enclosed within an 8' chain link fence.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Tim Stanton
John Curran
Angela Gatto
Lucas Engel

Absent Plan Commissioner(s): Eduardo Mani
Garrett Gray
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Community Development Director
Kimberly Clark, Planning Manager
Barbara Bennett, Commission Secretary

Guest(s): Henry Doorn, Rich DeBoer

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER GATTO, to open the Public Hearing for the Southwest Chicago Christian School. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

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

CHAIRMAN SHAW 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.

PAULA WALLRICH, Community Development Director explained there are two issues. One is a Site Plan Review and one is Variations. The Petitioner is looking to build a Transportation Building on the site of the school to serve their needs for minor repairs, office and meeting rooms. With this construction of the accessory structure there are five (5) Variations. The issues are related to size, the height of the structure, the fact that it will be serviced with utilities, there will be busses parked on site rather than in an enclosed building and the fence being erected around the busses will be eight feet (8'). These are all things that require approval of Variations partly because this is in an R-3 Zoning. R-3 Zoning generally contemplates a single-family development; however a church is a permitted use in that district. There are certain ancillary uses that often accompany this type of building. Storage of school busses and a transportation building would not be an unusual use. Most of the accessory structure stipulations are related to what you might have in a back yard, like a shed. This is why the Variations would be necessary.

MS. WALLRICH displayed an aerial of the location of the subject property on the southeast corner of 84th Avenue and 171st Street. The property is approximately 14 acres encompassing 2 parcels. The Faith Christian Reform Church is distinct from the school parcel. They have separate ownership and separate tax boundaries. The Southwest Chicago Christian School has three locations, one in Oak Lawn, one in Palos Heights and one in Tinley Park. The school in Tinley Park opened in 1986 and has grown to approximately 300 students attending from Pre-K thru 8th Grade. The high school in Palos Heights is celebrating its 100th anniversary this year. Previously the school operated a Transportation Building in Oak Lawn; however they have since sold that property and are now requesting to construct a new Transportation Building at their Tinley Park Site. The Petitioner is seeking to build a new Transportation Building and associated off-street parking for 11 school buses. Currently there is a chain link fence around the parking of the busses to discourage any vandalism.

The bus parking area is being proposed just east of the existing school with eleven (11) bus parking spaces. South of that there is a basketball court and there are plans to do an additional court. On the existing site there is quite a bit of vegetation on the south end of the site as well as along the east property line.

MS. WALLRICH presented a drawing of the interior of the proposed building. The diagram illustrated the size of a bus. She stated they will be doing oil changes, washing of the buses but no major repairs. There is also a break room, office, storage areas and two washrooms. The storage area is important due to the

fact there is a cargo container outside that will be removed. This was identified as an open item at the workshop. Staff is recommending that this be placed as a condition of the Site Plan Approval. With regards to landscaping, there is an existing tree line along the east side. There are single-family homes off to the west. Staff also recommended that most of the trees be preserved as much as possible, especially the two (2) evergreen trees along the north end of the existing parking lot. Staff recommended that with the Site Plan Approval be conditioned upon a tree preservation plan.

In the staff report, there is a dialog between the Applicant's Landscape Architect and the Village's Landscape Architect. All of the requested landscape recommendations have been met. They will get credit for much of the existing vegetation on the site. Staff recommends, as part of the Site Plan Approval, that the trees along the north are protected and when the parking lot is constructed staff will readjust what trees need to be preserved on the east property line.

With respect to architecture, the Petitioner has agreed to use materials that match the existing brick. With respect to the Site Plan, it is somewhat screened by the existing school building and existing church. The height of the gymnasium is twenty three feet (23') and the new bus barn is eighteen feet (18') at the peak. The trash enclosure will be constructed of the same brick to match the existing school structure. It will be in a similar location to the existing trash enclosure. All HVAC equipment will be located inside of the building. This concluded the review for the Site Plan Approval.

Regarding the Variances, the property is zoned R-3 which allows for primary and secondary educational facilities as a permitted use. There is residential zoning off to the west. There is commercial to the northwest as a B-3 and more residential R-5 off to the north. The school is separated from the single-family residences to the south and there is a natural vegetation buffer in that area.

The proposed Transportation Building is considered a permitted accessory use however requires the following Variations to be constructed in accordance with the submitted plans:

1. A 1,680 SF Variation from Section III.I.2.b. (Accessory Structures and Uses) of the Zoning Ordinance which limits the maximum floor area of an accessory structure to 720 SF;
2. A three (3) foot Variation from Section III.I.2.c. (Accessory Structures and Uses) of the Zoning Ordinance which limits the maximum height of the accessory structure to eighteen (18) feet at the peak of the structure;
3. A Variation from Section III.I.2.g. (Accessory Structures and Uses) of the Zoning Ordinance which prohibits accessory structures to be serviced by water, sanitary sewer, or natural gas;
4. A Variation from Section III.R.d. (Parking of Vehicles in Residential Zoning Districts) which requires commercial vehicles to be stored in a garage or fully enclosed structure.
5. A two (2) foot Variation from Section III.J.2.c. (Fence Regulations) where a fence is limited in height to 6' in all zoning districts.

CHARMAN SHAW asked the Petitioner if he had anything to add. Mr. Doorn replied that MS. WALLRICH did an excellent job of presenting everything and he had nothing to add.

CHAIRMAN SHAW asked if anyone from the public had anything to add. There was no reply.

CHAIRMAN SHAW asked if the Commissioners had comments or questions.

COMMISSIONER KRONER asked the Petitioner if he would be agreeable to limiting the amount of busses parked on the property to a maximum of 11 busses. Mr. Doorn replied that would be agreeable. This would be based on the current bus count and the number of parking spaces available.

Mr. Doorn explained he appreciates being here in Tinley Park.

A Motion was made by COMMISSIONER CURRAN, seconded by COMMISSIONER ENGEL, to close the Public Hearing on Southwest Chicago Christian School. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW asked MS. WALLRICH to go through the Findings of Fact and the Standards for Variation and Site Plan. MS. WALLRICH replied the staff would like to ascertain regarding the Site Plan that it is not impacting negatively on any of the surrounding land uses. There is adequate circulation and adequate pedestrian needs. Because this is an existing school all those issues are currently met. The traffic patterns are all the same. The Standards have been met.

With respect to the Variations there are three main standards that they must meet. These are noted in the Staff Report.

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.
 - For size they need more than 720 Sq. Ft. because a bus would not fit in a smaller size.
 - The height is to accommodate the bus and storage needs.
 - The utilities are necessary for them to operate
 - Parking is necessary as all the busses would not fit inside.
 - The fence is to protect against vandalism.
2. The plight of the owner is due to unique circumstances.
 - This is an institutional use in a single-family zoning district.
 - This is a permitted use, but certain ancillary uses go along with it.
3. The Variation, if granted, will not alter the essential character of the locality.
 - Because the school has existed since 1986, the only change is the transportation barn and the uses will remain the same.
 - The additional building will architecturally match the existing buildings on the property.

CHAIRMAN SHAW asked if any of the Open Items have been addressed. MS. WALLRICH replied that yes they have been addressed.

CHAIRMAN SHAW asked for clarification regarding if there are currently busses stored on the site and is it technically not allowed. MS. WALLRICH replied that there is no record of a prior Variation. She noted that non-conforming uses can result from changes in the Code over time and that unfortunately there are probably many nonconforming uses in the Village. She stated that if a use is rendered non-conforming as a consequence of a code change they would not be required to bring it into conformance until such time as the non-conformance is expanded.

A motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER CURRAN to grant the Petitioner, Henry Doorn, Jr., on behalf of Southwest Chicago Christian School, located at 17171 84th Avenue, Site Plan Approval in accordance with the plans submitted and listed herein with the following conditions:

1. The existing cargo container must be removed prior to issuance of the final occupancy permit for the Transportation Building;
2. Provide a tree protection plan to staff for approval prior to issuance of a building permit;

3. Staff approval of preservation of trees and plantings along the east property line after the parking lot installation; and
4. No more than 11 busses are to be stored on the property at any given time.

AYES: COMMISSIONERS STANTON, CURRAN, ENGEL, GATTO, KRONER,
CHAIRMAN SHAW.

NAYS: NONE

CHAIRMAN SHAW declared the motion unanimously approved.

A motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER ENGEL to recommend to the Village Board the granting of the following Variations to the Petitioner, Henry Doorn, Jr., on behalf of Southwest Chicago Christian School, located at 17171 84th Avenue, consistent with the List of Submitted Plans as attached herein and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff as may be amended by the Plan Commission at this meeting:

1. A 1,680 SF Variation from Section III.I.2.b. (Accessory Structures and Uses) of the Zoning Ordinance which limits the maximum floor area of an accessory structure to 720 SF;
2. A three (3) foot Variation from Section III.I.2.c. (Accessory Structures and Uses) of the Zoning Ordinance which limits the maximum height of the accessory structure to eighteen (18) feet at the peak of the structure;
3. A Variation from Section III.I.2.g. (Accessory Structures and Uses) of the Zoning Ordinance which prohibits accessory structures to be serviced by water, sanitary sewer, or natural gas;
4. A Variation from Section III.R.d. (Parking of Vehicles in Residential Zoning Districts) which requires commercial vehicles to be stored in a garage or fully enclosed structure; and
5. A two (2) foot Variation from Section III.J.2.c. (Fence Regulations) where a fence is limited in height to 6' in all zoning districts.

These Variations will allow for the construction of an 2,400 SF accessory structure (Transportation Building) with a roof height of 21', serviced with water, sewer and natural gas, with associated off-street surface parking for no more than 11 school buses enclosed with a 8' chain link fence.

AYES: COMMISSIONERS STANTON, CURRAN, ENGEL, GATTO, KRONER,
CHAIRMAN SHAW.

NAYS: NONE

CHAIRMAN SHAW declared the motion unanimously approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE MARCH 15, 2018 REGULAR MEETING

Item #2

LENNY'S FOOD AND FUEL- 19420 HARLEM AVENUE

WORKSHOP: Consider granting the Petitioner, Leonard McEnery, a map amendment rezoning the subject parcel from R-1 (Single Family Residential) to B-3 (General Business and Commercial District) with Special Uses to allow the continuation of the existing Automobile Service Station and Automobile Car Wash.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Tim Stanton
John Curran
Angela Gatto
Lucas Engel

Absent Plan Commissioner(s): Eduardo Mani
Garrett Gray
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Community Development Director
Kimberly Clark, Planning Manager
Barbara Bennett, Commission Secretary

Guest(s): Lyman Tieman, Attorney, Scott Pritzheit, Planning and Architecture.
Len McEnery, Petitioner

CHAIRMAN SHAW made a brief statement regarding the issue before the Commission is one of zoning, specifically the rezoning to B-3 and the Special Uses for a car wash and convenience store. He noted that there may be concerns regarding video gaming and the sale of packaged liquor; however those issues are not under the Commission's review and they will be considered as part of the Village Board's review of the annexation petition.

PAULA WALLRICH, Community Development Director explained tentatively the Public Hearing will be at the Plan Commission Meeting held on April 5th and then to the Village Board for a First Reading on April 17th and final approval on May 1st. She reiterated what CHAIRMAN SHAW had stated and that the annexation will be discussed at the Village Board and only zoning issues will be reviewed with the Plan Commission.

MS. WALLRICH gave a history on the Lenny's Property at 19420 S. Harlem Avenue. At this location there is a convenience store with drive-up window for Dunkin Donuts and Beggars Pizza, a fueling station, a Car Wash and outdoor dispensing/filling of propane tanks. Mr. McEnery built this in 2015 with the Car Wash added in 2017. He is petitioning the Village of Tinley Park for annexation as he wishes to expand

his business to include Video Gaming and Package Liquor Sales. No new construction will occur as a product of that. There are two buildings on the property which include the Convenience store and the Car Wash. There are two canopies, one servicing car gas dispensing and one for truck gas dispensing. There are two issues before the Commission, one is rezoning, from the County zoning of C-2 and the second is the Special Uses. Staff is recommending Zoning the property to B-3 (General Business and Commercial). She noted there are options between B-3 Zoning (General Business and Commercial) or B-5 (Automotive District). B-5 is primarily confined to car dealerships and although is labeled Automotive it includes much more than that. It includes other uses such as body shops and outdoor storage of automobile parts, light equipment sales and heavy equipment sales and some of the existing uses such as "food store, drive-in and restaurants" are prohibited. With the B-3 Zoning District the Convenience Store and the Car Wash are Special Uses. There is no Site Plan review required as this is all existing structures and there is no Building Permit being requested. Staff did an inspection on the property which included Landscaping and signage. As part of the Annexation Agreement they will be required to bring the property into conformance with all of the Village Codes. A letter was presented to the Petitioner explaining any issues that were found. There were a few deficiencies with the Landscaping which they will bring into conformance as part of the Annexation Agreement. The other issue is the signage which will be rendered legal non-conforming signs upon annexation. MS. WALLRICH then noted the hours of operation for the Convenience Store is 24 hours, the Car Wash is 6:00 a.m. to 10:00 p.m. and the Dunkin Donuts is 4:00 a.m. to 10:00 p.m. It is important to note that for the Public Hearing we want to incorporate the Findings of Fact and any submitted plans.

CHAIRMAN SHAW asked the Commissioners for comments or questions.

COMMISSIONER CURRAN asked whether the property to the north is unincorporated and when the water line is put in would they have to cross that property. He also asked if that property would be willing to also annex. MS. WALLRICH replied she has had conversations with them and they are interested in annexation. They are interested in Tinley Park water but the sanitary sewer will always be Frankfort.

COMMISSIONER GATTO asked about the projected revenue and who came up with the amount. MS. WALLRICH replied that the Petitioner did.

COMMISSIONER KRONER asked if their signs conform to the current sign regulations. He stated that he would like the Petitioner to bring the signage up to our Code since a lot of time was spent on the Sign Ordinance. Mr. Lyman Tieman, Attorney for the Petitioner, replied that the Petitioner would not want to change the signage. This facility is currently operating. He stated that his client wants something from the Village and the Village will get tax revenue from them. He stated he didn't believe there were any major problems between existing signage and Village Codes. COMMISSIONER KRONER stated if there are no major issues then they shouldn't mind bringing that signage up to Code. This is an entry point to our Village from the south to the north and we should not have a structure that does not maintain our standards. Even though this is an existing site, it should be brought up to our recently enacted Sign Ordinance. Mr. Scott Pritzheit, Architect noted that the signage met the County Sign Ordinance when it was built and we are not aware of any difference between that and the Village Sign Ordinance. When we were working on this project we did work closely with Tinley Park and tried to meet all the requirements of the Village to include materials, building, setbacks and landscaping. At that time the list we had from Tinley Park was minor regarding the things that did not conform. Regarding the signs we are not aware of any changes that need to be done and we cannot comment further at this time. COMMISSIONER KRONER asked if they would come back at the Public Hearing with the deficiencies, if there any, would they bring them up to Code.

CHAIRMAN SHAW agreed with COMMISSIONER KRONER. We will consider this an open Item and should be addressed at the Public Hearing. COMMISSIONER STANTON also agreed.

COMMISSIONER KRONER asked why Annexation was not considered back in 2013 and 2014. Mr. Tieman replied that at the time, the property was zoned with the County for a Gas Station and Convenience Store. The position was to proceed with the County because of the Zoning and seek the Special Use for the Car Wash and the Drive-up food service. He stated they were not successful with the County and the matter was taken to court but subsequently was approved. The Car Wash was built in 2017. There was no incentive to come into the Village since they received the approvals they needed in the County. The issue now is that Package Liquor Sales and the Video Gaming are not allowed in the County. Those uses were previously allowed with the County, but when the County saw that we were in court for the Special Use they had a meeting and because of our facility the County opted out of future gaming in the unincorporated areas of Will County. They grandfathered in all the business that currently had gaming and restricted gaming from that time forward because of the McEnery facility. They also modified the Liquor License because of our facility, to reduce the number of Liquor Licenses from 12 or 13 for package liquor sales out of gas stations down to the existing number County wide with the condition that no additional Licenses for packaged Liquor Licenses would be allowed out of Convenience Stores or Gas Stations without the County Board Members in that district approving it. Those 2 issues were directed at this facility. The court granted the Special Use Permit and the next step will be to get the Package Sales Liquor License and the gaming License to put this on an even par with other stations. This was the reason for the business decision to Annex into Tinley Park.

Mr. Tieman then stated that there are a number of benefits to the Village of Tinley Park. We will be switching over to Tinley Park water and paying a substantial fee to run a water main along Harlem Avenue. We have agreed to hook into Tinley water within a year and we have agreed to sprinkle the car wash within five years. We have agreed to pay a recapture for water which is a substantial amount of money. Everything we are doing is permitted. We are looking to bring this facility into the jurisdiction of Tinley Park.

COMMISSIONER KRONER asked how many cars and trucks the service station services for one day and if there are parking for trucks. Mr. McEnery replied approximately 1,200 cars and approximately 30 trucks per day. There are 2 spaces for trucks. Mr. Pritzheit replied there are no over the road trucks just sitting in the lot. There are mainly local trucks coming in to fuel and get a cup of coffee.

COMMISSIONER STANTON noted that from his history of using Lenny's Gas Stations they are top-notch and he is a good business man.

CHAIRMAN SHAW asked the Petitioner if they would like to make a formal presentation. Mr. Pritzheit replied that they have been working with the Village's staff for several months. We support the findings. This is a top-notch facility that is well run. There have been no issues of delinquency or police. Lenny runs a number of these facilities and has proven that he can manage these well. If there are any issues that need to be brought up, we would be glad to address that. MS. WALLRICH then noted that there have been no findings yet. The findings will come after the Public Hearing. COMMISSIONER CURREN asked about the gaming and liquor. Does the Village have licenses available? MS. WALLRICH replied that the Board has considered creating a new Liquor License that will accommodate Packaged Liquor only at a Truck Stop as defined by the State Statute. This was brought up at the Committee of the Whole and there was no vote. This was brought before them and they directed staff to go forward with the Rezoning aspects of the project. After the Plan Commission looks at the Zoning, the Board will consider the creation of the Liquor License and the Annexation. They would still have to apply for the Liquor License and the Gaming. This would not have anything to do with the Plan Commission approval. COMMISSIONER CURREN asked about the property to the west and if it is unincorporated or is it Frankfort. MS. WALLRICH replied there is one row of homes immediately west of the gas station along the south side of 194th that is in the Village and everything else south of there is outside the Village. Frankfort has no contiguity in this area and therefore would have difficulty in annexing the subject parcel. MS. WALLRICH displayed a map showing the demarcation of the area. In order to annex a property, there has to be 300 feet of contiguity.

COMMISSIONER CURREN asked if there are currently gas stations that sell liquor and have gaming in the Village. MS. WALLRICH replied there is one Shell Gas Station that sells liquor. This may be a product of annexation. She was unaware of any station that had gaming.

CHARIMAN SHAW noted several things from the Petitioner's testimony including the fact that the trigger for annexation was the County's actions to prevent Liquor Sales and Gaming, the traffic numbers from Mr. McEnery were estimates. He questioned if there have been any traffic studies and the State definition of Truck Stop should be included as an Open Item so we can understand what this means. He reiterated that the Commission is not offering any recommendation for gaming or liquor license, but clearly this is the basis for what we are doing here. Mr. Tieman replied when the gaming act was created by the State of Illinois they allowed gaming inside establishments that poured liquor, they also had a category for fraternal organizations and a category for Truck Stops. The State defined the Truck Stop as a facility that sells Diesel Fuel and is on three acres or more and sells a minimum of 10,000 gallons of fuel or more and has the ability to allow two (2) trucks parking at any given time. The State created this category for Video Gaming but this does not fit the typical definition of a Truck Stop. Mr. McEnery has a Truck Stop on Joliet Road that has parking for 50-60 trucks with constant truck traffic in and out. Anyone in the gasoline business would look at this and not call it a Truck Stop. The trucks that come into this facility are generally from the Auto Auction further south. There are several other types of trucks that use Diesel fuel. In terms of the zoning requirements for the B-3 via the County or the Village there is an extreme distance between the property line on the west side of the property and the fueling station. The rear setback is well beyond what is required. Regarding the County and Tinley Park requirements for screening for the facility and the home to the west, we have an eight foot fence, berming, landscaping on both sides of the fence and a detention pond. All these things are an effort to make our facility more compatible to the residences on the west. We have gone out of our way in every attempt to accommodate the safety and welfare to the neighbors to the west of us. This is not a Truck Stop with fifty (50) trucks parked and harassing the neighbors.

COMMISSIONER SHAW stated he would like to have these issues addressed prior to the Public Hearing. He listed his concerns as follows:

- Buffer area. Is the setback to the west well beyond the requirement of the County? Mr. Pritzheit replied that when the initial designs with the County there were three levels of buffer zones. One was distance, one was landscaping and one was a fence. One was required, we did all three. When we reviewed Tinley Park's requirements we note that we met them as well. We far exceeded the distance, we provided a landscape mound with a fence on top of it. The 8 foot fence was allowed by the County, and we are not sure it is allowed by Tinley Park. We also did landscaping. CHAIRMAN SHAW noted that because you have exceeded the requirements would you be removing one or more of these in the future? Mr. Pritzheit replied that is not possible due to the detention area.
- Truck Stop definition: MS. WALLRICH noted the term 'truck stop' is only being with respect to Video Gaming. When they create a new Liquor License they will incorporate the name of "Truck Stop" as defined by the Illinois Gaming Board. For zoning purposes this is termed "Service Station".
- Traffic. CHAIRMAN SHAW stated that the assumption is that the traffic will increase, we would feel more comfortable understanding what that change would be. If there is a concern regarding the current traffic more would be a problem. Mr. Tieman replied they would be willing to have an employee count the amount of traffic for a specific amount of time. We will take a look at those numbers to see how much it would increase. CHAIRMAN SHAW noted he would feel more comfortable having an independent traffic study.

- Public safety. Regarding the Police or Fire, is it currently under the Will County Sheriff's Department. Considering Tinley Park would be taking this over it would be good to have hard data to back up the history of calls. Tinley Park should be able to request this information from Will County. We should have facts to back this up.
- Boundary agreement. The Village of Frankfort is not contiguous anywhere. In the comprehensive plan, we are approaching the year 2020 and the plan was done in 1999. It mentions that there were boundary agreements with all surrounding communities. Our boundaries were set. As far as you know is this an accurate statement. MS. WALLRICH noted the boundary agreement as expired. There is no agreement that would prevent this property from annexing to another community except for lack of contiguity.
- Landscaping. COMMISSIONER KRONER questioned the landscaping and stated that Mr. Tieman had noted that the distance, berming, landscaping and fencing exceeds the requirement. MS. WALLRICH noted the landscaping deficiency was due to dead trees. COMMISSIONER KRONER noted this should be addressed at the Public Hearing.
- Truck Idling. The Petitioner has agreed to install no-idling signs. Is this enforceable? MS. WALLRICH replied the Petitioner has agreed to enforce it.
- Signs. MS. WALLRICH noted the signs existing should be considered non-conforming signs. COMMISSIONER KRONER noted after identifying the deficiencies in the signage he would not be able to vote positively without bring the signage up to code.

COMMENTS FROM THE PUBLIC

#1 – Linda Arnold – Presented a packet to each Commissioner regarding the neighborhood concerns.

- There are 7 business being run out of this facility. My concern is the parking requirement for each of these businesses.
- Regarding parking Commercial vehicles. These should be out of public view.
- Why is a sign being put up to not idle?
- If this is considered a Truck Stop, what is the limit of time a truck would be allowed to stay there?
- This is a Truck Stop abutting single-family homes. The Diesel fuel is less than 200 feet from homes.
- Who will have the jurisdiction to require trucks to leave the facility?
- The Video Gaming will be 24/7. This is inappropriate next to single-family homes. Negative affect.
- Children will be crossing in front of trucks when they go to the Convenient Store in the facility.

#2 – Beth Kendall

- The Summit Hill School is approximately ¼ miles with 12 bus stops in the area.
- In 2012 over 700 resident opposed the Gas Station being built
- The traffic and crime in the area will increase
- FOIA – 2012–2015 requested PD information regarding crime. (stats are in packet presented by Linda Arnold)

#3 – Glen Arnold

- Commending Tinley Park for crafting Ordinances with rules to create one of the safest and prosperous suburbs in the United States.
- Creating this annexation will create and change the Village of Tinley Park. Currently no Truck Stops in the Village.
- No 24 hour gambling
- Constant stream of truck traffic from I-80
- Truckers parking their rigs going in and drinking and gambling then driving.
- This is inappropriate for this location

COMMISSIONER CURRAN asked if this property was rezoned from Residential to Commercial. Mr. Tieman replied this was zoned C-2 on the north and C-3 on the south. Before the property was purchased it was zoned C-2 and also prior to any of the neighbors living there it was zoned C-2 which allows this use.

#4 – Beth Arnold

- I purchased this property 15 years ago and we knew this property was commercial but never dreamed it would be a gas station.
- The buffer should have two rows of trees to block noise and the fence is plastic.
- There is an increase in traffic since the gas station opened. An independent traffic study should be done all day long. It is difficult to get out of the residential area.

COMMISSIONER SHAW noted this is a Special Use under the B-3 Zoning. Staff recommendation would be not to zone it B-5.

GOOD OF THE ORDER

MS. WALLRICH noted:

- We are very glad to have Kimberly Clarke join us as Planning Manager
- Took time last week to go to training on a RTA/APA session
- Kimberly and Paula went to training on Design Guidelines
- Software interviews taking place
- PAWS will be building an Accessory Structure – to PC on April 5
- Working on Annual Report for the CD department
- Meeting with Lakota regarding the Plaza
- Incentive Program for Oak Park Avenue
- Interviewing for Senior Planner
- Tinley Park Mental Health RFQ responses were reviewed today

ADJOURNMENT

There being no further business, a Motion was made by PLAN COMMISSIONER CURRAN, seconded by PLAN COMMISSIONER STANTON, to adjourn the Regular Meeting of the Plan Commission of March 15, 2018 at 9:22 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.

PLAN COMMISSION STAFF REPORT

April 5, 2018

Applicant

Mr. Leonard McEnery,
Lenny's Food N Fuel
Harlem Avenue, LLC

Property Location

19420 Harlem Avenue

PIN

19-09-12-202-014-0000 &
19-09-12-202-016-0000

Zoning

B-3 upon annexation

Approvals Sought

Rezoning
Special Use Permit

Comprehensive Plan

Commercial

Project Planner

Paula J. Wallrich, AICP
Director of Community
Development

Lenny's Food N Fuel - Rezoning, Approvals Required

19420 Harlem Avenue

Updates from the March 15 staff report are noted in red



EXECUTIVE SUMMARY

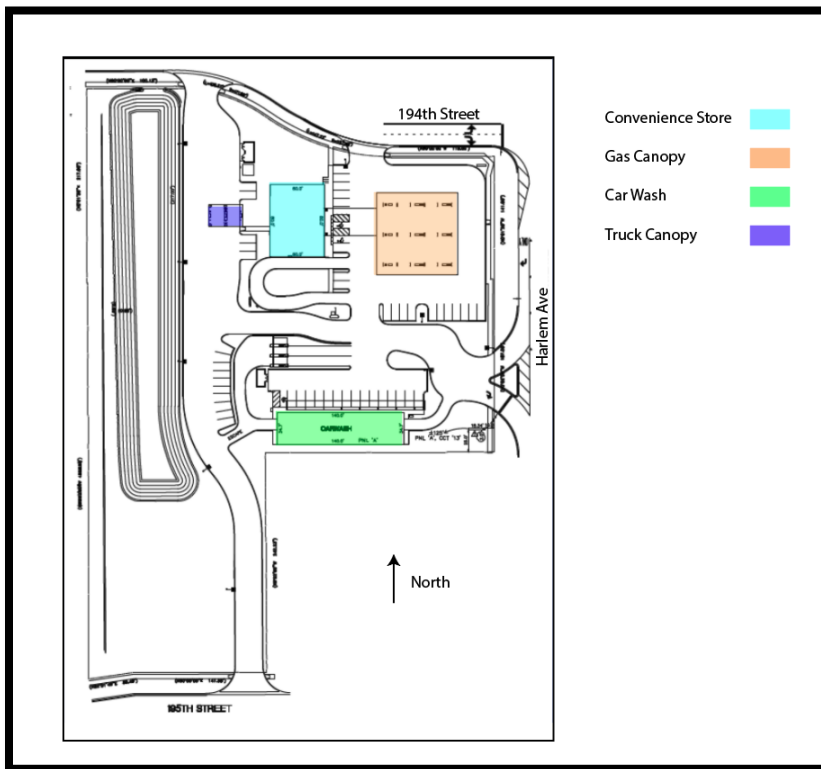
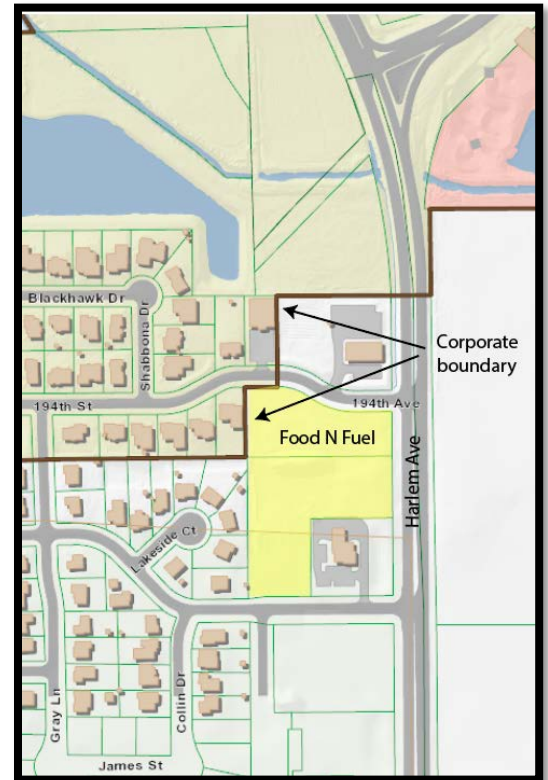
Mr. Leonard McEnery, Lenny's Food N Fuel Harlem Avenue, LLC, has petitioned the Village of Tinley Park to annex his 4.87 acre parcel located at 19420 S. Harlem Avenue. The property currently operates as a motor fueling facility for autos and trucks, a convenience store with drive-up food service window for Dunkin Donuts along with another food service tenant (Beggars Pizza), a carwash, and outdoor dispensing/filling of propane tanks. Mr. McEnery wishes to expand his business in a similar fashion to his other facilities (Gas N Wash at 8810 W. 191st) which includes the sale of packaged liquor and video gaming.

The subject of the Public Hearing is the rezoning of the property to B-3 upon annexation and the granting of a Special Use for an Automobile Service Station and Automobile Car Wash. The Village Board will be considering Mr. McEnery's Annexation Petition in April that will allow for the continuation of all existing uses and proposed uses. The Agreement will also include zoning the property to B-3 with Special Uses as noted above.

EXISTING SITE & HISTORY

The subject property is located just south of the Village's corporate boundaries on Harlem Avenue. The parcel is 4.87 acres and includes two (2) structures (C-store and Car Wash) and two (2) canopies (car gas dispensing and truck gas dispensing). The C-store was constructed in 2015 and the car wash was completed in 2017. The property was constructed under Will County jurisdiction and receives water and sanitary service from Frankfort.

The Petitioner has requested annexation so that he can expand his business similarly to his other facility on 191st Street; this includes the sale of packaged liquors and video gaming. The Committee of the Whole reviewed the terms of the Annexation Agreement at their March 13, 2018 meeting and directed staff to proceed with the zoning review. Attached are copies of the Agreement and the memorandum which explains the terms of the Agreement.



ZONING & NEARBY LAND USES

The subject property is currently zoned C-2 (Local Commercial) in Will County. There are single family residential uses to the west of the subject parcel; those in Tinley Park are zoned R-2, (Single Family Residential) those in Will County are zoned R-4 (Single Family Residential). To the north there is an office in Tinley Park zoned B-4 (Office and Service Business) and another office use zoned C-2 (Local Commercial) in Will County. To the south the property is all in Will County with a bank zoned C-2 (Local Commercial). There is Tinley Park B-3 zoning along the Harlem Avenue corridor north of the subject property leading to the I-80 intersection. The Comprehensive Plan indicates commercial uses in this area.

In considering the zoning assignment for this parcel, Staff considered both the B-3 (General Business and Commercial) District and the B-5 (Automotive Service District) District. After researching all permitted and special uses in both districts, Staff recommends a zoning of B-3 (General Business and Commercial) upon annexation with Special Use Permits for the Service Station and Car Wash. Even though a Service Station and Car Wash are permitted uses in the B-5 (Automotive Service District), there are other uses (auto repair, on-site repair, light equipment sales/rental, vehicle sales/rental) that are also permitted uses in the B-5 and special uses (Body Shop) that are not desirable uses in close proximity to residential uses.



Land Use	B3	B5
Service station	S	P
Car wash- stand alone		P
Carwash attached	S	
Food store	P	
Drive -in	P	
Restaurant w/drive in	P	
Pkg liquor	P	
Auto repair		P (no body repair)
On-site repairs		p
Body shop		S
Light equip sales/rental		P
Veh sales/rental		P
P= Permitted Use S= Special Use		

SIGNS

The signage plans were approved as part of the Will County entitlement process. Staff conducted a sign inventory as part of the documentation of existing conditions and this will be included as part of the annexation agreement. Even though some of the signs are non-conforming with our current code, they will be considered legal non-conforming as part of the annexation process per Section IX.N.1. Non-Conforming Signs, “Signs existing at the time of the enactment of this Section IX, or any amendment thereto, or at the **time of annexation to the Village** of the property on which they are located and not conforming to the provisions of this Section IX, shall be regarded as nonconforming signs. Nonconforming signs shall be of two types – either a legal nonconforming sign or an illegal nonconforming sign.”

At the workshop there was discussion regarding the existing signs. Although legally erected per County ordinance the Applicant was asked to consider bringing the signs into conformance with Tinley's Park code – which is more restrictive. As stated above the Village's Zoning Ordinance addresses existing signage for properties undergoing annexation allowing them to continue in their existing form as a legal non-conforming sign. Staff met with the attorney for the Applicant to review the non-conforming signs as listed below to see if some of the signs can be brought into conformance. A complete inventory of all signs is included as an attachment.

	Sign name	Existing Size	Tinley Code	Deficiency
A.	C-Store east	Approx 123 SF/ 4 wall signs/changeable copy sign (39.6 SF)	1-signs max per frontage/80 SF plus 15 SF for interior tenant /changeable sign prohibited	3-signs over limit; 28 SF over (not counting 39.6 SF of changeable copy sign; prohibited changeable copy
	C-Store north	39.6 SF Changeable copy sign	60 SF	size is ok; changeable copy is prohibited
B.	Car Wash east	41.13 SF	35 SF	6 SF over
C.	Car Wash north	68 SF	120 SF	allowed
C.	Car Wash south	88 SF (2 wall signs)	120 SF	size ok; 1 additional sign
D.	Gas N Wash Canopy east	49.81 SF	46.5 SF (1 SF per 2 LF)	3.31 SF over
	Gas N Wash Canopy N & S	39.17 sq. ft.	45 sq. ft.	allowed
E.	Car Wash Canopy	20 sq. ft.	20 sq. ft.	allowed
F.	Trucks Canopy/Directional	23.5 sq. ft.	21.17 sq. ft.	2.33SF over or considered directional
G.	Car Wash-Monument	97.12 SF.; 10.83' ht; Changeable copy (48.89SF)	120 SF; 10' ht; Prohibited changeable copy sign	size is ok ; .83' (10") too tall; changeable copy sign prohibited
H.	Gas N Wash-Monument	118.55 SF.; 11.83' ht; EMC: 12SF	120 SF; 10' ht; EMC: 24 SF allowed	Size is ok; 1.83' too tall; EMC OK

The list above indicates three (3) instances where the existing signs do not meet Village Code with respect to size – signs A, B & C. Some of these signs may be considered more non-conforming than others. For example, the wall signs on the east facade of the convenience store (A) is 28 SF over the allowed 95 SF (80SF plus 15 SF for interior tenant); the other two instances are fairly minor with sign (B) and sign (C) at 6 SF and 3.31 (3'4") SF over code. Regarding sign (A) in addition to exceeding the total square footage limits it also exceeds the allowable number of wall signs per frontage. While there are three (3) tenants in this space they do not have separate entrances and therefore do not meet the definition of separate tenant space; only one sign per façade is allowed. However, there is a provision in the code that allows for 15 SF for wall signs for interior tenancies that do not have a distinct secured entrance.

Other signs with less non-conformity include the wall sign on the east façade (B) of the Car Wash that is 6 SF over the allowed 35 SF and the sign on the east side of the GasNWash Canopy (C) which is 3.31 SF over the allowed 46.5 SF. Both of these non-conformities are significantly less than the 21 SF overage on the convenience store's east façade. The only other sign that is non-conforming with respect to size is the Truck canopy sign with is 2.33 SF over the maximum limit of 21.17 SF, however Staff questions whether this functions more as a directional sign to identify where trucks fuel. It is also located behind the convenience store and is not visible from Harlem Avenue. The Commission may wish to consider the degree of non-conformance and the burden to remedy in each of these cases.

The two monument signs exceed the height limitation of 10'; one by 10" and the other by 1 '10". The Commission may wish to consider the cost in trying to reduce the height of the monument signs.

There are 3 manual changeable copy signs on the property. One is on a monument sign; the other 2 are on the C-store. Manually changeable message signs are prohibited. Although there are several of these signs still existing in

the Village, they exist as legal non-conforming since they were erected prior to the code change in 2002. The Commission may wish to consider whether the Lenny's changeable copy signs could also be allowed to continue as part of the annexation process or whether there is opportunity to reduce them through some kind of attrition agreement. Staff notes that when EMC or changeable copy signs exist, temporary signs are not allowed.

In summary there are some existing signs that are non-conforming with respect to Tinley Park's sign regulations. They vary in magnitude with the most significant being the separate tenant signs on the east façade of the C-Store at 28 SF over the allowable maximum of 95 SF. Staff has recommended the Applicant consider removing the "No Cook County Tax" sign and the second "Dunkin Donut" sign. This would bring the total sign area for the east façade down to approximately 78 SF which conforms with the ordinance, and also brings the number of signs into conformance with the exception of exceeding an interior tenant space by 23 SF. This would provide adequate advertising for the two tenants (Beggar's Pizza and Dunkin' Donuts) in the C-Store. Staff provides the following commentary for each of the non-conforming signs:

	Sign name	Deficiency	Recommendation
A.	C-Store east	3-signs over limit; 28 SF over (not counting 39.6 SF of changeable copy sign; prohibited changeable copy	Rmove 2 wall signs (44.5 SF) and remove prohibited changeable copy sign.
	C-Store north	size is ok; changeable copy is prohibited	remove prohibited changeable copy sign
B.	Car Wash east	6 SF over	allow
C.	Car Wash north	allowed	N/A
	Car Wash south	size ok; 1 additional sign	although there is one additional sign the area is within limits; provides new information (Pet Wash)
D.	Gas N Wash Canopy east	3.31 SF over	allow
	Gas N Wash Canopy N & S	allowed	N/A
E.	Car Wash Canopy	allowed	N/A
F.	Trucks Canopy/Directional	2.33SF over or considered directional	Allow
G.	Car Wash-Monument	size is ok ; .83' (10") too tall; changeable copy sign prohibited	significant cost to reduce ht; either keep changeable copy or change to EMC (which would also be outside of code-only 20 SF allowed, 49 existing) .
H.	Gas N Wash-Monument	Size is ok; 1.83' too tall; EMC OK	allow

LANDSCAPE

Staff conducted a landscape audit of the subject parcel and found there to be a deficiency of two (2) street trees, three (3) understory trees, and some foundation plantings around the south monument sign. These deficiencies have been noted in the Annexation agreement which requires compliance within 3 months of execution of the Agreement.

TRAFFIC

The Applicant has provided a traffic study prepared by KLOA, Transportation and Parking Planning Consultants. A full copy of the study is attached. The purpose of the study was to determine the existing traffic generated by the

fuel station during the critical morning and evening peak hours and estimate the additional traffic that will be generated by the new proposed uses (video gaming and sale of packaged liquors). The traffic counts were performed on Thursday March 22, 2018 during the weekday morning (6:00 A.M. to 9:00 A.M.) and evening (3:00 P.M. to 7:00: P.M.) which are considered peak periods. The results of the traffic counts show that the weekday morning peak hour of traffic occurred from 7:30 A.M. to 8:30 A.M with 400 trips and the weekday evening peak hour of traffic occurred from 3:30 P.M. to 4:30 P.M with 324 trips. Approximately 97 to 98 % of the existing traffic generated by the fuel center were passenger vehicles. The fuel center generated between zero to three (3) single unit truck trips and between two (2) to eleven (11) articulated truck trips during the peak hours. Sales data for the week of March 12 through 16 showed that an average of 53 transactions per day occurred at the commercial fuel positions. The majority of the traffic, 88%, is traveling to and from the fuel center via Harlem Avenue. There is approximately 18-25 trips traveling from the west on 194th street and 24-25 trips from the west on 195th Street.

The proposed new uses for the subject parcel are estimated to result in an increase of 21 to 25 round trips during the weekday morning and evening peak hours, which averages to approximately one inbound trip every 2.5 to 3.0 minutes and one outbound trip every 2.5 to 3.0 minutes. The proposed additional amenities are projected to have a limited impact on the existing roadway system, particularly on the residential roads west of the fuel center.

PARKING

There are 51 parking spaces (including accessible spaces) on the subject parcel; 16 of these are located along the north side of the car wash and are equipped with vacuums. Although presumably these are for those customers wishing to take use of the free vacuums, there is no signage limiting parking to this use.

The Village Zoning ordinance provides some guidance for required parking for various uses however there is no specific reference for a convenience store associated with a gas station, a car wash or video gaming. Staff has used the closest similar use for determining required parking for these uses. The table below provides the number of required parking spaces.

	USE CLASSIFICATION	MIN PARKING PER CODE	DATA	TOTAL REQUIRED
Dunkin Donut w/drive thru	Eating or drinking place	1 space for each 3 seats plus 1 for each employee	7 people per largest shift. 8 seats provided	10 parking stalls
C-STORE (including packaged liquor)	Retail Store or Personal Service Establishment	1 space for each 150 sf of gross leasable floor area.	3570 SF	24 parking stalls
CAR WASH	Retail Store or Personal Service Establishment	1 space for each 150 sf of gross leasable floor area. If we just use employees this would be 3 at largest shift	4,584 SF This doesn't seem a like a good way measurement for this use for determining parking. Especially because the car wash is mostly automated	3 Parking Stalls
VIDEO GAMING	Our code does not address this use. It will be part of the C-Store use.	Could require that an additional 5 stalls be added in addition to the C-Store requirements	5 Video Gaming Machines	5 parking stalls
Total Parking Required Using staff's interpretation				42 stalls
Existing Parking				52 stalls
Extra parking				10 stalls

Parking requirements is an imperfect science. In a situation such as this there are opportunities for shared parking. Also the nature of the business results in high turnover with limited long stay parking needs outside of the employees. The proposed video gaming will result in longer stay parking needs. They will be limited to 5 gaming machines. There is a possibility of people waiting for gaming seats, but it is difficult to make assumptions regarding that use. Staff conducted their own parking study over the last 2 weeks at various times during the day and evening. Below is the summary of parking at the subject site as well as a study of parking at the existing Lenny's on 191st Street which currently has video gaming and packaged liquor. Table 1 provides occupancy numbers for the 51 parking spaces at the Lenny's on Harlem from March 16 through March 29 between the hours of 7:25 AM and 9:30 PM. As the table indicates the greatest number of cars parked during that time was 18, leaving 33 spaces vacant at its highest occupancy. Although an informal study for a limited period it appears there is no parking shortage at this site.

Table 1		
3.16	Noon	12
3.19	10:00 AM	12
3.19	0:00	6
3.19	8:47 PM	13
3.2	8:02 AM	9
3.2	9:25 PM	11
3.20	10:00 AM	17
3.21	7:45 AM	13
3.21	10:00 AM	18
3.22	7:25 AM	15
3.22	8:34 PM	10
3.22	10:00 AM	14
3.23	7:50 AM	9
3.23	1:30 PM	17
3.26	8:00 AM	13
3.26	11:00 AM	16
3.27	11:20 AM	17
3.27	8:55 AM	11
3.27	6:50 PM	8
3.28	7:35 AM	11
3.28	5:52 PM	10
3.29	7:15 AM	16

Table 2 provides information on truck parking at the Lenny's on Harlem. The greatest number of trucks parked was 4 during this same time period.

Table 2					
# Trucks	Comment				
1	PARKED				
0					
2	1 GETTING GAS				
1	PARKED				
1	PERSON SITTING IN TRUCK				
2	GETTING GAS				
0					
2					
2	1 IDLING, 1 IN CAR AREA- COULDN'T HEAR IDLING AT HOUSE				
4	2 fueling , 1 waiting to fuel, 1 parked with person inside idling				
0					
2	fueling				
1	fueling				
2	fueling				

As a point of comparison staff also visited the Lenny's on 191st; they have Video gaming and packaged liquor sales. They have 45 parking spots on site. Table 3 provides information on number of the parking stalls as well as number of video gaming seats occupied during this time period. This information can be used to project parking needs for the Lenny's on Harlem Avenue. The greatest number of seats is 20 which does not exceed the number of parking spaces on Harlem Avenue. The two sites are in relative proximity of each other therefore some assumptions might be made as to whether some of the traffic/usage for gaming and packaged liquor may overlap. Although truck parking was not surveyed at the 191st site the Zoning Administrator who conducted the survey stated he did not ever see more than 2 trucks on site at any given time.

Table 3			
Day	Time	Parking Count in parking stalls only	Video gaming
3.16	10:30 AM		3
3.19	10:30AM	15	3
3.20	10:30 AM	20	5
3.21	10:30 AM	20	5
3.22	10:30 AM	14	2
3.23	10:30 AM	12	2
3.26	10:30 AM	13	5
3.27	8:15 AM	20	5
3.27	10:30 AM	12	1

WORKSHOP ISSUES

There were issues raised by the public at the Workshop meeting along with a submittal packet distributed to the Commissions by Linda Arnold, 7260 195th Street, Frankfort, IL (unincorporated Will County) which also raised some concerns by the residents in the area both within the Village of Tinley Park corporate boundaries and in unincorporated Will County. They are addressed below:

1. Public Safety- The residents recite some statistics obtained from a 2015 FOIA related to ALL gas, convenient store and liquor store businesses in the Village. Staff obtained the following statistics for incidences at the subject parcel since 2015:
 - a. 1-Accident
 - b. 1-theft of service (most likely gas)
 - c. 1-lockout,
 - d. 1-ambulance request
2. Property Values- Exhibit A illustrates that property values in the neighborhood and specifically for those homes immediately adjacent to the subject property. The recession impacted all housing valuations between the years 2010 and 2014. In 2015, Village-wide housing values began to increase. This was also the year that Lenny's was built. Looking at the spreadsheet, especially the home highlighted in green, there was comparable increases with other homes in the neighborhood. This increase continues through projections for 2017.
3. Service Station adjacency. Precedence of service stations adjacent to Single-family housing. - Of the 6 service stations there are no examples of adjacency to single family homes. There is one example (7601 W. 159th St.) which abuts a R-5 District (apartment building).
4. Packaged Liquor adjacency. Precedence of packaged liquor adjacent to Single-family housing - The table below lists several examples of establishments that sell package liquor with single family homes immediately adjacent. Lenny's truck canopy is approximately 138' to the home to the west; the C-store is approximately 210'. The bufferyard with the Lenny's property exceeds any of the bufferyards/screening measures provided in these other situations that primarily use a 6' fence as the buffer. Exhibit B provides aerial graphics of some of the properties below.

PACKAGED LIQUOR SALES WITH ADJACENCY TO SINGLE FAMILY HOMES			
Name of Business	Address of Business	Zoning/ Use	Distance (Ft)+
Lenny's	19420 Harlem	R-2 /SF Home	138' to canopy/210'
CVS Pharmacy #3693	16701 S Harlem Ave	R-2/SF Home	73
Famous Xpress	16658 S Oak Park	R-6/SF Home	209
George's Wine & Spirits	7032 W 183rd St	R-3 /SF Home	200
The Corner Store	9410 179th St	R-3 /SF Home	100
Walgreens #09331	8400 W 171st St	R3 /SF Home	200
7-Eleven #33834B	17055 S Oak Park Ave	R4/SF Home	87

5. Video Gaming Adjacency .Precedence of video gaming abutting Single-family housing-
The table below list several examples of video gaming immediately adjacent to single family homes. Distances between the home and the gaming establish is provided. Screening is provided with a 6' fence. Exhibit C provides aerial graphics of some of the properties below.

VIDEO GAMING WITH ADJACENCY TO SINGLE FAMILY HOMES					
Name of Business	Address of Business	# of Machines	Abutting Zoning	Adbutting Use	Distance (FT) +
Lenny's	19420 Harlem	5	R-2	SF Home	138' to canopy/210'
Little Joe's Restaurant & Pizza	7976 167th St	3	B1 & R4	SF Home	152
The Station Pub	6657 W South St	5	R4	SF Home	156
Harald Viking Lodge #13	6730 175th St	3	DG & R-6	SF Home	67
Bamboo Garden	16733 S Oak Park	3	R-4	SF Home	141
Nick's BBQ at Tinley Park	16638 S Oak Park Ave	5	DC	SF Home	191

6. Package liquor sold at gas stations – The only service station that sells packaged liquor is the Circle K station at 8401 159th Street which resulted from an annexation
7. 24 hour video gaming- There are no 24 hour video gaming establishments in the Village. The video gaming licenses typically run tandem with the hours of the liquor license they are associated with.

STANDARDS FOR REZONING APPROVAL

While there are no specific standards listed in the Zoning Ordinance for Map Amendments (rezoning), Staff has provided these finding for the Commission to consider; these may be revised subsequent to testimony provided at the Public Hearing.

- Existing uses of property are consistent within the general area of the property in question;
The properties with frontage on Harlem Avenue are predominately commercial uses. The property is classified as Commercial in the Comprehensive Plan and is typical along a major arterial such as Harlem Avenue. The east side of Harlem Avenue is predominately undeveloped.
- The zoning classification of property is consistent within the general area of the property in question;
The subject property is currently unincorporated and zoned C-2 (Local Commercial) in Will County. There are single family residential uses to the west of the subject parcel; those in Tinley Park are zoned R-2, (Single Family Residential) those in Will County are zoned R-4 (Single Family Residential). To the north there is an office in Tinley Park zoned B-4 (Office and Service Business) and another office use zoned C-2 (Local Commercial) in Will County. To the south the property is all in Will County with a bank zoned C-2 (Local Commercial). There is B-3 zoning along the Harlem Avenue corridor north of the subject property leading to the I-80 intersection.

3. The suitability of the property in question is consistent with the uses permitted under the existing zoning classification;

The property is situated along a major arterial Route (Harlem Avenue) just south of the I-80 Interstate. As the area continues to develop, the traffic along Harlem Avenue will increase making it an appropriate location for commercial uses. There is a large residential population to the west and south of this site making a convenience store a place for the residents to get their gas and other needs met. A special use is required for the service station and car wash. Through the Special Use process issues such as landscaping, traffic and property value have been addressed.

4. The trend of development, if any, in the general area of the property in question, including changes, if any, are inconsistent with its present zoning classification; and

The zoning in the County was also commercial. There are a few additional commercial uses south of the subject property ending at Vollmer Road. Further south and east is predominately undeveloped land and pockets of residential subdivisions. There doesn't appear to be much of any newer development happening south of the subject site at this time.

5. The change in zoning is in conformance with the comprehensive plan of the Village and its official map.

The Comprehensive Plan indicates Commercial uses in this area. Staff recommended a zoning of B-3 (General Business and Commercial) upon annexation with Special Use Permits for the Service Station and Car Wash. Even though a Service Station and Car Wash are permitted uses in the B-5 (Automotive Service District), there are other uses (auto repair, on-site repair, light equipment sales/rental, vehicle sales/rental) that are also permitted uses in the B-5 and special uses (Body Shop) that are not desirable uses in close proximity to residential uses.

SPECIAL USE

The Service Station and the Car Wash require a Special Use Permit as part of the B-3 zoning designation. Both are existing uses. The Service Station is a 24 hour operation; the Car Wash is open from 6:00 a.m. to 10:00 p.m. As part of the Annexation Agreement the Petitioner has agreed to post and enforce "no idling of trucks" along the access way at the west side of the property.

There are new uses proposed for the subject parcel that are not part of the Special Use review (sale of packaged liquor and video gaming) that are regulated either by the Village Liquor Code or the State of Illinois; both of which will be addressed as part of the annexation process. Even though these are not subject to a Special Use review they will impact the overall operation of the subject property and may impact *public health, safety, morals, comfort, or general welfare*. Through the analysis above regarding public safety, traffic, parking, landscaping and precedence for similar adjacency within the community Staff has attempted to provide the Commission with a holistic review for the Special Uses under consideration as well as the new proposed uses.

STANDARDS FOR A SPECIAL USE

The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. Staff has provided these draft findings for the Commission to consider; these may be revised subsequent to testimony provided at the Public Hearing.

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

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
The Special Uses under review (Service Station and Car Wash) are existing uses. Comparisons have been provided regarding the existing buffer between the subject property and the adjacent home as well as a property value analysis which indicates that the existing uses have not resulted in decreased property value. A traffic study was conducted indicating current traffic volumes and a summary of police activity is provided for the existing condition. Regarding the addition of video gaming and packaged liquor sales which are under consideration as part of the annexation agreement, a traffic study estimate these new uses will produce less than 21 to 25 round trips during the weekday morning and evening peak hours. No additional buffer or screening is proposed as part of the Application.
- 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 Special Uses under review (Service Station and Car Wash) are existing uses. A property value analysis was provided which indicates that the existing uses have not resulted in decreased property value. A bufferyard has been provided that exceeds Will County and Tinley Park requirements. Regarding the addition of video gaming and packaged liquor sales which are under consideration as part of the annexation agreement, a traffic study estimate these new uses will produce less than 21 to 25 round trips during the weekday morning and evening peak hours. No additional buffer or screening is proposed as part of the Application.
- 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 Special Uses under review (Service Station and Car Wash) are existing uses and therefore have already impacted the normal and orderly development and improvement of surrounding property. Regarding the addition of video gaming and packaged liquor sales which are under consideration as part of the annexation agreement, most of the adjacent property is already developed with the exception of a parcel north of 194th Avenue. A traffic study estimates these new uses will produce less than 21 to 25 round trips during the weekday morning and evening peak hours. No additional buffer or screening is proposed as part of the Application.
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
The Special Uses under review (Service Station and Car Wash) are existing uses that have adequately functioned since 2015 with respect to utilities, access roads, drainage, and/or other necessary facilities. The addition of video gaming or sale of packaged liquors will have negligible impact on utilities, access roads, drainage, and/or other necessary facilities.
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
The Special Uses under review (Service Station and Car Wash) are existing uses that have adequately functioned since 2015. A traffic study estimates these new uses will produce less than 21 to 25 round trips during the weekday morning and evening peak hours.
- 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 annexation of the subject parcel will render the existing signs legal non-conforming. All buildings will be brought into conformance with Village Code in accordance with a negotiated schedule outlined in the Annexation Agreement.

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

The annexation of the subject parcel is anticipated to bring in over \$400,000 in annual revenue to the Village of Tinley Park.

MOTION TO CONSIDER

If the Plan Commission wishes to take action, the following motion is in the appropriate form:

Motion #1: *..." make a motion to recommend that the Village Board grant the Petitioner, Leonard McEnery, on behalf of Lenny's Food N Fuel Harlem Avenue, LLC, a rezoning (Map Amendment) of the property located at 19420 Harlem Avenue, upon annexation to B-3 (General Business and Commercial) and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff and the Plan Commission at this meeting."*

Motion #2: *..."make a motion to recommend that the Village Board grant the Petitioner, Leonard McEnery, on behalf of Lenny's Food N Fuel Harlem Avenue, LLC, property located at 19420 Harlem Avenue, a Special use for a Service Station and Car Wash and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff and the Plan Commission at this meeting consistent with the submitted plans ."*

[with any conditions that the Plan Commission would like to recommend.]

LIST OF REVIEWED PLANS LENNY'S Food & Fuel

Submitted Sheet Name		Prepared By	Date On Sheet
A2.1	Floor Plan	ARSA	01/23/2015
A2.1	Roof Plan	ARSA	01/23/2015
A3.1	North and South Elevation	ARSA	01/23/2015
A3.1	East, West South Elevations	ARSA	01/23/201
L1.0	Landscape Plan	Upland	10/6/2017
L1.0	Car Wash Sign Landscape Plan	Upland	10/6/2017
L1.0	Car Wash Sign Landscape Plan	Upland	05/30/2017
C1	Cover Sheet	M Gin	4/25/2017
C2	Existing Condition & Demos	M Gin	4/25/2017
C3	Site Utility & Geometric Plan	M Gin	5/13/2017
C4	Grading Plan/Storm Water Pollution/Prevention Plan	M Gin	5/13/017
C5	Details Sheet	M Gin	5/13/2017
SA1.1	Site Plan	ARSA	06/08/2015
SA1.1	Site Plan Monument Sign	ARSA	10/31/2017
	Wall Marquee Sign	VAN	04/24/2014
	Car Wash Building Sign	VAN	07/17/2017
	Car Wash Building Sign	VAN	07/17/2017
	Channel Letters on Canopy	VAN	07/18/2017
	Pay Canopy W/Illum. Sign	VAN	07/18/2017
	Truck Canopy Signage	VAN	12/23/22014
	D/F Illum. Main ID Sign	VAN	05/24/2017
	Traffic Study	KLOA	03/29/2018

ARSA – Alan R. Schneider Architecture

M GIN – M Gingerich Gereaux

UPLAND – Upland Design Ltd

EXHIBIT B

16701 Harlem –CVS



17055 Oak Park Ave (7-11)



e

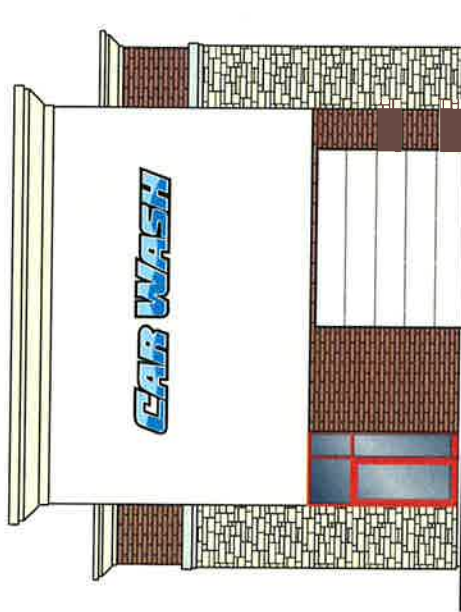
EXHIBIT C

16733 S .Oak Park Ave



6730 175th – Viking Lodge

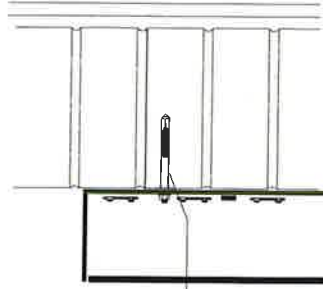




EAST ELEVATION 1/4" SCALE



1/8" SCALE



BRACING DETAIL
1/4" SCALE

3/8" DIA. HILTI
HLC-30455 SLEEVE
ANCHOR WITH A
MINIMUM OF 5"
EMBEDMENT



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ORLAND PARK, ILLINOIS
708-448-0826 FAX 708-448-9092

Notes

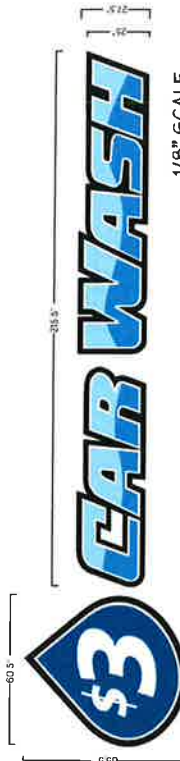
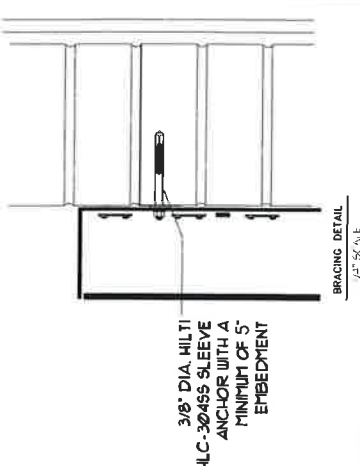
Approved

Date

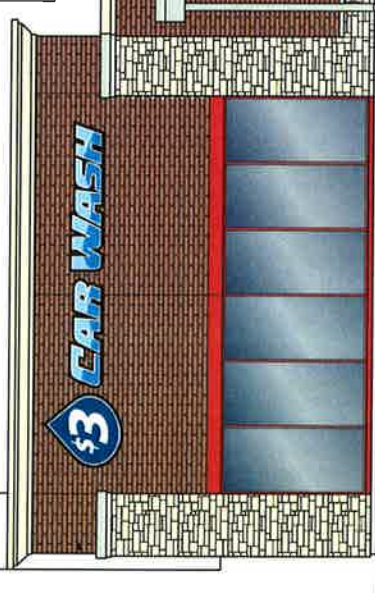
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Scale	NOTED	Title	FRANKFORT - GAS N WASH			
Date	7-17-17	Description	CAR WASH BUILDING			
Drawn By	ED	Revised By	ED	ED	ED	ED
Date		Date				17-150.5C

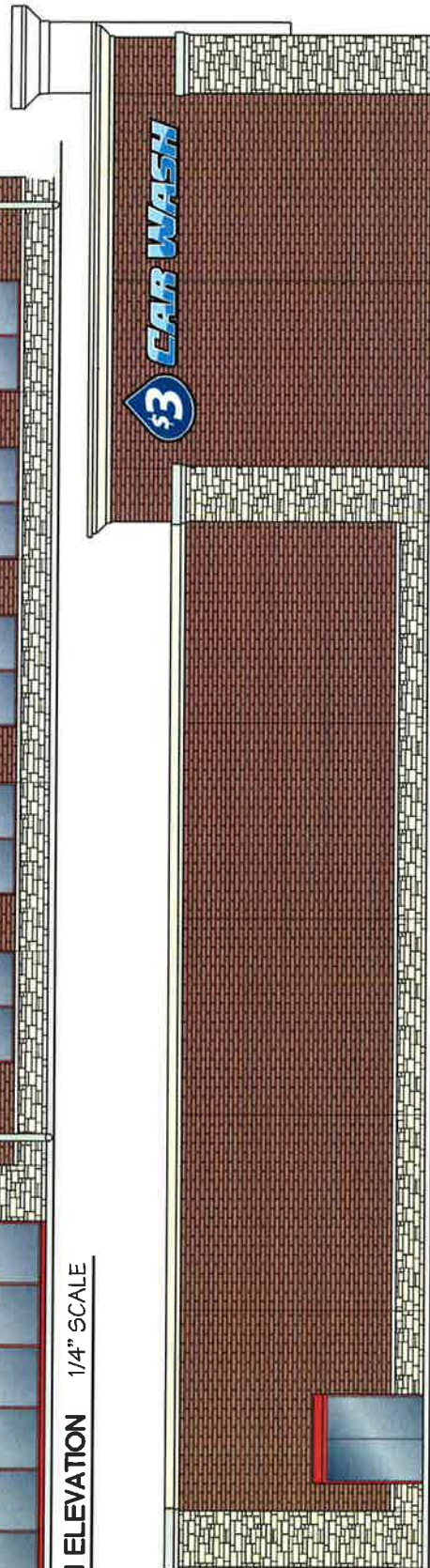
B



3/8" DIA. HILTI
HLC-3048S SLEEVE
ANCHOR WITH A
MINIMUM OF 5"
EMBEDMENT



NORTH ELEVATION 1/4" SCALE



SOUTH ELEVATION

Scale	NOTED	Title
Date	7-17-17	FRANKFORT - GAS N WASH
Drawn By	ED	CAR WASH BUILDING
Check By	ED	17-150.4C
Date	9-2-17	Drawing No

Approved _____ Date _____

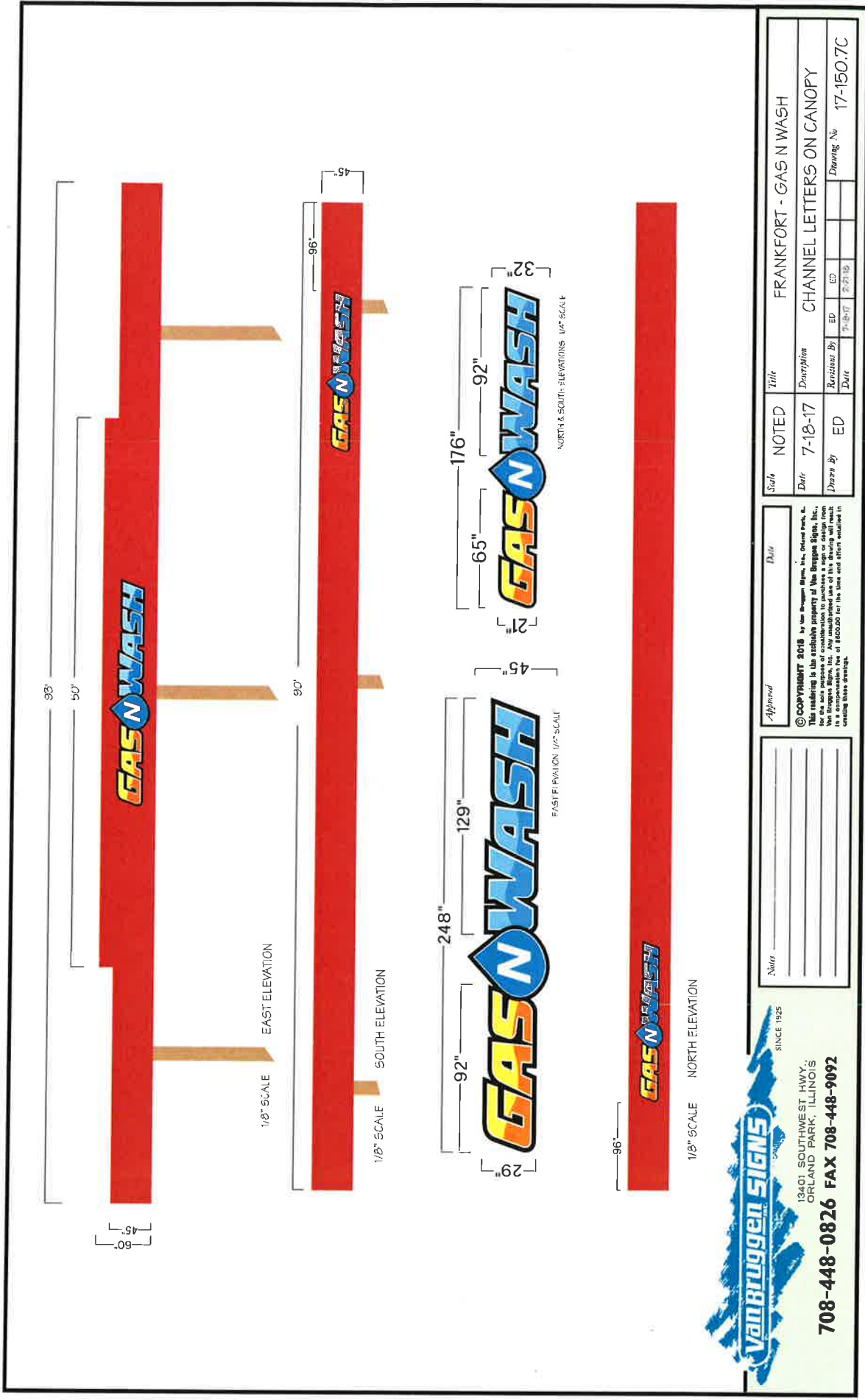
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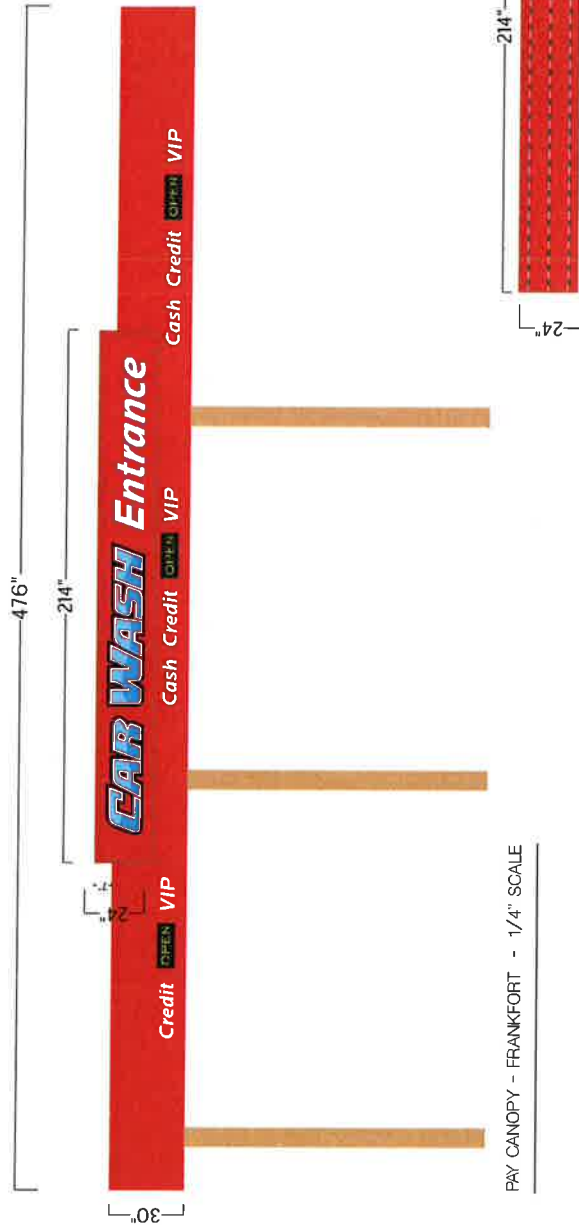
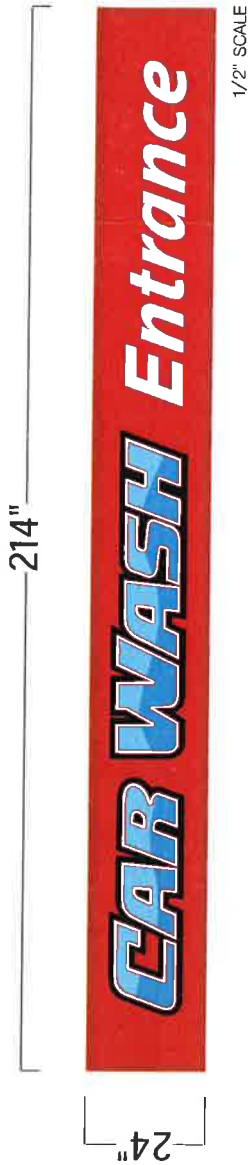
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Scale	NOTED	Title	FRANKFORT - GAS N WASH			
Date	7-18-17	Description	CHANNEL LETTERS ON CANOPY			
Drawn By	ED	Revised By	ED	ED	ED	ED
Date	7-18-17	Date	7-21-17	7-21-17	7-21-17	7-21-17
			Drawing No	17-150.7C		

⑦



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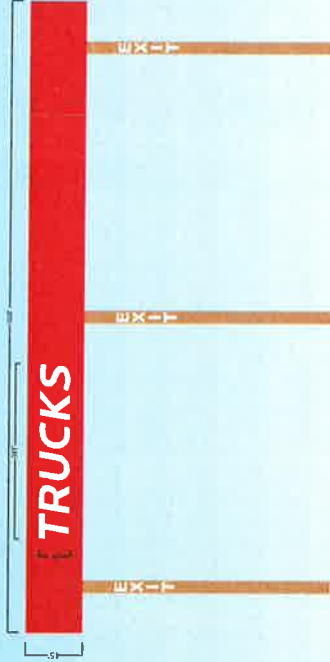
Scale	NOTED	Title	FRANKFORT - GAS N WASH			
Date	7-18-17	Description	PAY CANOPY W/ ILLUM. SIGN			
Drawn By	ED	Revised By	ED	ED	ED	ED
		Date				
		Starting No				17-150.6C

Approved _____ Date _____
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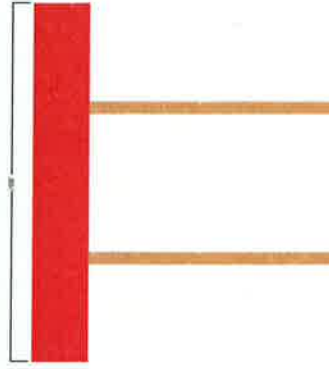
(E)

EXIT

1/2" SCALE



WEST ELEVATION



EAST ELEVATION



1/4" SCALE

NORTH ELEVATION

1/8" SCALE



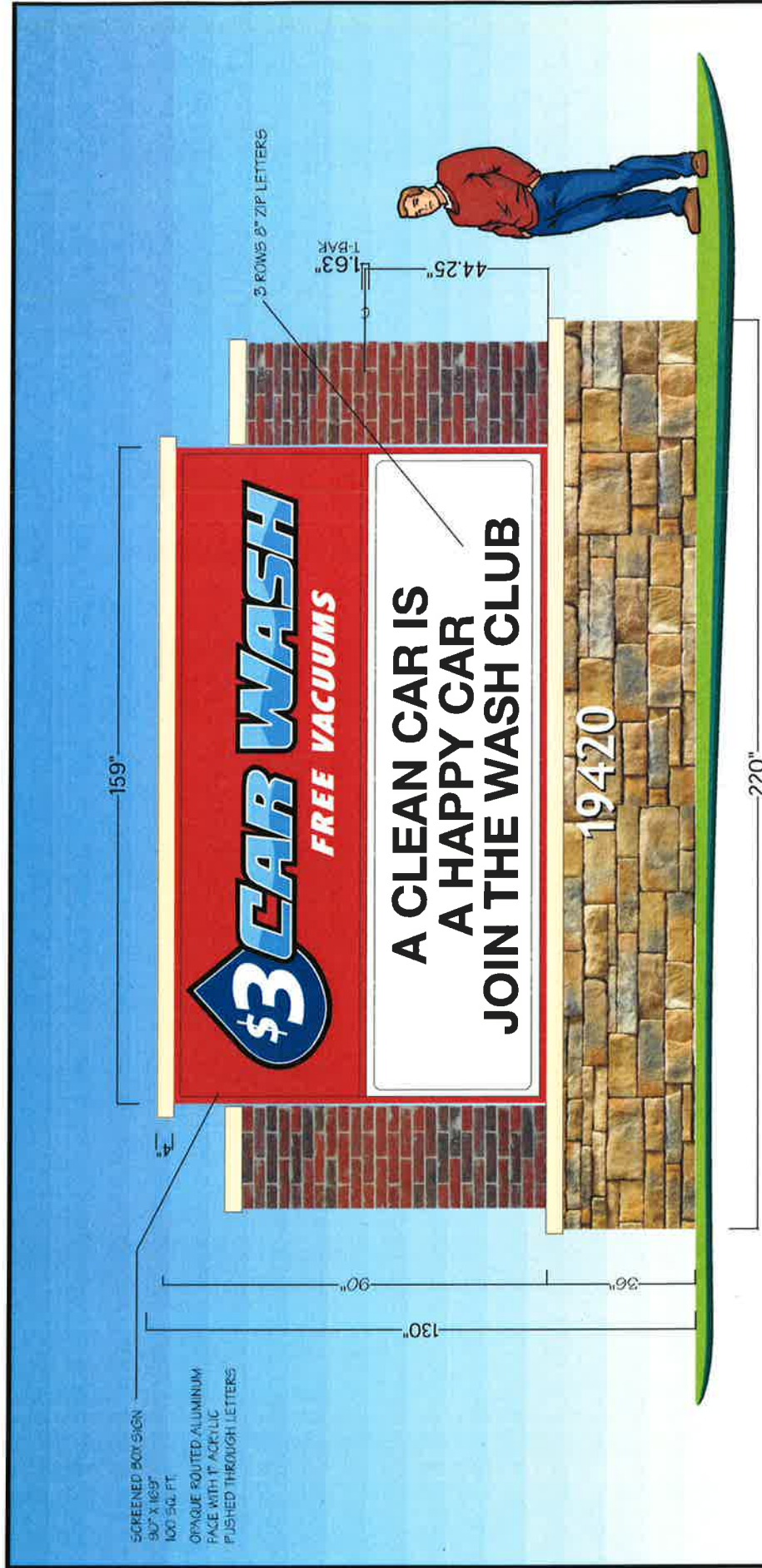
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Approved	Date
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Scale	NOTED	Title	FOOD N' FUEL - FRANKFORT (HARLEM AVE)			
Date	12-23-14	Description	TRUCK CANOPY SIGNAGE			
Drawn By	D.S.	Reviewed By	ED			
Date		Drawn No	14-258.4C			

(F)



708-448-0826 FAX 708-448-9092

Note:

-Approval-

Date:

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Scale	1/2"	Title	FRANKFORD - GAS N WASH			
Date	5-24-17	Description	D/F ILLUM. MAIN ID SIGN			
Drawn By	ED	Revised By	ED	QC	Drawn By	17-150.3C
Date	7-5-17	Date	9-2-17	Date	11-1-17	

(H.)

MEMORANDUM TO: Len McEnery
Food N Fuel

FROM: Michael A. Werthmann, PE, PTOE
Principal

DATE: March 29, 2018

SUBJECT: Traffic Evaluation
Proposed Food N Fuel Annexation
Tinley Park, Illinois

This memorandum summarizes the results and findings of a traffic evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) regarding the proposed annexation of the existing Food N Fuel fuel center to the Village of Tinley Park. The existing fuel center is located in the southwest quadrant of the intersection of Harlem Avenue with 194th Street in unincorporated Will County, Illinois and currently contains the following:

- Eighteen passenger vehicle fueling positions
- Two commercial fueling positions
- An approximately 4,800 square-foot convenience store
- A Dunkin Donuts store with drive-through lane located in the convenience store
- A car wash

Access to the gas station is provided via a restricted right-turn in/right-turn out access drive on Harlem Avenue, two full movement access drives on 194th Street, and one full movement access drive on 195th Street. As part of the annexation to the Village of Tinley Park, the owner of the fuel center is requesting (1) the addition of five gaming positions within the convenience store and (2) a license to sell liquor at the convenience store. No modifications are proposed to the access and circulation systems serving the fuel center.

The purpose of this evaluation was to determine the existing traffic generated by the fuel center during the critical morning and evening peak hours and estimate the additional traffic that will be generated by the addition of the gaming positions and the liquor license. It should be noted that KLOA, Inc. performed the traffic study, dated June 16, 2016, for the addition of the Dunkin Donuts drive-through facility and the car wash to the existing fuel center.

Existing Traffic Generation

In order to determine the volume and type of traffic that is currently generated by the fuel center, KLOA, Inc. performed traffic counts at the four access drives serving the existing fuel center. The traffic counts were performed on Thursday, March 22, 2018 during the weekday morning (6:00 A.M. to 9:00 A.M.) and evening (3:00 P.M. to 7:00 P.M.) peak periods. The results of the traffic counts show that the weekday morning peak hour of traffic occurred from 7:30 A.M. to 8:30 A.M. and the weekday evening peak hour of traffic occurred from 3:30 P.M. to 4:30 P.M. **Figure 1** and **Table 1** present the results of the weekday morning and evening peak hour traffic volumes.

Table 1
EXISTING PEAK HOUR FOOD N FUEL TRAFFIC VOLUMES

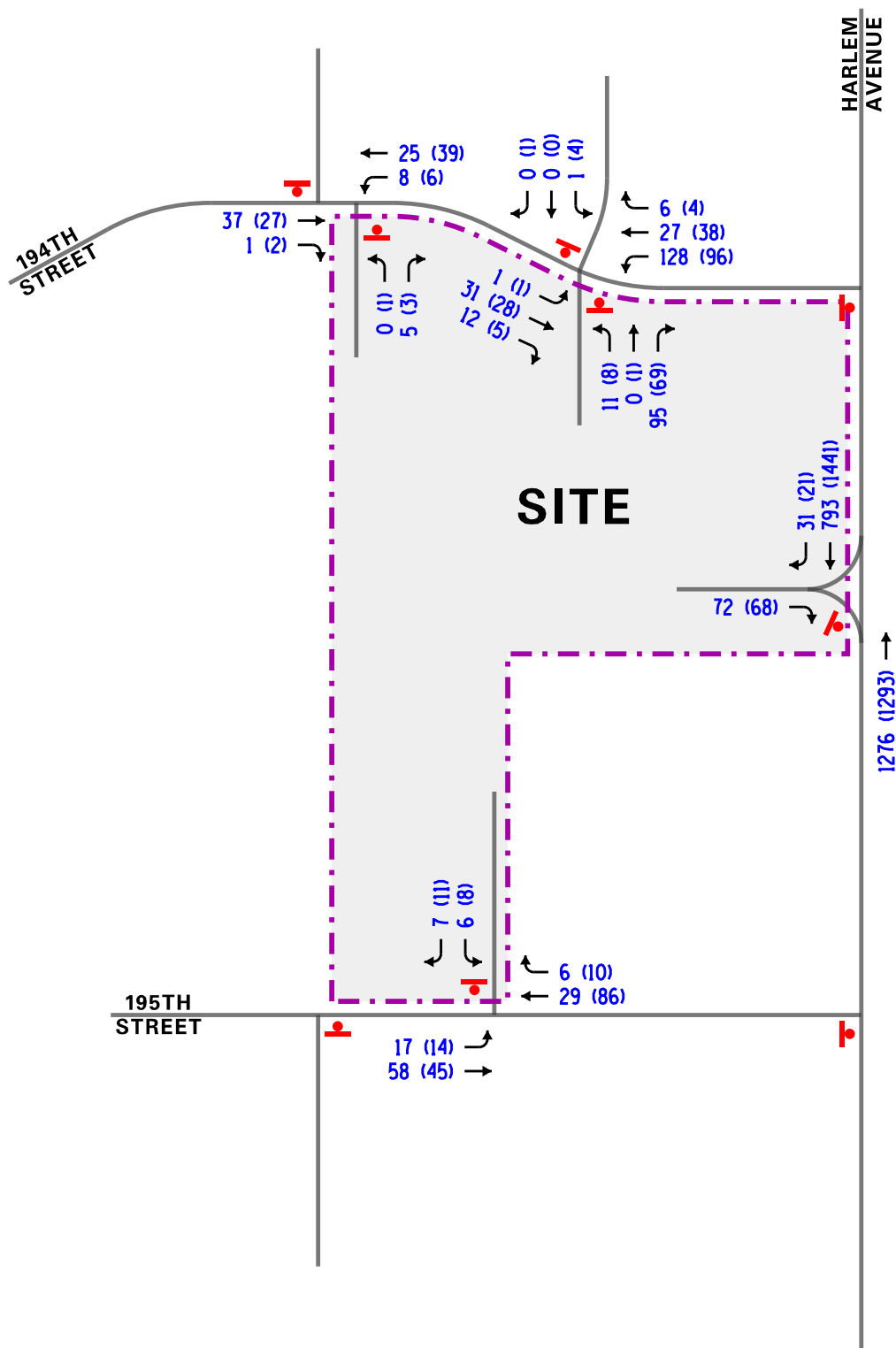
	Weekday Morning Peak Hour			Weekday Evening Peak Hour		
	In	Out	Total	In	Out	Total
Passenger Vehicles	197	192	389	152	167	319
Single-Unit Trucks	0	0	0	2	1	3
Articulated Trucks	<u>6</u>	<u>5</u>	<u>11</u>	<u>1</u>	<u>1</u>	<u>2</u>
Total	203	197	400	155	169	324

Table 2
DIRECTIONAL DISTRIBUTION

Direction of Travel to and from the Fuel Center	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	Volume	Percentage	Volume	Percentage
To/from the north and south on Harlem Avenue	351	88%	281	87%
To/from the west on 194 th Street	25	6%	18	5%
To/from the west on 195 th Street	<u>24</u>	<u>6%</u>	<u>25</u>	<u>8%</u>
Total	400	100%	324	100%



NOT TO SCALE



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
(00) - PM PEAK HOUR (3:30-4:30 PM)

PROJECT:

Food and Fuel
Will County, Illinois

TITLE:

Existing Traffic Volumes



Job No: 15-095

Figure: 1

Additional Trip Generation Estimates

According to the fuel center operator, the purpose for the liquor license and the gaming positions is to provide additional amenities for its customers. Therefore, the proposed additional amenities are expected to generate a limited volume of new trips as a majority of the patrons will be existing customers already using the fuel center and car wash or stopping at the convenience store and Dunkin Donuts store.

The number of new trips to be generated by the additional amenities was estimated as follows.

- *Liquor License.* The fuel center operator projects that the addition of the liquor license will increase the total fuel center's revenue by approximately 20 to 25 percent. However, the traffic generated by the fuel center is not expected to increase by a similar percentage as the majority of the new revenue will be generated by the existing fuel center's customers. Nevertheless, in order to provide a very conservative (worst-case) analysis, it was assumed that the liquor license would increase the existing traffic by ten percent.
- *Gaming Positions.* The volume of traffic to be generated by the five gaming positions was based on daily usage data at a similar facility and the projected operation as provided by the fuel center's operator. However, once again, the gaming positions are not expected to generate all new traffic as a large percentage of the gaming patrons will be generated by the existing fuel center's customers.

Table 3 summarizes the peak hour traffic volumes currently generated by the fuel center and that estimated to be generated by the gaming positions and the liquor license.

Table 3
PROJECTED NEW PEAK HOUR TRAFFIC VOLUMES

	Weekday Morning Peak Hour			Weekday Evening Peak Hour		
	In	Out	Total	In	Out	Total
Existing Volumes	197	192	389	152	167	319
New Volumes						
• Liquor License	20	20	40	16	16	32
• Gaming Positions	<u>5</u>	<u>5</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>10</u>
• Total	<u>25</u>	<u>25</u>	<u>50</u>	<u>21</u>	<u>21</u>	<u>42</u>
Total Volumes	222	217	439	173	188	361

Findings

The following summarizes the findings of the traffic evaluation:

- Approximately 97 to 98 percent of the existing traffic generated by the fuel center during the peak hours were passenger vehicles. The fuel center only generated between zero to three single unit truck trips and between two to eleven articulated truck trips during the peak hours.
- Sales data from the fuel center for the week of March 12 through 16 showed that an average of 53 transactions per day occurred at the commercial fuel positions. As such, the commercial fuel positions generated 53 round-trip truck trips per day.
- Approximately 88 percent of the traffic generated by the fuel center during the peak hours is traveling to and from the fuel center via Harlem Avenue. Only between 18 to 25 of the fuel center-generated trips are traveling to and from the fuel center via the west on 194th Street and 24 to 25 of the fuel center-generated trips are traveling to and from the fuel center via the west on 195th Street.
- The proposed gaming positions and the addition of the liquor license are projected to generate a limited volume of new trips to and from the fuel center. It is estimated that the additional amenities will result in an increase of 21 to 25 round trips during the weekday morning and evening peak hours, which averages to approximately one inbound trip every 2.5 to 3.0 minutes and one outbound trip every 2.5 to 3.0 minutes.
- Based on the results of the fuel center's existing directional distribution, the majority of the new trips are expected to travel to and from the fuel center via Harlem Avenue. Only a limited number of new trips are expected to be traveling to and from the fuel center via 194th Street and 195th Street.
- The proposed additional amenities are projected to have a limited impact on the existing roadway system, particularly on the residential roads west of the fuel center.

Barbara Bennett

From: Thomas Weigel <tomweigel@att.net>
Sent: Wednesday, March 14, 2018 3:27 PM
To: Barbara Bennett
Subject: Fw: Annexation of Lenny's Car Gas N Wash

Please forward to Plan Commissioners. Tom Weigel

--- On Sun, 3/11/18, Thomas Weigel <tomweigel@att.net> wrote:

> From: Thomas Weigel <tomweigel@att.net>
> Subject: Annexation of Lenny's Car Gas N Wash
> To: "jvanderberg@tinleypark.org" <jvanderberg@tinleypark.org>,
> "mpannitto@tinleypark.org" <mpannitto@tinleypark.org>,
> "byouner@tinleypark.org" <byouner@tinleypark.org>,
> "cberg@tinleypark.org" <cberg@tinleypark.org>, "wbrady@tinleypark.org"
> <wbrady@tinleypark.org>, "mmangin@tinleypark.org"
> <mmangin@tinleypark.org>, "mglotz@tinleypark.org"
> <mglotz@tinleypark.org>
> Cc: "Linda Arnold" <djrsgm@comcast.net>, "Sandra Rennie"
> <sandra.rennie@comcast.net>
> Date: Sunday, March 11, 2018, 4:41 PM
> Honorable Mayor and Village
> Trustee's it has come to my attention that Lenny's Car Gas and Wash
> has petitioned the Village for annexation. Several residents of
> Tinley Park and Will County fought the establishment of this business
> at its present location over a period of years. This is due to the
> adverse effects of truck traffic on residential streets as well as the
> noise and fumes from trucks. It was my belief that there was not a
> need for additional facilities of this type in the area. The income
> generated from this facility only takes away from other facilities in
> the area. I have seen pictures of trucks backed up on residential
> streets going into this facility as well as corners being cut by big
> rigs. The Will County Board did not want to grant a liquor license or
> gaming license for this facility due to the large number of existing
> liquor licenses in the area already. Additional gaming facilities
> will only take away revenue from already existing facilities. I urge
> you to not annex this facility for the sole purpose of providing
> liquor sales and gaming.
>
> Tom Weigel
> Will County Board
> Member
> Chairman of the Land Use and
> Development Committee

RE: Lenny's Gas N Wash Annexation and Re-Zoning,

First, I respectfully ask the question, Does the Village of Tinley Park have a legal obligation to approve the annexation of the property?

Is the Village of Tinley Park looking to approve the annexation of the property for the sole purpose of the money?

Does the Village realize how this annexation and rezoning of subject property will be setting precedence and giving preferential treatment in zoning for gas stations, truck stops, liquor sales and video gaming by arbitrarily allowing the proposed plans.

Please consider the following major impacts that this process of annexation following with the approval of the 24 hour available gambling and sale of packaged liquor will have on the community near this location: safety, property values, additional traffic added by two additional businesses, morals, ethics and comfort of our properties.

These two parcels have had denials for all Special Use Permit applications from the Will County Board in 2013 and in 2015, the drive up and car wash were court approved.

In my opinion it is inappropriate for the Village to annex this property as at R1 and immediately rezone it as a B3, this is not an appropriate location for a business to conduct the sale of packaged liquor and to provide 24 hour gambling less than 200 feet from Single Family Residences. Especially since that given fact that if this property was vacant when annexed – this current development would not have passed given your ordinances and special use permits. Mr. Seaman has pointed this out in his correspondence to Will County land use. Please see the attached letters of correspondence from Mayor Zabrocki and Mayor Seaman.

November 1, 2012 Mayor Zabrocki wrote: There is one zoning and site plan item that we ask the County to reconsider: the semi-truck fueling facility portion of the proposed use. The Village is opposed to the fueling station because we believe the noise, vibration, fumes and traffic impact of the semi-truck fueling facility portion of the use could not be mitigated with landscape buffering and fencing in a manner that protects the full enjoyment of the neighboring properties, particularly the Tinley Park residential property to the west. Mr. Zabrocki continues with the Village believes the semi-truck fueling facility use should be prohibited as this use could not possibly meet the map amendment approval criteria of "following the trend of development in the area" and "suitability of the property in question for the use permitted."

October 29, 2015 Mayor Seaman wrote a letter to Will County Planning & Commission, The B-3 Zoning District is the Village's most intense commercial zoning district, allowing automobile dependent uses and uses that are generally less associated with a residential neighborhood unless well-screened. Only a plastic type material fence separates the subject property from single family residences. Please see that attached meeting minutes.

I have attached list of the Gas Stations in Tinley Park, not one of the Gas Stations abuts a R2 Single Family house.

The Tinley Park Gas Stations do not service Semi-Trucks. What are the zoning requirements for the storage of fuel and diesel fuel when the subject property abuts a single family residence?

Speedway on 80th Avenue recently annexed property, at the September 3, 2015 Village Plan Commission Meeting the discussion on the fact the Speedway wanted to add pumps in order to qualify for an Illinois Gaming License 24/7. An e-mail from Tom O'Brien was read at the meeting, he pointed out: "We do not need a 24 hour gaming location in Tinley Park, former Mayor Zabrocki recently vehemently opposed the licensing of a Lenny's Food N Fuel in Will County near the Tinley border, and I see no reason to allow this. Ask Speedway if they will be interested in waiving their right to video gaming at that location for a period of 30 years and see what their response is."

Speedway did rescind their application for video gaming. At the October 20, 2015 Village of Tinley Park Board of Trustees Meeting the annexation agreement was approved, a condition of the approval is listed as: Terms relating to the development of the Subject Property as part of the expansion of the existing Speedway automobile service station and convenience store, including but not limited to a prohibition on video gaming at the service station. No future application for Video Gaming for this location. Speedway signed an agreement under the direction of Tinley Park that they will not bring video gambling to this location.

Then it is only right that if this annexation is approved, then this subject property should also have the same verbiage and condition with the prohibition on video gaming. Please require the condition of No future applications for Video Gaming for this location to be included on the annexation agreement. Please see the attached documentation regarding Speedway located at 18460 80th Avenue

Bill Carlson the Frankfort Highway Commissioner wrote his concerns to the Will County Board regarding the traffic during the Special Use Permit application for the car wash and drive-up, now you are looking to add two additional business to add additional traffic and congestion. Please see the attached letter.

Have you realized how many rules are being rewritten for this subject property?

- B3 in a neighborhood abutting single family residences –
- Diesel truck fueling and automobile fuel on a property abutting single family residences.
- This will be the first Truck Stop in Tinley Park - Semi-trucks refueling less than 200 feet from single family residences.
- This annexation agreement also includes writing a new ordinance to allow packaged liquor to be sold at Truck Stops. Currently your ordinances forbid package liquor to be sold at automobile service stations.
- Commercial Truck Parking

- Video Gaming abutting R2 Single Family Residences
- 24/7 video gaming – not one video gaming establishment licensed in Tinley Park is allowed to operate a video gaming license 24 hours a day

Businessweek November 19, 2009 named south suburban Tinley Park the best place in the U.S. to raise a family. Do you now want it to be known as the best place to video gamble at 3 am, in a neighborhood, next to single family residences where families sleep, where families with children assume that they are safely snuggled in bed? While in the meantime the parents lie in bed worried for their safety? Just this morning in Homer Glen at 12:01 in the morning an armed robbery occurred in a gas station and also yesterday in Dolton a victim was shot at a gas station. So why are you inviting more trouble in the middle of the night to this neighborhood with adding a mini casino?

In my opinion video gambling does not belong in a gas station available 24 hours a day with easy access to the neighborhood and children. Children walk to this location, I constantly see kids riding bikes and walking from this location with a giant slushie drinks – should they have such easy access to these video gaming machines? In my opinion just one time of allowing an underage person buy liquor and play at a video game machine is one time too many. How many have been caught? I can tell you I have knowledge of at least one incident in 2014. Illinois State Gaming agents are not stationed at each gaming establishment like it is required for a Riverboat Casino to be open for business.

My personal philosophy of life is one of ethics and standing up for decency. Is the community that abuts the subject property being considered when looking at this annexation proposal? Please consider the safety, property values, additional traffic added by two additional businesses, morals, ethics and comfort of our properties.

Please note that I have included the following attachments:

- Current Tinley Park Gas Stations Zone and Abutting Property Zone
- Current Gaming Establishments and Abutting Property Zone
- Tom Weigel Letter, Will County Land Use
- Mayor Zabrocki Letters
- Mayor Seaman Letter
- Bill Carlson Frankfort Township Commissioner Letter
- Letters from Community
- Speedway Public Hearing September 3, 2015 Meeting Minutes
- Speedway Board of Trustees October 20, 2015 Meeting Minutes

Thank you for your consideration, please feel free to contact me.

Linda Arnold

815/474-9644

Gas Station	Zone	Abutting Zones
Speedway 7201 183rd St Tinley Park 708/532-3373	B3	B3
Speedway 18460 80th Ave Tinley Park 708/342-1415	M1	M1
Shell 17101 Harlem Ave Tinley Park 708/532-0580	B3	B3
Tinley Park Citgo 16701 Oak Park Ave Tinley Park 708/633-9288	NF	NF
Delta Sonic 6800 W 159th Street Tinley Park 708/614-0772	B3	B3
Circle K 8401 159th Street Tinley Park 708/532-9716	B5	B5

	Video Gaming Establishment	Location Address	Abutting Zone
1	Ashford House	7959 W 159TH ST	R6
2	Cuzin's	17704 S. Oak Park Ave	NG
3	Bailey's	17731 South Oak Park Avenue	NG
4	The Cottage Bar & Grill	7865 W. 159th St.	R6
5	Betty's Bistro	15950 S. Harlem Ave	B3
6	Centennial Lanes 2.0	16050 Centennial Circle	B2
7	DARLA'S DELI & CAFE	6800 W 183RD ST.	NF
8	Dragon Palace	7122 W. 171st Street	B3
9	DURBINS	17265 OAK PARK AVE	DG DF
10	Ed & Joe's Restaurant & Pizzeria	17332 S Oak Park Ave	DF
11	Fajitas Mexican Restaurant	16703 S Harlem	R5
12	J.W. Hollstein's Saloon	17358 S. Oak Park Avenue	DC
13	WHISTLE 2	7537B WEST 159th STREET	R4
14	Pepe's Mexican Restaurant	6911 W. 159th Street	B2
15	Bamboo Garden	16733 Oak Park Ave.	R4
16	Little Joe's Rest & Pizza	7976 W. 167th St.	B2
17	Luby's Restaurant	6657 W. South Street	R4
18	Rich's Pizza Joint	7014 183rd St	R4
19	NICK'S BBQ TINLEY PARK	16638 S OAK PARK AVE	DC
20	Old Tinley Pub & Eatery	17020 S. Oak Park Ave.	B3
21	Pad Thai	7301 W 183rd street	R6
22	Rocco's Little Italy	7907 W 159th Street	NG
23	SIDE STREET AMERICAN TAVERN	18401 North Creek Drive	B3
24	Stella's Place	17123 Harlem Avenue	R6
25	Stella's Place	16205 S. Harlem Avenue, Suite 32D	B2 B4
26	SWEET SPOT SPORTS BAR	19110 S OAK PARK AVE	RICH ENT
27	Teehan's Irish Tap	17329 S. Oak Park Ave.	DG
28	Tinley Park Bowling Lanes	7601 W. 183rd Street	ORI
29	Harald Viking Lodge # 13	6730 W 175th Street	DG
30	VFW Post 2791 Tinley Park	17147 S. Oak Park Avenue	DG
31	Tinley Park American Legion Post 615	17423 67th Court	DG
	Pending Applicants		
1	Burrito Jalisco #2	7547 W 159th St.	R5 R4

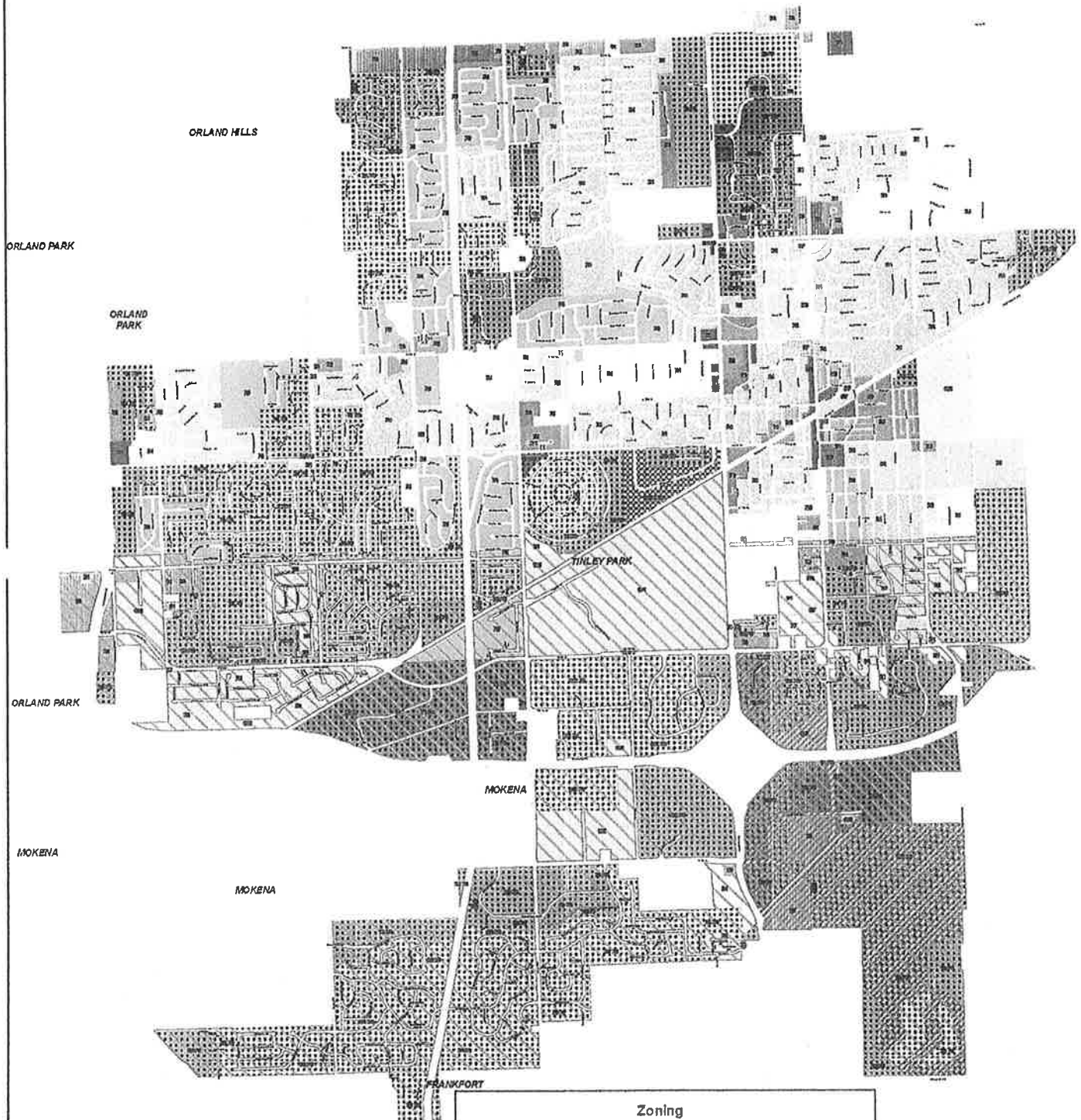


Village of Tinley Park Official Zoning Map 2017

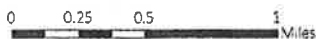
Reflecting Map Amendments Through 12/31/2017



OAK FOREST



Zoning			
Residential	Commercial	Downtown Legacy District	Overlay
R1	B1	CV	Urban Design Overlay District (UD-1)
R2	B2	OC	Rich Township Entertainment and Tourism Overlay District (RTETOD)
R3	B3	DF	Planned Unit Development (PD)
R4	B4	OG	Mixed-Use DuSable Drive Overlay District (MU-1)
R5	B5	NF	
R6	B6	NG	
R7	M1		



MATTESON

AUTOMOBILE SERVICE STATIONS: An Automobile Service Station is any building or premise used for the dispensing, sale, or offering for sale, at retail, of any automobile fuels, lubricants, tires, batteries and other minor accessories for motor vehicles, and including the customary space for minor repair or servicing, but not including major repairs, overhauling, or body work.

Annexed Territory: All territory, which may hereafter be annexed to the Village of Tinley Park, shall be automatically classified as R-1 Single-Family Residential Zoning District, unless otherwise agreed to in a Pre-Annexation Agreement. Whenever possible, all territories annexed to Tinley Park shall be assigned a specific zoning classification with intended uses.

Residential Districts: The R-1, R-2, R-3, and R-4 Single-Family Residential Districts are intended to stabilize, preserve, and protect certain older areas of the community developed principally for single-family uses, and to provide new areas in which exclusively single-family detached dwellings may be constructed.

The B-3 General Business and Commercial District is designed to accommodate a wide range of specialized commercial uses, including highway-oriented services and commercial types of establishments to serve the needs of motorists. This district is intended to include those uses which would not be compatible in a neighborhood or community-type shopping center

§ 73.12 TRUCK PARKING.

No vehicle other than a pleasure or passenger car, station wagon, or privately owned panel or pickup truck with a three-quarter ton capacity or less shall be parked or stored upon any street, right-of-way, or easement in the village, except as otherwise posted to the contrary. The provisions of this section shall not apply to any vehicle making a delivery or picking up a load, in which case the vehicle may be driven only on such street for not more than a minimum distance to make the delivery or pickup, and shall remain parked for not more than the minimum time required to make the delivery or pickup.

('77 Code, § 74.010(A)) (Ord. 75-0-001, passed 1-6-75; Am. Ord. 84-0-049, passed 11-27-84) Penalty, see § 73.99

Section 5 7E Parking of Trucks, when accessory to the conduct of a permitted use, shall be limited to vehicles having not more than one-and-one-half (1 ½) tons capacity-except for pick-up or delivery service during normal business hours. Any truck exceeding one-and-one-half (1 ½) tons capacity shall be adequately screened from public view when parked.

SCHEDULE II SCHEDULE OF DISTRICT REQUIREMENTS LOT, YARD, AND BULK REGULATIONS

District	Minimum Lot Requirements					Minimum Yards and Setbacks (feet)					Maximum Building Height (feet)	Maximum Floor Area Ratio
	Interior Lots		Corner Lots		Lot Area per D.U. (square feet)	Front Yard	Side Yards ²		Rear Yard			
	Lot Area (square feet)	Lot Width (feet)	Lot Area (square feet)	Lot Width (feet)			One	Total of Two				
R-1 Single-Family Residential	20,000	100	25,000	125	20,000	40	15	30	40	40	0.3	
R-2 Single-Family Residential	13,000	90	16,250	115	13,000	30	10	20	35	40	0.4	
R-3 Single-Family Residential	10,000	75	12,500	95	10,000	25	8	16	30	35	0.4	
R-4 Single-Family Residential	8,000	60	10,000	75	8,000	25	7.5	15	30	35	0.5	
R-5 Low Density Residential ¹												
Single-Family Detached	7,500	60	7,500	60	7,500	25	5	10	30	35	0.5	
Single-Family Attached	5 acres	30	5 acres	30	3,000	25	0	0	30	35	0.7	
Single-Family Semi-Detached		40		40	4,000	25	10	10	30	35	0.7	
Two-Family	7,500	60	7,500	60	3,750	25	5	15	30	35	0.7	
R-6 Medium Density Residential ¹												
Single-Family Detached	7,500	60	7,500	60	7,500	25	5	10	25	35	0.5	
Single-Family Attached	24,000	25	24,000	25	3,000	25	0	0	30	35	0.7	
Single-Family Semi-Detached		35		35	3,500	25	10	10	30	35	0.7	
Two-Family	6,500	60	6,500	60	3,250	25	5	15	30	35	0.7	
Multiple-Family	15,000	100	15,000	100	3,500	25	10	30	40	40	0.6	
R-7 High Density Residential ¹												
Single-Family Attached	1 acre	25	1 acre	25	2,000	20	0	0	30	35	0.8	
Single-Family Semi-Detached		35		35	3,000	20	10	10	30	35	0.8	
Multiple-Family	3 acres	NA	3 acres	NA	2,000	One (1) foot for every foot of rise, with a minimum of fifty (50) feet along all yards				40	0.8	

¹ Gross density in the Low Density Residential District shall not exceed six (6) dwelling units per acre. Gross density in the Medium Density Residential District shall not exceed twelve (12) dwelling units per acre. Gross density in the High Density Residential District shall not exceed eighteen (18) dwelling units per acre.

² Any addition added to any home located in the R-1, R-2, R-3, and R-4 Districts and existing on March 1, 2006, need not comply with the Minimum Side Yard Setbacks as set forth above but, instead, must comply with the Minimum Side Yard Setbacks in force on March 1, 2006: a ten (10) foot minimum with a total of twenty-five (25) feet in the R-1 District; ten (10) percent of lot width for each side yard in both the R-2 and R-3 Districts, and a five (5) foot minimum side yard with a total of fifteen (15) feet for both side yards for the R-4 District.

NOTE: The amendments to this Schedule II adopted on March 7, 2006 shall not apply to any new homes constructed after March 7, 2006 in a Planned Unit Development approved prior to March 1, 2006 to the extent the Planned Unit Development had specific requirements in conflict with the amendments adopted on March 7, 2006.

Print

R4 in Will Co = R2 in Tinley Park

Will County, IL Code of Ordinances

§ 155-3.30 LOT AND BUILDING REGULATIONS.

(A) *General.* This section establishes basic lot and building regulations that apply in residential districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that maximum allowed densities and development yields can be achieved on every lot. Other factors, such as topography, the presence of protected resources, health department requirements for well and septic, off-street parking and other factors may work to further limit actual development potential.

(B) *Basic standards.* The lot and building standards of the following table apply to all principal and accessory uses allowed in residential districts, unless otherwise expressly stated in this zoning ordinance. See § 155-18.10 for exceptions to these standards and rules for measuring compliance.

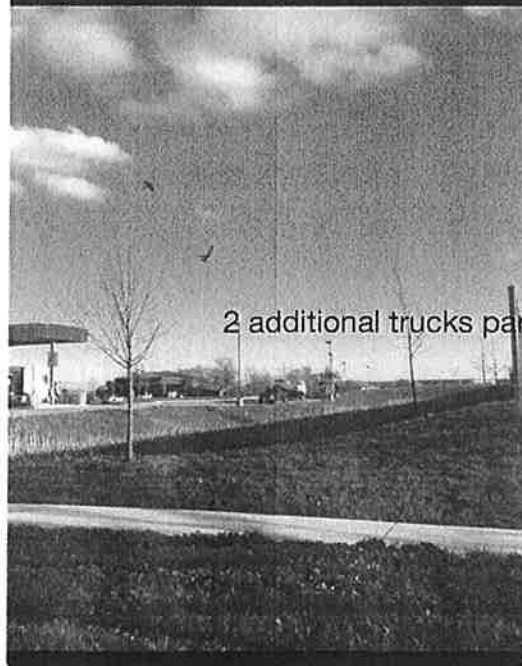
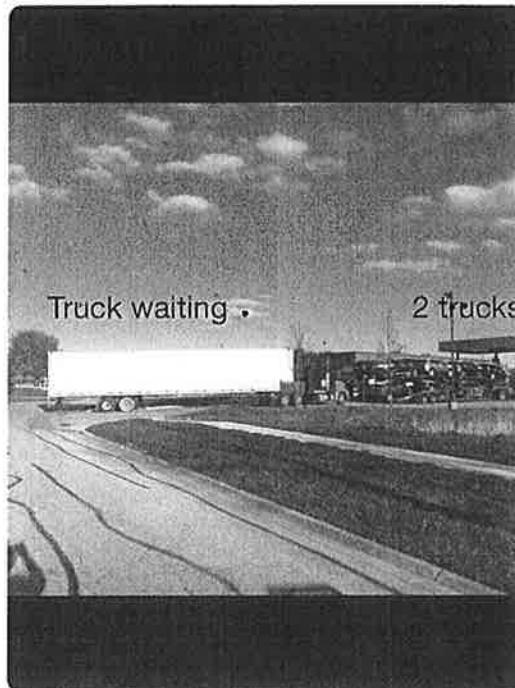
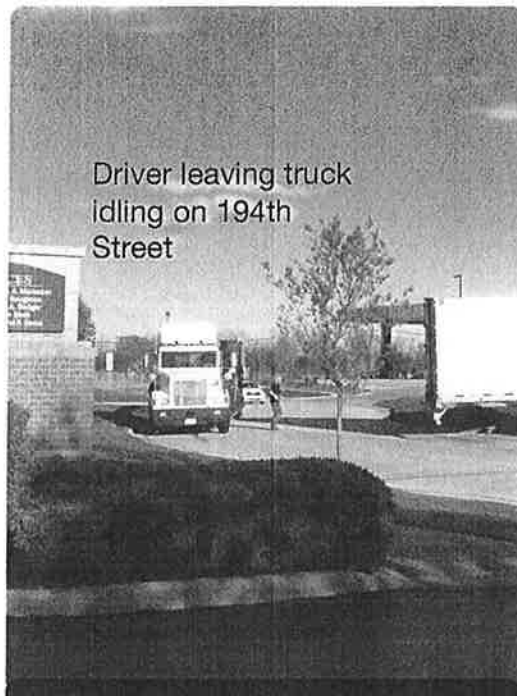
Legend	Lot and Building Standards	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6
L1	Minimum Lot Area (square feet)	215,000	105,000	60,000	40,000	30,000	20,000	12,500	10,000	10,000
	Minimum Lot Area Per Unit (sq. ft.)[1]	NA	NA	NA	NA	NA	NA	NA	NA	3,200
L2	Minimum Lot Frontage (feet)	300	180	165	150	120	90	70	70	60
	Minimum Setbacks (feet)									
S1a	Street (from CL of non-dedicated road)	100	100	90	80	80	80	80	80	80
S1b	Street (from ROW of dedicated road)	67	67	57	47	47	30	30	30	30
S2	Side	20	20	15	10	10	10	10	5	5/10[2]
S3	Rear	80	80	70	40	40	40	30	25	25
S4	Rear (Accessory Structures)	5	5	5	5	5	5	5	5	5
	Minimum Setbacks for Animal Confinement Buildings (feet) [3]	50	50	50	50	Same as other buildings (above)				
B1	Maximum Building Coverage (%)	20	20	20	20	25	30	40	45	45
B2	Maximum Acc. Building Area (sq. ft.)	3,000[4]	3,000[4]	1,800	1,800	1,800	1,800	1,500	1,500	1,500
	Maximum Building Height (feet)									
		20	20	20	20	20	20	20	20	20

Adequate measures have not been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets for the current business located at 19420 S Harlem, Frankfort - Lenny's Food n Fuel.

I want to know exactly what measures are in place to minimize traffic congestion when the Dunkin Donuts and the Car Wash add additional congestion.

These pictures were taken at 6:15 April 21, 2017

6 trucks in total; 1 left idling on 194th without a driver inside, 1 waiting to fuel partially blocking 194th, 2 fueling, 2 parked.



From: Thomas Weigel tomweigel@att.net
Subject: Annexation of Lenny's Car Gas N Wash
Date: Mar 11, 2018, 4:45:14 PM

To: jvandenbergh@tinleypark.org,
mpannitto@tinleypark.org,
byouner@tinleypark.org, cberg@tinleypark.org,
wbrady@tinleypark.org, mmangin@tinleypark.org,
mglotz@tinleypark.org
Cc: Linda Arnold dlrsgm@comcast.net, Sandra Rennie
sandra.rennie@comcast.net

Honorable Mayor and Village Trustee's it has come to my attention that Lenny's Car Gas and Wash has petitioned the Village for annexation. Several residents of Tinley Park and Will County fought the establishment of this business at its present location over a period of years. This is due to the adverse effects of truck traffic on residential streets as well as the noise and fumes from trucks. It was my belief that there was not a need for additional facilities of this type in the area. The income generated from this facility only takes away from other facilities in the area. I have seen pictures of trucks backed up on residential streets going into this facility as well as corners being cut by big rigs. The Will County Board did not want to grant a liquor license or gaming license for this facility due to the large number of existing liquor licenses in the area already. Additional gaming facilities will only take away revenue from already existing facilities. I urge you to not annex this facility for the sole purpose of providing liquor sales and gaming.

Tom Weigel
Will County Board Member
Chairman of the Land Use and Development Committee



November 1, 2012

Village President
Edward J. Zabrocki

Village Clerk
Patrick E. Rea

Village Trustees
David G. Seaman
Gregory J. Hannon
Brian S. Maher
Thomas J. Staunton, Jr.
Patricia A. Leoni
T. J. Grady

Village Hall
16250 S. Oak Park Ave.
Tinley Park, IL 60477

Administration
(708) 444-5000
Fax: (708) 444-5099

Building & Planning
(708) 444-5100
Fax: (708) 444-5199

Public Works
(708) 444-5500

Police Department
7850 W. 183rd St.
Tinley Park, IL 60477
(708) 444-5300/Non-emergency
Fax: (708) 444-5399

John T. Dunn
Public Safety Building
17355 S. 68th Court
Tinley Park, IL 60477

Fire Department & Prevention
(708) 444-5200/Non-emergency
Fax: (708) 444-5299

EMA
(708) 444-5600
Fax: (708) 444-5699

Senior Community Center
(708) 444-5150

www.tinleypark.org

Michael Smetana
Will County Land Use Department
58 E. Clinton Street, Suite 500
Joliet, IL 60432

**RE: Lenny's Gas & Wash, LLC – SWC 194th Street and Harlem Avenue,
Map Amendment and Special Uses**

Dear Mr. Smetana,

On behalf of the Tinley Park Village Board, please accept our comments regarding the proposed Map Amendment and Special Uses proposed for the Southwest corner of 194th Street and Harlem Avenue (Lenny's Gas & Wash, LLC).

The Village recognizes that this project is not within the legal boundaries of the Village of Tinley Park, but the project is within the legal planning area of the Village.

Surrounding Uses Table

Direction	Zoning	Use
North	Will County Zoning Community Shopping	Professional office building
East	Cook County Zoning R4 (Single Family Residential)	Harlem Avenue; Vacant farmland
West	Tinley Park Zoning B4 (Office and Service Business) R2 (Single Family Residential)	Professional office building Single family homes
South	Will County Zoning General Business	Bank with drive-through

We note that the proposed use, which includes a gas station, car wash, drive-through restaurant, and a semi-truck fueling facility, would be located among professional office buildings, residential homes, and a bank with a drive-through.

During the last few months, Village planners have met with Mr. McEnry and his professional team twice to discuss the ways in which the project could be refined to closely meet the Village of Tinley Park commercial development standards within our zoning ordinance. We note that there are very few differences between the County's zoning requirements and the Village's zoning requirements and we would ask that the stricter of the two ordinances be upheld in the consideration of these land use approvals.



Village staff has found the following differences between the County and Village ordinance standards:

Standard	Will County	Village of Tinley Park
Sign Height	40 feet height maximum	10 feet height maximum
Area for Electronic Signs	50% of sign area or 48 s.f.	20% of sign area
Bufferyard Landscape	10' buffer with one shrub per 5 feet, one evergreen and one deciduous tree per 30 linear feet	10' buffer with 5 shade trees, 2 understory trees and 20 shrubs per 100'
Outdoor Display	No time limitation, 3' from building entrance, 8' stack limit	Only allowed 4/15 to 9/15, 6' from building entrance, 4' stack limit
Hours of Operation	<i>Did not find</i>	VoTP typically requires car wash & vacuums to have a time limitation between 7AM and 9PM as part of special use conditions
Building Materials	<i>Did not find</i>	Facebrick required (per building code) for 100% of building (excluding architectural elements)

The remainder of the County zoning ordinance requirements were comparable or more strict than the Village of Tinley Park standards.

The Village has requested that Mr. McEnry provide the Village with a proposed Plat of Subdivision for review before the Village will sign the submitted Plat of Vacation. The Village wishes to ensure that our subdivision ordinances are met (particularly in relationship to requirement easements, stormwater, and development standards) particularly because this development is adjacent to our boundaries and may one day become a part of the Village. The Village retains the ability to apply its subdivision regulations to the property through the Illinois Municipal Code (65ILCS 5/11-12-11 and 11-12-12) and the Plat Act (765 ILCS 205).

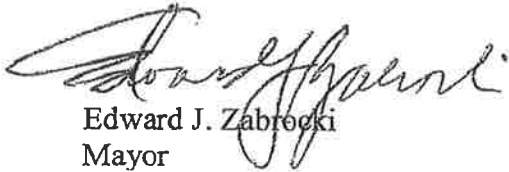
Last week, the Village planners met with Mr. and Mrs. Renny, who reside at 7231 194th Street, and we have urged all residents to work with Will County and the Will County zoning process to express their concerns about the project.

The Village will not adopt a resolution objecting to or issue a challenge to the rezoning or special land use petitions before the County for this project nor is the Village going to publically support the project.

There is one zoning and site plan item that we ask the County to reconsider: the semi-truck fueling facility portion of the proposed use. The Village is opposed to the fueling station because

we believe the noise, vibration, fumes, and traffic impact of the semi-truck fueling facility portion of the use could not be mitigated with landscape buffering and fencing in a manner that protects the full enjoyment of neighboring properties, particularly the Tinley Park residential property to the west. The Village is not opposed to the gas station, car wash, or drive-through restaurant because their impacts can be mitigated through effective site planning. However, the Village believes the semi-truck fueling facility use should be prohibited as this use could not possibly meet the map amendment approval criteria of "following the trend of development in the area" and "suitability of the property in question for the use permitted."

Respectfully,



Edward J. Zabrocki
Mayor

EJZ/ac

cc: Honorable Jim Moustis, Chairman, Will County Board
Trustee Greg Hannon, Tinley Park Village Board
Amy Connolly, Planning Director, Village of Tinley Park
Sandy Rennie, Tinley Park resident

February 4, 2015

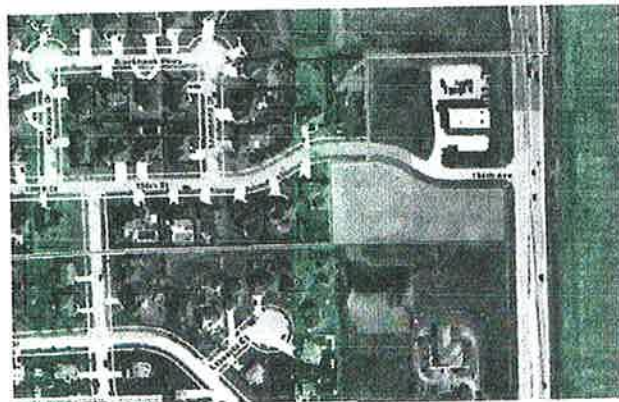
Honorable Jim Moustis, County Board Speaker
Honorable Cory Singer, Board Member
Will County Board
302 N. Chicago Street
Joliet, Illinois 60432

RE: Lenny's Gas Station - SWC 194th Street and Harlem Avenue

Dear Honorable Speaker Moustis and Honorable Member Singer,

On behalf of the Tinley Park Village Board, we ask for your assistance in addressing concerns raised by residents of the Village of Tinley Park and also by residents of Frankfort Square regarding the proposed plans for a gas station, truck stop, and convenience store located at the southwest corner of 194th and Harlem Avenue. This property is within the Tinley Park Planning area and also within the Tinley Park side of a boundary agreement with the Village of Frankfort.

The Village seeks to address the aesthetics and performance of the proposed site plan with the goal of ensuring that the development does not negatively impact the enjoyment and values of single-family residential neighborhoods adjacent to the proposed project. We know that we share this concern, as elected officials, and want to do what we can to protect our constituents from the negative impacts of commercial development.



The Village respectfully asks that the following changes to the site plan be requested of the developer to address our mutually beneficial interests:

1. **Remove the semi-truck fueling facility** - The Village is opposed to the fueling station because we believe the noise, vibration, fumes, and traffic impact of the semi-truck fueling facility portion of the use could not be mitigated with landscape buffering and fencing in a manner that protects the full enjoyment of neighboring properties, particularly the Tinley Park residential property to the west.

2. **No longer-term semi truck parking** – The Village would not want to see any areas of the site used for overnight or longer-term semi-truck parking. We would like this to be a condition on the site plan that is enforceable by the Will County Sheriff's office.
3. **Signage restricting trucks to the Township Road** – The Village would not allow semi-trucks on the Village residential streets. We would request that signs be shown on the site plan and erected by the applicant stating that truck traffic is not allowed on Village Streets.
4. **Enhancements to the rear bufferyard/transitional area** between the Commercial development and the Single Family Residential areas in both Tinley Park and Frankfort Square.
 - a. We would ask for a rear bufferyard (called a Land Use Buffer on the County plans) of a minimum 40' to accommodate a larger amount of evergreen trees. The Village requires a minimum 30' rear landscape bufferyard. However, the proposed truck refueling use warrants a larger landscape screen.
 - b. Within the rear bufferyard, we would ask for a compromise between the Village of Tinley Park landscape standards and the County landscape standards to encourage the planting of at minimum of two rows (not merely one) of evergreen trees to provide year-round screening. Because both the Village and County Landscape Codes request landscape by amounts and not design, we suggest that the design of this landscape is important. To accomplish an effective design, we suggest a compromise in the form of a landscape plan review conducted by the Village's landscape architect. The goal of the review would be to recommend a landscape buffer design that ensures a dense and immediately effective landscape screen.
 - c. A larger bufferyard (recommend 40') may allow the development of a taller berm than is currently proposed by the developer. Staff's review of the plans showed a 3 foot berm and we would propose a minimum 5 foot berm.
 - d. The proposed fence should be constructed of materials that are well-known to provide sound protection, such as pre-cast concrete panels used in other areas of the Village where sound may be a problem. If the neighbors are amenable, the Village would support a taller fence of up to 10' tall.
 - e. The Village's requirement for buffering fences allows the fence to be placed within the side yards of the development. We would recommend that the fence continue along both 194th Street and 195th Street/Lakeside Dr. to at least the westernmost edge of the proposed road (respecting clear vision triangles).
 - f. The Village normally requires that all landscape fences serving as a buffer between commercial and residential developments have landscaping on both sides of the fence. We would request a similar arrangement.
5. **Enhanced landscaping** in all other areas of the site meeting Village minimum standards.
 - a. The Village has stronger bufferyard requirements for the areas called "road frontage landscape areas" on the landscape plans. We would ask that the Village's standard,

which requires more canopy trees, understory trees, and shrubs be the standard for the areas labeled "road frontage landscape areas" and "perimeter vehicular use area landscaping."

- b. The Village requires foundation plantings along the sides of the buildings that face public streets. We would ask for the Village's foundation planting standard to be met.
 - c. The Village supports the County's interior vehicular use area landscaping requirements.
6. **Signage** – Village signage standards should be applied to the site.
 - a. Monument signs - Village requests a 10 feet height maximum;
 - b. Wall signs – Village requests allowing one (1) square foot per frontage foot of tenant frontage facing the main public street serving such business. Corner properties may have two (2) signs, the total area which shall not exceed the allowable primary sign area. Maximum of 120 square feet total for all wall signage. No manually changeable message boards allowed. No signage permitted for uses not currently proposed.
 - c. Gasoline rate sign – gasoline rate sign should not exceed twenty square feet in area.
7. **Performance Standards** – The Village requests that the County apply the Village's performance standards to the property, particularly related to noise, air pollution, vibration, glare, and flammable materials. These performance standards protect all Village residents and would be applicable at the property line. Most notable performance standards include glare (maximum .5 footcandles at the property line) and noise (55 dba during the day, 45 dba during the evening at the residential property line).
8. **Hours of Operation** – The Village would normally restrict the hours of operation for a gas station so as not to impact nearby residential areas. The Village would like to see the truck fueling limited to the hours of 7AM to 9PM.
9. **No Alcohol Sales** – The Village Liquor Commission will not issue liquor licenses for gas station convenience stores. The few gas station convenience stores (2) that have liquor licenses were granted the licenses over 30 years ago. The Mayor has requested that alcohol sales not be allowed at this location.
10. **Sidewalks** – The site plans show that sidewalks are not proposed for Parcel 1 along Harlem Avenue even though the petitioner plans to make improvements to the property. The Village subdivision regulations require that all sidewalks be in place in Phase I of any development. Additionally, the Village subdivision regulations require a 6' sidewalk in commercial areas, not a 5' sidewalk, as proposed. We would ask that the Village's 6' sidewalk standard be applied.
11. **IDOT Permits in Place prior to issuance of Building Permits** – The Village would not wish to see the only access to this site at 194th Street. We would recommend that IDOT

permits be in place prior to the issuance of Building permits so that site circulation and impacts of IDOT requirements can be known at the time of the Building Permit.

12. **Fire Suppression** – All buildings within the Village of Tinley Park that exceed 3,000 s.f. (non-combustible construction) must be constructed with fire suppression systems. Additionally, any canopy exceeding 5,000 s.f. must be designed with fire suppression systems. We would ask that Tinley Park's Building Code be applied to this project.
13. **Water lines** – The petitioner is proposing a 4" water line. This size may support the proposed uses within the building, but will not support a building that would install fire suppression. A minimum 6" water line is generally required where a building is constructed with fire suppression.
14. **Restrictors in the detention pond** – The Village requires a restrictor size of 4" minimum for detention areas. The proposed restrictors currently less than 4". We would ask for the Village standard to be met.

Respectfully,

Edward J. Zabrocki
Mayor

Gregory J. Hannon
Trustee

EJZ/ac

cc: David Niemeyer, Village Manager, Village of Tinley Park
Tom Melody, Village Attorney
Amy Connolly, Planning Director, Village of Tinley Park



Village President
Edward J. Zabrocki

Village Clerk
Patrick E. Rea

Village Trustees
David G. Seaman
Gregory J. Hannon
Brian S. Maher
Thomas J. Staunton, Jr.
Patricia A. Leoni
T. J. Grady

Village Hall
16250 S. Oak Park Ave.
Tinley Park, IL 60477

Administration
(708) 444-5000
Fax: (708) 444-5099

BUILDING & PLANNING
(708) 444-5100
Fax: (708) 444-5199

Public Works
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Police Department
7850 W. 183rd St.
Tinley Park, IL 60477
(708) 444-5300/Non-emergency
Fax: (708) 444-5399

John T. Dunn
Public Safety Building
17355 S. 68th Court
Tinley Park, IL 60477

Fire Department & Prevention
(708) 444-5200/Non-emergency
Fax: (708) 444-5299

EMA
(708) 444-5600
Fax: (708) 444-5699

Senior Community Center
(708) 444-5150

www.tinleypark.org

March 2, 2015

Illinois State Gaming Board
801 South Seventh Street
Suite 400 – South
Springfield, IL 62703

SUBJECT: Gaming license for gas station, 194th & Harlem, Will County

Dear Gaming Board:

On behalf of the Village of Tinley Park Village Board, I am writing this letter in support of an amendment to the current Truck Stop Gaming license requirements of the Illinois Gaming Board. We request an amendment be made to the license requirements by adding, "a truck stop with a gaming license be required to be more than five hundred (500) feet from a single-family dwelling."

The reason we are asking for this change to the Illinois Gaming licensing regulation is because of a potential gaming site near a single family residential neighborhood in the Village of Tinley Park. This week, Will County granted approvals for a truck stop with semi-truck fueling facility at 194th and Harlem Avenue on a property that is unincorporated, but directly adjacent to Village Boundaries. The Village has met with residents of the adjacent subdivision who are upset with this development. The Village has attempted to work with Will County to make revisions to the development to soften the impact of the project; however, despite our appeals to the County, the permits have been issued with minor changes.

The Village's next step in support of the residents adjacent to this truck stop is to limit the impact to their neighborhood by limiting opportunities for gaming on the site. Note that this semi-fueling facility is less than 200 feet from the residential property line.

Please consider adding this amendment to the Truck Stop license requirements. Thank you for your support and consideration. Should you have any additional questions or require additional information, please feel free to call me at 708-444-5000.

Sincerely,

Edward J. Zabrocki
Village President

EJZ:lv

cc: Village Board
Dave Niemeyer, Village Manager
Michael Mertens, Assistant Village Manager
Amy Connolly, Planning Director
Sandra and Gary Rennie, Resident Representatives





October 29, 2015

Village President
David G. Seaman

Village Clerk
Patrick E. Rea

Village Trustees
Brian S. Maher
T.J. Grady
Michael J. Pannitto
Jacob C. Vandenberg
Brian H. Younker
Bernard E. Brady

Village Hall
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www.tinleypark.org



Will County Planning and Zoning Commission
c/o Will County Land Use Department
58 E. Clinton Street, Suite 500
Joliet, IL 60432

**RE: CASE 6269-MS2 Lenny's Food and Fuel Harlem Avenue, LLC
19420 S. Harlem Avenue – Rezoning and Special Uses**

Dear Honorable Commission Members,

The Village of Tinley Park received a notice of public hearing for the subject property on Tuesday, October 20th.

After consultation with the Tinley Park Village Board, I am offering comments regarding the proposed development, particularly relating to concurrence with Village of Tinley Park standards and ordinances.

Over the last few years, Village planners and several of our elected officials have met with Mr. McEnery and his professional team to discuss the ways in which the project could be refined to closely meet the Village of Tinley Park commercial development standards within our Zoning Ordinance. The Lenny's team has not wanted to annex to the Village if full compliance with Village codes is required. Regardless, the existing building and site plan reflect many of the more stringent Village ordinances and we are grateful for Will County staff for seeking concurrence where they were able to do so.

The Village recognizes that this project is not within the legal boundaries of the Village of Tinley Park, but the project is within the legal planning area of the Village (and also at the boundary of our agreement with the Village of Frankfort). We also note that the Village has not been opposed to the uses proposed by Mr. McEnery, but has been consistent in asking the County to apply Village codes to the project to ensure concurrence if annexation were to occur in the future.

As Mayor, I am compelled to respond to the concerns of Village of Tinley Park residents who live adjacent to the property and feel their property values and neighborhood character are negatively impacted by this project as it currently exists and also by what is currently proposed. The Village and County share these concerns, as local government officials, and we want to do what we can to protect our constituents from the negative impacts of commercial development.

The uses proposed – the addition of drive-thru restaurant to the existing convenience store and the addition of a stand-alone car wash – require a Zoning Map Amendment and Special Use consideration. Within the Village of Tinley Park, a car wash and a drive-through restaurant, as well as a gas station and

convenience store would be allowed on the same lot only within the Village's B-3 (General Business & Commercial) District as a Special Use. The B-3 Zoning District is the Village's most intense commercial zoning district, allowing automobile dependent uses and uses that are generally less associated with a residential neighborhood unless well-screened.

We note that there are very few differences between the County's zoning requirements and the Village's zoning requirements and we would ask that the stricter of the two ordinances be upheld in the consideration of these land use approvals and as conditions of the Special Uses.

Standard	Village of Tinley Park Requirement
Location of Drive-through	The Village's Urban Design Overlay requires that drive-thru be located to the rear or side of any building. (Section V.D.1.B.(2))
Sidewalks and Pedestrian Circulation	Sidewalks must be present along the front of each lot; each development requires an approved pedestrian circulation system that provides pedestrian linkages to and from public transportation, among buildings, among parking lots and buildings, and among adjacent uses. (Section V.D.1.C.(2))
Sign Height	10 feet height maximum for any monument sign (Section IX.D.4.a.2)
Maximum Signage for Site	Walls signs and monument signs may not exceed 120 s.f. However, a corner lot would be allowed two monument signs. This is consistent with what the Village required for the proposed Speedway expansion on 80 th Avenue, south of 183 rd Street and the Village Sign Code (Section IX.D.)
Electronic Message Center	Only monument signs may have an electronic message center, consisting of a maximum of 20% of the total elevation of the sign. May not display any type of animation, flashing text or symbols, and other attention getting display styles. Illumination shall not encroach onto or create a visual nuisance to residential properties. Properties containing electronic message centers shall not be permitted to have any other type of temporary signage (Section IX.D.9).
Manually Changeable Message Signs	Sign containing manually changed letters are prohibited on all types of signs (wall, monument, etc.). (Section IX.D.6)
Landscape	Given the sound impact of the proposed uses to the neighboring residential homes, particularly, the addition of drive-thru menu board speakers, blowers, and vacuums associated with the drive-through, we would ask for additional landscape screening in the form of a double row of tall evergreen trees along one edge of the rear detention/buffer areas. The landscaping within the buffer between the commercial use and the single family residential homes should be more dense. We would also request additional landscape screening around the drive-through areas, the menu board, and the car wash.
Outdoor Display	Only allowed between March 15 to September 15; must be located 6' from building entrance with a 4' stack limit and administrative site plan approval each year. (Section III.N.6)
Hours of Operation	The Village has typically required car wash and associated vacuums to have a time limitation between 7AM and 9AM or 10PM as part of Special Use conditions applied to similar projects. The Village has typically required drive-through restaurants adjacent to single family homes have a time limitation between 7AM and 9AM or 10PM as part of Special Use conditions applied to similar projects.
Building Materials	Face brick required (per Building Code) for 100% of building (excluding

Standard	Village of Tinley Park Requirement
	architectural elements).
Sound	The Village would require that sound level not exceed 65 dBA at the property line at any time when adjacent to residential homes. We would require that sound levels not exceed 45 dBA measured at the property line between the hours of 10PM and 7AM (Section V.C.9.A.). The neighbors have expressed complaints to the Village about the noise of semi trucks idling at the rear of the convenience store as well as the noise that is creating when they are fueling during very late hours.
Light	Direct and indirect illumination in excess of ½ foot candle when measured in a residential district is not allowed. (Section V.C.9.E)
Liquor Licensing with Gas Station Convenience Stores	The Village does not provide liquor licenses to gas station convenience stores. (Chapter 112: Village Code of Ordinances)
Traffic	Projects that impact the flow of traffic are often required to have traffic studies submitted with site plan review. Traffic impacts are then mitigated by required roadway improvements and site plan adjustments. We would ask that an updated traffic study be completed to understand the impact of the proposed uses on traffic and estimated stacking of vehicles for both the restaurant and car wash drive-thrus. The nearby residents are concerned about the drive-thrus creating car stacking on 194 th Street which is a primary access in and out of their subdivision. Any traffic improvement costs should be borne by the developer through special assessments.
Fire Suppression	All buildings within the Village of Tinley Park that exceed 3,000 s.f. (non-combustible construction) must be constructed with fire suppression systems. Additionally, any canopy exceeding 5,000 s.f. must be designed with fire suppression systems. We would ask that Tinley Park's Building Code be applied to this project.

Thank you for your consideration of code concurrency with Village of Tinley Park Ordinance standards.

Respectfully,



David G. Seaman
Mayor

DS/ac

cc: Honorable Jim Moustis, Frankfort Township
Michael Mertens, Assistant Manager, Village of Tinley Park
Amy Connolly, Planning Director, Village of Tinley Park



Frankfort Township Road District

Bill Carlson

Highway Commissioner

9434 West LaPorte Road
Mokena, Illinois 60448

Office
(708) 479-9673

Fax
(708) 479-0690

November 3, 2015

**RE: Lenny's Food N Fuel
Car Wash & Drive-Thru**

To Whom It May Concern:

As Highway Commissioner for Frankfort Township Road District, I have concerns in regards to the map amendment and special use permit application submitted by Leonard McEnery for his business establishment, Lenny's Food N Fuel, on Harlem Ave in Frankfort.

The potential for added traffic and traffic congestion on 194th St and Lakeside Dr, which could lead to safety issues for our residents, from the addition of a car wash and drive-thru, is very much a concern of mine. I feel that it is not in the best interests of our residents to approve the application and hereby voice my objection.

Respectfully Yours,

A handwritten signature in cursive script that reads "Bill Carlson".

Bill Carlson
Highway Commissioner

BC/ck

Tinley Park Speech 3/13/18

My name is Sandra Rennie, and I reside at 7231 W. 194th St. Tinley Park, Il.

Let me begin today by directing you to our timeline that we have provided for you which states historically that since 2013 Leonard McEnery has been denied by the Frankfort Township Board for special use permits, and twice by the Will County Board Representatives for his Special Use Permits to obtain a Liquor as well as gambling permit for his current Gas N' Wash station on 194th St..

1. Since 2012 our local Tinley and Frankfort residents have adamantly opposed the very same permits he is asking you to approve via his annexation to our Villlage of Tinley. Our residents went door to door and talking to residents and approximately **700 residents signed petitions opposing these permits.** (Let me repeat that approx. 700 residents! We also attended the Brookside Glen Homeowners Association and overwhelmingly received their support regarding opposition to these very same Special Use Permit requests.

2. Our Frankfort Building and Transportation Dept. along with the Frankfort Township Board members vetoed these Special Use Permits on Sept. of 2015 due to concerns of traffic and safety issues. The Frankfort Township Highway Commissioner, who has over 18 years experience, is also on record regarding these important traffic and safety concerns.

3. **Please note that today the traffic onto our residential streets has already escalated with just the building of this gas station which now includes a Dunkin Donuts, and a car wash. Also, regarding our children's safety** there currently are 12 bus stops within a ¼ of a mile from this station just from the Summit Hill K-8 Elementary School....Will we need more Police protection for our children? Also, as you have previously heard, our past Tinley Mayors, Mayor Zybrocky and Mayor Seaman along with our current Mayor Vandenberg, (then a trustee), and previous Tinley Village Officials were **very supportive of our residents in opposing this station** and the Special Use Permits citing the **traffic and crime issues** which accompany gambling and liquor sales.

Shouldn't these ongoing concerns be a major factor today recognizing the welfare and safety for all residents?

4. As I previously stated, Crime continues to be another major concern for our community as a few years ago when we first presented our facts to Will County we acknowledged recent studies which detailed facts regarding crimes in gas stations and Liquor stores. A few of these basic facts relating to crime include:

A. Operation Hours are the strongest factor in store robberies particularly for stores open 24 hrs/day.

B. Late evening to Early morning hours carry a risk of being targeted.

C.. Robberies commonly consider escape routes an important factor in selecting a target and that's where the safety of community comes in....

For example via our 2015 FOIA to our Tinley Park Police for our Tinley Park gas, convenient store and Liquor store businesses there were numerous arrests over the last five years including the following: 64 for disorderly conduct; **31 Disorderly Intoxications**; **49 for Petty thefts up to \$300**; and **5 Armed Roberies**; and the list goes on...Since our residential community is directly adjacent to Leonard's station these facts therefore represents a major safety concern to all residents in our neighborhood.

We would then ask: Leonard's station is open 24 hrs./ a day how will security be enforced? For example, attendees to the Odyssey Music Park currently leave liquor bottles in our parkway to and from concerts in the summer time, so imagine if they could also purchase more liquor, will our Village of Tinley require extra Police Officers to assist with these projected crime issues?

Lastly, while his financial proposals may seem lucrative, let's remember that he will also be hurting existing gaming businesses for example at our **local Veteran's American Legion Post** on Oak Park Ave., not to mention the liquor businesses in our Village, and as residents AND TAXPAYERS of this community our property values will continue to decline.

Please also remember that our neighborhood is like an extended family. We have spent all of our lives working and planning for a home which would be free of congestion found in larger cities. And our homes may be the largest investment most of us have ever made. So, as our elected officials we ask that you do what is best for **all the people you represent**, just as the Will County and Frankfort Board members have done in the past. **VOTE NO** for this future annexation to our Village of Tinley ... Thank you.

To: The Village of Tinley Park

Date: March 12, 2018

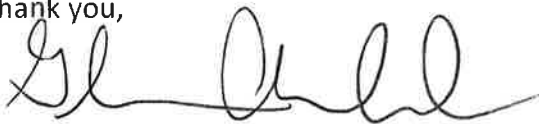
I would like to address the annexation agreement under consideration today. I strongly disagree with allowing this annexation as proposed to proceed. The purpose of this annexation is to allow the existing establishment to add gambling and packaged liquor sales to a location that directly abuts single family residences in Tinley Park. Think about that for a moment. This facility already pollutes the air with truck exhausts, poisons the ground with diesel fuel runoff and potentially leaking storage tanks, contributes to the obesity of our children by offering only junk food like donuts, candy and pizza as well as sugary soft drinks and slushies that have almost no nutritional value. The facility poisons our lungs with the sale of cigarettes, a known carcinogen, and now you have before you a proposal to add two more activities, gambling and liquor that are known to promote addiction and crime.

You have heard today from residents and past public officials from Tinley Park, objecting to this agreement. You have also heard from members of the Will County board, objecting to these specific activities at this location. In fact, the Will County board has voted repeatedly over the past 5 years to reject these activities at this location due to health and safety reasons. To rule today to allow these activities would be the very definition of arbitrary and would raise the specter of pay to play.

This establishment, as proposed, would not be allowed anywhere else in Tinley Park. Can you yourself say that you would allow this type of establishment anywhere else in Tinley Park? ...in your own backyard? If you would not allow this location in your own neighborhood of single family homes, how can you possibly support this one?

Please keep in mind that by arbitrarily allowing this business to bypass long standing Tinley Park rules, you are inviting legal challenges, not only by those that oppose this development, but also by other business that are sure to say me too, once you set this precedent. By allowing this deal to go forward, you are allowing the camel's nose into your tent. Don't be surprised when the entire camel is in your bed.

Thank you,

A handwritten signature in black ink, appearing to read "Glenn Arnold", written over a horizontal line.

Glenn Arnold

To: Village of Tinley Park

Date: March 13, 2018

I was fortunate enough to be present at the Tinley Park budget meeting held on March 13, 2018. During that meeting there was much discussion on gaming revenue and ways to increase it for the village. At one point the mayor, the honorable Mr. Vandenburg even suggested earmarking some of the profits to help pay for more police. That sounded like a fine idea; turn the revenue generated by this activity into a positive force for the village.

The idea got me to thinking: How many police could Tinley Park afford with the profits from video gaming? A quick check of the Illinois gaming website shows that last year Tinley Park's share of video gaming revenue from the entire village was just over \$350,000. Another quick check on the Internet found that the average all-in cost of a single police officer is around \$150,000, including salary, outfitting and benefits (not including car). So let's say we earmark \$300,000 for two extra police officers. That sounds great; we can pay for these two officers and still have \$50,000 left over. All is well.

But is that the REAL cost of these two police officers? Tinley Park's share of gambling revenue is 5% of the total take on gambling. That means that the residents of Tinley Park must LOSE \$6,000,000.00 on gambling to pay for these two officers. That's \$6 million taken out of the pockets of the residents of Tinley Park to pay for two police officers.

But you may say, gambling is a voluntary activity; people are choosing to gamble, and if that's the way they want to spend their money, fine by me. But that's simply not true. Gambling is an addiction. Studies show that the most effective way to get people to perform repetitive tasks is by inducing a variable reward system. In fact, people will often continue to participate in variable reward systems even against their own self-interest. That is the very definition of an addiction. That is also why the gaming industry spends billions of dollars developing their variable reward machines AKA gaming machines. These machines are the state-of-the-art variable reward systems, engineered to addict. So the village is profiting off of people that cannot resist their compulsion and continue their compulsion even against their own self-interest.

Even if you take addiction out of the equation, the losses associated with gambling are still a net negative for Tinley Park. How much of the \$6 million lost by residents would have otherwise gone to purchasing goods and services in the village. I'm quite sure it is significantly more than 5%. So gambling is a double whammy against not only the residents of the village, but the businesses that operate in the village.

Governing bodies across the state, including Will County, are now rejecting gaming as a source of revenue. Not because they don't like money, far from it. They are rejecting gaming because they recognize that it is a net negative to their economy and a detriment to the residents and business they are charged with overseeing.

The only winner in this game is the owner/operator. And they are laughing all the way to the bank. While Tinley Park took in \$350,000 from its residents last year, the owner/operators share was a whopping \$4,850,029.23. Don't let another owner/operator into the village to siphon off more of your precious resources. The numbers just don't add up.

Thank you,

Glenn Arnold

Gaming Income example:

If the NTI is \$1,000,000 the payout would be:

25% State	\$250,000.00
5% Municipality	\$50,000.00
35% Establishment	\$350,000.00
35% Operator	\$350,000.00

The NTI is the difference between the cash deposited into the gaming machines and the winnings paid to players.

From: Beth awknip@aol.com

Subject: Lenny's

Date: Mar 14, 2018, 3:49:20 PM

To: djrsgm@comcast.net

Linda: Sent this letter to the Mayor and Trustees. Include it in your packet if you feel it is appropriate.

I spoke at the meeting last night on behalf of my neighbors regarding the annexation of the business located on the corner of 194th and Harlem. I was finding it difficult to speak as the 4 minute clock was ticking and wanted to clarify and enhance my comments.

My husband and I built our home 20 years ago in Tinley Trails. We are lifetime southsiders and found Tinley Park the perfect town to settle. Tinley Trails is a subdivision of 31 single-family homes with Brookside Glen to our west and Frankfort Square to our south. Our neighborhood quickly became a family consisting of retired persons, like ourselves, as well as young families with children. We all were aware that the vacant property at the entrance to our subdivision was zoned and eventually a business could be built on that property. However, we never expected that we would have to endure the type of business that a gas station, car & truck wash, 24-hour mini-mart and drive-thru doughnut establishment would bring to our community.

Our battle to keep our area safe and family friendly has gone on for 6 years. If the property had originally been within the Tinley Park village limits, this type of business would not be allowed, as it is too close to a residential community. The owner soon found that out. With the help of his attorneys, he approached Will County and had the property rezoned to accommodate his desired business. When informed by us about the intentions of this owner, Will County officials realized that this business was not appropriate for the site. The business was denied by the Will County Board twice, Will County Land Use and Development committee, the Will County Planning and Zoning Commission, Frankfort Township and the Village of Tinley Park. As a last resort, the owner brought suit against Will County and the Will County Board. He lost the suit, but, as his attorney said at the meeting last night ".....we eventually found a judge" that ruled in his favor and he was able to add the 24-hour drive-through and the car and truck wash.

Through all of this, our neighbors persisted in an attempt to keep our neighborhood safe. However, this battle has taken its toll. Seeing how distraught my neighbors, the Rennies have become broke my heart. Their home is directly behind this business. Not only has this effected the property values, but they, in particular must endure idling trucks directly outside their bedroom window, as well as the noise 24 hours a day, the trash that ends up on their property, the traffic of big trucks and cars entering the gas station and the fear of criminal activity so close to their home. Yes, the owner says he will place signs that warn against truck idling, but there will be no one to enforce that "request." We have experienced more vandalism and theft within our neighborhood since Lenny's has been built. So, our fears were warranted.

I was disappointed last night that the committee was unaware of the problems that this business has brought to the residents of our community. Seems they only considered the dollar signs that this business could bring into the Village. Our comments were only listened to after the decision to send this request on was made.

I invite you to come to our neighborhood and see the effects Lenny's had made on us. You will see the idling trucks and the traffic problems. You may even catch me picking up Dunkin Doughnut and Slushy cups off my front lawn. Upon leaving via 194th, give yourself enough time because turning north on Harlem will take forever. Imagine living this life 24 hours a day!

I am aware that nothing can be done about the existing business; however, granting this guy a liquor permit and gambling rights would only bring more distress upon our neighborhood. We have obtained environmental, traffic, crime and even the effects of gambling studies to support our plight. Many of our neighbors have just given up and see any attempt at stopping the downfall of our community by this owner an exercise in futility.

I am asking you to rethink this request to annex this property to the Village of Tinley Park. As I said last night, your constituents look to you for our safety and well being. Please feel free to share my thoughts with those

committees that will be effecting our future. I appreciate the opportunity to express my concerns and would hope you can lessen the stress that this has brought to our community.

Thank you,
Beth & Wayne Kendall
7306 194th Street
Tinley Park, IL 60487

From: Linda Arnold [djrsgr@comcast.net](mailto:djrsgm@comcast.net)
Subject: AndyTess

Date: Mar 13, 2018, 3:16:25 PM

To: Linda Arnold [djrsgr@comcast.net](mailto:djrsgm@comcast.net)

THE ISSUE OF LENNY'S GAS AND WASH WAS A VERY EMOTIONAL AND TRYING ISSUE FOR THE REDIDENCE OF TINLEY TRAILS AND BROOKSIDE GLEN SINCE 2012. BASICALLY, THE PROPERTY WAS ZONED ORIGINALLLY FOR A "GAS STATION" WITH CONVENIENCE STORE". WHAT WAS BUILD WAS A TRUCK STOP WHICH WAS IDENTIFIED AS A TRUCK STOP BY LENNY'S WHEN HE REQUESTED A TRUCK STOP GAMING LICENSE IN 2013-14?. THIS APPLICATION WAS LATER WITHDRAWN, AS HE ATTEMPTED TO GAIN APPROVAL FOR HIS PROJECT BY APPLYING FOR WHAT THE THEN ZONING ALLOWED. HE NOW ASKS FOR ANNIXATION SO AS TO ENABLE HIS ORIGINAL TRUCK STOP/LIQUOR/GAMING PLANS CAN BE ACCOMPLISHED.

BETWEEN 2012 – 2016 NUMEROUS MEETINGS BY THE WILL COUNTY BOARD, THE COUNTY ZONING COMMISSION, PLANNING COMMISSION, THE FRANKFORT TOWNSHIP BOARD, THE FRANKFORT PLANNING AND ZONING COMMISSION, FRANKFORT TOWNSHIP ROAD DISTRICT COMMISSION AND THE HIGHWAY DEPARTMENT OVERWHELMING MOST ALL VOTED AGAINST THE INITIAL PROJECT. HOWEVER, IT WAS BUILD ANYWAY UNDER THE THEN APPROVED ZONING OF GAS STATION WITH

CONVNEIENCE STORE. IT WAS BUILT WITH PROVISIONS FOR A BEER COOLER WITH KNOWLEDGE THAT WILL COUNTY WAS NOT GOING TO LOOK FAVORABLY ON A LIQUOR LICENSE IN A DISTRICT THAT HAD A DISAPPORSHIONATE NUMBER OF LIQUOR LICENSES FOR THE ENTIRE COUNTY I BELIEVE IT WAS 9 OF THE 15 WERE IN THIS DISTRICT ALREADY.

IT TOOK TWO LAWSUITS BEFORE ONE JUDGE AGREED RELUCTANTLY THAT THE ZONING OF THE PROPERTY ALLOWED FOR A GAS STATION WITH CONVENIENCE STORE AND THE 2 SPECIAL USE PERMITS. CAR WASH AND FOOD DRIVE THROUGH.

IN 2012-13 THE THEN TINLEY PARK ADMINISTRATION ISSUED THEIR OBJECTIONS TO THE INITIAL PROJECT HOWEVER WITHOUT JURISTIONAL CONTROL THEY INDICATED THERE WAS NOTHING THEY COULD DO.

JUST BECAUSE SOME THINGS ARE LEGAL DOES NOT ALWAYS MAKE THEM RIGHT! LIKE THE NUNS IN STONE PARK THAT PREVENTED A STRIP CLUB FROM OPENING

NEXT DOOR TO THEIR CONVENT, IT WAS LEGAL BUT NOT THE RIGHT THING TO DO FOR THE RESIDENTS, OR THE NUNS.

OR THE HIGH SCHOOL BLEACHERS ERECTED IN CRYSTAL LAKE THAT A JUDGE RULED SHOULD BE TORN DOWN BECAUSE THEY BLOCKED SUNLIGHT AND DISRUPTED A NEIGHBORHOOD.

WE THE COMMUNITY PREVIOUSLY PLEADED, YOU SHOULD NOT BUILD A TRUCK STOP/CAR WASH/DRIVE LIQUOR STORE, GAMING ESTABLISHMENT THROUGH AT THE FRONT DOOR TO A RESIDENTIAL COMMUNITY.

WE ASK THAT YOUR REJECT THE ANNIXZTION.

ANDREW TESS

From: Linda Arnold djrsgm@comcast.net
Subject: Marie Romam
Date: Mar 13, 2018, 1:58:03 PM
To: Linda Arnold djrsgm@comcast.net

Sorry I cannot make the meetings. You may read the following at the meeting if you wish....you can mention our names.

I am opposed to the Lenny's Gas n Go selling liquor and having on site gambling. There are enough of these establishments everywhere and it promotes addictions that can destroy individual lives and their families. What is Lenny teaching our youth through these habits that compromise our health, safety and sanity? Many who buy liquor from a gas station start to drink same while they are driving and accidents occur. Further, many have lost their homes, lives and families to gambling addiction.

Tinley Park should not allow Lenny to be annexed to itself simply because he wants the gambling and alcohol added to his list of moneymakers. He should continue to be in Frankfort and under the laws of same. That is where his physical facility lies. Tinley Park should be looking out for the local homeowners who do not want their children to be under the influence or tempted to buy liquor and gamble while walking there or filling up their or their family's car with gas. You can be sure that Lenny and his employees will not be checking for their I.D.'s to see if they are even of age. It is bad enough that people coming off Harlem Avenue ignore the sign that says the through street is for residents only as they fly through 194th Street and Ridgefield Lane as if it is an expressway with no regard for residents and their children's safety. We regularly have to clean the street in

front of our home because of cups, food wrapping papers and plastic bottles carelessly throw out the windows of cars who buy from Lenny's- as if the street itself were a garbage can for litter.!

It is enough that Lenny already gained his car wash, Dunkin Donuts, and truck filling stations., adding to the noise, pollution, and challenge to our and Frankfort's water supply, which is rationed already in the summer. Our community has been compromised enough as if we were located on the expressway and not in a residential area. Some respect should be shown to the residents who pay taxes here to keep this town going!!

Thank you for your attention in this matter.

Sincerely,

Marie and David Roman

7355 Ridgefield Lane

Tinley Park, Illinois

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE SEPTEMBER 3, 2015 MEETING

**ITEM #3: PUBLIC HEARING
SPEEDWAY – 18460 80TH AVENUE & 8045 185TH STREET – REZONING, PLAT OF
CONSOLIDATION, AND SPECIAL USE PERMIT FOR A SUBSTANTIAL DEVIATION
FROM THE TINLEY CROSSINGS CORPORATE CENTER PLANNED UNIT
DEVELOPMENT WITH EXCEPTIONS AND SITE PLAN APPROVAL**

Consider recommending that the Village Board approve a proposal from Melanie Foss, on behalf of Speedway at 18640 S. 80th Avenue, for the following:

1. Rezoning (Map Amendment) upon annexation of a 1.51 acre property located at 8045 185th Street from R-1 Single Family Residential Zoning District to M-1 General Manufacturing Zoning District within the Tinley Crossings Corporate Center Planned Unit Development;
2. Approval of a Plat of Consolidation for the three (3) parcels that comprise the Speedway gas station and car wash;
3. A Special Use Permit for a Substantial Deviation to the existing Tinley Crossings Corporate Center Planned Unit Development (PUD) with exceptions for the regulations of the M-1 Zoning District and the Urban Design Overlay District regarding lot area, lot depth, and front yard setback requirements; and,
4. Site Plan Approval for the expansion of the existing Speedway gas station and related site improvements.

Present were the following:

Plan Commissioners:	Jeff Ficaro Bob McClellan Maureen McLeod Mark Moylan Art Pierce Bill Reidy Rita Walker, Chairman
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Absent Plan Commissioner(s):	Tom Mahoney
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Village Officials and Staff:	Amy Connolly, Planning Director Paula Wallrich, Deputy Planning Director Stephanie Kisler, Planner Debra Kotas, Commission Secretary
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Guest(s):	Chris Kalischefski, Corporate Design Development Robert Schroeder, Speedway Real Estate
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CHAIRMAN WALKER opened the Public Hearing at 8:18 p.m. requesting anyone present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

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.

CHRIS KALISCHEFSKI, Design Architect representing Speedway, reported a workshop was held with Staff and believes all major issues have been resolved. He presented a brief slide show including aerial photographs of the existing site. He stated Speedway is seeking approval to increase the number of dispensers, enlarge the canopy over the fuel dispensers, relocate signage, remove the ground mounted sign adjacent to the C-store and install new storm drainage and landscaping. He stated this will modernize the facility resulting in improved circulation for the 3,300 sq. ft. C-store and car wash. He reviewed the Plat of Annexation and Plat of Subdivision that includes the 3 parcels into 1 single parcel and the agreed upon cross easement on the southern parcel.

Per suggestions from the workshop, MR. KALISCHEFSKI reported they have agreed to provide the amount of trees required with the majority of trees providing screening of the ambulance parking lot with the remainder of trees sprinkled around the site. He reported the trash enclosure will now be relocated from the front of the building to the south side of the car wash and will be constructed of masonry to match the building with a sidewalk to the C-store. He added there will be a clearly defined 15'x32' outdoor display area. He noted a bike rack has also been added to the site. In conclusion, he commented by creating the driveway on 185th Street, there is now a safer traffic flow with 4 points of access on the site.

COMMISSIONER FICARO thanked MR. KALISCHEFSKI for addressing the open items from the work session. He stated he was pleased with the distribution of trees, relocation of the trash enclosure, removal of third sign, addition of bike rack, sidewalks and a defined outdoor storage area next to the car wash and away from the street.

COMMISSIONER MCCLELLAN reported he was unable to attend the workshop, however, complimented efforts by COMMISSIONER FICARO and Staff. He inquired about a sales tax from the sale of gasoline. AMY CONNOLLY, Planning Director, reported sales tax is generated along with a motor fuel tax.

COMMISSIONER PIERCE stated he liked the project. He inquired about the propane tank near the car wash. MR. KALISCHEFSKI reported this was removed.

COMMISSIONER MOYLAN inquired about truck parking. MR. KALISCHEFSKI reported that due to the tight turning radius on the site, this is not an attractive site for semi-trucks, however, most of the truck patrons are box trucks.

COMMISSIONER MCCLELLAN inquired about Speedway's recent application for video gaming at this location. ROBERT SCHROEDER, representing Speedway Real Estate Division, reported speaking with Speedway's Director of Operations, Cheryl Jones, who supports the withdrawal of the application for a video gaming license.

For inclusion into the record, CHAIRMAN WALKER read the following email received from TOM O'BRIEN to Village Staff:

"Pat, It was nice speaking with you today. Per our discussion, I am voicing my complaint and concern with the proposed zoning change for the Speedway on 80th Avenue. They simply want to add pumps in order to acquire a video gaming license from the IL Gaming Board. They have already applied to the IG as a truck stop candidate, which would entitle them to video gaming 24/7. They currently do not meet the definition of a truck stop because they do not have separate diesel truck islands. There are plenty of locations in the area for trucks to fuel up, including Speedway at 183rd & Harlem. We do not need a 24-hour gaming location in Tinley Park. Former Mayor Zabrocki recently vehemently opposed the licensing of a Lenny's Food n Fuel in Will County near the Tinley border, and I see no reason to allow this. Ask Speedway if they will be interested in waiving their right to video gaming at that location for a period of 30 years and see what their response is. I think that I've made my point. I don't want to go on too long. Thank you for your time, Good luck tonight."

PAULA WALLRICH, Deputy Planning Director, presented the Staff Report. MS. WALLRICH confirmed the Petitioner will be rescinding their application for video gaming and agreed not to make a future application. She added that the attorneys will include this as part of the annexation agreement.

MS. WALLRICH reiterated the items from the workshop noted by COMMISSIONER FICARO including:

1. Designated outdoor sales area pad with a height limitation of stacked product to 4';
2. Relocation of trash enclosure with additional landscape;
3. Removal of third ground mounted sign that will allow for extra parking;
4. Sidewalk from public walk along 80th Avenue to the C-store and bike rack; and
5. Elimination of any electronic message board which allows them to have temporary signage.

In conclusion, MS. WALLRICH summarized the outstanding items:

1. Petitioner has complied with temporary outdoor sales area;
2. Consider approval of site deficiencies as exceptions to the M-1 and Urban Overlay District as part of the Special Use;
3. Internal sidewalk and bike rack provided, however, Petitioner will provide cash in lieu of for sidewalk along 80th Avenue;
4. Cross access easement included on plat;
5. No final sign plan, however, all signage issues have been agreed to;
6. Final Landscape Plan not yet received.

COMMISSIONER MCCLELLAN reviewed and stated he supports the Findings of Fact relative to the Special Use as submitted by the Petitioner and Staff included in the Staff Report:

- 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.

No discussion.

- 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 will it substantially diminish and impair property values within the neighborhood.

No discussion.

- 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.

No discussion.

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

No discussion.

- 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.

No discussion.

- 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 exceptions will be:

- Lot area minimum for the M-1 District (3.84 acres, provided; 5 acres required)
- Lot depth minimum for the M-1 District (180' provided; 200' required)
- Front yard setback for the Urban Design Overlay District (54' provided; 20' maximum)

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

No discussion.

COMMISSIONER FICARO reviewed the Findings of Fact regarding Rezoning as submitted by the Petitioner included in the Staff Report:

1. The proposed zoning is consistent with the existing uses in the area.

The subject property is part of the 165 acre Tinley Crossings Corporate Center PUD adopted in 1998.

2. The proposed zoning is compatible with present zoning in the area.

The property to the north is in the M-1 PUD. The property immediately to the south is unincorporated Will County with M-1 PUD surrounding the County parcel to the west and south.

3. The existing zoning is not suitable for the property or its surrounding area.

No discussion.

4. The proposed zoning is consistent with the trend of development in the area.

The development is part of the 12 acres planned for commercial development within the approved PUD. Future widening of 80th Avenue is planned.

5. There is a need for the proposed zoning.

The Petitioner has requested the proposed zoning as part of the planned expansion of an existing use (gas station). The approval of the requested zoning will allow for the redevelopment on the existing parcel as an extension of an existing use.

Prior to the motion being made for Special Use, COMMISSIONER PIERCE expressed concerns regarding the Plan Commission placing conditions regarding video gaming. CHAIRMAN WALKER stated it is within the authority of the Plan Commission to add conditions that may be objectionable to surrounding properties. MS. WALLRICH concurred the Plan Commission has authority to place these conditions if considered an impact on the special use being granting adding the Village Attorney recommends this as part of the Motion.

There being no further questions from Commissioners, Objectors or Interested Parties. COMMISSIONER FICARO made a motion to grant Site Plan Approval for the proposed expansion of the Speedway Gas Station at 18460 80th Avenue.

Additionally, we recommend that the Village Board grant the Applicant, Melanie Foss, on behalf of Speedway, a Rezoning (Map Amendment) from R-1 Single-Family Residential to M-1 General Manufacturing to allow for the expansion of the fueling canopy for the existing Speedway Gas Station located at 18460 80th Avenue. Findings of Fact

submitted by Village Staff, as amended by the Plan Commission are submitted as part of the record for this meeting.

The Plan Commission further recommends to the Village Board the approval of the Plat of Consolidation for the three (3) parcels that comprise the Speedway Gas Station and Car Wash conditioned upon final engineering approval.

The Plan Commission further recommends to the Village Board the granting to the Applicant, Melanie Foss, on behalf of Speedway, a Special Use for a Substantial Deviation from the approved Tinley Crossings Corporate Center Planned Unit Development with exceptions from the Village Zoning Ordinance as noted below, and adopt Findings of Fact submitted by the Applicant and Staff.

Exceptions to the Zoning Ordinance requirements within this PUD include:

1. Lot area minimum for the M-1 District (3.84 acres provided; 5 acres required);
2. Lot depth minimum for the M-1 District (180' provided; 200' required); and,
3. Front yard setback for the Urban Design Overlay District (54' provided; 20' maximum).

The Plan Commission recommends the Special Use for a Substantial Deviation be approved with the following conditions, which must be satisfied prior to issuance of a Certificate of Occupancy:

1. Final Landscape Plan Approval;
2. Final Sign Plan Approval;
3. Withdrawal of State Gaming License for Video Gaming by Speedway, LLC, for this location; and,
4. No future application for video gaming by Speedway for this location.

All the foregoing approvals are subject to the precondition of annexation by the Village of the 8405 185th Street parcel (Parcel 1).

The Motion was seconded by COMMISSIONER MCCLELLAN.

AYE: Plan Commissioners Jeff Ficaro, Bob McClellan, Maureen McLeod, Mark Moylan, Art Pierce, Bill Reidy, and Chairman Rita Walker

ABSENT: Plan Commissioner Tom Mahoney

NAY: None

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. PLAN COMMISSION CHAIRMAN WALKER declared the Motion approved.

A motion was made by COMMISSIONER FICARO, seconded by COMMISSIONER PIERCE to close the Public Hearing at 8:52 p.m. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN WALKER declared the motion approved.

**MINUTES OF THE BOARD OF TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD OCTOBER 20, 2015**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on October 20, 2015. Mayor Seaman called this meeting to order at 8:01 p.m. and led the Board and audience in the Pledge of Allegiance.

Mayor Seaman introduced students from Victor J. Andrew High School, Tinley Park High School and Lincoln-Way North High School who are taking part in the Village's Youth In Government Program. He also introduced two (2) Life Scouts from Boyscout Troop 911 who visited the Village Board meeting as part of their Citizens in the Community Badge.

Present and responding to roll call were the following:

Village Mayor:	David G. Seaman
Village Deputy Clerk:	Laura J. Godette
Trustees:	Brian S. Maher T.J. Grady Michael J. Pannitto Jacob C. Vandenberg Brian H. Younker Bernard E. Brady
Absent:	
Village Clerk:	Patrick E. Rea
Also Present:	
Village Manager:	David J. Niemeyer
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

Motion was made by Trustee Pannitto, seconded by Trustee Grady, to approve the agenda as written or amended for this meeting. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to approve and place on file the minutes of the regular Village Board meeting held on October 6, 2015. Vote by voice call. Mayor Seaman declared the motion carried.

Mayor Seaman presented the following consent agenda items.

The following Consent Agenda items were read by the Village Deputy Clerk:

- A. CONSIDER REQUEST FROM THE CRISIS CENTER OF SOUTH SUBURBIA TO CONDUCT A RAFFLE FROM NOVEMBER 15, 2015, TO FEBRUARY 20, 2016. WINNERS WILL BE DRAWN AT SILVER LAKE COUNTRY CLUB IN ORLAND PARK ON FEBRUARY 20, 2016.
- B. REQUEST FROM PARK LAWN TO CONDUCT A TAG DAY FUNDRAISER ON FRIDAY, MARCH 25 AND SATURDAY, MARCH 26, 2016, AT CERTAIN INTERSECTIONS IN THE VILLAGE OF TINLEY PARK.
- C. REQUEST PROCLAIMING NOVEMBER 28, 2015, AS "*SMALL BUSINESS SATURDAY*" IN THE VILLAGE OF TINLEY PARK.
- D. CONSIDER A REQUEST FOR A BLOCK PARTY PERMIT ON SUNDAY, NOVEMBER 1, 2015, AT 172ND STREET BETWEEN OAK PARK AVENUE AND 67TH COURT (VFW) FROM NOON TO 5 P.M.
- E. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,876,015.21 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED OCTOBER 9 AND OCTOBER 16, 2015.

Motion was made by Trustee Pannitto, seconded by Trustee Brady, to approve the consent agenda items. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on first reading **RESOLUTION 2015-R-040 APPROVING AN ANNEXATION AGREEMENT WITH GREEN WAVE CAPITAL CORPORATION AND SPEEDWAY FOR THE DEVELOPMENT OF AN EXPANDED AUTOMOBILE SERVICE STATION AND ANNEXATION OF PROPERTY LOCATED AT 8045 W. 185TH STREET.** Speedway proposes to develop approximately 1.5 acres of vacant, unincorporated property at 8045 W. 185th Street, in order to expand the number of automobile service pumps and make related site improvements at the existing Speedway gas station at 18460 S. 80th Avenue. In order to facilitate this expansion, the vacant property requires annexation into the Village and an agreement detailing the terms of the development. The proposed site improvements proposed are an addition to the existing, incorporated 3.84 acres used as a Speedway gas station, convenience store, and car wash.

A draft of the proposed annexation agreement has been on file and available for public inspection at the Village Hall, 16250 S. Oak Park Avenue, since October 15, 2015. The matters to be included in the annexation agreement shall include but are not limited to the following:

- 1. Annexation of the Subject Property.
- 2. Rezoning of the Subject Property upon annexation from R-1 Single-Family Residential District to the M-1 General Manufacturing Zoning District under the Tinley Park Zoning Ordinance.
- 3. Terms relating to the development of the Subject Property as part of the expansion of the existing Speedway automobile service station and convenience store, including but limited to a prohibition on video gaming at the service station as expanded.

4. Contributions to be made by the Developer and recapture payments to be paid by the Developer.
5. Stormwater retention/detention and storm sewer requirements.
6. Granting of necessary easements.
7. Term of the Agreement in 20 years.
8. Provision for installation of necessary utilities.
9. Reimbursement to Village of certain fees and expenses.
10. Approval of landscaping and signage.
11. Other miscellaneous provisions.

The Village Attorney and Village Engineer have reviewed the proposed agreement and have found it to be acceptable. Trustee Younker asked for the concurrence of the Village Board to amend the annexation agreement to require installation of sidewalks now (including a required letter of credit, as it is a public improvement) and the submittal of an acceptable engineering plan showing the location of the proposed sidewalks along both 80th Avenue and 185th Street. A public hearing on the Agreement has been duly noticed for the November 3, 2015, regular Village Board meeting. Mayor Seaman asked if anyone cared to address the Board. Chris Kalischefski, Speedway Representative, provided a brief overview of the development project. Trustee Pannitto asked if any of the neighboring properties had issues with the proposed annexation and development. Amy Connolly, Planning Director, stated they did not. Trustee Pannitto also asked if this development would improve the ingress and egress. Mr. Kalischefski stated that was part of the development plan. The property owner, Chris Vandenberg, was in attendance at the meeting. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to place on first reading and direct the Village Attorney to draft **ORDINANCE 2015-O-048 ANNEXING PROPERTY LOCATED AT 8045 W. 185TH STREET FOR THE SPEEDWAY EXPANSION PROJECT**. Greenwave Capital Corporation submitted a petition for annexation of a 1.5 acre portion of the property located at 8045 W. 185th Street (PIN: Part of 19-09-02-200-014-0000) in coordination with an Annexation Agreement that is under consideration by the Village Board. The property is not wholly bound by the Village of Tinley Park, however the annexation is at the request of the property owner. Notice of the pending annexation has been sent to the Mokena Community Public Library District and also to Frankfort Township Highway Department. The property is not located in a fire protection district. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Grady, to place on first reading and direct the Village Attorney to draft **ORDINANCE NUMBER 2015-O-049 REZONING UPON ANNEXATION OF PROPERTY LOCATED AT 8045 W. 185TH STREET FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO M-1 GENERAL MANUFACTURING ZONING DISTRICT**. Speedway, with approval from the property owner Greenwave Capital Corporation, has submitted a petition requesting rezoning of a 1.5 acre portion of the property located at 8045 W. 185th Street (PIN: Part of 19-09-02-200-014-0000) in accordance with the Annexation Agreement. A public hearing on the rezoning was held at the Plan Commission meeting on September 3, 2015, and findings of fact were made regarding the rezoning. On a vote

of 7-0, the Plan Commission recommended approving the rezoning to the Village Board. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on first reading and direct the Village Attorney to draft **ORDINANCE NUMBER 2015-O-050 GRANTING A SPECIAL USE PERMIT FOR A SUBSTANTIAL DEVIATION FROM THE TINLEY CROSSING CORPORATE CENTER PLANNED UNIT DEVELOPMENT TO SPEEDWAY FOR PROPERTIES LOCATED AT 18460 S. 80TH AVENUE AND 8045 W. 185TH STREET.** The Applicant, Speedway seeks approval for a Special Use Permit for a Substantial Deviation from the approved Tinley Crossings Corporate Center Planned Unit Development with exceptions from the Village Zoning Ordinance as noted below. This substantial deviation is required in order to formally amend the Planned Unit Development to include the previously unincorporated property and to expand the proposed Speedway Automobile Service station.

Exceptions to the Zoning Ordinance requirements within this PUD include:

1. Lot area minimum for the M-1 District (3.84 acres provided; 5 acres required)
2. Lot depth minimum for the M-1 District (180' provided; 200' required)
3. Front yard setback for the Urban Design Overlay District (54' provided; 20' maximum)

The Plan Commission recommends the Special Use for a Substantial Deviation be approved with the following conditions, which must be satisfied prior to issuance of a Certificate of Occupancy:

1. Final Landscape Plan Approval;
2. Final Sign Plan Approval;
3. Withdrawal of State Gaming License for Video Gaming by Speedway for this location;
and
4. No future application for Video Gaming for this location.

All the forgoing approvals are subject to the precondition of annexation by the Village of the 8405 W. 185th Street parcel.

The Plan Commission held a public hearing on September 3, 2015, and recommended approval of the Special Use Permit based on findings of fact, with conditions and exceptions to the PUD, on a vote of 7-0. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on first reading **RESOLUTION 2015-R-041 APPROVING A FINAL PLAT OF SUBDIVISION (CONSOLIDATION) FOR THE PROPERTIES LOCATED AT 8045 185TH STREET AND 18460 S. 80TH AVENUE – SPEEDWAY.** Speedway seeks approval for a Final Plat of Subdivision (Consolidation), for property located at 8045 W. 185th Street and 18460 S. 80th Avenue. The Plat approval is requested to facilitate consolidation of parcels necessary for the construction of an expanded Speedway automobile service station. The Plat formally combines the

PLAN COMMISSION STAFF REPORT

April 05, 2018

Petitioner

Mark Zamiar, Lankford-
Painting Division

Property Location

18521 Spring Creek Dr.
Unit G & H

PIN

09-01-201-001-0000

Zoning

ORI, PD-Ord No. 91-O-
083

Approvals Sought

Special Use Permit-
Contractor Office & Shop

Project Planner

Kimberly Clarke

LANKFORD-PAINTING DIVISION- SPECIAL USE FOR A CONTRACTOR'S OFFICE AND SHOP IN THE ORI DISTRICT

18521 Spring Creek Drive Unit G & H



EXECUTIVE SUMMARY

The Petitioner, Mark Zamiar, on behalf of Lankford Construction Company, seeks a Special use permit in order to operate a painting contractor shop and office at 18521 Spring Creek Drive Unit G & H. The property is zoned ORI (Office and Restricted Industrial) which allows a contractor office and shop as a special use.

By granting the Special Use the applicant will be able to relocate their painting division business of Lankford Construction into a larger space in the Village of Tinley Park. The applicant's lease at his current location expires at the end of March. When he signed the lease, he was not aware that zoning approval would be needed because a contractor previously occupied this unit. In order to assist the business, we have combined the workshop with the Public Hearing to hopefully get the applicant approved sooner so that they can begin operating out of the unit.

EXISTING SITE & HISTORY

The subject property is located within the North Creek Business Park. The business park was granted a special use for a Planned Unit Development per Ordinance No. 91-0-083 for the development of a mixed use development with a mix of ORI uses and certain B-3 permitted uses. This particular building started construction in August 24, 2003 for the construction of a 10 unit building. The last known documented business that occupied this location was Integrated Systems who occupied the 2nd Fl. in 2012. The change of use application indicated the previous tenants were general contractors with Affinity Group Partners occupying Unit G and Alliance Electric occupying Unit H. There is no record of a Special Use being granted.



ZONING & NEARBY LAND USES

The subject property (red star) is within an entirely commercially developed area zoned ORI (Office and Restricted Industrial). There are four existing companies in the building (Bulow Group, E. Anthony Inc. (EAI), Preferred Communication Systems and Respiratory Lab. Of those companies, EAI is a contractor office. To the west and across North Creek Drive, is an area zoned B-3 (General Business and Commercial). This area is developed with professional office buildings, and Hotels such as LaQuinta, Hampton Inn, and Wingate.



"Contractors' Offices and Shops" are a Special Use in the ORI Zoning District.

PROPOSED USE

The applicant has indicated they are a painting contractor which is a division of the Lankford Construction Company. They will use the existing office spaces in the unit as well as storage area for materials and loading and unloading vehicles. The business will have box trucks delivering product every day which will get loaded up on contractor's trucks to go to the job sites. Based on this description, staff has determined that the type of use Lankford falls under is a contractor shop and office. Section V (B) Schedule 1 identifies contractors' offices and shops as a special use in the ORI District. The Applicant has stated they will not have any outside storage of materials.

FLOOR PLAN

The applicant has provided a floor plan which shows the first and second floor of the space. The entire space is approximately 5,000 SF and has access to two (2) overhead doors. The applicant intends to utilize the place as shown on the existing floor plan.

PARKING

The property site has approximately 60 parking stalls for the entire building. Lankford will have seven (7) employees in working in the office comprised of estimators and project managers. In the shop areas there will be a driver and shop helper. On average there will be four (4) vehicles overnight outside. These vehicles are used typically during the day and brought back in the evening. The photos to the right are the vehicles that will be parked overnight. The ORI district permits open storage of vehicles with the following conditions. Per Section II.O.(b)(2) Conditions of Operation: (b) *Level 1 Open Storage is intended to allow for vehicles or equipment essential to the day-to-day operation of a business. Vehicles exceeding eight thousand (8,000) pounds or equipment not essential to business operations shall be excluded from Level 1 Open Storage.*

STANDARDS FOR A SPECIAL USE

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. Staff has prepared Findings of Fact based on the information provided by the Petitioner. The Commission may revise these standards based on testimony provided at the Public Hearing.

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 business will occupy solely inside the existing building and be subject to all Villages Codes prior to being granted an occupancy permit. The applicant will have on average up to four (4) company vehicles overnight outside.

- 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 business is locating in an established office/restricted industrial park that was designed for a mix of ORI uses and B-3 uses.

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

The majority of the area is already developed. The use of a contractor office and shop will not impede the development of the surrounding area as the operations will be solely contained inside the existing building. The applicant will be utilizing the existing amenities of the property as they are constructed today.

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

The property has been developed with all the necessary utilities, access road and drainage being addressed at the time the building was developed. There are no known issues regarding these items at this time.

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

There are two (2) access drives that access onto Spring Creek Drive which lead vehicles north to 183rd Street.

- 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.

No Variances are required.

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

This will be a new business to area that will have at least seven (7) employees working full-time in the office at this location. The employees can patron the existing retail establishments in the area.

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

MOTION TO CONSIDER

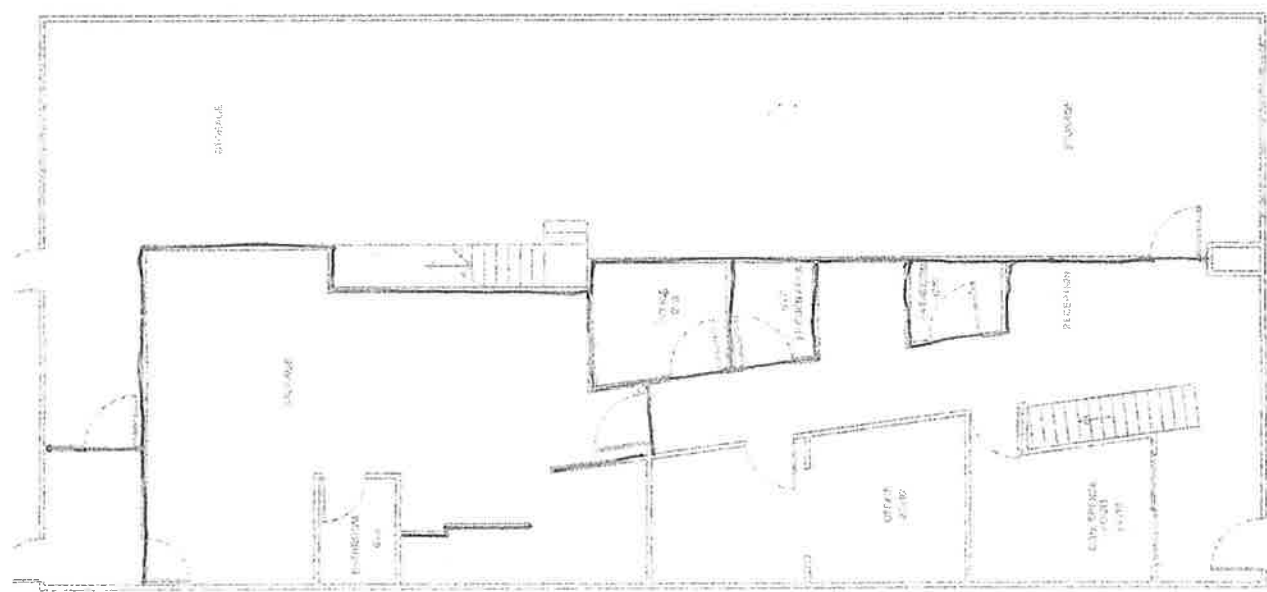
If the Plan Commission wishes to take action, an appropriate wording of the motions would read:

“Motion to recommend to the Village Board the granting of the following Special Use to the Petitioner, Mark Zamiar, on behalf of Lankford Construction Company, located at 18521 Spring Creek Drive Unit G & H, consistent with the List of Submitted Plans as attached herein and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff as may be amended by the Plan Commission at this meeting:

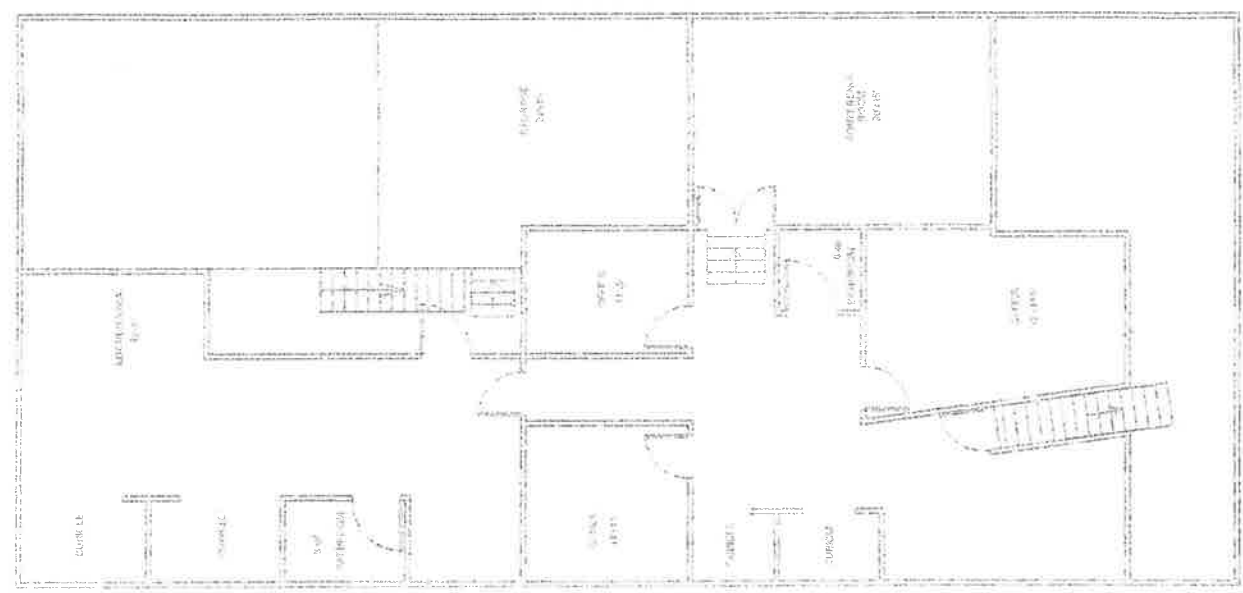
1. A Special Use from Section V.B (Schedules of Regulations) Schedule I- Contractors’ Offices and Shops in the ORI (Office and Restricted Industrial) District.

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Received 3.13.18



First Floor



2nd Floor

**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: Mark Zamiar / Lankford Construction Co.
Mailing Address: 1458 Karlens Way
City, State, Zip: Johnsbura, IL 60050
Phone Numbers: [REDACTED] (Day) Fax Number: [REDACTED]
(Evening) [REDACTED]
(Cell) [REDACTED]
Email Address [REDACTED]

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):

B. Property Information:

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

Property Owner(s): TB Partnership
Mailing Address: 14030 Kildare
City, State, Zip: Crestwood, IL 60445

Property Address: 18521 Spring Creek Dr, Tinley Park, IL
Permanent Index No. (PINs) 19-09-01-203-001-0000
Existing land use: [REDACTED]
Lot dimensions and area: [REDACTED]

C. Petition Information:

Present Zoning District: ORI / PD North Creek business Center
Requested Zoning District: Special use for Contractor Shop

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

Yes ☒ No ☐

If yes, identify the proposed use: Construction / Painting office

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.

3-13-18
Date